Holyport Residents Association has reviewed the Bell Cornwell "STATEMENT OF CASE" prepared for Beaulieu Homes Southern Ltd. We had first reviewed the "Informal Hearing Statement of Case" prepared for Beaulieu Homes Southern Ltd., dated March 2019, subtitled "Statement of Case - appeal against the non-determination of application 17/03857/OUT. These both concern proposed development of an area at "Lodge Farm And Water Tower Ascot Road Holyport Maidenhead SL6 2HX ", situated between Holyport Road and the A330 Ascot Road.

We have already objected to the proposals and our previous objections all still apply. We are against the appeal proposals, both in support of the RBWM reasoning and for our own reasons as set out below and in all of our previous objections.

We now quote below paragraphs from the Bell Cornwell documents against which we have added comments. We mainly refer to text from the "Informal Hearing" version, and this is shown in "normal" text - that from the "STATEMENT OF CASE" is "normal red italic". Our comments are "bold" and shown immediately below each of the quotes from the Beaulieu documents. Where the STATEMENT OF CASE expresses a concept which we had already addressed from the "Informal" version we have not repeated our comments. As for the rest of the Bell Cornwell documents we either see no point in commenting or consider that it is for RBWM to comment.

We also point out that there should be available from RBWM Planning to the Planning Inspectorate all of our previous comments against this planning application. In addition we strongly suggest that the HRA submissions to RBWM for their "Edge of Settlement Analysis" must also be reviewed. All of these previous comments remain applicable.

1.18 There is no planning history of direct relevance to the application.
Incorrect - See our Appendix 4, regarding the matter of access to Holyport Road.

1.4 The majority of the issues have been discussed and agreed during the application process with the technical consultees. This has involved considerable additional technical work and discussions over the last 15 months.

On 6th August 2019 the RBWM Planning group and the Maidenhead Area Development Management Panel made a formal decision against development.

1.5 Given the progress that has been made on the resolution of technical issues, the key issue for the appeal is the principle of the development, in particular the very special circumstances for allowing inappropriate development in the Green Belt.

On 6th August 2019 the RBWM Planning group and the Maidenhead Area Development Management Panel made a formal decision against development.

2.1 The site, which is known as Lodge Farm, is located at the edge of Holyport Village which lies to the south of Maidenhead and Bray Wick. Whilst the settlements are linked as a result of suburban expansion, Holyport is located to the south of the M4 motorway, whereas Maidenhead and Bray Wick are located to the north. The settlements are therefore essentially permanently separated by the M4 motorway. The whole of the area lies within Bray Parish.

As stated in our previous objections to this application, and as defined in the RBWM Edge of Settlement Analysis, the description given above is wrong. The actual situation is that the settlement of Maidenhead extends south-east from Bray Wick along the A308 as far as Fifield road. Maidenhead also extends along the south-east of Holyport Road. Also all of Aysgarth Park, to the north-east of the proposed site is Maidenhead. This is confirmed by maps in the RBWM Edge of Settlement Analysis. Holyport Village lies to the south west of
the site. Maidenhead and Holyport are not separated by the M4 Motorway. Maidenhead and Holyport are separated by the settlement gap that is Lodge Farm, and this is illustrated by the maps in our Appendices 1 and 2. The map in our Appendix 1 shows that the land is Green Belt and is a gap between settlements. The boundary of the existing Maidenhead settlement, shown in grey, is solid red. Dashed red lines show the Local Development Plan’s nearest future additions to the Maidenhead boundary. Blue areas are the settlements of Holyport and Bray. The green line is the boundary of Bray Parish.

2.2 The site is 21.75 hectares of flat agricultural land between Windsor and Maidenhead. As can be seen in the Plan below, the Lodge Farm site is well-contained by the major highways of the M4 to the north, the Holyport Road to the east, Holyport to the south and the Ascot Road (A330) to the west/north west. It is also very well located with regards to the urban context with the residential areas in and around the Holyport Road, Aysgarth Park and Ascot Road surrounding the site and does not constitute ‘urban sprawl’. We return to this in more detail at section 5 as it is a relevant Green Belt issue.

Development on Lodge Farm would constitute a sprawl of housing into Green Belt from the Maidenhead Settlement extending from Holyport Road and Aysgarth Park.

2.4 The greater part of the site currently lies in a state of neglect, with rough grass and derelict buildings and is detrimental to the neighbouring village and surrounding built environment; the site is private property and as such not accessible by the general public.

It is the owner who has kept it in this state of neglect - however we do not consider it to be detrimental. It provides a haven for wildlife. e.g. Deer have been seen, and geese arrive here in Autumn - Winter to feed on the remains of the harvest from the field adjacent to Holyport Road - exactly where the development is proposed. That same large part of the land is presently farmed by one of its listed owners.

2.5 Whilst being located in the Greenbelt, the site is almost completely surrounded by development as can be seen from the aerial photographs on the following pages.

This is no reason to develop it. It is more a reason to retain it. It is a gap between the settlements of Maidenhead and Holyport.

2.6 We have measured the length of the perimeter and this is approximately 1,966m; only 176m of the north western perimeter is devoid of development. The remainder of the North West perimeter along Ascot Road has development running along the western side of the road. The southern perimeter is the boundary with the centre of the village, the eastern perimeter has dense development almost right up to its boundary with the site for its entire length, the north eastern perimeter also has dense development almost right up to its boundary of the site for most of its length, except in the northern corner where there is a green triangle which is a LEAP which serves the Aysgarth Estate. To the immediate north of the site lies the M4 motorway and immediately beyond the motorway, there is a substantial area of commercial development with residential development immediately beyond that. In other words 91% of the site is urbanised by surrounding development. As such, it is the Appellant’s contention that the site does not constitute urban sprawl and makes a very limited contribution to the Greenbelt.

Much of what is said above actually makes the case that the area should remain as Greenbelt. Development would constitute urban sprawl and would fill a settlement gap. Also this "To the immediate north of the site lies the M4 motorway" is inaccurate as the M4 is merely tangential to the Northern corner of the site.

2.8 The site is proposed as a new, logical heart to the community with a large community parkland to be provided, keeping much of the site in the Green Belt in perpetuity whilst providing much-needed housing for the area. The parkland will be the third largest park in the Borough.
Housing and a doctors surgery is not a "logical heart to the community" Also it would not be geographically central. See Appendix 3 for photos of the flooded "park", which would be adjacent to the busy A330.

2.13 In summary, the scheme is an outline proposal for approximately 150 dwellings, with all matters reserved except access. A mix of sizes and types of homes are to be provided to accord with policy. The detail design of development layout, scale/appearance and landscape would come forward as part of subsequent reserved matters applications, however the Design and Access Statement which is an appeal document explains the principles that will guide these further applications.

"Outline proposal" and "All matters reserved except for access" tells us that nothing proposed is a commitment. Access is what this developer wants - after which we would have no control over what he would decide. He might decide to have more houses, and there is a view that he may extract gravel before building.

Agreement for any access from Holyport Road or from Aysgarth Park, or improved access from the Ascot Road, or access from Holyport Street, Blind Lane or the track to the tennis club, would establish the principle of residential development and negate the Borough's assessment of the area against the NPPF's five purposes for Green Belt.

We consider that access to Holyport Road is not permissable - See our response to paragraph 2.24 and our Appendix 4

2.15 The actual built area covers only 22% of the total site, with a 30m wide green buffer zone proposed to encompass the built area, bringing the development zone up to 30% of the total site area. The remaining c 15.2ha of open space will be gifted to the local community with a covenant that it remains as open space for the benefit of the community in perpetuity. In addition to gifting this land, the Appellant will also provide an endowment of £850,000 to fund the management of the park and negotiations are ongoing with a not for profit organisation to fulfil this function.

Our comments against Para 2.13 apply. Who is the park management organisation?

2.23 As a result of feedback from the public consultation which highlighted difficulties in getting an appointment with a GP at the existing surgery and in some cases being unable to even register; the Appellant is proposing to seek to remedy this situation. Following negotiations with the existing medical practice; it is proposed to gift a 0.75 acre parcel of land which is sufficient to provide a new purpose built medical centre comprising a single storey building of 667sqm and parking provision for 25 cars. As a result of discussions with the partners on the design of the new facility, a CGI of the proposed new building can be seen later in this statement.

The Beaulieu consultation results not having been published there is no measure of the proportional amount of concern about the present surgery - further, Claremont have told us that nothing is agreed. See answer to paragraph 3.4.

2.24 A new access will be created from Holyport Road, with an additional emergency access onto the Ascot Road. A new pedestrian crossing is proposed to Holyport Road to facilitate a safer crossing point to the adjacent school. A small drop off/pick up parking area is also provided to the south west corner of the site to allow for drop off/pick up for the school and provide parking for the proposed play facilities.

The concept of a single access for 150 houses onto Holyport Road is completely unacceptable. The 7000 - 8000 vehicles per day using Holyport Road give it the status of a District Distributor Road. The Borough's highways design guidance requires such roads to be 7.3 metres wide with a 2.4 metre safety zone between the footway and the road, and the footways to be 2 metres wide. But Holyport Road is only 5.5 metres wide, with narrow
footways only 1.4 and 1.5 metres wide - UNSAFELY immediately adjacent to the road, so it is unsuitable for the addition of more traffic from any new development. Police and Emergency services have previously objected to any obstructive traffic calming here, referring to it as a Strategic Route. This new junction and the development's new traffic and a pedestrian crossing would have a similar delaying effect, so we expect the emergency services and the Highways Authority to object. Traffic entering and leaving the new site would be delayed due to existing traffic; and being within 115 metres from the Stroud Farm Road entry, leading to houses, shops and the school, the traffic combination could cause chaos, and more air pollution, possibly over a long stretch of Holyport Road. The proposed splayed entry for the access road extends over the frontage of three Holyport Road houses. Occupants driving into and out of their drives would be severely adversely and dangerously affected by new traffic due to the proposed access just across the narrow road. Pedestrians on the north-west side of the road would be unsafe whilst walking approximately 18 metres across the proposed new access. Conditional access onto Holyport Road was permitted by Government Planning Inspectorate FOR AGRICULTURAL ACCESS ONLY, and this has lapsed. It appears that the Inspector's logic was THAT ONLY A FEW AGRICULTURAL USAGES COULD BE PERMITTED; ANY OTHER ACCESS BEING UNSAFE AND UNACCEPTABLE IN THIS BUSY POPULATED ROAD BORDERING ON GREEN BELT LAND.

In a previous planning application the applicant stated "Existing approval for vehicular access into site from Holyport Road". This statement is absolutely and decisively wrong. There is no existing approval.

We consider that access to Holyport Road is not permissable - See our Appendix 4

It is understood that through Bray Parish Council, residents own the strip of land between Lodge Farm and Aysgarth Park, and we are confident that Bray Parish Council would never agree to access through there to or from Aysgarth Park.

Agreement for any access from Holyport Road or from Aysgarth Park, or improved access from the Ascot Road, or access from Holyport Street, Blind Lane or the track to the tennis club, would establish the principle of residential development and negate the Borough’s assessment of the area against the NPPF’s five purposes for Green Belt.

Within the submissions made to RBWM against this development there is an email dated 31st July 2019 in which the writer suggests that perhaps the developer intends to extract gravel from the site before proceeding to develop it. The words used are as follows;

"In my view, the development as proposed can only be viable if the developer is assuming additional revenue from the site from gravel extraction prior to development. If the 'community benefits' of the proposed development are dependent on gravel extraction, the implications of gravel extraction should be considered at the same time as the main planning application for development. Those implications, clearly, could be substantial. The Officer’s report to the Panel mentions my comment re gravel extraction in general terms but does not then subsequently address it. The developer should be required to state their position regarding financial viability and their expectation re gravel extraction. I also suggest that, in preparing its appeal case, the Council should seek the advice of a specialist consultant regarding the scheme’s viability and whether gravel extraction is likely to be necessary for the scheme to be deliverable as proposed by the developer."

We request that the Planning Inspectorate should take further notice of our Appendix 4 and prohibit the creation of any access onto Holyport Road for any purpose.

2.27 In terms of drainage, the integration of Sustainable Drainage Systems (SuDS) has shaped the masterplan development. The aim of SuDs, as set out in greater detail in the Design and
Access Statement and the Flood Risk Assessment is to maximise the existing potential of the site to attenuate and clean water. They also provide valuable amenity by creating and integrating well-designed landscaped features and creating a greater diversity of flora and fauna.

Much of the surrounding lower area is subject to a high water table level and building on this higher ground with consequent reduction in its ground water absorption capacity could cause flooding nearby. SuDS need to be very carefully designed to succeed in mitigating such damage. We have little confidence in them. In previous objections we have highlighted a report produced for the Holyport Preservation Society at the time of the RBWM Edge of Settlement Analysis, which concluded that there was too much flood risk. We have also objected to SuDS being applied to another local site - our objections were ignored. We await the results with some interest. See Appendix 3.

2.30 We attach the analysis of the appeal site as Appendix 1. There are a number of key positive conclusions which we set out below.

- Good defensible boundaries surround most of the area and take the form of two roads (east and west), a lane, residential development and treelines.
- The area is not in a settlement gap.
- There are no sites of ecological value in the area.
- Unacceptable adverse impacts have not been demonstrated
- New development would connect well with the existing area.

We contend that this area is a settlement gap between Maidenhead (boundary Aysgarth Park on the north-east and Holyport Road on the south-east) and Holyport beyond Blind Lane to the south-west, and partly on the north-west. (Bell Cornwell have recognised this in their document at paragraph 5.153) See our Appendices 1 and 2.

The Government’s National Planning Policy Framework requires that Green Belt gaps between settlements will remain undeveloped, and the Borough has determined that the policies apply to this land; so it cannot be included in the Local Development Plan. Future development of "THE TRIANGLE" shown in our Appendix 1 will make this gap even more important.

The Planning Inspectorate has ruled in April 2017 against development of a similar area due to its being a gap between settlements. PINS should recognise this precedent in support of their decision against this application. See our comment against paragraph 5.37, and our Appendix 5.

Locally there are two such gaps - one between the Maidenhead and Holyport settlements, the other between the Maidenhead and Bray settlements. Although the owner of the land between Maidenhead and Bray has not indicated a wish to have it developed we consider that it would be inconsistent to allow development between Maidenhead and Holyport.

The Applicant claims that the Borough’s Edge of Settlement Analysis is wrong, stating that none of the residential area south of the M4 is Maidenhead. The Borough’s various maps used for their Edge of Settlement Analysis clearly show the boundary of the settlement of Maidenhead, and in the map shown in our Appendix 2 from an RBWM Edge of Settlement Analysis document we see cross-hatched areas for consultation marked adjacent to the Maidenhead boundary shown in black. Clearly, therefore, the boundary of Maidenhead is as we have claimed and NOT as Bell Cornwell and Beaulieu have stated.

2.33 A Green Belt assessment was then produced by the Council in July 2016. This was described as an ‘Edge of Settlement’ analysis. This gave the appeal site the site reference M34 and assessed the whole of the site. The findings of the assessment (included as Appendix 2) contradict the 2014 assessment.
In "Edge of Settlement" the word "Settlement" refers to the Settlement of Maidenhead, and the analysis was to consider all sites around the edge of Maidenhead. Thus, this site is shown in the map in our Appendix 2 to be on the edge of Maidenhead - not in Holyport, but between Maidenhead and Holyport. The findings are probably different from an earlier assessment because the Government changed its guidance.

2.34 In terms of purpose one of the Green Belt, the site is described as making a very strong contribution to preventing the unrestricted sprawl of the built up area. Additionally it is described as having boundaries, some of which lack durability (despite the summary from the 2014 study in paragraph 2.21 above).

The first sentence above is correct; building on this site would be "sprawl".

2.35 In terms of purpose 2, the parcel is described as making a very strong contribution to preventing settlements from merging. In response to Purpose 3, the parcel is described as making a strong contribution to safeguarding the countryside from encroachment. The parcel is also described as making a strong contribution to preserving the setting or special qualities of a historic place (purpose 4).

All of the above is correct.

2.36 Whilst we have set out our own detailed assessment of the site’s performance against the purposes of the Green Belt in section 5 below, we summarise this now for ease of reference. Our starting point is that it is highly confusing how the Council’s assessment has changed over time so significantly. The site has not changed, nor have the purposes of Green Belt. What has changed is the Council’s assessment. This is extremely inconsistent, contradictory and casts doubts on the objectivity of the plan-making process, which should be based upon a consistent evidence base.

We disagree with the above. If all factors are not taken into account at one stage then as they become evident they must be considered and will have an effect on the conclusion. Further, Government changed its guidance.

2.40 We have sought to gain more information about how the decision making process may have impacted on the conclusions reached. As part of this we have asked for information to be provided to us via a Freedom of Information Request which was sent to the Council on 7 February 2019. This related specifically to the Council’s Local Plan Working Group and its meetings between the dates of August 2014 and July 2016. We requested that copies of all of the agendas, officer reports and minutes which were not already published on the Council’s website be provided to us. A number of the agendas and reports are missing, and some are specifically marked ‘restricted’. Despite the 20 day deadline for the provision of the information having passed some time ago, the Council has not yet provided the information, despite regular reminders being sent.

The above is all irrelevant as it must be recognised that if all factors are not taken into account at one stage then as they become evident they must be considered and will have an effect on the conclusion. Further, between 2014 and 2016, government changed its guidance. The following is the Borough’s Edge of Settlement Analysis for the subject land. See document:


M34 - Land between Ascot Road and Holyport Road, south west of Aysgarth Park, Holyport

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Parcel M34 is situated between the excluded settlement of Maidenhead and the Green Belt settlement of Holyport. It is bound by Ascot Road, the boundaries of public open space and</td>
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</table>
properties on Aysgarth Park and Byland Drive, Holyport Road and field edges. The parcel largely comprises open land, but a cluster of residential properties is located centrally.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Assessment</th>
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<tbody>
<tr>
<td>The degree to which the land prevents the irregular spread of the built-up area.</td>
<td>The parcel makes a very strong contribution to preventing the unrestricted sprawl of a built-up area.</td>
</tr>
<tr>
<td>The strength of the existing boundary and that which could be achieved should the boundary be amended</td>
<td>The parcel contributes to the separation of the built-up area of Maidenhead and the Green Belt settlement of Holyport. Development would act to reduce the separation increasing the impression of sprawl.</td>
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<td></td>
<td>The parcel is well related to the built-up area of Maidenhead. Notwithstanding this it is not contained by the built-up area nor does any surrounding feature provide a sense of visual containment.</td>
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<tr>
<td></td>
<td>The land is highly visible from beyond the parcel including the Ascot Road. The parcel displays an important connection to the wider countryside and Green Belt.</td>
</tr>
<tr>
<td></td>
<td>The parcel is bound by a mix of features some of which lack durability. Whilst the north western, north eastern and south eastern boundaries are durable comprising public roads and well defined and regular property boundaries, the important south western boundary lacks durability comprising hedgerows and tree lines.</td>
</tr>
<tr>
<td>Conclusion</td>
<td>Very Strong</td>
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<table>
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<th>Criteria</th>
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<tbody>
<tr>
<td>The degree to which land prevents the coalescence of settlements, including consideration of ribbon development and existing sporadic development</td>
<td>The parcel makes a very strong contribution to preventing settlements from merging.</td>
</tr>
<tr>
<td></td>
<td>The parcel forms part of a gap between the excluded settlements of Maidenhead and the Green Belt settlement of Holyport. The excluded settlement of Maidenhead extends along the south eastern side of Holyport Road to the edge of Holyport. The parcel provided a gap on the north western side of Holyport Road. The gap is approximately 0.35km.</td>
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<td></td>
<td>The parcel is largely open in character albeit with some development towards the central area. Views into and out of the site from Holyport Road are restricted in part by a boundary hedge, however</td>
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the parcel is highly visible from Ascot Road.
Development would significantly reduce the actual and perceived distance between the settlements.

**Conclusion**
Very Strong

### To assist in safeguarding the countryside from encroachment

<table>
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<th>Criteria</th>
<th>Assessment</th>
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<tbody>
<tr>
<td>The strength of the existing countryside character, including consideration of sporadic development and other urbanising influences.</td>
<td>The parcel makes a strong contribution to safeguarding the countryside from encroachment. The parcel displays a largely rural character with the land comprising agricultural fields. The centrally located residential properties do not detract from this character. Views into and out of the parcel are restricted in part from Holyport Road by a boundary hedge. Development would however be visible should this occur. The land is highly visible from Ascot Road. The parcel displays an important connection to the wider countryside and Green Belt. The parcel is bound by a mix of features some of which lack durability. Whilst the north western, north eastern and south eastern boundaries are durable comprising public roads and well defined and regular property boundaries, the important south western boundary lacks durability comprising hedgerows and tree lines.</td>
</tr>
<tr>
<td>The strength of the existing boundary and that which can be achieved should the boundary be amended.</td>
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**Conclusion**
Very Strong

### To preserve the setting and special qualities of historic towns

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<tr>
<th>Criteria</th>
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<tbody>
<tr>
<td>The degree to which land contributes to the setting of a historic place</td>
<td>The parcel makes a very strong contribution to preserving the setting or special qualities of a historic place. The parcel adjoins the identified historic settlement of Holyport. While boundary tree and shrub cover restrict views into and out of the parcel, the land comprises open space which plays an important role in maintaining the setting of the historic settlement. The Holyport Conservation Area abuts the parcel at its southern boundary. While development is continuous to the south eastern side of Holyport Road, the open expanse to the north western side provides a sense of approaching Holyport. Development would impact the approach to the historic core of Holyport.</td>
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</table>
The council is undertaking a review of the Holyport Conservation Area. The consultation draft statement proposes amendments to the conservation area boundary to incorporate an area within the parcel itself.

Conclusion

Very Strong

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
(O bservat i on ON ly)

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<th>Criteria</th>
<th>Assessment</th>
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<tbody>
<tr>
<td>Proximity to regeneration initiative supported in adopted development plan policy</td>
<td>The parcel is not in proximity to a regeneration project supported in existing development plan policy.</td>
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It is clear from the above why RBWM has determined that this land must not be developed.

2.41 One reason for progressing the appeal is our concern over the objectivity of the Council’s assessment due to public comments made by the Councillors during the course of the site promotion and planning application. There has been public political negativity from the outset, including from the current leader of the Council and the Cabinet member for Planning and Health. We show below, as examples, tweets from Cllr Coppinger and Cllr Simon Dudley.

Public comments by Councillors have not been made just due to their own feelings, they have been made in support of local residents. Councillors are well aware of the extent of feeling in the local population that this land must not be developed. This local feeling has been measured by a Holyport Residents Association consultation, the results of which have been made available to RBWM and to the Planning Inspectorate. These results were originally submitted as part of our response to the RBWM Edge of Settlement Analysis and subsequently added to our objection statements made in the past. See our Appendix 6.

In addition the applicant is well aware through his attendance at a local meeting that he himself organised, and through his attendance at least at one of the Bray Parish Council Planning Meetings considering his application, that residents are entirely against his plans. There would be something wrong with local democracy if the Councillors who attended the Parish Council meeting (as did Cllrs Coppinger and Dudley) did not subsequently support the public opinion.

3.4 The application has been modified on two occasions which has resulted in additional periods of consultation. Firstly, revised plans were submitted in July 2018 to include a new build Holyport Surgery Building on the application site, with associated parking. The proposed surgery has a gross internal floor area of 667sqm. A 25-space car park is also proposed, specifically to serve the surgery, including disabled bays. More information about the benefits of this provision are set out in section 5 below about very special circumstances; however, the revised proposal was a direct response to comments raised through the consultation which raised concerns about the waiting times at the current doctor’s surgery. The appellant was keen to proactively address this important local issue and worked with the Claremont and Holyport Medical practice in order to prepare an appropriate proposal.

The applicant refers in quite a few occasions to the results of his consultation, however as he has never published these results; there is no evidence as to the extent of support, and he has never made any reference to any adverse comments from residents. We do know
that adverse comments were made. The applicant states that he has worked with the local medical practice, but the latter has written to RBWM and advised amongst other things;

"A proposal was presented to the partners, with agreement in outline being made. However, following subsequent legal advice we informed the developer that we would not be in a position to progress with the proposed scheme. Indeed, if the development were not to go forwards we would not need new premises. We take a view that the determination of this proposal should be between local residents, RBWM and the developer and feel the use of the Surgery, as a lever in this process, is wrong."

3.14 The application was accompanied by a Flood Risk Assessment (FRA) and Drainage Statement prepared by Stuart Michael Associates Limited. This concluded that the flood risk could be managed acceptably and that the proposed development would not increase the risk of flooding elsewhere.

Much of the surrounding lower area is subject to a high water table level and building on this higher ground with consequent reduction in its ground water absorption capacity could cause flooding nearby. SuDS need to be very carefully designed to succeed in mitigating such damage. We have little confidence in them. In previous objections we have highlighted a report produced for the Holyport Preservation Society at the time of the RBWM Edge of Settlement Analysis, which concluded that there was too much flood risk. Our submission to the RBWM Edge of Settlement Analysis has many flood photographs, and we include a few of these as our Appendix 3.

3.15 The site is located within Flood Zone 1 and partially within Flood Zone 2. A sequential approach has been applied to ensure all more vulnerable development will be located solely within Flood Zone 1.

Comments against para 3.14 apply.

3.16 Mapping shows that there is low to very low risk of surface water flooding on the site. Surface water from all proposed impermeable areas will infiltrate into the groundwater, replicating the existing greenfield drainage regime.

Comments against para 3.14 apply.

3.29 Discussions were held with Highways England during the course of the application to ensure that the implications of the smart Motorway were taken into account. Highways England agreed that this matter could be dealt with by a condition regarding the timing of constructing a new access route/roundabout on Ascot Road.

Irrelevant.

3.30 The development also proposes a zebra crossing on Holyport Road which provides a pedestrian connectivity between the development and the small parade of shops off Stompits Road.

RBWM have previously rejected applications for a pedestrian crossing. It is believed that the reason is that Holyport Road is regarded as a "Strategic Route". i.e. on a strategic route which police and emergency traffic need to transit at speed, pedestrian crossings are dangerous.

3.31 Comments from the Council’s highways consultants were received in June 2018 and did not raise any objections, just suggesting conditions regarding a construction management plan, visibility splays and internal access details.
Irrelevant. See our extensive comment in our Appendix 4. From observation of Highways comments on planning matters we consider that they are predisposed to acceptance.

3.32 In December 2018, the application was amended to a single all vehicle access off the Holyport Road and an emergency access off the Ascot Road. The reason for this was that at that point, there was an outstanding objection from the Environment Agency regarding part of the access road being in the flood zone. This matter has now been completely resolved and there is no reason why the original option of all vehicle accesses off Holyport Road and Ascot Road with a through road could not be delivered.

Irrelevant. See our extensive comment in our Appendix 4.

5.17 An independent Green Belt review carried out by JPC Planning has been included as an appeal document and formed part of the planning application documentation. This was produced in January 2014 and was prepared independently by planners who were not aware of the interest in Lodge Farm, it was therefore undertaken ‘blind’ to mitigate any bias.

Where is this JPC Planning report?

5.18 The Green Belt review was undertaken with the oversight of Simon Bird QC (set out in Appendix 11) to ensure that it was independent, robust and that the methodology used in its preparation was appropriate.

This so called independent Green Belt review is referred to in Bell Cornwell Appendix 11, being "ADVICE" by Simon Bird QC. It commences with these words; "In March 2013 following advice I gave to them, Beaulieu Homes Southern Limited instructed JPC Strategic Planning Consultants ("JPC")......" There is no sign of the JPC report itself. We comment further that it is well known that "he who pays the piper calls the tune". We note that Bell Cornwell Appendix 13 is a further report by "Intelligent Land" again prepared on behalf of Beaulieu Homes.

5.19 The study uses an established four stage methodology which has been used in a number of other Green Belt studies as follows:

Where is the actual report? We note that paragraphs below as far as 5.37 might be abstracts from some such report.

5.20 The appeal site was, independently, ranked 6th out of all of the sites assessed and recommended for an area where an adjustment of the Green Belt boundary would be justified. The number (248) of dwellings suggested for the site was based on standard density assumptions made by the consultants, which was reduced through the preparation of the application.

Stage 1: Compartmentalisation and sub-division of land into separate land parcels
Stage 2: Assessing the degree to which each land parcel contributes to the purposes of the Green Belt
Stage 3: Identify suitable sites from the RBWM SHLAA for assessment
Stage 4: Assessing the sustainability credentials of the land parcels surrounding urban areas

Who ranked it thus? We do not accept these statements. We suggest that any consultant could create a case for development of any area, but this does not mean that such assessment would be credible.

5.8 The site is already entirely separated from Maidenhead by the Ascot Road and the M4 motorway which forms a permanent barrier. The site as a whole is well contained by roads and is adjacent to existing residential development. The development of the site could not, therefore, constitute sprawl, but would be infill development. The proposed open space which covers 70% of
the site would contribute permanently to the extent of the separation between Holyport and Maidenhead.

5.9 The development of the appeal site would not have an impact on the merging of neighbouring towns. It is already permanently separated from Maidenhead by the M4 Motorway, which forms a permanent severance effect. This separation would not alter with the development of Lodge Farm. As set out above, the site as a whole is already well-contained by roads which form permanent boundaries. Additionally, approximately 70% of the site is proposed to be undeveloped and left as Parkland.

5.23 The site is already entirely separated from Maidenhead by the Ascot Road and the M4 motorway which forms a permanent barrier. To use the Council’s own description in relation to other sites in the Edge of Settlement assessment 2016 ‘the M4 serves as a severance effect’. For 5.8, 5.9 and 5.23 - Comment against paragraph 2.1 refers and is repeated here - In line with our statements in our previous objections to this application, the description given above is inaccurate. The actual situation is that the settlement of Maidenhead extends south along the A308 as far as Fifield road. Maidenhead also extends along the south-east of Holyport Road. Also all of Aysgarth Park, to the North-East of the proposed site is Maidenhead. Holyport Village lies to the South West of the site. Maidenhead and Holyport are not separated by the M4 Motorway. Maidenhead and Holyport are separated by Lodge Farm.

5.24 The site as a whole is well contained by roads and is adjacent to existing residential development. The development of the site could not, therefore, constitute sprawl. The appeal proposal would form a revised and defensible boundary to the Green Belt which would endure in the longer term (through the Parkland being protected in perpetuity) and therefore comply with para 136 of the NPPF. The open space which covers 70% of the site would contribute permanently to the extent of the separation between Holyport and Maidenhead.

The first and second sentences above make no sense as "sprawl" arises from building alongside existing housing, which is what would be done here. The RBWM Edge of Settlement Analysis states "The parcel makes a very strong contribution to preventing the unrestricted sprawl of a built-up area."

5.11 The location of the site means that the development would sit centrally within Holyport and would naturally integrate itself into the village in this location, forming a new accessible focus to the settlement for the community.

5.27 The location of the site means that the development would sit centrally within Holyport and would naturally integrate itself into the village in this location, forming a new accessible focus to the settlement for the community.

Again, for both paragraphs 5.11 and 5.27 this demonstrates a lack of knowledge of the boundaries of the settlement of Holyport and the settlement of Maidenhead. The development site lies on land between the settlement of Holyport and the settlement of Maidenhead so any development would join Maidenhead to Holyport. As a mere group of houses and a Doctors surgery it would not be centrally situated either geographically or symbolically.

5.12 The original historic village has expanded in all directions and our assessment is that the proposed development will not have any adverse impact on the setting or character of Holyport village. The development area is confined to the eastern element of the site because of its context within the existing development; its connection to it and the proposed Holyport Park which will maintain a green corridor entering the village from Ascot Road. The substantial amount of supplemental new tree planting will in fact screen the proposed development from views from the Ascot Road and the village.
5.13 With the additional planting of new trees as illustrated in the Masterplan, the proposed development will be seen in only very limited views and will not have any adverse impact on either Holyport Village or the remainder of the existing development. There is a substantial amount of existing hedgerow and many trees, which

5.29 As illustrated by the aerial photographs in section 1, the original historic village has expanded in all directions and our assessment is that the proposed development will not have any adverse impact on the setting or character of Holyport village. The development area is confined to the eastern element of the site because of its context within the existing development; its connection to it and the proposed Holyport Park which will maintain a green corridor entering the village from Ascot Road. The substantial amount of supplemental new tree planting will in fact screen the proposed development from views from the Ascot Road and the village.

For 5.12, 5.13 and 5.29 - Holyport has not expanded in all directions. The north-east and south-east sides of the Lodge Farm site are Maidenhead. The north-west is partly extended Holyport. The south-west is Holyport. The reference to new tree planting is ironic as the site owner has in the recent past been fined for cutting down trees on this land.

5.21 The appeal proposal includes two full-sized, grass pitches for the use of FC Holyport, together with changing facilities (on the footprint of an existing derelict agricultural building). This is a significant community and social benefit of the scheme.

See Appendix 3 for pictures of the flooded football pitch area. Holyport Football Club have written to the Planning Inspectorate clarifying their position in this, including the following; "FC Holyport are disappointed to see that Beaulieu Homes have used the email dated 19th November 2017 to misconstrue the communication between FC Holyport. To reiterate, FC Holyport shall not be endorsing the application."

5.37 In summary, therefore, the site no longer fulfils the purposes of the Green Belt and can therefore be partially developed for residential uses, with a large proportion of the site becoming a parkland for community benefits. as a result of the great majority of the land being used for permitted purposes and therefore in accord with the Framework, that it is open to the Inspector to take the view that this constitutes Very Special Circumstances sufficient to outweigh the harm caused by the residential development in an urbanised section of the site; particularly should the Inspector accept the argument that the development area makes little or no contribution to the Green Belt and as such attracts little weight. Further, should the Inspector accept that the development area constitutes limited infill and is therefore in accord with paragraph 145 e), then it is not even necessary to consider whether Very Special Circumstances even apply, given that the changes in use of both elements of the site, would meet with the requirements of the Framework.

It is not correct to say that the site no longer fulfils the purposes of the Green Belt or that the development area makes little or no contribution to the Green Belt. The site separates Maidenhead from Holyport and is thus a settlement gap. The inspector should dismiss this appeal in the same way as the following was dismissed;

Appeal Ref:: APP//JJ0405//WW//116//33147513
Land west of College Road South, Aston Clinton
Decision dated 18th April 2017

See our Appendix 5.

5.91 The application was modified in July 2018 to include the provision of a new build 667 sqm doctor’s surgery to serve the wider Holyport Area. This was a considered response to comments received through the consultation processes both before and during the application process,
which had raised concerns regarding waiting times at the doctor’s surgery and, in some cases, an inability to register at the surgery.

Again - in the absence of sight of the full consultation carried out by Beaulieu Homes, the few comments mentioned are irrelevant. A Claremont representative has advised that "inability to register" is not the case, and that he has written to RBWM to explain further. See our comment for paragraph 3.4.

5.94 The appellant has therefore worked with the existing Claremont and Holyport medical practice during the course of the application and we attach an email trail as an Appendix 15. The proposals were presented to and approved by the Practice Partners on 1 July 2018.

Again (the consultation results not having been published) there is no measure of the amount of concern about the present surgery - further, Claremont has told us that nothing is agreed, and that they have written to the Planning Inspectorate to clarify the matter. See our comment for paragraph 3.4.

5.139 The provision of the new Medical Centre, which at 667sqm is several times larger than the existing facility, will have the space to provide a wide range of health and wellbeing clinics as well as traditional GP services. Apart from serving the local community, it may well be that the practice can be expanded to alleviate pressure in the neighbouring settlements.

In our area we do not want our roads filled with traffic from other areas. We have far too much traffic already.

5.153 We have set out in words our case as to the lack of harm the actual development will cause and indeed that it is only infill of a settlement gap. We have also described the many facilities of the country park and how it will maintain the green corridor for visitors entering Holyport from Ascot Road.

Bell Cornwell have formally recognised here that the land does constitute a "settlement gap" which they wish to infill contrary to Goverment guidance. Regarding the last sentence - this would logically be traffic heading south east towards Holyport Green, so we see that Bell Cornwell do recognise where Holyport is actually located. The Ascot Road green corridor will continue to exist without this development, and without development the existing Holyport Road green corridor will also continue. If development takes place it would destroy the greenness of a large part of Holyport Road, and would cause great harm - increasing traffic levels - causing danger and frustration to all local residents. See our Appendix 4.

7.1 We have explained in this statement of case that this is a non-determination appeal, given that the planning application was submitted in December 2017 and remains undetermined. We have not been able to establish a likely date for the determination and are aware that the strong views of the Borough Councillors, communicated publicly, mean that the application is unlikely to be approved.

Public comments by Councillors have not been made just due to their own feelings, they have been made in support of local residents. Councillors are well aware of the extent of feeling in the local population that this land must not be developed. This local feeling has been measured by a Holyport Residents Association consultation, the results of which have been made available to RBWM and to the Planning Inspectorate. These results were originally submitted as part of our response to the RBWM Edge of Settlement Analysis and subsequently added to our objection statements made in the past. In addition the applicant is well aware through his attendance at a local meeting that he himself organised, and through his attendance at least at one of the Bray Parish Council Planning Meetings considering his application, that residents are entirely against his plans. There
would be something wrong with local democracy if the Councillors who attended the Parish Council meeting (as did Cllrs Coppinger and Dudley) did not subsequently support the public opinion. The application has been refused as of 6th August 2019.

7.2 We have explained above how the appeal site has been promoted through the Local Plan Review, and that the positive assessment of the site in 2014 had changed significantly by 2016, without any rational explanation. We have sought to understand the Council's reasoning, but there is no information in the public domain which assists. Whilst we have submitted a Freedom of Information request to understand this in more detail, we have not yet had a response.

It must be recognised that if all factors are not taken into account at one stage then as they become evident they must be considered and will have an effect on the conclusion. Further, government changed its guidance; the land is now recognised as a settlement gap and there is consistent very strong opposition to the loss of this piece of Green Belt.

See our Appendix 6 showing our survey report carried out to submit to RBWM's Edge of Settlement Analysis. We include it because it shows the strength of feeling amongst residents that the Lodge Farm area (identified by RBWM at that time as Area 5C) should never be developed.

Summary of Main Points

- The applicant has reserved all matters except for ACCESS, so we can have no confidence as to his ultimate objectives. Nor do we know what adverse processes, such as gravel extraction, he might choose to carry out before the development would be concluded.
- Conditional access onto Holyport Road was permitted by Planning Inspectorate FOR AGRICULTURAL ACCESS ONLY, but has lapsed. The Inspector’s logic was THAT ONLY A FEW AGRICULTURAL USAGES COULD BE PERMITTED; MORE THAN A FEW BEING UNSAFE AND UNACCEPTABLE IN THIS BUSY POPULATED ROAD BORDERING ON GREEN BELT LAND, the corollary to which is that ACCESS CAN NEVER BE AGREED ONTO HOLYPORT ROAD UNLESS IT IS ONLY FOR AGRICULTURAL PURPOSES. See our Appendix 4.
- On 6th August 2019 RBWM Planning and Maidenhead Councillors have decided against the development. Verdict "WOULD HAVE REFUSED"
- Bell Cornwell and Beaulieu have made incorrect claims as to the position of the land vis a vis Maidenhead and Holyport - as we have explained in comment against paragraph 2.1. See our Appendices 1 and 2.
- Planning legislation and legal guidance supports retention of gaps such as this Green Belt land between the settlements of Maidenhead and Holyport. Planning Inspectorate precedent exists for refusal on this basis. See our Appendix 5. The Borough in their proposed Local Plan have set this area to remain as undeveloped Green Belt.
- The land is Green Belt and the Borough’s existing Local Plan, planning legislation and legal guidance decree that development may not proceed unless there are "Very Special Circumstances". - THERE ARE NO VERY SPECIAL CIRCUMSTANCES.
• The applicant has claimed support from the local medical practice and from the local football club, but both of the latter parties have stated they do not support the application.

• Much of the surrounding lower area has a high water table level and building on this higher ground with consequent reduction in its ground water absorption capacity could cause flooding nearby. See our Appendix 3.

• RBWM Edge of Settlement Analysis determined in July 2016 that this land cannot be developed as to do so would contravene Government guidance.

• Planning Inspectorate decided against development at Aston Clinton, and the reasoning applied there also applies here; See our Appendix 5.

• Building houses here would destroy the current "Openness" of this Green Belt area. Precedent exists for planning refusal on these grounds - and planning legislation and legal guidance express similar requirements that openness be retained.

• A residents survey carried out by HRA for our submission to the RBWM Edge of Settlement Analysis, to which 18.1% of the local residents responded, showed that 89.9% do not support development on undeveloped Green Belt land, and 96.9% do not want development on Lodge Farm. See our Appendix 6.

In conclusion we ask on behalf of Holyport Area Residents and through the mandate we hold from them by virtue of the survey results shown in Appendix 6 that the Planning Inspectorate will dismiss both this appeal and the development application 17/03857/OUT.

With agreement of the committee of the Holyport Residents Association

Andrew Cormie, Chair Holyport Residents Association,
Old Pines,
Holyport Road,
Maidenhead
SL6 2HA

Appendices

1 Map Showing Maidenhead relative to Holyport and Bray
2 Map Showing Boundary of Maidenhead Settlement
3 Photographs
4 NO POSSIBILITY OF ACCESS TO HOLYPORT ROAD
6 Holyport Residents Association Survey results.