

NOTICE
OF
MEETING

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 20TH DECEMBER, 2017

at

7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

COUNCILLOR DEREK WILSON (CHAIRMAN)
COUNCILLOR DAVID BURBAGE (VICE-CHAIRMAN)
COUNCILLORS CLIVE BULLOCK, MAUREEN HUNT, RICHARD KELLAWAY,
PHILIP LOVE, DEREK SHARP, ADAM SMITH AND CLAIRE STRETTON

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, CARWYN COX, JUDITH DIMENT, GEOFF HILL,
MOHAMMED ILYAS, MARION MILLS, MJ SAUNDERS, HARI SHARMA AND
CHARLES HOLLINGSWORTH

Karen Shepherd
Democratic Services Manager
Issued: Tuesday, 12 December 2017

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at www.rbwm.gov.uk – if you are viewing this on the website and there are appendices you are unable to access, please contact the Panel Administrator **Shilpa Manek** 01628 796310, or democratic.services@rbwm.gov.uk

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Do not re-enter the building until told to do so by a member of staff.

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AGENDA

PART 1

ITEM	SUBJECT	WARD	PAGE NO
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		3 - 4
3.	<u>MINUTES</u> To confirm the part I minutes of the meeting of 18/09/2017.		5 - 8
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning's report on planning applications received. 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. http://www.rbwm.gov.uk/web/dc_public_apps.htm		9 - 110
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the requirements of the Local Government (Access to Information) Act 1985, each item on this report includes a list of Background Papers that have been relied on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper, although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as "Comments Awaited".

The list will not include published documents such as the Town and Country Planning Acts and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance, as the instructions, advice and policies contained within these documents are common to the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading "Remarks".

STATEMENT OF THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

Agenda Item 3

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22.11.17

PRESENT: Councillors Derek Wilson (Chairman), Malcolm Beer, Clive Bullock, Maureen Hunt, Richard Kellaway, Marion Mills, Derek Sharp and Adam Smith.

Officers: Tony Carr (Traffic & Road Safety Manager), Chrissie Ellera (Planning Officer), Victoria Gibson (Development Management Team Manager), Jenifer Jackson (Head of Planning), Mary Kilner (Head of Law and Governance) and Shilpa Manek

38 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Burbage, Love and Stretton. Councillors Mills and Beer were substituting.

39 DECLARATIONS OF INTEREST

Councillor Hunt declared a prejudicial interest for items 4 and 5. Councillor Hunt would leave the room and would take no part in discussion and voting.

Councillor Mills declared a personal interest in items 2 and 3 as she knows a tenant. Councillor Mills had attended the meeting with an open mind. Councillor Mills also declared a personal interest for items 4 and 5 as she is friends with one of the shop owners but was attending the meeting with an open mind.

Councillor Sharp declared an interest in items 4 and 5 and that he was predetermined. Councillor Sharp would leave the room after expressing his interest and would not vote.

Councillor Smith declared a personal interest for item 1 as he knew the tenant, Tony Tucker. The Chairman highlighted that all Panel Members have this personal interest as all knew Tony Tucker.

Councillor Wilson declared a personal interest for item 7 as he is a member of Bray Parish Council.

40 MINUTES

The Panel Unanimously Voted that the Minutes of the last meeting were a true and correct record after the following correction:

Item 2, 17/01885/FULL, 157 - 159 Boyn Valley Road Maidenhead decision to read

The PANEL UNANIMOUSLY VOTED that the application be deferred and delegated to the Head of Planning in conjunction with the Chairman of the Panel to APPROVE, subject to a legal agreement being made regarding Affordable Housing and a satisfactory Sustainable Urban Drainage design being agreed.

41 PLANNING APPLICATIONS (DECISION)

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.

The Panel considered the Head of Planning and Development's report on planning applications and received updates in relation to a number of applications, following the publication of the agenda.

NB: *Updates were received in relation to planning applications marked with an asterisk.

<p>*Item 1 17/02409/FULL</p> <p>Queensgate House 14 - 18 Cookham Road Maidenhead</p>	<p>Change of use from B1 (Offices) to C3 (Residential) at No.18 Queensgate House to provide a single townhouse and a new mansard roof forming part of the townhouse, 1 x 1 bed flat and 1 x 2 bed flat at No.14-18 Queensgate House.</p> <p>Councillor Kellaway put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Hunt.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.</p>
<p>*Item 2 17/02230/FULL</p> <p>Lowbrook Academy The Fairway Maidenhead SL6 3AS</p>	<p>Proposed two storey detached building to accommodate 4 additional classrooms and sports hall.</p> <p>Councillor Sharp put forward a motion to defer and delegate the application. This was seconded by Councillor Kellaway. This was subject to the changes in the Panel Update and to secure a satisfactory travel plan prior to the application being approved.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.</p>
<p>Item 3 17/02224/FULL</p> <p><i>Land Adjacent</i> <i>24 South Road</i> <i>Maidenhead</i></p>	<p>Construction of 6 x 1bedroom apartments and alterations to road layout (approved under 16/00552).</p> <p>Councillor Smith put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Sharp. This was subject to a condition be added to use obscure glazing minimum level three.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.</p>
<p>*Item 4 17/02124/FULL</p> <p>Colonnade High Street Maidenhead SL6 1QL</p>	<p>Demolition of The Colonnade.</p> <p>Councillor Wilson put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Kellaway.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's</p>

	<p>recommendation.</p> <p>(Speakers: The Panel was addressed by Kevin Scott, Agent.)</p>
<p>*Item 5 17/01726/FULL</p> <p>Land West of Crown Lane Including Part Hines Meadow Car Park And La Roche And The Colonnade High Street Maidenhead</p>	<p>Demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605sqm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.</p> <p>Councillor Kellaway put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Smith.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.</p> <p>(Speakers: The Panel was addressed by Kevin Scott, Agent.)</p>
<p>Item 6 17/00619/FULL</p> <p><i>Hardings Farm Hills Lane Cookham Maidenhead</i></p>	<p><i>Three detached dwellings following demolition of existing stables and equestrian storage buildings.</i></p> <p>Councillor Hunt put forward a motion to refuse the application, contrary to the Officer's recommendation. This was seconded by Councillor Beer.</p> <p>A named vote was carried out. Five councillors voted in favour for the refusal (Beer, Bullock, Hunt, Kellaway and Mills). Three councillors voted against (Sharp, Smith and Wilson).</p> <p>The Panel voted that the application be REFUSED for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed change in levels and introduction of 3 buildings all over 6m in height would visually have a greater impact on the openness of the Green Belt than the existing single storey development on site. As such the proposal constitutes inappropriate development in the Green Belt. In the absence of any VSC which would clearly outweigh this harm to the Green Belt and the harm identified in reason 2, as detailed below, the proposal is contrary to Paragraph 87 and 89 of the NPPF.

	<p>2. The proposed form of development including changes to the levels of the site and loss of trees and vegetation would result in the development appearing unduly prominent when viewed from the east. Furthermore the associated residential paraphernalia including lighting would result in the site appearing incongruous to the detriment of the characteristic rural landscape. As such the proposal is contrary to LP policies H10 and DG1(points 11) and core principle 5 of the NPPF.</p> <p>(Speakers: The Panel was addressed by Mike Smith, Objector, Dick Scarff, Cookham Society and Matt Taylor, Agent.)</p>
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42 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

Councillor Hunt raised concerns about Application 17/60092, Wellington Cottages, Warren Row.

43 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC
RESOLVED UNANIMOUSLY: That the resolution be agreed.

The meeting, which began at 7.05 pm, ended at 9.55 pm

Chairman.....

Date.....

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Maidenhead Panel

20th December 2017

INDEX

APP = Approval
CLU = Certificate of Lawful Use
DD = Defer and Delegate
DLA = Defer Legal Agreement
PERM = Permit
PNR = Prior Approval Not Required
REF = Refusal
WA = Would Have Approved
WR = Would Have Refused

Item No.	1	Application No.	15/04284/FULL	Recommendation	PERM	Page No.	11
Location:	Former Cinema Site Bridge Avenue And Cophthall House St Ives Road And 1 To 11 High Street Maidenhead						
Proposal:	Pontoon on the west bank of York Stream for mooring boats						
Applicant:	Shanly Homes Ltd	Member Call-in:	N/A			Expiry Date:	31 December 2017

Item No.	2	Application No.	17/01649/FULL	Recommendation	PERM	Page No.	22
Location:	Lennox House Ray Park Avenue Maidenhead SL6 8DT						
Proposal:	Extension to east elevation and internal alterations to provide 4 new flats and alterations to provide an additional 8 car parking spaces.						
Applicant:		Member Call-in:	N/A			Expiry Date:	22 December 2017

Item No.	3	Application No.	17/02812/OUT	Recommendation	REF	Page No.	34
Location:	Land Including Thames Auto Sales And The Amber Centre And Former Unit 5 Oldfield Road Maidenhead						
Proposal:	Outline application (means of access, appearance, layout and scale only to be determined) for demolition of existing buildings, erection of a three storey building in the southern part of the site, erection of a part two/part three/part four storey building in the northern part of the site to provide 67 residential dwellings and associated parking.						
Applicant:	Shanly Homes Ltd	Member Call-in:	Cllr Wilson			Expiry Date:	6 December 2017

Item No.	4	Application No.	17/02910/FULL	Recommendation	PERM	Page No.	53
Location:	20 And 24 Braywick Road Maidenhead						

Proposal: Construction of x9 dwellings with access, parking and amenity space following demolition of the existing dwelling

Applicant: Mr Collinge **Member Call-in:** N/A **Expiry Date:** 21 November 2017

Item No. 5 **Application No.** 17/03038/FULL **Recommendation** PERM **Page No.** 74

Location: Riverside Primary School And Nursery Donnington Gardens Maidenhead SL6 7JA

Proposal: Temporary modular teaching block comprising four classrooms and toilets and provision of six temporary parking spaces

Applicant: Ms Donnelly **Member Call-in:** N/A **Expiry Date:** 22 December 2017

Item No. 6 **Application No.** 17/03098/FULL **Recommendation** PERM **Page No.** 84

Location: Tesca 16 Belmont Road Maidenhead SL6 6JW

Proposal: Change of use of existing HMO (Class C4) to a large HMO (Sui Generis) (Retrospective)

Applicant: Mr Leeming **Member Call-in:** Cllr Mills and Cllr Love **Expiry Date:** 7 December 2017

Item No. 7 **Application No.** 17/03445/VAR **Recommendation** PERM **Page No.** 95

Location: Land Rear of 4 And 5 And 6 And 7 Woodlands Park Road Maidenhead

Proposal: Erection of 2 x 3 bed semi detached and 2 x 4 bed detached dwellings as approved under planning permission 15/01659/FULL to vary condition 2 (Approved Plans) to substitute plans

Applicant: Mr Robinson - Elite Homes **Member Call-in:** N/A **Expiry Date:** 2 January 2018

Planning Appeals Received Page No. 107

Appeal Decision Report Page No. 108

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 1

Application No.:	15/04284/FULL
Location:	Former Cinema Site Bridge Avenue And Copthall House St Ives Road And 1 To 11 High Street Maidenhead
Proposal:	Pontoon on the west bank of York Stream for mooring boats
Applicant:	Shanly Homes Ltd
Agent:	Mr Kay Collins - Kevin Scott Consultancy Limited
Parish/Ward:	/Oldfield Ward
If you have a question about this report, please contact: Christine Ellera on 01628 795963 or at chrisie.ellera@rbwm.gov.uk	

1. SUMMARY

- 1.1 The principle of the utilisation of York Stream for leisure boats forms a key part of the vision for the restoration of the waterways.
- 1.2 The proposed development would facilitate the utilisation of York Stream for leisure boats and create a point of access and mooring in the heart of Maidenhead Town Centre.
- 1.3 The proposed development is considered to be visually acceptable, would not raise any significant environmental issues and would not impact on the amenities of the occupiers of the surrounding residential properties. On this basis the proposed development is considered to be acceptable.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.
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2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended due to the Council's interest in this land; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to part of the waterways and associated access positioned between the redevelopment sites of the Former Cinema Site Bridge Avenue and 1 to 11 High Street Maidenhead. These sites are otherwise known 'phase 1' and 'phase 2' of the Chapel Arches redevelopment respectively, both of which are now completed residential led redevelopments.
- 3.2 To the immediate north of the site is the Chapel Arches Bridge which, at the time writing the Officer report was being restored as part of the Chapel Arches redevelopment.
- 3.3 The site is adjacent to but not within the Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This is a full application for the installation of a pontoon to the south west of Chapel Arches Bridge. The pontoon would be accessed from the immediate south west of the Chapel Arches Bridge, via the existing steps. The proposed pontoon would float above the water level and be accessed from a ramp, adjoined to the steps.

- 4.2 The pontoon would be approximately 15m in length running along the side of the bank and approximately 2.5m in width.
- 4.3 It should be noted that the consideration of this application has been delayed as the proposed plans show the removal of the 'island' to the immediate south of Chapel Arches. This was removed (without the benefit of full planning permission) earlier in 2017 and is being sought to be regularised through a separate application.
- 4.4 There is extensive planning history to this site, of direct relevance:

Ref.	Description	Decision and Date
11/02183/FULL	Restoration and enhancement of the waterways channels, including: new weir and lock, boat rollers and fish pass at Green Lane; new winding hole and day moorings; removal of the weir at Town Moor and beneath York Road Bridge, selective works to widen, deepen and line channels to create a minimum 1.3m deep draught navigable channel, formation of new towpath along the east side of Moor Cut, alterations to raise height of Library footbridge and two pipe bridges; demolition of Chapel Arches footbridge and works to trees within the Town Centre Conservation Area; new surfacing, landscaping and associated works, temporary vehicle accesses and construction compounds.	Permitted: 21.12.2012
12/02771/FULL	Redevelopment to provide a mixed use scheme comprising 80 apartments in two blocks and change of use of upper floors of 3 High Street. Plus 468 sqm of restaurant space (class A3), 167 sqm retail space (class A1), alterations and re-cladding of Copthall House including the erection of an additional storey, alterations to access, basement parking and landscaping works, alterations to vehicular access, basement car parking, landscaping works.	Permitted: 21.05.2014
16/01313/VAR	Most recent amended application to phase 1 and 2 of Chapel Arches: Redevelopment to provide a mixed use scheme comprising 80 apartments in two blocks and change of use of upper floors of 3 High Street. Plus 468sqm of restaurant space (class A3), 167sqm retail space (class A1), alterations and re-cladding of Copthall House including the erection of an additional storey, alterations to access, basement parking and landscaping works without complying with condition 42 (approved plans) of permission 15/00461/VAR (which varied permission 14/02505/VAR and the original permission 12/02771) to alter the 'nose' of the building facing onto the High Street.	Permitted: 18.08.2016
17/01557/VAR	S73 11/02183/Full without complying with	Pending

	condition 2 (phasing) 3 (completion of scheme) 4 (construction and environmental management plan) 7 (ramps and bridges) 10 (haul routes) 13 (piling methods) 14 (bypass channel and trash screen) 16 (back pumping) 18 (contamination) 26 (mitigation scheme) 27 (service crossings) 29 (weir and lock details) 30 (outfalls) and variation of the Section 106 agreement.	consideration
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5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework (NPPF) (2012) acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.
- 5.2 Section 10 on flooding and section 11 on the natural environment of the NPPF are also relevant to this application.

Royal Borough Local Plan

- 5.3 The main planning considerations applying to the site and the associated policies are:
1. N6 Trees and development
 2. N11 Creative Nature Conservation
 3. DG1 Design guidelines
 4. CA1 Development in Conservation Areas
 5. CA2 Guidelines on Development affecting Conservation Areas
 6. LB2 Proposals affecting Listed Buildings or their settings
 7. NAP4 Pollution of groundwater and surface water
 8. R1 Protection of Urban Open Spaces
 9. R3 Public Open Space Provision in New Developments (provision in accordance with the minimum standard)
 10. R4 Public Open Space Provision in New Developments (on site allocation)
 11. R14 Rights of Way and Countryside Recreation
 12. T7 Cycling
 13. T8 Pedestrian environment
 14. MTC12 Pedestrianisation
 15. MTC13 Pedestrian routes
 16. IMP1 Associated infrastructure, facilities, amenities

Maidenhead Town Centre Area Action Plan (AAP) (2011)

- 5.4 The above document forms part of the adopted Development Plan and provides a mechanism for rejuvenating the Maidenhead Town Centre. The document focuses on; Place Making, Economy, People and Movement. The AAP also identifies six sites for specific development.
- 5.5 Policies of relevance include:
1. Policy MTC 1 Streets & Spaces
 2. Policy MTC 2 Greening
 3. Policy MTC 3 Waterways
 4. Policy MTC 4 Quality Design
 5. Policy MTC 13 Community, Culture & Leisure
 6. Policy MTC 14 Accessibility
 7. Policy MTC 15 Transport Infrastructure
 8. Policy OA5 High Street/ York Stream Opportunity Area
 9. Policy IMP2 Infrastructure & Planning Obligations

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

- 5.6 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation finished in September 2017 with the intention to submit the Plan to the Planning Inspectorate in late 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.
- 5.7 This document can be found at:
<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

- 5.8 Supplementary planning documents adopted by the Council relevant to the proposal are:
1. The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004
- 5.9 More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

- 5.10 Other Strategies or publications relevant to the proposal are:
- RBWM Townscape Assessment – view at:
- 5.11 More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
1. Principle of the redevelopment of this site
 2. Design considerations including the impact on heritage assets
 3. Environmental Considerations (including flooding)
 4. Impact on Neighbouring Amenity
 5. Other considerations

Principle of the redevelopment of this site

- 6.2 There is extensive planning history to this site which establishes the redevelopment of this area and is supported by the Maidenhead AAP (2011) which identifies this area as the High Street/ York Stream Opportunity Area. There is also significant planning history regarding the redevelopment of the Maidenhead waterways, and strong Council support for bringing the waterways back into a recreational use, in support and enhancing the vitality of Maidenhead Town Centre and the wider local area.
- 6.3 With reference to the above planning history 11/02183/FULL the principle of the restoration of the waterways and the utilisation of it for leisure boats has already been established. This application looks at permitting the pontoon needed to facilitate the leisure use of the waterway in an accessible town centre location.

Design considerations including the impact on heritage assets

- 6.4 The proposed design is that of a small scale pontoon/ platform running about 15m anchored along the west bank of the York Stream to the South of Chapel Bridges. The visual appearance and design is typical of such a development reasonably required in association with such water compatible leisure uses. The proposed visual appearance is considered to be one which is acceptable given its context and the wider regeneration vision for this area.
- 6.5 With reference to the consultation response from the Maidenhead Waterways Restoration Group. The comment about further details to be submitted for their agreement are noted. However it is for the Local Planning Authority (LPA) to consider and approve any conditions (in consultation with the necessary parties). Matters pertaining to health and safety and ensuring the maintenance of the pontoon are not material planning consideration. The plans submitted are those that need to be considered by the Local Planning Authority and the size and scale of the pontoons and ramp will need to match those set out in the drawings. It is recommended that details of materials are submitted prior to any works to ensure they are of a suitable finish and colour for the area as required by condition 2.
- 6.6 Matters regarding security are dealt with further below, but again will be for the agreement of the LPA.

Environmental Considerations (including flooding)

- 6.7 The principle of the restoration of the waterways and the environmental implications for the utilisation of Maidenhead Waterways for leisure boats has been agreed under the planning history for this site.
- 6.8 In terms of the potential environmental impact from the pontoon, the proposal would float above the existing water level and as such would not impact on flooding. Moreover, and as identified by the consultation response from the Environment Agency, as the pontoon is located on a wide section downstream of a restrictive bridge, flows in this part of the channel will be low.
- 6.9 The restoration of the Maidenhead waterways was granted planning permission with a key aim being the utilisation of the watercourse for small crafts. This permission was subject to a number of conditions and/or environmental mitigations measures. The pontoon itself will have some, but unlikely to have significant impact on biodiversity. Nonetheless it is considered reasonable, proportionate and necessary to attach conditions for biodiversity measures to be installed as part of this development. This is set out in condition 3.

Impact on Neighbouring Amenity

- 6.10 Due to the size and location of the pontoon the proposed development will not impact on the amenities of the occupiers of the adjacent dwellings in terms of loss of light or overbearing impact.
- 6.11 In terms of potential noise and disturbance the pontoon will only be able to be utilised during sun lit hours and as such will not result in noise or disturbance at antisocial hours of the day.
- 6.12 The pontoon would also benefit from a significant degree of 'natural surveillance' from the surrounding flats but also the ground floor restaurant uses on either side of the bank, including the new restaurant chain which is about to occupy the ground floor of phase 1 on the opposite side of the bank. The planning permission for the redevelopment allows for these units to be open until 23:00 hours. This will assist in preventing any issues arising from potential antisocial behaviour.
- 6.13 In addition, condition 5 is recommended to be attached to any planning permission for the applicants to provide further details of measures to design out crime. This may be utilising the existing CCTV cameras installed within the Chapel Arches redevelopment and/or a barrier gate to prevent access in the evening.

Other considerations

- 6.14 The proposed development in itself does not raise any issues in terms of highway safety or capacity issues. However the installation of the pontoon may have some impact on the highway (including the pavement) and as such it is considered both reasonable and necessary to attach conditions about a construction method statement, see condition 4.
- 6.15 The application was validated on the 07.01.2016 the further consideration of this application was delayed due to further discussion about the wider development within Chapel Arches, notably the 'island' in the central area which has now been removed. No enforcement action has been brought against this operational development which is being sought to be regularised as part of application 17/01557/VAR which involves a number of amendments and/or alterations to the initial approval for the redevelopment of the waterway.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 Since the validation of the original application there has been a material change in circumstance (in so far as the Chapel Arches redevelopment has now taken place and a number of the previous occupiers of the Colonnade have now vacated). Accordingly 111 neighbours were notified of the application on the 08.11.2017 and a site notice was also displayed adjacent to the application site on the 25.10.2017. No comments have been received as part of this neighbours notification process.

Consultee Responses

Consultee	Comment	Where in the report this is considered
Environment Agency	No objections to this application subject to conditions	Paragraphs 6.6-6.8
Environmental Protection	No objections to this application.	Paragraphs 6.9-6.12
Maidenhead Waterways Restoration Group	In principle endorses the pontoon design, only reservation is that there are two surface water outfalls that presently discharge in that area of the basin. Their flow will need to be deflected to avoid discharging onto the deck of the new pontoons, accumulating slime, oils etc. that would risk making the new decking slippery.	Paragraphs 6.4-6.5
Highway Authority	The application does not present any significant highway issues or concerns.	Paragraph 6.14

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Plan and Elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the

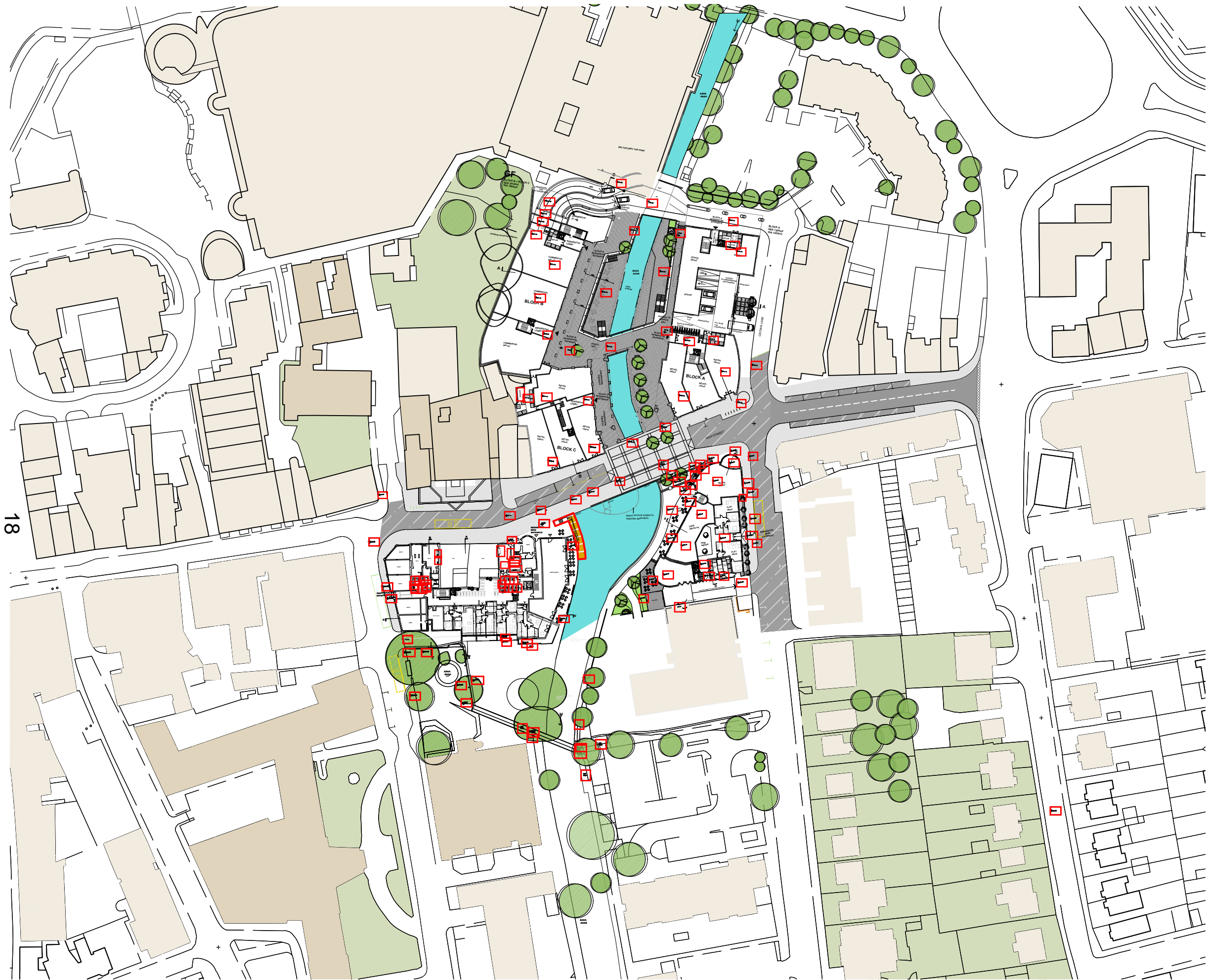
approved details.

Reason: In the interests of the visual amenities of the area and adjacent conservation Area. Relevant Policies is the National Planning Policy Framework (2012) the Borough Local Plan (2003) and the Maidenhead Town Centre Area Action Plan (2011)

- 3 Prior to the commencement of development a scheme for the provision and management of compensatory habitat shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme. This scheme will be the inclusion of fish spawning boards into the pontoon design. The boards use strips of netting to mimic macrophyte plants on which coarse fish species lay eggs, and could be easily attached to the base of the pontoon for little additional cost.
Reason: Government policy states that where a proposed development would cause adverse impacts on biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensatory measures should be sought. This development encroaches on the York Stream and has an impact on its ecological value. Following the York Stream works there will be limited spawning opportunities for fish. Spawning boards have proven to be very successful in other catchments.
- 4 Prior to the commencement of any works a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 5 No development shall commence until a schedule of measures to minimise the risk of crime and meet the specific needs of the development has been submitted to and approved in writing by the local planning authority. Any such security measures shall meet the standards of Secured by Design. The development shall be carried out in accordance with the approved details and subsequently retained.
Reason: In the interests of safety and security and to accord Policies - Local Plan, DG1, AAP MTC4.

Informatives

- 1 Under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws, irrespective of the need for planning permission, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the York Stream, designated a 'main river'.
- 2 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
- 3 The granting of planning permission does not give the applicant/developer consent to carry out works on the public highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the Royal Borough of Windsor and Maidenhead - Streetcare Section, (telephone 01628 683804) before any work is carried out, this shall include for materials and skips which are stored within the highway extents, hoarding etc. A charge will be made for the carrying out of inspections and the issue of permits.



© This drawing is the copyright of SHANLY HOMES
 All dimensions and levels must be checked on site and verified
 prior to construction

Notes

Rev.	Description	Date

Project
CHAPEL ARCHES PHASE 3
 Proposed Development at
 Crown Lane
 Maidenhead
 Berks

Drawing Title
 Pontoon Location Plan

SHANLY HOMES

'Sorbon', Aylesbury End, Beaconsfield,
 Buckinghamshire. HP9 1LW
 Tel: 01494 671331
 Fax: 01494 676417
 DX 34507 Beaconsfield

Drawn By: SE	Date: 23.12.2015
Scale: 1:1250	A3
Drawing No. 971_DF_PL01	Revision



19

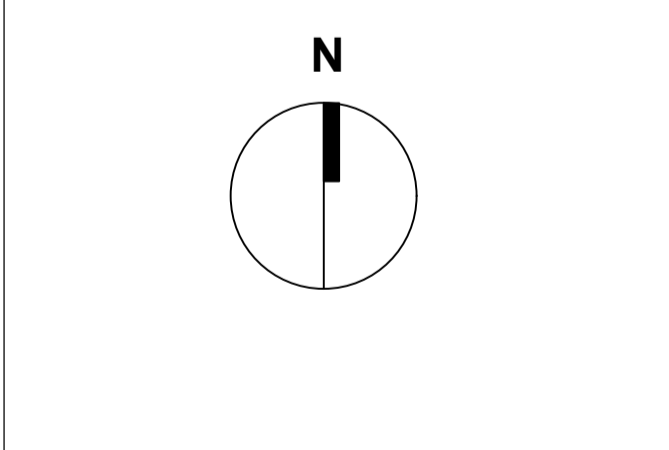
Notes

- C 15.12.2015 Amendments to profile of York Stream, removal of island and addition of pontoon. SE
- B 01.05.2013 Amendments to profile of York Stream and adjustment of adjacent landscaping treatment of all three sites in keeping with the Waterways Application HD
- A 20.03.2013 Amendments to all three sites HD
- 05.10.2012 Planning Application UK

Rev	Date	Comment	By

All dimensions are to be checked on site. Any discrepancies are to be reported immediately to the Architect or Main Contractor.

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Client: SHANLY GROUP
 Station, Aylesbury End, Beaconsfield
 Buckinghamshire HP9 1LW

MAIDENHEAD

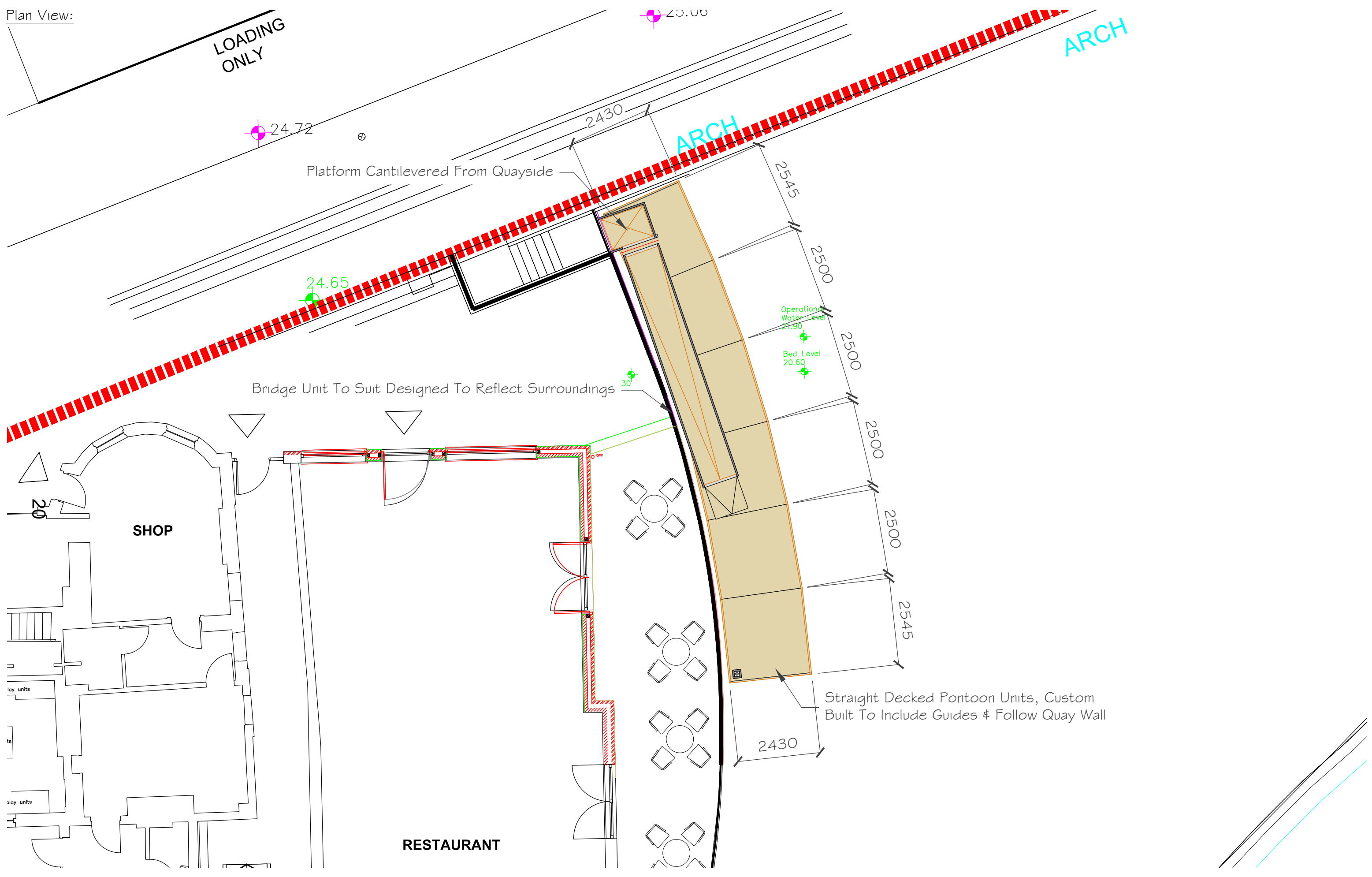
Drawing: Combined Site Plan
 Ground Floor Plan
 Crown Lane, 1 Bridge Avenue, Cophall House

747 1101 C PL

Code	Date	Drawn By	Checked By
1:200@A1	05.10.12	UK	MB

SidellGibsonArchitects
 Sidell Gibson Partnership LLP
 Holford Mews, Crulkhank Street, London, WC1X 9HW
 T: +44 (020) 3179 9000
 F: +44 (020) 3179 9001
 E: firstname.lastname@siddellgibson.co.uk

Plan View:



CLIENT
The Michael Shanley Group
Chapel Arches - Maidenhead

DRAWING.
Proposed Pontoons
DRAWING NO./REV
SOL-3170-SC01-003

DRAWN BY
OP
APPROVED BY
x.x.

SCALE
1:100 @ A3
DATE
22/09/15
TYPE
Schematic



REV	BY	DATE	DESCRIPTION
001	OP.	23/09/15	Bridge Location Changed & Pontoons Made To Follow Quay
002	OP.	01/10/15	Base Drawing Updated To Show Access Steps
003	OP.	04/01/16	Scale Changed

Mill Rythe Lane, Hayling Island, Hampshire, PO11 0QG

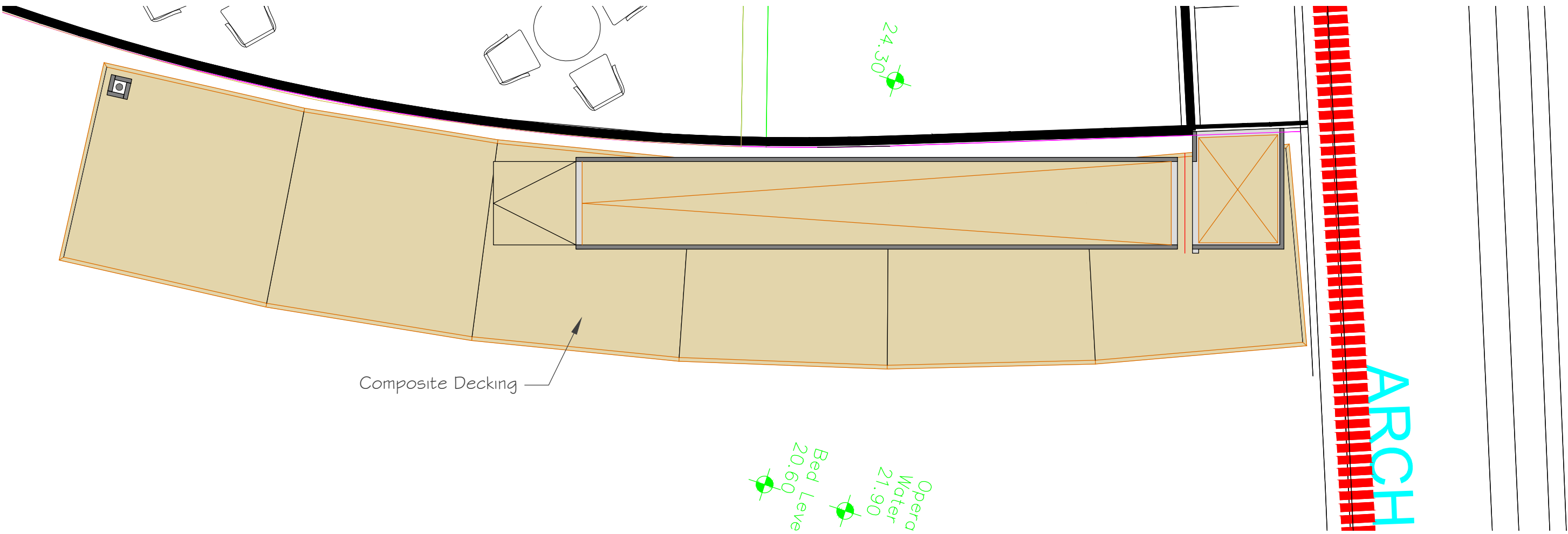
Tel: 02392 466 666

Email: Projects@solentmarine.com

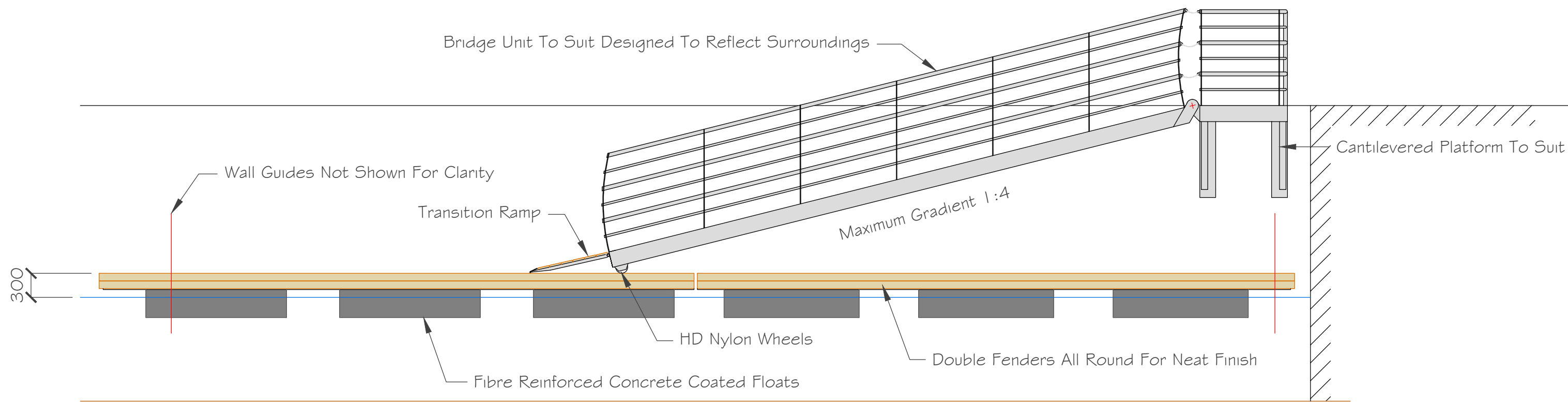
Website: www.solentmarine.com

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Plan View:



Side Elevation:



CLIENT
The Michael Shanley Group
Chapel Arches - Maidenhead

DRAWING.
Proposed Pontoons
DRAWING NO./REV
SOL-3170-SC02-002

DRAWN BY
OP
APPROVED BY
x.x.
SCALE
1:50 @ A3
DATE
22/09/15
TYPE
Schematic

Solent Marine Ltd.

Simbro

REV	BY	DATE	DESCRIPTION
001	OP.	23/09/15	Bridge Location Changed & Pontoons Made To Follow Quay
002	OP.	01/10/15	Base Drawing Updated To Show Access Steps

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 2

Application No.:	17/01649/FULL
Location:	Lennox House Ray Park Avenue Maidenhead SL6 8DT
Proposal:	Extension to east elevation and internal alterations to provide 4 new flats and alterations to provide an additional 8 car parking spaces.
Applicant:	
Agent:	Mrs Sarah Hardwick
Parish/Ward:	Maidenhead Unparished/Maidenhead Riverside Ward

If you have a question about this report, please contact: Laura Ashton on 01628 685693 or at laura.ashton@rbwm.gov.uk

1. SUMMARY

- 1.1 The planning application proposes extensions that with internal alterations will form four additional flats. The development proposals are considered to be minor scale and will have no adverse impact on the character of the area or upon the amenities of neighbouring occupiers. Whilst there is currently an undersupply of car parking on site, an additional 8 spaces represents a welcomed improvement. Subject to safe access and egress being demonstrated the proposals are considered to be flood resilient and resistant and will not increase the risk of flooding elsewhere. The Tree Officer is satisfied that the development will have an acceptable impact on important trees. It is therefore recommended – subject to safe access and egress being demonstrated – that planning permission is granted.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises Lennox (formerly Servite) House and the private amenity space and car parking area which surrounds it. Lennox House is a three storey apartment building that was built in the 1970s and contains 25 flats. The site contains a number of mature trees that are the subject of a TPO. The property has vehicular access off Ray Park Avenue and a tarmac parking to the rear of the building for 10 car parking spaces
- 3.2 The site's surroundings are leafy and suburban in character. The surroundings are characterised by large detached building on large plots which include apartment blocks and large private residences. The area mainly comprises two to three storey buildings that predominantly date from the 1970s or are built in the arts and crafts style. There are also a number of bungalows in the site's surroundings that appear to date from the 1960s/70s.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This planning application proposes the erection of two single storey extensions located to the rear of Lennox House. The extensions are achieved by extending an existing single storey flat roofed area that previously contained a communal lounge and infilling an area between two existing projections. The extensions along with some internal alterations would provide four additional flats. The site access arrangements will remain as existing. Since the submission of

this planning application the scheme has been amended so that the car parking area has been extended to provide an additional 8 car parking spaces. Terrace areas will be formed to the rear of the property so that some of the ground floor flats would be served by private amenity areas.

4.2 The table below sets out the planning history of the application site:

Reference	Description	Decision/Date
17/03157/CONDIT	Details required by condition 2 (tree protection) of planning permission 17/02501 for the provision of 8 additional parking spaces and alterations to existing parking within the site together with associated works	Decision pending
17/02501/FULL	Provision of 8 additional parking spaces and alterations to existing parking within the site together with associated works	Approved 9/10/2017
17/01335/FULL	Provision of 7 additional parking spaces and alterations to existing parking within the site together with associated works	Refused 19/07/2017
17/01336/FULL	Provision of 2 additional parking spaces and alterations to existing parking within the site together with associated works	Refused 19/07/2017
296/74	Group flatlets for the elderly (Outline)	Approved 11/11/1974
402151	Flatlets for the elderly (Detail)	Approved 20/08/1975
404489	Extension	Approved 27/09/1976
409464	Conservatory	Approved 19/07/1979

4.3 It is noted that the original consent for the building described the use as “flatlets for the elderly”. This wording is ambiguous in terms of whether the authorised use was Use Class C3 or C2. Having visited the building and examining the original floorplans, it is however clear that the use is Class C3. This is on the basis that each flat was self contained and had its own kitchen and bathroom and the only shared facility was the communal lounge. No care was provided within the building.

5. MAIN POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

Issue	Local Plan Policy	Compliance	
Design in keeping with character of area	DG1	Yes	-
Acceptable impact on appearance of area	DG1, H10, H11	Yes	-
Acceptable impact when viewed from nearby occupiers	H10, H11	Yes	-
Maintains acceptable level of privacy for nearby residents	H10, H11	Yes	-
Maintains acceptable level of daylight and sunlight	H10, H11	Yes	-

for nearby occupiers			
Acceptable impact on highway safety	T5	Yes	-
Sufficient parking space available	P4	Yes	-
Does not increase flood risk	F1	Yes	-
Acceptable impact on trees important to the area	N6	Yes	-

The Council's planning policies in the Local Plan can be viewed at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Manages flood risk and waterways	NR1

- 5.2 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

- 5.3 This recommendation is made following careful consideration of all the issues raised through the application process. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have been successfully resolved.

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Impact on character of the area
- ii Impact on amenities of neighbouring and future occupiers
- iii Flood Risk
- iv Highways and Car Parking
- v Impact on Trees
- vi Affordable Housing

- 6.2 The proposed alterations are minor in scale and will be located at the rear of the building and, as an infill, will not be visible from public views. The extensions are single storey and are subservient to the host building. With a condition to ensure that the materials used on the external surfaces of the extensions will match the existing building the alterations will blend seamlessly with the existing building. The proposed development will therefore have no negative impact upon the appearance of the host building or upon the established character of the area.

Impact on the amenities of Neighbouring and Future Occupiers

- 6.3 The extensions are located to the rear of the building near to the shared boundary with "Greendale". The minimum rear to side elevation separation distance of 3.8 metres will be retained. The southern most projection of Lennox House abuts the rear boundary of "Greendale". The element of the extension that adjoins this projection will be single storey and will have a flat roof and so will only represent a minor change when compared to the current arrangement. On this basis, and due to the fact that the proposed extension is single storey, there will be no overbearing impacts, increased sense of enclosure, overshadowing, loss of light or loss of privacy when compared to the current arrangement.
- 6.4 Considering the amenity of future occupiers, whilst the proposed units are small they are not so small as to warrant the refusal of this planning application. Some of the ground floor flats will have access to private amenity space and the rest will have access to the communal grounds. Whilst some of the amenity space is being lost to car parking, it is acknowledged that some amenity space will remain, not everybody wishes to have a garden as a lifestyle choice and the site is close to the river which provides opportunities for outdoor recreation. The limited amenity space should also be weighed against the benefits of providing new homes.

Due to the established separation distances being maintained the occupiers of the proposed flats will experience acceptable levels of privacy. Roof lights will ensure that the proposed flats, despite being close to the boundary will enjoy adequate levels of sun/daylight. To this end the proposed flats are considered to provide acceptable amenity standards to future occupiers.

Flood Risk

- 6.5 The application site is located in Flood Zones 2 and 3a. The proposed extensions are actually located in Flood Zone 2 and as the development is a "*more vulnerable use*" it is necessary to consider the Sequential Test. An Exceptions Test is not required. As the development comprises an extension to an existing building the Sequential Test is considered to be satisfied. Saved Local Plan Policy F1 explains that planning permission will not be granted for development that would impede the flow of flood water; reduce the capacity of the Flood plain to store flood water; or increase the number of people or properties at risk from flooding.
- 6.6 The Environment Agency is satisfied that whilst the proposed mitigation does not compensate for the higher order flood events, there will be an overall benefit of volumetric flood storage of 8.59m³ on site post development. Although the benefits from the volumetric storage will be only be beneficial during lower order flood events, the Environment Agency is satisfied that the applicant has explored all methods of mitigation and considering the overall betterment of storage volume on site no objection is raised to the proposed development provided a condition is applied to any consent to ensure that the flood compensation is provided and that finished floor levels are set no lower than 24.40 metres above Ordnance Datum. This is considered to be satisfactory considering the requirements of policy F1 and part two of paragraph 103 of the NPPF that requires development to be appropriately resilient and resistant to flooding. In accordance with paragraph 103 of the NPPF the applicant is working on information to demonstrate that safe access can be achieved. This will be dealt with in an Update to the Panel.

Car Parking

- 6.7 The site currently accommodates 10 parking spaces for the 25 units (24 x 1 Bedroom, 1 x 2 Bedroom). The current parking provision provides a shortfall of 16 spaces. The proposal under consideration includes 8 additional car parking spaces and four additional flats therefore; reducing shortfall of parking spaces to 13. Although it is acknowledged that the parking provision overall does not conform to current standard the proposal presents and improvement to existing conditions on site and is therefore acceptable.

Cycle Provision

- 6.8 The site does not accommodate any cycle parking facilities at present, although the current parking strategy does not provide specific guidelines on cycle parking provision it is encourage to provide one space per dwelling meaning current cycle parking facilities present a shortfall of 25 spaces. The proposal includes the addition of four secure cycle parking spaces which conform to current guidelines of one space per additional dwelling. Although the current cycle parking facilities on site are poor the proposal satisfies guidelines in considering the additional units.

Refuse Provision

- 6.9 The application does not propose any changes to refuse provision compared to the existing arrangement. This is acceptable.

Summary

- 6.10 The application presents an improvement to on-site parking provision which is considered a highway benefit. It is acknowledged that the proposal will increase the number of vehicle trips generated from the site however, the impacts are not considered severe in comparison to existing therefore, in-line with paragraph 32 of the National Planning Policy Framework (NPPF) refusal on highway grounds would be unreasonable. The Highways Officer therefore raises no objection to this planning application subject to the use of the conditions recommended in section 9 of this report.

Impact on Trees

- 6.11 The Tree Officer has confirmed that they broadly agree with the details given in the tree survey and can confirm that raise no objection to the removal of the Lawson Cypress (T27) growing to the rear of the building for the reasons given in the report. The other retained trees will not be directly impacted by the proposed extension and it is noted from 12.2 of the arboricultural report that no new underground services are to be installed within the root protection areas of the retained trees.
- 6.12 The Tree Officer therefore raises no objection to the proposed development subject to the use of recommended conditions to secure Tree Protection and the replacement of any trees that might become damaged.

Affordable Housing

- 6.13 The development proposals fall below the threshold at which affordable housing would be sought.

Other Material Considerations

Housing Land Supply

- 6.14 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be

considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

- 6.15 It is acknowledged that this scheme would make a contribution to the Borough’s housing stock. It is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, contrary to the adopted local and neighbourhood plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

Community Infrastructure Levy

- 6.16 The application proposes new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be £10,670.40.

Other Material Considerations

Housing Land Supply

- 6.17 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.18 It is acknowledged that this scheme would make a contribution to the Borough’s housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwellings would weigh in favour of the development.

7. CONSULTATIONS CARRIED OUT

7.1 Comments From Interested Parties

No comments received from the 35 neighbouring properties notified or as a result of the site notice displayed on the 19th June 2017.

7.2 Statutory Consultees

Comment	Officer Response
Highways Officer:	No objection subject to conditions
Tree Officer	No objection subject to conditions
Environmental Protection	No objection subject to dust and smoke informative
Environment Agency	No objection subject to condition

8. APPENDICES TO THIS REPORT

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

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED)

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 3 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any approved tree work shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 4 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 5 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1
- 6 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 6 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) 160830/FRA/MK/RS/03, August 2017, Lanmor Consulting and the following mitigation measures detailed within the FRA:1. 8.59m³ of compensatory flood plain storage is provided as shown in drawing number 160830/1200/02 dated July 2017.2. Finished floor levels are set no lower than 24.40mAOD metres above Ordnance Datum. The mitigation measure(s) shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may

subsequently be agreed, in writing, by the local planning authority.

Reason: The condition is sought in accordance with paragraph 103 of the NPPF:1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.2. To reduce the risk of flooding to the proposed development and future occupants.

- 8 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 **Dust Control Informative:**The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties.The applicant is advised to follow guidance with respect to dust control:London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from construction; and the Building Research Establishment: Control of dust from construction and demolition activities
Smoke Control Informative :The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
Working Hours:The applicant should be aware the permitted hours of construction working in the Authority are as follows:
Monday-Friday 08.00-18.00
Saturday 08.00-13.00
No working on Sundays or Bank Holidays.
- 2 **Flood Advice:**The Environment Agency recommends that finished floor levels for the proposed development are raised 300mm above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. Where this is not practical we recommend incorporating flood resilience/resistance measures up to the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. This is to reduce the risk of flooding to the proposed development. Further information can be found in the document 'Improving the flood performance of new buildings' at: http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf Additional guidance can be found in the Environment Agency Publication 'Prepare your property for flooding', which can be found on the Environment Agency website at <http://www.environment-agency.gov.uk/homeandleisure/floods/31644.aspx>

Appendix A – Existing Site Plan



- 1. All dimensions are in feet and inches.
- 2. All dimensions are to the center of the line unless otherwise noted.
- 3. All dimensions are to the center of the line unless otherwise noted.
- 4. All dimensions are to the center of the line unless otherwise noted.
- 5. All dimensions are to the center of the line unless otherwise noted.
- 6. All dimensions are to the center of the line unless otherwise noted.
- 7. All dimensions are to the center of the line unless otherwise noted.
- 8. All dimensions are to the center of the line unless otherwise noted.
- 9. All dimensions are to the center of the line unless otherwise noted.
- 10. All dimensions are to the center of the line unless otherwise noted.

boonbrown
ARCHITECTS

1000 N. 4th St.
Portland, OR 97227
503.222.1111

Project: Proposed Development of Seattle House Neighborhood Boundary

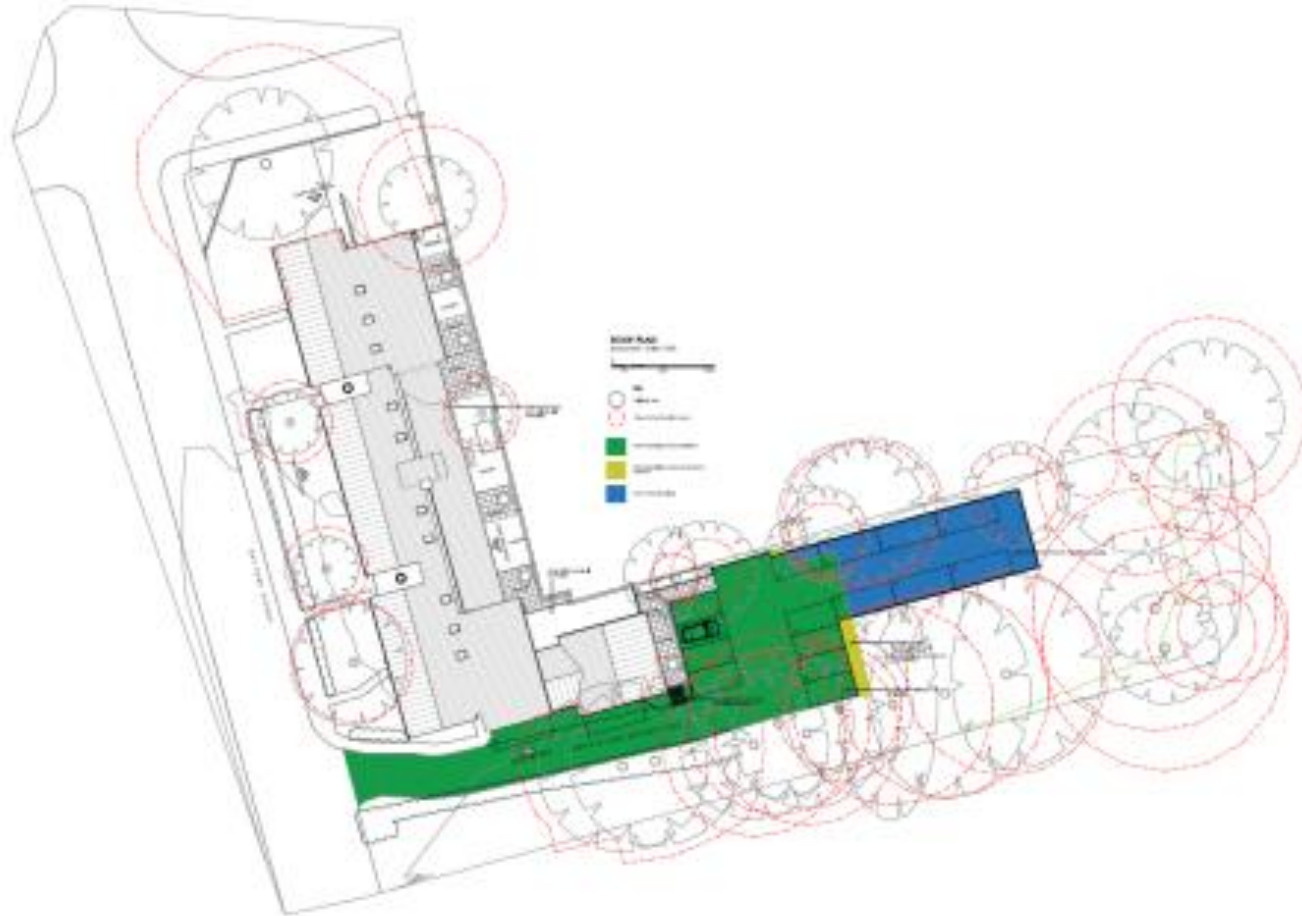
Date: 3/5/19/20

Scale: 1/8" = 1'-0"

Sheet: 30 of 30

3/5/19/20

Appendix B – Proposed Site and Roof Plans

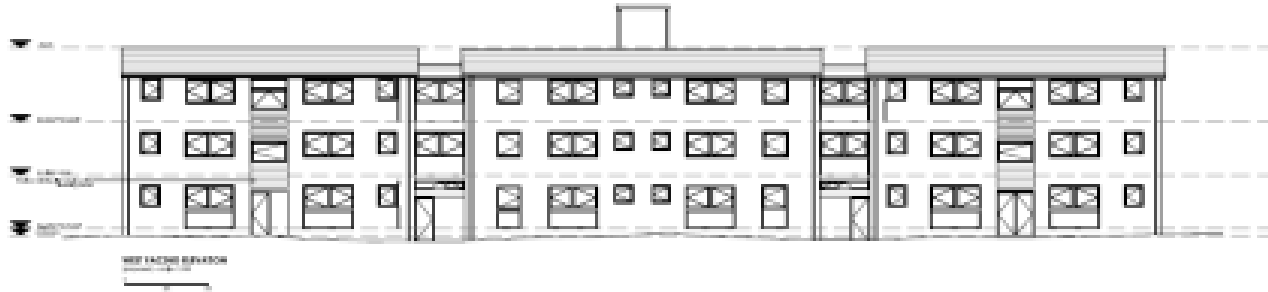


- 1. Existing trees to be retained
- 2. Existing trees to be removed
- 3. New trees to be planted
- 4. New trees to be planted in the future
- 5. New trees to be planted in the future
- 6. New trees to be planted in the future
- 7. New trees to be planted in the future
- 8. New trees to be planted in the future
- 9. New trees to be planted in the future
- 10. New trees to be planted in the future

1000 W. 1st St. Suite 100 Portland, OR 97201 Phone: 503.222.1111 Fax: 503.222.1112 Email: info@boonbrown.com	1000 W. 1st St. Suite 100 Portland, OR 97201 Phone: 503.222.1111 Fax: 503.222.1112 Email: info@boonbrown.com
Project: Proposed Development of Darville House Location: MADISONWOOD Address: 3251 NW 26th St. City: Beaverton, OR 97005 Date: 05/04/11 Drawing No: 3251 NW 26th A	

Appendix C - Proposed Elevations

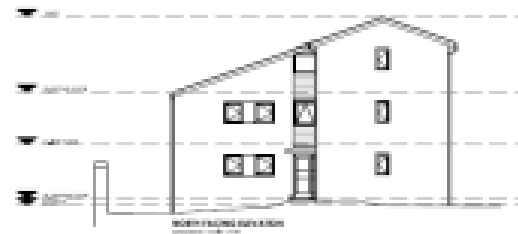
32



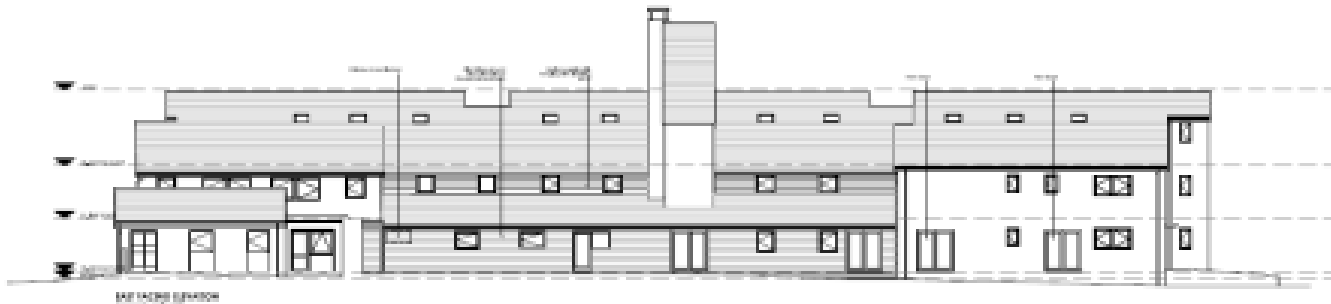
WEST FACING ELEVATION



SOUTH FACING ELEVATION



NORTH FACING ELEVATION



EAST FACING ELEVATION

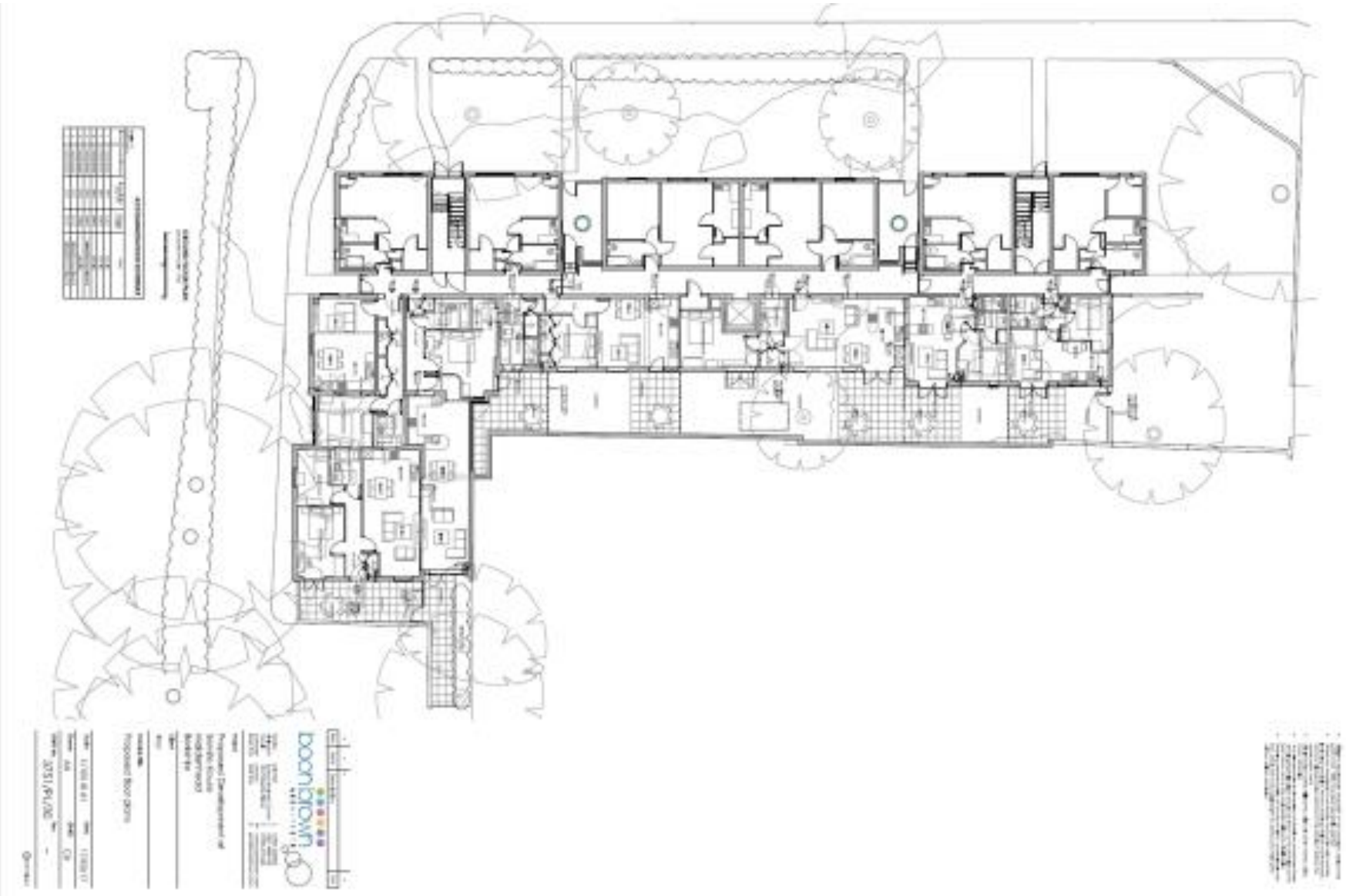
- All elevations are shown in black and white.
- All elevations are shown in black and white.
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- All elevations are shown in black and white.
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Project:
 Proposed Development of
 Service House
 Macdonwood
 Berwick

DATE	1/20/2011	BY	25/04/11
DATE	04/05/11	BY	05/05/11
DATE	05/07/11	BY	-

Appendix D – Proposed Floor Plans



ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 3

Application No.:	17/02812/OUT
Location:	Land Including Thames Auto Sales And The Amber Centre And Former Unit 5 Oldfield Road Maidenhead
Proposal:	Outline application (means of access, appearance, layout and scale only to be determined) for demolition of existing buildings, erection of a three storey building in the southern part of the site, erection of a part two/part three/part four storey building in the northern part of the site to provide 67 residential dwellings and associated parking.
Applicant:	Shanly Homes Ltd
Agent:	Mr Kevin Scott
Parish/Ward:	Maidenhead Unparished/Oldfield Ward
If you have a question about this report, please contact: Laura Ashton on 01628 685693 or at laura.ashton@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application would result in the loss of designated employment land and, in the absence of any evidence to demonstrate that there is no reasonable prospect of the site's continued employment use, the development proposals are unacceptable in principle and planning permission should be refused. The proposed development would also have a negative impact upon the character and appearance of the area due to its height and lack of space for any meaningful landscaping. The development would be harmful to the amenity of neighbouring occupiers and fails to demonstrate that the development will not pose a threat to trees that are of importance to the character of the area. The development proposals have also failed the sequential test and fail to demonstrate that appropriate flood compensation can be achieved and that safe access and egress can be achieved during a flood event. A number of outstanding issues including surface water drainage, affordable housing provision, refuse collection and storage and ecology will be dealt with in a Panel Update.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):	
1.	The proposal results in the loss of employment land in the absence of evidence to demonstrate that the site has no reasonable prospect of remaining in an employment use. The development proposals are therefore unacceptable in principle.
2.	The proposed development will be harmful to the character and appearance of the area due to its height and bulk relative to surrounding buildings and a lack of space for any meaning full landscaping
3.	The proposed development due to its height and lack of boundary separation will lead to a harmful overbearing impact and an increased sense of enclosure to the detriment of the amenities of the occupiers of numbers 19 and 17 Oldacres
4.	The application fails to demonstrate that trees of importance to the character of the area will be retained.
5.	The proposed development's proximity to trees on the railway embankment will lead to the trees overshadowing living and amenity spaces to the detriment of the amenity of future occupiers and the sustainability of the trees due to pressures to prune or fell them.
6.	The submitted Sequential Assessment fails to demonstrate that the proposal cannot

	be located on an alternative site that is reasonably available with a lower probability of flooding.
7.	It has not been demonstrated that the loss of flood plain storage within the 1% annual probability (1 in 100) with allowance for climate change can be appropriately mitigated. The application fails to demonstrate that the development will be safe and flood resilient and that safe access and egress can be achieved during a flood event.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Wilson in order to consider planning application as part of an overall housing scheme. The use of voids similar to other schemes permitted in Farthingales, Oldacres and Chiltern Road as the proposal within functional floodplain.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site consists of three elements: Thames Auto Sales (a single storey car sales unit and associated forecourt), the Amber Centre (a two storey commercial building divided into two units), and a piece of previously developed land that has been cleared (former commercial site).
- 3.2 The whole site is located to the east of Maidenhead town centre, and fronts both Oldfield Road which forms part of the circulatory route around the town centre and the suburban residential street of Oldacres to the north. To the north Oldfield road leads to the A4, while to the south it goes underneath the railway bridge and connects with roads leading to the M4 and Windsor.
- 3.3 The site is within identified employment land and its surrounding character is mixed; comprising low level commercial and residential land uses.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The planning application seeks outline consent for the demolition of the existing buildings on site and the erection of a three storey building on the southern part of the site and the erection of a part two, three and four storey building on the northern part of the site to provide 67 flats. The application requests that matters relating to means of access, appearance, layout and scale be considered as part of the current application. Issues surrounding landscaping will be dealt with under reserved matters in the event that outline permission is granted.
- 4.2 The table below provides a summary of the site's planning history:

Application	Description	Status
03/40374/FULL	Erection of a two storey storage and distribution warehouse with ancillary parking	Approved
04/00114/COU	Use of building for single occupier B1(office) purposes	Approved
04/41736/FULL	Erection of a two storey storage and distribution warehouse	Approved
04/00461/OUT	Erection of a two storey storage and distribution warehouse with ancillary parking (revision to approved 03/40374)	Refused (Appeal Allowed)
08/02161/FULL	Redevelopment to provide 19 no. B1 commercial units of two three and four storeys with associated parking and landscaping	Refused (Appeal Allowed)
12/01892/FULL	Redevelopment to provide 19 no. B1 commercial units of two three and four storeys with associated parking and landscaping. Renewal of planning permission 08/02161 (allowed on appeal)	Refused (Appeal Allowed)
13/00569/OUT	9 Dwellings and associated works	Refused (Appeal Allowed)

14/02892/REM	Reserved Matters associated with 13/00569/OUT for 9 dwellings	Approved
15/01215/VAR	Vary Condition 1 of 13/00569	Approved
15/01388/FULL	Change of use of premises to use as a tyre retailing and fitting centre (sui generis use)	
15/02846/VAR	Vary Condition 17 of 15/01215/VAR	Refused
15/02851/VAR	Vary Condition 1 of 15/01226/VAR	Approved
15/02111/OUT	9 Flats and associated works	Withdrawn
16/02209/OUT	9 flats and associated works	Refused
16/01519/CONDIT	Details required by condition 2 (material samples) 4 (flood evacuation plan) 9 (sustainability measures) 10 (hard surface for driveways and road) 12 (construction management plan) 13 (tree protection) 14 (scheme of remediation) 15 (environmental noise assessment) of planning permission 15/01215/VAR as approved under 13/00569 for outline planning application (with appearance, landscaping, layout and scale reserved) for the erection of 9 residential dwellings, with associated car parking and landscaping	Discharged

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Trees	Employment	Flooding
DG1, H10, H11	P4, T5	N6	E2 & E5	F1

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Housing Mix & Type	HO1
Affordable Housing	HO3
Design in keeping with character and appearance of area	SP2, SP3
Employment Sites	ED2
Manages flood risk and waterways	NR1
Trees, Woodland & Hedgerows	NR2
Makes suitable provision for infrastructure	IF1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004
- Affordable Housing Planning Guidance December 2016

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning/20
- RBWM Parking Strategy – view at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning/13

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on the Character of the Area
- iii Amenities of Neighbouring Occupiers
- iv Amenities of Future Occupiers
- v Highways & Parking
- vi Flood Risk
- vii Surface Water Drainage
- viii Trees & Landscape
- ix Ecology
- x Affordable Housing
- xi Environmental Health
- xii Archaeology

Principle of Development

- 6.2 The site is located within a defined Employment Area as shown on the adopted proposals map. In this location, in accordance with Saved Local Plan Policy E5, the council will not permit development, redevelopment or change of use for any other purpose other than business, industrial or warehousing use. This however should be weighed against paragraph 22 of the NPPF which states that:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose...Where there is no reasonable prospect of a site being used for employment use, applications should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

- 6.3 It is therefore necessary to assess whether there is any reasonable prospect of the site being used for an employment use having regard to the relative need to increase the supply of homes as advocated by the NPPF. The applicant has not submitted any evidence of the site being marketed recently for employment use and is relying on the lack of five year housing land supply alone to justify the loss of employment land. This is contrary to the approach advocated by the NPPF. Due to a lack of evidence being provided to demonstrate that there is no reasonable prospect of the continued employment use of the site, the proposed development is considered to be unacceptable in principle and planning permission should be refused on this basis.

Impact on the Character of the Area

- 6.4 Whilst there is no objection to the scale and appearance of Block B, there is concern relating to the scale of Block A and its relationship with the traditional, suburban-style two storey dwelling houses on Oldacres. The buildings in the site's surroundings are predominantly two storeys in height. The proposed elevation that fronts Oldacres will, for the most part, be two storeys higher than the dwelling houses opposite. This is considered to result in an uncomfortable visual relationship which will be harmful to the character and appearance of the area. Whilst the height of parts of this frontage have been reduced since the earlier planning application was withdrawn, it still exceeds the height of the scheme that was approved by the appeal inspector (12/01892/FULL). This main bulk of this elevation would be between 3.4 and 6 m taller than the appeal scheme and lacks the measures that broke up the massing of the appeal scheme's elevation (see Street Sections). The proposed layout also leaves limited opportunity for landscaping on the street frontage which is particularly regrettable given the sylvan character of Oldacres. On this basis it is recommended that planning permission is refused due to the scheme's negative impact on the character and appearance of the area. The development proposals are considered to be contrary to Saved Local Plan policies DG1, H10 & H11 and paragraph 64 and Core Principle 4 of the NPPF.

Amenity of Neighbouring Occupiers

- 6.5 The separation between Block B and the adjacent neighbouring properties is considered to be reasonable and the fenestration has been laid out so as not to lead to any harmful loss of privacy that would warrant the refusal of this planning application. Block B is considered to be acceptable when assessing its impact on the amenities of neighbouring occupiers when considering the potential for loss of light, privacy or overbearing impacts.
- 6.6 Whilst the separation distances and fenestration arrangement on Block B is such where privacy would not be impacted to an extent that would warrant the refusal of this planning application, there is however concern in connection with the impact of the south-eastern wing of Block B. Notably the appeal scheme does not sit so close to the neighbouring boundaries. Whilst there are no windows on the southern elevation of this wing, there would be less than 10 metres separation between the rear elevation of 17 Oldacres and this 2 storey elevation and less than 12 metres

separation to 15 Oldacres. The roof form of this wing – which conceals a roof terrace – exacerbates this situation. This is considered to amount to an unacceptable overbearing impact that will result in a harmful increase in the sense of enclosure experienced by the occupiers of numbers 17 & 15 Oldacres. Their enjoyment of their gardens will be particularly effected. It is recommended that planning permission is refused on the basis that the proposals are contrary to contrary to Saved Local Plan policies H10 & H11 and NPPF Core Principle 4.

Amenity of Future Occupiers

- 6.7 All of the flats, whilst small, are of a reasonable size and a number of the flats have access to private amenity space and the site is in close proximity to areas with opportunities for outdoor recreation. Other than the issues with the proximity of boundary trees discussed later, the flats are considered to provide a reasonable standard of amenity to future occupiers. There is subsequently no objection to the proposals on this basis.

Highways & Car Parking

Access Arrangement

- 6.8 Drawing number 1294.PLN.301 shows that there is to be one point of vehicular access to the site and this will be in the form of a two-way priority junction with Oldfield Road, broadly in the same location as one of the two existing (centrally located) access points currently serving the Amber Centre.
- 6.9 Paragraph 3.7 of the TA, states that pedestrian and cycle access to the site would be facilitated in the same location as the singular point of vehicle access to Oldfield Road. Two further points of access for pedestrians are also proposed.
- 6.10 According to the TA, an Automated Traffic Counter (collecting survey data for vehicle flows and speeds) was in place on Oldfield Road adjacent to the site over a 7-day period Friday 02 September to Thursday 08 September 2016. The data is sufficiently robust to determine the extent of visibility splays appropriate to serve the proposed development.
- 6.11 The proposed access arrangements and visibility splays are deemed acceptable in highway terms. The Highways Officer has recommended that the existing three redundant points of vehicular access to Oldfield Road are stopped up and reinstated to an adopted footway, as part of the development proposal. An opportunity should also be taken to widen the existing footway across the whole of the planning application site frontage (eastern side) of Oldfield Road to at least 2.0m to enhance pedestrian movement including wheel chair use. These works could be secured by way of a separate agreement made with the council under S278 of the Highways Act 1980.

Parking Provision/requirement

- 6.12 This section of Oldfield Road is predominately subject to double yellow lines on both sides with the exception of a short area opposite Thames Auto Sales which has a 1 hour no return within 1 hour (Mon-Sat; 8am to 6pm) for 4 vehicles. Old Acres has a residents parking scheme. None of the future residents of the new flats would qualify for residents parking permits.
- 6.13 The site is located approximately 1.3km from Maidenhead train station and is therefore outside the 800m distance to fall within an area of good accessibility. The Transport assessment correctly states that the proposed total on-site vehicle parking provision of 95 spaces (for the 49 x 2-bed and 18 x 1-bed units) does not meet the maximum standard for areas of poor accessibility as defined in the Council's Parking Strategy dated May 2004.
- 6.14 It is worth noting with regards to the use of maximum parking standards, that in a Planning Update to the House of Commons on 25th March 2015, the then secretary of state at the Department for Communities The RT. Hon. Sir Eric Pickles MP; said that the government was keen to ensure that there is adequate parking provision both in new residential developments and around our town centres and high streets. He went on to say that the government abolished

maximum parking standards in 2011 under the National Planning Policy Framework (NPPF) with parking standards being covered in paragraph 39 of the NPPF. The Council are in the process of revising the local parking standards for residential and non-residential development in light of current national advice.

- 6.15 If the council's current full parking standard for this level of development (in Areas of Poor Accessibility) is to be used then a total of 116 on-site parking spaces would be required. In light of some similar developments which have been on the periphery of "Areas of Good Accessibility (such as this site) a ratio of 1.5 spaces for a 2 bedroom apartment has been deemed acceptable by the Council. Therefore the Highways Officer will accept that 1 car parking space is provided for a 1 bedroom unit and 1.5 spaces are provided for a 2 bedroom unit. This would equate to a requirement of 92 car parking spaces. As mentioned above 95 car parking spaces are provided therefore the proposals are acceptable in this sense.
- 6.16 The Highways Officer recommends that all 95 car parking spaces are retained for communal use in association with the proposed development and not be allocated such as sold or let separately to any of the 67 individual flats.

Traffic Generation / Road Safety

- 6.17 The TA has undertaken a qualitative highway safety assessment for the surrounding highway network in respect of the latest three year period between 1st of June 2013 to 31st May 2016.
- 6.18 There is no reason to disagree with the conclusion as set in paragraph 2.32 & 2.33 of the TA, in that the local highway network has a good Personal Injury Collision record and the proposed development will not give rise to any unacceptable road safety issues within the area studied.
- 6.19 Section 5 of the TA assesses the number of vehicle movements that is likely to be generated by the proposed development and comparing this with likely vehicle trips emanating from the existing/permitted uses on site, all using survey information contained in the TRICS database.
- 6.20 The TA using this TRICS survey data predicts the total existing trip generation to be 160 vehicle movements per day and estimates the proposed development would result in 183 daily vehicle movements (a slight increase in vehicle movements at 23 per day). This equates to a daily trip ratio of 2.725 vehicle movements per dwelling. It is considered that the increased traffic likely to be generated as a result of this level and scale of residential development can be accommodated on the adjoining highway network.

Cycle Provision

- 6.21 60 cycle spaces have been provided on the ground floor of Block A within 3 separate stores. From looking at drawing number 1294.PLN.306 (Rev d) the cycle store, spacing and manoeuvrability appears to be very constrained. More detailed plans and information will be required showing which type of facility will be used to park bicycles. This information can be secured by way of condition

Refuse Provision

- 6.22 The Highways Officer raised an objection to the refuse arrangement due to the distance that residents would need to carry their waste and requested a swept path analysis to demonstrate that a refuse lorry could safely manoeuvre within the site. The applicant has produced an updated site plan which has been passed to the Highways Officer for comment. The outcome of this will be covered in a Panel Update.

Flood Risk

- 6.23 The site falls within Flood Zone 3a and as such the applicant has submitted a Sequential Test and an Exception Test. The applicant will also need to demonstrate compliance with the requirements of Saved Local Plan policy F1 as well as paragraph 103 of the NPPF.

Sequential Test

- 6.24 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. The NPPF advises that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Whilst the NPPG suggests that a pragmatic approach should be taken to the availability of alternatives, the applicant has discounted a number of sites on the basis that an existing use would need to be relocated. This is a similar situation to the application site where the car sales would need to be relocated and so it is unclear why these sites have been discounted. Other sites have been discounted due to the fact they are subject to planning applications. It is unclear why this assumption has been made. The evidence provided is not considered robust enough to conclude that the proposed development could not reasonably come forward on an alternative site. Whilst it is not necessary to proceed to consider the Exceptions Test in the light of the failure to pass the Sequential Test it is considered below in the interests of completeness and to allow the consideration of Saved Local Plan policy and paragraphs 100 & 101 of the NPPF.

Exception Test

- 6.25 For the Exception Test to be passed: 1) it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and 2) a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Both elements of the test have to be passed for development to be permitted.
- 6.26 The NPPF states, when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment it can be demonstrated that: 1) within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and 2) development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
- 6.27 The unjustified loss of employment land proposed by the application is considered to weigh against the wider sustainability benefits of the development to the community. In this instance, and considering the assessment outlined below, the wider sustainability benefits are not considered to outweigh the increased flood risk associated with the scheme.
- 6.28 The Environment Agency has raised an objection to the planning application on the basis that the submitted FRA fails to comply with the requirements of the NPPG and the NPPF and does not provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development. The applicant has failed to demonstrate that the loss of flood plain storage within the 1% annual probability (1 in 100) flood extent, with allowance for climate change, can be mitigated. The FRA acknowledges that level for level compensation is not feasible on this site and thus proposes volumetric compensation through voids. Whilst the voids in this instance are proposed in the form of a car parking area, it is likely that any parked cars would obstruct the flow of flood water and thus reduce the effectiveness of the compensation scheme. The use of voids are unacceptable under Saved Local Plan policy F1 and in any event the Environment Agency have been unable to assess the effectiveness of this strategy due to a lack of information in the submitted FRA.
- 6.29 The applicant has also failed to demonstrate that safe access and egress can be achieved during a flood event. The hazard classification of the proposed route appears to not be considered. The proposed development is thus considered to fail the Exceptions Test and does not meet the requirements of Saved Local Plan policy F1. The development proposals are contrary to Saved Local Plan policy F1 and paragraphs 100 to 103 of the NPPF.

Surface Water Drainage

- 6.30 The LLFA are satisfied that the new proposals and the mitigation measures are in line with NPPF/Non-statutory technical standards for SuDS, Ciria SuDS Manual C753. However, section 4.2 and 4.5 of the Flood Risk Addendum suggests that no infiltration techniques are proposed due to unsuitable ground conditions which is contradictory to Appendix H page 4, where base infiltration was used in the calculations. The LLFA raises no objection in principle to the outline drainage strategy provided subject to the applicant amending the calculations to take account of the above. At the time of writing the applicant has provided this additional information and it is being reviewed by the relevant Officer. The outcome of this will be dealt with in an update to the panel.

Trees & Landscape

- 6.31 Issues surrounding Landscaping would be considered under a future reserved matters application if this application is approved. The Tree Officer has, however, considered the development's impact on trees in detail. The default position of the BS 5837:2012 (5.3.1) is that structures should be located outside the RPA's of trees to be retained. If structures (including hard surfacing) are proposed within the root protection area (RPA) of a retained tree it will require an overriding justification. No such overriding justification has been submitted in support of this planning application. The project arboriculturist will also need to demonstrate that the tree can remain viable, the area lost to encroachment can be compensated for elsewhere contiguous with the RPA and mitigation measures to improve the soil environment of the tree can be implemented.
- 6.32 The RPA's of the following Local Authority trees and T10 have been plotted as notional circles and do not take into account the following known influences on tree root morphology:
1. The proposed footpath across the RPA of T3
 2. Pedestrian access ramps within the RPA of T4 and T6
 3. Pedestrian ramp, vehicular cross over (impact not assessed within the ACD report), hard standing, parking bays and building within the RPA T5
- 6.33 The ability of a tree to tolerate some disturbance and alteration of its growing conditions is dependent on specific circumstances and site conditions and in general the older the tree the less successfully it will adapt to the new conditions. In this instance due to the age of the highways trees and the already restricted rooting area, the Tree Officer does not consider it possible to provide suitable compensation or mitigation for encroachment into the root protection area of T3, T4, T5, and T6.
- 6.34 T3, T4, T5, T6 as a collective group are important amenity features within the local landscape where streets and front garden trees are infrequent. They will help soften the built form of any future development within the application site. If outline planning permission was granted for the proposed scheme, the Local Authority would have to accept their loss. The current proposal does not provide any meaning full space for mitigation planting for medium size trees to reach full maturity (height and spread).
- 6.35 The proposed block of flats to the south of the site will be located 2.8m from the southern boundary of the site and directly beneath the canopies of established 'B' and 'C' category trees (graded in accord with the current British Standard 5837:2012 Trees in relation to design, demolition and construction– Recommendations (BS5837:2012). It is noted within the ACD a shade assessment has been carried out; however this has not been submitted to support the current outline application.
- 6.36 Considering the proximity of the block of flats to the southern boundary of the site and the existing and potential growth potential of established trees within the railway embankment, these trees will directly shade the west and southern elevation of the building and living spaces and amenity space as the sun rises in the east and sets in the west passing through a southern azimuth.

- 6.37 The juxtaposition between the embankment trees and the proposed dwellings is unsatisfactory and would not meet the NPPF's core planning principle that development should always seek to secure a good stand of amenity for future occupants of land and buildings.
- 6.38 Taking into account the future growth potential of the embankment trees, there are significant concerns about possible threats to their good health and longevity, arising from pressure to fell or prune from future occupiers. Such pressures are likely to occur because of the proximity of the trees (elevated above the proposed flats), and as a result of real householder concerns relating to restriction of light, dominance, and perceived danger from falling limbs. This is notwithstanding any other potential issues which may arise in terms of falling debris or branches, blocked gutters, shading of a large part of the amenity garden space, or simply in relation to their overbearing presence as the trees reach full maturity.
- 6.39 Due to the concerns raised above the Tree Officer objects to this planning application as failing to comply with Saved Local Plan policies N6 and DG1 and paragraph 118 and Core Principle 4 of the NPPF.

Ecology

- 6.40 A phase 1 habitat survey has been submitted in support of this planning application. At the time of writing a response from the Council's Ecologist is pending. The outcome of this will be dealt with in an Update to the Panel.

Affordable Housing

- 6.41 Current policy requirements are for 30% affordable housing on sites of 0.5Ha or over, or schemes proposing 15 or more net additional dwellings. This is confirmed in the affordable housing supplementary planning guidance document produced in December 2016.
- 6.42 This application proposes 67 residential dwellings resulting in the policy requirement of 20 affordable homes. Based on the current plans, 19 of these could be accommodated on site, with a commuted sum for the 1 remaining property. Based on the applicant's proposals, the following properties would meet the affordable housing requirements for this site:

Rented dwellings

Block A First floor

13x2 bedroom flats

Rent to Buy dwellings

Block A First floor

4 x 1 bedroom flats

2 x 2 bedroom flats

- 6.43 The applicant has submitted a viability report in support of this planning application that seeks to demonstrate that the proposed development is unable to make an affordable housing contribution without the scheme becoming unviable. This report, at the time of writing, is being scrutinised by the Borough Valuer. These findings will be dealt with by way an Update to the Panel.

Environmental Health

- 6.44 The Environmental Health Officer is satisfied that issues surrounding contamination can be dealt with through an appropriately worded condition if this planning application is approved. An Air Quality Assessment was submitted in support of this planning application. The Environmental Health Officer considers the air quality impacts associated with the scheme to be acceptable.

There are therefore no objections to the development proposals on environmental health grounds.

Archaeology

- 6.45 Although partly previously developed, the site is of archaeological potential. In view of the potential impacts of the development proposal on below ground deposits, a programme of archaeological work is merited should the application be permitted, in accordance with Paragraph 141 of the NPPF. Berkshire Archaeology has raised no objection to the proposed development subject to the use of a condition to secure a programme of archaeological field evaluation in accordance with a written scheme of investigation.

Other Material Considerations

Housing Land Supply

- 6.46 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.47 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. The Council currently cannot demonstrate a five year supply of deliverable housing sites against the objectively assessed housing need of 712 dwellings per annum set out in the Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) (2016). Work is progressing to prepare the Borough Local Plan that sets out a stepped housing trajectory over the plan period (2013-2033). A five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space. The required CIL payment for the proposed development would be £386,500 on the basis of a net increase of 3865 sq.m. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

15 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 12TH September 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on the 21ST September 2017.

No letters were received supporting the application.

4 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Objects to loss of business. This site is important to local business and local jobs mean shorter journeys to work	See paras 6.2-6.3

2.	Not enough car parking provided	See paras 6.12-6.16
3.	Concern regarding congestion	See paras 6.17-6.20
4.	Lack of landscaping/amenity space	See para 6.4
5.	Concern regarding flood risk	See paras 6.23-6.29
6.	Concern regarding overlooking	See paras 6.5-6.6
7.	Concern regarding construction impacts	Not a planning consideration
8.	Concern regarding scale of proposed development	See para 6.4
9.	Wants point of contact to raise concerns during construction and for concerns to be dealt with within a pre-defined time frame/process	Panel should consider this should they overturn the recommendation
10	Concern regarding future/viability of boundary hedges	Landscaping is a reserved matter and is not considered as part of this outline application

Consultees

Consultee	Comment	Where in the report this is considered
Trees & Landscape Officer	Object	6.31-6.39
Highways Officer	Extra info being considered – will be dealt with in Panel Update	6.8-6.22
Environment Agency	Object	6.23-6.29
Drainage Officer	Extra info being considered – will be dealt with in Panel Update	6.30
Ecology	TBC – will be dealt with in Panel Update	6.40
Environmental Health	No objection subject to conditions	6.44
Archaeology	No objection subject to condition	6.45
Housing Officer	TBC awaiting Borough Valuer's findings	6.41-6.43

Other consultees

Consultee	Comment	Where in the report this is considered
Maidenhead Civic Society	Overdevelopment Flats too small Lack of amenity space Height, bulk and mass to north inappropriate	6.4 6.7 6.7 6.4

9. APPENDICES TO THIS REPORT

- Appendix A – Information Plan & Site Location Plan

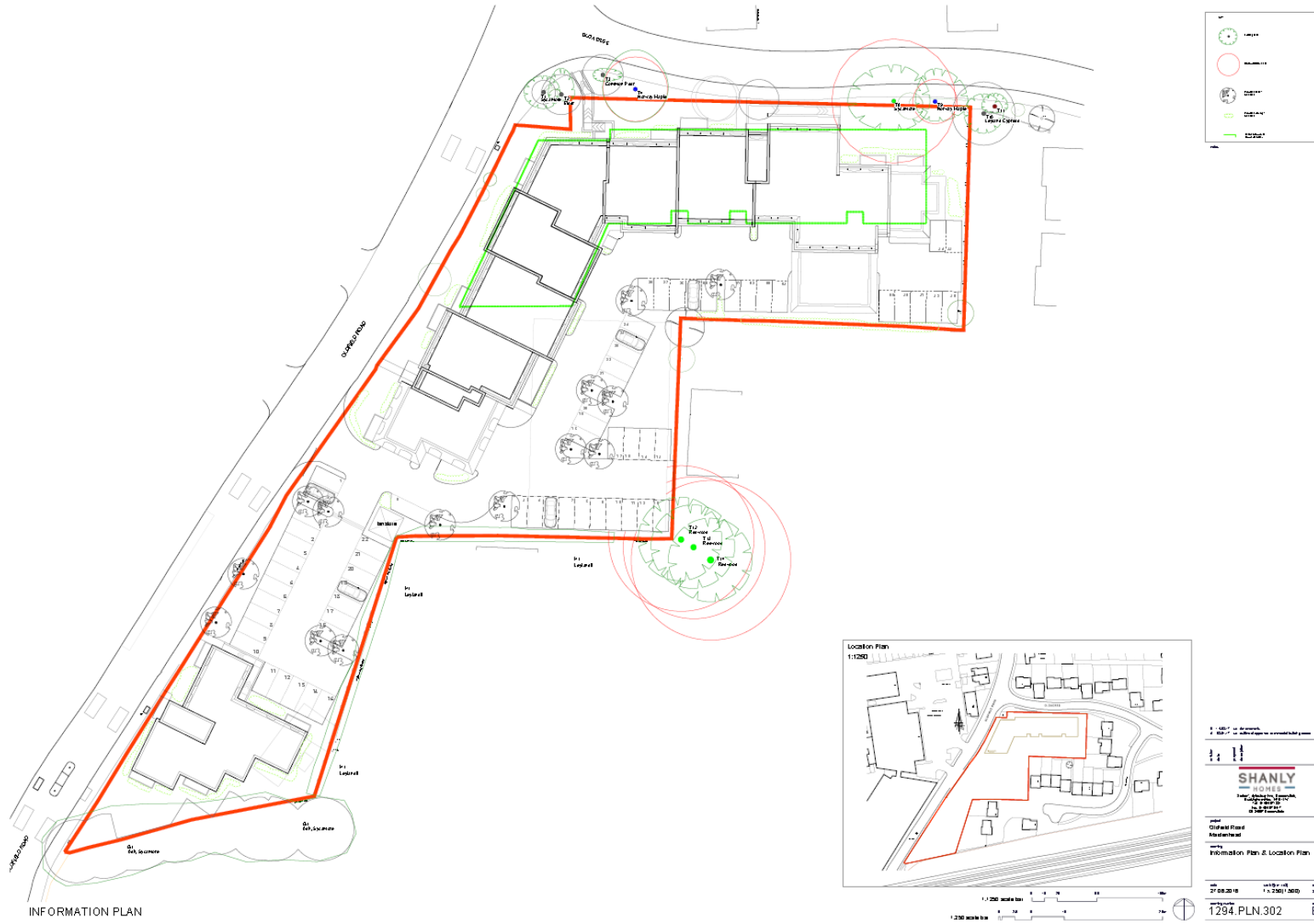
- Appendix B – Street Sections
- Appendix C – Elevations Block A 303D
- Appendix D – Elevation Black A 304B
- Appendix E - Elevations Block A 305B
- Appendix F – Elevations Block B 308B

10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposal results in the loss of employment land in the absence of evidence to demonstrate that the site has no reasonable prospect of remaining in an employment use. The development proposals are therefore unacceptable in principle and contrary to Saved Local Plan policy E5 and paragraph 22 of the NPPF
- 2 The proposed development will be harmful to the character and appearance of the area due to its height and bulk relative to surrounding buildings and a lack of space for any meaning full landscaping contrary to Saved Local Plan policies DG1, H10 & H11 and paragraph 64 and Core Principle 4 of the NPPF
- 3 The proposed development due to its height and lack of boundary separation will lead to a harmful overbearing impact and an increased sense of enclosure to the detriment of the amenities of the occupiers of numbers 19 and 17 Oldacres contrary to Saved Local Plan policies H10 & H11 and NPPF Core Principle 4 .
- 4 The application fails to demonstrate that trees of importance to the character of the area will be retained contrary to Saved Local Plan policies N6 and DG1 and paragraph 118 of the NPPF.
- 5 The proposed development's proximity to trees on the railway embankment will lead to the trees overshadowing living and amenity spaces to the detriment of the amenity of future occupiers and the sustainability of the trees due to pressures to prune or fell them contrary to Saved Local Plan policies N6 and DG1 and paragraph 118 of the NPPF
- 6 The submitted Sequential Assessment fails to demonstrate that the proposed development cannot be located on an alternative site that is reasonably available with a lower probability of flooding contrary to saved Local Plan policy F1 and paragraphs 100 & 101 of the NPPF..
- 7 It has not been demonstrated that the loss of flood plain storage within the 1% annual probability (1 in 100) with allowance for climate change can be appropriately mitigated. The application fails to demonstrate that the development will be safe and flood resilient and that safe access and egress can be achieved during a flood event. The development proposals are contrary to Saved Local Plan policy F1 and paragraphs 100 to 103 of the NPPF.

Appendix A – Information Plan & Site Location Plan

47



Project	1294 PLN.302
Date	27.08.2018
Scale	1:2500 / 1:500
Sheet	B

Appendix B – Street Sections



SECTIONS



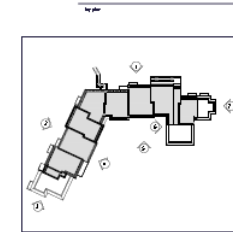
A. SHANLY ARCHITECTS	
1111	
SHANLY	
ARCHITECTS	
300 W. WASHINGTON ST.	
ANN ARBOR, MI 48106	
TEL: 734.763.1200	
WWW.SHANLYARCHITECTS.COM	
DATE: 05/10/2016	
PROJECT: 16-036	
SHEET: 01	
DRAWN BY: J.M.	
CHECKED BY: J.M.	
DATE: 05/10/2016	
SCALE: 1/8" = 1'-0"	
TITLE: PLAN ROOM 'A'	

Appendix C – Elevations Block A 303D

49



ELEVATION 1 - ALONG OLDACRES



Outline of withdrawn scheme



ELEVATION 2 - ALONG OLDFIELD ROAD

SHANLY HOMES

Elevations - Block A

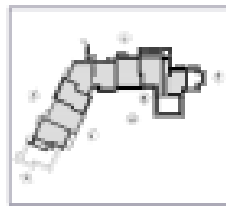
1294.PLN.303



Appendix D – Elevation Black A 304B



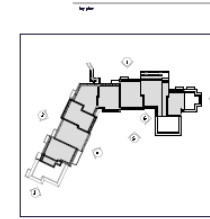
50



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PROJECT	1111
ARCHITECT	SHANLY
SCALE	AS SHOWN
DATE	11/11/2024
PROJECT	1111
ARCHITECT	SHANLY
SCALE	AS SHOWN
DATE	11/11/2024
PROJECT	1111
ARCHITECT	SHANLY
SCALE	AS SHOWN

Appendix E - Elevations Block A 305B

51



ELEVATION 6

ELEVATION 7



1. 120' x 120' Block
 2. 120' x 120' Block
 3. 120' x 120' Block
 4. 120' x 120' Block
 5. 120' x 120' Block
 6. 120' x 120' Block
 7. 120' x 120' Block

SHANLY
 ARCHITECTS
 120' x 120' Block
 120' x 120' Block
 120' x 120' Block
 120' x 120' Block
 120' x 120' Block
 120' x 120' Block

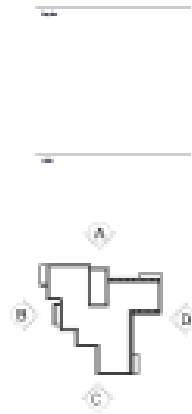
Project:
 Client:
 Architect:
 Date:
 Block A

27.09.2018
 1294.PLN.305

Appendix F – Elevations Block B 308B



52



DATE	1/11/2024
SCALE	1/8" = 1'-0"
PROJECT	SHARLY 1000 W. 10TH AVE DENVER, CO 80202
OWNER	SHARLY
ARCHITECT	SHARLY
DATE	1/11/2024
PROJECT	SHARLY
SCALE	1/8" = 1'-0"

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 4

Application No.:	17/02910/FULL
Location:	20 And 24 Braywick Road Maidenhead
Proposal:	Construction of x9 dwellings with access, parking and amenity space following demolition of the existing dwelling
Applicant:	Mr Collinge
Agent:	Mr Jake Collinge
Parish/Ward:	Maidenhead Unparished/Oldfield Ward

If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk

1. SUMMARY

- 1.1 The application site is located within the built-up area of Maidenhead on the outskirts of the town centre. The proposal is considered to be sufficiently in keeping in respect of plot width; the intervening gaps between buildings; and the scale, height, form and design of the houses. It is not considered that the proposal would unduly harm the living conditions of any neighbours, TPO trees, highway safety, air quality or archaeology, and would provide sufficient on-site parking.

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 the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located within the built-up area of Maidenhead on the outskirts of the town centre located on the west side of Braywick Road, close to its junction with Rushington Avenue and Stafferton Way. The site is approximately 0.39 hectares and comprises the plots for two detached houses. The two existing dwellings on the appeal site are within larger plots than is generally the case nearby and No 24 is set much further back from the road than those to the north and those to south. The land rises from east to west and there is a protected oak tree in the south-west corner of the site and a protected walnut tree in the northwest corner. There is also a protected oak tree at the rear of the neighbouring property at 18 Braywick Road that overhangs the application site.
- 3.2 The west side of Braywick Road is predominantly characterised by medium-sized detached and individually designed houses. The application site is surrounded by residential properties.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for the construction of 9 dwellings comprising of 3 pairs of semi-detached houses and 3 detached houses with access and parking following the demolition of the existing dwellings at no. 20 and 24 Braywick Road. 5 houses (plots 1 – 5) would be positioned to the front of the site directly facing Braywick Road with the remaining 4 houses to the rear (plots 6 – 9). Plots 4 and 5 would share a new access onto Braywick Road while another new access is proposed between plot 1 and 2, forming a 'T' shaped turning head within the site which would serve the remaining dwellings.

4.2

Ref.	Description	Decision and Date
16/02349/OUT	Outline application (access) with other matters reserved for the erection of 8 detached two-storey dwellings with access, parking and amenity space following the demolition of the 2 existing dwellings.	Would have refused 13.02.17. Appeal Dismissed 13.06.2017
16/03948/OUT	Outline application (access) with other matters reserved for the erection of 8 dwellings comprising 2 detached two-storey dwellings and 3 pairs of two-storey semi-detached dwellings with access, parking and amenity space following the demolition of the 2 existing dwellings.	Refused 24.03.17.
17/00191/OUT	Outline application (access and layout) with other matters reserved for the erection of 7 two-storey dwellings with access, parking and amenity space following the demolition of the 2 existing dwellings.	Approved 13.04.2017

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6 and 7.

Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Trees
DG1, H10, H11	P4, T5, T7	N6

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policy
In accordance with the spatial strategy for RBWM	SP1
Design in keeping with character and appearance of area	SP2, SP3
Acceptable housing provision	HO2, HO5
Acceptable impact on trees and ecology	NR2, NR3
Acceptable impact on infrastructure	IF2, IF8

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

5.3 Other Strategies or publications relevant to the proposal are:

1. RBWM Townscape Assessment
2. RBWM Parking Strategy
3. RBWM Air Quality Action Plan

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning and

https://www3.rbwm.gov.uk/downloads/file/2082/air_quality_action_plan

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact of the proposal on the character and appearance of the area;
- ii Impact on trees
- iii Highway safety and parking
- iv Residential amenity
- v Archaeological impact
- vi Air quality
- vii Other material planning consideration

Character and Appearance

6.2 The site is positioned on the western side of Braywick Road in an area described as 'Leafy Residential Suburb' in the Council's Townscape Assessment. The key characteristics of the 'Leafy Residential Suburbs' include low to medium density development predominantly comprising of detached and semi-detached suburban style houses on medium to large plots. Architectural styles vary within this townscape with consistency provided by the scale of built form, spacing between buildings, well-established gardens and a well-defined interface between the public/private realms.

6.3 The application site is located on a stretch of Braywick Road that is characterised predominately by two-storey detached houses which differ in style and design, but are similar in siting and scale. Properties are set back from the edge of the highway along a slightly staggered building line by approximately 10m behind boundary walls and/or established hedgerows. Houses are positioned on plots that are generally around 10 to 15m wide, although there are some plots measuring around 30m in width on Braywick Road. There are regular gaps between properties providing views of the trees and vegetation that lie to the rear contributing to the 'leafy appearance'. This part of Braywick Road has a spacious quality that is important to its suburban character and appearance, distinguishing it from the higher density urban development north of the Rushington Avenue/Stafferton Way roundabout, although it is noted that there is a tighter grain of development in this section of Braywick Road than to the south, resulting in a gentle transition between the looser development to the south along Braywick Road and those to the north as one approaches the town centre.

Layout

- 6.4 Two proposals seeking outline consent for 8 dwellings ref: 16/02349/OUT and 16/03948/OUT has previously been refused as the proposal would introduce a marked change in the character of residential development in the streetscene due to the narrower building width and gaps of dwellings to the front. A proposal for outline consent for 7 dwellings was subsequently approved, ref: 17/00191/OUT, as the proposed set back from the carriageway, widths and gaps between buildings to the front would be similar with the surrounding development.
- 6.5 The acceptability of a tandem development has already been established under 17/00191/OUT and the same number of buildings are proposed in a similar layout to 17/00191/OUT, however the 2 buildings in the middle at the front and rear have been increased in width and subdivided to create two semi-detached houses, while the remaining buildings and plots have been narrowed to accommodate this. The table below provides a comparison between plot and house widths of the approved layout and the proposed:

Approved Scheme 17/00191/OUT	Proposed Scheme 17/02910/FULL	
Plot 1	Plot 1	
Plot width – 12.5m House width – 11m	Plot width – 10.8m House width – 10.8m	
Plot 2	Plot 2	Combined Plot width – 14.7m Building width – 13.2m
Plot width – 11.8m House width – 10.8m	Plot width – 6.8m House width – 6.9m	
	Plot 3 Plot width – 7.9m House width – 6.3m	
Plot 3	Plot 4	
Plot width – 8.3m House width – 6.7m	Plot width – 8.1m House width – 6.8m	
Plot 4	Plot 5	
Plot width – 9.3m House width – 7.5,	Plot width – 9.6m House width – 7.2m	
Plot 5	Plot 6	
Plot width – 17.5m House width – 12.7m	Plot width – 15.5m House width – 10.9m	
Plot 6	Plot 7	Combined Plot width – 16.5m Building width – 13.9m
Plot width – 12.7m House width – 10.8m	Plot width – 8.2m House width – 6.7m	
	Plot 8 Plot width – 8.3m House width – 7.2m	
Plot 7	Plot 9	
Plot width – 21.5m House width – 12.7m	Plot width – 11.2m House width – 11.2m	

- 6.6 The proposed widths of the plots and buildings are considered to be within an acceptable parameter in comparison with neighbouring plots (10m – 15m) and buildings (10m), and would be separated from one another by intervening gaps that are characteristic of this stretch of Braywick Road. The properties fronting Braywick Road would also have an appropriate set back of approximately 10m from the highway. For these reasons it is considered that the dwellings would not appear unduly incongruous within the streetscene and wider area, or cramped in their plots.

Scale, Mass and Bulk

- 6.7 The proposed buildings on plot 1, 6, 7, 8 and 9 measures approximately 8.5m in height at the ridge and 5.2m at the eaves, while the proposed building on plots 2, 3, 4 and 5 measures

approximately 9m in height at the ridge and 5.2m at the eaves. These heights are comparable with adjoining neighbour at no. 18 and 26 Braywick Road and with the wider area with heights ranging between approximately 8.5 and 9.5m. Due to the change in ground level the proposed dwellings to the rear would be sited approximately 1.5m higher than the dwellings fronting Braywick Road, but set further rearwards within the plot it is considered that the elevated height of the houses to the rear would not be apparent when viewed from Braywick Road due to perspective. Details of existing ground levels and all finished slab levels in relation to ground level (against OD Newlyn) can be secured by condition 3 and 4. Concerns have been raised by a number of local residents over potential three-storey high buildings, but although there is accommodation proposed in the roof space for all of the houses with the exception of plot 1 and 9 the proposed buildings are two-storey in scale, form and appearance. Overall, due to the proposed height, scale and form of the proposed houses the mass and bulk of each building would satisfactorily relate to the prevailing mass and bulk of existing houses, and would therefore not appear overly dominant or incongruous within the streetscene or wider locality.

Design

- 6.8 The NPPF states that planning policies and decisions should not attempt to impose architectural styles or tastes through a requirement to conform to certain development forms or styles, although it is proper to reinforce local distinctiveness. It is considered that siting and scale are the main unifying characteristics with houses of differing design and styles along Braywick Road. In this case the siting and scale of the proposed houses are considered acceptable for the reasons above and there is no objection to the proposed articulation, architectural detailing and proposed materials which are considered to be sufficiently harmonious.
- 6.9 Concerns have been raised by local residents over the proposed semi-detached dwellings in a section of road that predominately comprises of detached dwellings. The proposed semi-detached dwellings, however, have been designed to read as a single dwelling house from the front through the placement of fenestration, and communal nature of the front area to plots 2-3 and 4-5.

Landscaping

- 6.10 The proposed development would result in a large amount of hardstanding to the front to provide on-site parking. This is not incongruous as a number of front gardens have been surfaced over for parking purposes at a number of neighbouring properties on Braywick Road. However, a number of houses incorporate soft landscaping which breaks up the hardstanding and/or have hedges and planting as or alongside front boundaries. Alongside views of trees and vegetation to the rear through characteristics gaps between buildings this contributes to the leafy character of the area. It is considered that there is scope for soft landscaping to the front and between buildings within the site, which can be secured by condition 12. Together with the characteristics gaps between buildings, which provide views of the trees and vegetation that lie to the rear, and the retention of the TPO trees to the rear (paragraph 6.11 – 6.13), it is considered that the leafy character would be preserved. The Townscape Assessment also identifies a well-defined interface between the public/private realms. Condition 17 is therefore recommended to ensure an appropriate boundary is incorporated into the development.

Impact on Trees

- 6.11 Within the north western corner of the site is a large walnut tree (T5) and there is an oak (T4) near to the walnut tree sited within the garden of the adjoining garden at no. 18 Braywick Road. To the southern boundary is another oak tree (T11). These three trees provide a high amenity value, which can be appreciated from within the site and surrounds, and are protected by Tree Preservation Order (TPO) 003/2007. The Planning Inspector for an appeal under 16/02349/OUT concluded that the site could not accommodate 4 detached dwellings to the rear that would adhere to the spacious character of the area without harm to the protected trees, which is a material consideration. However, the proposed layout is not significantly different from the approved layout granted under 17/00191/OUT which proposed 3 detached dwellings to the rear of the plot and this fall-back position is given significant weight.

- 6.12 Furthermore, an Arboriculture Report has been submitted with the application which demonstrates that the construction works would lie outside of the Root Protection Areas (RPA) of the protected trees. Additional tree protection could be secured by condition 11 to ensure no materials or equipment are stored within the RPA, or excavation or changes in ground level are undertaken with the RPA as part of the construction.
- 6.13 There would be an increase in shading to the garden of plots 6 and 7 as these trees mature to their ultimate height and crown spread, which raises concerns over potential pressure to fell the trees. However, trees in towns are often sited in close proximity to buildings and residents' concerns can be appeased with the implementation of regular, well planned, sensitive pruning which would not have a significant impact on health or amenity value of these trees, the details of which would require formal approval from the Council due to the protection afforded by TPO 003/2007. For these reasons the proposal is considered to comply with Local Plan policy N6 which seeks to ensure new development retains existing trees which are a feature of the site and carries out any protection measures necessary to protect trees during clearance and building operations.

Highway safety and parking

- 6.14 The A308 Braywick Road is a dual carriageway and to the south of the site it connects to the A308 Windsor Road, A330 Ascot Road and the A308(M), which links to Junction 8/9 of the M4. Heading north, the A308 connects to Stafferton Way and Rushington Avenue at the Braywick Roundabout.
- 6.15 Local Plan policy T5 requires new development to meet adopted highway design standards in the interest of highway safety. Presently, the site comprises two detached dwelling, each with access onto Braywick Road. The proposed site plan ref: 2273/PL501 shows plots 4 and 5 sharing a new access onto Braywick Road, with the remaining units being served by another new access that culminates into a typical 'T' shaped turning head. At the proposed accesses the A308 dual carriageway is subject to a 30mph speed limit. The proposed site plan also shows visibility splays to the right (south) of 2.4m x 74m for the access serving plots 4 and 5 and 2.4m x 90m for the access serving the remaining plots, which is meets the splay standard for a 30mph (currently set at 2.4m by 43m). The proposal therefore complied with Local plan policy T4.
- 6.16 Local plan policy P4 requires new development to meet adopted car parking standards, while policy T7 requires new development to meet adopted cycle parking standards. The site is located approximately 500m south of Maidenhead main line rail station and therefore considered to be in an area of good accessibility. It is therefore considered that 2 parking spaces for a 4+ bed unit can be justified and acceptable. It is also considered that each plot provides sufficient room to accommodate appropriate cycle storage facility to meet cycle parking standards.
- 6.17 Given the residential nature of the proposal and the site's proximity to Maidenhead railway station and the town centre, the increased traffic generated by the development is unlikely to be severe on the local highway infrastructure network to warrant refusal.

Residential amenity

- 6.18 Local Plan policy H11 states that planning permission will not be granted for schemes that would introduce a scale or density of new development which would cause damage to the amenity of the area, while Core Principle 4 of the NPPF seeks a good standard of amenity for all existing and future occupiers.
- 6.19 Due to the siting and staggered building line there would be an approximate distance of 10m to 15m from the rear elevations of the proposed dwellings on plots 6 to 9 and the shared boundary with adjoining properties to the west that front Rushington Avenue and a back-to-back distance of over 65m. Given these separate distances even with the elevated height of the houses on plots 6 to 9 it is considered that there would be no undue loss of light or privacy, or overbearing impact to these neighbouring dwellings.

- 6.20 The proposed dwelling on plot 1 lies immediately to the south of no.18 Braywick Road and sited further rearwards within its site than no.18 by approximately 7m, but is considered that the proposal would not result in an undue loss of light or visually intrusion as the proposed single storey component would not intrude through a 60 degree line taken from the centre of the nearest habitable room at no. 18 Braywick road while the two storey element would not intrude through a 45 degree line. No windows have been proposed on the north (side) elevation and so there would be no direct overlooking while views from the proposed widows on the west (rear) elevation are not considered to materially differ or add to existing views. The proposed house on plot 6 would be sited to the south west of no. 18 Braywick Road, adjoining the rearmost area of the rear garden at no.18. It would also be sited approximately 1.5m higher than the dwellings fronting Braywick Road due to the changes in ground level. This would result in a material visual presence when viewed from no. 18 Braywick Road but the stepped north elevation is considered to sufficiently minimise mass and bulk closest to the shared boundary, while the distance from the house and main garden area is considered sufficient to mitigate any unreasonably harm the amenity of the occupants in term of loss of light or visual intrusion. First floor side windows have been proposed on the north elevation, but with a distance of approximately 9.5m to the shared boundary it is considered that there would be no material loss of privacy to no. 18. It would introduce a new view from the west (rear) and east (front) elevation, but these would be oblique. Condition 16 is recommend to ensure no further window(s) shall be inserted at first floor level north elevation(s), in particular the elevations closer to the shared boundary, without the prior written approval of the Local Planning Authority.
- 6.21 The proposed house on plot 4 would be sited approximately in line with the adjoining neighbour at no. 26 Braywick Road and would not project significantly forwards or rearwards of this neighbouring house and so would not result in undue loss of light or visual intrusion to the detriment of their amenity. First floor windows have been proposed on the south (side) elevation which would directly face no. 26, however this first floor window would serve a bathroom (a non-habitable room). The proposed house on plot 9 would be sited to the north-west of no. 26 Braywick Road adjoining the rearmost area of the rear garden at no.26, and due to the change in ground level this house would be approximately 1.5m higher than no. 26. However, the proposed dwelling at plot 9 would be offset from the shared boundary by 7m and the stepped south elevation is considered to sufficiently minimise mass and bulk closest to the shared boundary. Furthermore, the distance from the house and main garden area at no. 26 is considered to sufficient to mitigate any unreasonably harm the amenity of the occupants in term of loss of light or visual intrusion. Two first floor windows have been proposed on south (side) elevation serving a habitable room which would directly face no. 26, but given the approximate 13m offset from the shared boundary it is considered that there would be no material loss of privacy to no. 26. Condition 16 is recommend to ensure no further window(s) shall be inserted at first floor level south elevation(s), in particular the elevations closer to the shared boundary, without the prior written approval of the Local Planning Authority. A car port is proposed between the dwellings on plot 9 and plot 5, adjacent to the shared boundary with no 26 Braywick Road. Due the open structure of the carport the most impactful element of the carport would be the roof and given the hipped roof sloping away from the shared boundary it is not considered to be materially harmful in terms of visual intrusion or loss of light.
- 6.22 Vehicular movements and noise generated along the access road would be limited given the low number of units the access would serve. As such the amenities of the occupiers of no 90 would not be significantly harmed.
- 6.23 The proposed dwellings on plots 1 to 5, and plots 6 to 9 are sited approximately in line with one another and would not project significantly forwards or rearwards of one another to the detriment of their residential amenity. The proposed dwellings on plots 6 to 9 are sited approximately 1.5m higher than the proposed houses on plots 1 to 5, but given the front-to-back distance of at least 23m and a front to boundary distance of at least 11m it is not considered that there would be an unacceptable relationship between them in terms of daylight, sunlight, visual overbearing or overlooking. Each dwelling would have at least 75 square metres of private amenity space, which is acceptable.

Archaeological impact

- 6.24 Berkshire Archaeology's Historic Environment Record provides evidence for the remains of an Iron Age (800 – 100 BC) settlement less than 200m to the north-west of this site, and a postulated Roman villa and Roman road are also recorded to the west and east of the site respectively. The proposed development lies in a plot with new housing proposed in largely undeveloped garden areas and therefore the proposed development has the potential to disturb important buried remains. As such it is recommended that an appropriate programme of archaeological work is secured by condition 18 to mitigate the archaeological implications in accordance with paragraph 141 of the NPPF which states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Air quality

- 6.25 Paragraph 109 of the NPPF states that the planning system should prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels air pollution. The application site is located in the Maidenhead Air Quality Management Area, which aims to reduce levels of Nitrogen Dioxide (NO₂), and Environmental Protection has advised that an air quality assessment is required to determine the air quality impact of the proposal. No air quality assessment has been provided with this application, but the identified means of reducing levels of NO₂ in the Maidenhead Air Quality Action Plan by means of securing Travel Plans for workplaces, hospitals and schools, and the creation of the Stafferton Way link road (Section 5 of RBWM Air Quality Action Plan 2015) is not considered to be applicable. Furthermore, located within 500m of the Maidenhead main line rail station and Maidenhead town centre, and therefore in an area of good accessibility it is considered to be sited in a sustainable location that would reduce the need to travel by car. In relation to design details of windows and other ventilation equipment for indoor areas it is considered reasonable to attach a condition to any approval to require measures for fresh air ventilation to be submitted and approved prior to commencement (condition 13).

Other Material Considerations

Housing Land Supply

- 6.26 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's Charging Schedule the proposed development would be CIL liable. The required CIL payment for the proposed development would be £100 per square metre on the chargeable flood area. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

20 occupiers were notified directly of the application and the planning officer posted a notice advertising the application at the site.

5 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1	Contrary to the appeal decision for 16/02349/OUT which was dismissed. Site cannot accommodate 4 dwellings to the rear that would adhere to the spacious character of the area without harm to the protected trees.	Para. 6.10 – 6.13
2	Overdevelopment due to increase in density	Para. 6.5 – 6.6
3	Loss of privacy to no. 18 Braywick Road and houses on Rushington Avenue due to elevated height of proposed houses to the rear and windows at roof level, and loss of existing vegetation and landscaping which provides screening	Para. 6.16 – 6.20
4	Three storey buildings / buildings of a greater height than existing are out of character with the area	Para. 6.7
5	Semi-detached properties are out of character with the locality	Para. 6.9
6	Spacing between buildings which are out of character	Para. 6.4 – 6.6
7	Gain in housing does not overcome harm caused to low density, leafy character of the area.	Para. 6.2 – 6.10, 6.25
8	Harm to highway safety as there would be an increase in vehicles to and from the site and the new access would be sited on a dual carriageway where the road rises and bends to the left.	Para. 6.15
9	Insufficient parking provision	Para. 6.16
10	Design and Access Statement make no reference to the accessibility of the houses, and the site plans show steps at the front of the dwellings	While accessibility for all, including step free access would be desirable it would not warrant refusal of this planning application.
11	The references to other development in the area are misleading as these are not comparable to the proposal which would harm the character of the area.	Comment noted.
12	Design and Access statement states that boundary will comprise of 1.8m close boarded fencing, if the developer wishes to place fencing between proposed plot and no. 18 then they will need to do so without harm to planting/garden which is sited on neighbouring land.	Not a material planning consideration.
13	Impact on sewage/drains.	Not a material planning consideration.
14	Breach in covenants which prohibits more than 1 house to be erected on the land or the erection of any structure beyond a building line 45 feet from Braywick Road.	Not a material planning consideration.

Other consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Officer	No objection subject to conditions relating to tree protection, tree retention/replacement and landscaping.	Para. 6.11 – 6.1, section 10
Berkshire Archaeology	No objection subject to a condition to secure an appropriate programme of archaeological works to mitigate archaeological implications.	Para. 6.24, section 10.
Environmental Protection	Advised that an air quality assessment is required to determine the air quality impact of the proposal, and recommended a condition relating to contaminated land, and informatives relating to construction noise, dust and smoke control.	Para. 6.25, section 10.

Highways Officer	No objections subject to conditions relating to the new access, stopping up of the redundant access, a construction management plan and parking; and an informative relating to a S278 agreement for highway works.	Para. 6.14 – 6.17, section 10
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9. APPENDICES TO THIS REPORT

1. Appendix A - Site location plan and site layout
2. Appendix B – Approved site layout, ref: 17/00191/OUT
3. Appendix C – Proposed Plans and Elevations

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1, H10
- 3 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 4 No development shall commence until details of the existing ground levels (against OD Newlyn) measured at regular intervals across the site have been submitted to the Local Planning Authority. No changes shall be made to the existing levels of the site.
Reason: In the interest of the visual amenities of the area. Relevant Policies Local Plan DG1.
- 5 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.
- 6 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 7 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 8 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

- 9 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1.

- 10 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.

- 11 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

- 12 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

- 13 Details of measures to provide fresh air ventilation to the houses hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any demolition or other works needed in advance of implementation of this planning permission.

Reason: The site is within an Air Quality Management Area and appropriate measures are required in the interests of the health and amenity of occupiers of the proposed flats. Relevant Policy: Paragraph 124 NPPF.

- 14 In the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the

approval in writing of the Local Planning Authority. .

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.

- 15 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.
- 16 No further window(s) shall be inserted at first floor level in the north and south elevation(s) of the dwellings hereby approved without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 17 No development shall commence until details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
- 18 No development, including demolition, shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.
Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric and Roman settlement and land use of this part of the Thames Valley. The potential impacts can be mitigated by a programme of archaeological work so as to record and advance our understanding of their significance in accordance with national and local planning policy.
- 19 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

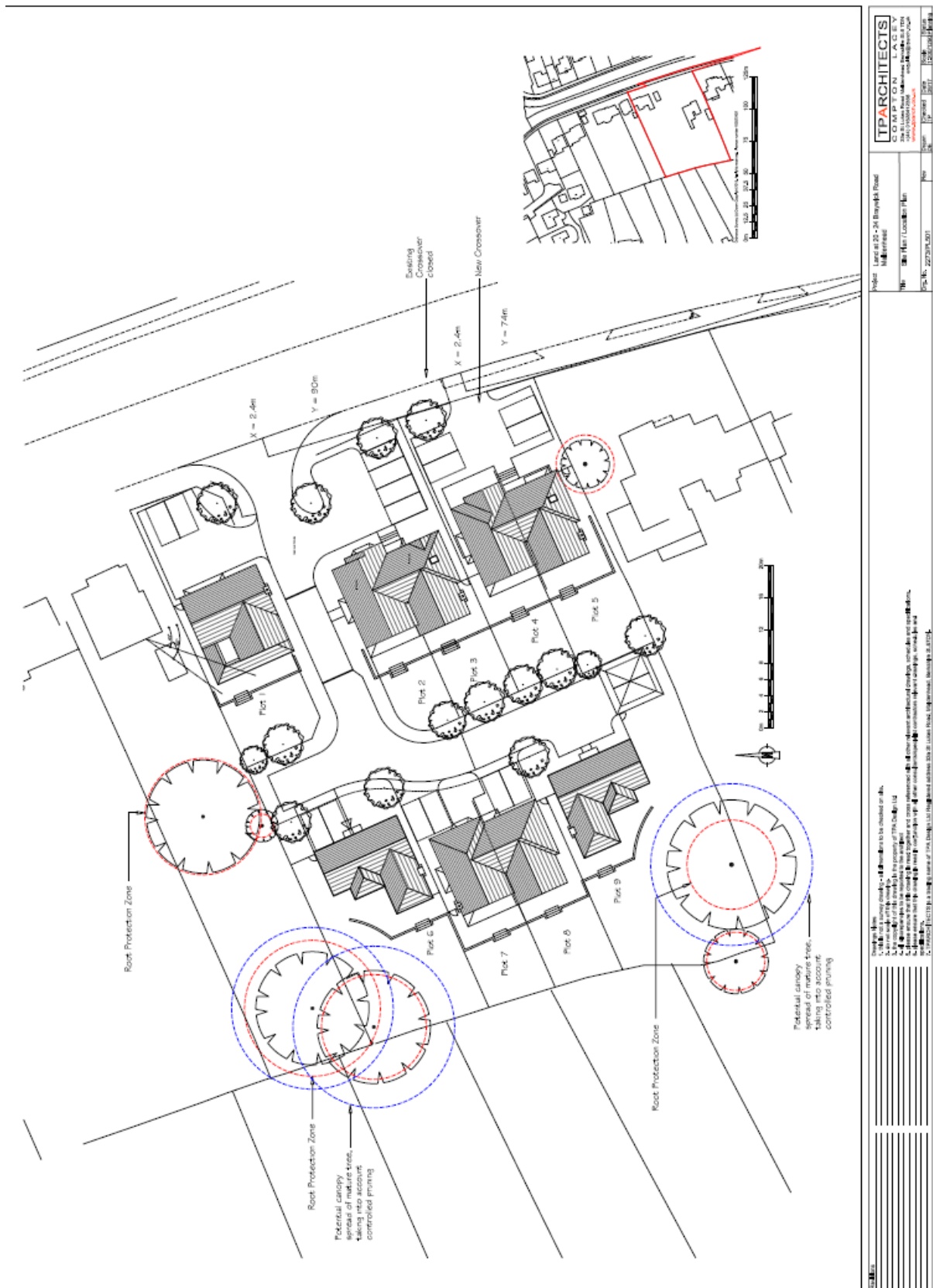
Informatives

- 1 Before any development commences the applicant shall enter into a legal agreement with the Council under Section 278 of the Highways Act 1980 to cover the stopping up and construction of the main access serving the new dwellings.
- 2 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'.
- 3 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or

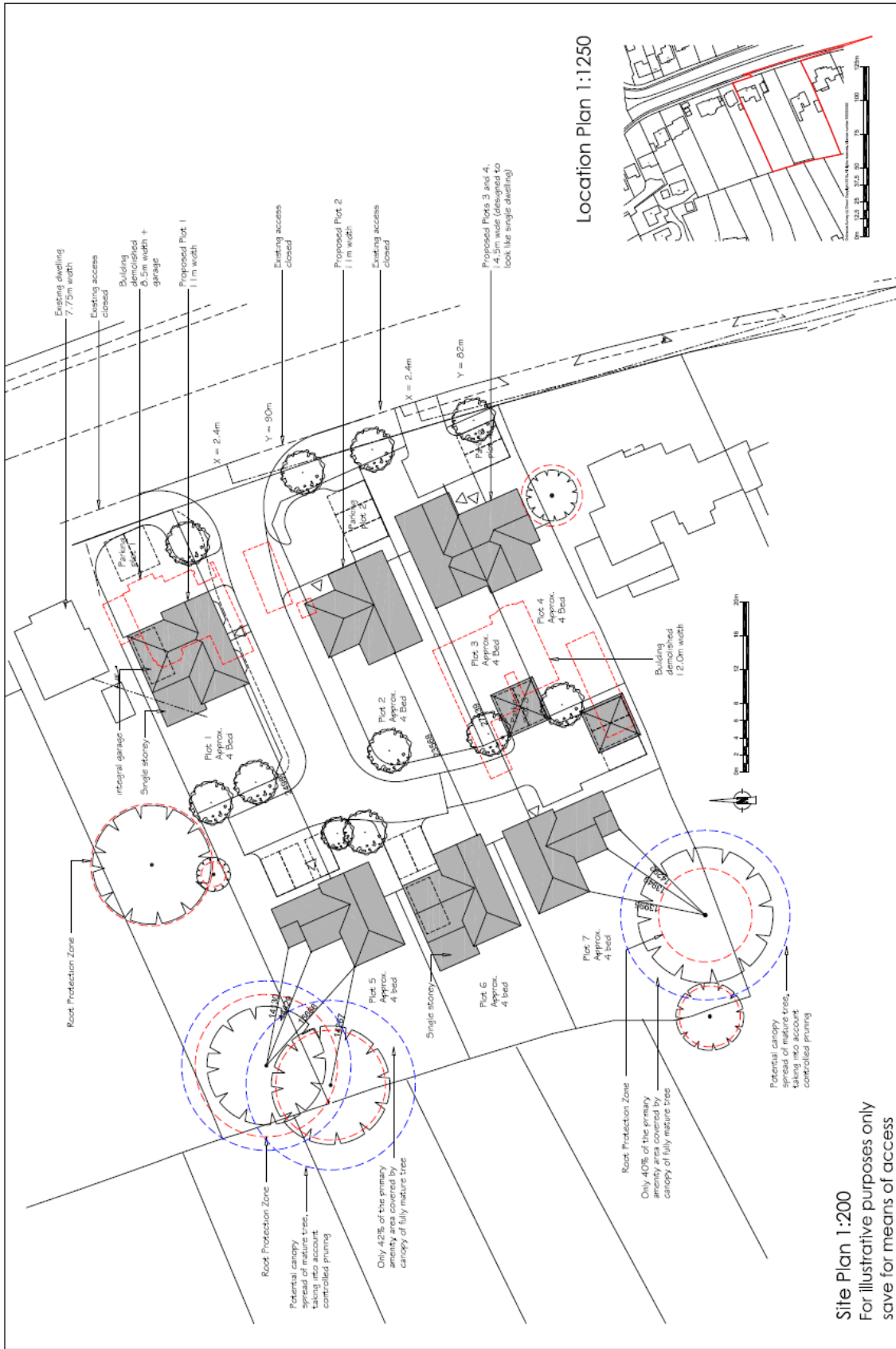
damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control and these are available on the internet: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities

- 4 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.

Appendix A – Site Location and Site Layout



Appendix B - Approved site layout, ref: 17/00191/OUT



<p>TP ARCHITECTS COMPTON LANE 1141 COMPTON WIMBORNE BHAS 12</p>	
<p>Project: Land at 20 - 24 Bonywick Road Wimborne</p>	<p>Site: 17/00191/OUT</p>
<p>This: Illustrative Site Plan / Location Plan</p>	<p>Scale: 1:200</p>
<p>Site No: 27799/101</p>	<p>Date: 15/08/2017</p>

Drawings show:
 1. Proposed buildings.
 2. 40% of the primary amenity area covered by canopy of fully mature tree.
 3. 42% of the primary amenity area covered by canopy of fully mature tree.
 4. Root Protection Zones.
 5. Areas where the full spread of mature trees, taking into account controlled pruning, would occur.
 6. Areas where the full spread of mature trees, taking into account controlled pruning, would occur.
 7. Potential canopy spread of mature trees, taking into account controlled pruning.

Appendix C – Proposed Plans and Elevations

front (east) elevation
south elevation
west elevation
north elevation

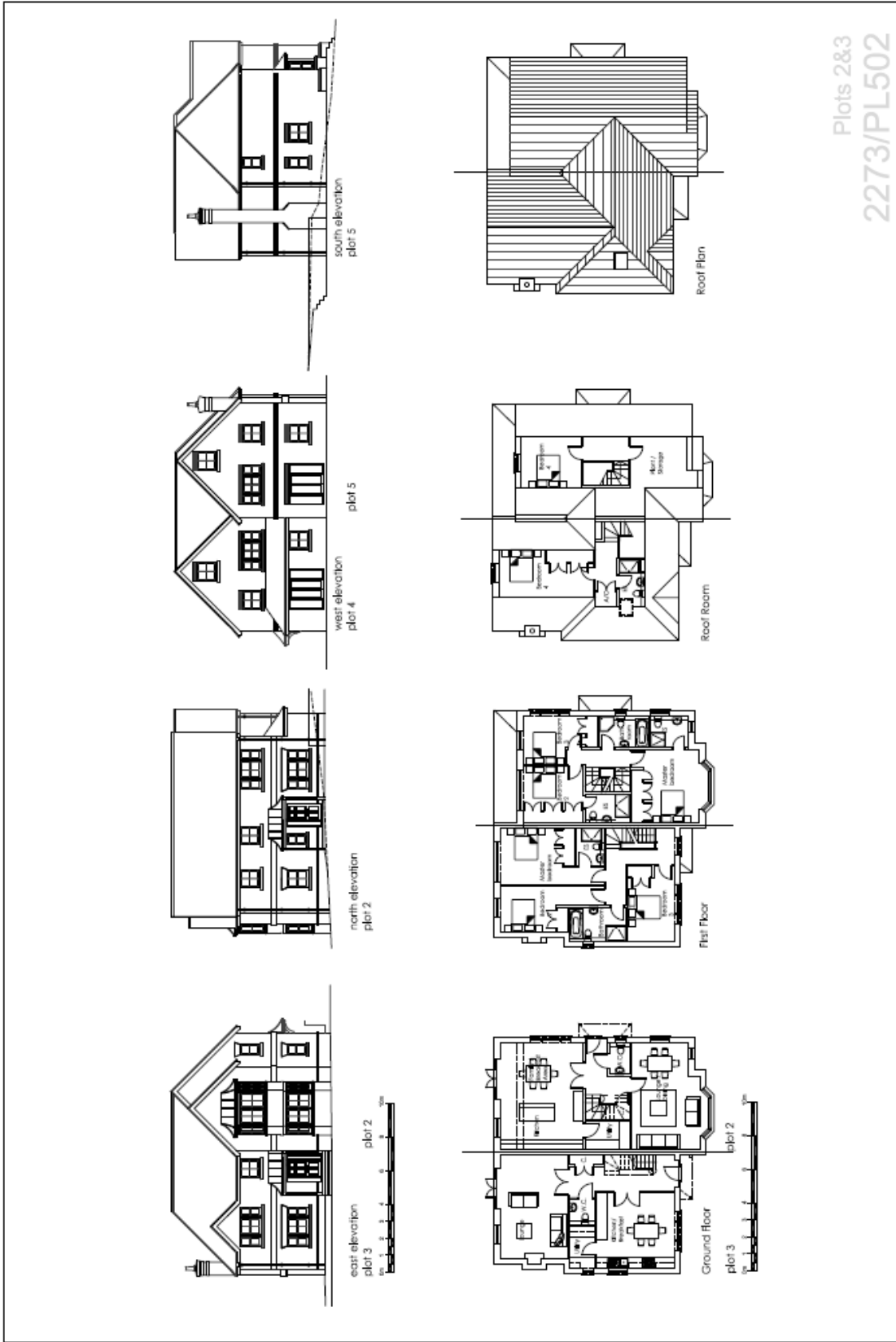
Ground floor
First floor
Roof plan

PLOT 1
2273/PL501

TPARCHITECTS
 COMPTON LACEY
 ARCHITECTS
 100/100
 100/100
 100/100

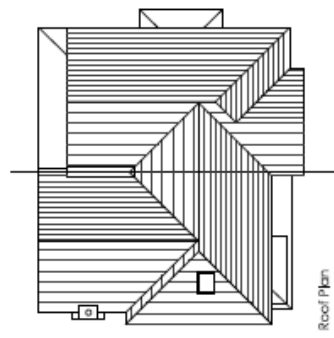
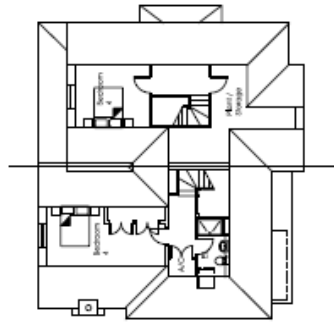
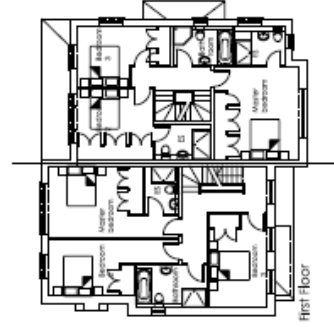
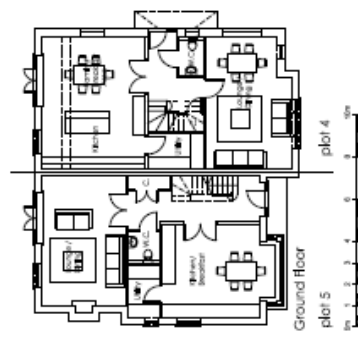
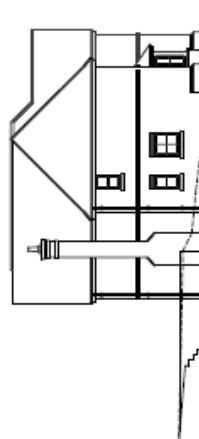
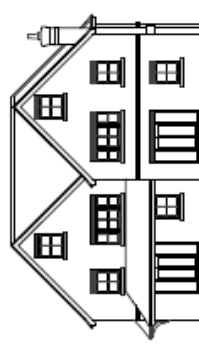
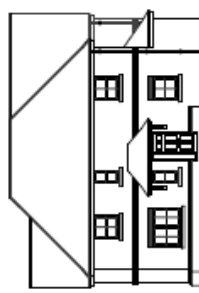
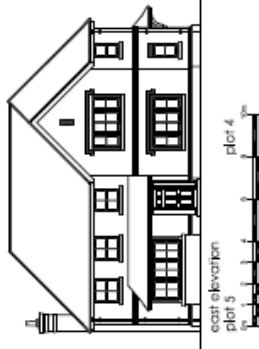
Land at 22-24 Bayfield Street
 Wakefield
 WF1 1RT
 Plans and Elevations
 No. 2273/PL501

Drawing Notes:
 1. All dimensions are in millimetres unless otherwise stated.
 2. All dimensions are to the face of the work unless otherwise stated.
 3. All dimensions are to the face of the work unless otherwise stated.
 4. All dimensions are to the face of the work unless otherwise stated.
 5. All dimensions are to the face of the work unless otherwise stated.
 6. All dimensions are to the face of the work unless otherwise stated.
 7. All dimensions are to the face of the work unless otherwise stated.



Plots 2&3
2273/PL502

<p>Site: Lot 2273-24 Road, Inverness</p> <p>Client: TPA ARCHITECTS</p> <p>Project: 2273/PL502</p> <p>Scale: 1:500</p> <p>Date: 10/10/2023</p>	
<p>TPA ARCHITECTS COMPTON LACEY ARCHITECTS 100, THE BARRACKS 100, THE BARRACKS 100, THE BARRACKS</p>	
<p>Drawn by: M.A. Checked by: M.A. Scale: 1:500 Date: 10/10/2023</p>	
<p>1. THIS DRAWING IS THE PROPERTY OF TPA ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF TPA ARCHITECTS.</p>	

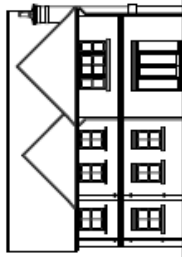


Plots 4&5
2273/PL503

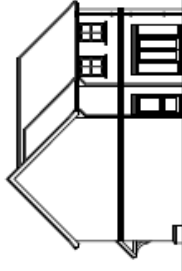
<p>TPARCHITECTIS CONSULTANTS 100-1000 100-1000 100-1000 100-1000</p>		<p>Level of 25-26 Blythe Road Midhurst West Sussex BN26 3JG UK Tel: 01323 810000 Fax: 01323 810001 Email: info@tparchitectis.co.uk Website: www.tparchitectis.co.uk</p>
<p>Plot: Level of 25-26 Blythe Road Midhurst West Sussex BN26 3JG UK Tel: 01323 810000 Fax: 01323 810001 Email: info@tparchitectis.co.uk Website: www.tparchitectis.co.uk</p>		<p>Plot: 2273/PL503 Date: 10/10/2018 Scale: 1:1000 Author: JTB Checker: JTB Date: 10/10/2018</p>



Front (east) Elevation
plot 6



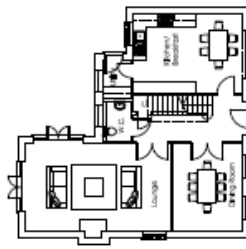
West Elevation



North Elevation



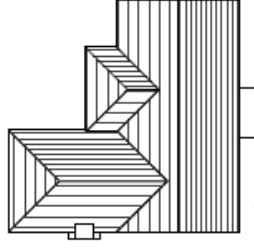
South Elevation



Ground floor
Plot 6
1,666 sq.m



First floor

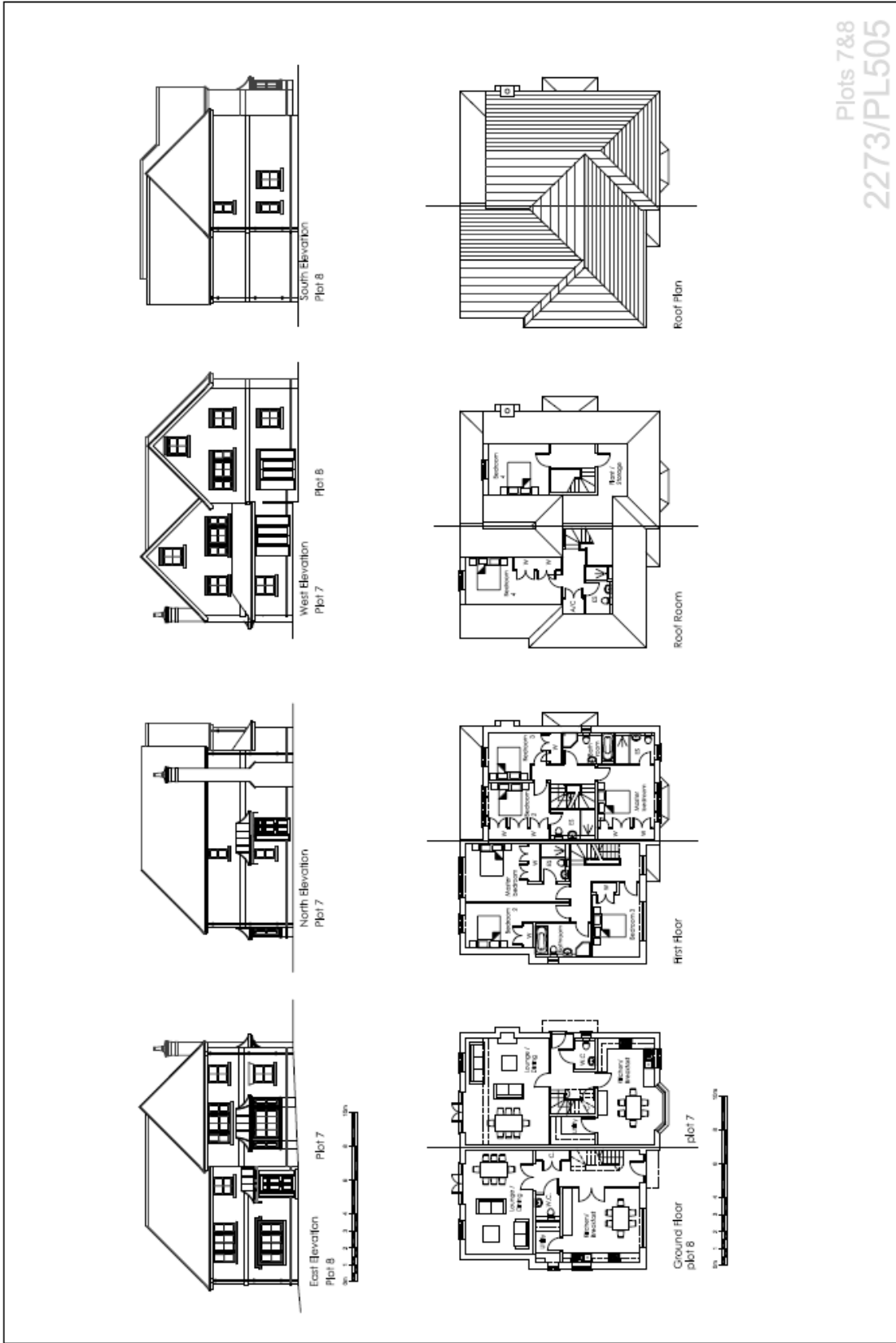


Roof Plan



Plot 6
2273/PL504

<p>TPARCHITECTS CORPORATION LACREY 100/1100/1000 100/1100/1000</p>		<p>Project: 2273/PL504 Site: 2273/PL504 Scale: 1:100 Date: 15/03/2024</p>
<p>Client: Mr. & Mrs. [Name] Address: [Address] Plot: 6</p>		<p>Author: [Name] Date: 15/03/2024</p>
<p>Notes: 1. All dimensions are in meters unless otherwise stated. 2. All areas are approximate and subject to site conditions. 3. All areas are subject to change without notice. 4. All areas are subject to change without notice. 5. All areas are subject to change without notice. 6. All areas are subject to change without notice. 7. All areas are subject to change without notice. 8. All areas are subject to change without notice. 9. All areas are subject to change without notice. 10. All areas are subject to change without notice.</p>		



<p>Client: Lord of the Isles Housing Group Location: Wick Date: 15/05/13 Drawn: J. Lacey No. 2273/PL505</p>		<p>TPARCHITECTS COMPTON LACEY ARCHITECTS 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000</p>
<p>Drawn by: J. Lacey Date: 15/05/13 Scale: 1:50 Project: 2273/PL505 Drawing: 2273/PL505-01</p>		<p>TPARCHITECTS COMPTON LACEY ARCHITECTS 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000</p>

front (east) elevation

north elevation

west elevation

south elevation

plot 9

0m 1 2 3 4 5 6 7 8 9 10

Ground Floor

First Floor

Roof Floor

Carport Plot 9 Floor Plan 1:100

Carport Plot 9 Roof Plan 1:100

Carport Plot 9 Front Elevation 1:100

Carport Plot 9 Side & Rear Elevations 1:100

<p>Client: Lord of 2273-PL506/Plot 9</p> <p>Project: 2273/PL506</p> <p>Site: 2273/PL506</p> <p>Scale: 1:100</p> <p>Date: 10/10/2023</p>	
<p>TPARCHITECTS COMPTON LACEY ARCHITECTS 100-102, High Street Bristol, BS1 3TH</p>	
<p>Plot 9 and Elevations</p>	
<p>Scale: 1:100</p>	
<p>Date: 10/10/2023</p>	
<p>Project: 2273/PL506</p>	
<p>Site: 2273/PL506</p>	
<p>Scale: 1:100</p>	
<p>Date: 10/10/2023</p>	

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 5

Application No.:	17/03038/FULL
Location:	Riverside Primary School And Nursery Donnington Gardens Maidenhead SL6 7JA
Proposal:	Temporary modular teaching block comprising four classrooms and toilets and provision of six temporary parking spaces
Applicant:	Ms Donnelly
Agent:	Mr Ralph Ward
Parish/Ward:	Maidenhead Unparished/Maidenhead Riverside Ward

If you have a question about this report, please contact: Christine Ellera on 01628 795963 or at chrisie.ellera@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed development is for a temporary classroom block to assist in Braywick Court School utilising part of Riverside Primary School whilst their new school is being built along Hibbert Road, Bray.
- 1.2 The proposed development would facilitate in providing temporary accommodation whilst a new school is being built for Braywick Court School. The proposed development is considered visually acceptable and would not impact on neighbouring amenity. Any increase in traffic movements are considered to be limited. On this basis and in view of the need of this accommodation to meet the temporary education need the proposed development is recommended for approval.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.
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2. REASON FOR PANEL DETERMINATION

The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended as the Council has an interest in the land (ownership); such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to Southern side of Riverside Primary School which is currently occupied by Braywick Court School. The school currently utilise the access from West Dean and North Dean.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This is an application for temporary planning permission for the erection of an 'L' shaped classroom block until August 2019. The proposed development would be located to the south east of the main school building to the immediate south of the playground.
- 4.2 The proposed classroom block would contain 2x classrooms used in connection with Riverside Primary School and a further 1x classroom and a small hall space to be used for Braywick Court School (total of four classroom areas) with ancillary store rooms and toilets. The proposed building would be single storey in height, some 3.3m to the flat roof.
- 4.3 The development will provide space for 30 additional pupils (above what the existing planning permission on the site allow) which also results in a further increase of 2 staff members.

- 4.4 6 temporary car park spaces and associated vehicle access (there is currently pedestrian access) are proposed to the south of the site accessed from North Town Road.
- 4.5 There is extensive planning history to this site, of direct relevance:

Ref.	Description	Decision and Date
14/00950/FULL	Construction of classroom block single storey extension; WC and library single storey extensions; provision of external canopy to relocated Nursery room; removal of single storey dining room and kitchen block; installation of solar panels to roof of school hall; and access, parking and landscaping works	Permitted: 24.06.2014
17/01224/FULL	Provision of 2 additional classrooms.	Permitted: 19.06.2017
Braywick Court School, Hibbert Road, Maidenhead		
16/00984/FULL	Construction of part single part two storey school building (Class D1) with associated external works, following demolition of existing buildings.	Permitted: 07.07.2016

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework (NPPF) (2012) and the Policy statement – planning for schools development (2011) is a strong material consideration in this application.
- 5.2 The latter document states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards.
- 5.3 It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.
- 5.4 The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees
DG1, CF2	P4, T5	N6

- 5.6 These policies can be found at:
https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

5.7 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to September 2017 with the intention to submit the Plan to the Planning Inspectorate towards the end of 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

5.8 This document can be found at:
<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

5.9 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

5.10 More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

1. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
1. Principle of the development
 2. Design Considerations
 3. Highway Safety and Parking Considerations
 4. Impact on Neighbouring Amenity
 5. Environmental Considerations

Principle of the development

Education Case

6.2 The Education Case for the temporary accommodation is fully set out in the supporting Design and Access Statement. In summary and with reference to the above planning history Braywick Court School was granted planning permission in 2016 for a new school building along Hibbert Road, Bray (the site of the former Winbury School) with an aim for completion in September 2019.

6.3 In September 2016 when Braywick Court School's number of pupils increased to 90, it moved to a vacant wing in Riverside Primary School. The intention is that Braywick Court School will remain in temporary accommodation at Riverside Primary School until its permanent school building is completed.

6.4 The Riverside Primary School was enlarged in 2015 to enable it to expand from 1 form entry (FE) to 2FE (which it is currently in the process of doing). Whilst Riverside Primary School's is in the process of expanding it is currently not up to full capacity and as such there is some spare capacity in the enlarged building that has provided the space for Braywick Court to temporarily accommodate. Due to delays in the construction of the permanent accommodation, Braywick Court will remain at Riverside longer than anticipated and will outgrow the amount of accommodation currently available.

- 6.5 Braywick Court School currently occupies four classrooms in the Riverside Primary School main building and has no hall area for indoor activities and dining. For the academic year 2017/18 Riverside Primary requires 12 classrooms and Braywick Court requires 4 classrooms. There are 14 classrooms in the main building and 2 additional classrooms are already under construction (our ref: 17/01224) which will be completed in December 2017.
- 6.6 In academic year 2018/19 the requirement will increase to:
1. Riverside Primary, minimum one and possibly two further classrooms (total 14)
 2. Braywick Court, one further classroom (total 5)
- 6.7 The proposed temporary building will provide space for 3 additional classrooms and one hall that will be required to provide the accommodation requirements of both schools until September 2019. The additional accommodation that is required is due to the 30 additional Braywick Court pupils that will be present on the site during academic year 2018/19.

Principle of the redevelopment of the site

- 6.8 The temporary buildings will be located on an area of under-used amenity grassland adjacent to the existing wing of Riverside Primary School that is currently occupied by Braywick Court School. In accordance with the NPPF (2012) which could be argued to fall within the definition of 'open space' as it offers *opportunities* for sport and recreation and can act as a visual amenity.
- 6.9 The NPPF (2012) is clear that existing open space should not be built on unless:
1. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 2. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 3. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- 6.10 The applicants supporting statement sets out that this area of grass is not used regularly for sports or PE lessons by Riverside Primary School. It is a difficult shape to use, and is not part of the main Riverside Primary School playing field area. It is general amenity grass that leads to a wooded area and the rear access route for pedestrians coming into school from North Town Road.
- 6.11 Although this is a loss of open space it is for a temporary period of less than two years and it will facilitate wider educational needs until the permanent accommodation for Braywick Court School is completed, which will in turn provide new open space in connection with the new school. It could therefore be argued that any loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality at this new school. Notwithstanding this, the proposal would not result in the permanent loss of open space and will assist the Borough to meet its current and future requirements for the creation and development of state-funded schools.
- 6.12 The NPPF (2012) further sets out strong emphasis and presumption in favour of the development of state funded schools (including Academy's). The Policy Statement for schools further states that Local Planning Authorities (LPA) should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- 6.13 The above provides a clear national policy that the redevelopment of state funded schools is one which should be supported by LPA's and that a collaborative approach must be given to ensure their successful delivery. Local Plan policy CF2 also offers support for improved or new school facilities (subject to suitable parking facilities).
- 6.14 Accordingly it can be argued that as a temporary measure the proposed development would not result in the loss of open space and moreover would assist in meeting the need of the school(s) whilst the new Braywick Court School is delivered also weighs heavily in favour of this scheme. It is however considered both reasonable and necessary to recommended conditions regarding a temporary planning permission and this is set out in condition 1.

Design Considerations

- 6.15 The NPPF (2012) states that planning policies and decisions should not attempt to impose architectural styles or particular tastes but should concentrate on such matters as overall scale, density and layout in relation to neighbouring buildings and the local area more generally. It is also recognised that it is proper to seek to promote or reinforce local distinctiveness.
- 6.16 Policy DG1 of the Boroughs current Local Plan seeks to ensure that development will be of high standard of design and landscaping, compatible with the area and streetscene.
- 6.17 The proposed development is for temporary classroom blocks of modular appearance. Due to its siting and position of the proposed classroom blocks, located within the main confines of the school it would not appear overly prominent or overbearing within the confines of the school and any views of this building from the surrounding area would be very limited.
- 6.18 Modular buildings by virtue of their construction have a tendency to look 'worn' after a few years. However (and as set out in recommended condition 1) the proposed building would only be in situ until August/ September 2019 and as such would not raise any issues in this regard.

Highway Safety and Parking Considerations

- 6.19 A key consideration is the impact this proposal would have on the road network and highway safety. Ensuring that the surrounding road network can accommodate any increase in vehicle movements is key.
- 6.20 The application is anticipated to produce 34 additional two-way vehicle trips daily from the increased pupil numbers and staff members. Riverside Primary School main entrance is to the north of the site from Donnington Gardens (as per the site address). Braywick Court School use the access from West Dean (to the east). Pedestrian access to both schools can also be achieved from the south of the site via North Town Road. A proposed new vehicle access is also shown from this southern end of the site to provide temporary construction traffic access and then 6 additional parking spaces. These various access points to the school do facilitate in the dispersal of the traffic associated with the two schools. Given the temporary nature of the application this is considered to be acceptable. Although emphasis is on the temporary nature as if this increase was on a more permanent basis then greater consideration would be had on the overall impact and directing those coming to and from the school (parents of pupils and staff members) to using sustainable modes of transport.
- 6.21 Another key concern is ensuring suitable off street parking for the proposed development. An additional 6 car parking spaces are shown to the south of the site to meet the increased staff needed associated with Braywick Court School using the site temporarily. This is considered sufficient to meet the increased staffing numbers and complies with the Borough adopted standards in this regard.

Impact on Neighbouring Amenity

- 6.22 Due to the siting and location of the proposed development located in the confines of the main school the proposed development would not impact on the on the amenities of the occupiers of the surrounding residential dwellings in terms of loss of sun/ daylight and or visual overbearing impact.
- 6.23 The proposed 6 parking spaces located to the south of the site are immediately adjacent to No. 1 Green Close. However given the limited number of parking spaces and hours of use associated with the school it is not considered that these would result in significant noise and disturbance to local residents at antisocial hours of the day.

Environmental Considerations

- 6.24 There are no trees of any amenity value which would be affected by the proposal.

- 6.25 In terms of impact on pollution including noise and dust during the construction process. The Environmental Protection Team has raised no objections to this development.
- 6.26 The site is not within a flood zone. Nor is it an application by reason of its floorspace or site area which would constitute a 'major' development. As such the proposed development does not raise any issues in terms of flooding or drainage.

Other Material Considerations

- 6.27 The proposed development would provide level access to ensure that all members of the public are able to attend.
- 6.28 It should be noted that on submitting this application the applicants (Braywick Court School) served 'Certificate B' on Riverside Primary School who have a long lease on the school. The land in question is owned by the Royal Borough of Windsor and Maidenhead and as such 'Certificate B' should also have been served on the Council as landowners. The applicants have confirmed that they will serve the correct ownership certificates. In any event, it is not considered that this prejudices any parties as the Council is aware of this application and the application has been submitted with proactive engagement with the Education Authority.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. However required CIL payment for the development of this kind would attract a £0 charge.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 8.1 21 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 20.10.2017.
- 8.3 No representations have been received in relation to this planning application.

Consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection, subject to conditions.	Para 6.22
Highway Authority	No objections on the grounds that the proposal is temporary interim measure to assist the redevelopment of a new off site school.	Para 6.19 -6.21

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

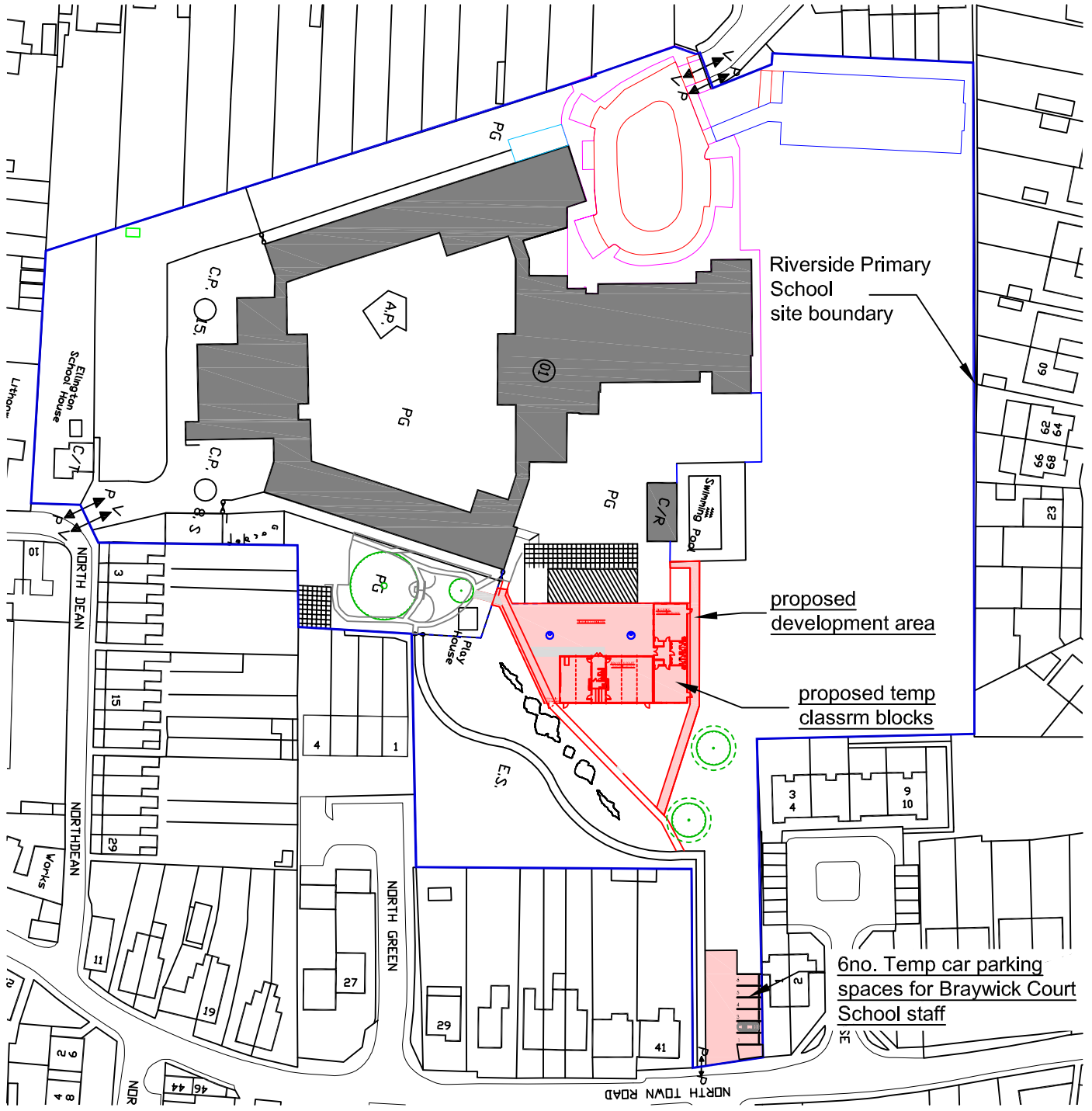
- 1 The development shall be discontinued, all structures removed from the site and the land restored to its former condition by the end of September 2019 or within two calendar months after Braywick Court School vacating the premises which ever is sooner.
Reason: The proposal does not constitute a form of development that the Local Planning Authority would normally permit. However, in view of the particular circumstances of this application temporary planning permission is granted. Relevant Policies regarding Open Space and highway capacity as set out in the Local Plan and the National Planning Policy Framework (2012)
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the approved plans unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No part of the development shall be occupied until pedestrian access and car parking has been constructed in accordance with the approved plans. The access and parking shall thereafter be retained as long as the approved building remain on the site.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

NOTES

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SCALE 1 : 1250



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Drawing title

Temporary Classrooms
Accommodation at
Riverside Primary School
Site Location Plan

Drawing status

Planning

Scale

1:1250 @ A4

DO NOT SCALE

Jacobs No.

6APFS072

Client no.

Drawing number

ABP-JAC-00-GF-DR-A-Zz_70_60-0005

Rev

D

Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd
D	2017-09-21	Amend in accordance with client comments	nh			
C	2017-08-30	Proposed building revised.	pc	mgw	rb	rw
B	2017-08-15	Proposed building revised and fence lines to match	mgw	lj	rb	rw
A	2017-08-04	Proposed building location and orientation revised and footpaths and fencing lines to match	mgw	lj	rb	rw
0	2017-07-06	Planning	mgw	lj	bd	rw

Client
Education and Skills Funding Agency

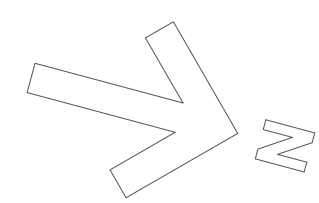
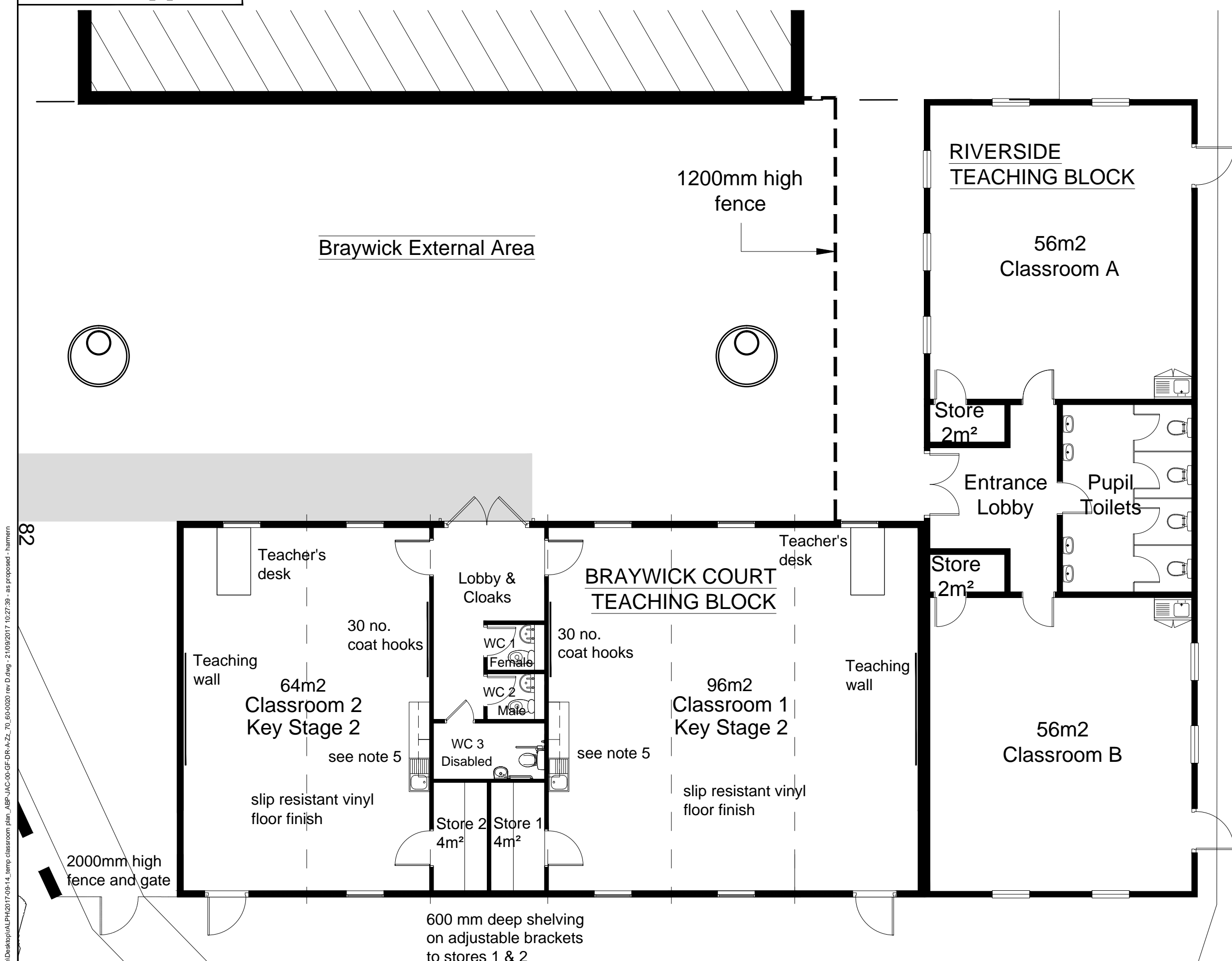
Project
Braywick Court School
at Riverside Primary School

81

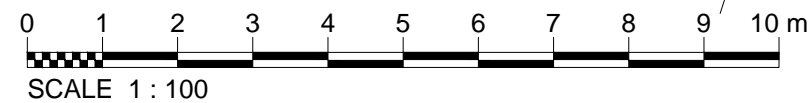
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NOTES

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- 4 - Read relevant drawings & specification for details.
- 5 - Braywick Court Classrooms - To have a standard height SS sink and drainer with storage cupboard under and 1500 x 600 mm worktop alongside with open space under for storage of Grattells Trays (supplied by School). 2 No. 1000 mm long wallcupboards above sink and worktop.



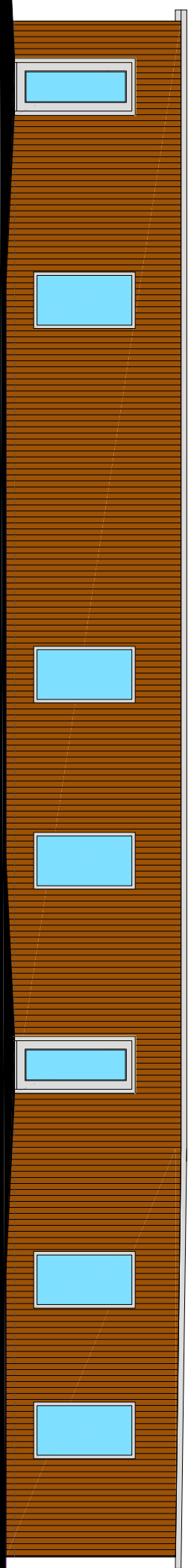
Floor Plan as Proposed - 1:100 scale



Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd
E	2017-09-21	Fence line and gate amended	pc	mgw	rb	nw
D	2017-09-14	Fixtures and fittings added, toilets revised and notes added.	pc	mgw	rb	nw
C	2017-08-30	Proposed building revised.	pc	mgw	rb	nw
B	2017-08-15	Proposed building revised.	mgw	lj	rb	nw
A	2017-08-04	Proposed building location and orientation revised and footpaths and fencing lines to match.	mgw	lj	rb	nw
D	2017-02-07	Planning	mgw	lj	rb	nw

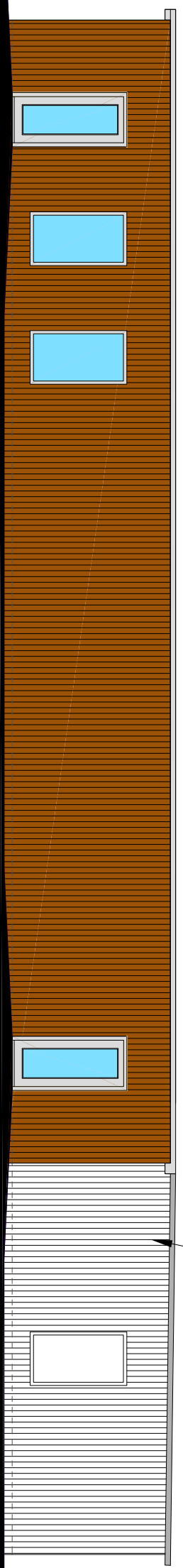
JACOBS <small>Second Floor, 1 Grafton Street, The Pinnacle, Midsummer Boulevard, Milton Keynes, MK9 1SP Tel: +44(0)1908 414190 Fax: +44(0)1908 414191 www.jacobs.com</small>	
Client	Education and Skills Funding Agency
Project	Braywick Court School at Riverside Primary School
Drawing title	Temporary Classroom Accommodation at Riverside Primary School Plan as Proposed
Drawing status	Planning
Scale	1:100 @ A3 DO NOT SCALE
Jacobs No.	6APFS072
Client no.	
Drawing number	ABP-JAC-00-GF-DR-A-Zz_70_60-0020
Rev	E
<small>This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.</small>	

C:\Users\sharmem\Desktop\ALPH\2017-09-14_temp_classrooms_plan_ABP-JAC-00-GF-DR-A-Zz_70_60-0020 rev D.dwg - 21/09/2017 10:27:39 - as proposed - hamern 82



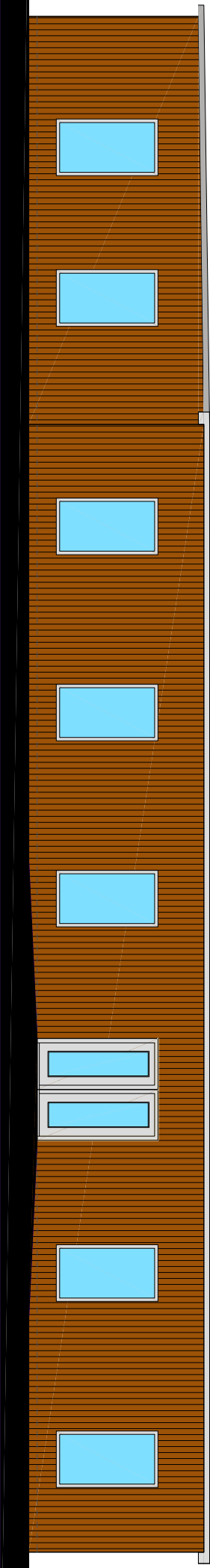
East Elevation:

Teaching block approved on
 19th June 2017 - application
 number 17/01224



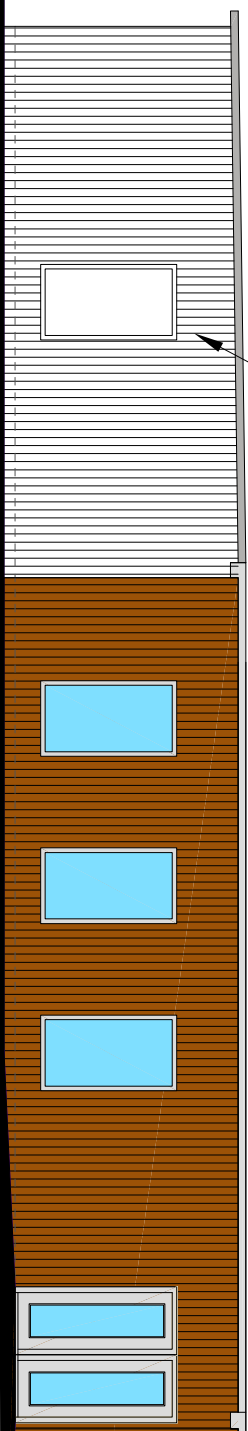
North Elevation:

External Materials/Colours:
 Cladding: High quality Western Red Cedar, 18mm by
 150mm.
 Windows & Doors: UPVC in Anthracite Grey.
 Roof: High spec composite powder coated metal
 skin panel system, Lead Grey.



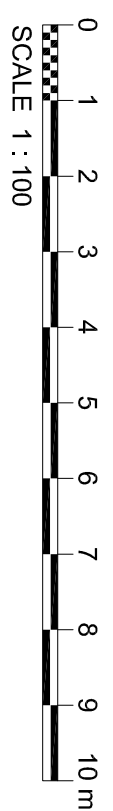
West Elevation:

Teaching block approved on
 19th June 2017 - application
 number 17/01224



South Elevation:

Elevations as Proposed - 1:100 scale



- NOTES**
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 - 4 - Read relevant drawings & specification for details.

Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd
D	2017-08-14	Groundinging for revised to show 1:20 slope to doors.	pc	ngw	ro	rw
C	2017-08-30	Proposed building revised.	pc	ngw	ro	rw
B	2017-08-15	Proposed building revised and window keys to match	ngw	ro	ro	rw
A	2017-08-04	Proposed building location and orientation revised and footpaths and binding lines to match	ngw	ro	ro	rw
0	2017-07-26	Initial Planning	ngw	ro	ro	rw

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 Tel: +61(0)3 9584 4141 Fax: +61(0)3 9584 4141
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Client: Education and Skills Funding Agency

Project: Braywick Court School
 at Riverside Primary School

Drawing title: Temporary Classroom
 Accommodation at
 Riverside Primary School
 Elevations as Proposed

Drawing status: Planning

Scale: 1:100 @ A3
 Jacobs No: 6APFS072
 Client no: DO NOT SCALE

Drawing number: ABP-JAC-00-GF-DR-A-Zz_70_30-0005
 Rev: D

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 6

Application No.:	17/03098/FULL
Location:	Tesca 16 Belmont Road Maidenhead SL6 6JW
Proposal:	Change of use of existing HMO (Class C4) to a large HMO (Sui Generis) (Retrospective)
Applicant:	Mr Leeming
Agent:	Ms Stefania Petrosino
Parish/Ward:	Maidenhead Unparished/Belmont Ward

If you have a question about this report, please contact: James Langsmead on 01628 685693 or at james.langsmead@rbwm.gov.uk

1. SUMMARY

- 1.1 This application seeks retrospective Planning Permission for a change of use of the existing 6 bedroom HMO (Class C4) to a 7 bedroom HMO (Sui Generis). The 7th bedroom is sited in the lower ground extension element of the host building. This extension was granted planning permission under application 15/02213 referenced below in the site history.
- 1.2 The application site is an established HMO and is considered to be sited in a sustainable location, close to the town and public transport. The site can lawfully operate as a 6 bedroom HMO without requiring planning permission.
- 1.3 The site currently has 2 on site car parking spaces which is a shortfall of 1 space. (Area of good accessibility therefore highways require 0.5 car parking space per bedroom). The planning system is not able to address the existing shortfall on site and therefore only one additional space can be required. The lack of one car parking space is not considered too severely impact the level of parking congestion within the area and as such the application is recommended for approval.

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

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Marion Mills on the grounds that it is in the interest of the general public, given concerns about the limited provision of parking in the area and the highway safety implications that this has on the area.
- At the request of Councillor Philip Love on the grounds that it is in the interest of the general public, given concerns about the limited provision of parking.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is a two storey, semi-detached dwelling located on the north side of Belmont Road. There appears to be no planning applications relating to the conversion of the original building to a HMO (House of Multiple Occupation) under the General Permitted Development Order 2015 (As amended). However, the Council's Environmental Health Team records indicate that the building is registered as a HMO for a maximum of 6 units. Belmont Road is predominantly residential in character with the application site being flanked and opposed by residential dwellings.

- 3.2 The site is located approximately 1km north-west of Maidenhead town centre and is centrally located between two railway stations Furze Platt (600m) and Maidenhead (1km). It is served by bus routes 8 and 9.
- 3.3 The application building is not Statutory Listed; is not located within a Conservation Area; and is not subject to any other Planning Constraints.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This application seeks retrospective Planning Permission for a change of use of the existing 6 bedroom HMO (Class C4) to a 7 bedroom HMO (Sui Generis). The 7th bedroom is sited in the lower ground extension element of the host building. This extension was granted planning permission in the below 15/02213 referenced application.

Application Ref.	Description	Decision & Date:
15/01663/CPD	Certificate of lawfulness to determine whether a hip to gable roof extension, rear dormer window and 3 No. front rooflights to facilitate a loft conversion is lawful.	Lawful: 29.06.2015
15/02213/FULL	Single storey rear extension with addition of rear basement.	Approved: 27.08.2015
15/03491/CONDIT	Details required by condition 4 (construction management plan) of planning permission 15/02213 for a single storey rear extension with addition of rear basement.	Approved: 18.12.2015

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Paragraphs 6, 7 and 14 (Setting out the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental). The proposal is also assessed against the the guidance in section 4 (Promoting sustainable travel), and section 6 (Delivering a wide choice of high quality homes).

Royal Borough Local Plan

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

Issue	Local Plan Policies
Acceptable impact on character and appearance of area	DG1, H12
Scale and density in keeping with character and amenity of area and does not result in a loss of residential land or the loss of residential accommodation	H7 / H11
Acceptable impact on the residential amenity	NAP3
Sufficient parking space available	P4, T5, T7

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policies
Provide satisfactory levels of residential amenity for the future occupier	HO6
Makes suitable provision for infrastructure	IF1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view at:

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- The principle of the change of use
- Impact on the residential amenities of neighbouring occupiers
- Highway and parking considerations

Change of use

6.2 Policy H7 of the Local Plan prohibits the loss of residential land or accommodation; and Policy H12 of the Local Plan sets out that the principle of conversion or subdivision of larger residential properties into smaller units will be acceptable subject to amenity, layout, traffic and parking being acceptable. Boosting housing supply and providing a range of housing types to cater for different peoples needs are key objectives of the National Planning Policy Framework (Section 6), and so the principle of this development is supported by National Planning Policy.

6.3 The application site was originally a semi-detached property operating as a single family dwelling and was subsequently converted to a 6 bedroom House in Multiple Occupation (HMO) (Class C4), permitted under Class L of Part 3 of the General Permitted Development Order 2015 (as amended). A HMO licence for a 6 bedroom HMO is also currently held with the Council's Housing department and the applicant's Planning Statement (Ref: LBRM/7F, Dated: 6 October 2017) notes that the 7th bedroom has been created. However it has not been let to a tenant and will not be let without acquiring Planning Permission. Given that the development can exist as a 6 bedroom HMO under the fall-back position permitted by the GDPO 2015 (as amended), this is afforded significant weight in the Local Planning Authority's determination of the application. As such, the principle of a 6 bedroom HMO is accepted, and thus, Officer's consider that the creation of one additional room to create 7 bedrooms would not be demonstrably harmful in

principle, or to the character and appearance of the site, its vicinity or the surrounding area. The development would still provide an appropriate layout with sufficient living amenities for all occupants, and, the bedroom size of the 7th room would not be dissimilar to that of the size of the other rooms in the property. The intensification of the property by one additional unit, over and above the existing 6 bedroom occupation is not considered to have an impact on the functionality of the dwelling, given that the space for the additional room already exists and is located in the lower ground part of the house.

- 6.4 Taking into account all of the above considerations, the Local Planning Authority consider that there would be no loss of residential accommodation in accordance with Policy H7, but an increase in one habitable unit, which is in accordance with the National Planning Policy objectives. Furthermore, the proposals would satisfy the requirements Policy H12 in respect of having an acceptable level of amenity and appropriate layout. Parking matters in relation to Policy H12 shall be considered in the following 'Highways and Parking Considerations' section of this report.

Impact on residential amenities of neighbouring occupiers

- 6.5 The Local Planning Authority consider that the additional 7th bedroom would not increase the number of comings and goings at the property demonstrably over and above that which already exists as a 6 bedroom HMO, accordingly, it is therefore considered that the potential for noise and disturbance to neighbouring occupiers would not be to an extent that would warrant the applications acceptable reason for refusal. No physical development has been proposed as part this application and the additional bedroom on the lower ground floor, by its subterranean nature poses no demonstrable loss of privacy or overlooking towards any neighbouring properties, and thus, no reason for refusal on such grounds. Furthermore, given the additional bedroom's isolation in the basement from the existing dwellings and the HMO fall-back position provided by the GDPO 2015 (as amended) the impact of the existing layout cannot reasonably be scrutinised in terms of residential amenity impacts.

Highways and parking considerations

- 6.6 The Permitted Development Right for the conversion of Houses in Multiple Occupation (HMO) (Class C4) under Class L of Part 3 of the General Permitted Development Order 2015 (as amended) does not require parking spaces to be provided as a pre-requisite to its conversion. Furthermore, it is acknowledged that there are no specific parking requirements for a HMO developments within the Council's adopted Parking Strategy (2004). In this instance the existing development benefits from 2 off-street car parking spaces that are situated on the front of the property. Whilst the Highways Officer has suggested that a HMO would typically be treated as 6-7 separated flatted dwellings which require 0.5 spaces each, the Local Planning Authority must have regard to the existing 6 bedroom HMO Permitted Development fall-back position and sustainable location of the site in order to weigh the harm of the additional 7th bedroom.
- 6.7 As noted by the Highways Officer, the site is located approximately 1km north-west of Maidenhead town centre and is centrally located between two railway stations Furze Platt (600m) and Maidenhead (1km) and is served by bus routes 8 and 9. The site is therefore considered to be located within an area of good accessibility. Accordingly, the Local Planning Authority take the view that the site is within a sustainable location and is therefore suitable for a HMO living accommodation, contrary to the Highways Officer's advice. Despite there being a shortfall of 1 parking space, on the basis of applying the Council's Parking Strategy's standards for flatted developments, it is not considered that such a shortfall would create adverse parking conditions that would be demonstrably harmful to the safety of motorists and pedestrians using Belmont Road to an extent that would warrant the application's acceptable reason for refusal on these grounds. Parking space immediately outside of the property is limited due to the number of property's that have dropped kerbs to access their front drive ways, however there is space within the surrounding streets which are not main thoroughfares. As such, the additional 7th bedroom is not considered to demonstrably exacerbate adverse traffic generation and parking pressures within the area, over and above the existing situation. Furthermore, the additional bedroom will provide much needed accommodation with good accessibility to the town centre,

positively contributing towards housing need, and therefore outweighing the limited harms identified.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

7 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 19th October 2017

1 letter was received supporting the application, summarised as:

Comment		Officer Response:
1.	The proposed change of use is temporary and will have no detrimental impact upon the adjoining property. The house is already tenanted with 6 residents, most of which take the bus from the nearby stop which is very close to the house.	Noted. The Local Planning Authority have acknowledged the proposals to be in a sustainable location for use of public transport and access to the town.
2.	Bike storage facilities are provided on the property and that a number of the residents cycle to work.	Bike storage details will be required by condition.
3.	The addition of 1 tenant will not be adverse and will have any discernible impact on the adjoining property.	Noted.

13 letters were received objecting to the application, summarised as:

Comment		Officer Response:
1.	The HMO Licences were granted unbeknown to the residents	HMO Licences are managed and regulated by the Housing section of Environmental Protection and are therefore not a Planning matter.
2.	The development impacts the road safety of the area due to cars parking on the pavement.	The Local Planning Authority have considered parking provision within the proposals and consider that the potential risks from this development alone are not such that it would justify an acceptable reason for refusal. See sections 6.6 - 6.7.
3.	Noise and disturbance from the HMO	See section 6.5
4.	Size and impact of the extensions at development	There are no proposed extensions associated with this development – the extensions have been carried out in accordance with the previous Planning Applications listed in section 4.1 of this report.
5.	Loss of daylight and privacy	There are no proposed extensions associated with this development – the extensions have been carried out in accordance with the previous Planning Applications listed in section 4.1 of this report. Matters relating to privacy have been considered in section 6.5.
6.	Insufficient parking in accordance with Policy	See section 6.6 – 6.7
7.	Excessive traffic generation.	See section 6.6 – 6.7

8.	There is a shortage of family houses and too many flats	The development accords with the National Planning Policy Framework and accords with Policy H7 and H12 of the Council's adopted Local Plan. See sections 6.2 – 6.4.
9.	No access for emergency vehicles.	This matter is not exclusively attributable to the application site and is a case of individual driver behaviour, outside the control of the Local Planning Authority, given that any number of neighbouring residents and their visitors may choose to park on the Highway, lawfully or unlawfully, it is therefore outside the scope for consideration of this assessment.
10	The site is not suitable for a HMO	The Local Planning Authority consider the application site to be situated in a sustainable location and would therefore represent sustainable development in accordance with the NPPF. See section 6.6.

Statutory / Other Consultees

Consultee	Comment	Where in the report this is considered
Highways	Recommended for refusal for the following reasons: The proposed development is premature until such time that the applicant has demonstrated that the application, if approved, will provide car parking in accordance with the Royal Borough of Windsor and Maidenheads Parking Strategy. The development is therefore contrary to the Royal Borough of Windsor and Maidenhead's Local Plan Policy P4.	The Local Planning Authority have given consideration to Parking in Sections 6.6 – 6.7. As such it is the view of the Local Planning Authority that the additional bedroom will not demonstrably worsen conditions beyond the current Permitted Development HMO (C4 Use Class).
Environmental Protection	No Objections raised.	Noted.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Ground Floor Plan / Proposed Lower Ground Plan
- Appendix C – Proposed Second Floor Plan / Proposed First Floor Plan
- Appendix D – Elevations

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

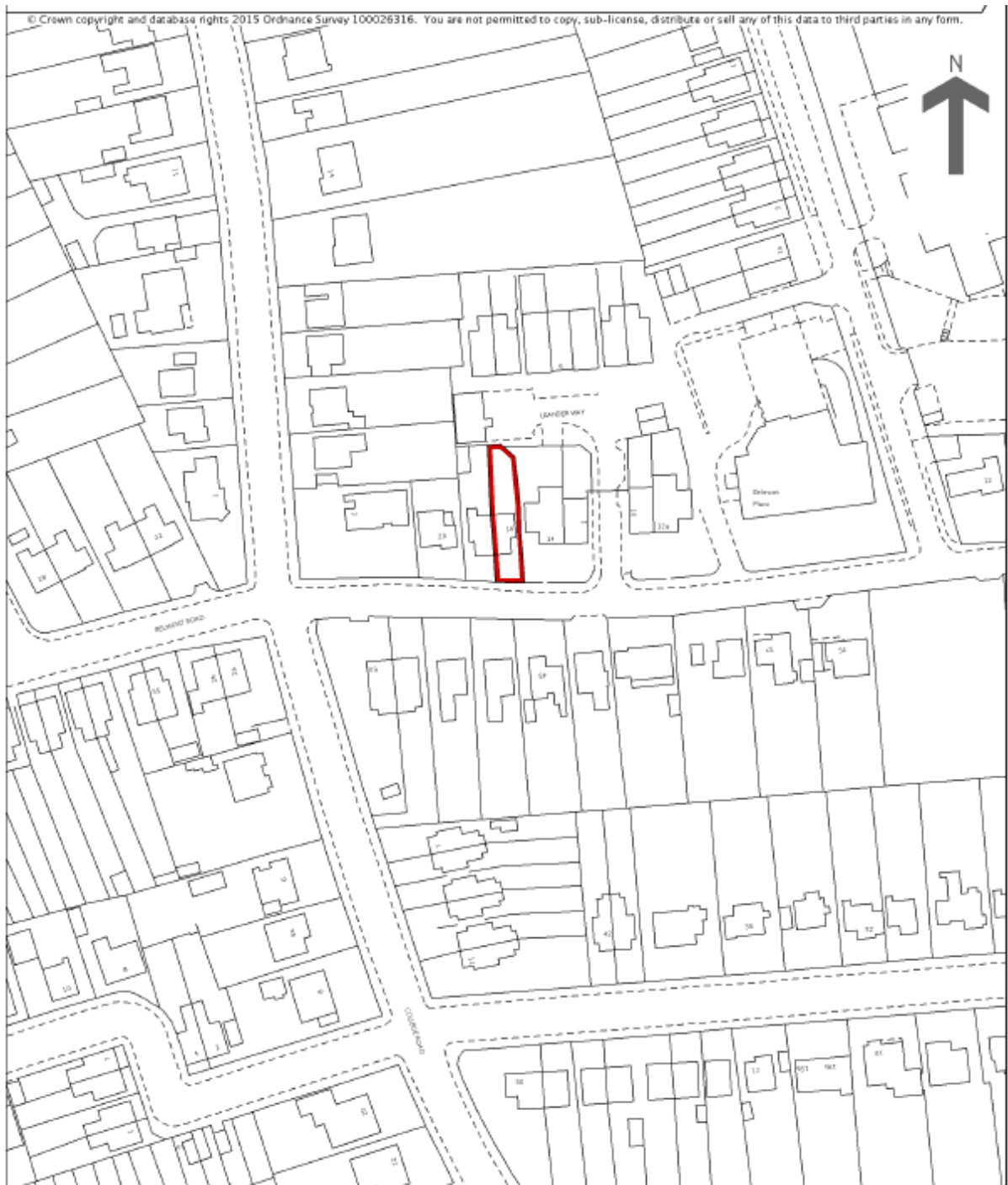
- 2 Within 2 months of the date of this decision details of covered and secure cycle parking facilities shall be submitted to the Local Planning Authority for formal approval. The approved details shall be implemented within 6 months of such approval and thereafter kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 3 The development to which this planning permission relates shall be undertaken in accordance with the drawings listed below unless otherwise subsequently agreed in writing by the local planning authority.

Reason: To avoid ambiguity and to accord with the terms of the application.

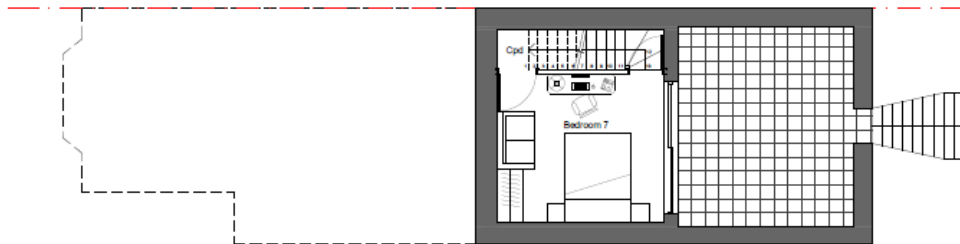
Appendix A: Site Location Plan



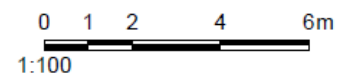
Appendix B: Proposed Ground and Lower Ground



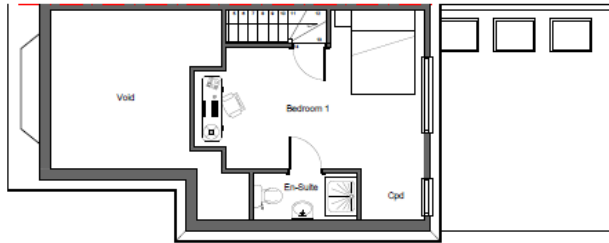
PROPOSED GROUND FLOOR PLAN



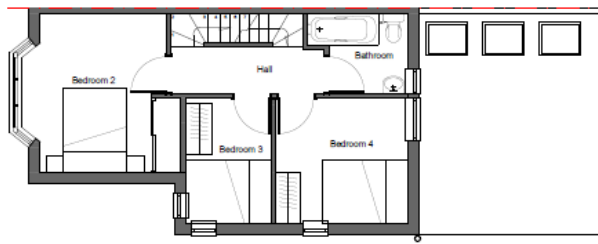
PROPOSED LOWER GROUND FLOOR PLAN



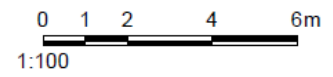
Appendix C: Proposed Second Floor Plan / Proposed First Floor Plan



SECOND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



Appendix D: Elevations



EXISTING/PROPOSED SIDE ELEVATION



EXISTING/PROPOSED FRONT ELEVATION



EXISTING/PROPOSED REAR ELEVATION

14 Belmont Road
Maidenhead
SL6 6JW

0 1 2 4 6m
1:100

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2017

Item: 7

Application No.:	17/03445/VAR
Location:	Land Rear of 4 And 5 And 6 And 7 Woodlands Park Road Maidenhead
Proposal:	Erection of 2 x 3 bed semi detached and 2 x 4 bed detached dwellings as approved under planning permission 15/01659/FULL to vary condition 2 (Approved Plans) to substitute plans
Applicant:	Mr Robinson - Elite Homes
Agent:	Mr Nigel Rose - Harding Rose Architects
Parish/Ward:	White Waltham Parish/Hurley And Walthams Ward

If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk

1. SUMMARY

- 1.1 Section 73 of the Town and Country Planning Act (as amended) excludes the reconsideration of issues other than those covered by the condition that is the subject of this application. There have been no changes in planning policy or other material considerations that require matters such as the principle of development to be re-considered.
- 1.2 The proposed amendments do not result in undue harm to highway safety or on or off site parking provision or character and appearance, and the proposed changes are not considered to conflict with the Planning Inspectors conclusions.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises of a plot comprising of a substantial part of the rear gardens of 4, 5, 6 and 7 Woodlands Park Road. It is bounded to the east by no. 8 Woodlands Park Road, to the west by the new development within Park Lodge Close (formerly the Hammant's Garage site) and to the south by the rear boundaries of no. 11 and 12 White Paddock. The land rises slightly from the front (north) to the rear (south). The southern boundary is marked by a number of trees and hedges.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
11/03540	Construction of 6 semi-detached houses with associated parking and access	Refused – 15.03.2012
12/01395	Construction of 6 semi-detached houses with associated parking and access	Refused – 05.07.2012 Appeal Dismissed – 17.12.2013
13/01436	Erection of 2 x 4 bed detached houses,	Approved – 10.09.2013

	provision of parking for 4 and 5 Woodlands Park Road	
13/03482	Erection of 3 x 4 bed detached houses	Withdrawn – 04.02.2014 The application was recommended for approval, but no agreement could be reached on S106 contributions.
14/02736	Erection of 3 x 4 bed detached houses and creation of 1 parking spaces for 4 and 5 Woodlands Park Road	Approved - 19.02.2015
15/01659	Erection of 2 x 3 bed semi-detached and 2 x 4 bed detached dwellings	Refused - 13.08.2015 Appeal Allowed - 01.03.2016
17/02715	Non material amendment to planning permission 15/01659 to relocate 2 car parking spaces and 1 No. new additional car park space.	Refused - 15.09.2017

- 4.1 The proposal is to vary condition 2 (approved plans) under planning permission 15/01659/FULL to substitute the following plans:

Plan	Approved Plan	Proposed Plan
Proposed Site Layout	P30	P30 B
Existing and Proposed Streetscene	P34	P34 A

The changes between the approved and proposed plans area as follows:

1. removal of the car parking space at the rear of no. 5,
 2. addition of a parking space to the front no. 5
 3. car parking space to the rear of no. 4 converted to a visitor's car parking space
 4. addition of a parking space to the front no. 4
5. **MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

Royal Borough Local Plan

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

	Within settlement area	Highways/Parking issues
Local Plan	DG1, H10, H11	P4, T5

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF2

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents

will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

5.2 Other Strategies or publications relevant to the proposal are:

6 RBWM Parking Strategy - view at:

http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

1.National Planning Policy Framework sections 4, 6

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Section 73 Amendment
- ii Highway Safety and Parking
- iii Character and Appearance

Section 73 Amendment

6.2 Section 73 of the Town and Country Planning Act (as amended) specifically excludes the reconsideration of issues other than those covered by the condition that is the subject of this application, and there have been no changes in planning policy or other material considerations that require matters such as the principle of development to be considered as part of this amended application.

Highway Safety and Parking

6.3 The approved scheme under 15/01659/FULL provided the required level of parking in line with the Council's Parking Strategy with 3 car parking space provided for the 2 x 4-bed dwellings and 2 car parking spaces for 2 x 3-bed dwellings, and 2 car parking spaces for the 2 existing dwellings at no. 4 and 5 Woodlands Park Road. There is no reduction in parking provision from the approved scheme and the amended layout would provide for sufficient room to manoeuvre to and from a parking space. The required visibility splays can be achieved as the height of the boundary hedging/fencing is below 600mm, which allows a driver to see and be seen by pedestrians. The proposal is therefore considered acceptable in terms of on-site parking and highway safety in compliance with Local Plan policies T5 and P4.

Character and Appearance

- 6.4 The proposal would result in a greater area of hardstanding to the front of no. 5 and 4 Woodlands Park Road, which is not incongruous as a number of front gardens have been surfaced over for parking purposes at a number of neighbouring properties on Woodlands Parking Road. Planting has been proposed to the front of no. 5 and 4 Woodlands Park Road which would help soften the appearance of the hardstanding, and it is considered that there is sufficient scope to the front to accommodate sufficient planting. As such, the proposal is not considered to be unduly harmful to the character and appearance of the streetscene or wider area.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

22 occupiers were notified directly of the application and the planning officer posted a statutory notice advertising the application at the site. At the time of writing no representations from interested parties have been received, but the consultation period is still open. Any representations received will be reported in an update.

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highway Officers	No objection subject to conditions relating to a construction management plan, vehicle parking, garage retention, refuse and recycle facilities, and an informative relating to a Highway Licence	Paragraph 6.3 and Section 10.

9. APPENDICES TO THIS REPORT

1. Appendix A – Site Location Plan
2. Appendix B – Plans and Elevations
3. Appendix C –Approved Plans and Elevations under 15/01659/FULL

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from 1 March 2016.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.
- 3 The development shall be carried out in accordance with the Method of Construction Statement and drawing ref: C.01 dated 20.05.2017 approved under 17/01716/CONDIT.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

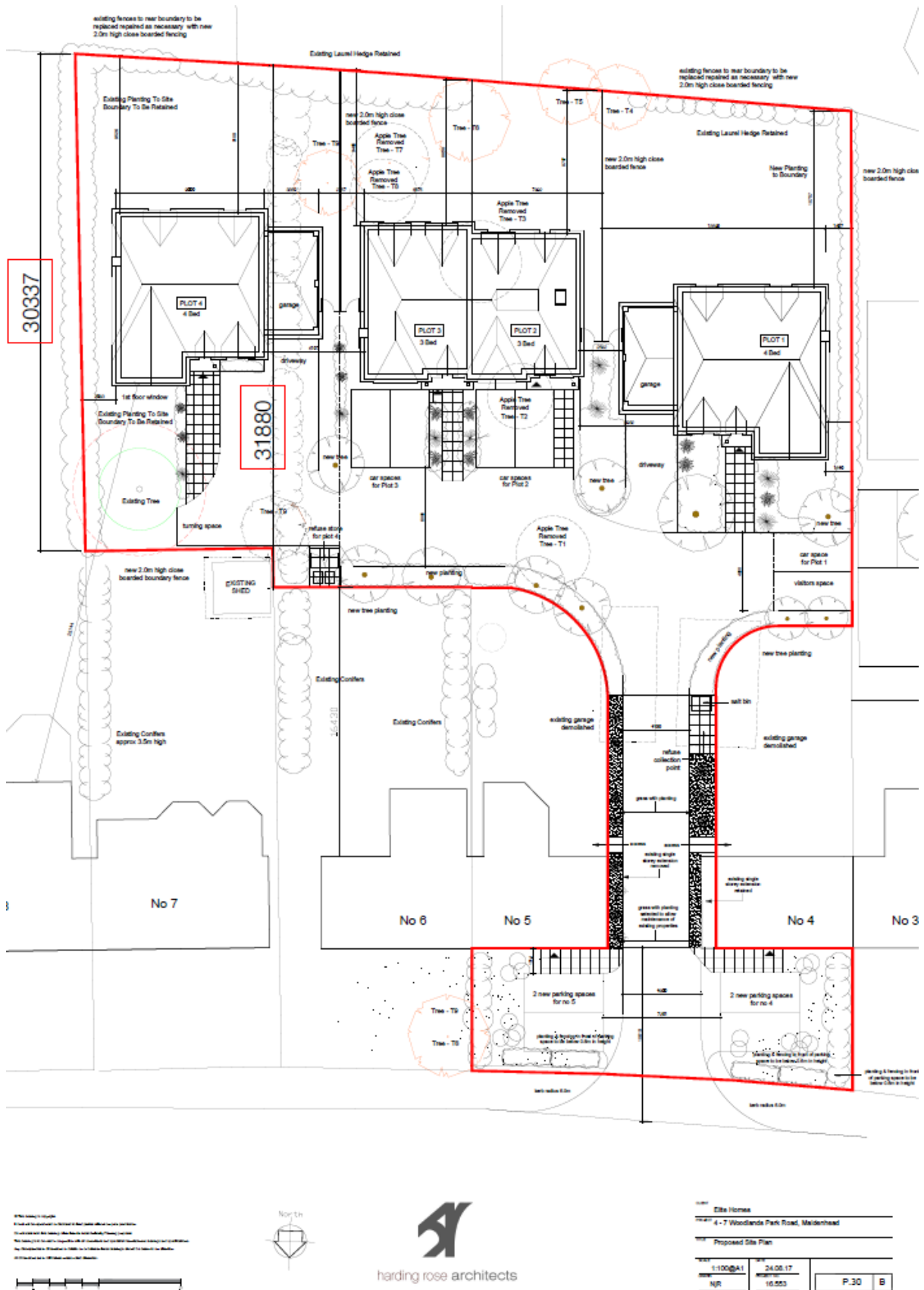
- 4 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 5 No part of the development shall be commenced until visibility splays of 2.4 metres by 70 metres have been provided at the revised access. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.
Reason: In the interests of highway safety. Relevant Policy: Local Plan T5.
- 6 The salt bin as shown on plan no. P.30 B shall be provided prior to first occupation of the development and retained in accordance with such approved details thereafter.
Reason: To ensure that the road serving the development can be maintained in a safe condition during periods of adverse winter weather.
- 7 No part of the development hereby permitted shall be occupied until pedestrian visibility splays of 2.0m by 2.0m have been provided at the junction of the driveway and the adjacent footway. All dimensions are to be measured along the outer edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.
Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5
- 8 Irrespective of the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or subsequent modifications thereof), the garage accommodation on the site shall be kept available for the parking of vehicles associated with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
- 9 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 10 The development shall be carried out in accordance with the details shown on drawing C.02, dated 20.05.2017 approved under 17/01716/CONDIT.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 11 The development shall be carried out in accordance with the materials approved under 17/01716/CONDIT or 17/03443/CONDIT.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 12 The development shall be carried out in accordance with drawing ref: C.02, dated 20.05.2017 approved under 17/01716/CONDIT.
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.

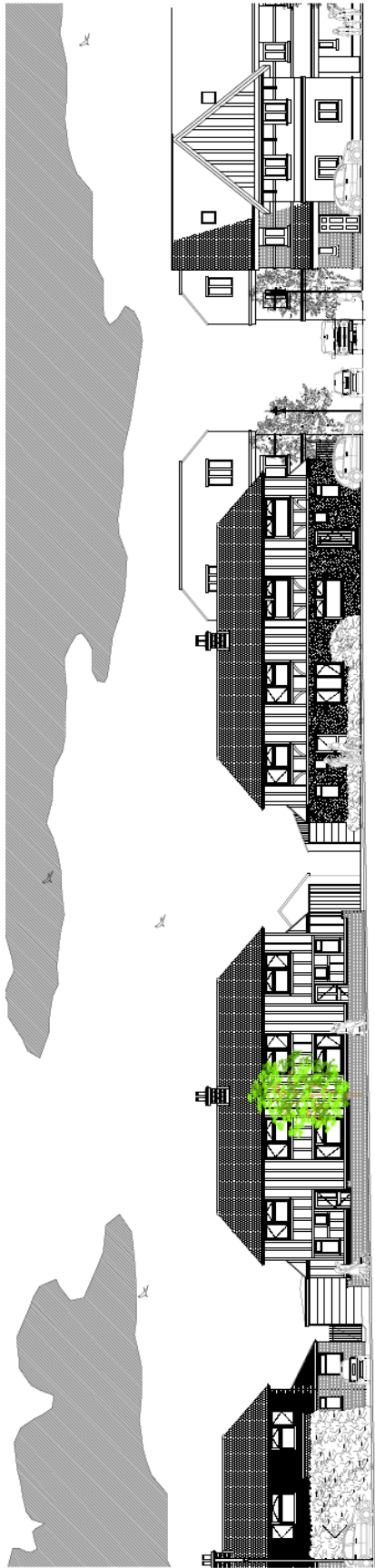
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or subsequent modifications thereof), no windows shall be inserted at first floor level or above in the flank elevations of the house hereby permitted without first obtaining the prior approval in writing of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy in the interests of the residential amenities of the neighbouring properties. Relevant Policy: Local Plan DG1.
- 14 The development shall be carried out in accordance with the Ecology Strategy, 4-7 Woodlands Park Road (Diversity Environmental Consultants Ltd, September 2017) approved under 17/03443/CONDIT.
Reason:To protect habitats and the wildlife and ecological value of the site. Relevant Policy: Local Plan N9.

Appendix A – Site location plan



Appendix B – Proposed plans and elevations





EXISTING STREET SCENE



PROPOSED STREET SCENE

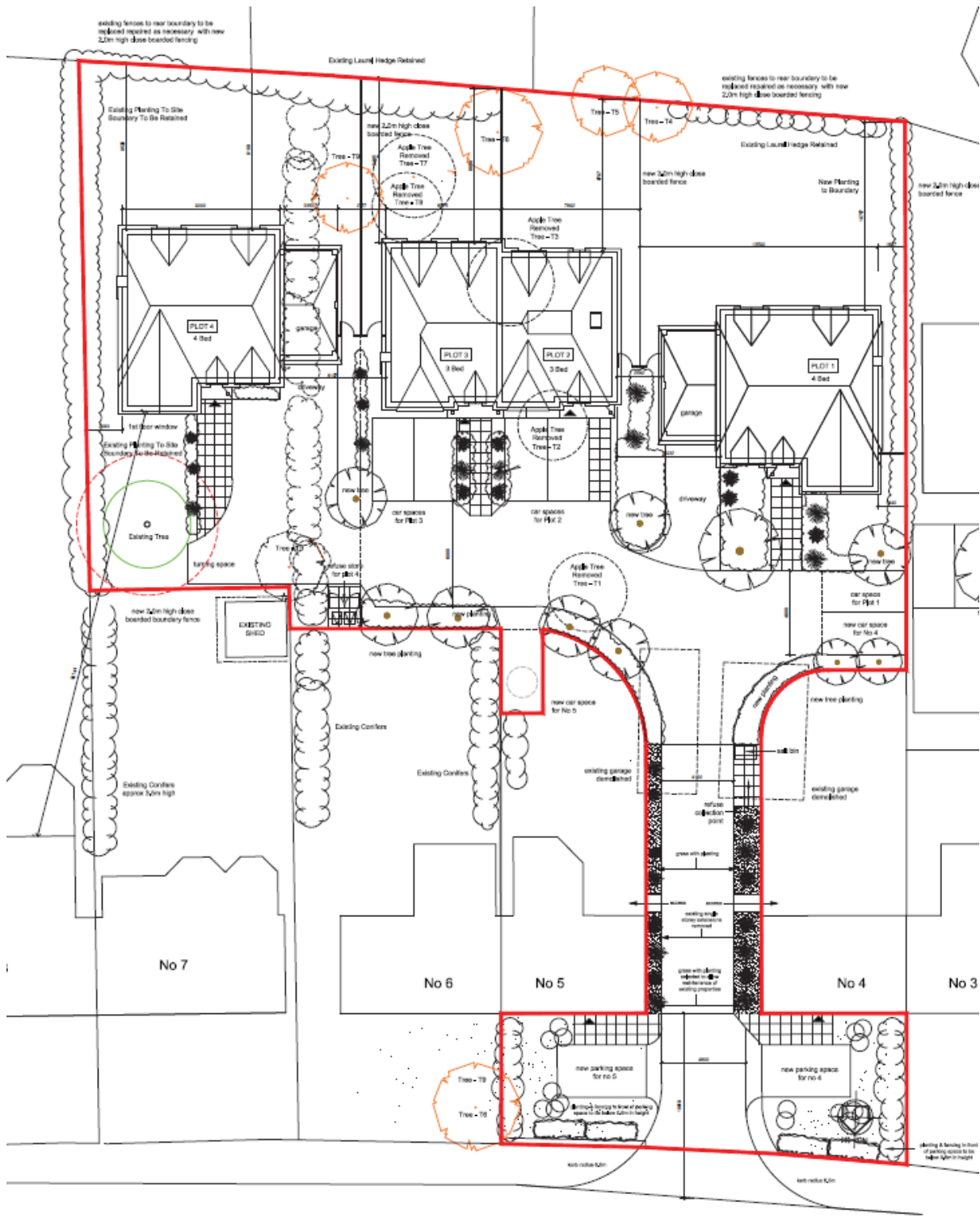


harding rose architects

client	Elite Homes
location	4 - 7 Woodlands Park Road, Malvernhead
type	Existing & Proposed Street Scene Elevations
scale	1:100 @ A1
date	21.04.15
author	NJR
checked	13.4.15
sheet	P.34 A

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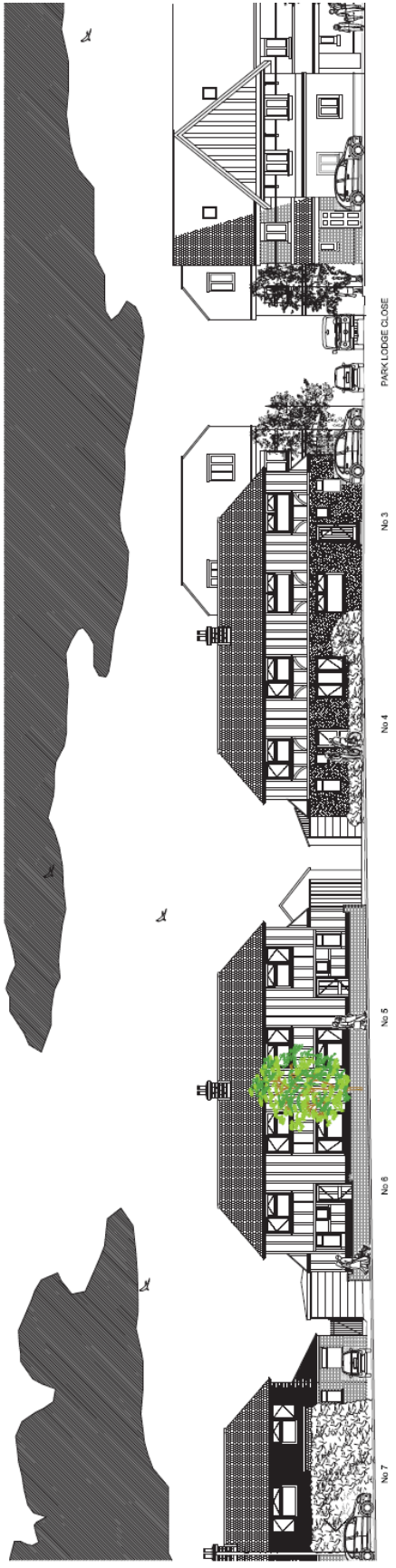
Appendix C – Approved plans and elevations under 15/01659/FULL



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100 Homes 4 - 7 Woodlands Park Road, Maidenhead	
Proposed Site Plan	
scale: 1:1000 @ A1	date: 21.04.15
npr	13.430
P.30	-



EXISTING STREET SCENE



PROPOSED STREET SCENE



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 Etta Homes
 Plot 1, 4, 7 Woodlands Park Road, Macclesfield
 Existing & Proposed Street Scene Elevations
 1:1000 A1
 21 JAN 15
 15.430
 P.34

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 All dimensions are in millimetres unless otherwise stated.

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

Planning Appeals Received

13 November 2017 - 7 December 2017

MAIDENHEAD

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/>. Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

Other appeals: The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email teamp13@pins.gsi.gov.uk

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 17/60103/REF **Planning Ref.:** 17/02290/FULL **PIns Ref.:** APP/T0355/D/17/3187808
Date Received: 22 November 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: First floor rear extension with Juliette balconies and alterations to fenestration
Location: **19 Brompton Drive Maidenhead SL6 6SP**
Appellant: Mr Kobir Ahmed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 17/60112/REF **Planning Ref.:** 17/02231/FULL **PIns Ref.:** APP/T0355/D/17/3187866
Date Received: 5 December 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Part single part two storey rear extension
Location: **45 Summerleaze Road Maidenhead SL6 8EW**
Appellant: Mr M S Khan **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 17/60113/REF **Planning Ref.:** 17/00806/FULL **PIns Ref.:** APP/T0355/D/17/3184452
Date Received: 5 December 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Part demolition. Reconstruction and enlargement of dwellinghouse.
Location: **2 Lexington Avenue Maidenhead SL6 4HW**
Appellant: Mr M Shahiad **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Appeal Decision Report

13 November 2017 - 7 December 2017

MAIDENHEAD

Appeal Ref.: 17/60079/REF **Planning Ref.:** 17/00524/FULL **Plns Ref.:** APP/T035/W/17/3179164

Appellant: Mr Muir **c/o Agent:** Mr Simon Millett Walsingham Planning Bourne House Cores End Road Bourne End SL8 5AR

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: New dwelling following demolition of existing dwelling.

Location: **Ann Cherry Cottage Howe Lane Binfield Bracknell RG42 5QS**

Appeal Decision: Allowed **Decision Date:** 17 November 2017

Main Issue: The proposed replacement house would be materially larger than the one it would replace and therefore was inappropriate development in the Green Belt. In addition, the proposal would cause loss of openness to the Green Belt. However, the Planning Inspector considered the permitted development fallback scheme, (which had been established by a Certificate of Lawfulness and had commenced) to be a "realistic prospect" and to have a greater impact on openness than the appeal proposal. In addition, the appeal proposal would have a far smaller impact on the storage of flood water in the flood plan and have significant benefits in terms of safety in the event of flooding, reducing flood risk overall. The Inspector considered that overall the benefits of the appeal scheme over the fallback position clearly outweigh the harm to the Green Belt and amount to very special circumstances. The costs application was dismissed.

Appeal Ref.: 17/60089/REF **Planning Ref.:** 17/01026/FULL **Plns Ref.:** APP/T0355/W/17/3182668

Appellant: Mr S Thorn **c/o Agent:** Mr Duncan Gibson 74 Parsonage Lane Windsor Berkshire SL4 5EN

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: Removal of existing tree to form new access road off Altwood Road to 59 Altwood Road (Windy Ridge).

Location: **Windyridge 59 Altwood Road Maidenhead SL6 4PN**

Appeal Decision: Dismissed **Decision Date:** 29 November 2017

Main Issue: The Inspector concluded that the loss of part of an important local landscape feature would harm the area's character with an associated loss of public amenity value in respect of the partial removal and splitting of the protected tree group. The claimed justification for the proposed access road is weak and is insufficient to override this harm. The development of the road would consequently contravene the development plan and there are no other overriding material considerations.

Appeal Ref.: 17/60094/REF **Planning Ref.:** 17/01193/FULL **Plns Ref.:** APP/T0355/D/17/3182812

Appellant: Mr & Mrs P. Griffin **c/o Agent:** Mr James Lambert James Lambert Architects Ltd 50 Kingsway Place London EC1R OLU

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: Construction of a timber outbuilding/tree house - retrospective

Location: **Dean Grange Terrys Lane Cookham Maidenhead SL6 9RS**

Appeal Decision: Allowed **Decision Date:** 29 November 2017

Main Issue: The Inspector concluded that the timber outbuilding did not constitute inappropriate development and neither the openness of the Green Belt nor the character or appearance of the area would be harmed. It does not conflict with the Framework or the Council's policies and therefore the appeal succeeds.

Appeal Ref.: 17/60095/REF **Planning Ref.:** 17/01445/FULL **Plns Ref.:** APP/T0355/D/17/3181841

Appellant: Mr Robert Creer **c/o Agent:** Mr Justin Coles Coles Designs 17 Stratford Drive Wooburn Green High Wycombe HP10 0QQ

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: First floor rear extension

Location: **Rosemount Burchetts Green Road Burchetts Green Maidenhead SL6 6QS**

Appeal Decision: Dismissed **Decision Date:** 29 November 2017

Main Issue: Inspector agreed that proposal would result in disproportionate additions resulting in inappropriate development as defined in the NPPF. Proposal not considered to cause harm to the openness of the Green Belt. Inspector did not consider that very special circumstances exist.

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