

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

15 March 2017

Item: 3

Application No.:	16/02416/FULL
Location:	Brill House Mercia Road Maidenhead SL6 3DU
Proposal:	Erection of 7 x dwellings and building consisting of 5 x 1 bed flats and 1 x 6 bed HMO dwelling, following demolition of existing building.
Applicant:	Mr Stritch - Housing Sollutions
Agent:	Miss Katharine Allen - Katharine Allen Architects
Parish/Ward:	Cox Green Parish/Cox Green Ward
If you have a question about this report, please contact: April Waterman on 01628 682905 or at april.waterman@rbwm.gov.uk	

1. SUMMARY

- 1.1 This scheme proposes the construction of seven family houses, and a building to accommodate adults with learning disabilities, comprising five single-occupancy flats, and a shared dwelling unit for six people. The new development is proposed to follow the demolition on the site of a now vacant two-storey block of 28 flats, which was constructed in the late 20th century for occupation by the elderly. The scheme is part of a larger re-organisation programme of affordable and specialist accommodation being undertaken by the applicant, Housing Solutions. The proposed buildings would present onto the northern side of Brill Green, which is an established large area of open space, of predominantly grass but with numerous trees, well-used for public recreation and informal play. The site is surrounded on its other sides by residential development of varying ages (19th and 20th century) of modest scale. A new vehicular access would serve the site from Mercia Road, and the current entrance on Lock Lane, to the small existing car park, would be closed.
- 1.2 The development proposal and the information supporting it have been revised and augmented in response to officer requests during the course of the planning application process. This has included matters relating to the ownership of the site, the design of the buildings and the layout and detailing of hard and soft landscaping. With these amendments it is considered that this specialist housing scheme is acceptable in principle, would have no adverse impact on highway safety or water resources, would provide satisfactory living conditions for future users and existing neighbours and would compliment its surroundings architecturally and in landscaping terms.

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

2. REASON FOR PANEL DETERMINATION

- 2.1 As this scheme proposes to create more than two new residential units, the Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended. Further more, small parts of the site are in the Council's ownership (lay-bys on Mercia Road and Lock Lane). A decision on such cases can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises 0.32 hectares of land within the built up area of Maidenhead, in Cox Green Parish. It is bordered to the south west by Mercia Road, to the east and north east by Lock Lane, and to the south east lies Brill Green, with Cox Green Lane on its far side. To the north west the back gardens of Stratford Gardens are separated from the site by fencing and mature hedging with some small trees just off the site.

- 3.2 The existing vacant building on the site comprises a 1970's two storey, pitched roof brick and tile hung complex of 28 units and communal facilities for the elderly. This part of Cox Green is predominantly residential, of medium density, mainly two storey forms of detached, pairs of terraces or houses in street-aligned development pattern. The existing Brill House contrasts with this layout, having an off-kilter arrangement with Lock Lane (from which it derives vehicular access) and with Mercia Road (pedestrian access). A small number of car parking spaces are laid out within the site, and laybys on Lock Lane and Mercia Road provide a further 10 -12 spaces for general public use.
- 3.3 Lock Lane, Cox Green Road and Mercia Road have no on-street parking restrictions, although the narrow Lock Lane is restricted to only allow vehicles needing access to the lane itself. Cox Green Road and the modern estate route of Mercia Road are of comfortable single carriageway width.
- 3.4 The site has a relatively open-plan character on the Mercia Road and Lock Lane frontages with lawns, specimen trees and shrubs surrounding the existing block. A low fence with hedging behind separates the site from Brill Green, and runs a short distance along the Lock Lane frontage. In the vicinity of the site front gardens of a variety of depths are enclosed by hedging, fencing and masonry walls, although open plan arrangements and generous driveways/parking areas also feature.
- 3.5 Brill Green is mainly lawned, and has a number of mature and young trees and shrubs towards its edges. The site and its locality are generally flat.
- 3.6 The site is not within or adjoining a Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and date
05/00350/full	Conversion of existing warden flat and adjacent common room into 2x1 bed sheltered flats	Refused 07.04.2005
05/00960	Conversion of existing warden flat and adjacent common room into 2x1 bed sheltered flats	Approved 10.06.2005

- 4.1 Full planning permission is sought for the demolition of 28 flats for the elderly and the erection of seven two or three bed roomed houses, to be let as affordable units, together with supported living units for people with learning difficulties, comprising a block of five single-occupancy flats and a house for six residents.
- 4.2 The scheme shows brick, flint and tiled two storey buildings, with full gabled roofs, presenting a common eaves line, with return gables on the terraced houses and the flats building, southwards towards Mercia Road and Brill Green. The existing access is to be closed up, and a new access road is intended to lead into the site from Mercia Road to reach car parking courts for the residents of the individual houses and for staff of the specialist accommodation. No parking is proposed for the residents of the flats and 6-person house. Cycle parking and bin storage for the houses is located within individual rear gardens, with the flats and 6-person unit being served by a refuse and recycling compound on the north east of the site.
- 4.3 Amendments to the scheme have been submitted following initial comments from the Council's Trees Officer and Flood Risk Engineer. The footprint of the housing has been re-aligned to allow for a greater amount of meaningful landscaping to be planted between the new building and Brill Green, while retaining appropriately-sized back garden areas for each of the family homes. A number of trees are proposed to be lost from the site, but others, including significant trees on the Lock Lane boundary, are to be retained, and new tree planting across the site outnumbers those to be felled.
- 4.4 Details of improving the on-site absorption of surface water run-off have been supplied, and amendments to the location of bin storage away from the rear boundary of properties on Stratford gardens have been submitted (in response to a concern raised by a neighbouring resident).

Finally, revisions to the layout and fenestration of one of the flats, to reduce potential overlooking of private rear gardens of the new houses, has been received, also following a request to amend the scheme.

5. MAIN STRATEGIES AND POLICIES RELEVANT TO THE DECISION

NPPF 2012

- 5.1 Of relevance to this application are paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 4 (Promoting sustainable travel), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 11 (Conserving and enhancing the natural environment) of the NPPF 2012
- 5.2 The scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF. There are no material considerations that indicate otherwise.

Royal Borough Local Plan

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

Within settlement area	Highways and parking	Trees and open space
DG1, H7, H8, H9, H10, H11, R1	P4, T5, T7	N4, N6, N7

These policies can be found at:

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

Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- ☐ RBWM Parking Strategy 2004

More information on these documents can be found at:

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

- 5.6 The emerging Borough Local Plan is not yet at a stage where its proposed objectives and policies carry sufficient weight against which to assess this application for planning permission.

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i The principle of the development and Impact on Public Open Space
- ii The provision of appropriate and good quality housing
- iii Impact on character and amenities of the area
- iv Highway and movement safety and convenience

Principle of development

- 6.2 The site is considered to be “brownfield” and its location within a built up area renders it appropriate for development. Although Brill House is currently empty, its recent former use sets a precedent for residential use.
- 6.3 The site area defined by the red line in the planning application documents includes land not in the ownership of the applicant: as noted above the lay-bys on Mercia Road and Lock Lane are owned by the Royal Borough, and a small section of land on the northern edge of Brill Green remains in the ownership of the Brill Family. Concerns have been raised over the potential or actual loss of part of the Green that has been dedicated as public open space, as a result of the application boundaries. The Brill family land subject of the application is that part of the Green that is currently already sectioned off from the main open space by the existing hedge and fence defining the grounds of Brill House. The proposed scheme now shows no building footprint within this section of the site, only the use of this land as part of the landscaped area fronting the buildings. In effect, therefore, the proposed development would not reduce the land area of Brill Green that is currently available for the public to walk and play on, but would re-inforce its planted contribution to the green buffer between built forms to the north and the open space to the south as such there is no policy objection. A decision on this planning permission may be made safely by the Local Planning Authority as the correct notices, alerting the owners of all parts of the site to the submission of the application, have been properly served, and declaration to this effect also made to the Council. To date no objections from the owners have been received by the Local Planning Authority. In any event, the grant of planning permission does not, in itself, over-ride any control over the treatment of land that an owner has. It will be necessary, separately from the development control process under planning legislation, for the applicant to secure the consent of the respective landowners to undertake the development proposed.

Housing

- 6.4 The application scheme would result in a reduction in number of residential units (from 28 to 13) but the size and nature of the proposed dwellings, would be likely to accommodate more than the same number of residents, albeit of a different demographic and range of special need. Policy H7 of the Local Plan prohibits the loss of residential land or accommodation, with exception (among others) where the proposal would provide other types of residential uses of a specialist nature. There is no policy position expressed in the existing Local Plan which would specifically prohibit the loss of accommodation for the elderly.
- 6.5 Residential development of this type and size of units (including small houses and flats, and accommodation for those with special needs) accords with the objective of Local Plan Policy H8. The dwellings have been designed with level access, and display internal space and circulation standards to achieve the objectives of Policy H9 of the Local Plan (access for the disabled). The living spaces formed would be comfortable, with access to gardens and adequate storage. The scheme design satisfies the expectations in Policy H10 of attractiveness amenity and safety.
- 6.6 The size of the site and the number of units proposed fall below the thresholds (0.5 ha and 15 units) for requirements for the provision of affordable housing on the site. However, while not a requirement of Local Plan policy, it is understood that the applicant intends *all* the units on the development to be affordable: the supported living units being let by Housing Solutions, and the family houses being either let by or in shared ownership with Housing Solutions.

Impact on character and amenity

- 6.7 The mass, form, grouping, orientation, and in-plot position of the proposed mix of terraced, semi-detached and detached houses follow examples of all these characteristics in the residential development surrounding the site. The branched footprint of the replacement Brill House (for the 5 flats and 6-person house) is, as a result of its shape and position within the site, reminiscent of the existing block on the site. While the appearance of the built form on the land will change from that existing, in terms of relationship to its boundaries it is considered that the proposed density and grain of the scheme is in step with its context. The layout of the proposed development has been amended, by pulling the housing back from the southern site boundary, to better relate its built form to the open space to its immediate south – Brill Green – in particular to enable a softer

edge to the development using tree, hedge and shrub planting along its southern boundary. This will not hide the proposed built forms (and in any case this should not be the purpose) but will better mirror the current visual arrangement of a blurred edge between the open space of the green and the private space attributable to Brill House.

- 6.8 The confinement of parking and service areas for the family housing and supported living units to the north of the site means that the proposed buildings and landscaping will largely shield this necessary but less visually attractive part of the scheme from being read together with the street scene or with Brill Green. Some views into the parking area will be possible from certain points on Mercia Road, although these will be framed by hedge and tall shrub planting along both sides of the access road, and the careful placement of a Flowering Pear tree at the entrance to the court to partly terminate this view.
- 6.9 The house and flats block designs show a traditional full gabled roof pattern, with return gables to the Green-fronting elevations of the scheme. The building line is also slightly staggered (an amendment request). This, together with the choice of materials, gives appropriate variety and interest to what may otherwise have been a rather stark alignment onto the public open space. The request from the Parish Council to use hipped roofs for the buildings instead of full length ridges, to lessen the overall bulk of the buildings, is not supported: hipped or part hipped roofs would not suit the proportions of the houses, particularly the detached and semi-detached, and any benefit derived from the perceptible reduction in volume of the buildings would be outweighed by the resultant awkwardness of their form. The scale and mass of the proposed development is considered to be acceptable for its context.
- 6.10 The impact of the development on the privacy and outlook of existing residences is considered to be acceptable. No rear or side-facing windows on upper floors are proposed unless the distance from the new building to other existing property is sufficient to preclude direct intrusion. An existing side (south-east) facing upper floor window on number 21 Mercia Road would look onto the blank side wall of a new house on plot 1 of the site, but it appears that this window serves a bathroom, so the loss of aspect from, and of some light to it is not considered to be sufficiently damaging to the amenity of that property to warrant a refusal of the scheme. Ground floor openings on this side elevation of no. 21 are already screened by a 1.8 m high close boarded fence that runs back from the footpath along this side boundary. Although there would be room to set the new house on plot 1 back, to allow more light to reach this side elevation of no.21, this would interrupt the common building line along this side of Mercia Road that the proposed housing on plots 1, 2 and 3 follow.
- 6.11 The palette of materials for the buildings and for the hard boundary treatments are considered to be acceptable. Red brick, render and flint work for the walls, with grey tiles for the roof, and white PVC windows are proposed, with 1m or 1.8m high railings or close boarded fencing (in addition to hedges) for garden definition. This palette of materials is evident in other buildings in the vicinity, and the recommended condition 3 would enable the Council to secure details, with samples, of the precise materials specifications to meet the high design standards expected in policies DG1 and H10 of the Local Plan.
- 6.12 The landscaping proposals for the development now show a greener edge to the scheme, on principal public frontages, than was initially proposed. The orientation of the house on plot 3 has been amended to enable a similar tree to replace the lost mature specimen in this general location – a River Birch to replace a Silver Birch. More tree and shrub planting than is currently in place will sit between the new buildings and the northern edge of Brill Green, and additional planting is also proposed for the Lock Lane frontage.
- 6.13 For the privacy and security of the residents of Brill House railings with hedging will front the scheme onto Brill Green and along Lock lane. Front gardens to the family housing on plots 1 to 7 will not be fenced (although the tree planting will provide visual interest), with private enclosed amenity space at the rear, overlooked by kitchen windows and half glazed back doors. The upper floors of both the family housing and the supported living units will enable supervision of the car parking area to the rear of properties. The scheme has been developed to incorporate “Secured by Design” principles.

- 6.14 Adequate proposals for dealing with surface water drainage within the site have been submitted, and no objection is raised to the scheme in terms of sewerage infrastructure capacity. Subject to the safeguards outlined by condition or by informative (where other relevant legislation or regulation is appropriate) the development, during its demolition, construction and occupancy stages is considered to be acceptable in terms of its impact on the amenity of the locality.

Highways and movement

- 6.15 Adequate car parking provision is shown within the site to meet the Council's standards for this size and number of new residential units (7 houses will have 2 spaces each), and for the parking for staff and visitors to the supported living block (7 spaces). None of the residents of the supported living units will be able to drive. The re-development of the site is considered likely to result in an increase in traffic, but not that such an increase would cause danger or inconvenience to other highways users or nearby householders. The proposed creation of a vehicular access from Mercia Road and the closure of that onto Lock Lane would be acceptable.
- 6.16 Cycle parking is shown in secure lockable sheds in the gardens of each of the houses. No cycle parking provision is deemed to be necessary for the residents of the supported housing units, although it would be appropriate to include facilities for staff and visitors to park cycles when travelling to the site. Condition 11 addresses this matter.
- 6.17 Refuse and recycling collection vehicles will be able to load waste from the site conveniently. The bin store arrangements shown next to the former Lock Lane entrance have been subject of specific comment from residents whose back gardens abut the bin store location. The agent has supplied plans showing an alternative position for the bin store, to avoid potential disturbance to existing neighbours.
- 6.18 With regard to access to the property, therefore, the scheme enables safe and convenient movement to the buildings, and would improve on the former traffic flow position for Lock Lane residents. Pedestrian and cycle access to the site is acceptable. On compliance with the suggested conditions (including that relating to the management of construction traffic) the proposal is considered to accord with Policies H10, T5, T7 and DG1 of the Local Plan.

Ecology

- 6.19 As the proposed scheme would involve the loss of established roof areas, the existing structure has been inspected for bat habitation. The submitted report noted that while the structure had moderate potential to host a bat population, no evidence of bat activity was found. The proposed development offers the opportunity to enhance the natural local environment by providing bat and bird boxes within the new buildings, and the recommended condition addresses this matter. As noted above, for their contribution to the character and biodiversity of the area, some existing trees will be retained, and more new specimens planted, to encourage wildlife into this redevelopment.

Other Material Considerations

Housing Land Supply

- 6.20 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.
- 6.21 It is considered that this scheme would have at least a neutral effect on the provision of accommodation for the Borough's residents in terms of population numbers, even though the number of dwelling units *on this site* would be reduced. It is the view of the Local Planning

Authority that the socio-economic benefits of the new range and specialist nature of the dwellings proposed would weigh in favour of the development.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's adopted CIL Regime and Charging Schedule the proposed development appears not be CIL liable, as the floor area of the proposed buildings does not exceed that of the current building. In any event, the applicant has submitted the required forms including the assumption of liability for payment.

8. CONSULTATIONS CARRIED OUT

Comments from Interested Parties

- 8.1 The occupiers of 22 properties adjoining or near to the site were notified directly of the application on its first submission. On the receipt of amended plans, the same neighbours, together with all those who had commented on the initial submission, were notified.

The planning officer posted a statutory notice advertising the application at the site in August 2016.

39 comments (by letter, email and on-line comment) were received raising the following objections to the initial submission:

Comment	Where in the report this is considered
The building should not be sited further forward than the existing Brill House to retain the rural setting and street scene of Lock Lane and Brill Green	Para 6.7
Loss of provision for elderly residents of Cox Green	Para 6.4
Brill House is within an Area of Significant Character	Para 6.7.
Any development at the rest of the site should be back from the edge of Brill Green	Para 6.7
The building on the western side of the land should be set back from the pavement with gardens in front to mirror the other buildings;	Para 6.7 and 6.12
The proposal would exacerbate existing parking, traffic and safety problems;	Paras 6.15 – 6.16
Overdevelopment of the Green;	Para 6.7
Pressure on existing drainage system and collection of refuse;	Paras 6.14 and 6.17
Increase in the size of the buildings would have a detrimental impact on the overall look of the lane;	Para 6.9
Increase in the height and mass of the buildings;	Para 6.9
No private amenity space;	Para 6.13
Brill Green is protected by a covenant and the building is sited on land which is not in the applicant's ownership and loss of public open space;	Para 6.2
Not a sympathetic development and the houses lack interest and character;	Paras 6.7 - 6.13
Loss of amenity from the flank window;	Para 6.10
The screening of the boundaries of any development to ensure that it does not adversely impact on the surrounding area;	Para 6.11
Inadequate parking provision and loss of lay-by parking	Para 6.15 and 6.18
Detrimental to the street scene as the frontage of the building would be further forward than much of the current building	Paras 6.7 and 6.112
The proposal would increase crime, anti-social behaviour and theft in the area;	Para 6.13

A petition has been received with 293 signatures objecting to the loss of trees on the Lock Lane frontage.

The following comments have been received in support of the scheme:

Full support for the provision of housing for people with learning difficulties	Para 6.4
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In response to the amended plans, 4 comments were received, raising the following objections

Comment	Where in the report this is considered
While moving back housing units 4-7 is a slight improvement, this is not enough to overcome previous objections.	Para 6.7
Location of bin store will cause nuisance and disturbance to residents whose back gardens abut the site	Para 6.17
The bin store should be closer to the main road access for ease of collection	Para 6.17
The scheme still does not address loss of older person's housing	Para 6.4
Have the Trees Officer comments been considered?	Paras 6.8, 6.8 and 6.12
How will demolition and construction traffic be managed?	Para 6.18
Will the social housing units be subject to right to buy?	Para 6.6
Please can residents be assured that Brill Green will remain available for community use	Para 6.2
Increased parking area will cause disturbance and nuisance (noise and fumes) to the enjoyment of back gardens in Stratford Gardens	Para 6.15
Increase in the height and mass of the buildings;	Para 6.9
Brick and flint doesn't fit in with surrounding houses	Para 6.11

Statutory and other consultees

In response to the initial submission, the following comments were received:

Consultee	Comment	Where in the report this is considered
Parish Council	The Parish Council has no objection in principle to the redevelopment of the site subject to the following:	
	All units to have hip end roofs to reduce the visual bulk of the development	Para 6.9
	Housing to be social rental instead of shared equity (to ensure retention of affordable housing stock locally);	Para 6.6
	Working times conditions to minimise disruption to the neighbouring properties;	Para 6.18
	Appropriate conditions relating to contractor parking during construction to minimise disruption to neighbouring properties;	Para 6.18
	No construction traffic/equipment to be placed on the Brill Green Open Space (to ensure facility remains available and undamaged);	Para 6.18
	Housing Solutions undertake an ongoing obligation to inform all new tenants of the community activities that take place on the Brill Green Open Space (to ensure tenants are aware of the pre-existing situation);	Noted
Tenancy agreements for supported living units to stipulate no car policy (to ensure no on-street parking occurs due to the absence of on-site provision);	Para 6.15	

	<p>Conditions relating to the retention of all on site parking (to ensure such provision is available at all times); All trees removed during redevelopment to be replaced on site with suitable species and; A condition restricting the indefinite use of the building containing 5 x 1 bed flats and 1 x 6 HMO to accommodation for adults with learning disabilities (to ensure that such a provision is maintained and available)</p>	<p>Included in conditions Para 6.12</p> <p>Included in conditions</p>
Highway Authority	<p>The site's car parking provision is considered to be acceptable, as is the cycle parking provision for the houses. No proposals are given for cycle parking for the assisted living units, although space is available on site for this.</p> <p>The refuse storage provision and access for its collection have been subject of consultation with the Council's Waste Management Team.</p> <p>The introduction of a supported living block plus the 7 residential dwellings, replacing the existing 28 bedroom sheltered accommodation raises no highway safety or traffic related issues. Whilst it is appreciated that the proposal may lead to an increase in vehicular traffic, there are no defects in the highway network to suggest that it cannot be accommodated within the surrounding area. No objections are raised subject to the attachment of conditions to any planning permission granted, to cover specification for the new access road, construction management plan to control traffic, materials storage etc.; provision of all car and cycle parking as shown on plan and the stopping up of the Lock Lane access when the new Mercia Road access is opened.</p> <p>The proposed works on the highway would need to be secured by way of a S278 Agreement (Highways Act 1980).</p>	<p>Paras 6.15 – 6.18 and conditions and informatives.</p>
Environmental Protection	<p>Suggest conditions and informatives to address matters of noise, dust and smoke control.</p>	<p>Para 6.14 and recommended conditions and informatives</p>
Lead Local Flood Authority	<p>The application submitted does not contain any details of how the surface water will be managed and there is no evidence to back up the statement in the application form that the development does not increase flood risk to the surrounding area. Therefore until this information has been submitted, objections would be raised on surface water drainage grounds.</p>	<p>Para 6.14 and recommended conditions and informatives</p>
RBWM Trees Officer	<p>I have no objection to the loss of the silver birch (T12) and the apples (T13 and 14) due to the condition of these trees. However I am concerned that the location of plots 1,2 and 3 will result in a significant loss of open space on the frontage with Mercia Road and that there will be no scope to undertake any replacement tree planting on this boundary. As discussed I am also concerned at the proximity of units 4, 5, 6 and 7 to the boundary with Cox Green. Very little space has been provided to access these properties and any tree planting undertaken on the northern boundary of the green would significantly overshadow these properties. Due to the proximity of units 4, 5, 6 and 7 to the boundary with Cox Green very little space is available for replacement planting. The 5 trees shown to be planted on this boundary therefore have to be a comparatively small species (Amelanchier</p>	<p>Paras 6.7, 6.8, 6.12 and 6.13 and recommended conditions and informatives</p>

	Ballerina). Amelanchier is an attractive small tree however it would be beneficial if more space were available to enable the establishment of larger trees on the boundaries of the site that would provide a greater benefit to the area. Consequently, the scheme fails to adequately provide a layout that enables space for suitable landscaping and replacement tree planting. I therefore recommend refusal of the application under N6, and DG1.	
RBWM Ecologist	From the bat surveys carried out at the site and the inspection of the building it is concluded that the building has moderate potential for bat roosts, but none were evident. Indications were observed of the use of the building by nesting House Sparrows. Conditions and informatives are recommended to avoid harm to protected wildlife and to enhance the potential for the development to provide future habitat.	Para 6.19
Thames Water	No objection with regard to sewerage infrastructure capacity.	Para 6.18

In response to the further consultation on amended plans, the following comments were received:

Consultee	Comment	Where in the report this is considered
Parish Council	Re-iteration of previous comments, and All units to have Dutch hip end (reduced hips) roofs rather than gable ends to reduce the visual bulk of the development Housing to be social rented instead of shared equity (to ensure retention of affordable housing stock locally) and that in accordance with Policy H03 of the emerging Local Plan a condition is requested requiring the affordable housing to remain affordable	Para 6.9 Paras 5.6 and 6.6
Highways Authority	No objection subject to recommended conditions and informative.	Paras 6.15 – 6.18 and included in recommended conditions
Environmental Protection	No further comments	Noted
Local Lead Flood Authority	The additional information submitted resolves the earlier issues raised. No objection to approval of the scheme if in accordance with the approved surface water drainage system and its maintenance.	Para 6.14 and recommended conditions and informatives
RBW M Trees Officer	Comments awaited	To be subject of Panel Update
RBW M Ecologist	No further comments	Noted
Thames Water	No further comments	Noted

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – site layout, landscaping
- Appendix C – Floor plans and elevation drawings

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 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 will also include details of the phasing of the demolition and construction work, including a specific timetable for the laying out of any temporary access route onto the site for vehicles to negate use of the access point on Lock Lane. 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, and of the protection of the amenity of residents in the vicinity of the site. Relevant Policies - Local Plan T5 and guidance contained within the NPPF 2012.
- 3 No development shall commence on the site until full specifications and samples of the materials to be used in the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - DG1 and H10 of the Local Plan and guidance contained within the NPPF 2012.
- 4 No part of the development hereby approved shall be occupied until an access to the site from Mercia Road as indicated on the approved block plan has been constructed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.
Reason: To secure an appropriate standard of development in the interests of the safety and convenience of all users of the highway network in the vicinity of the site. Relevant policy T5 and DG1 of the Local Plan and guidance contained within the NPPF 2012.
- 5 The development hereby permitted shall be completed in accordance with one of the options for surface water storage and drainage indicated on drawing referenced ICS-2321 05 P02, received at RBWM on 09.12.2016 and shall be maintained thereafter in accordance with a maintenance regime for it which shall have been submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the site.
Reason: To ensure the protection of the water environment, and to minimise the risk of flooding in the locality. Relevant policies - DG1 and F1 of the Local Plan, and guidance contained within the NPPF 2012.
- 6 No development shall take place and no clearance of existing materials or vegetation on the site shall commence until the protective measures set out in the Arboricultural Survey and Planning Integration Report by Quaipe Woodlands referenced AR/3285/rgB Rev B received at RBWM on 09.12.2016 shall have been completed in accordance with that document. No felling or other works to any trees on or overhanging the site, or any other trees that may be affected by the development, shall commence until a full Arboricultural Method Statement, in accordance with the requirements of BS5837 2012 detailing all works to retained trees on the site or affected by the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved AMS.
Reason: To ensure the protection of important vegetation on or bordering the site which contributes to the character and appearance of the area in accordance with national and local planning policy as set out in Policies DG1, N6, N7 and H10 of the Local Plan and guidance contained within the NPPF 2012.

- 7 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access from Mercia Road being first brought into use, in accordance with details that shall 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 and guidance contained within the NPPF 2012.
- 8 The development shall be completed in accordance with the details set out on drawing referenced BRH 01 Rev D received at RBWM 09 December 2016, within the first planting season following the first occupation of the first dwelling unit on the site, unless otherwise agreed in writing by the Local Planning Authority. The landscaping of the site shall be so retained thereafter. Any trees or plants that die, are damaged or are removed within 5 years of their planting shall be replaced with another of the same or similar species, size and planting density, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To secure an appropriate finish for the development, in the interests of the biodiversity resource, the setting of Brill Green, and the character and appearance of the area. Relevant policies DG1, H10, N4 and N6 of the Local Plan, and guidance contained within the NPPF 2012.
- 9 No development shall be commenced on the site until details of the height, design, materials and timetable of installation or construction of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
Reason: To secure an appropriate standard of development, in the interests of the security and privacy of existing and future residents of the area, and of its character and appearance. Relevant policies: DG1 and H10 of the Local Plan and guidance contained within the NPPF 2012.
- 10 No dwelling on the site shall be occupied until the car parking for its residents or staff has been laid out and finished in accordance with the approved details shown on drawing referenced 217 PD03 Rev P4 received at RBWM on 06 February 2017. The car parking shall be so retained for this purpose for the duration of the occupation of the site.
Reason: To secure an appropriate standard of car parking on the site, in the interests of the safety and convenience of all users of the highway network in the area. Relevant policies DG1, H10 and P4 of the Local Plan, and guidance contained within the NPPF 2012.
- 11 No dwelling on plots 01 - 07 on the site shall be first occupied until the cycle parking for it, within a secure shed as shown on the approved drawing referenced 217 PD03 Rev P4 received at RBWM on 06 February 2017 has been provided. Prior to the first occupation of any part of the block containing five flats and one 6-person house cycle parking for staff shall be provided within the site in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be so retained for the duration of the occupation of the development.
Reason: To secure appropriate facilities within the site to encourage the use of un-powered modes of transport, in the interests of the sustainability of the development and the protection of the environment. Relevant policies- DG1, H10 and T7 of the Local Plan and guidance set out in the NPPF 2012
- 12 No development on the site shall be occupied until the refuse and recycling storage facilities for it have been provided in accordance with the details shown on drawing referenced 217 PD03 Rev P4 received at RBWM on 06 February 2017. These facilities shall be so retained for the duration of the occupation of the development.
Reason: To secure appropriate waste management facilities for the development, in the interests of its sustainability and its impact on the environment. Relevant policies - RBWM Sustainable Design and Construction SPD 2009 and guidance contained within the NPPF 2012.
- 13 The five one-bedroomed flats and one six-bedroomed house included in this development shall be occupied only by persons with learning disabilities, or by staff members employed in their care.
Reason: To restrict the occupation of the building to persons with special needs in the interests of securing an appropriate mix of dwellings throughout the District to meet identified housing

needs. Relevant policies - H7 and H8 of the Local Plan and guidance contained within the NPPF 2012

- 14 No development on the site shall be first occupied until bat and bird boxes have been fitted into or onto the fabric of the buildings in accordance with a scheme of details which shall have first been submitted to and approved in writing by the Local Planning Authority. These bat and bird boxes shall be retained and kept available for use for the duration of the occupation of the development.
Reason: To secure an appropriate degree of habitat enhancement for the development in the interests of the biodiversity resource of the area. Relevant policies - N3 and H10 of the Local Plan and guidance contained within the NPPF 2012.
- 15 In the event of any contamination of soil or groundwater within the site being discovered during its development the Local Authority shall be contacted immediately. No further demolition, archaeological investigation or construction activities shall continue on the site until such time as a procedure for addressing the contamination is agreed upon with the Local Authority in consultation with appropriate regulating bodies. In this event, development shall only continue if in accordance with the agreed procedure. Reason: To ensure the control of surface or underground waters in accordance with Policy NAP4 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003) and of the NPPF 2012.
- 16 No development shall take place on the site, including any demolition, until details of the existing and proposed finished ground floor levels of the development, in reference to a fixed datum point in the vicinity of the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
Reason: To ensure a satisfactory visual relationship between the development and neighbouring buildings, and in the interest of securing safe and convenient access to the development for all users. Relevant policies - DG1 and E10 of the Local Plan, and guidance contained within the NPPF 2012.
- 17 The development shall be carried out in accordance with the plans, documents and reports listed as approved at the end of this notice.
Reason: To clarify the development permitted.

Informatives

- 1 The applicant is reminded that before development commences it will be necessary to enter into an agreement with the Highway Authority under Section 278 of the Highways Act 1980 in relation to the creation and construction of a new vehicular access from the site onto Mercia Road and the stopping up of the existing access onto Lock Lane.
- 2 The applicant is reminded that no works of clearance of vegetation or demolition of buildings on the site shall take place within the period of 1st March to 31st August to avoid disturbance to wildlife during the bird breeding season.
- 3 In the event of the discovery of bats within the building or in the garden vegetation all work will stop immediately and the applicant shall not recommence until the site has been inspected and any bats found shall have been evacuated from the site by a qualified bat handler, in accordance with an agreed programme of work approved by the RBWM Ecologist.