

<b>Reference No:</b>	08/02558/FULL	Full
<b>Proposal:</b>	<b>Erection of a pre-formed covered storage for winter salt gritting</b>	
<b>Location:</b>	RBWM Highways Depot Stafferton Way Maidenhead SL6 1AY	
<b>Applicant:</b>	Mr Colin Gill	
<b>Agent:</b>	Not applicable	
<b>Date Received:</b>	16th October 2008	
<b>Case Officer:</b>	Peter Carey	<b>Member Call-in:</b> Not applicable
<b>Recommendation:</b>	<b>PERM</b>	<b>Date of Expiry:</b> 11 December 2008

## 1. SUMMARY

- 1.1 This proposal represents inappropriate development in the Green Belt but there are considered to be very special circumstances which justify a grant of planning permission.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.**

## 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine application where the Council is the applicant or has a legal interest in the land

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The Highways Depot lies to the south east of Maidenhead Town Centre, approximately 500m to the south of Stafferton Way, from which it is reached by an access road known as Tip Road. The whole site is enclosed by fencing and a gated access. Lighting is provided by 4 lighting columns approximately 8m high. The depot comprises hardstanding with a number of portacabins and areas for storage of plant, equipment and materials.
- 3.2 The area to the west and south of the site (beyond the access road) is in use as a sports ground, Braywick Park. To the east is the Council's civic amenity site including public recycling facilities. To the north lies a sewage treatment works, and to the north west an enclosure occupied by a trade waste transfer station. Beyond this enclosure is the materials recycling facility site.
- 3.3 The access road from Stafferton Way is a 6m wide metalled road with no footways or lighting.

## 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

03/39951	Redevelopment of Civic Amenity site including relocation of highway depot and new access road	Granted 20/5/03
414235	Public Rubbish Dump	Granted by Berks CC 6/7/82

- 4.1 The proposal is to erect a barn to store salt that is used for road safety purposes. It would comprise 2.4m high walls on 3 sides with a framework above supporting a curved, fabric roof to a maximum height of some 7m. It would have an area of some

12.5m by 15.5m and would be located just to the west of the access to the site. The walls have already been erected.

- 4.2 Planning permission for a Public Rubbish Dump pursuant to Refuse Disposal (Amenity) Act 1978 was granted by Royal County of Berkshire on the 6<sup>th</sup> July, 1982 (Application Reference: 414235) on land which included the application site.

## 5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### Berkshire Structure Plan and Royal Borough of Windsor and Maidenhead Local Plan

- 5.1 The main planning considerations applying to the site and the associated policies are:

	Green Belt
	✓
Structure Plan	DP3
Local Plan	GB1, GB2,

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issue for consideration is:

- i whether the proposal represents appropriate development in the Green Belt and if not whether there are any very special circumstances which clearly outweigh the harm caused by inappropriateness and any other harm.

### The Issue

- 6.2 There is a general presumption against inappropriate development within Green Belts as set out in policies DP3, GB1 and Planning Policy Guidance Note 2: Green Belts, and such development should not be approved, except in very special circumstances. The highway depot itself is inappropriate development, and so is the development that is the subject of this application. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is therefore necessary to examine these other considerations in respect of the current application.
- 6.3 In this respect it is relevant that the site is currently in authorised use as a highways depot. The existing permitted use, therefore, already constitutes inappropriate development in the Green Belt, compromising the purpose of including land in the Green Belt and the fundamental aim of keeping land permanently open. The primary considerations therefore are whether the current proposal will have a greater impact on the openness of the Green Belt or the purposes of including land in it than the existing development on the site, and whether they will cause harm to the character of countryside, and in the event that it does, whether there are any very special circumstances that justify an approval.
- 6.4 The site lies at the northern end of a finger of Green Belt which extends along the A308 Braywick Road from a wide swathe of open countryside to the south to the edge of the built up area of Maidenhead. Despite its designation, this northern part of this finger is occupied by uses which are inappropriate within the Green Belt: a sewage treatment works, the materials recycling facility, a trade waste transfer station, the civic amenity site and the highways depot itself. Moreover, the sites occupied by these uses also contain substantial buildings and other structures, to the extent that the area as a whole cannot be considered as 'open countryside'. The area does not fulfill the main aim of the Green Belt set out in PPG2: to prevent urban

sprawl by keeping land permanently open. Neither does it contribute in any significant way to the purposes of including land in the Green Belt.

**6.5** The site itself currently comprises hardstanding with a number of portacabins and areas for storage of plant, equipment and materials. The whole site is enclosed by fencing and a gated access. Lighting is provided by 4 x 8m light columns. As such, the site itself does not contribute to the openness of the Green Belt and it is considered the harm caused by inappropriateness is negligible in this context.

**6.6** In terms of actual harm in relation to policy GB2 it is the case that the structure proposed would be significantly higher than any other on this site, although there are much larger buildings on the materials recycling facility site, and would also be sited in a prominent position close to the access road serving the civic amenity site beyond. The application is accompanied by a document in which the applicant sets out the case of very special circumstances to justify the proposal, and this is reproduced in italics below.

*“inter service is a statutory duty on Highway Authorities. Salt has been stored in the open at the Highways Depot, Tip Road, off Stafferton Way since 2004/5. Due to a lack of funding at the time of developing the depot it was not possible to construct proper retaining walls and therefore as semi permanent measure concrete blocks and sheeting were used. A large tank was installed to deal with brine run off and this has proved adequate until recently, when in the early summer of 2008 a complaint of salt run off leaching into an adjacent property was lodged with the contractor Balfour Beatty Infrastructure Services (BBIS). Following this an environmental audit was undertaken by BBIS and a decision was taken by them to move approx 500 tonnes of salt to another depot in Wokingham to alleviate the problem in the short-term and prevent prosecution.*

*It is essential that a suitable salt storage facility is in place in time for the winter season on 1 November, in accordance with environmental requirements. Alternative sites were investigated in depth before originally investing in this site and at the time no other sites with sufficient capacity could be identified. This site has a reinforced concrete slab and a separate drainage system but the salt has no protection from the elements. Sheeting is expensive and difficult to maintain, which makes it less effective and limits its lifespan. The consequences are that it increases brine effluent run off and the salt is not stored in dry conditions to optimise its moisture content, therefore spread rates are difficult to achieve. It is therefore critical that we find a means of protecting the salt barn from bad weather, particularly rain. We have researched the market for a cost effective salt barn and have found a manufacturer who is able to supply and install a purpose built unit within the tight timescales at a total cost of approx £55k.*

*Full planning consent is required to construct a ‘barn’. Initial indications with Planning colleagues have assumed that the intention is to construct the 2.4m walls of the barn under permitted development rights but the roof at 7.5m above slab level would require full planning consent. The site is in green belt but was originally given consent for a depot as no other site in the Borough could be found. The site is also badly contaminated meaning it could not be used for other development without very extensive decontamination.*

*It is critical that adequate provision is in place to store salt from mid October onwards. Discussions have been held with the barn manufacturer and agreement has been reached in principle to start work to the foundation and walls at the end of September, with the roof element forming phase 2 subject to planning consent. Any delay in obtaining approval would greatly jeopardise this project being completed on time and the Council’s duty to deliver a statutory service from 1 November.*

### **Option/s:**

*Do nothing – if salt is returned to the current site without adequate storage facilities, the Environment Agency are likely to prosecute the Council.*

*Find an alternative site – the only other site previously identified was Tinkers Lane but the quantity that can be safely stored is significantly below the safe minimum quantity needed (300t).*

*Build a salt barn at Tip Road:*

*This option will resolve the issues with salt run off but is subject to planning consent. To overcome this it has been assumed that the walls can be built immediately under permitted development rights. This will contain the salt and provide a base for a temporary weather proof covering which would be significantly better than the former arrangement. However, the permanent roof cannot be put up until planning consent is approved.*

### **Risks**

*Option 3 provides a salt store with temporary cover pending full planning consent. The risk of abortive costs for the walls is significantly less than the risk of not having salt in readiness for use from 1<sup>st</sup> November.*

### **Recommendation/s:**

*Option 3 is implemented in two phases:  
the foundation and walls to be in place by mid October  
the roof to be constructed when planning consent is granted.*

- 6.7** Clearly it is important that the Council is able to ensure the main road network is maintained in a safe condition and indeed it has a duty to do so. Given this It is considered that, although the development proposed would be somewhat prominent, permission should be granted, as the duty to protect public safety and the lack of an alternative site constitute the very special circumstances that clearly outweigh Green Belt considerations in this case. In reaching this conclusion regard has been had to the fact that the development proposals will not cause any additional harm the character of the countryside which is already substantially degraded in this area.

### **Other Material Considerations**

- 6.8** There are no residential or other sensitive uses close to the site and the structure would not cause any harm to amenities.

## **7. CONSULTATIONS CARRIED OUT**

**No comments have been received from interested parties**

**One occupier was notified directly of the application.**

## **8. APPENDICES TO THIS REPORT**

- Site plan

**9. CONDITIONS FOR 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.