

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

Item 2

Maidenhead Panel

Application No.:	17/01885/FULL
Location:	157 - 159 Boyn Valley Road Maidenhead
Proposal:	Construction of 35 apartments, comprising of 1 and 2 bedrooms with ground level car parking following demolition of the existing building
Applicant:	
Agent:	Mr Paul Butt
Parish/Ward:	Maidenhead Unparished/Boyn Hill Ward
If you have a question about this report, please contact: Laura Ashton on 01628 685693 or at laura.ashton@rbwm.gov.uk	

1. SUMMARY

- 1.1 At the time of drafting the panel report the consultation on the revised scheme was still open. This update therefore provides details of the consultation responses received since the report was published. These responses include neighbour representations, a response from the Highways Officer and LLFA, and an update on the position in respect of affordable housing. A number of issues raised by the applicant have also been clarified below.

There is no change to the recommendation in the main report. The recommendation for refusal remains.

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

If however, the Panel are minded to grant planning permission it is recommended that the decision is deferred and delegated to the Head of Development Management subject to the issues in section 4 being resolved.

2. ADDITIONAL INFORMATION

Neighbour Representations

- 2.1 In response to the consultation in respect of the revised scheme four letters of support and five letters of objection were received. The letters of support included the following comments:

Comment / Number of supporters who highlight issue	Officer Response
Happy to see new homes.	Noted – the benefits of providing new homes have been noted but the harm associated with the scheme is considered to outweigh these benefits
Proposed building and homes are well designed.	Noted
Proposed development is improvement compared to current arrangement.	Noted

Welcomes the change of use that will mean no regular delivery trucks.	Noted
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2.2 The letters of objection raised the following issues:

Comment / Number of objectors who highlight issue	Officer Response
Concern regarding overlooking/loss of privacy	Agreed 6.6-6.13 of panel report
Height/appearance of building out of character	Agreed that height is out of character see para 6.3-6.5 of panel report
111 & 109 set on same level as application building – not on higher ground as applicant suggests.	Noted see para 6.9 of panel report
Planting scheme commendable but does not solve problems	Agreed
Houses would be more appropriate	Noted but Officers can only assess the submitted scheme
Not enough car parking	See paragraph 2.5-2.6 of this update
This scheme should set an example for other schemes coming forward on Boyn Valley Road	Agreed
Size, bulk and mass out of character/no meaningful reduction compared to earlier scheme	Agreed see para 6.4 of panel report
Concern regarding drainage	See paragraphs 2.3-2.4 of this update
Car parking area too close to neighbours – concern regarding noise disturbance/pollution	Agreed see para 6.12 of panel report

Consultation Response from LLFA

- 2.3 Since the panel report was drafted a consultation response has been received from the LLFA in response to the drainage strategy that was produced by the applicant at the Project Centre's request. The LLFA have confirmed that the whilst infiltration data has been provided, the Ground Investigation Report provided by the applicant recommends further investigation and testing to ensure that the site is suitable for the soakaway drainage that has been proposed .
- 2.4 The Drainage Strategy is flawed in that it is based on a higher infiltration rate than has been demonstrated and the applicant has failed to provide drainage layout drawings, standard details or design calculations based on the anticipated infiltration rate. On this basis an additional suggested reason for refusal is set out in section 3 below. If however the panel are minded to grant planning permission it is recommended that the decision is deferred and delegated to enable this additional information to be provided and fully assessed.

Consultation Response from Highways Authority

- 2.5 Highways have requested that the four parking bays that front the buildings – 6 to 9 – are positioned at a ninety degree angle to the building to ensure sufficient visibility of vehicles existing the site.
- 2.6 Whilst the Highways Officer acknowledges that the revised scheme represents an improvement in parking (0.8 spaces per dwelling) compared to the earlier scheme (0.68 spaces per dwelling) they have observed that the scheme will be reliant on on-street parking. The scheme makes provision for 28 parking spaces. The site is located in an area of "Poor Accessibility" where 54 car parking spaces would normally be required to serve the proposed dwellings. The site however falls just outside the defined "Area of Good Accessibility" where 27 car parking spaces would be required. Given the ambiguity of the location we would expect the car parking provision to fall somewhere between the two figures. Given that this is not the case and there is already pressure for on-street car parking, which is evident when visiting the site during the day, the reliance for on-street parking is recommended as a reason for refusal as noted in section 3 below.

Update on Affordable Housing Contribution

2.7 The applicant has sought to off set their affordable housing contribution using Vacant Building Credit. On the Officer's and Members' site visit however it was clear that the building is not vacant and is being used by a number of businesses. Subsequently 30% of the units should be provided by way of an affordable housing contribution. This equates to 10.5 units. The planning application under consideration makes no provision for affordable housing. As stated in the panel report, whilst the applicant would normally be approached to negotiate provision as this application remains recommended for refusal on other grounds this has not been progressed. A reason for refusal is included on the draft decision notice due to the lack of mechanism to contribute to the borough's affordable housing need. If however the panel are minded to approve then the precise mix of units can be confirmed and a legal agreement can be progressed provided the panel are happy for this element of the scheme to be delegated.

Points of clarification.

2.8 The applicant has provided a "Schedule of errors" relating to the panel report. Officers' responses to these points are noted below

- Para 3.1 – the Valuations Office suggests that the existing GIA equates to 1,739.80 sq m
- Para 4.1 – bin and cycle stores are located within the ground floor of the building not the north west corner of the site. This point is agreed.
- Para 6.3 – There is a typo that suggests the proposed building is 14.3 m high. The proposed building is between a maximum of 11.2 and 11.5 metres high. The applicant suggests this is the equivalent of one extra storey. The proposed building is 6.6 metres higher/taller than the eaves height of the immediate neighbour to the east. A two storey building is proposed to be replaced by a four storey building. That equates to two extra storeys over and above the existing arrangement.
- Para 6.5 – As a matter of fact 99-103 Boyn Valley Road is not visible from the application site and subsequently does not form part of the streetscene
- The applicant seeks to "correct" the rear to rear and rear to boundary separation distances. The buildings are positioned at an angle to one another and the boundary is not straight. The distance measured will depend on the point at which it was measured.
- Para 6.8 – 30 metres separation between a four storey block of flats and two storey dwelling houses in a suburban context is not considered sufficient.
- Para 6.10 – The applicant takes issue with the existing being described as diminutive. The existing building is two storeys in height and has low ceiling heights which overall results in a low level building which is diminutive in scale particularly when compared to the building proposed.
- Para 6.13 – Loss of light to 161 Boyn Valley Road is no longer suggested as a reason for refusal.
- Para 6.21 – There is over 34 metres separation between the four storey element of the approved building at 99-103 Boyn Valley Road and the dwellings to the rear. The applicant has quoted separation distances between the third storey element/second floor of the approved building and the dwellings to the rear which are comparable with the scheme being considered by panel. In the approved scheme the fourth storey/third floor has much greater separation between the dwellings to the rear.
- The applicant suggests that the proposed scheme includes more generous side to side separation than the approved scheme. They have however neglected to account for the side extension on 105 Boyn Valley Road. The approved scheme is at least 1 m more generous in side to side elevation separation than compared to the scheme being considered.
- The applicant claims that the existing building at 99-103 Boyn Valley Road is no taller than the one that currently occupies the application site. 99-103 is predominantly 8m in height whilst 157-157 is between 3.6 and 6 m high.

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

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

Standards for Surface Water Drainage (2015).

- 3.2 The proposed development does not comply with the RBWM's current parking standard and would further lead to a demand for increased parking in the immediate and the surrounding highway network. This is contrary to Policy P4 of the Royal Borough of Windsor & Maidenhead Adopted Local Plan incorporating alterations adopted June 2003 and the Parking Strategy May 2004.

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

Item 3

Maidenhead Panel

Application No.:	17/02051/FULL
Location:	55 St Marks Road Maidenhead SL6 6DP
Proposal:	Erection of 14 x dwellings, car parking, landscaping and associated works following demolition of existing building and structures
Applicant:	Copthall Investments Limited
Agent:	Kate Harley
Parish/Ward:	Maidenhead Unparished/Belmont Ward
If you have a question about this report, please contact: Christine Ellera on 01628 795963 or at chrisie.ellera@rbwm.gov.uk	

1. SUMMARY

1.2 The Lead Local Flood Authority has commented on the application and requires clarification, and further drainage (Sustainable Urban Drainage) details to be submitted prior to any permission being issued. Therefore, the officer recommendation needs to be amended to reflect this. See table below (paragraph 2.1).

1.4 The officer recommendation is changed to:

It is recommended the Panel authorises the Head of Planning:
To grant planning permission subject to the following: i. the receipt of satisfactory additional Sustainable Urban Drainage (SUDs) details ii. the conditions listed in Section 10 of this report.
To refuse planning permission if a suitable drainage scheme cannot be demonstrated by 15 th December 2017, for the reason that the proposed development demonstrate suitable surface water drainage as required by the National Planning Policy Framework (and its associated guidance).

2. ADDITIONAL INFORMATION

Comments from Consultees

2.1

Comment	Officer response	Change to recommendation?
<u>Lead Local Flood Authority comments:</u> There is a significant fall in levels across the site and the proposed properties at the southern end of the site are located within a "bowl", making them particularly vulnerable to surface water flooding.	Noted.	Yes. The recommendation has been changed – see table above, in paragraph 1.4.

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

Hem 4

Maidenhead Panel

Application No.:	17/02259/FULL
Location:	Furze Platt Senior School Furze Platt Road Maidenhead SL6 7NQ
Proposal:	The construction of a 3 storey teaching block and school hall following demolition of two existing buildings on the site, and the partial demolition of two additional buildings
Applicant:	The Royal Borough of Windsor And Maidenhead
Agent:	Mr Alex Pullin
Parish/Ward:	Maidenhead Unparished/Furze Platt Ward

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

1. SUMMARY

- 1.1 The agents acting on behalf of the school have submitted an amended Travel Plan, an Executive Summary to the Transport Assessment and additional information showing indicatively where additional parking spaces can be met within the school site to accommodate increased staff parking associated with this application.

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

2. ADDITIONAL INFORMATION

- 2.1 Since the Panel report was written, the applicants has submitted the following additional information:
- An amend School Travel Plan received by the Local Planning Authority on the 20.10.2017
 - An Executive Summary of the Transport Assessment received by the Local Planning Authority on the 22.10.2017
 - Indicative plans showing potential location of additional car parking spaces within the confines of the existing school received by the Local Planning Authority on the 22.10.2017
- 2.2 This additional information is submitted to address the highway concerns raised by local residents and Officers set out in para 6.14 – 6.28 of the Officer report. The additional information looks to overcome issues raised regarding insufficient parking within the curtilage of the school to meet the increase parking needs resulting form this development. Indicative plans have been provided showing that additional car parking can be provided within the school (initially the Transport Assessment claimed it could not). The School Travel Plan also looks to demonstrate how they will encourage staff to utilise sustainable modes of transport and reduce staff reliance on public vehicles. The Executive Summary also sets out how the Transport Assessment looks to provide mitigation measures to take into account any potential increase in vehicle movements coming to and from the site.
- 2.3 The submissions of these documents were too late to undertake any consultation with the Highway Authority. However, it is the view of officers that this additional information is unlikely to amend their recommendation to permit subject to conditions.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 8.1 106 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 31.07.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 27.07.2017.
- 8.2 A total of 11 letters of objection have been received from individual addressees. Comments made can be summarised as follow's:

Comment		Where in the report this is considered
1.	Object to the transport statement suggesting that any additional increase in cars can be accommodated in existing residential streets.	6.28
2.	Suggest that other modes of transport are looked at; including car sharing, better cycle routes, other areas in and to the front of the school or trying to restrict cars	6.26
3.	Concerns about highway safety from the development and the impact on those living on the adjacent residential roads	6.26
4.	There is no need for further pupils or staff at this school	6.6
5.	There are too many student's coming from outside of the catchment area which increases traffic	6.26
6.	Staff parking should be accommodated within the school site and should not overspill not the nearby residential roads	6.28
7.	As existing lunch time activities result in littering and windows being broken by footballs etc.	6.13

Consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	Further to the submission of drainage report they have no objection to the proposed development.	6.32
Highway Authority	The current proposal will present a <u>significant</u> adverse impact to the local highway network with safety and capacity concerns at the junction between Furze Platt Road/ Switchback Road South. The only manner that this impact can be reduced and would be considered acceptable would be subject to the implementation of several mitigation measures.	Discussed further in 6.14-628
Arboricultural Officer	No objection to the proposal subject to conditions	6.36
Environmental Protection	No objection to the proposal subject to conditions	6.34

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE

Hem S

Maidenhead Panel

Application No.:	17/02401/FULL
Location:	Baldassarre Farm Baldassarre The Straight Mile Shurlock Row Reading RG10 0QR
Proposal:	Replacement poultry shed with ancillary works (Part retrospective) and new security fence on eastern side boundary
Applicant:	Mr James
Agent:	Mr Peter Bateman
Parish/Ward:	Waltham St Lawrence Parish/Hurley And Walthams Ward

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

1. SUMMARY

- 1.1** The Lead Local Flood Authority (LLFA) initially raised objections to this application on the ground of insufficient information to consider the impact in terms of surface water drainage. The applicants then provided additional information of the 3 October 2017 regarding how this matters is dealt with by way of separate legislation and a licence to the Environment Agency.
- 1.2** A further consultation with the LLFA has been undertaken however to date no comments have been received. As set out in para 6.17 Planning Officer's are satisfied that these matters are dealt with by way of separate overriding legislation.

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

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

2. ADDITIONAL INFORMATION

- 2.1** No further comments have been received from the LLFA. As set out in para 6.17 of the Officer Report, Officers are satisfied that in this particular instance that matters relating to drainage are dealt with through Regulation 10 of the Pollution Prevention and Control (England and Wales) Regulations 2000. A licence is therefore required by the Environment Agency to restrict emissions including surface water drainage.
- 2.2** The Officer recommendation remains one to permit subject to the conditions set out in the Officer Report.

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PANEL UPDATE**

HEM 6

Maidenhead Panel

Application No.:	17/02444/FULL
Location:	Land At Greythatch Terrys Lane Cookham Maidenhead
Proposal:	Detached dwelling with basement, parking, swimming pool, landscaping, amenity and new access following demolition of Greythatch Cottage
Applicant:	Mr & Mrs Collis
Agent:	Mr Jake Collinge
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward
If you have a question about this report, please contact: Alys Hughes on 01628 796040 or at alys.hughes@rbwm.gov.uk	

1. SUMMARY

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

It is recommended the Panel refuses planning permission with the reasons listed in Section 10 of the main report with the additional informative in section 3 below.

2. ADDITIONAL INFORMATION

2.1 It is recommended that, following further comments from interested parties, an informative is added in relation to inaccuracies identified in the submitted drawings.

Comments from Interested Parties

2.2 Additional comments received, summarised as:

Comment	Officer response	Change to recommendation?
Cookham Society: First floor windows on 3D sketch drawings does not match that on elevation drawings	Agreed. Assessment of application was based on the elevation drawings	No change to recommendation but addition of informative to advice of this inaccuracy.
Cookham Society: Seeking clarification on what type of metal sheeting is now proposed for the building. The original submission refers to patinated bronze. The amended drawing has an illustration of zinc sheeting but this is not specifically called up on the drawing.	Drawing PL.010 includes the amended materials proposed which is the zinc sheeting. A conditions can be included on any grant of planning permission seeking further details	No change

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE

Hem 7

Maidenhead Panel

Application No.:	17/02772/FULL
Location:	Lorien Brayfield Road Bray Maidenhead SL6 2BN
Proposal:	Attached garage
Applicant:	Mr Williams
Agent:	Not Applicable
Parish/Ward:	Bray Parish/Bray Ward

If you have a question about this report, please contact: Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk

1. SUMMARY

A rebuttal to the Council's Tree Officer's comments set out in the Panel Report has been received from the applicant's arboricultural consultant. He questions the assertion that the root protection areas do not extend under the roads. The Council's Tree Officer has responded to re-iterate her view that the root protection areas are incorrectly plotted.

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

2. ADDITIONAL INFORMATION

2.1 The applicant's arboricultural consultant has provided the following summarised comments on the Council's Tree Officer's comments set out in the Panel Report:

'In short, the fundamental sticking point seems to be a difference of opinion regarding the assessment of the extent and pattern of the rooting system for the trees (in particular T2 and T3) and the likely impact on their long-term health and viability from the proposal.

In section 5.5.2 of my (Fulford Dobsons) report, I have taken a balanced approach by considering that: -

It is entirely possible that the roots of both trees extend right under the Old Mill Road (north) and proliferate in the soft landscaping beyond and under Braywick Road (west) where they proliferate along the gully where the road meets the pavement kerb stones where rainwater collects and conditions are damper and shadier to the north-west and north of the trees.

Conversely, it could also be argued that the roads present potential rooting restrictions for T2 and T3 and that more of their RPA is extended east into the open grass area near the proposed new garage.

Either way, I have erred on the side of caution and shifted an oval-shaped RPA for both trees to the east towards the open grass area."

The RBWM Tree Team's officer has concluded that the road is completely impervious and does not allow any rainwater to percolate through, nor any gaseous diffusion to occur

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

Item 8

Maidenhead Panel

Application No.:	17/02830/VAR
Location:	Green Trees Widbrook Road Maidenhead SL6 8HS
Proposal:	Erection of 10 x 2 bed and 2 x 1 bed flats with associated vehicular access, car parking, refuse and cycle storage following demolition of existing buildings as approved under planning permission 16/00811 (allowed on appeal) without complying with condition 2 (approved plans) to replace the approved plans with amended plans.
Applicant:	David Howells
Agent:	Not Applicable
Parish/Ward:	Maidenhead Unparished/Maidenhead Riverside Ward
If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

1.1 Additional consultation responses have been received.

There is no change to the recommendation in the main report.
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2. ADDITIONAL INFORMATION

Comments from Interested Parties

2.1 5 additional letters (2 letters from the same author) have been received, summarised as:

Comment	Officer response	Change to recommendation?
Panel refused previous application and should not contradict previous decision of the Council. The Planning Inspectorate imposed these conditions therefore the Council should refuse this application and the applicant can appeal leaving the decision up to the Planning Inspector.	The application should be determined on its own merits by the Local Planning Authority with reference to Section 73 of the Town and Country Planning Act (as amended), relevant national and local planning policy, and any other material considerations which includes the conclusions and decision of the Planning Inspectorate.	No.
Flood Risk should be taken into consideration in this application.	Paragraph 6.2 and 6.3 of the main report.	No.
Inadequate parking and turning space, resulting in additional parking pressure on local roads	Paragraph 6.9 of the main report.	No.
Works have started at the site and	Details of 'no-dig construction' in	No.

2 changes to the roof on the Widbrook Road elevation have also been noted.	visual intrusion to neighbouring properties, and the amendments are not considered materially add or change views approved under 16/00811/FULL. The amended scheme retains a central gable element with two hipped roof elements on either side.	
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Comments from Consultees

2.2

Comment	Officer response	Change to recommendation?
Lead Local Flood Authority: No objections	Noted and agreed	No
Environmental Protection: No comments received	Noted	No

