

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

14 March 2018

Item: 1

Application No.:	17/03011/FULL
Location:	Holyport College Ascot Road Holyport Maidenhead SL6 3LE
Proposal:	Proposed infill extension to create two new science labs
Applicant:	Mr Bell
Agent:	Ms Rebecca Ball
Parish/Ward:	Bray Parish/Bray Ward
If you have a question about this report, please contact: Laura Ashton on 01628 682977 or at laura.ashton@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposed development is considered to constitute the limited infilling of a previously developed site in a continuing use that would not have a greater impact on the openness of the Green Belt or conflict with the purposes of including land within it. The proposals are therefore considered to be acceptable when considered under restrictive Green Belt policy. The development is considered to be acceptable with regard to its impact upon the character of the area and the amenities of neighbouring occupiers. Subject to the consideration of a Surface Water Drainage Strategy, it is recommended that planning permission is granted.

It is recommended that Panel defers issuing a decision on this application and delegate's authority to the Head of Planning to grant planning permission subject to the submission and approval of a Surface Water Drainage Strategy and in accordance with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

- ☐ Land is RBWM Freehold

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises buildings and land associated with Holyport College. The buildings associated with the college are mixed in terms of style and form. The college's surroundings are rural in character and the application site lies within the Green Belt.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The planning application proposes the erection of a 200 sq m single storey extension infilling two wings of the existing science block. The location of the proposed extension currently comprises an area of hard standing located between two of the college buildings. The proposed extension would be between 8 and 12.6 metres deep and would have a maximum width of 21 metres. The extension would have a flat roof structure to match the host building.
- 4.2 The table below provides a summary of the school's planning history;

Reference	Proposal	Decision & Date
13/00287/FULL	The redevelopment of the former Holyport Manor School to provide a new secondary school comprising 3 new buildings and the retention, refurbishment and demolition	Approved 24.05.2013.

	of the existing structures.	
16/00972/FULL	Single storey extension to dining hall and single storey extension to sports hall	Approved 14.6.2016
16/02278/FULL	2 No. Steel storage containers.	Approved 17.3.2017

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Royal Borough Local Plan

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

Green Belt	Design	Highways and Parking	Trees
GB1, GB2	DG1	P4, T5	N6

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Community Facilities	IF7

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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council had prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time ahead of its examination.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view at:

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Principle of Development – Green Belt Issues
- ii Highways Issues
- iii Impact on Character of the Area
- iv Neighbour Impacts
- v Surface Water Drainage

Issue 1 – Principle of Development – Green Belt Issues

- 6.2 Paragraph 72 of the NPPF explains that the Government attaches great importance to ensuring sufficient school places are available to meet the needs of existing and new communities. It urges Local Planning Authorities to take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. It also requires great weight to be given to the need to create, expand and alter schools.
- 6.3 As the site is located in the Green Belt the advice above needs to be weighed against restrictive Green Belt policy. Paragraph 89 of the NPPF explains that Local Planning Authorities should regard the construction of new buildings within the Green Belt as inappropriate. There is a limited list of exceptions one of which is the *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it”*.
- 6.4 The application site, and specifically the location of the proposed extension, can clearly be regarded as a previously developed site that is in continuing use. The extension is considered to constitute infilling on the basis that it fills the space between two wings of the existing science block and is also “contained” by the water tank and the building to the east.
- 6.5 It also remains to be established whether the proposed development would have a greater impact on the openness of the Green Belt and whether the development will conflict with the purposes of including land within it. Openness is generally accepted to mean the state of being free from built development. In this instance the proposed extension adjoins an existing building and so there is already a presence of built development. There is not considered to be any greater harm to the openness of the Green Belt partly due to the limited scale of the development proposed and partly because the development would be contained by existing built development on two sides and viewed against the backdrop of the existing building, such that it would not encroach into an area that is currently free from built development.
- 6.6 It is also necessary to assess whether the proposed development would conflict with the purpose of the land being included in the Green Belt. The purposes of including land within the Green Belt, as set out in paragraph 80 of the NPPF are:
- ☐ To check the unrestricted sprawl of large built-up areas;
 - ☐ To prevent neighbouring towns merging into one another;
 - ☐ To assist in safeguarding the countryside from encroachment;
 - ☐ To preserve the setting and special character of historic towns; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land

- 6.7 To take each Green Belt function in turn, the location of the development would not result in or contribute towards the sprawl of a large built-up area and neither would it prejudice the aim of preventing neighbouring towns from merging. The Green Belt, in the location of the proposed development, has a clear role in safeguarding the countryside from encroachment and the development would not conflict with this beyond the existing arrangement because the extension would be contained within the existing built environment associated with the school. This is due to the proposed positioning of the extension on an area of hard-standing between two existing buildings and a water tank, as opposed to it being located in the open countryside. The application site also does not bear any relationship with any historic town or regeneration project. On this basis it is concluded that the proposed development is not considered to have any conflict with the purposes of including land within the Green Belt.
- 6.8 In summary, for the reasons set out above, the development is considered to constitute the limited infilling of a previously developed site that is in continuing use where there would be no greater impact on the openness of the Green Belt and no conflict with the purposes of including land within it. The development is therefore regarded as “not inappropriate” development within the Green Belt and is subsequently considered to be acceptable in principle subject to the assessment of the other material considerations explored below. The development proposals are also considered to accord with Saved Local Plan policy GB2.

Issue 2 – Highways Issues

- 6.9 The site benefits from having a single gated access onto the A330 Ascot Road. The site access is approximately 140m north east of the Ascot Road and Forest Green Road junction. The proposed extension is well within the site and would not have an effect on the existing access or visibility splays.
- 6.10 Under the Local Authorities current parking standards it states a D1 (school) use within an unsustainable location will require a need for 1 car parking space per full time employee. The latest travel plan (Holyport College 2013) stated; “The College will be staffed by approximately 25-30 staff in its first year of operation, plus externally contracted staff such as caterers and cleaners. The staff will approximately double in size over a period of 4 years. Initially around 8 members of staff will be resident on site with further resident staff to be identified in future”. The site currently provides a minimum of 110 car parking and turning spaces on site. Whilst it is considered unlikely that the proposed extension to provide two extra science labs would have an effect on the existing parking or turning areas, additional information has been sought from the school regarding existing and future staff and pupil numbers in order to further inform this assessment. Any response will be reported to Members in a Panel update.
- 6.11 Additional parking and turning facilities were provided to accommodate the projected increase in staff levels as stated within their travel plan (2013). The proposals would have no negative impact on the local highway network and the Highways Authority subsequently raises no objection to this planning application. They have however recommended the use of standard informatives as noted in section 10 below.

Issue 3 – Impact on the Character of the Area

- 6.12 One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 59 of the NPPF concentrates on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new buildings in relation to neighbouring buildings and the local area more generally.
- 6.13 Local Plan Policy DG1 seeks to secure a high quality standard of design. New buildings should have regard to the scale, height and building lines of adjacent properties and special attention should be given to the roof-scape of buildings, while materials should be sympathetic to the materials palette of the area.
- 6.14 The proposed extension has been designed to match the host buildings. The extension would have a flat roof and would be the same height as the host building. The extension would be

finished with materials to match the existing science block and so it would appear as a continuation of the host building.

- 6.15 The development proposals are proportionate with both the scale of the host building and the other building's in its surroundings. In summary, the appearance of the proposed extension is considered to be appropriate and would subsequently be acceptable when considering its impact on the character of the area.

Issue 4 – Neighbour Impacts

- 6.16 There is a substantial separation between the proposed extension and the boundary with any neighbouring property. On this basis no harmful impacts would arise from the scheme when considering the potential for loss of light, loss of privacy or any overbearing impacts. Given the building's positioning within the site and considering the established use, the development proposals would not lead to any additional noise or disturbance when compared to the current arrangement. The development proposals are therefore considered acceptable in respect of their impact upon the amenities of any neighbouring occupiers.

Issue 5 – Surface Water Drainage

- 6.17 The applicant did not provide a surface water drainage strategy in support of this planning application. As the proposals amount to major development the LLFA has requested that an FRA containing a surface water drainage strategy is provided. This has been requested and will be dealt with in an update to the Panel.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The development is not the type for which CIL is sought.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

No comments were received as a result of the public consultation that included 8 occupiers who were notified directly of the application, a notice advertising the application at the site was displayed on 21st November 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 16th November 2017.

Consultees

Consultee	Comment	Where in the report this is considered
Bray Parish	No objection	Noted
Highways	No objection subject to informatives	See 6.9-6.11
LLFA	Requests FRA with Surface Water Drainage Strategy	See 6.17 and will be followed up in Panel Update
Tree Officer	No objection subject to condition	See section 10 below
Access Advisory Forum	Requests clarification that there is level or ramped access to new science labs.	

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing plan and elevation drawing
- Appendix C - Proposed plan and elevation drawing

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 The materials to be used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwelling house unless first otherwise agreed 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 - Local Plan DG1

- 3 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees situated on the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies: Local Plan DG1, N6.

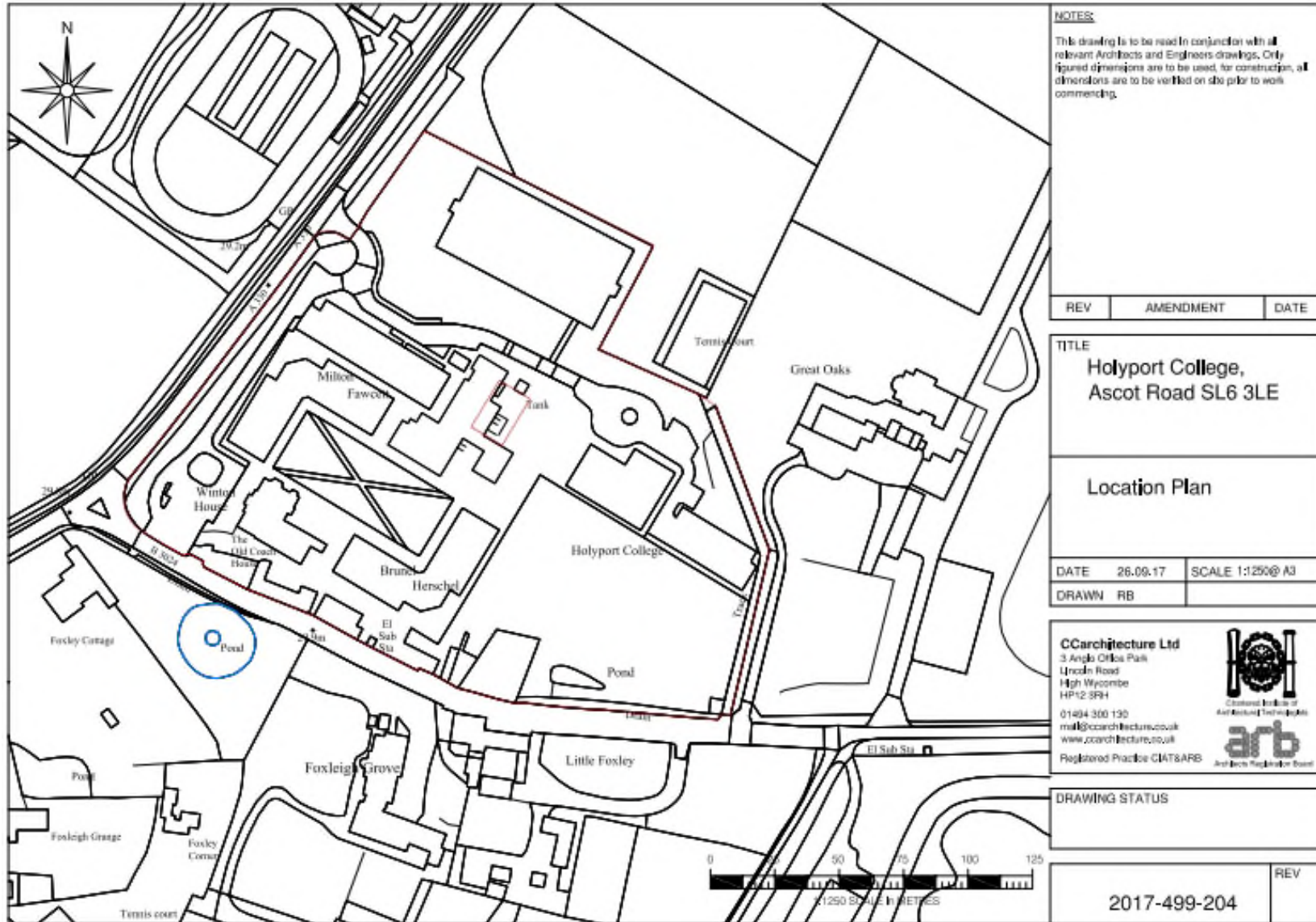
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

Informatives

- 1 This decision has been made in accordance with the requirements of the National Planning Policy Framework. The Local Planning Authority has sought all reasonable measures to resolve issues and found solutions when coming to its decision. For further details please see the Officer's report and the Council's decision by following this link [R.B.W.M. | Planning - Public Access Module](#) and entering the application number, or contact the Council's Customer Service Centre on 01628 683800 and quoting the application number.
- 2 Informatives: Damage to footways and verges: The attention of the applicant is drawn to the Berkshire Act 1986, Part II, and Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations. Damage to the Highway: The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic. No Equipment Materials on Public Highway: No builder's materials, plant or vehicles related to the implementation of the development should be parked / stored on the public highway so as to cause an obstruction at any time.

Appendix A – Site Location Plan

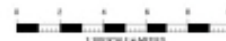
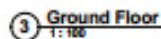


1 Ground Floor
1:100

2 East Elevation
1:100

3 North Elevation
1:100

0 2 4 6 8 10
1:100000 IN METERS



This division is in line with our commitment to all relevant Architects and Engineers divisions.

Only secured dimensions are to be used for specification.

All dimensions are to be verified on site prior to work commencing.

[illegible]

Holyport College

Proposed

Project number	2017-499
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Date 27.09.17

Drawn by Rebecca

102

Scale @ All	As indicated
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**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

14 March 2018

Item: 2

Application No.:	17/03465/FULL
Location:	94 - 96 High Street Maidenhead
Proposal:	Erection of a three storey building, including 4 No. front dormers and 4 No. rear dormers to facilitate accommodation within the roofspace, comprising retail and 12x1 bed apartments, following demolition of existing retail units
Applicant:	Mr Beach
Agent:	Mrs Joanne Jones
Parish/Ward:	Maidenhead Unparished/Oldfield Ward
If you have a question about this report, please contact: Jo Richards on 01628 682955 or at jo.richards@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for the demolition of this modern two storey retail building, and its replacement with a three storey building including front and rear dormer windows in the roof slope. The building would accommodate retail use on the ground floor with 12 one-bedroomed flats in the three floors above. The application is similar to a recently approved scheme, ref: 16/03214/FUL, for a retail unit on the ground floor and 8 1-bed flats in the two floors above.
- 1.2 It is considered that the scheme would bring this vacant plot back into beneficial social and economic use and contribute positively to the character and appearance of the Conservation Area and the vitality of the town centre as a whole. The scheme would have no adverse impact on highway safety, would provide satisfactory living conditions and retailing facilities for future users and would comprise sustainable development in all other respects.

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is occupied for A1 use by a 2 storey building (currently vacant) fronting onto the High Street and accessed at the rear from West Street. The existing building adjoins 98 High Street, to the west, a two storey modern building and 92 High Street to the east, a three storey modern building. The shopfront is of modern design with large glass windows in aluminium framing and is currently hidden behind wooden hoarding. Above is a large parapet clad in small light grey tiles which hides the small first floor element of the building at the rear.
- 3.2 The site is located within a predominantly commercial area with ground floor retail and associated uses, with upper floors being a mix of retail, ancillary storage, offices and apartments. The site lies within Maidenhead Town Centre Conservation Area and falls within the Main Shopping Area as defined within the Maidenhead Town Centre Area Action Plan. The rear of the site borders West Street Opportunity Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
17/01802/CON DIT	Details required by condition 2 (archaeological) 3 (materials) 4 (architectural details) 6 (lifetime homes and crime prevention) 7 (construction management plan) 8 (external plant) 9 (cycle parking) of planning permission 16/03214 for the erection of 3 storey building comprising retail and 8 x 1 bedroom apartments following demolition of existing retail units	Approved 02.02.2018
16/03214/FULL	Erection of 3 storey building comprising retail and 8 x 1 bedroom apartments following demolition of existing retail units.	Approved 17.03.2017
14/03989/FULL	Extension of first floor and additional second floor to provide 6 apartments, retail space and new shopfronts.	Approved 16.03.2015.
14/03988/FULL	Extension of first floor and additional second floor to provide 8 apartments, retail space and new shopfronts.	Approved 16.03.2015.
14/01229/FULL	Extension of first and second floors to provide 2 residential flats and alterations to shopfront (no. 96).	Approved 17.06.2014.
13/01640/FULL	Change of use from retail A1 to financial services A2 or restaurant/café A3.	Approved 30.07.2013.

- 4.1 Of most relevance is the recent permission for a 3 storey building comprising retail on the ground floor and 8 1-bed flats on the first and second floor, ref: 16/03214/FUL. It is noted that details required in connection with conditions 2, 3, 4, 6, 7, 8 and 9 of this permission have been submitted and approved under application 17/01802/CONDIT.
- 4.2 The current proposal seeks to provide an additional floor of accommodation comprising a further 4 residential units within the roof-space of the approved development through the construction of 4 front and 4 rear dormer windows, resulting in a total of 12 1-bed apartments. These are the only external alterations to the approved scheme – there is no proposed increase in height.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 1 (Building a Strong Competitive economy), 2 (Ensuring the Vitality of town centres), 4 (Promoting Sustainable Transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 12 (Conserving and enhancing the historic environment).

Royal Borough Local Plan

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

	Within settlement area	Highway / Parking Issues
Local Plan	NAP3, DG1, CA1, CA2, ARCH3, ARCH4, SF1, H6, H8, H9 H10, H11, N6, IMP1	T5, T8, P4
Maidenhead Area Action Plan (MAAP)	MTC1, MTC4, MTC12	MTC14, MTC15

These policies can be found at:

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Acceptable level of housing provision	HO2, HO5
Acceptable impact on trees	NR2
Makes suitable provision for infrastructure	IF1, IF2, IF8

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

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy:

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of development within the Town Centre
- ii Impact on the character of the area
- ii The preservation and enhancement of heritage assets
- iv Highways/parking considerations
- v Living conditions
- vi. Environmental Considerations

The principle of development within the Town Centre

6.2 The principle of a mixed-use retail and residential development in this location was accepted under the previous application. The ground floor retail unit would be roughly the same size as approved in the previous application, albeit there would be a marginal reduction in floor area to allow for a larger cycle store for the 12 units. The reduction in floor area of the retail unit is not material and thus would not have an effect on the retail function of the development. The retention of a large retail unit within the redevelopment of the site accords with the terms of Policy MTC7 of the Maidenhead AAP, and with guidance in section 2 of the NPPF, both of which expect developments to strengthen the viability and vitality of the retail heart of the settlement.

- 6.3 As stated within the previous case officer report, residential development in the town centre is supported and encouraged under Policy H6 of the Local Plan and Policy MTC12 of the Area Action Plan. The type and size of the units proposed (small 1-bed flats) accords with the objective of Local Plan Policy H8, and their design satisfies the expectations in Policy H10 of attractiveness and safety, with a separate access for residents from the commercial parts of the proposed building (which also meets the expectations of Local Plan Policy DG1).
- 6.4 There is no requirement for affordable housing in this case as the proposed development would not meet the thresholds set out by policy H3 of the Local Plan.

Impact on Character of the Area

- 6.5 Compared to the extant permission, the current proposal seeks to provide a further floor of development comprising 4 additional units within the roof-space. This would be facilitated through the construction of 4 flat-roof front dormer windows and 4 flat-roof rear dormer windows in the front and rear roof slopes. There would be no increase in height from the approved scheme. The immediate street scene comprises a mix of building heights, however generally the buildings are 2 or 3 stories high. The proposed 3 storey building with accommodation within the roof-space would be appropriate in terms of its height and mass when compared to other buildings within the street scene. Whilst technically, it would result in the provision of a 4 storey building, given the fourth floor is within the roof space and there is no increase in height from the extant permission, the additional impact on the character of the street scene would be minimal. Furthermore, there are examples of dormer windows, and other roof detailing such as parapets, within the town centre which would ensure that the proposed building would not be out of place in the locality. The detailed design and appearance of the building is discussed in the following section of the report.

The preservation and enhancement Heritage Assets

- 6.6 The site lies within a prominent and busy location within the Maidenhead Town Centre Conservation Area, and has been identified as having potential for archaeological interest, as it has a frontage onto the main medieval street in the town. The previous case officer report sets out the detailed policy approach with regard to heritage assets.
- 6.7 The Conservation Officer has advised that the design and scale of the building is generally acceptable within regard to its impact on the character of the Conservation Area. The proposed addition of dormer windows would not be detrimental to the character of the Conservation Area given that there are examples of dormer windows elsewhere. The use of UPVC however would have a detrimental effect on the character of the Conservation Area and therefore a condition requesting details of the material to be used in the dormer windows will be attached should permission be forthcoming (see condition 3). (Details of other materials have been submitted to the Council under application ref: 17/01802/CONDIT).
- 6.8 In relation to archaeology, Berkshire Archaeology have advised that the current proposal is not materially different as regards its potential impact on the buried archaeological heritage and therefore a programme of archaeological work is recommended to be secured by condition, should the proposal be permitted (see condition 2). Whilst a Written Scheme of Investigation has been submitted and approved under application 17/01802/CONDIT, further investigation needs to take place once the existing building has been demolished and the scope of this further archaeological work has yet to be agreed. The condition requesting further details has been worded accordingly.

Highways/Parking

- 6.9 The proposed development would not benefit from any parking and this is acceptable given the location within the town centre. Whilst planning permission 16/03214/FULL included a clause within the S106 that restricted parking permits, this is no longer used as a mechanism to prevent parking permits being issued; the Council's parking team is responsible for considering individual applications and for issuing parking permits.

- 6.10 The refuse storage facilities for both the retail and residential elements of the proposal are acceptable. Deliveries to the shop units can be made at the rear of the property via West Street or from the front outside the pedestrian-only hours restriction.
- 6.11 The proposal is acceptable with regard to pedestrian, cycle and vehicle access. Furthermore, the zero level of parking provision would encourage the use of sustainable modes of transport. As such, the proposal is considered to comply with Policies H10, T7 and DG1 of the Local Plan, and Policy MTC14 of the Area Action Plan.

Living conditions

- 6.12 There would be minimal impact on existing or future occupiers as a result of the additional floor of development.
- 6.13 Comments from the Access Advisory Forum raise concerns that there is no lift within the proposed building thereby preventing wheelchair bound persons accessing/occupying these apartments. Whilst Local Plan Policy DG1 seeks to ensure convenient access for all members of the population in new development schemes, it is considered it would be difficult to refuse permission for the development for this reason alone, particularly in light of the fact of the extant development which also does not include a lift. Notwithstanding, it is noted that disabled access would be provided for the ground floor retail unit. Comments regarding layout are noted - these issues would be dealt with at the building regulations stage.
- 6.14 The site lies within an AQMA wherein normally the applicant would be expected to submit an air quality assessment along with their application. In this case however, it is considered that given there would be no parking associated with the proposal there would be limited impact on the AQMA as a result of the development. Furthermore, in terms of the impact upon future occupants from the AQMA, given that a residential development has already been accepted on this site under the previous application, no objection is raised. Finally, environmental protection were consulted on the previous application and raised no objection regarding impact on or to the AQMA.
- 6.15 Details of external plant and machinery including noise and fumes emissions were requested via condition prior to installation. This condition will be repeated (see condition 8).

Environmental Considerations

- 6.16 The tree officer refers to a Norway maple just outside the boundary of the site, which should be protected during the construction works. As this tree lies outside the boundaries of the site, this request will be made via an informative (see Informative 1).
- 6.17 The Lead Local Flood Authority has been consulted on the application because the addition of 4 units now makes the proposal a major application. They have advised that because the development is going from less vulnerable to more vulnerable an FRA may be required if the development would be affected by sources of flooding other than rivers and seas (for example surface water flooding). The ground floor of the development would remain in retail use and thus the vulnerability of this element of the proposal would not change. On this basis, and due to the fact that permission exists for a very similar form of development, an FRA is not considered necessary in this instance.

Other Material Considerations

- 6.18 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. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council has now formally submitted the Plan to the Secretary of State for

examination. The Borough Local Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

- 6.19 It is acknowledged that this scheme would make a contribution to the Borough's Housing stock which weighs in favour of the proposal.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The proposed shop floor area is not considered to be a large retail warehouse. Consequently the scheme would make no CIL payment as rates for offices and for general retail are set at £0

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

6 occupiers were notified directly of the application.
The planning officer posted a notice advertising the application at the site on 25.01.18 and the application was advertised in the Maidenhead & Windsor Advertiser on 21.12.2018

No letters were received supporting the application

1 letter was received objecting to the application

Comment		Where in the report this is considered
1.	There is no lift and the apartment layouts do not appear to conform to Part M4 2 standards.	6.13

Consultees

Consultee	Comment	Where in the report this is considered
LLFA	An FRA may be required if the development could be affected by sources of flooding other than rivers and seas	6.17
Highways Authority	No objection subject to conditions relating to a construction management plan, cycle parking and refuse/recycling bin storage and informatives. Zero level of parking provision deemed acceptable in this location	6.9-6.11
Conservation Officer	No objection. Dormers not of good design but other examples in the area so acceptable.	6.7
Arboriculturist	No objection, however, an informative should be attached to advise that nearby Norway maple should be protected during construction.	6.16
Archaeology	No objection subject to condition requiring scoping of ongoing archaeological work	6.8

9. APPENDICES TO THIS REPORT

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

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years of the date of the planning permission. Reason: in accordance with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 No development on the site shall take place, other than demolition to ground floor level of the existing structures (but not including the removal of floor slabs), until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation, the content of which shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with Berkshire Archaeology. The WSI shall be informed by and take account of the details of proposed demolition and foundation design. Reason: to secure an appropriate investigation and record of the archaeological resource of the site, in accordance with national and local planning policy and guidance, as set out in the NPPF, Historic England's Good Practice Advice on Managing the Historic Environment Note 2 and Policies ARCH 3 and ARCH4 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003.
- 3 No works of construction shall take place until details (including specification, colour, texture and finish as appropriate) of the approved front and rear dormer windows have been submitted to and approved in writing by the Local Planning Authority. The materials to be used for all other external surfaces and elements of the development shall accord with those details submitted and approved in writing by the Local Planning Authority under application ref: 17/01802/CONDIT. The development shall be completed in accordance with the approved details. Reason: To secure an appropriate standard of build quality and appearance, in the interests of the character and appearance of the Conservation Area, in accordance with national and local planning policy as set out in Policies CA2 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, Policies MTC 1 and MTC4 of the Maidenhead Town Centre Area Action Plan 2011 and advice contained on the NPPF 2012.
- 4 The development shall be completed in accordance with the architectural detailing approved under application ref: 17/01802/CONDIT and permanently maintained thereafter. Reason: To secure an appropriate standard of build quality and appearance, in the interests of the character and appearance of the Conservation Area, in accordance with national and local planning policy as set out in Policies CA2 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, Policies MTC 1 and MTC4 of the Maidenhead Town Centre Area Action Plan 2011 and advice contained on the NPPF 2012.
- 5 The development shall be completed in accordance with the measures (to secure sustainable design and construction) that are set out in the approved Design and Access Statement referenced November 2017/JJ/BNL.0880, and shall be so maintained thereafter. Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the works in accordance with local and national planning policy and guidance as set out in Policy DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, Policies MTC 1 and MTC4 of the Maidenhead AAP and the Council's Supplementary Planning Document 'Sustainable Design and Construction' and advice contained in the NPPF 2012.
- 6 The development shall be constructed in accordance with those details approved under condition 6 of planning permission 16/03214/FUL and application 17/01802/CONDIT to ensure the scheme will a) comply with Lifetime Homes standards to provide accessible, inclusive, flexible and sustainable accommodation, and b) include measures to minimise the risk of crime. The residential or commercial elements of the development shall not be first occupied until the scheme has been completed in accordance with the approved measures and details relevant to the identified use, and these measures shall be retained for the duration of the occupation of the development. Reason: in the interests of planning for an ageing population and creating a safe and secure environment in accordance with national and local planning policy and guidance as set out in Policies DG1 Of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, MTC4 of the Maidenhead Area Action Plan 2011, the Royal Borough of Windsor and Maidenhead-adopted SPD "Planning for an Ageing

- 7 The development shall be carried out in accordance with the approved construction management plan approved under application 17/01802/CONDIT. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5 and guidance contained within the NPPF 2012
- 8 No plant, equipment, machinery or vents, or housing for any of these items, shall be installed or erected on or adjoining any surface outside the external envelope of the building hereby permitted until details of its location, appearance and operations (including noise and fumes emissions) have been submitted to and approved in writing by the Local Planning Authority. Any plant, equipment, machinery or vents shall be completed only in accordance with the approved details and shall be so retained for the duration of the occupation and use of the development.
Reason: In the interests of the amenities of nearby residences, in accordance with Policy NAP3 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and guidance contained within the NPPF 2012.
- 9 No residential flat shall be first occupied until the cycle space for it has been completed in accordance with the approved details, and the spaces shall be so retained for the duration of the occupation of the residential flats. Reason: To secure adequate facilities for the site, in accordance with Policies T5, T7 and DG1 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003), Policy MTC14 of the Maidenhead Town Centre Area Action Plan 2011 and advice contained within the NPPF 2012.
- 10 No residential flat or retail area shall be first occupied until the recycling and refuse storage facilities for it, shown on the approved drawings, have been completed in accordance with those drawings. These facilities shall be retained for these purposes for the duration of the occupation or use of the residential and/or retail elements of the development. Reason: To secure appropriate facilities for the development in the interests of the prudent management of waste and of the amenity of the locality, in accordance with the terms and conditions of local and national planning policy, as set out in Policy IMP1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, Policy MTC4 of the Maidenhead Town Centre Area Action Plan 2011 and guidance contained within the NPPF 2012.
- 11 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.
- 12 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 Suitable protection should be provided for the duration of the construction of this development for the Norway maple tree located just outside of the application site.

Appendix A

Location plan

Data provider copyright : © Crown Copyright 2015. All rights reserved. Licence Number 100047514

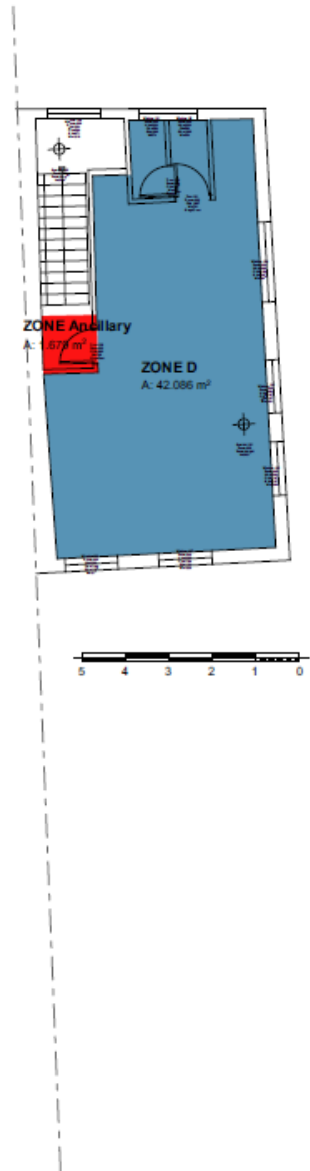


Site Location

1:500

Appendix B

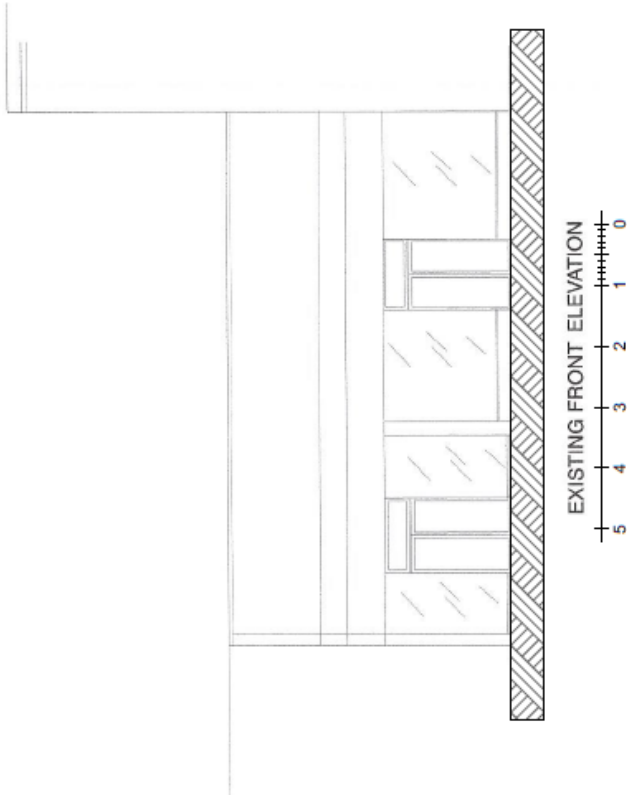
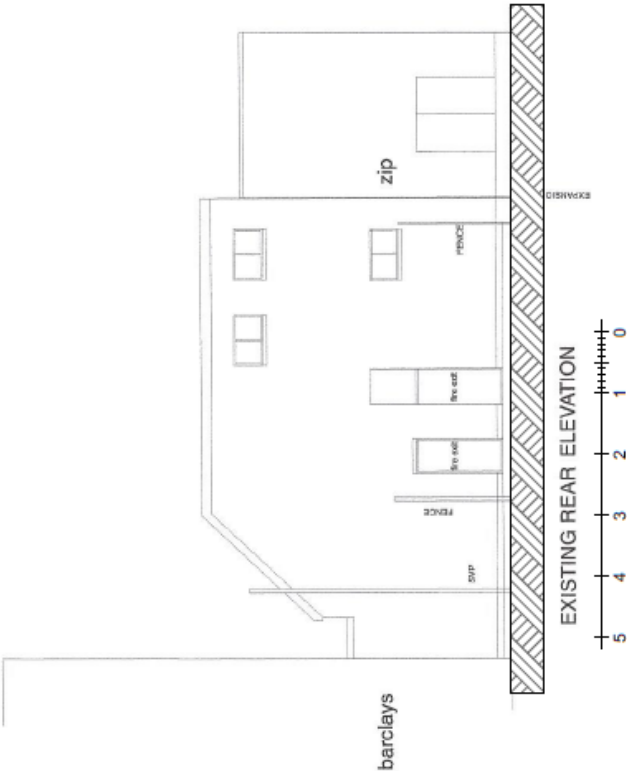
Existing floor plans



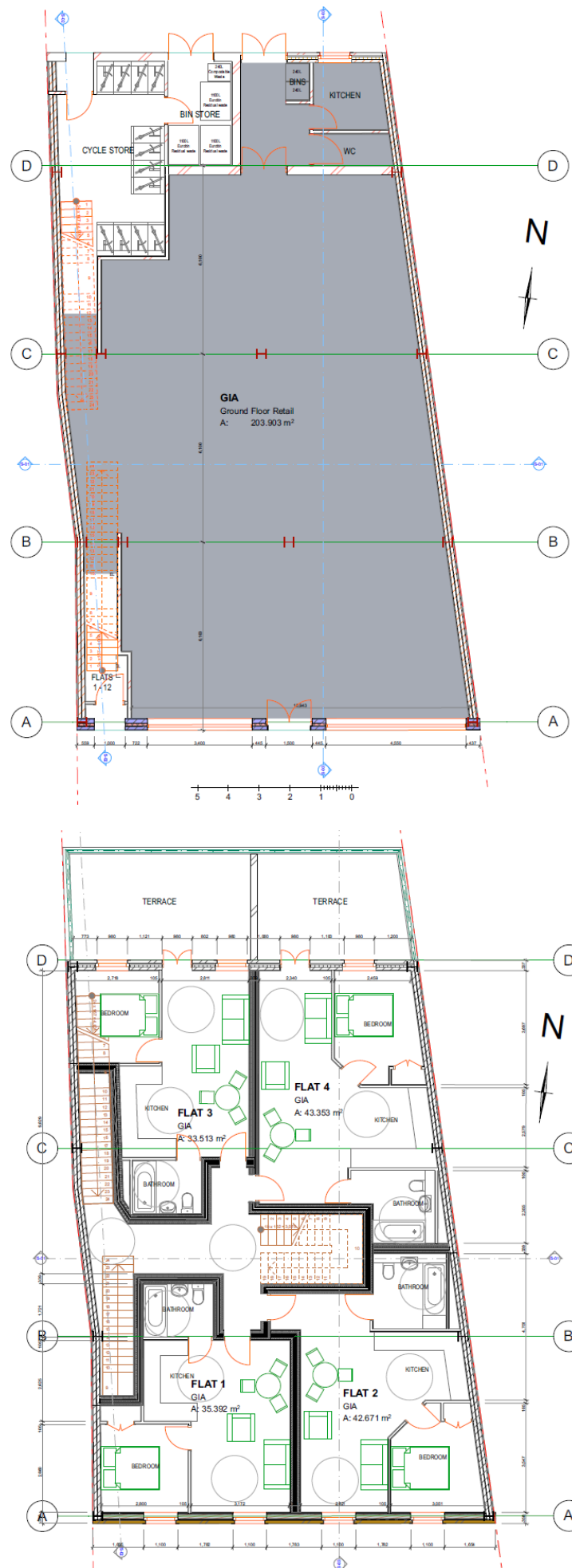
0. Existing Ground Floor 1:100

1. Existing First Floor

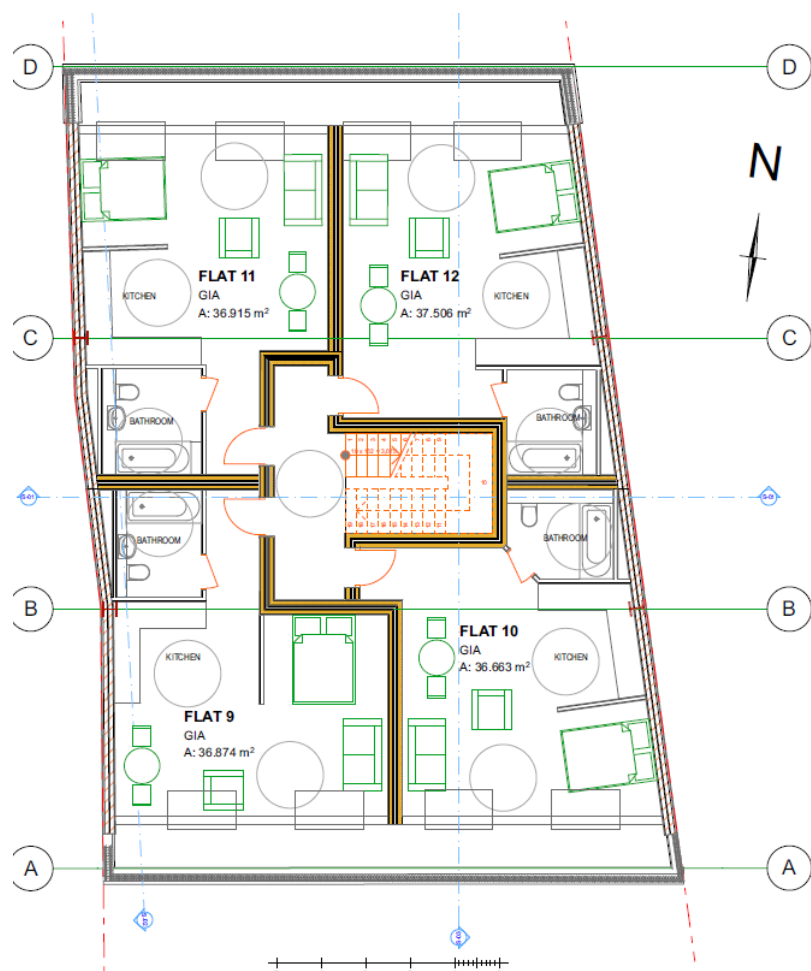
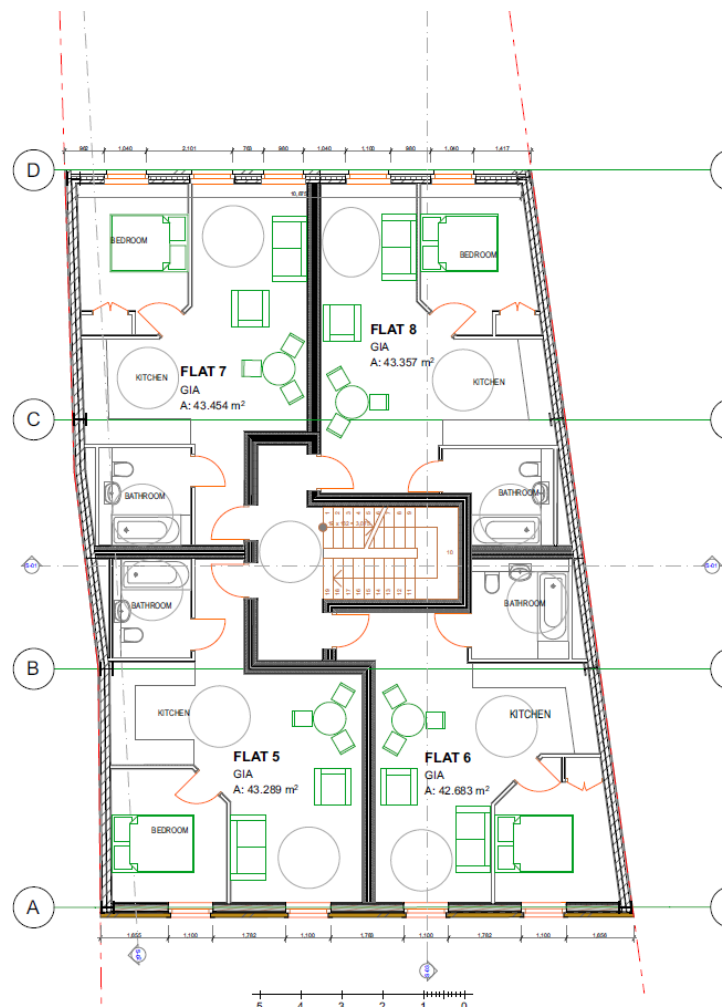
Existing elevations



Proposed ground and first floor



Proposed second and third floor



Proposed front and rear elevations



Front



Rear

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

14 March 2018

Item: 3

Application No.:	17/03477/FULL
Location:	Site of Former Sewage Works Terrys Lane Cookham Maidenhead
Proposal:	Construction of a new dwelling following removal of redundant sewerage works and associated infrastructure
Applicant:	Mr & Mrs Richards
Agent:	Mr Al Morrow
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward
If you have a question about this report, please contact: Josh McLean on 01628 796044 or at josh.mclean@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal comprises the redevelopment of a previously developed site, but it would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development on the site;
- 1.2 The proposal would be inappropriate development in the Green Belt, and no very special circumstances exist to outweigh the harm to the Green Belt in terms of inappropriateness or in terms of loss of openness;
- 1.3 The proposal would not comply with Paragraph 55 of the NPPF concerning isolated homes in the countryside, because although unusual, its design is not considered to be outstanding or innovative. It is considered that the design has evolved in order to try and overcome the site constraints rather than produce an exceptional or innovative design on its own merits. Furthermore it would be extremely large and intrusive, and is not sensitive to the defining characteristics in the local area, namely open countryside, and would not significantly enhance its immediate setting;
- 1.4 The proposed access drive would be partly in an area at high risk of flooding, Flood Zone 3, and in the absence of a dry means of escape for vehicular traffic, the proposal puts people at risk from flooding;
- 1.5 The development is sited in an area defined as the Setting of the Thames, and the proposal would harm the open nature of the landscape in this area;
- 1.6 The development would be within the buffer area of the Cookham High Street Conservation Area, and to build on this site would not preserve the special interest of this heritage asset;
- 1.7 The site is adjacent to a public right of way, and the proposal would harm the tranquil rural ambience of the right of way for its users by having an urbanising effect;
- 1.8 The proposal to remediate the contaminated land on the site is to be welcomed, but to build on it would amount to inappropriate development in the Green Belt.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):	
1.	The proposed development on previously developed land would have a greater impact on the openness of the Green Belt than the existing development on the site. Furthermore it would be contrary to the purposes of including land in the Green Belt, in particular it would

	add to the urban sprawl outside of the built up area and would encroach on the countryside. The proposal is therefore inappropriate development in the Green Belt, and is contrary to Policies GB1 and GB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), and Paragraph 89 of the NPPF. No very special circumstances exist that would outweigh the harm to the Green Belt and the other harm identified in the following reasons for refusal.
2.	The proposal would create an extensive and intrusive new building with associated domestic paraphernalia in open countryside which is a designated Area of Special Landscape Importance because of its notable quality resulting from the cutting of the Thames through the southern extension of the Chilterns. The existing former sewage works has only low structures above ground, and currently has little impact on the landscape, while the proposed new building would have a much greater impact. The proposal is therefore contrary to Policy N1 of the Local Plan.
3.	The site is within the Setting of the Thames, and the proposed extensive new building would harm the open views which characterise this sensitive area, and would adversely affect the character and the setting of the river in this rural area. The proposal is therefore contrary to Policy N2 of the Local Plan.
4.	Part of the access drive serving the property is in an area at high risk of flooding, Flood Zone 3. The proposal that safe means of escape at times of flood can be achieved by using a pedestrian gate onto the adjacent golf course is not considered acceptable as escape could not be made by car. Also, access by emergency services could not be achieved at times of flood. The proposal therefore puts additional people at risk from flooding and is contrary to Policy F1 of the Local Plan.
5.	The site is within the setting of the Cookham High Street Conservation Area, and its openness is part of that essential character. The proposal to construct an extensive building on the site would erode that openness, and thereby harm the setting of the conservation area. The proposal is therefore contrary to Policy CA2 of the Local Plan.
6.	The site and access drive is close to parts of the Borough's public rights of way network. The proposed large house with its associated domestic paraphernalia, and the re-instating of the existing concrete drive for vehicular traffic would detract from the quiet rural atmosphere of the footpaths, and would have an unwelcome urbanising effect on their ambience. The proposal is therefore contrary to Policy R14 of the Local Plan.
7.	Without the submission of a foul water drainage scheme, the proposed development on this site would pose an unacceptable risk to the environment, contrary to Policy NAP4.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Kellaway that irrespective of the recommendation of the Head of Planning, the application be referred to “*consider this application on its merits as it is a very unusual site.*”

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a former sewage treatment works situated in the Green Belt, partly in Flood Zones 2 and 3, in the setting of the Thames, in an Area of Special Landscape Importance, in the buffer to the Cookham High Street Conservation Area, and adjacent to a public right of way. It is contaminated land. It is adjacent to Winter Hill Golf Club. It is reached by a concrete track leading from a small car park off Terrys Lane in Cookham. It is set on sloping land ranging from level ground on its Eastern borders up to a total elevation of 6m above the maximum local flood levels on the SW corner. The golf course slopes upward further to approximately 20m above the boundary level.

- 3.2 The area is partly either overbuilt with concrete structures and coal slag/ clinker in-filled tanks, or natural grassland with some structures up to 0.6m high; however, the remains of the permanent structures and fixed surface structures have partly blended into the landscape in the process of time. Mature trees and hedgerows border the boundaries on all sides.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for a part single, part two storey dwelling with basement of elongated curvilinear design with a partial green roof and slates. The proposal also includes associated parking areas and landscaping, concentrated solar power unit and reed bed for sewage treatment. The proposed building would measure 67m by 54m with an open central part, with parts of it being at ground level of the highest part of the site, and parts of it being two-storeys and 7m in height. Access to the site would be retained via the existing track.
- 4.2 The site has the following planning history:

Ref.	Description	Decision
17/02336/FULL	Erection of a new dwelling following removal of redundant sewerage works and associated infrastructure	Withdrawn 09.10.2017

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections

Royal Borough Local Plan

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

Design and impact on surrounding area	Green Belt	Highways and Parking	Flood Risk	Public Rights of way	Cookham Village Design Statement
DG1, H10, H11, CA2, N1, N2	GB1, GB2	P4, T5	F1	R14	G6.1, G6.2, G6.3, G6.4, G6.5, G6.13A, G6.13B, G6.16, G6.22

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Acceptable impact on River Thames corridor	SP4
Manages flood risk and waterways	NR1
Makes suitable provision for infrastructure	IF1

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

representations received during the representation period, the plan and its supporting documents have been submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the proposal accords with Green Belt policy;
- ii Impact on an Area of Special Landscape Importance;
- iii The setting of the Thames;
- iv Flooding;
- v Impact on the setting of Cookham High Street Conservation Area;
- vi Impact on the adjacent public right of way;
- vii The adequacy of parking on the site and the impact on highway safety in the area;
- viii Contaminated Land; and
- ix Planning balance and other material considerations.

Issue 1 – Green Belt

6.2 Policy GB1 of the Local Plan details the development that can be considered as appropriate in the Green Belt. Residential development must be in accordance with policy GB3. Policy GB3 states a presumption against residential development, except in the following cases:

- 1) The proposal relates to infilling within the boundaries of a recognised settlement, as defined on the proposals map;
- 2) there is a proven need for a new dwelling ancillary to an existing agricultural or forestry use on the site but only where there is a proven need for such a dwelling;
- 3) The proposal relates to the creation of a subordinate dwelling where this is formed either within the existing structure of the dwelling, by an extension to the existing dwelling or the conversion of an existing dwelling;
- 4) The proposal relates to the one-for-one replacement of any existing habitable dwelling provided it is not materially larger than the existing;
- 5) The proposal meets all the requirements of Policy H4 (Affordable Housing in Rural Areas) which is only applicable to sites within recognised Green Belt settlements;
- 6) The re-use of a building in accordance with Policy GB8.

6.3 Paragraph 89 of the NPPF supersedes this policy and has the following relevant category of new buildings in the Green Belt which are not inappropriate development: limited infilling or partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

6.4 Although the remains of the structures have partly blended into the landscape, it is considered that there are sufficient remains/ structures on site to be classified as previously developed land.

It is considered that the proposal would have a greater impact on the openness of the Green Belt than the existing development on site. This is because the proposal involves an extensive part single, part two-storey building up to 7m in height, where currently there are only either below ground level structures, or structures with a height of some 0.6m above ground. Furthermore, the addition of a house on the site would be contrary to the purposes of including land in the Green Belt, namely to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns from merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. In particular, the proposal would add to urban sprawl outside of the built-up area, it would encroach into the countryside, it would contribute to merging neighbouring towns, and it would not preserve the setting and special interest of Cookham High Street Conservation Area. The proposal is therefore inappropriate development in the Green Belt, causes harm in principle and other harm would result as set out above.

- 6.5 The NPPF states in paragraph 87 that, “as with previous Green Belt policy, inappropriate development, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances.” These very special circumstances (VSC) must clearly outweigh the harm caused to the Green Belt by reason of its inappropriateness and any other harm caused. The applicant has made a case for VSC and this is considered at the end of the report under the ‘Planning Balance’ after consideration of all the other issues.

Issue 2 – Impact on the Area of Special Landscape Importance

- 6.6 The cutting of the Thames through the southern extension of the Chilterns has produced a landscape of notable quality of importance. It is one of the river's most striking and attractive stretches. The area comprises the majority of the rural area to the north-west of Maidenhead and Cookham. The area is relatively free from both sporadic and intrusive development. It has therefore been designated in the Local Plan as an ‘Area of Special Landscape Importance’, to protect it from adverse development and landscape change. Within policy N1 of the Local Plan, development within areas of special landscape importance should not detract from the special qualities of that landscape in respect to local and long distance views, loss of tree cover or hedgerow or adversely affect the ecological value of the area or formal landscape features and their settings.
- 6.7 Given the siting of the proposed dwelling within the former sewage treatment plant site, which is at a lower level than that of the adjacent golf course and taking account of the existing vegetation screening on the boundaries of the site and topography of the land, there are limited long distance views of the site; however, it would be visible in local views and from the golf course and also from the river. The proposal would result in a new building in the open countryside with its associated domestic paraphernalia, and this would be intrusive and would detract from the special qualities of this area and would therefore be contrary to Policy N1.

Issue 3 – Impact on the Setting of the Thames

- 6.8 Policy N2 of the Local Plan states that the Council will conserve and enhance the setting of the Thames, and will not permit development which would adversely affect the character and setting of the river in both urban and rural locations. It includes the protection of important views of and from the river. In this case, the views in this area are essentially open, with the absence of buildings, and the introduction of a new building would harm these open views and thus the character and setting of the river. The proposal is therefore contrary to Policy N2.

Issue 4 - Flooding

- 6.9 Approximately one third of the site is located in Flood Zone 2 – an area of medium risk of flooding. The proposed dwelling is completely sited outside this zone. However, part of the access driveway lies in Flood Zone 3, at high risk of flooding, so this cannot be used as a means of escape. The applicants have put forward the case that escape can be made by means of a pedestrian gate onto the adjacent golf course which is on higher ground. However, this is not considered to be satisfactory as it would be necessary to evacuate the site by car rather than on

foot because of the distances involved. The proposal therefore puts more people at risk of flooding. In addition, it would not be practical for emergency vehicles to access the site at times of flood, which also puts the inhabitants of the house at further risk at times of flooding. The proposal is therefore contrary to Policy F1 of the Local Plan and the relevant paragraphs (100-103) of the NPPF.

Issue 5 – Impact on setting of the Conservation Area

- 6.10 Policy CA2 of the Local Plan requires that new development affecting conservation areas should enhance or preserve the character or appearance of the area. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. In this case, the site is adjacent to the Cookham High Street Conservation Area. The site is in an open area which forms part of the setting of the conservation area, and its development would be contrary to Policy CA2 which states that the Council will not grant permission for development on sites which by their openness form part of the essential character of the conservation area.
- 6.11 The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Issue 6 –Impact on Rights of Way

- 6.12 Policy R14 of the Local Plan states that the Council will safeguard and enhance the public rights of way network, and in particular will resist proposals which would prejudice the route or detract from users' enjoyment of it. There are a number of public footpaths in the vicinity of the site, including one which runs along the eastern boundary. Although the removal of the remaining elements of the former sewage treatment plant would be welcomed as an enhancement to the footpath, it is considered that the introduction of a large private house, with its associated domestic paraphernalia and parking would detract from the quiet rural atmosphere of the footpaths, and would have an unwelcome urbanising effect on their ambience. The proposal is therefore considered to be contrary to Policy R14.

Issue 7 – Parking and highways matters

- 6.13 Access to the site is via a concrete road previously used by heavy plant accessing the sewage works. The road joins onto Terry's Lane at a point where several accesses meet including access to The Meadows. Considering the current use of the access road by users of the car park and the historic use of the sewage works the proposal is not anticipated to result in any significant highway impact. It is acknowledged that visibility to the south-east is poor; however, there have been no reported incidents in the last 10 years and therefore it is not considered to be a point of highway safety concern.
- 6.14 The proposal is for a 5 bedroom dwelling and proposes to provide 7 underground parking spaces. This satisfies the Borough's current parking standards.
- 6.15 The site is located a significant distance from the nearest public highway where refuse collection would take place. Current refuse standards require a carrying distance of no more than 30m for the occupant and 25m for the refuse operative. It is noted that the site would not comply with this and therefore should the application be approved, a condition requiring the submission of a refuse collection strategy should be attached.
- 6.16 Overall, the Highway's Officer raises no objection to the proposed development.

Issue 8 – Contaminated Land

- 6.17 The site is identified on the Local Plan Proposals Map as being contaminated land. The proposed remediation of this contamination is welcomed and The Environmental Protection Officer has reviewed the application and has raised no objections subject to a condition requiring that the development be carried out as part of an approved scheme of remediation.

Issue 9 – Planning Balance and other material considerations

The Case of Very Special Circumstances (VSC)

- 6.18 As stated in the NPPF and in the Borough Local Plan, planning permission can only be granted for inappropriate development if there is a case of Very Special Circumstances that clearly overcomes the harm to the Green Belt and any other harm. It has been concluded that the development constitutes an inappropriate form of development which is harmful by definition and substantial weight needs to be given to this harm.
- 6.19 The VSC case put forward by the applicant is as follows:
- 1) *Ground breaking provision of on-site renewable energy;*
 - 2) *Improving the appearance of the site;*
 - 3) *Remediation of contamination;*
 - 4) *Removal of above ground structures and hard surfacing;*
 - 5) *The high quality of the building design;*
 - 6) *Landscape enhancements; and*
 - 7) *Biodiversity enhancements.*
- 6.20 The VSC set out above is expanded on as part of the applicant's submission. An assessment of these VSC is provided below:

Assessment of VSC

- 6.21 While the collection of solar energy has become standardised, the applicant is contending that the proposed Concentrated Solar Power (CSP) method proposed in this application is innovative and new. It is usually typified with large scale schemes but has been adapted to suit small scale applications and it is more beneficial in terms of energy generation than conventional solar panels. However, whilst these benefits are highlighted there are a number of weaknesses in that solar energy has limited availability and it is proposed to supplement the deficit with the use of conventional PV panels to ensure that sufficient energy is generated for the dwelling. In considering how much weight to afford this, it is noted that this would form a small part of the proposal but not necessarily a vital one. Therefore it is considered that only limited weight can be attributed to the principle of the use of this technology. In addition, in order to accommodate this technology on site, it is proposed to have an overall diameter of 18m with solar collecting mirrors mounted on a pole like structure. The outline drawing provided illustrates that these mirrors would gradually increase in overall height forming a tower like structure. Given that the site is located within the Green Belt, in an area of Special Landscape Importance and within the setting of the Thames, there are obviously visual concerns regarding how this would integrate within the landscape; it would be considered to constitute inappropriate development in itself causing harm to the Green Belt
- 6.22 The proposed improvement of the appearance of the site is welcomed, however this benefit is not considered to outweigh the inappropriateness of the development in the Green Belt or other issues raised. Limited weight is given to this element.
- 6.23 The proposed remediation of the contaminated site is welcomed, however the site would be required to be remediated in order to make the development acceptable in any case and therefore no weight is given to this element.
- 6.24 The proposed removal of structures and hard surfacing is acknowledged as improving the current site condition and as a VSC is considered to have moderate weight in the necessary balancing exercise.
- 6.25 In this case, it is not considered that the design of the proposed dwelling is truly outstanding or innovative. Whilst it is acknowledged that the proposed design is interesting in terms of its contemporary form and appearance, it is not considered to be ground breaking or of national significance. Such designs that would be considered to meet the criteria of NPPF paragraph 55 are normally ground breaking and of national significance. The use of the CSP technology is

addressed in the paragraph above. It is considered that the design of the proposal has been predominately dictated by its Green Belt designation, the needs of the applicant and the site constraints of restricting the new development to within the plant area as opposed to the specific characteristics of the site and local area such as topography and landscaping. While the applicant justifies their view that the dwelling is innovative because it is significantly cantilevered, organic in form and is significantly earth sheltered. However, it is not considered that these individual elements are exceptional in their own right. Furthermore, the proposed building would be overly large. This is not considered to amount to VSC.

- 6.26 The proposed landscape enhancements are not considered to hold significant weight sufficient to outweigh the inappropriateness of the Green Belt or other issues raised. Limited weight is given to this element.
- 6.27 The proposed intention to enhance biodiversity is welcomed but is not considered to hold significant weight to outweigh the inappropriateness of the development or the other harm highlighted. Limited weight is given to this element.
- 6.28 It is accepted that this is an unusual site. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined on the basis of the development plan unless material considerations indicate otherwise. The Development Plan position is that new development is considered to be inappropriate and to result in substantial harm to the Green Belt unless VSC are submitted that would outweigh that in principle harm and any other harm. Overall the submitted VSC, whilst there are some benefits to each of those raised, are not considered to hold substantive weight to merit very special circumstances in Green Belt terms to overcome the harm caused by the inappropriateness of the development, and any other harm, which is contrary to national and local policy. Whilst it is acknowledged that there is an existing former sewage treatment plant, the provision of this new dwelling in addition to its access and associated residential paraphernalia and increase in level of activity, including travel to and from the 7 parking spaces, would have a greater impact on the openness of the Green Belt which would encroach further into its open nature, clearly conflicting with the purposes of including land in the Green Belt. Overall, the harm to the Green Belt by reason of the inappropriateness of the development is substantial and the other harm that would result is significant. On balance whilst some limited weight can be attributed to the VSC, this is not considered to outweigh the overall harm caused by the inappropriateness of the development and any other harm.

Other Material Considerations

6.29 Housing Land Supply

Paragraphs 7 and 14 of the NPPF set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The objectively assessed housing need of 712 dwellings per annum is set out in the Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) (2016). Work is progressing to prepare the Borough Local Plan that sets out a stepped housing trajectory over the plan period (2013-2033). A five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

6.30 Foul Drainage

The proposed foul drainage arrangements are similar to the arrangement previously proposed. As part of the previously withdrawn application, the Environment Agency commented:

“The proposed development proposes a method of foul water disposal through a reed bed system. The site is situated in Source Protection Zone 2 which is designated for the protection of potable water used for human drinking water supplies, and a Principle Aquifer. The installation of private sewage treatment facilities within publicly sewered areas is not normally considered

environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems. Whilst a reed bed may be an appropriate polishing step between discharge of waste water from a package sewage treatment plant and infiltration to ground or discharge to surface water, it is not likely to be an appropriate option for treatment of raw sewage in this location. Reed beds supplied with nutrients soon become overgrown and without a robust maintenance and management plan can soon become ineffective as the biomass grows to clog the pond structure containing the reeds. Discharge of raw sewage could potentially flow off the surface of the tightly packed mass of rhizomes and discharge into the top of the aquifer surrounding the reed bed.

The proposed development will therefore only be acceptable if the following **planning condition** is included on any planning permission. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use. **Reason:** To ensure that the proposed scheme does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework.’ ”

A foul water drainage scheme has not been submitted and therefore as the Environment Agency has stated that the development will only be acceptable with the inclusion of the above condition. As such information has not been provided, the proposed development on this site poses an unacceptable risk to the environment.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

9 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 30.11.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 30.11.2017.

Two letters were received to the application, one stating a clear objection and the other raising various issues with the proposal, summarised as follows:

Comment		Where in the report this is considered
1.	Access route is limited and restricted.	6.13 – 6.16
2.	Site backs onto the golf course and could conflict with stray balls falling within the garden of the new house. We would not want complaints from the owner.	It is assumed that the proposed new occupier of the dwelling would be aware of the golf course and any necessary implications.
3.	Site is located within the Green Belt and is open in nature.	6.2 – 6.5
4.	Inappropriate development in the Green Belt.	6.2 – 6.5
5.	Adverse impacts on Rights of Way and access to the countryside.	6.12
6.	There are no exceptional circumstances that justify encroachment into Green Belt.	6.18 – 6.28

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways, Parks and Countryside (Public Rights of Way comments)	<p>This is a resubmission of withdrawn application 17/02336, and as there are no changes to the application in terms of the impact of the proposed development on the public rights of way network my comments remain unchanged from my comments on application 17/02336.</p> <p>Comments from 17/02336 stated:</p> <p>A number of public footpaths pass close to the application site. In particular, Footpath 36 Cookham passes directly alongside the application site, and also alongside much of the access route to the application site. These public footpaths are very heavily used as they form a network or circular routes, and connect to the Thames Path National Trail.</p> <p>Saved Policy R14 states The Borough Council will safeguard and enhance the public rights of way network and recreational cycle routes.</p> <p>Notwithstanding the screening provided by boundary vegetation, I am of the view that the proposed new buildings, access road, parking and associated domestic paraphernalia would have a significant adverse impact on views from Footpath 36 in particular, and also on the quiet and tranquil setting of the other public footpaths in the vicinity. It is recommended that the application is refused, as it is contrary to Policy R14 of the Local Plan.</p>	6.12
East Berks Ramblers	<p>We, East Berks Ramblers, have some concerns with regard to this application to put a large dwelling on the site of the old Thames Water sewage works.</p> <ol style="list-style-type: none"> 1. Although the site may be considered to be a Brownfield, redundant industrial site, and hence suitable for redevelopment, it is in the Green Belt and distant from any other developed areas. <p>We therefore maintain that it would be inappropriate development in the Green Belt.</p> <ol style="list-style-type: none"> 2. Two well used public rights of way, Cookham footpaths 36 and 41, border the site on the eastern and southern boundaries respectively. These paths currently enjoy views of the countryside bordering on, for example, Marsh Meadow (a public open space). The proposed dwelling being very close to footpath 36, would be visible over a lot of the length of the path. <p>The detrimental effect on public rights of way is contrary to Saved Policy R14 of the Local Plan.</p> <ol style="list-style-type: none"> 3. The public have used the concrete track from the car park off Terrys Lane to the sewage works over 	<p>Assessment of Green Belt is addressed in paragraphs 6.2 – 6.5</p> <p>Assessment of impact on Public Rights of Way is addressed in paragraph in 6.12</p>

	<p>a number of years, since the closure of the Works. Although the track is on private land, access on foot was common, since the track affords a more convenient access to footpath 36 (and hence to Marsh Meadow and the Thames). Footpath 41, which is nearby and runs parallel to the track, is narrow, steep and often muddy. The developers propose to incorporate the track into the access drive, so it would no longer be available to the public.</p> <p>East Berks Ramblers object to the application unless these concerns are addressed.</p>	
Highways Officer	<p>Road Classification Terry's Lane (C8832) is an unnumbered, classified rural lane.</p> <p>The Site and the Surrounding Area The site, Former Sewage Works, is located within Cookham. Land use in the vicinity of the site is predominantly agricultural. The nearest frequently serviced railway station, Maidenhead, is located approximately 5km to the south. The site is therefore considered to be located within a location of poor accessibility.</p> <p>Access Arrangement Access to the site is via a concrete road previously used by heavy plant accessing the sewage works. The road joins onto Terry's lane at a point where several accesses meet including access to The Meadows. The access to the site is currently used by users of an informal car park to the south of Winter Hill golf club.</p> <p>Considering the current use of the access road by users of the car park and the historic use of the sewage works the proposal is not anticipated to create any significant impacts to the local highway network in regards to access. It is acknowledged that visibility to the south-east is poor however, there have been no reported incidents in the last 10 years therefore this is not considered to be a point of highway safety concern.</p> <p>Parking Provision/requirement As outlined in paragraph 1.2.2, the site is located within an area of poor accessibility. The application includes the provision of seven parking spaces, which satisfies the Royal Borough of Windsor and Maidenhead (RBWM) current parking standards.</p> <p>Traffic Generation The proposal consists of a 4 bedroom dwelling with office facilities, it is therefore estimated that the proposal will produce 12 two-way vehicle trips daily.</p> <p>Cycle Provision Although the application has not specifically allocated</p>	<p>Comments noted. Highways section addressed in paragraphs 6.13 – 6.16</p>

	<p>cycle parking provision, the site is considered to have sufficient covered storage space to accommodate several bicycles.</p> <p>Refuse Provision The site is located a significant distance from the nearest public highway where refuse collection would take place. Current refuse standards require a carrying distance of no more than 30m for the occupant and 25m for the refuse operative. It is noted that the site will not comply with this therefore a refuse collection strategy should be provided.</p> <p>Summary Recommended for approval subject to the following conditions.</p> <p>Conditions No part of the development shall be occupied until a refuse collection and storage strategy has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.</p> <p>Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1</p>	
Environmental Protection Officer	<p>I refer to the above-mentioned full planning application and would recommend that, should planning permission be granted, the following conditions be attached to the consent notice.</p> <p><u>Conditions</u></p> <p>EN110 Contaminated Land Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been 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.</p> <p>1. <u>Site Characterisation</u></p> <p>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</p>	<p>Comments noted.</p> <p>Section on contaminated land found in paragraph 6.17</p>

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. a survey of the extent, scale and nature of contamination;
 - b. as assessment of the potential risks to:
 1. human health
 2. property (existing or proposed) including buildings, crops, livestock, adjoining land,
 3. groundwater and surface waters,
 4. ecological systems,
 5. 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 Contamination

In 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

	<p>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.</p> <p>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.</p> <p><u>5. Long Term Monitoring and Maintenance</u></p> <p>A 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.</p> <p>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.</p> <p>This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.</p> <p>Dust Control Informative (Non-Standard)</p> <p>The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties.</p> <p>The applicant is advised to follow guidance with respect to dust control:</p> <p>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</p>	
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	<p>construction and demolition activities</p> <p>Smoke Control Informative (Non-Standard) The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal.</p> <p>The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.</p> <p>The applicant should be aware the permitted hours of construction working in the Authority are as follows:</p> <p>Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays.</p>	
Berkshire Archaeology	<p>Thank you for consulting Berkshire Archaeology regarding the above application. Berkshire Archaeology is part of Reading Borough Council's Museum and Town Hall Services and provides historic environment advice to the five unitary authorities of Bracknell Forest Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead, Slough Borough Council and Wokingham Borough Council. This consultation response relates solely to the buried archaeological heritage and advice relating to the historic built environment and historic landscape is provided by the Royal Borough's Conservation Officer.</p> <p>Berkshire Archaeology responded to the previous, similar, withdrawn, application 17/02336/FULL for this site. The current proposal is not materially different to the previous application as regards its impact on the buried archaeological heritage. Berkshire Archaeology therefore re-iterates its previous advice as follows.</p> <p>There are potential archaeological implications with this proposal. Berkshire Archaeology's Historic Environment Record (BAHER) records an Early Saxon (AD 400 – 600) inhumation cemetery 200m to the west of the former sewage works at Cookham. The location of the cemetery is shown on the plan on page 10 of the Planning, Heritage and Sequential Test Statement (Phillips Planning Services Ltd, dated July 2017) accompanying the application, which otherwise does not consider the archaeological potential of the application area.</p>	Comments noted.

The Victoria County History of Berkshire (Vol. 1, p. 242) notes that '*...several antiquities of iron from Cookham, lower down the river, were exhibited to the Archaeological Institute in 1858, comprising a sword, two spearheads, the blade of a dagger or knife and parts of two shield-bosses of the usual form. They were found four years previously [in 1854] during the construction of a railway from Maidenhead to Wycombe at a place called Noah's Ark on the hill about half a mile north of the railway station... Six human skeletons were found near these relicts but they lay in a bed of gravel 9 feet below the surface and were possibly not contemporary [with the weaponry]*'. These remains appear to represent a cemetery of unknown extent, while the associated settlement and fields of those buried in this cemetery will lie somewhere nearby.

Indeed evidence for Saxon remains was recorded during archaeological investigations to the south of the former sewage works in 2008. An archaeological watching brief during the construction of extensions to the rear of Spencers (now The White Oak) recorded a surprisingly high number of buried archaeological remains and finds. These included pits and a ditch containing Early to Middle (6th – 7th century AD) pottery and a pit containing Saxon-Norman (10th – 11th-century AD) pottery.

The importance of the wider Cookham area during the Saxon period is attested by a further Saxon inhumation inserted within one of the earlier Bronze Age burial mounds at Cock Marsh while the settlement of Cookham also has Saxon origins. The settlement is thought to have been founded in the Middle Saxon (7th and 8th century AD) period and to have had a minster church by the 8th century AD. The archaeological evidence from 'Noah's Ark' and Spencers points to a more complex development for the settlement at Cookham and demonstrates the archaeological potential of the area around The Pound and Terrys Lane.

This application for a new dwelling therefore has potential archaeological implications. It is acknowledged that the application site has largely been previously disturbed by the construction and use of the former sewage works. However there are areas of the site, especially along the western fringes and that part of the site closest to the known inhumation burials, which appears to have avoided past disturbance.

Given the potential significance of any Saxon remains, especially the potential for the presence of inhumation burials which would require removal under licence, it is recommended that the following condition is attached to any planning consent granted in order to mitigate the impacts of development. This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities should '*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to*

	<p><i>make this evidence (and any archive generated) publicly accessible':</i></p> <p>Condition: No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority</p> <p>Reason: The site lies within an area of archaeological potential; specifically it lies close to a Saxon inhumation cemetery within an area of archaeological importance. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF and local plan policy.</p> <p>The scope of any archaeological investigation will depend on the level of potential ground disturbance. Berkshire Archaeology would be please to discuss with the applicant the scope of any investigation, should permission be granted. It is likely that archaeological monitoring during construction in areas outside of the structures of the former sewage works may be appropriate. However the it may be desirable to excavate one or two trial trenches at an early stage in order to address the risk, especially of human remains, which would require detailed investigation should the scheme be permitted.</p>	
The Cookham Society	<p>We write to object to this application. This is one of the most sensitive sites in Cookham. It lies between the golf course and Marsh Meadow and is remote from any existing housing. It is in the Green Belt; an Area of Special Landscape Importance; and the Setting of the Thames. It is very close to and viewed from the southern part of Marsh Meadow which is in the Cookham High Street Conservation Area. It is also viewed from the Thames, the towpath (footpath 60) and other footpaths (notably 36, 39 and 40). Although not actually in the Conservation Area it should be noted that CA2 requires "....the protection of views that contribute to the distinctive nature of the Conservation Area". We suggest that the views of the chalk slope and scarp from the river and the floodplain are particularly important ones.</p> <p>The property proposed is an interesting and somewhat unusual design. It is however a two storey building in parts with a sloping slate roof; over 65.0m long; and with large areas of reflective glazing on the river elevation. This is an immense and totally inappropriate structure to attempt to build in such a sensitive site.</p> <p>The sewage works here was closed about 25 years ago and the mechanical equipment was removed. As far as we have been able to ascertain there were never any permanent above ground buildings. The abandoned tanks and filter beds are all low level or below ground. We</p>	<p>Impact on Green Belt is addressed in paragraphs 6.2 – 6.5</p> <p>Impact on Area of Special Landscape Importance addressed in paragraph 6.6 – 6.7</p> <p>Impact on setting of the Thames addressed in paragraph 6.8</p>

	<p>believe that over time the remains of the structures have blended into the landscape and the site should not therefore be classed as Previously Developed Land. However, if the Borough does determine that this is PDL we request that a similar approach is used to that adopted for Woodlands Farm (Application No 15/03388) to ensure the openness of the Green Belt is not damaged by any construction and that any building permitted should be entirely within the envelope of previous buildings proven to have been on the site.</p> <p>We request that you refuse this application.</p>	
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8. APPENDICES TO THIS REPORT

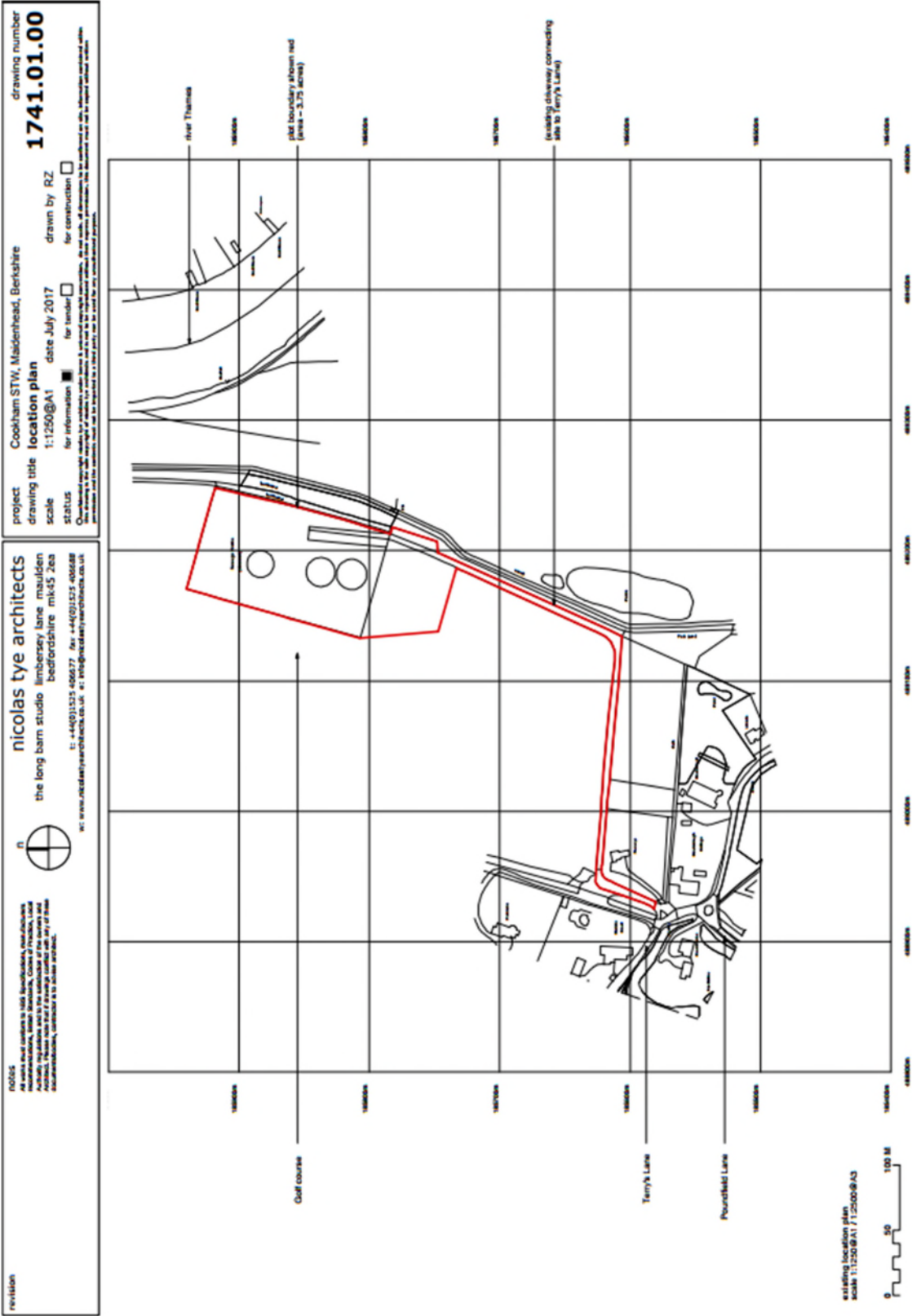
- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings
- Appendix C – CGIs

9. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed development on previously developed land would have a greater impact on the openness of the Green Belt than the existing development on the site. Furthermore it would be contrary to the purposes of including land in the Green Belt, in particular it would add to the urban sprawl outside of the built up area and would encroach on the countryside. The proposal is therefore inappropriate development in the Green Belt, and is contrary to Policies GB1 and GB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), and Paragraph 89 of the NPPF. Very special circumstances do not exist which would outweigh this harm.
- 2 The proposal would create an extensive and intrusive new building with associated domestic paraphernalia in open countryside which is a designated Area of Special Landscape Importance because of its notable quality caused by the cutting of the Thames through the southern extension of the Chilterns. The existing former sewage works has only low structures above ground, and currently has little impact on the landscape, while the proposed new building would have a much greater impact. The proposal is therefore contrary to Policy N1 of the Local Plan.
- 3 The site is within the Setting of the Thames, and the proposed extensive new building would harm the open views which characterise this sensitive area, and would adversely affect the character and the setting of the river in this rural area. The proposal is therefore contrary to Policy N2 of the Local Plan.
- 4 Part of the access drive serving the property is in an area at high risk of flooding, Flood Zone 3. The proposal that safe means of escape at times of flood can be achieved by using a pedestrian gate onto the adjacent golf course is not considered acceptable as escape could not be made by car. Also, access by emergency services could not be achieved at times of flood. The proposal therefore puts additional people at risk from flooding and is contrary to Policy F1 of the Local Plan.
- 5 The site is within the setting of the Cookham High Street Conservation Area, and its openness is part of that essential character. The proposal to construct an extensive building on the site would erode that openness, and thereby harm the setting of the conservation area. The proposal is therefore contrary to Policy CA2 of the Local Plan.
- 6 The site and access drive is close to parts of the Borough's public rights of way network. The proposed large house and its domestic paraphernalia, and the re-instating of the existing concrete drive for vehicular traffic would detract from the quiet rural atmosphere of the footpaths, and would have an unwelcome urbanising effect on their ambience. The proposal is therefore contrary to Policy R14 of the Local Plan.

- 7 Without the submission of a foul water drainage scheme, the proposed development on this site would pose an unacceptable risk to the environment through the potential for the development to discharge into and contaminate a designated Source Protection Zone for the protection of potable water used for human drinking supplies, and a Principal Aquifer, contrary to Policy NAP4 of the Local Plan.

APPENDIX A – SITE LOCATION PLAN AND PROPOSED SITE PLAN



notes

notes
All works must conform to NDS Specifications, manufacturers recommendations, British Standards, Codes of Practice, Local Authority regulations and to the satisfaction of the owners and Architect. Please note that if drawings conflict with any of these documents/codes, contractor is to achieve certified.



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project
Cookham STW, Maldenhead, Berkshire

drawing title **proposed site plan**

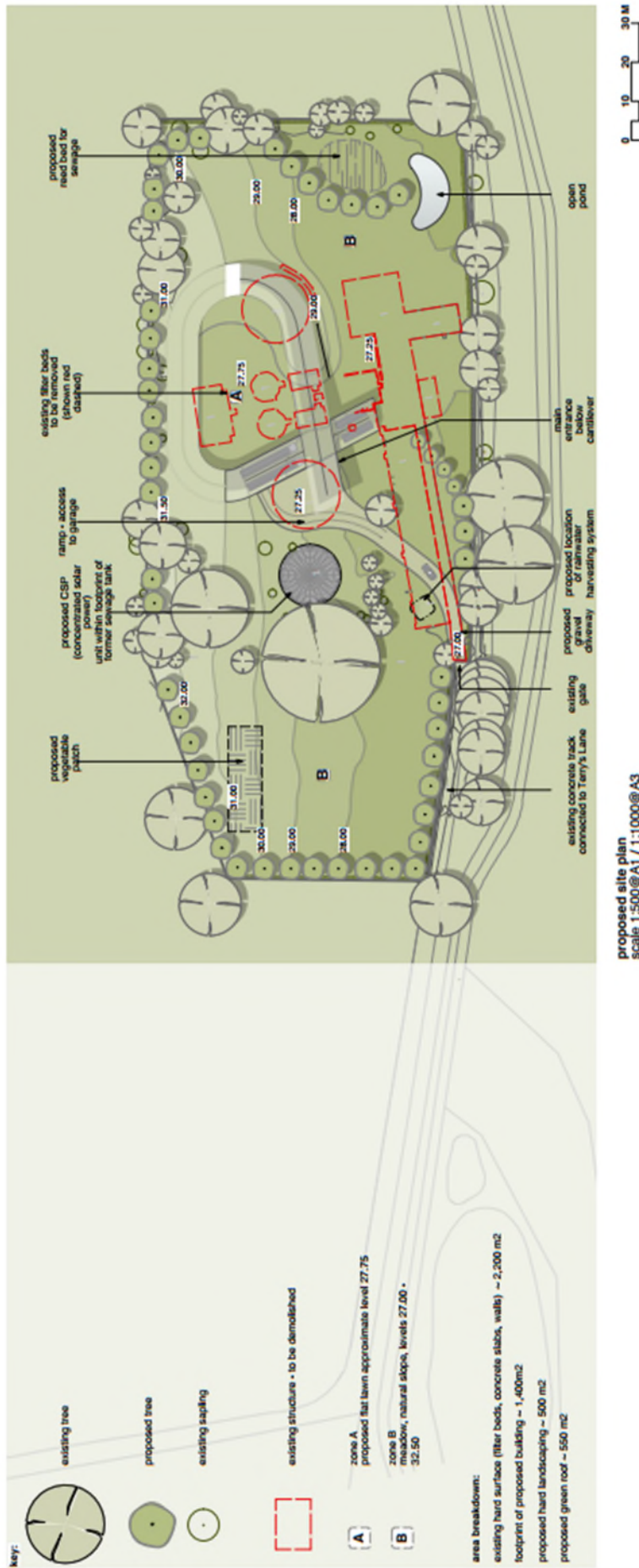
scale 1:500@A1 date July 2017 drawn by RZ

status for information for tender for construction

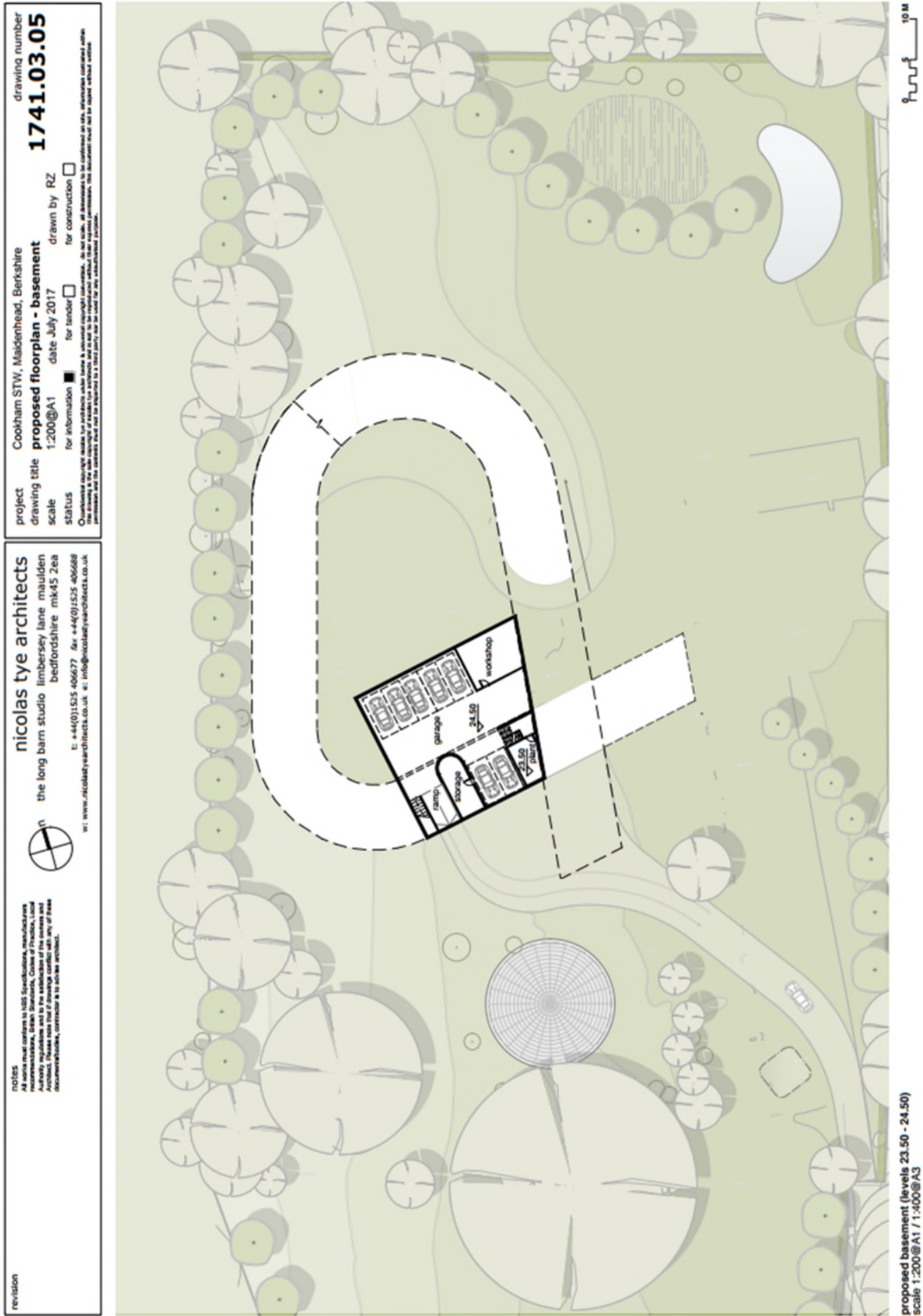
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drawing number

1741.03.01



APPENDIX B – PLANS AND ELEVATIONS



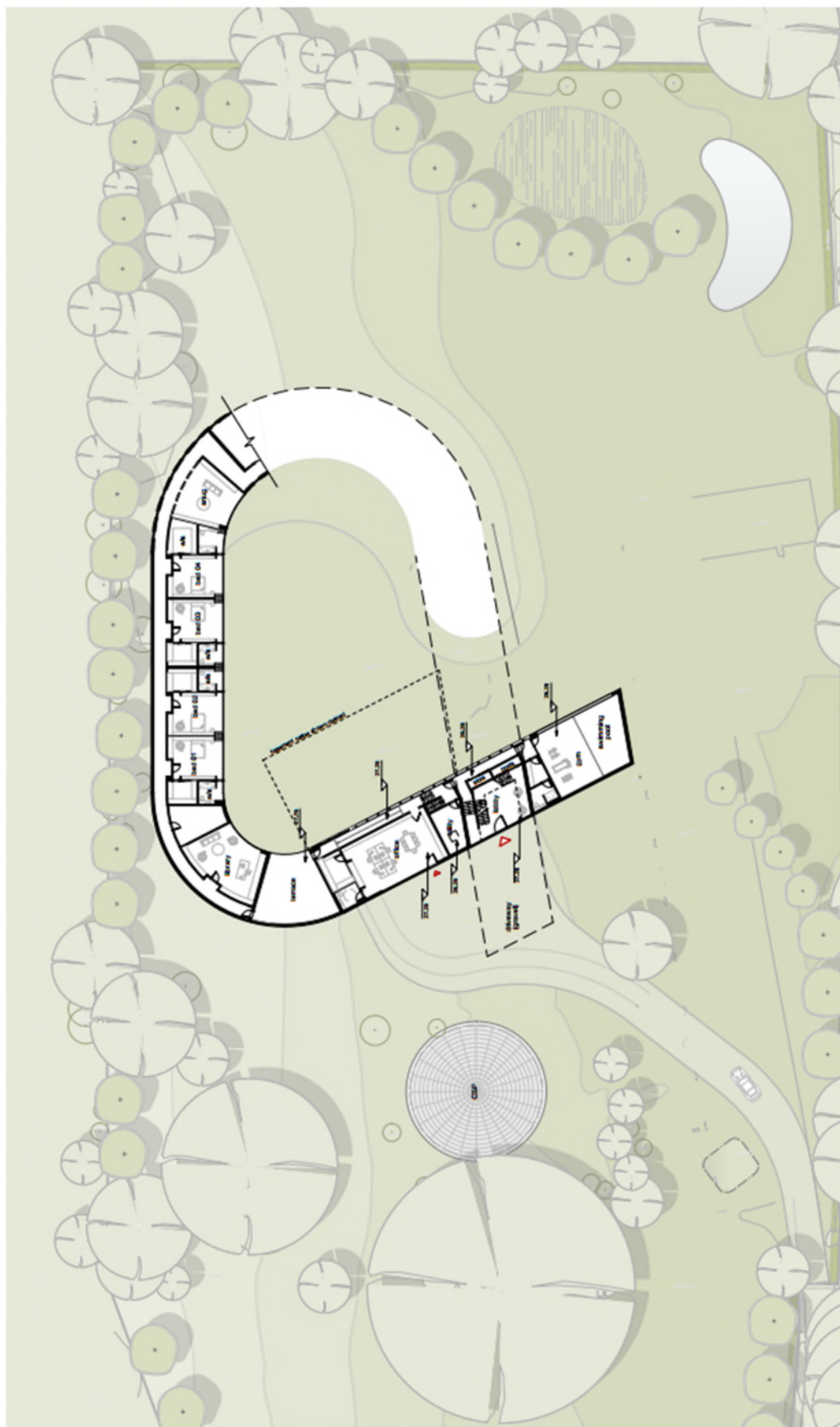
revision

notes
All work must conform to BS5 Specifications, manufacturers instructions and relevant building regulations. The Architect requires that the work is carried out in accordance with the specifications and drawings. Please note that if drawings conflict with any of these documents, the contractor is to follow the architect.



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project Cookham STW, Maidenhead, Berkshire
drawing title **proposed floorplan (levels 26.25-27.75)** drawing number **1741.03.02**
scale 1:200@A1 date July 2017 drawn by RZ
status for information ☒ for tender ☐ for construction ☐
Comments: This drawing is a preliminary design and is not to be used for construction. It is for information only. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any errors or omissions in this drawing.



proposed floorplan (levels 26.25 - 27.75)
Scale 1:200@A1 / 1:400@A3

revision

NOTES

All work must conform to NIS Specifications, manufacturers instructions and relevant Building Regulations and Planning Authority regulations and to the satisfaction of the services and Architect. Please note that if a conflict arises with any of these documents, the Architect's instructions shall prevail.



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project Cookham STW, Maidenhead, Berkshire

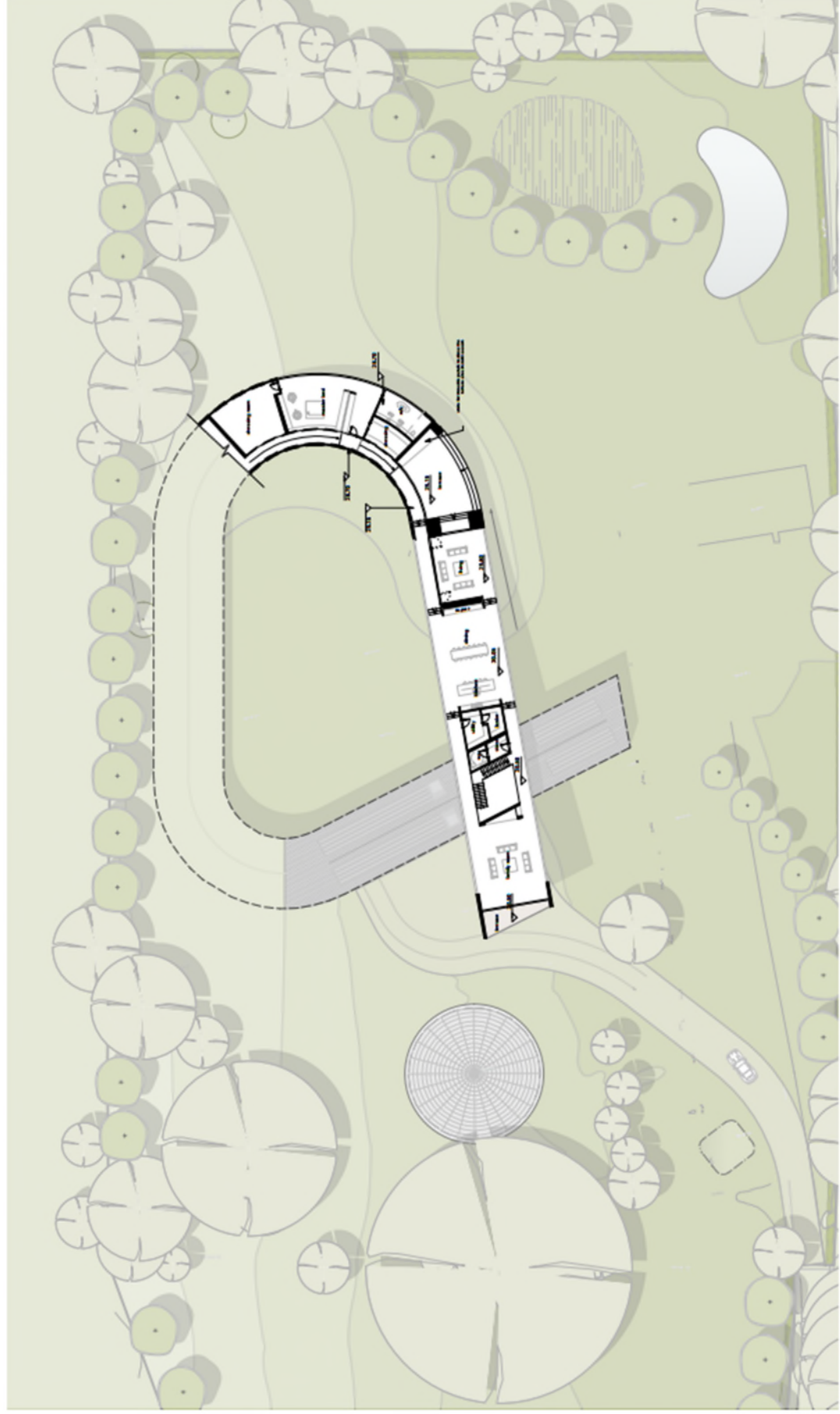
drawing title proposed floorplan (levels 27.75-30.50)

scale 1:200@A1 date July 2017 drawn by RZ

status for information ☒ for tender ☐ for construction ☐

drawing number
1741.03.03

Comments should be made in the margin and not on the drawing. All comments should be confirmed in writing. The Architect's instructions shall prevail. The Architect's instructions shall prevail. The Architect's instructions shall prevail.



proposed floorplan (levels 27.75 - 30.50)
scale 1:200@A1 / 1:400@A3



revision

NOTES

All work must conform to NBS Specifications, manufacturers' instructions, BS8125 Part 1, Code of Practice, Local Authorities, BS8125 Part 2, Code of Practice, Local Authorities. These notes form part of the contract documents. The architect is not responsible for any conflict with any of these documents. The contractor is to achieve architect.



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project Cookham STW, Maidenhead, Berkshire

drawing title **proposed roofplan**

scale 1:200@A1

drawn by RZ

date July 2017

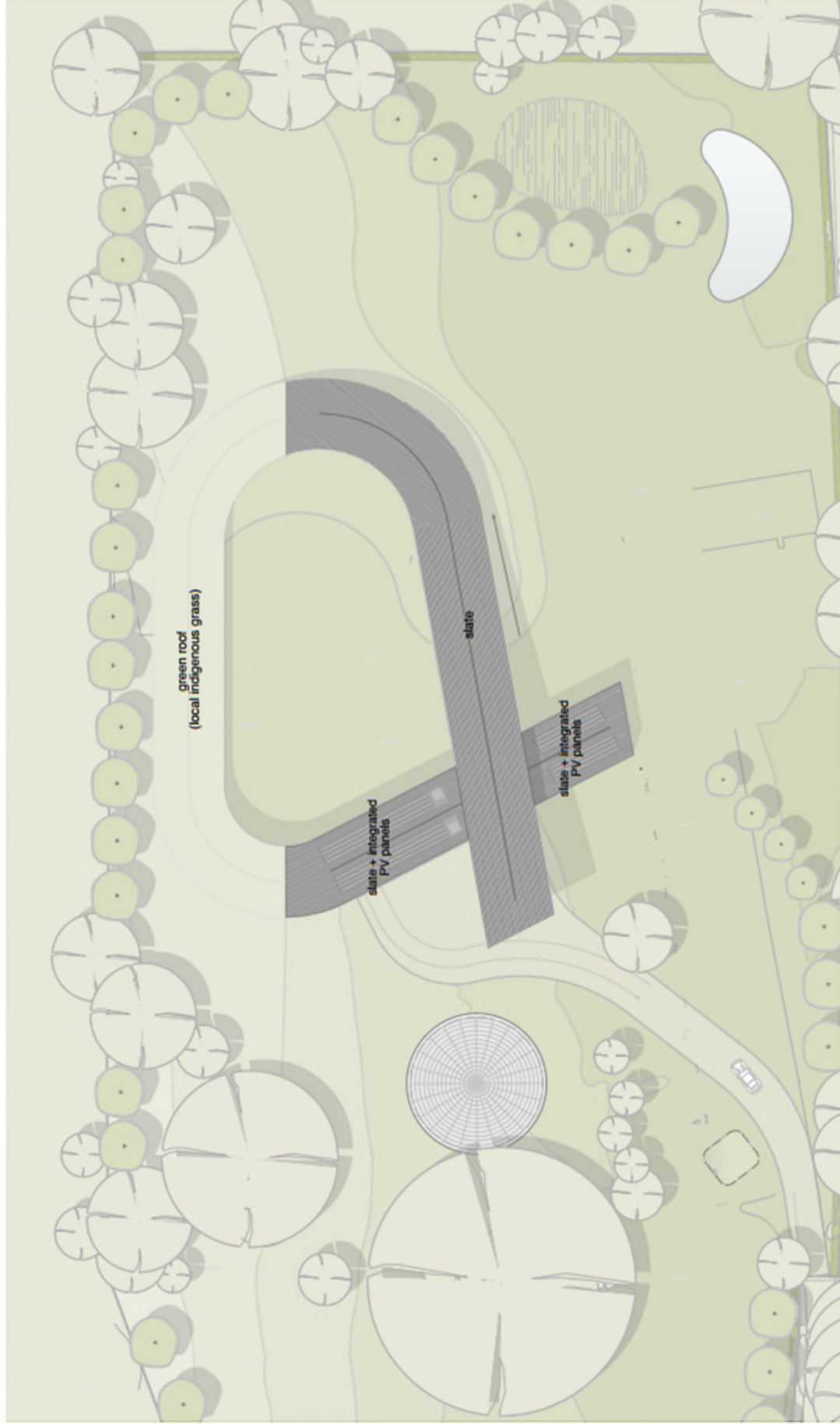
for construction ☐

for tender ☐

status

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drawing number
1741.03.04



proposed roof plan
scale 1:200@A1 / 1:400@A3

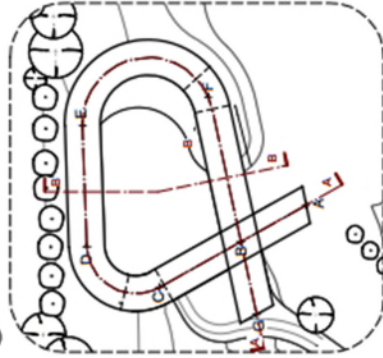


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project	Cookham STW, Maidenhead, Berkshire			drawing number	1741.03.06
drawing title	proposed sections			drawn by	RZ
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status	for information <input checked="" type="checkbox"/>	for tender	<input type="checkbox"/>		

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revision

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project
drawing title
scale
status

Cookham STW, Maidenhead, Berkshire
proposed elevations - 1
1:200@A1
for information ☒ for tender ☐ for construction ☐

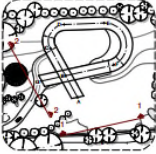
date July 2017
drawn by RZ

drawing number
1741.03.07

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key plan



proposed elevation 1-1 / scale 1:200@A1 / 1:400@A3 /



proposed elevation 2-2 / scale 1:200@A1 / 1:400@A3 /



revision

notes
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project
drawing title
scale
status

Cookham STW, Maidenhead, Berkshire
proposed elevations - 2
1:200@A1
for information ☒ for tender ☐ for construction ☐

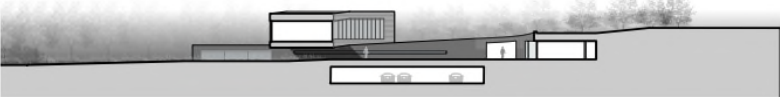
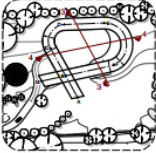
date July 2017
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drawing number
1741.03.08

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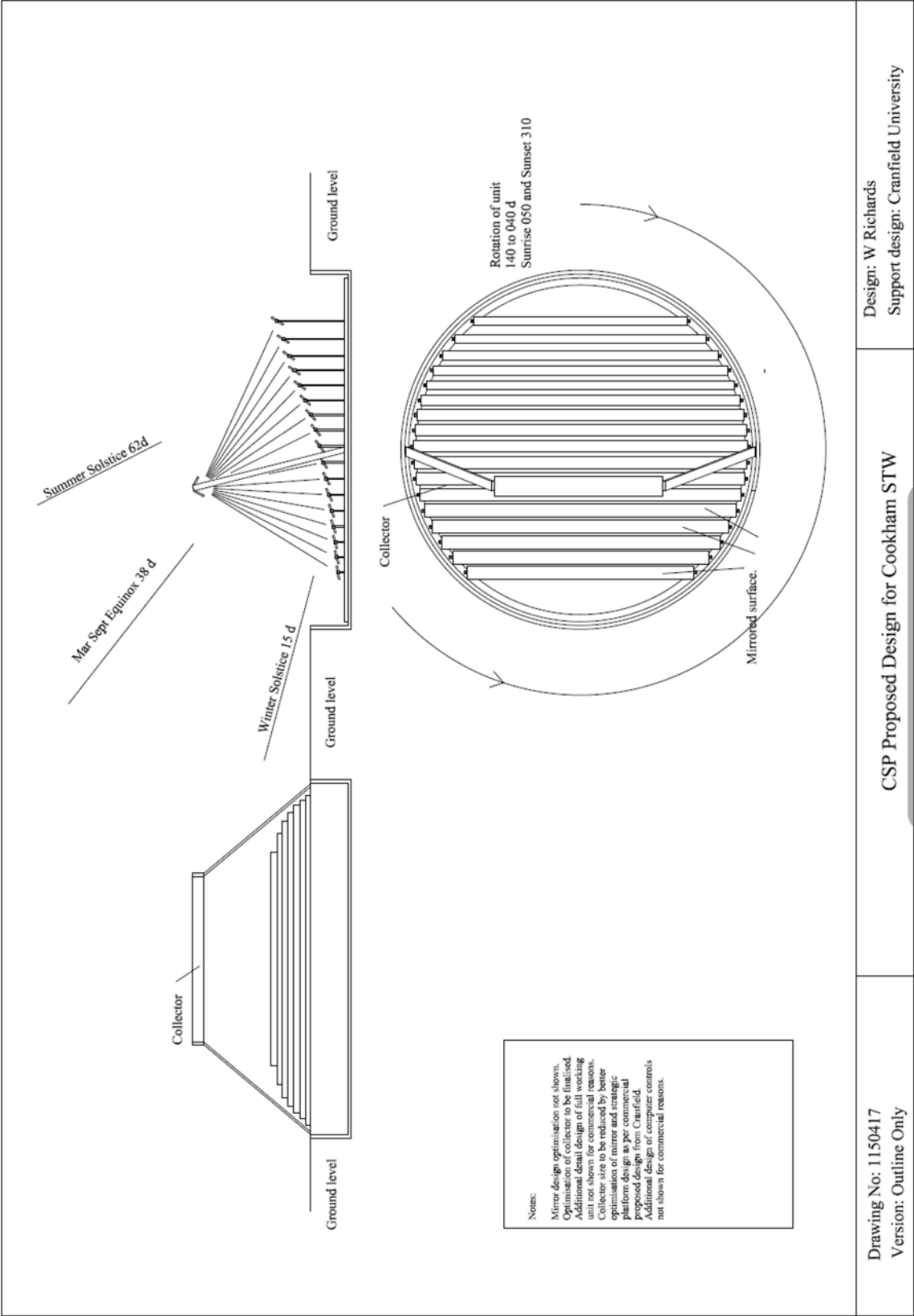
key plan



proposed elevation 3-3 / scale 1:200@A1 / 1:400@A3 /



proposed elevation 4-4 / scale 1:200@A1 / 1:400@A3 /



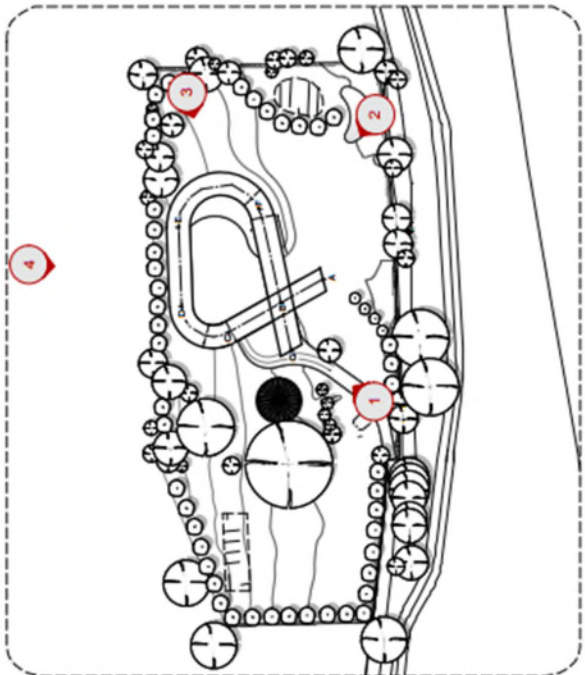
APPENDIX C – CGIS

revision

NOTES
All work must conform to NIS Specifications, manufacturers instructions and relevant standards.
Authority regulations apply to the installation of the system and associated equipment.
Please note that if drawings conflict with any of these documents, the drawings shall prevail.

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project
Cookham STW, Maidenhead, Berkshire
drawing title
proposed CGIs - key plan
scale
date July 2017
status
for information ☒ for tender ☐ for construction ☐
drawing number
1741.03.09



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

14 March 2018

Item: 4

Application No.:	17/03828/FULL
Location:	Land Adjacent 24 South Road Maidenhead
Proposal:	Construction of x7 one bedroom apartments (approved under 16/00552)
Applicant:	Mr Gray
Agent:	Mr Sean Kelly
Parish/Ward:	Maidenhead Unparished/Boyn Hill 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

- 1.1 The application seeks planning permission to construct a two-storey building comprising of 7 x 1 bedroom flats on land adjacent to 24 South Road.
- 1.2 Planning permission was recently granted for the Construction of 6 x1 bedroom apartments and alterations to road layout, reference 17/02224/FULL. The alterations to the road layout has now been implemented. The addition of one unit which would include the alteration to the rooflight is therefore proposed under this application.
- 1.3 Under application reference 17/02224/FULL, it was considered that the provision of the site for housing would boost the Borough's supply of housing and would be a clear benefit in this respect. The scale, design and detailing was considered to harmonise with its surroundings and no concerns were raised with regards to the impact of the proposal on the effects of living conditions of the occupiers of neighbouring properties. As the scale form and positioning of the building is to remain unaltered, this is also considered to be the case with this current application.

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

The application is for 7 x 1 bed flats. The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies within Maidenhead Town Centre and comprises of a plot of land to the west of Frascati Way and at the end of South Road. South Road is a residential street in the form of a cul-de-sac with a mix of detached, semi-detached and flatted properties; however; the immediate neighbours to the west of the site comprise of semi-detached houses of similar scale and design. To the south is 31 Grenfell Place; whilst to the east is the A308 which runs at a right angle to South Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for an erection of a two storey building comprising of 7 x 1 bed flats on land to the east of 24 South Road.

Reference	Proposal	Decision
16/00552/FULL	Erection of 4 x 1bed apartments with improvements to road layout and disabled access	Approved – 15.08.2016
17/00747/FULL	Construction of 7 x 1-bed apartments with improvements to road layout.	Refused – 04.05.2017
17/02224/FULL	Construction of 6 x 1 bed apartments and alterations to road layout (approved under 16/00552/FULL)	Approved – 29.11.2017

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 2, 6 and 7

Royal Borough Local Plan

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

	Within settlement area	Highway / Parking Issues
Local Plan	DG1, H6, H8, H9 H10, H11, N6	T5, T8, P4
Maidenhead Area Action Plan (MAAP)	MTC4, MTC12	MTC14, MTC15

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

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

This document can be found at:

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

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Principle of development
- ii Design and appearance
- iii Neighbouring amenity
- iv Parking
- v Other material considerations

Issue 1 – Principle of development

6.2 The site lies within Maidenhead Town Centre where residential development is supported in accordance with Local Plan Policy H6 and MAAP policy MTC12. It is considered that high densities can be supported in Town Centres and intensification in these locations would protect the Green Belt. Paragraph 23 of the NPPF also recognises that residential development can play an important role in ensuring the vitality of centres. Therefore the principle of residential development is acceptable provided that there is no conflict in terms of highway safety, parking, design and appearance, neighbouring amenity and other relevant material planning considerations.

Issue 2 – Design and appearance

6.3 Local Plan policy H10 requires new residential development schemes to display a high standard of design and landscaping in order to create attractive, safe and diverse areas and where possible to enhance the existing environment. 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. General Design policy DG1 states that harm should not be caused to the character of the surrounding area through cramped development or the loss of important features which contribute positively to the area. These policies are in line with the NPPF which attaches great importance to the design of the built environment and states that good design is indivisible from good planning. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

6.4 Under planning permission 17/02224/FULL the proposal was considered to meet the aims and objectives of Local Plan policies DG1, H10 and H10 and policy MTC4 of the MAAP. The proposed scale, height and form of the proposed building would be the same as that approved under application 17/02224/FULL. The only amendments to the appearance of the building from that previously approved would be to the number and positioning of the rooflights on the main roof of the building. These are proposed to serve the alterations to the layout of the second floor plan to accommodate the additional unit. All other openings to the building would remain the same as that previously approved. The proposal would therefore continue to comply with the above mentioned policies and would not detract from the character of the area. Planning application 17/00747/FULL was refused permission on the basis of its design and form detracting from the visual amenities of the street scene and resulting in a cramped form of development. This current proposal maintains the domestic scale and design of the subsequently approved scheme (17/02224/FULL).

Issue 3 – Neighbour Amenity

- 6.5 Local Plan Policy H11 states that planning permission will not be granted for schemes which would cause damage to the amenity of the area, while Core Principle 4 of the NPPF seeks a good level of amenity for all.
- 6.6 The positioning of the building within the plot along with its proposed height and form would remain the same as that approved under 17/02224/FULL where it was concluded that the proposal, subject to the conditions for obscurely glazed, non-opening windows on the western flank elevation, would not have an adverse impact on the amenities of neighbouring dwellings. The proposed roof-lights would be situated 1.8m above floor level and so they would not provide direct views to neighbouring sites.
- 6.7 In terms of the level of amenity for the additional unit located within the roof-space as well as the amended approved unit also contained within the roof-space, one dormer window would provide outlook for the lounge and kitchen area with one roof-light providing natural light. The bedrooms would be served solely by roof-lights and due to their positioning, a minimum of 1.8m above floor level, there would be no outlook provided. Whilst it is not considered to be the ideal situation that no outlook is provided for the bedroom, as the units are one bedroom only, meaning that the living areas (kitchen and lounge) would not be shared, it is not considered that a significant amount of time would be spent in the bedroom. For this reason, it is not considered that a refusal on the basis that no outlook is provided for the bedrooms can be justified. Furthermore, the Council has no policies relating to the minimum amount of outlook considered acceptable within residential units. The shared amenity space on site is limited; however, as the site is situated in close proximity to both Grenfell Park and Kidwells Park, it is considered that this level of provision is acceptable.

Issue 4 - Parking

- 6.8 For clarification, under application 16/00552/FULL permission was granted for improvements to road layout. This has now been implemented on site and an Agreement under S.278 of the Highways Act was agreed by the Highways Authority under 17/03804/CONDIT. Improvements to the road layout were initially included in the description of this current application however as it has already been approved and implemented on site, it has been removed from the description.
- 6.9 Under application 17/02224/FULL, no curtilage parking was proposed and this was accepted by the Council due to its sustainable location in close proximity to a range of public transport. Planning permission 16/00552/FULL included a clause within the S106 that restricted parking permits. S106 agreements to restrict parking permits are no longer used as a mechanism to prevent parking permits being issued; the Council's parking team is responsible for considering individual applications and for issuing parking permits. The addition of one residential unit is not considered to justify the need for parking to now be provided on site as a parking free scheme has previously been granted on this site for 6 units.
- 6.10 To comply with current cycle parking standards the proposal would need to provide 1 cycle parking space per unit. Cycle parking has been included in the scheme and would be positioned to the rear of the property. The Highways Authority has concluded that this is acceptable in terms of scale. The proposed bin storage is located adjacent to the cycle storage area. The details of the bin and cycle store submitted are the same as that approved under 17/03804/CONDIT. A condition can be included to ensure the development is implemented in accordance with these details.
- 6.11 A Construction Management Plan was submitted to support the application and an amended document was submitted on the 24th of January. The Highways Authority have confirmed that they are satisfied with the information provided and a condition can be included to ensure the development is implemented in accordance with this.

- 6.12 Overall, the proposal is considered to comply with Local Plan policies T4, T8 and P4, and policy MTC14 MAAP.

Issue 5 – Other Material Considerations

Housing Land Supply

- 6.13 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. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council has formally submitted the Plan for examination. The Borough Local Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

Community Infrastructure Levy (CIL)

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

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

9 neighbouring properties were notified directly of the application and a site notice was posted at the site on the 4th of January 2018. At the time of writing, public consultation is still open. Three letters of objections were received and one letter of objection from Maidenhead Civic Society which are summarise below and any further representations will be reported in an update.

Comment		Where in the report this is considered
1.	Insufficient parking	See 6.10
2.	Safety of hammerhead turning circle	See 6.9
3.	Light and encroachment issues	See Issue 3
4.	Development out of keeping with the area	See 6.4
5.	Approved proposal for 6 x 1 flats already represents over development of the site	The size of the building would not be altered from that already approved under 17/02224/FULL

Other consultees

Consultee	Comment	Where in the report this is considered
Highways Authority	No objection and cycle and bin store is acceptable.	6.10, 6.11
Environmental Protection	No objection subject to informatives relating to prior consent for construction noise, and dust and smoke control.	Noted

8. APPENDICES TO THIS REPORT

- ☐ Appendix A – Site and Location Plan
- ☐ Appendix B – Proposed Floor Plans
- ☐ Appendix C – Proposed Elevations

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 The development shall be implemented in accordance with the details of both hard and soft landscape works, included under 'Hard and Soft Landscaping Plan' and the Landscape Management Plan received on the 22nd of February 2018 and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 4 The development shall be implemented in accordance with the levels illustrated on drawing no.13.370.P005 received on the 22nd of February 2018.
Reason: In the interest of the visual amenities of the area. Relevant Policies Local Plan DG1, N1
- 5 No part of the development shall be occupied until covered and secure cycle parking and waste storage facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles and the storage of waste in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 6 The development shall be implemented in accordance with the Construction Management Plan, produced by Nascot Homes and submitted on the 24th of January 2018. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 7 The first floor window(s) in the west elevation(s) of the building shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.

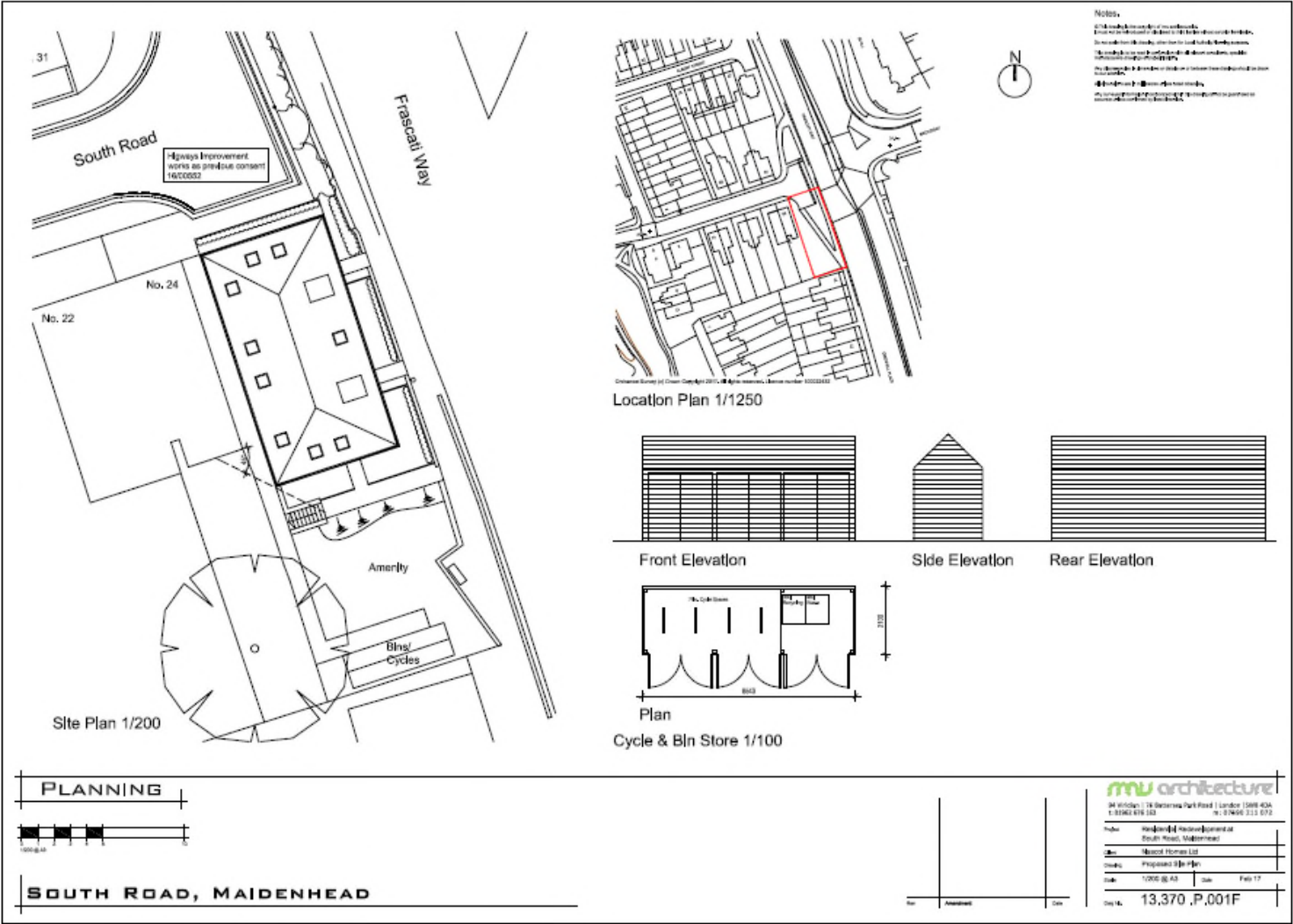
- 8 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

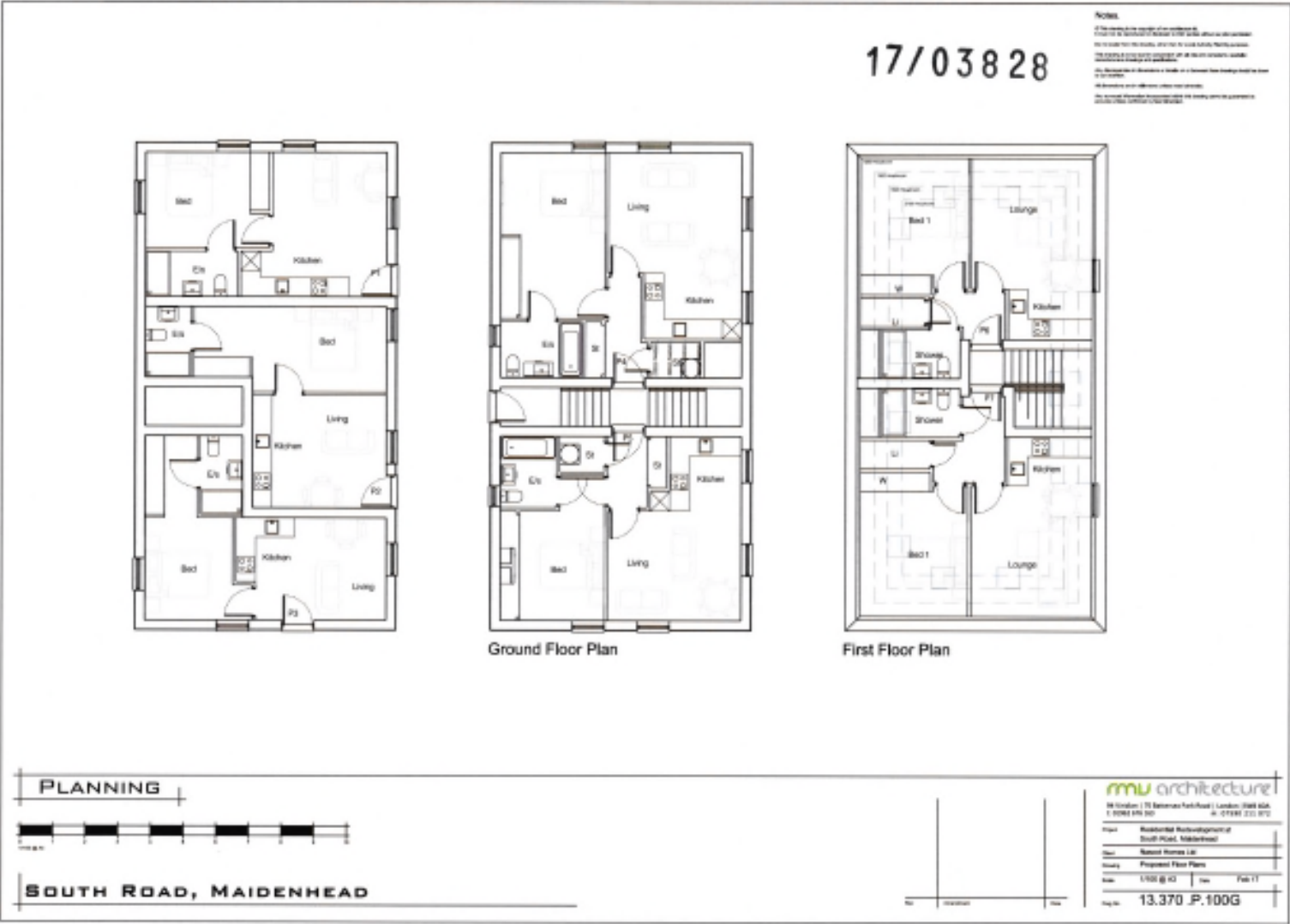
Informatives

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks' notice to obtain details of underground services on the applicant's behalf.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 3 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 4 No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
- 5 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
- 6 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'. The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00 – 18.00, Saturday 08.00 – 13.00, and no working on Sundays or Bank Holidays. Please contact the Environmental Protection Team on 01628 683830
- 7 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control and these are available on the internet: London on 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.

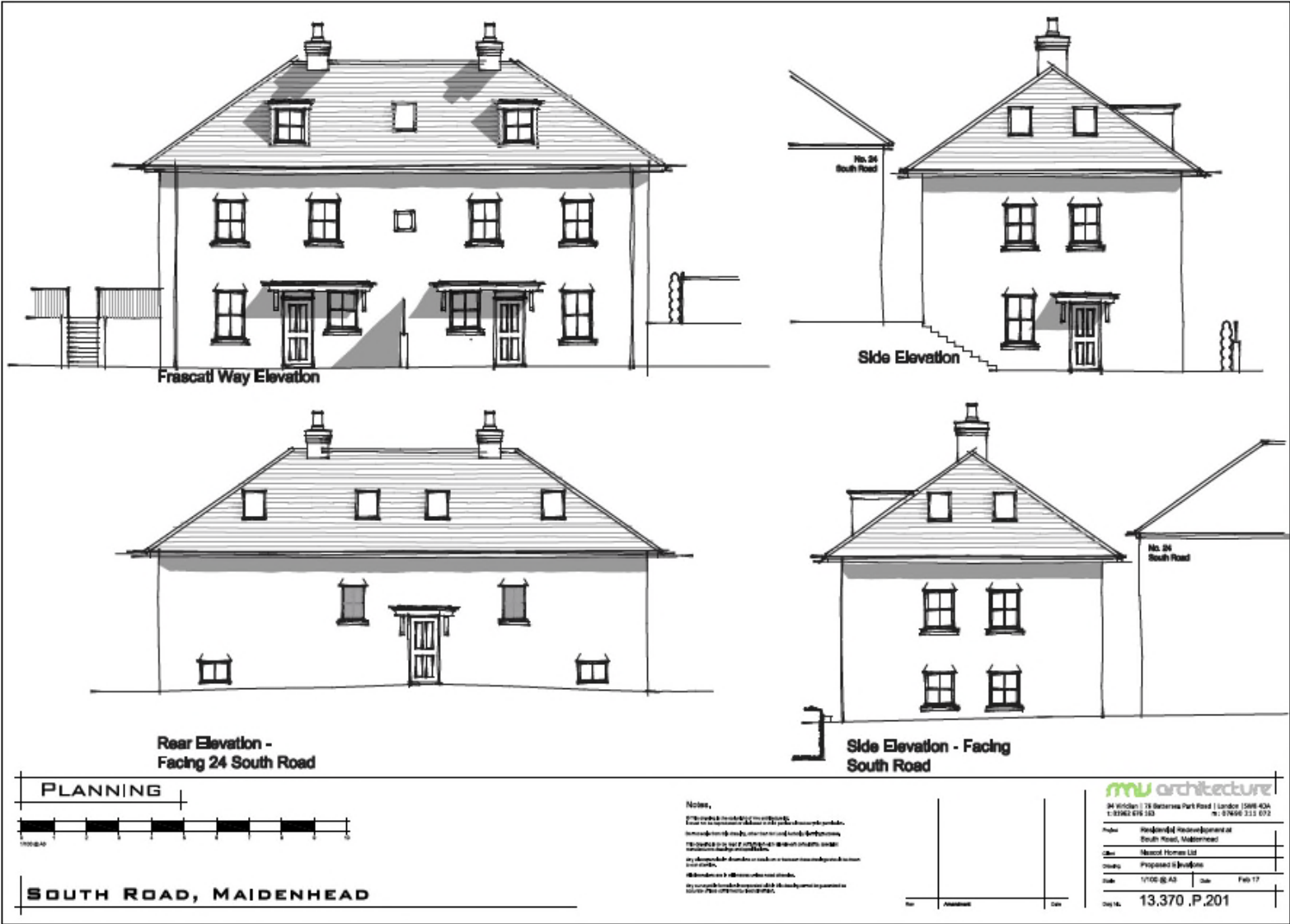
Appendix A – Site and Location Plan



Appendix B – Proposed Floor Plans



Appendix C – Proposed Elevations



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

14 March 2018

Item: 5

Application No.:	18/00028/FULL
Location:	Waterside Plaza Crown Lane Maidenhead
Proposal:	Lowering of the hard invert under the eastern arch of the Chapel Arches road bridge.
Applicant:	Mr Mitchell
Agent:	Mr Chris Mitchell
Parish/Ward:	Maidenhead Unparished/Oldfield Ward
If you have a question about this report, please contact: Christine Ellera on 01628 795963 or at chrisie.ellera@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application is effectively to lower the slab level under Chapel Arches Bridge in Maidenhead Town Centre to facilitate small boats being able to use the waterway. The principle of the utilisation of York Stream for leisure boats forms a key part of the vision for the restoration of the waterways.
- 1.2 The proposed development is considered to be visually acceptable, would enhance the character of the Conservation Area, would not raise any significant environmental issues and would not impact on the amenities of the occupiers of the surrounding residential properties. On this basis the proposed development is considered to be acceptable.

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 1.1 The application site relates to Chapel Arches Bridge and the associated waterway beneath the arches. The bridge is positioned in the centre of the Chapel Arches redevelopment area. The southern elevation of the bridge is formed of 3 arches. The two most 'western' arches are dammed and water does not pass through these arches. York Stream flows through the 'eastern' most arch. This is referred to as 'arch 3.'
- 1.2 The invert is not part of the original c1825 bridge structure, but comprises a steel reinforced concrete base and supporting walls which were added in the 1960s by Thames Conservancy as part of a flood relief scheme. The flood role of the town centre channels has since been overtaken by the Environment Agency's much larger Jubilee River project to the east of the main River Thames
- 1.3 At the time writing the Officer report the Chapel Arches Bridge was in the process of being restored and the Colonnade to the immediate north was being demolished to facilitate the ongoing redevelopment of this area.
- 1.4 The site is within the Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This is a full application for the lowering of the hard invert under the eastern arch of the Chapel Arches road bridge. This effectively means lowering the slab level below York Stream to increase the water depth from 0.5m to 1.3m to match that already undertaken further south of the York Stream improvements.
- 4.2 Works proposed will be to the stream bed and will not be visible above the water-line.
- 4.3 There is extensive planning history to this site, of direct relevance:

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

17/01557/VAR	S73 11/02183/Full without complying with condition 2 (phasing) 3 (completion of scheme) 4 (construction and environmental management plan) 7 (ramps and bridges) 10 (haul routes) 13 (piling methods) 14 (bypass channel and trash screen) 16 (back pumping) 18 (contamination) 26 (mitigation scheme) 27 (service crossings) 29 (weir and lock details) 30 (outfalls) and variation of the Section 106 agreement.	Pending consideration
15/04284/FULL	Pontoon on the west bank of York Stream for mooring boats	Permitted 21.12.2017
17/02124/FULL	Demolition of The Colonnade	Permitted 22.12.2017
17/01726/FULL	Redevelopment of part Hines Meadow Car Park And La Roche And the Colonnade to provide 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3)	Permitted 22.12.2017

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

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

Royal Borough Local Plan

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

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

5.4 The above document forms part of the adopted Development Plan and provides a mechanism for rejuvenating the Maidenhead Town Centre. The document focuses on; Place Making, Economy, People and Movement. The AAP also identifies six sites for specific development.

5.5 Policies of relevance include:

- ☐ Policy MTC 1 Streets & Spaces
- ☐ Policy MTC 2 Greening
- ☐ Policy MTC 3 Waterways
- ☐ Policy MTC 4 Quality Design
- ☐ Policy MTC 13 Community, Culture & Leisure
- ☐ Policy MTC 14 Accessibility
- ☐ Policy MTC 15 Transport Infrastructure
- ☐ Policy OA5 High Street/ York Stream Opportunity Area
- ☐ Policy IMP2 Infrastructure & Planning Obligations

These policies can be found at

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

Borough Local Plan: Submission Version

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

5.7 This document can be found at:

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

Supplementary planning documents

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

- ☐ The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

5.9 More information on these documents can be found at:

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

Other Local Strategies or Publications

5.10 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:

5.11 More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

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

Principle of the proposed development

- 6.2 There is extensive planning history to this site which establishes the redevelopment of this area and is supported by the Maidenhead AAP (2011) which identifies this area as the High Street/ York Stream Opportunity Area. There is also significant planning history regarding the redevelopment of the Maidenhead waterways, and strong Council support for bringing the waterways back into a recreational use, in support and enhancing the vitality of Maidenhead Town Centre and the wider local area.
- 6.3 With reference to the above planning history 11/02183/FULL the principle of the restoration of the waterways and the utilisation of it for leisure boats has already been established. The principle of lowering the hard invert to allow for boats to pass underneath the bridge has therefore already been agreed.

Design considerations including the impact on heritage assets

- 6.4 All proposed works would be submerged and as such they would not raise any significant issues in terms of visual appearance. The bridge itself falls within the Conservation Area and consideration of the potential impact on this Heritage Asset is therefore required. As acknowledged by both the applicant and the Council's Conservation Officer the invert is not part of the original c1825 bridge structure, but comprises a steel reinforced concrete base and supporting walls which were added in 1960. The base of the bridge is not considered to contribute significantly to the structure or to the Conservation Area. The development would assist in allowing boats to use the waterway which as a whole is considered to enhance the character of the Conservation Area.
- 6.5 However, given the historical fabric of the arches it is considered both reasonable and necessary to attach conditions regarding full details of the construction method to ensure the bridges are not damaged during the works. This is set out in condition 2. The Conservation Officer also requested full detailed plans of the proposed works and this is also combined into recommended condition 2.

Environmental Considerations (including flooding)

- 6.6 The principle of the restoration of the waterways and the environmental implications for the utilisation of Maidenhead Waterways for leisure boats has been agreed under the planning history for this site. The proposed development would simply look to reflect works which have already taken place further south of the Bridge. This would marginally improve the flow of water and increase flood storage. Any potential environmental impact from the wider waterways development was identified as part of the wider application 11/02183/FULL which was permitted with appropriate mitigation.
- 6.7 The Environment Agency have been consulted over this application however to date no comments have been received. Members will be updated at the Panel meeting if any late consultation response is received. In any event, the proposed works would be subject to an Environmental Permit from the EA in order to undertake the works.

Impact on Neighbouring Amenities

- 6.8 Due to the size and location, the proposed development would not impact on the amenities of the occupiers of the adjacent dwellings in terms of loss of light or overbearing impact.

- 6.9 The only potential impact is in terms of potential noise and disturbance during the restoration, dredging, demolition and construction stages of the project. The Council's Environmental Protection Team has raised concerns about potential impacts on the local amenities, from dust and noise and vibration. Much of this is dealt with through Environmental Health legislation and the statutory noise nuisance process. However given the proximity to neighbouring residents it is considered reasonable and proportionate for a Construction and Environmental Management Plan to be submitted and approved prior to any works commencing. This will need to include a dust plan, including mitigation measures and a noise and vibration management plan, including mitigation measures. This is set out in condition 3.

Other considerations

- 6.10 The proposed development in itself does not raise any issues in terms of highway safety or capacity issues. However the works may have some impact on the highway (including the pavement) and as such it is considered both reasonable and necessary to attach conditions about a construction method statement, see condition 4.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 The planning officer posted a notice advertising the application at the site on 23 January 2018 and the application was advertised in the Maidenhead & Windsor Advertiser on 25 January 2018.
- 7.2 No neighbour representations have been received.

Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No comments received	See para 6.6 and 6.7
Highway Authority	No comments received	See para 6.10
Conservation Officer	No objection subject to conditions	See para 6.4
Environmental Protection	The development will have to be carefully undertaken to ensure no harm to neighbouring amenity, conditions are recommended to ensure this.	See para 6.8 and 6.9

8. APPENDICES TO THIS REPORT

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

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED.

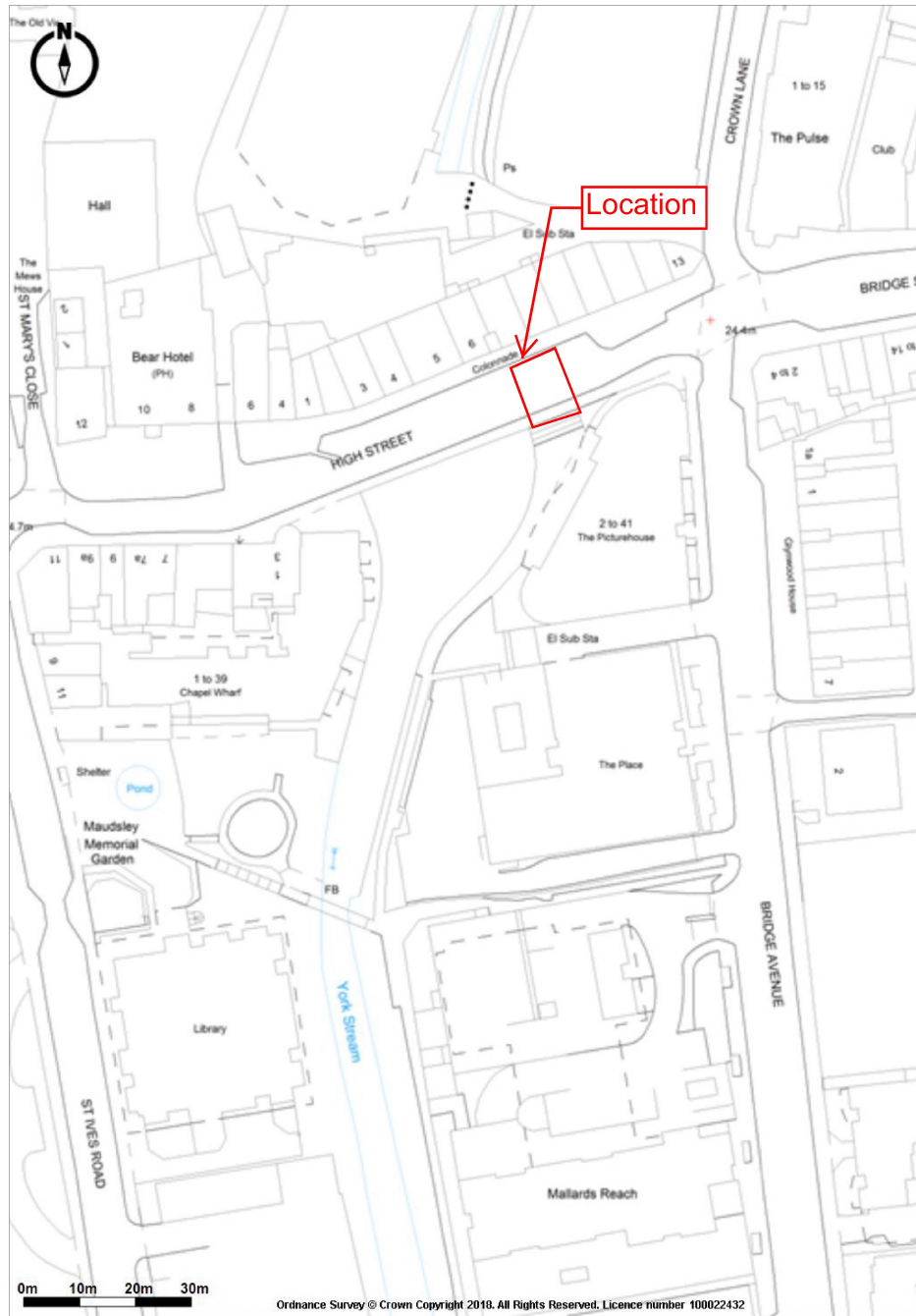
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Before the commencement of works, details shall be submitted to and approved with the Local Planning Authority showing the areas of the structure to be demolished and setting out the method of ensuring the safety and stability of the historic fabric to be retained throughout the phases of demolition and reconstruction. Such details to include structural engineering drawings and a method statement and detailed drawings of the proposed lowered invert. The work shall be carried out fully in accordance with the method statement approved. Reason: In order to preserve the character of the Conservation Area. Local Plan Policy CA2
- 3 Prior to the commencement of any works a Construction and Environmental Management Plan shall be submitted to the Local Planning Authority detailing a complete method statement and project plan for the demolition and construction phase of the proposed works including timescales. The plan shall include the predicted construction vibration and noise and dust levels emanating from the site that are likely to affect nearby sensitive receptors, the plan shall also include details of noise, vibration and dust mitigation measures as well as specifying acceptable noise, vibration and dust limits to be met at nearby residential and sensitive receptors. There shall also be an ongoing dust, noise and vibration monitoring programme incorporated within the plan to ensure these limits are complied with throughout the duration of these works. There shall also be included within the plan a designated complaint number for the principal contractor and a regular newsletter updating residents and businesses on the progress of the scheme. Reason: To protect the amenities of the area. Relevant Policy Local Plan NAP3.
- 4 Prior to the commencement of any works a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

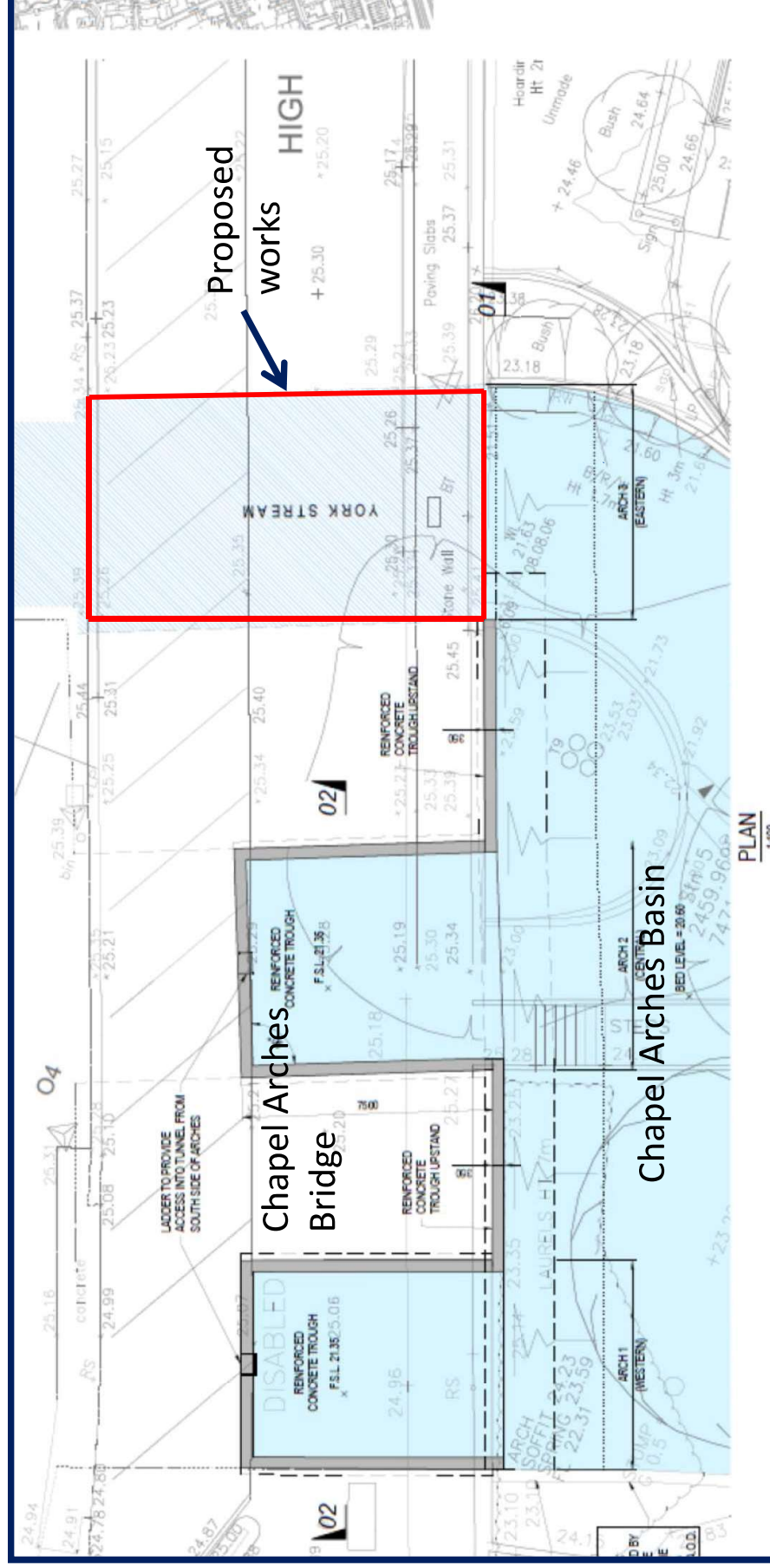
Informatives

- 1 The applicants' contractor is strongly advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'. The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays. It is noted the applicant intends to only carry out works Monday to Friday between the hours of 09.00 and 17.00.
- 2 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down and that where appropriate wheel wash facilities are made available, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: oLondon working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the o Building Research Establishment: Control of dust from construction and demolition activities

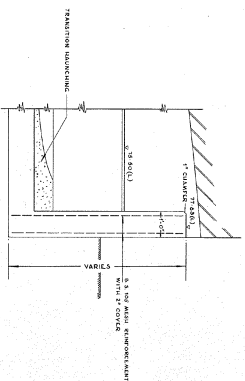
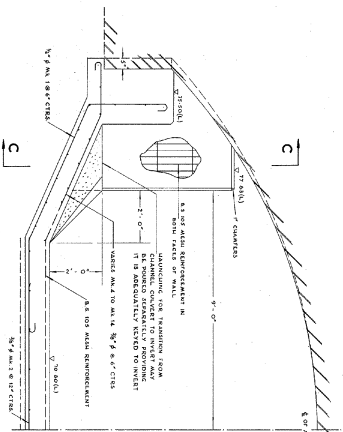
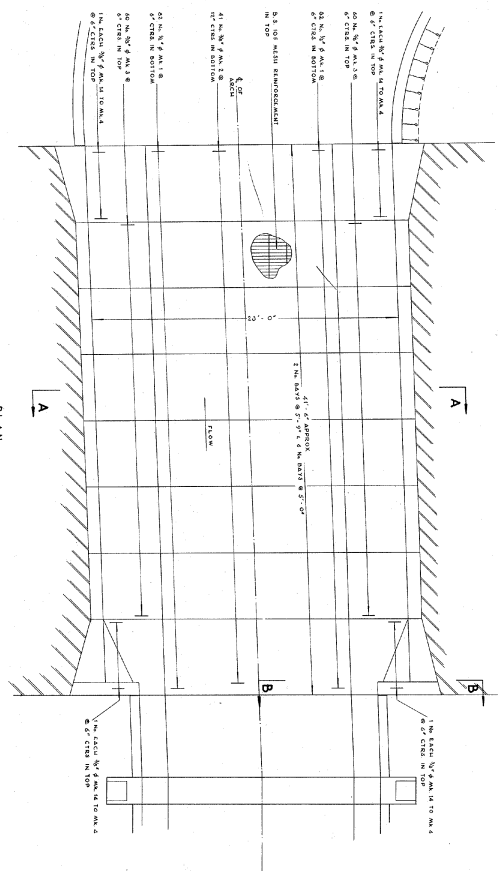
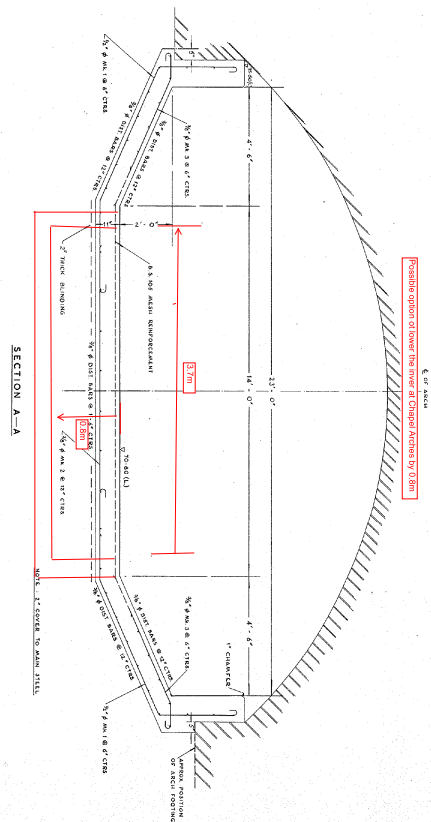
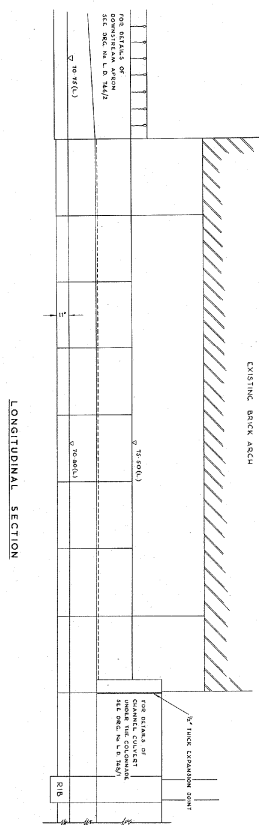
Location of "Lowering of the hard invert under the eastern arch of the Chapel Arches road bridge" proposal.



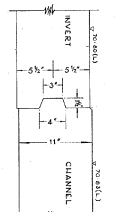
Plan of proposed invert reduction



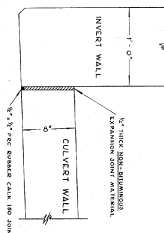
THAMES CONSERVANCY



DETAIL OF CONSTRUCTION JOINT
BETWEEN INVERT AND CHANNEL



DETAIL OF EXPANSION JOINT
BETWEEN INVERT WALL AND CHANNEL WALL



BAR BENDING SCHEDULE									
LOCATION	MARK	DIA.	N.	LENGTH	BENDING SKETCH	LOCATION	MARK	DIA.	N.
INVERT	1	1/2"	12'-0"	12'-0"		INVERT	3	3/8"	12'-0"
2	1/2"	12'-0"	12'-0"	12'-0"		2	1/2"	12'-0"	12'-0"
3	1/2"	12'-0"	12'-0"	12'-0"		3	1/2"	12'-0"	12'-0"
4	1/2"	12'-0"	12'-0"	12'-0"		4	1/2"	12'-0"	12'-0"
5	1/2"	12'-0"	12'-0"	12'-0"		5	1/2"	12'-0"	12'-0"
6	1/2"	12'-0"	12'-0"	12'-0"		6	1/2"	12'-0"	12'-0"
7	1/2"	12'-0"	12'-0"	12'-0"		7	1/2"	12'-0"	12'-0"
8	1/2"	12'-0"	12'-0"	12'-0"		8	1/2"	12'-0"	12'-0"
9	1/2"	12'-0"	12'-0"	12'-0"		9	1/2"	12'-0"	12'-0"
10	1/2"	12'-0"	12'-0"	12'-0"		10	1/2"	12'-0"	12'-0"
11	1/2"	12'-0"	12'-0"	12'-0"		11	1/2"	12'-0"	12'-0"
12	1/2"	12'-0"	12'-0"	12'-0"		12	1/2"	12'-0"	12'-0"
13	1/2"	12'-0"	12'-0"	12'-0"		13	1/2"	12'-0"	12'-0"
14	1/2"	12'-0"	12'-0"	12'-0"		14	1/2"	12'-0"	12'-0"

7/14
8066

MAIDENHEAD FLOOD RELIEF SCHEME STAGE II CHAPEL ARCHES—INVERT TO BRICK ARCH

DRG. No. L.D. 747
SCALE: 1/4"=1'-0"
DATE: 10/10/00
BY: JLB
CHECKED: JLB
APPROVED: JLB
DATE: 10/10/00