

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

25 October 2017

**Item: 3**

<b>Application No.:</b>	17/02051/FULL
<b>Location:</b>	55 St Marks Road Maidenhead SL6 6DP
<b>Proposal:</b>	Erection of 14 x dwellings, car parking, landscaping and associated works following demolition of existing building and structures
<b>Applicant:</b>	Copthall Investments Limited
<b>Agent:</b>	Kate Harley
<b>Parish/Ward:</b>	Maidenhead Unparished/Belmont Ward

<b>If you have a question about this report, please contact:</b> Christine Ellera on 01628 795963 or at <a href="mailto:chrisie.ellera@rbwm.gov.uk">chrisie.ellera@rbwm.gov.uk</a>
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## 1. SUMMARY

- 1.1 The proposed development is considered to make efficient and effective use of land in the urban area, relates satisfactorily to the residential character of the area and seeks opportunities to improve and reinforce the appearance of the streetscene. Generally the proposal would have a marked visual improvement over the existing appearance of the site.
- 1.2 Officers do have some concerns about the proposed layout being cramped and limited provision of private amenity space for future occupiers. Both of these concerns are symptomatic of an overdevelopment of the site. However it is not considered that this would have a detrimental impact on the streetscene, moreover this scheme would make a contribution to the Borough's housing stock on previously developed land, within a sustainable urban location. These matters weigh significantly in favour of the scheme. Accordingly the benefits of the proposed scheme are considered to outweigh any potential harm.
- 1.3 Therefore, and subject to a resolution and consultation feedback on the Sustainable Urban Drainage matters (which will be reported in the Panel update) officers consider that the proposed development is acceptable in planning terms and complies with the National Planning Policy Framework (2012) and the Borough Local Plan (2003)

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.</b>
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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; such decisions can only be made by the Panel.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1.1 The application site relates to a former car garage site on the southern end of St Marks Road. The surrounding area is predominately residential in nature, typically mixed style two storey dwellings (a number of which have extended into the roofs).
- 3.2 The buildings on site comprise of a large single storey building located relatively central in the site and other single storey workshops and buildings located to the rear. The rest of the site is predominantly laid to hardstanding.

- 3.3 There are significant level changes across the site. The front of the site is located some 4m higher than the land to the rear. The rear of the site is defined by steep banks/ retaining walls with the ground levels at being some 4m lower than that of the surrounding residential dwellings.

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

- 4.1 This is a full planning application for the erection of 14x new dwellings following the demolition of the existing buildings and structures on the site. Units 1 and 2 would face onto St Marks Road, units 3 to 9 would be located at a tandem from St Marks Road with the rear of the units backing the rear of properties along Powney Road. Units 10- 11 would be positioned to the rear of the site, with the rear of each unit abutting those along Penyston Road. The material finish of dwelling is typically brick, with tiled pitched roofs, some with upper floors in render. The properties would be of varying heights and design:

Units 1 and 2 (House type E): These properties would be 3 bedroom units with a height of around 7.6m to the ridge when viewed from the front of the site. The fall of the land is such that the properties would be two storey to the front and three storey to the rear. Properties would benefit from a total of 2 parking spaces per unit in the form of integral garages and hardstanding to the front of the site. The rear amenity space for each dwelling would be around 117- 129 sqm per unit.

Units 3 and 4 (House type A): These properties would be 3 bedroom, two storey buildings height of approximately 5m to the eaves and 8.9m to the ridge. Properties would benefit from a total of 2 parking spaces per unit in the form of internal garages and hardstanding in front of the garage. The useable rear amenity space for each dwelling would be around 80 sqm per unit

Units 5- 7 (House type B): These properties would be 4 bedroom, two storey buildings with a height of approximately 5m to the eaves and 8.9m to the ridge. Properties would benefit from a total of 3 parking spaces per unit in the form of internal garages and hardstanding for two vehicles to the front of the garage. The useable rear amenity space for each dwelling would be around 90- 100 sqm per unit.

Units 8 and 9 (House type C): These properties would be 2 bedroom, two storey buildings with a height of approximately 5m to the eaves and 8.2m to the ridge. Properties would benefit from a total of 2 parking spaces per unit in the form of internal garages and hardstanding in front of the garage. The useable rear amenity space for each dwelling would be around 80 sqm per unit

Units 10 -14 (House type D): Unit 10- 12 are terraced units and 13 and 14 semi detached. Each unit would be three bedroom, two storey properties with a height of approximately 4.9m to the eaves and 9.2m to the ridge. The properties would benefit from front dormer windows, and rear roof light to facilitate in accommodation within the roof. Plans have been amended during the course of the application to so that plot 10 is no longer detached (and now forms a terrace) and to remove the single storey rear projections from each unit. The *useable* rear amenity space for each dwelling would be around 55- 60 sqm per unit. A parking forecourt area is shown in front of these units, this would provide 10x off street parking spaces.

- 4.2 The proposed development, as a whole, provides a total of 31 off road parking spaces for the 14 new dwellings.
- 4.3 Each unit is shown to have its own small outbuilding/ shed contained in the rear garden area. New hard and soft landscaping is also proposed.
- 4.4 In order to facilitate the development some excavation works to the rear banks/retaining walls will be required. Plans have been amended since the initial submission to have due regard for off site trees and their associated root protection areas.

- 4.5 Plans have then been further amended to move the position of units 10- 14 1m further forward this does not impact on the design or layout of these units nor the parking provision or tuning circles. Given this minor changes a further neighbours re-consultation exercise was not deemed to be required for this particular amendment.
- 4.6 It should be noted that the amenity space calculations set out above are less than that shown by the applicant on the proposed site plans. Officers calculations are based on *usable* areas and do not include areas to the side or rear which would not be functional space due to the size and/or fall of the land.
- 4.7 There is extensive planning history to this site none of this is considered to be of direct relevance to this particular planning application.

## 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 This is emphasised in paragraph 14 which states that Local Planning Authorities (LPAs) should approve development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- 1 any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  2. Specific policies in this Framework indicate development should be restricted.

### Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees	Aircraft noise
DG1, H10, H11	P4, T5	N6	NAP2

These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](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

- a. The site has been identified in the emerging document as a potential residential site allocation, (ref: HA16) which could accommodate potentially up to 20 dwellings.
- b. 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 by the end of the year. 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:

## **Other Local Strategies or Publications**

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- 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](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. The principle of the development
2. Design considerations
3. Impact on Neighbouring Amenity
4. Provision of a suitable residential environment
5. Highway Safety and parking issues
6. Environmental Considerations
7. Other material considerations

### **Issue i: The principle of development**

- 6.2 The NPPF seeks in favour of sustainable development. A core principle of this is ‘encouraging the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’.
- 6.3 The development would result in the loss of the existing employment use, however the site is currently vacant and does not form part of the Boroughs identified employment land, in which uses such as the former garages would usually be directed to. Policy E7 of the Borough’s current Local Plan also offers support for the redevelopment of unallocated industrial sites which, by reason of their proximity to residential properties, are considered to be inappropriately located uses.
- 6.4 The site is a now vacant employment use site which is occupied by a number of buildings and/or laid to hardstanding. The site is also located in a predominantly residential urban area, in close proximity to local amenities, public services and transport.
- 6.5 It is therefore considered that this proposal represents development on previously developed land within the urban area. The principle of the loss of the employment use of this site and redevelopment for residential purposes is considered acceptable; this is subject to other material planning considerations.

### **Design considerations**

- 6.6 The NPPF 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.
- 6.7 Policies DG1 and H10 of the Boroughs current Local Plan seeks to ensure that residential development will be of high standard of design and landscaping, compatible with the area and streetscene. Policy H11 takes this further and states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area.

- 6.8 The character of the wider areas is one of predominantly residential. Powney Road has a density of roughly 32 dwellings per hectare (dph), and Orchard Grove 24 dph. These roads and the surrounding area are characterised by two storey buildings of varying heights and design. Properties are typically semi detached or terrace and afford rear garden areas in the excess of 20m.
- 6.9 The proposed development would effectively form a new cul-de-sac, the density of which would be 28 dph. The design of the proposed new dwellings would be 2 storey with pitched roofs. The proposed dwellings would have front gable articulations, some with bay windows, both of which add visual interest to the properties. Dwellings would be predominately brick, some with upper floors in render, all with plain tiled roofs. At two storey level a spacing of around 2m would be retained between each dwelling (excluding any eaves overhang). The depth of the proposed rear gardens vary, but (apart from units 1 and 2) are less than 10m in length. Properties 1- 9 would be detached dwellings and units 10- 14 are semi or terrace. A number of objections have been received which raise concerns about the visual appearance of these units being of a standard design and appearance and/or that detached dwellings are out of keeping with the character of the area.
- 6.10 The individual designs of the proposed new dwellings are of typical domestic proportions and afford suitable variation between dwellings. It is accepted that the wider area is typically semi detached or terrace dwellings. However the overall character of the area is varied and indeed this site, as existing is an employment use site. Whilst the proposed new dwellings maybe of a conventional design, the overall character of the proposed development is not considered to be one which would be incongruous or would result harm the wider character and appearance of the area.
- 6.11 Units 1 and 2 would be positioned to face the St Marks Road and would infill the gap in the existing streetscene. Whilst set back further from the road than adjacent maisonettes, 57- 63 St Marks Road, there is no prominent building line along this part of St Marks Road. The height and scale of the two new properties would appear relatively similar to these adjacent buildings when viewed from the streetscene. The comments from local residents about the scale of three storey buildings not being compatible with the local area are noted. However the 3 storey element is contained to the rear of these properties and utilises the change in ground levels. Any views of this from the streetscene would be limited. Further consideration also needs to be given to the existing character and appearance of the site when viewed from the streetscene. The proposed layout would infill a gap in the current streetscene and would improve the visual appearance of this site when viewed from the streetscene.
- 6.12 Due to the changes of levels of this site in relation to the surrounding properties the proposed new dwellings would appears to be of a height and scale which is subordinate to and compatible with the rest of the surrounding area. Detached dwellings with short rear garden areas are not necessarily in keeping with the prevailing grain and layout of dwellings in the area. However, the limited rear garden areas are not a factor which is overly perceptible from the streetscene. Moreover, the proposed development would create its own new cul-de-sac, with its own 'sense of place'. Thus, in terms of design, the limit garden depth is considered to have limited harm to the character and appearance of the area.
- 6.13 The development by reason of the number of units, access road and parking is one which is dominated by hardstanding. There are some opportunities for communal soft landscaping and planting but these are limited. However, this is still a reduction in the amount of hardstanding which currently dominates the site.
- 6.14 In view of the above, the proposed development is considered to make efficient and effective use of land in the urban area, relates satisfactorily to the residential character of the area and seeks opportunities to improve and reinforce the appearance of the streetscene. Generally the proposal would have a marked visual improvement over the existing appearance of the site and is considered to comply with above planning policies.

### **Impact on Neighbouring amenity**

- 6.15 In terms of the potential impact on neighbouring amenity, the adjacent residential dwellings potentially affected by the proposed development are 51 St Marks Road and 13- 20 Orchard Grove (located to the east), 38- 50 Penyston Road (located to the south) and 57 and 59 St Marks Road and 34- 72 Powney Road (located to the west).
- 6.16 In relation to the properties to the east, 51 St Marks Road is currently operating as a builders yard and therefore raises no issues in terms of neighbouring amenity. Whilst currently not in residential use, proper planning should ensure that the development of one site does not prejudice the potential future redevelopment of those which are adjacent. The siting and position of the proposed development it is not considered one which would prejudice the potential for a well designed development coming forward on of this adjoining site.
- 6.17 The properties along Orchard Grove are located over 35m from the proposed new dwellings. This is considered ample distance to ensure that the proposed development would not significantly impact on the amenities of the occupiers of these dwellings in terms of loss of light and/or overbearing impact. This is also considered sufficient distance to retain a suitable level of privacy between dwellings.
- 6.18 38- 50 Penyston Road (even numbers) are located to the south/ rear of the site. The fall of the land is such that the proposed new dwellings would be located at approximately 4m lower ground level than these adjacent dwellings. Combined with a separation distance of over 40m it is considered that this proposal would not harm the amenities of the occupiers of these dwellings. Similarly, with properties along Powney Road, a separation distance of around 35m would be retained between dwellings at two storey level which is considered a sufficient separation distance to ensure that the proposed development would not significantly affect the amenities of the occupiers of these dwellings.
- 6.19 In relation to the adjacent maisonettes, 57 and 59 St Marks Road, unit 1 would be located some 9m to the south east of the side boundary. This is considered sufficient distance to ensure the proposal would not result in a significant loss of light and/or overbearing impact.
- 6.20 There is a side facing window in 57 and 59 St Marks Road which would overlook the side of unit 1. However, unit 1 would be set further back from the street and would not be directly in front of this adjacent window. Consequently it is not considered that the proposed development would have a significant impact on the amount of light this window receives, nor would it be overbearing. There are no side facing windows to unit 1 which would potentially overlook the immediate rear garden areas of these maisonettes.
- 6.21 Some concerns have been made in terms of potential light and noise pollution. The proposed development is for domestic properties, these are not considered to result in significant light or noise pollution which would have a detrimental impact on the amenities of the occupiers of the surrounding properties. It should also be noted that the noise associated with 14 residential dwellings would be considerably less than the activities and noise which could take place on this site as part under the lawful use. The site to the rear is at a lower ground level than those surrounding, thus limiting and perceived light overspill.
- 6.22 The Council's Environmental Protection Team has raised no objections to this proposal in terms of light pollution. Conditions have been recommended by them in terms of hours and noise of construction. However, these matters are all dealt with under separate environmental health legislation (covered by Control of Pollution Acts). It is not for planning to replicate that already contained in separate legislation and therefore these are recommended as informative.
- 6.23 Other concerns have also been raised in terms of potential land subsidence caused by the proposed works to the retraining wall/ banks and the side and rear of the site. This is a civil matter and should be dealt with by way of the party wall act. Plans have been amended during the course of the application to amend the proposed excavation works to ensure the retention of off site trees. Within the confines of the application boundary it is also proposed to introduce a new retaining wall along the southern boundary. Not only will this provide a reinforced structure which will be designed to protect the site and neighbouring land from subsidence, it will also

avoid the root protection area of existing trees on site and on the boundary. Conditions are recommended for full details of these walls prior to the construction of the new dwellings.

- 6.24 On this basis the proposed development is not considered to have a significant detrimental impact on the amenities of the occupiers of the surrounding residential dwellings.
- 6.25 The Council's Environmental Protection Team has requested conditions about the installation of any plant or equipment, in the interest of residential amenity. None is proposed as part of this development and if installed would require planning permission. Accordingly such conditions or not necessary.

### **Provision of a suitable residential environment**

- 6.26 Proposed new residential development should provide an appropriate level of lighting, outlook and amenity to all habitable rooms and be of suitable space standards. Developments are also expected to enhance existing landscaping and allow visual interest and amenity.
- 6.27 The internal floorspace of the proposed new dwellings would provide adequate space standards for future occupants.
- 6.28 The rear gardens for units 3- 14 are less than 10m in depth and provides rear amenity spaces which would be considered less than commensurate for properties of this size. In addition, due to the fall of the land, units 7- 14 will have a retaining wall varying from around 3-4m in height (with a boundary fence above) located less than 10m from the rear elevation of these proposed properties. This will have some visual overbearing impact on the proposed new dwellings ground floor rear windows.
- 6.29 However, the plots for units 7- 9 are fairly wide which does allow properties to afford a good level of aspect and outlook, units 10- 14 are south facing which does mean that these properties will receive a good level of natural/sun light. Some of the existing side and rear banks will be cut away to reduce the gradients and any potential overbearing impact. Landscaping (which can be secured by condition) can also ensure that suitable soft landscaping reduces any visual impact.
- 6.30 On this basis the proposed development is considered to provide a suitable amount of outlook, light and ventilation. Whilst the rear garden areas for units 3- 14 are limited they are still of a functional and usable size. However limited garden space is usually symptomatic of an overdevelopment of the site. The harm this has is considered further at the end of the report.
- 6.31 In the event the application is approved it is however considered reasonable and necessary to recommend the removal of all permitted development rights for these proposed new dwellings to ensure the retention of suitable amenity space and future neighbouring amenity.
- 6.32 The frontage of the site remains one which is dominated by a significant level of hardstanding however there are also opportunities for soft landscaping areas which will be a marked improvement on the existing character and will contribute to the setting of the development.

### **Highway safety and parking**

- 6.33 When considering a proposed alternative use consideration needs to be given to the existing use of the site if it were in full occupancy as these are the vehicle movements which can lawfully take place from the site.
- 6.34 Given the existing use of the site it is not considered that the proposed development would result in increased vehicle movements to and from the site, above and beyond the existing use. The proposed development would widen the existing access to the site. The Highway Authority has been consulted on the above planning application and has raised no objection subject to conditions and informatives. (See conditions 4-7)
- 6.35 In terms of parking provision the proposed development now provides at least 2 off road parking spaces per 2/3 bedroom unit and at least 3 off road parking spaces per 4 bedroom unit. This

complies with the Council's locally adopted standards. Cycle parking can be accommodated in the proposed sheds as needed. Plans of the proposed sheds have been submitted as part of this application, the size of which can accommodate at least two cycles. A number of units also have private garages which can also accommodate such spaces. On this basis it is considered that sufficient space has already been demonstrated for secure cycle parking.

### **Environmental considerations**

- 6.36 Whilst there are no trees within the existing site, there are a number of trees on nearby adjoining land. An Arboricultural Report and protection plan has been submitted in support of this application. The scheme is considered to be acceptable subject to recommended conditions 11-13 set out below.
- 6.37 The Government has strengthened planning policy on the provision of sustainable drainage systems (SuDS) for 'major' planning applications which is being introduced in April 2015 (Paragraph 103 of National Planning Policy Framework and Ministerial Statement on SuDS).
- 6.38 As per the guidance issued by the Department of Communities and Local Government (DCLG), all 'major' planning applications must consider sustainable drainage systems.
- 6.39 Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. Sustainable drainage systems should be designed in line with national Non-Statutory Technical Standards for SuDS.
- 6.40 SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development. Hydraulic calculation and drawings to support the design need to be provided along with proposed standards of operation and maintenance in accordance with paragraph 081 of NPPF (PPG).
- 6.41 The site as existing effectively laid to non permeable hardstanding, the proposed development looks to increase soft landscaping and permeable areas. Following the submission of additional information the Lead Local Flood Authority has reviewed this information and have requested further information to be satisfied that the development is acceptable. The applicants are seeking to provide additional information to resolve this. The outcome of this further consultation will be reported in the Panel Update.
- 6.42 Further concerns have been submitted in terms of the impact on local wildlife and biodiversity. The site is a disused business use site. The applicants have confirmed there is no evidence of any protected habitats on the site. It should also be noted that protected species is also covered by separate habitats legislations. Informatives regarding this is recommenced.

### **Other Material Considerations**

- 6.43 The proposed development of 14 units site below the Council's current Local Plan thresholds to provide affordable housing as part of the development

#### Provision of Housing

- 6.44 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development.
- 6.45 As noted above the Officer has expressed some concerns about the layout being cramped and limited provision of private amenity space. Both of these concerns are symptomatic of an overdevelopment of the site. However it is acknowledge that this scheme would make a contribution to the Borough's housing stock on previously developed land, within the urban area of the Borough. Significant weight is attached to this.
- 6.46 The Council's emerging Local Plan has identified this site as a potential site allocation which could accommodate 20 residential dwellings, 6 more than this application proposes. Emerging policy should be given limited weight, however it does infer that Officers have reviewed this site and consider that the site can accommodate that quantum of development.

6.47 Having balanced the potential harm of this development against the benefits it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) on a previously developed site would weigh in favour of the development.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 The proposed development would result in the formation of additional dwellings and therefore is liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable rate set for all development, which forms a financial contribution towards to the provision of infrastructure required to support development. The applicant has provided the relevant liability forms required to pay this development in accordance with the relevant regulations. The levy is based on the net increase of floor area and would be incur a charge of £100 per sqm of net developable floorspace.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

8.1 A total of 69 occupiers were notified directly of the application.

8.2 The planning officer posted a notice advertising the application at the site on 06.07 and the application was advertised in the Maidenhead & Windsor Advertiser on 13.07.2017.

8.3 7x letters were received from individual addresses (including the Maidenhead Civic Society) objecting to the application, comment made can be summarised as follows:

Comment	Where in the report this is considered
The units fronting St Marks Road will be completely out of scale with the neighbouring properties.	6.11
The building footprints are too big and the plots too small.	6.12, 6.28 and 6.29
Concerns about subsidence due to excavation works to the proposed banks	6.23
Loss of privacy	6.15, 6.16, 6.17, 6.18, 6.19 and 6.20
Impact on wildlife	6.42
Proposal would result in increased traffic	6.33 and 6.34
The proposed development would result in increased noise from families living there	6.21
The proposal is an overdevelopment	6.5, 6.8, 6.13, 6.14, 6.45, 6.45,6.46 and 6.47
The proposed design is substandard and in not in keeping with the character of the area	6.9
Concerns about noise during the construction process	6.22
Three storey proposal is unjustifiable in planning terms and conflicts with the claim that the proposal is in keeping with the surrounding area	6.11
The applicants claim there are no Listed Buildings in the immediate vicinity but St Mark's Hospital, a couple of hundred yards away has a few Grade II Listed buildings.	As accepted by the neighbours representation this is not relent to this application

	Queries if the indicative streetscene is accurate.	The streetscene is labelled as indicative, the applicants have confirmed that the heights are acute but separation distance should be considered in the context of the proposed site plan.
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### Statutory consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objections subject to conditions	6.22
Arboricultural Officer	No objections subject to conditions	6.36
Lead Local Authority	Recommend refusal in the absence of sufficient information to demonstrate otherwise	6.40
Highway Authority	No objections subject to conditions	6.34

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Indicative Street Scenes
- Appendix C – Sections

## 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 construction above slab level samples and/or a specification of all the finishing materials to be used in the external elevations of the buildings hereby approved (including windows and the roof) any hard surfacing on the application site shall be submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme or such other details as agreed in writing by the Local Planning Authority.  
**Reason:** In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 Irrespective of the provisions of Classes A, B, C, D, E, and F of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (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 restrictions of the site requires strict control over the form of any additional development which may be proposed in the interest of the visual amenity, neighbouring amenity and that of future occupiers Relevant Policies - Local Plan H11, DG1.
- 4 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing this includes all proposed garage spaces. The space

(includes garages) 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 in accordance with the National Planning Policy (2012) and Borough Local Plan Policies P4 and DG1.

- 5 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 in accordance with the National Planning Policy (2012) and Borough Local Plan Policies T5 and DG1.

- 6 Prior to the commencement of any works (including demolition) a 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 in accordance with the National Planning Policy (2012) and Borough Local Plan Policies T5 and DG1

- 7 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.

**Reason:** In the interests of highway safety in accordance with the National Planning Policy (2012) and Borough Local Plan Policy T5

- 8 Prior to the commencement of any works a construction noise management plan shall be submitted to the Local Planning Authority detailing a method statement and project plan for the demolition and construction works. The plan shall include the predicted construction vibration and noise levels emanating from the development, the plan shall also include specific details of noise and vibration mitigation measures as well as specifying acceptable noise and vibration limits (in line with the ABC method advocated by BS5228) to be met at nearby residential and noise sensitive receptors. There shall also be an ongoing noise and vibration monitoring programme incorporated within the plan to ensure these noise and vibration limits are complied with throughout the duration of these works. There shall also be an incident/complaint log kept on site and available for inspection at any time by officers from the Council's Environmental Protection and Planning Teams. Any breaches of the noise limits shall be recorded and include remedial action to ensure compliance with environmental noise and vibration limits. Details of any breaches and corrective actions shall be notified to the Environmental Protection Team on a monthly basis throughout the construction of the scheme.

**Reason:** To protect the amenity of the development and surrounding amenities and to accord with the Local Plan Policy NAP3 and NPPF policy 109 and 123.

- 9 Prior to construction of the development hereby approved (including any works affecting existing ground levels) sections 1 to 4 as set out below shall be complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.1.

Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:- a survey of the extent, scale and nature of contamination;- as assessment of the potential risks to: - human health- property (existing or proposed) including buildings, crops, livestock, adjoining land,- groundwater and surface waters,- ecological systems,- archaeological sites and ancient monuments:- an appraisal of remedial options, and proposal of preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures

for the Management of Land Contamination, CLR 11'.2. Submission of Remediation Scheme.A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.3. Implementation of Approved Remediation Scheme.The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.4. Reporting Unexpected ContaminationIn the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 in accordance with condition 3.5. Long Term Monitoring and MaintenanceA monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of (x) years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.This must be conducted in accordance with DEFRA and the Environment Agency's ' Model Procedures for the Management of Land Contamination, CLR 11'.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 as required by the National Planning Policy Framework and Borough Plan policy NAP4.

- 10 Notwithstanding the approved plans or any indication given otherwise the gradient of private drives shall not exceed 1 in 12.  
**Reason:** To ensure that adequate access to parking spaces and garages is provided in accordance with the National Planning Policy (2012) and Borough Local Plan Policies P4 and DG1.
- 11 The proposed development shall be undertaken in accordance with the Arboricultural Method Statement and Tree Protection Plan submitted to the Local Planning Authority on 31.08.2017. Works shall be carried out in accordance with the approved details until completion of the development. Unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To protect trees which contribute to the visual amenities of the site and surrounding area in accordance with Borough Local Plan policies DG1 and N6.
- 12 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 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 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 size and species, and shall be planted at such time, as specified by the Local Planning Authority.  
**Reason:** To protect trees which contribute to the visual amenities of the site and surrounding

area in accordance with Borough Local Plan policies DG1 and N6.

- 13 Prior to the construction of any of the dwellings above slab level full details of both hard and soft landscaping works shall be submitted to and approved in writing by the local planning authority. These works shall be carried out as approved following the completion of the development and retained thereafter in accordance with the approved details.A)Hard landscaping - These details shall include a detailed hard landscape specification and supporting plan(s) to a recognised scale illustrating the proposed positions, dimensions, materials and finished levels of: means of enclosures (this includes full details of proposed retaining walls and embankments, fences, walls and gate piers, etc.); vehicular and pedestrian access, driveways, car parking and footpaths layouts; areas of hard standing; minor structures (sheds, refuse and storage areas etc.); existing and proposed overhead and underground utility services including associated structures (manhole covers, meters, access points, vertical supports etc); ditches, drains and other earthworks (land profiling, excavations/soil mounding etc).B) Soft landscaping - These details shall include; A) a detailed soft landscaping plan to a recognised scale clearly illustrating the location of all plants, shrubs, trees to be planted and areas of turf to be laid; B) a detailed written soft landscape specification detailing the quantity, density, size, species, position and the proposed time or programme of planting of all trees, shrubs, plants, hedges and grasses etc. This specification shall include details of ground preparation/cultivation within and adjacent to root protection areas of retained on/off site trees, and other operations associated with plant, tree, shrub, hedge and grass establishment. 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 written consent to any variation

**Reason:** To protect trees which contribute to the visual amenities of the site and surrounding area in accordance with Borough Local Plan policies DG1 and N6.

- 14 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 The applicant should be aware the permitted hours of construction working in the Authority are as follows:Monday-Friday 08.00-18.00Saturday 08.00-13.00No working on Sundays or Bank Holidays.
- 2 There shall be no fires allowed on site at any time, all waste shall be recycled or disposed off-site.
- 3 The applicant and their nominated contractor shall take all practicable steps to minimise dust emissions, which are a major cause of nuisance to residents, the general public and office and retail workers living and operating near to construction and demolition sites. The applicant shall prepare a detail dust monitoring and mitigation package, that shall include an assessment of all the relevant potential sources of dust arising from site activities and deliveries, detailed dust monitoring arrangements and analysis, detailed mitigation measures to minimise dust emissions from the working site, and a complaints and due diligence log to record complaints and dust emission incidents. 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
- 4 In order to protect the stability of the highway it is advised that no excavation is carried out within 15 metres of a public highway without the written approval of the Highway Authority. The Highway Manager should be contacted at the Town Hall, St Ives Road, Maidenhead, SL6 1RF tel: 01628 796595.