



# MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 30TH AUGUST, 2017

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD,

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
4.	<p><u>PLANNING APPLICATIONS (DECISION)</u></p> <p>To consider the Borough Planning Managers report on planning applications received.</p> <p>Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. <a href="http://www.rbwm.gov.uk/web/dc_public_apps.htm">http://www.rbwm.gov.uk/web/dc_public_apps.htm</a></p>	3 - 6

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## ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PANEL UPDATE

### Maidenhead Panel

<b>Application No.:</b>	16/02340/LBC	<i>16/02350/FULL, 16/02352/FULL + 16/02354/LBC.</i>
<b>Location:</b>	Pappadums 3 Nicholsons Lane Maidenhead SL6 1HR	
<b>Proposal:</b>	Consent for replacement of glass conservatory with a three storey rear extension to create 2 x 1 No. bedroom flats and 1 No. studio flat with amendments to fenestration	
<b>Applicant:</b>	Mr Majeed	
<b>Agent:</b>	Not Applicable	
<b>Parish/Ward:</b>	/Oldfield Ward	
<b>If you have a question about this report, please contact:</b> Julia Foster on 01628 683796 or at <a href="mailto:julia.foster@rbwm.gov.uk">julia.foster@rbwm.gov.uk</a>		

#### 1. SUMMARY

##### 1.1

**There is no change to the recommendations in each of the main reports for these four applications: 16/02340/LBC, 16/02350/FULL, 16/02352/FULL and 16/02354/LBC.**

#### 2. ADDITIONAL INFORMATION

**Comments from Consultee (relates to all 4 cases)**

##### 2.1

Comment	Officer response	Change to recommendation ?
<p><u>Historic England</u> Comments received 24.08.2017. The proposed conversion of this former stable into flats would entail a very high level of harm to its significance. Paragraph 132 of the NPPF requires clear and convincing justification for any harm to the significance of a listed building. As the justification given is in no way adequate for the scale of harm entailed we recommend that this application is refused.</p> <p>This building was once a stables serving Nicholson's brewery. Urban stables like this building were once a common feature in towns and cities. They are now rare and this one is particularly unusual as horses were accommodated on the first floor, which they reached up a shallow stair. Despite its very simple and unpretentious form this stable is of significance as a reminder of how ubiquitous horses once were in our towns and cities and the ingenuity needed to fit large beasts onto crowded sites. The external stair is of particular interest as it is so unusual and it largely on account of this stair that building merits its grade II status. The stair was originally external and opened on to a gallery at</p>	Addressed in the officers main report	No

<p>first floor level. When the property was converted into a restaurant, around 2002, it was enclosed by a lightweight glazed structure and the gallery extended to cover what was formerly open well. This was unfortunate as the stair was less legible, compromising the significance of the building. However, the form of the stair remains readable and the ground floor, which originally housed the brewery drays, retains its original open plan form.</p> <p>Subdivision of the upper floors to form flats around 2014 entailed further harm to the buildings as the layout of the stables and hayloft were lost. It is unknown whether any stable fittings survived up to this point. It is now proposed to convert the entire building into flats. This would involve subdividing the ground floor and replacing the glazed structure with a taller brick one. This would entail a very high, verging on substantial, level of harm to the significance of the listed building. The principal reason for this high degree of harm is that the horse stair and gallery would be enclosed and effectively hidden by the new solid structure that is intended to replace the glazing. It would no longer be possible to see the stair as a whole and understand why this building was of historic interest. Furthermore the insertion of additional windows would compromise its simple industrial character and make it look more domestic while the sub-division of the ground floor would mask the fact that this once accommodated drays.</p> <p>Paragraph 132 of the National Planning Policy Framework requires a clear and convincing justification for any harm to a listed building, while paragraph 134 of the Framework requires harm to significance to a listed building to be weighed against the public benefits, which include securing its optimum viable use. In this case we do not consider the harm to be justified. No case has been made that continued use as a restaurant is not viable. Furthermore, even if such a case were to be made alternative uses that were less harmful, such as office, have not been explored. While there may be problems with the glazed cover over the stair it is a relatively young structure and these are surely soluble with careful repair or modification. As the harm has not been justified it is inappropriate to take the next step of weighing it against public benefits and the application should be refused.</p> <p><b>Recommendation</b></p> <p>Historic England objects to the applications on heritage grounds. We consider that the applications do not meet the requirements of the NPPF, in particular paragraph number 132. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.</p> <p>Your authority should take these representations into account in determining the applications. If you propose to determine the applications in their current form, please inform us of the date of the committee and send us a copy of your report at the earliest opportunity.</p>		
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2.2 The above comment has been forwarded to the Planning Inspector, relating to the four appeals against non-determination.

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

**Maidenhead Panel**

<b>Application No.:</b>	17/01885/FULL
<b>Location:</b>	157 - 159 Boyn Valley Road Maidenhead
<b>Proposal:</b>	Construction of 40 apartments, comprising of 1 and 2 bedrooms with ground level car parking following demolition of the existing building
<b>Applicant:</b>	
<b>Agent:</b>	Mr Paul Butt
<b>Parish/Ward:</b>	Maidenhead Unparished/Boyn Hill Ward
<b>If you have a question about this report, please contact:</b> Laura Ashton on 01628 685693 or at <a href="mailto:laura.ashton@rbwm.gov.uk">laura.ashton@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1** Since the panel report was drafted a consultation response has been received from the LLFA in response to the drainage strategy that was produced by the applicant at the Project Centre's request. The applicant has failed to provide infiltration data to support their drainage strategy. The applicant has therefore failed to demonstrate that the proposed development will not increase the risk of surface water flooding on site or elsewhere in the locality and is subsequently contrary to the advice contained in the NPPF and the Non-Statutory Technical Standards for Surface Water Drainage (2015).

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

**It is recommended the Panel refuses to grant planning permission and includes the additional reason for refusal set out in section 3 below**

**2. ADDITIONAL INFORMATION**

- 2.1** Since the panel report was drafted a consultation response has been received from the LLFA in response to the drainage strategy that was produced by the applicant at the Project Centre's request. The LLFA have confirmed that the applicant has failed to provide infiltration testing, in accordance with BRE365, to be undertaken to demonstrate the practicality of infiltration to ground. They have therefore not demonstrated their drainage strategy to be effective.
- 2.2** Normally the applicant would be contacted and this data requested. Given that the application is recommended for refusal on other grounds, it is recommended that the lack of robust drainage strategy will be included as an additional reason for refusal in this instance. The additional reason for refusal is set out in section 3 below.

**2.3 Points of clarification.**

- Para 3.1 – existing floor area is 2025m<sup>2</sup> and the proposed floor area is 2705m<sup>2</sup>.
- Para 4.1 – bin and cycle stores are located within the ground floor of the building not the north west corner of the site

- Para 5.1 – remove reference to H14 and confirm proposal not considered to have an acceptable level of daylight and sunlight in accordance with paragraph 6.13.
- Para 6.4 – the application building is 4.7m and not 5.5m taller than the neighbouring dwelling.

**Comments from Consultees**



Comment	Officer response	Change to recommendation?
<p>LLFA – <i>“the proposed surface water drainage scheme outlined in the Drainage Strategy (incorporating soakaways, cellular storage and permeable paving) may be appropriate. It would however appear that no on-site infiltration testing has been undertaken and that initial calculations have been based on assumed infiltration rates. We would however expect on site infiltration testing, in accordance with BRE365, to be undertaken to demonstrate the practicality of infiltration to ground. We would also expect drainage layout drawings, standard details, and design calculations (based on on-site infiltration testing) to be submitted.”</i></p>	<p>See para 2.1-2.2 above</p>	<p>No – see additional reason for refusal below</p>

**3. ADDITIONAL RECOMMENDED REASON FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 3.1** The applicant has failed to demonstrate to the satisfaction of Local Lead Flood Authority that the proposals would not increase the risk of surface water flooding on site or in the local area and subsequently fails to accord with paragraph 103 of the NPPF and the Non-Statutory Technical Standards for Surface Water Drainage (2015).