1. SUMMARY

1.1 This proposal on the land south of Stafferton Way provides an opportunity to regenerate previously developed land (brownfield) to deliver a new residential quarter to the south of Maidenhead town centre. The proposed development will enable the delivery of new homes comprising a range of types and tenure to support housing needs totalling 271 new dwellings of which 30% are to be affordable.

1.2 The site lies within the Green Belt and by definition is considered an inappropriate form of development which would reduce openness and harm two of the purposes of including land in the Green Belt, (namely to check sprawl and to safeguard the countryside from encroachment). While contrary to the adopted Local Plan and the NPPF, this development would be in accordance with the emerging Local Plan Spatial Strategy, in that it:

- provides residential development in close proximity to the town centre, where jobs and employment opportunities are focussed, the proposal will assist in securing a sustainable balance between homes and jobs across the Borough.
- conserves the special quality of environment and place of the wider town centre, which requires a viable population and housing choice.
- focuses development on urban areas, optimising the efficient use of previously developed land.
- supports the defined network of town, district and local centres, by supporting the growth and viability of the town centre as the highest order centre in the hierarchy.

1.3 Given the location of the site so close to the town centre, the site’s high sustainability credentials and the fact that it is previously developed land which does little to contribute to the visual or spatial qualities of the Green Belt the Council is progressing the release of this site from the Green Belt through its Local Plan making process. The potential release of this site has already been through one consultation process and the Council is progressing its release further by agreeing to include it in the next phase of consultation due to take place in June this year.

1.4 It is therefore the combination of the status of the site as a preferred option in the emerging local plan, housing need, the fact that the site is previously developed land, the sustainability benefits, the sites location and visual relationship with the Town Centre, its compliance with the Borough’s emerging spatial strategy and its contribution to town centre regeneration that offers a unique set of circumstances that collectively can be given substantial weight and are considered to constitute a case of very special circumstances that outweighs the harm through inappropriateness and any other harm.
1.5 Part of the site lies within flood zone 2. The Environment Agency raises no objection and the proposal complies with the sequential test. A drainage strategy for the site has been submitted but objections were raised by both the Council’s Flood Risk Manager and the Maidenhead Waterways Group. A revised drainage strategy has now been submitted and the conclusions on this will be included in the update report.

1.6 Objections were raised to the original proposal with regard to over development of the site (293 units originally proposed), of particular concern was the lack of meaningful landscaping opportunities within the site, the relationship between the houses and the apartment blocks, the design of the apartment blocks, the impact on trees primarily in the north eastern corner and a lack of legibility when walking through the site and its pedestrian/cycle links.

1.7 Amended plans have now been received addressing these concerns; one apartment block has been removed and the remaining blocks realigned so that the apartment buildings are more on the periphery with the houses located to the east and south of the site to create a better balance across the site and support the revised architectural strategy, with development stepping down from west to east and north to south creating a softer edge to the development and the rest of the Green Belt.

1.8 An additional open space has been created in the heart of the development and will contain a play area (LAP), seating area and planting and will be highly attractive. The focal space will also operate as a transition from the apartment blocks to the north and the housing to the south.

1.9 A critical element of the proposal is the delivery of a new network of footpaths and pedestrian linkages. A new footpath is proposed along the western boundary of the site, along Tip Lane to assist in direct pedestrian movements to the town centre. This will deliver a consistent and a complete footway, which is currently missing in this location. Within the site a new footway is also proposed from Tip Lane all the way through to The Cut to promote permeability. The boundary to the site on the eastern side where it joins The Cut will be open and accessible.

1.10 In terms of parking, in the amended scheme a total of 305 spaces are provided, including a mix of 48 allocated; 222 unallocated; and, 35 visitor spaces. In order to reduce the impact of the parking a slightly reduced level of parking, for the affordable flats only, at a ratio of 0.25 spaces for 1 bed, 0.5 for 2 bed spaces has been proposed. The Council’s Highway Officer has been consulted on these amendments and their comments will be reported in the panel update.

1.11 The site is located next to a sewage treatment works, the applicant has carried out an impact assessment which concludes that residents on this site may be moderately adversely affect. This, coupled with the fact that Thames Water have confirmed that next year part of their odour control systems will be upgraded, and the fact that there are already residents living in proximity to the treatment works, has led them to conclude that the proposal is acceptable. The Council’s Environmental Protection Officer has raised concerns given the number of complaints the Council has received recently regarding odour from the site. Thames Water has also been consulted and raise no objection. Further information in regard to this will be reported in the panel update.

1.12 The proposed development would not harm the amenities of the occupiers of any neighbouring property, furthermore, the impact upon the amenities of the future occupiers of the scheme are acceptable. Subject to conditions the proposal would have an acceptable impact on trees and the ecology of the site.

1.13 The proposed mix of units on site is acceptable as is the level of affordable units. The provision of public open space and amenity areas are also acceptable.
It is recommended the Panel authorises the Director of Development and Regeneration:

1. To grant planning permission on the satisfactory completion of an undertaking
   (i) to secure the provision of affordable homes,
   (ii) the necessary highway improvements, parking management scheme,
        amended travel plan and education mitigation;
   (iii) the securing of the strip of land along the frontage of the site for future
        purchase by the Council for future road widening;
   (iv) the securing of a management company to maintain the landscaped area,
        public open space (POS) including the LAP and LEAP and highways;
   (v) Public access to the POS
   (vi) the conditions listed in Section 10 of this report

   subject to no call in by the Secretary of State in accordance with the Town

2. To refuse planning permission if an undertaking to secure the provision of (i) to (v)
   has not been satisfactorily completed by 10\textsuperscript{th} June 2015 for the reason that the
   proposed development would fail to comply with Local Plan Policies IMP1, H3, R4, R5,T5,T7 and T8 and would fail to secure provision for the maintenance of the
   landscaped and other communal areas, including the access road surface, and
   would not provide for general public access to the Public Open Space within the
   development.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The application site covers an area of approximately 4 hectares (ha) and is located to the south
of Stafferton Way. The site is a vacant site which was previously a sewage treatment works, and
owned by Thames Water Plc. The site is bounded by an access road from Stafferton Way to the
west. The site is adjacent to a retail site and temporary garage to the north, allotment gardens to
the east and a Veolia Waste and Recycling Site to the south. The site is covered in hard
standing, and currently there is overgrown vegetation. The site was also used for a temporary
period in 2007/2008 as a Park and Ride Car Park when Sainsbury's Town Centre Store and
adjacent council car parks were being redeveloped and again during the Olympic Games.

3.2 In the wider setting of the application site, there is a residential estate to the west, a retail park to
the north and Braywick Park to the south. It is close to the main transport links such as
Maidenhead Train Station and on the edge of Maidenhead Town Centre. The site is located
within the Green Belt and partly within Flood Zone 2.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

<table>
<thead>
<tr>
<th>Ref.</th>
<th>Description</th>
<th>Decision and Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>11/02476</td>
<td>Change of use of vacant land to a temporary park and ride to be used in connection with the 2012 Olympic Games together with associated works</td>
<td>Permitted 23.11.2011</td>
</tr>
</tbody>
</table>

4.1 Both of the existing points of access are to be closed and a realigned single entry point slightly
further to the north of the site. This is by way of a simple priority T junction with the site and Tip
Lane. Works to the junction with Tip Lane and Stafferton Way are proposed as part of the
Stafferton Way Link Road regardless of any development proposals on the subject site. However
as part of the proposals officers have sought a revision to further improve pedestrian and vehicle
routing/movement whilst reducing vehicle conflict essentially by straightening out the “dog leg” in Tip Lane. These works are to be secured in the S106 Agreement.

4.2 It is now proposed (amended plans) to constructed 271 residential units on the site. The breakdown of units is as follows.

<table>
<thead>
<tr>
<th>Units</th>
<th>Private Sector</th>
<th>Affordable</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 bed house</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>3 bed house</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>2 bed house</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>3 bed flat</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>2 bed flat</td>
<td>136</td>
<td>58</td>
</tr>
<tr>
<td>1 bed flat</td>
<td>23</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>190</td>
<td>81</td>
</tr>
</tbody>
</table>

4.3 A total of 305 parking spaces including a mix of 48 allocated, 222 unallocated and 35 visitor spaces would be provided.

4.4 The proposed development would take the form of 9 apartment blocks and 39 houses. The mix of housing consists primarily of terraced houses with a few semi-detached and detached properties. All of the houses would have their own rear gardens. A good level of amenity space is also available to the occupiers of the flats, with 2 amenity areas available within the development and then a large expanse of public open space to the south of the site. Two children’s play spaces would also be provided one would be sited within the amenity space sited within the heart of the development and the other larger play space would be sited within the area of open space along the southern boundary of the site.

4.5 The apartment blocks would primarily be between 4 and 6 storeys with a small part of apartment block A being 7 storeys so that the development will be seen from Stafferton Way. The height of the 5 storey blocks would be approximately 16m in keeping with the Lidl and Lock ‘n’ Store building. The proposed houses are a mix of two and three storey.

4.6 In terms of the elevations, and use of materials, a contemporary design and the use of natural materials is proposed. The use of render, cedar, stone and brick has enabled variation and interest across the development, while also providing a sense of architectural coherence in accordance with local vernacular. Roof forms vary across the site with houses having slate-like roof tiles and apartments to have matching grey flat roofs.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

<table>
<thead>
<tr>
<th>Within settlement area</th>
<th>Green Belt</th>
<th>Protected Trees</th>
<th>Highways/Parking issues</th>
<th>Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Plan</td>
<td>DG1, H10, H11, GB1, GB2, GB3, N6</td>
<td>T5, T7, T8, P4</td>
<td>IMP1, T5, R3, R4 and R5</td>
<td></td>
</tr>
</tbody>
</table>

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

- Planning Obligations and Developer Contributions
- Interpretation of Policy R2 to R6 - Public Open Space provision
- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:
National Planning Policy Framework

Core Planning Principles

Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision taking. These most relevant principles to this development are that planning should:

- not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources including conversion of existing buildings and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land or development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.

The Framework is also particularly supportive of building a strong and competitive economy and states that the planning system should do all it can to support sustainable economic growth. Part of this aim is to ensure there is sufficient housing in the right place to support town centres and locations for growth. This is reflected in paragraph 49 which states that housing applications should be considered in the context of the presumption in favour of sustainable development and that Local plans should meet the full objectively assessed needs for the market and

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
affordable needs of the housing market areas as far as is consistent with the policies set out in the Framework, including identifying key sites which are critical to the delivery of the housing strategy. This is addressed further in this report.

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i Green Belt Considerations
ii Impact on the character and appearance of the area
iii Flooding
iv The living conditions of future occupiers of the properties and existing neighbours
v Trees and Landscape
vi Creating a safe and secure environment
vii Housing mix, planning for an ageing population and affordable housing
viii Highway safety and convenience
ix Ecological impacts
x Sustainable Design and Construction
xi Provision of public open space
xii Impact on the air quality management area
xiii Archaeological impacts
xiv Contaminated land

Green Belt Considerations

Whether the proposals represent inappropriate development in the Green Belt and if so whether the applicant has demonstrated the “very special circumstances” which indicate a determination other than in accordance with the development plan?

6.2 The proposals would not be one of the appropriate forms of residential development in the Green Belt and would conflict with two of the purposes of including land in the Green Belt (namely to check sprawl and to safeguard the countryside from encroachment.) It is therefore inappropriate and, by definition, harmful to its openness based on Policies GB1 and GB3 of the Local Plan. Such a proposal could therefore only be acceptable if there was a case of very special circumstances that clearly outweighed the harm through inappropriateness and any other harm caused. Local Plan policy GB2 addresses the other forms of harm other than inappropriateness and this is assessed further on in this report.

6.3 The NPPF paragraph 89 states that Local Planning Authorities should view the construction of new buildings as inappropriate in the Green Belt. This paragraph then goes on to list exceptions to this, one of which is the partial or complete redevelopment of previously developed sites 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 purpose of including land within it than the existing development.

6.4 The existing development on site consists of a large expanse of hard standing with no built form on it i.e. nothing above ground level. The site was formally part of the sewage treatment works
which currently occupies the land to the south, but all structures were removed over 10 years previously (between 1993 and 2006). It has been used as a car park associated with the Olympics Games in the intervening period but otherwise the site has lain vacant since the buildings and structures were demolished. As such the proposal is considered to be previously developed land as the site has a redundant industrial use. The existing hardstanding has a negligible impact on openness and the proposed development would reduce the openness of the Green Belt over and above what currently exists. As such the proposal does not comply with paragraph 89 and cannot be considered an appropriate form of development under the considerations of the NPPF. The proposal would by definition be harmful to the openness of the Green Belt and to this substantial weight must be afforded.

6.5 In order for the proposed development to comply with local and national policy a set of very special circumstances needs to be put forward which clearly overcomes the substantial harm through inappropriateness and any other harm.

Whether the proposal is acceptable in terms of their impact on the openness of the Green Belt and the character of the Countryside.

6.6 At present the site is open with no buildings on site, just a large expanse of hardstanding with a bund around it which visually does little to contribute to the wider openness and visual amenities of the Green Belt. Openness within the site would be reduced over and above what currently exists. However, given the location of the site and its relationship with the town centre, the site is read in the context of the neighbouring urban settlement. While there would be a reduction in openness to the Green Belt and harm to two of the purposes of including land in the Green Belt (namely to check sprawl and to safeguard the countryside from encroachment), the level of harm is low due to the developed nature (redundant industrial site) and locational context. This locational context is derived from the fact that the site is visually read as being adjacent to large warehouse retail units and car parking areas.

6.7 Additionally, the proposed development would be well screened from the land to the south, Braywick Park and the neighbouring Green Belt and the site has been sensitively designed to incorporate a green buffer adjacent to the Green Belt as well as reducing heights across the site to result in a softer edge. Whilst the development would be visible from some vantage points i.e. Tip Lane this is within the urban settlement. Given the residential development to the east of this site this proposal would assimilate well with its surroundings. As such there would only be limited harm to the openness of the Green Belt and the character of the countryside. Even though this harm may only be limited it should still be afforded substantial weight.

The Case Of Very Special Circumstances (VSC) put forward by the applicant.

6.8 While the site’s current designation as Green Belt land is recognised, this application should be considered in the context of the following key points which supports the principle of development

i) There is an exceptional need for housing in the Borough.

ii) There is an exceptional need for affordable homes which is urgent and acute.

iii) Green Belt release of some previously developed sites within Green Belt has been recognised as necessary to meet this need.

iv) The application site has been assessed and demonstrated to be a sustainable site.

v) Public Consultation has already been undertaken and the site is supported.

vi) The 5 year land supply position is marginal and risks non preferred sites coming forward.

vii) The site delivers a range of benefits.

Officer Comment “Please note that the applicant’s case of very special circumstances as reproduced below was submitted to the Council prior to the Second Preferred Options
Consultation being agreed at Cabinet on 26th February 2015. The outcome of this report is set out in the officers’ comments following the applicant’s case of VSC.”

(i) There is an exception need for housing in the Borough

6.9 There is specific evidence produced for the Local Plan process to confirm that there is an acute and exceptional need for housing within the Housing Market Area for RBWM and specifically within the borough itself. As outlined above the SHMA confirms that the Housing Market Area of RBWM is wide and influenced by 10 authorities’, recognising the functional linkages between places where people live and work and the interrelationships in the real world, this highlights that the Borough is a desirable place to live where the need for housing is high.

6.10 In order to assess the need, the SHMA considered population growth. All scenarios of population growth assessed indicate significant and sustained increases when using the interim 2011 based projections. When the necessary adjustments are applied this confirms the objectively assessed requirement for the wider Housing Market Area is 5,558 households spaces per annum. This equates to 701 annual household spaces within the Borough. Over the next 18 years, between 2011 and 2029, this equates to 12,618 household spaces. It should be noted that this period is assessed from 2011. At 2014, the date of the application, the need is already part way through this period, and therefore applies from today – the need is immediate.

6.11 By way of comparison, 701 spaces per year compared to the South East Plan requirement of 346 dwellings per year, and more historically, the adopted Local Plan, which required 350 dwellings (all be it spaces and dwellings may not be equally comparable). It is acknowledged within the SHMA there are constraints within the Borough to accommodating this need. However, it is also acknowledged that there are equal constraints in accommodating the need within the other authority areas within the Market Area. It is a requirement of the NPPF to co-operate between authorities to accommodate the housing need, particularly in constrained locations in the South East. Thus, as discussed below, the RBWMs approach of acknowledging the importance of seeking to accommodate this need, at least as far as possible, is welcomed. Notwithstanding, that the SHMA confirms objectively assessed household spaces, not homes, this is clear evidence that there is significant need for housing in the borough now, and over the next 18 years.

(ii) Affordable Need

6.12 In terms of affordable need, the SHMA highlights that house prices are such that many local residents are priced out of the market. For example, the mean average price for a flat in RBWM in 2012 was £275,853, this was higher than any of the other LPAs within the HMA, and Lower Quartile House prices, which are taken as the best indicator as those properties likely to be purchased by others on lower incomes, are the most expensive in the HMA.

6.13 The SHMA further confirms that there has been continuous growth on the affordable housing waiting list in the Borough in the last three years, and estimates the unique number of households on the waiting list as 2,100, which forms the backlog, notwithstanding the projected need. In reality this is 2100 families and individuals in need of homes now, 81 of which this application can potentially assist.

6.14 To accommodate projected need 375 homes are required annually, plus up to a further 394 per year if the backlog was to be cleared in 5 years. This is a significant and substantial need for affordable housing now. In terms of mix, the SHMA demonstrates in absolute terms demand is greatest for 1 bed properties, albeit with need for 1, 2 and 3 bed units. The proposal delivers affordable units within all bed sizes reflecting a true balanced community and meeting the greatest range of need.

(iii) Green Belt sites will be necessary to meet this demand.
The Council has acknowledged the findings of the SHMA, and in publishing the Preferred Options has stated that there is a projected increase of 12,000 households (assumed to reflect the 12,618 household spaces recorded in the SHMA), and that as there is recognised potential for only 7145 units within “areas which could maintain environmental quality”, the ‘Preferred Option’ is to develop in part of the Green Belt where environmental impacts are considered to be limited. This Preferred Option has been reached only after an extensive body of evidence, including Settlement Analysis, Sustainability Appraisal and other work. Hence it has been taken in the context of full assessment and evidence.

The Council has therefore recognised that a degree of Green Belt release will be required to meet the Borough’s housing need, and is inevitable in this context of meeting objectively assessed housing needs. This recognition of the requirement to release Green Belt land is supported as the only appropriate strategy in the context of the above need. Thus 23 sites have been included within the Local Plan Preferred Options “where analysis of development suitability will be undertaken”, of which one is the subject site. All 23 sites are within the Green Belt.

The Preferred Options plan identifies that these sites could accommodate a total of 4125 units. Thus even with these sites, the objectively assessed housing needs of 12,618 (if household spaces were directly translated into dwellings) will not be met. Equally, there has not yet been any assessment of whether the Borough can or should accommodate the needs of the adjoining boroughs under the Duty to Cooperate. This further supports the case that the release of some Green Belt land is necessary, required and inevitable to meet the need.

(iv) The subject site has been assessed and demonstrated to be the most sustainable

The site has been identified as one of the 23 sites, as part of a wider site which includes both the allotments and land to the south. All 23 sites have been assessed within the Sustainability Appraisal of 2014, and scored according to economic, environmental and social objectives. The site achieved the highest score of all the 23, with 55 points scored. When ranked, the second and third sites scored only 33 and 26. Hence the score of 55 is the highest by a considerable margin. On this basis the environmental impacts associated with developing this site as considered to be the lowest of all the sites assessed.

The subject site achieves high scores within the Assessment as a result of;

i) the proximity to the town centre and key facilities therein and the ability to promote and support that area;
ii) the ability to reduce the need to travel by car, due to the relationship with the town centre and train station;
iii) as the site is brownfield and it does not result in the loss of greenfield land;
iv) ability to provide decent affordable homes, which reduces social exclusion;
v) access to jobs and services in the town centre provides for increased job opportunities and increased engagement in cultural and other activities across the Borough; and
vi) proximity to Braywick Park creates the opportunity to increase sporting activity.

As can be noted on the location plan, the subject site is the closest to the built form, as it extends to the town centre. In comparison all other sites adjoin the edge of a settlement, well removed from any centre. On this basis, the environmental impacts of the site are limited, as required by the policy, and as such it is the most sustainable of all the sites for release. Therefore, we consider that as Green Belt release is inevitable, it follows that the release of the subject site, is also inevitable, as the most sustainable of all the sites considered. Further benefits and assessments of the impacts of the scheme are considered below.

(v) Public Consultation has been undertaken
In including the subject site within the Preferred Options consultation and specifically seeking comment upon it, full public consultation has already been undertaken on the site. Full details of the comments are available to the Council. However, in summary, of the 49 respondents, only 10 were in objection and the vast majority of those were in respect of ecological issues or flooding, reflecting the wider allocation promoted in the Plan, and the lack of technical information that can be included within a Policy. All flooding issues have been resolved in the accompanying FRA (by the raising of finished floor levels as addressed below) and the exclusion of the allotments from the application sites removes the issues raised by those objected to the widest extent of the policy. Therefore the vast majority supported the allocation of the site for housing.

On this basis, the public have had the opportunity to comment upon the principle of the allocation of the site, both within policy and at application stage during the application consultation. At all stages the response has been positive, reflecting the brownfield nature of the site, and lack of true greenbelt characteristics. There can be no suggestion of prejudice in the determination of the application prior to later stages of policy formulation. This is addressed below.

(vi) The 5 year land supply position is currently marginal

We note the Council’s suggested 5 year land supply position is stated to be 5.81 years (as April 2012) with a 5% buffer. We suggest this is a marginal position which leaves the authority vulnerable to an appeal lead delivery of units. All 271 units are available within the short term. As a theoretical exercise using the Council’s 2012 data (and therefore assuming the same 2012 – 2017 period), the inclusion of the 271 units proposed would increase the supply to 5.75 years. This will provide the Council with greater security and robustness in order to defend other applications on other sites.

(vii) The site delivers a range of benefits

The proposed development also provides a series of key benefits which must also be considered in the context of the above.

The reuse of this site brings significant sustainability benefits, through economic, social and environmental benefits. The site is classified as true brownfield land, having had extensive built form across the site. On this basis, and as bought out by the public consultation exercise, it is not viewed as traditional green belt, greenfield undeveloped land. Thus the regeneration of this land is to be viewed as preferable to other true greenfield sites, and represents sustainable development in principle, in accordance with the NPPF and the Government’s growth agenda.

The site brings the opportunity to deliver 80 affordable units in very close proximity to the town centre, where demand is anticipated to be high. Despite the costs associated with regenerating brownfield land, the applicant is willing to deliver a policy compliant affordable housing scheme, in a tenure split to meet local needs. This is a significant benefit in the context of other schemes, where a lesser proportion of affordable housing is generally offered.

The development is sustainable though the use of technologies to reduce the predicted energy demand by 10% and delivery of homes which achieve the required standard of Code 3 for Sustainable Homes.

In light of the proximity to the town centre, within 5 minutes walk of the site, the redevelopment will further assist the regeneration of the town centre, as encouraged and required by the AAP. The proposal will make a significant contribution towards job generation, both at construction and operational stage. During construction, both direct employment on site in terms of construction jobs, and induced employment through the supply chain will be created. Once built out, the increased expenditure of residents spent on goods and services in the local community, particularly in Maidenhead town centre will generate further employment opportunities. This will enhance the regeneration of the town centre by strengthening the vitality and viability of the retail centre and the economic growth of the area overall.
6.29 The redevelopment of the subject site will not preclude the remainder of the allocation within the Preferred Options coming forward, should the Sewage Treatment Works be found to be surplus to requirements in the future, or the allotments re-provided. It has been designed with a buffer on the southern and eastern boundary, which can easily link into buffers/open space on the adjoining sites. Further, although not part of the allocation, there remains potential to encourage linkages between the subject site and the former Land Rover site to the north, and thus is in accordance with policy HOU8 in this respect.

6.30 The delivery of a permanent form of development on the site removes the opportunity for unlawful gypsy and traveller incursions, as has happened in the past. Redevelopment is the only long term solution to eliminate this risk, and therefore brings significant benefit to the amenity of surrounding residents.

6.31 The development of the site brings the opportunity to further enhance the Stafferton Way Link Road proposals, by further upgrading the access with Tip Lane. These works would not be forthcoming without the access, but provide benefit to the community and other users beyond the site.

6.32 In summary the benefits offered by the proposal, accord directly with the emerging Local Plan Spatial Strategy, in that:

- In providing residential development in close proximity to the town centre, where jobs and employment opportunities are focussed, the proposal will assist in securing a sustainable balance between homes and jobs across the Borough.
- By delivering development in this location, it conserves the special quality of environment and place of the wider town centre, which requires a viable population and housing choice.
- It focuses development on urban areas, optimising the efficient use of previously developed land.
- It supports the defined network of town, district and local centres, by supporting the growth and viability of the town centre as the highest order centre in the hierarchy.

In response to these benefits officers have the following comments to make;

**Update on the Borough Local Plan**

6.33 On 26th February 2015 the Council agreed the scope of the Second Preferred Options Consultation. The principle purpose of the second preferred consultation is to cover those elements that, at time of, the first Preferred Options Consultation the Council did not have a preferred approach. In addition, where there is a material change in previous preferred position, the new position should also be put forward for consultation.

6.34 At this meeting it was agreed by the Council that the preferred approach is to permit development on suitable land:

- within urban areas;
- on previously developed land (PDL) in the Green Belt; and
- on greenfield land to the south of Ascot High Street as directed by the Ascot, Sunninghill and Sunningdale Neighbourhood Plan.

6.35 Of the 23 areas in the Green Belt on which views were invited in the (first) Preferred Options Consultation, allocations are only recommended within two areas: Land south of Stafferton Way Maidenhead and Land south of Ascot High Street. It is not recommended to allocate land for development within the other areas.

6.36 With the exception of the land south of Ascot High Street, undeveloped land within the Green Belt is recommended to be protected. The allocation of the greenfield land south of Ascot High Street is recommended as an exception to facilitate the community’s vision for that area as defined in the adopted Ascot, Sunninghill and Sunningdale Neighbourhood Plan to be realised. At referendum 92% of voters supported the adoption of the neighbourhood plan.
Building on PDL in the Green Belt and the greenfield land south of Ascot High Street would enable a further 1,200 dwellings to be built, taking the overall supply to around 8,900 additional dwellings when added to the capacity of urban areas. Adjusting this capacity to allow for a non-implementation rate of 10% would give an annual delivery (housing requirement) of around 425 dwellings per year. Consultations of these preferred sites shall take place in June.

Planning Officer’s Assessment of the VSC

It is agreed that there is a housing need and that the delivery of 270 houses on this site would help strengthen the Council’s five year housing supply increasing the buffer and would help the Council defend its position against other less appropriate/preferred sites. However, the Government in their numerous recent Ministerial Announcements and advice contained within the NPPG is very clear in advising that need alone is not sufficient to constitute a case of VSC.

As such there needs to be further evidence of very special circumstances that would need to be put forward in order to clearly outweigh the harm the development would have on the Green Belt.

The affordable homes this scheme would provide are considered a benefit, however the level provided does not exceed the general policy requirement and therefore whilst of benefit it does not contribute to the case of VSC. Neither does the provision of 10% renewal energy because this again is a requirement of policy and has to be provided on all major residential schemes. Also the removal of the opportunity for unlawful gypsy and traveller incursions to occur does not contribute to the case of VSC.

The fact that the site is identified through the planning making process as a Preferred Option site and has already been consulted upon is afforded significant weight and significantly contributes to the VSC case as is the case that the site is previously developed land.

The sustainability credentials of the site, also contributes significantly to the VSC case, to the north of the site lies the Town Centre which is only 770m from the site and the railway station lies only 550m to the north east.

Furthermore, the Landscape Visual Assessment confirms that the views of the site are generally short distance and from immediately adjacent areas. As such the visual links to the wider green belt beyond the existing sewage treatment works are very limited and the site clearly reflects the character of the surrounding urban areas. The site can therefore be considered to be seen within the context of the town centre and therefore the proposed developed would only have limited harm to the purposes of including land within the Green Belt and this contributes significantly towards case of VSC.

The site is located in proximity to Maidenhead town centre where regeneration is a key planning objective. The site offers a unique opportunity to support existing regeneration activities by delivering additional homes close to the centre. This opportunity has been recognised in the emerging BLP process which has included consultation with the community. The contribution this site can offer to the regeneration of Maidenhead town centre which cannot be replicated elsewhere is considered to constitute VSC.

It is therefore the combination of the status of the site as a preferred option in the emerging local plan, housing need, the fact that the site is previously developed land, the sustainability benefits, the site location and visual relationship with the Town Centre, its compliance with the Borough’s emerging spatial strategy and its contribution to town centre regeneration that offers a unique set of circumstances that collectively can be given substantial weight and are considered to constitute a case of very special circumstances that outweighs the harm through inappropriateness and any other harm.

The case of VSC as summarised in paragraph 6.45 is considered to clearly overcome the harm through inappropriateness and the actual physical harm the development would have on the Green Belt both of which officers give substantial weight.
Impact on the character and appearance of the area

6.47 In summary the layout has been designed on a grid approach in order to provide a permeable and legible structure, the layout is high density as it has been designed purposefully to make efficient use of this previously developed site. The drainage strategy is also a key element in the layout of the scheme in order to provide a sustainable drainage system and the provision of an attenuation basin to accommodate storm water if required to ensure that the site achieves the greenfield runoff rates required.

6.48 There are a number of gravity sewers and pressured water mains and the development has been designed to accommodate the easements to these sewers and only require limited diversion of one sewer to enable the development process.

6.49 The layout has been changed significantly following the feedback from the Design Review Panel and meetings with Officers, with the overall layout and permeability enhanced by the changes. One of the key changes has been the introduction of a central focal space at the heart of the revised scheme framed by development and providing the requested ‘breathing’ space. This central focal space will contain a play area, seating area and planting and will be highly attractive. The focal space will also operate as a transition from the apartment blocks to the north and the housing to the south. This change has had an impact on the number of units on the site, with an entire apartment block removed. The site now benefits from 3 key spaces.

| 1. | The space fronting Tip Lane, supported by the variation in architectural form and heights of the surrounding buildings – creates a high quality entrance and sense of arrival. |
| 2. | The new focal central open space with a more formal design and supported by a formal street frontage. The focal space promotes diagonal movement through the development working on the basis of the desire lines connecting the development to and from the town centre, as well as the on-site and wider green amenities. |
| 3. | The Linear Park has been extended where possible and with an enhanced foot/cycle path that is now 3m wide to enhance connectivity |

6.50 Another key move has been to rationalise the architectural form with housing removed from the north eastern boundary and an apartment block relocated to respond to the 5 storey Lidl building. This creates an enhanced response to the context of the site, but also gives more space to the trees and vegetation in this area – another request from consultees. The housing elements have been pushed westwards to create a better balance across the site and support the revised architectural strategy, with development stepping down from west to east and north to south creating a softer edge to the development adjacent to the remaining Green Belt.

6.51 Block A remains the dominant focal building within the site, and this has been reinforced through the elevation and roof design. The houses in the north-western corner have been replaced with a new apartment block (Block E). This has been aligned to project forward, to ‘catch the eye’ down the Main Street, and blocks B, C and D are positioned in a staggered arrangement to provide interest. Block F, G, H and J have been changed to support the entrance space and the southern edge of development. Blocks F and H have an asymmetrical roof feature to respond to the entrance space, whilst being sub-servient to Block A, with the other Blocks having flat roofs that respond to the edge of development through their simplicity and lower status within the architectural hierarchy.

6.52 New houses are proposed around the central open space and a new street to the east of Block G has been created. The housing has been designed in a more formal arrangement to respond to the open space and apartment blocks that provide a better balance to the development in terms of having a more central location and prominence for houses. The LEAP has been retained in the southern boundary. This is considered an appropriate location for this use, and in close proximity to the houses, and thus family homes.
6.53 The frontage and design of the building have become more lightweight in their appearance with the “bulky” tower elements removed. More glass has been used to create a sense of transparency and lightness across the scheme and reduce the previous dominance of the development form. Blocks B, C and D have been designed to create a variety along the street frontage with an emphasis on verticality that is achieved through window positions, balconies and composition of materials. The stone cladding to the base of the building gives the blocks a solid base, whilst the use of render and cedar cladding provide interest and variation. Block C has been deliberately designed to be contrasting to break up the massing of the buildings in this location, which achieves a successful and interesting design.

6.54 Building heights step down from the boundary closest to the town centre, railway station and local amenities. Overall apartments range from 6 storey to 4 storeys in the main, with feature elements to Block A, B, F and H with an additional feature storey. The apartment blocks have also been designed with the upper floor recessed to mitigate the impression of height and create a better, overall, street scene. Houses range from 3 to 2 storey with 3 and 2.5 storeys used as focal element to the end of the street or to punctuate the overall street scene. The conclusions of that Landscape and Visual Assessment have been reviewed in light of the revised scale of the proposal. The overall effect is that the higher density taller blocks of flats are now located on the northern and western parts of the site where the development abuts the retail park, office blocks and 4 storey flats. These areas already have buildings of a similar urban character.

6.55 The re-configured lower density terraced and townhouse type accommodation, which ranges from 2 - 3 storeys, occupies the southern and eastern areas of the site adjacent to the semi-rural edges of the Greenway and local nature reserve which lead to Braywick Park and the Green Belt, to the south. This gradation in heights and densities from north-west to south-east was evident in the previous layout but is now more strongly expressed so that the revised layout offers an improvement to the more sensitive southern and eastern interfaces. Within the site the central open space and revised arrangement of flats and smaller scale houses means that the development is more visually permeable with more properties benefitting from frontages on to open space so improving their visual amenity. Boundary screening would also be retained around the site and soften its impact. For all of the above reasons officers consider that the visual impact of the proposal on wider landscape is considered appropriate.

6.56 Key design guidance is provided by policy DG1 which requires the following;
- Overlooking of public spaces and footpaths (to reduce opportunities for crime)
- Facilities for disabled access and parking
- Compatible scale, height and building line
- Sympathetic material choice
- Retention of any public views of historic townscape (not relevant to this application site)
- Inclusion of a landscaping scheme, utilising existing natural vegetation
- Provision of adequate off street parking for cars and cycles, which should be landscaped and overlooked
- Provision of adequate access for vehicles
- No unacceptable traffic impact on local roads
- Separate access to residential accommodation in mixed use schemes (also reflected in H10, but not relevant to this application)
- No cramped development, or loss of features that contribute to local character.

6.57 Further design guidance is provide by policy H10, which seeks the following (as relevant to this application site)
- Retention of important views in and out of the site
- Visual interest though a variety of building type, material, enclosure, surface treatment and landscaping
- Provide for safe movement through the site
- Clear distinction between public and private areas
- Provide parking in close proximity to the housing it serves.

6.58 For the reasons contained within this report the proposal is considered to comply with these relevant policies.
Flooding

6.59 A Flood Risk Assessment and Outline Drainage Strategy has been prepared, in accordance with policy. The report concludes that the proposed development is not at significant risk from flooding, subject to the raising of floor levels to be set to 300mm above the 1 in 100 year plus Climate Change flood event. This requires the site levels to be raised by approximately 150mm which is entirely reasonable and will not significantly alter the topography of the site.

6.60 Further the development is assessed and found not to increase flood risk to the wider catchment as a result of the Sustainable Urban Drainage Systems adopted, i.e. bio retention tree pits and filter strips along the access road and permeable paving, to enable run off to direct to the attenuation basin. A foul drainage assessment has also been undertaken, which concludes that it is unlikely the development will have any significant adverse impact on the receiving sewerage system.

6.61 A sequential test has been considered, but the site has been considered within the Strategic Flood Risk Assessment and as flooding is a key consideration for the Sustainability Assessment accompanying the emerging plan, this issue has already been considered, and no further assessment is considered necessary. On this basis, the development is considered to accord with the requirements of policy F1.

6.62 The Councils Flood Risk Manager and the Waterways Group have both been re-consulted on the amended drainage details that have been submitted to overcome their concerns. The panel update will report the outcome of this consultation. The Environment Agency raises no objection.

The living conditions of future occupiers of the properties and existing neighbours

6.63 The nearest residential neighbours to the proposed development are sited 35 metres away in Alpine Road. Given the separation distance the proposed development would result in any significant overlooking, loss of light, over shadowing or have an overbearing impact. Neither would the proposed development impact the commercial properties along Stafferton Way.

6.64 The proposed layout has been carefully thought out so that the separation distances between apartment blocks and the relationship between the apartment blocks and the houses provides an acceptable living environment for future residents. The closest block to block arrangement is between blocks H and G and this distance is 22 metres. The end of block B outlook is onto the end of block F but the separation distance here of 18 metres is considered acceptable.

6.65 The separation distance between block G and the front of the houses facing onto it is 21 metres and this is considered acceptable. Whilst there may be some overlooking of the rear gardens of houses in the northern east corner of the site there is already a degree of overlooking between houses from the back to back relationship which is an acceptable relationship within an urban environment and no objection is raised.

6.66 Lastly, the proposed blocks would also not result in the unacceptable over shadowing of any neighbouring properties’ amenity space or the areas of public open space.

Trees and Landscape

6.67 The layout has been designed to retain the existing Beech trees along the northern boundary and Willow and Birch trees along the eastern boundary as far as possible. Although these are not considered category A trees by the tree survey, they are identified for worthy of retention, and hence the layout has been designed to accommodate them. The tree retention plan confirms the trees to be maintained, and their root protection areas. Although 9 trees and 2 tree groups are lost as part of the development proposal, these are small trees, of category B or C2 and the accompanying tree survey confirms their loss is acceptable in the context of the development.

6.68 The tree officer was concerned about the proximity of the car parking areas along the northern boundary of the site and the siting of the houses in the north eastern corner. The amended plans now show an apartment block replacing the proposed houses in this north eastern corner and this improves the relationship with the trees. In respect of other issues, the updated Arboricultural
Impact Assessment (AIA) / Arboricultural Method Statement (AMS) and Tree Protection Plan confirms that there is no construction of parking in the northern boundary, or other structures, in the RPA of those trees (with only a very minor incursion by only 0.7%). There is one small section of footpath in the section of the RPA of T19, and the AIA confirms that no dig construction is proposed for that small section of footpath. This is considered acceptable and the details can be conditioned.

6.69 The landscape strategy has been designed to accommodate appropriate screening to the south, retention of trees along the eastern and northern boundary and additional planting as necessary. Tree planting is proposed within the site wherever possible, particularly within the parking areas. Indeed, landscaped pergolas are proposed to further promote the greening of these areas.

6.70 The landscaping plan also provides for the promotion of biodiversity and protected species through the retention of existing trees (which may provide future bat habitats), appropriate planting within the attenuation basin and other areas, provision of dead wood to encourage reptiles and other species, and the inclusion of two important corridors within the site, along the southern and eastern boundary which will encourage wildlife movement within and beyond the site.

Creating a safe and secure environment

6.71 Several concerns were raised by the Crime Prevention Design Adviser and where possible these have been taken into account. The applicant has also agreed to a condition to ensure that the proposed development achieves Full Secured by Design accreditation. This would include layout and physical security specifically related to communal doors, doors windows and glazing within the whole development.

6.72 While there are fundamental concerns raised regarding the siting of the LEAP (Play Area) on the southern boundary, there are other constraints which have resulted in the LEAP being sited in this position. It would be overlooked by the rear windows of 2 rows of terraced properties, be sited adjacent to a car parking area which will be well used and adjacent to a pedestrian and cycle path which should be frequently used as it provides access through the site. For these reasons officers do not considered that proposed location of the LEAP so isolated to render the scheme unacceptable.

6.73 Concerns have also be raised regarding the surveillance opportunities for the car parking areas behind blocks B, C and D. Officers considered that there is adequate surveillance from the numerous windows in the rear elevations of these flats. Also the request for small groups of allocated parking and less access points is not achievable whilst trying to promote the most efficient use of this site. Whilst the objections raised have been taken into account a balanced approach needs to be taken and on this basis no objections are raised.

Housing mix, planning for an ageing population and affordable housing

6.74 There would be a good mix of housing across the site and this is in accordance with the requirements of Local Plan policy H8. A condition would also be imposed requiring details to be submitted to demonstrate how the proposed development complies with the requirements of the Council’s SPD Planning for the Ageing Population.

6.75 81 of the new homes are proposed to be affordable. In seeking to provide a balanced community a range of housing types and sizes have been provided as part of the affordable mix, albeit, focused on 2 bed units where demand is understood to be high. Following discussion with the Housing association it is anticipated that 70% of the affordable units would be social rented and 30% intermediate.

6.76 The affordable units have been located in close proximity due to management requirements of any RSL. However, no difference in external materials or design is proposed to distinguish the affordable housing and it will therefore be “tenure blind”. The Council’s Housing Officer raises no objection but is concerned about the lower parking levels provided for the affordable homes.
Highway safety and convenience

Original Scheme

6.77 Both Stafferton Way and Tip Lane are unclassified roads. At present Stafferton Way is a cul-de-sac serving retail and commercial units and a public car park. Tip Lane provides access to the public Civic Amenity and Recycling Centre, Sewage works and Council depot from a mini-roundabout junction with Stafferton Way. The network to the west of Stafferton Way is accessed via a roundabout junction the A308 Braywick Road. To the north on the other side of Maidenhead Railway Station the A308 joins the A4 Reading to Slough Road at Castle Hill/Frascati Way/Marlow Road/Bad Godesberg Way before heading in a north-westerly direction to link with the A404 Maidenhead to High Wycombe Road at Bisham. The A308 Braywick Road continues as a dual carriageway to the south and connects to the A308 Windsor Road, A330 Ascot Road and the A308(M) at Bray Wick. The A308(M) then links to Junction 8/9 of the M4.

Visibility Splays

6.78 Stafferton Way is subject to a local 30mph speed restriction. Tip Lane becomes a signed local 20mph speed limit just to the south of the side road access serving the car dealership located on the eastern side of Tip Lane at its junction with Stafferton Way. It is proposed that the new site access (a simple priority T-junction) to Tip Lane and located 4.0m south of the existing northern access to this land, is provided with visibility splays of 2.4m by 43m in each direction in accordance with Drwg. No. 30519-001-001. With the provision of a 2.0m ‘missing’ footway connection to the north (proposed in connection with the development) this would further improve visibility for drivers of vehicles emerging from the site access into Tip Lane. Accordingly, the visibility splays as proposed are acceptable from the highways aspect.

6.79 The proposed internal streets have been assessed (as part of the Transport Assessment which accompanied the planning application) at 15mph and 20mph for visibility and forward visibility. Some of these splays impinge into a number of car parking spaces and these are discussed further in ‘Parking Requirements’ below.

Parking Requirements:

6.80 The site is located within an 800m distance from Maidenhead Rail Station and therefore falls within the ‘Good Accessibility’ zone as defined in the Council’s parking standards. To reflect the future needs of residents and to help prevent any overspill parking taking place in neighbouring roads & streets the developer is proposing a slight variation to that as required and is proposing a parking ratio as set out in the table below:

<table>
<thead>
<tr>
<th></th>
<th>Open Market</th>
<th>Affordable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bed apartment</td>
<td>0.5 unallocated</td>
<td>0.25</td>
</tr>
<tr>
<td>2 bed apartment</td>
<td>1 allocated</td>
<td>0.50</td>
</tr>
<tr>
<td>3 bed apartment</td>
<td>2 allocated</td>
<td>-</td>
</tr>
<tr>
<td>2 bed house</td>
<td>2 allocated</td>
<td>2 allocated</td>
</tr>
<tr>
<td>3 and 4 bed house</td>
<td>2 allocated</td>
<td>2 allocated</td>
</tr>
</tbody>
</table>
Overall there would be a slight increase in car parking provision. Apartments with 3 bedrooms are to be provided with 2 allocated spaces each (as opposed to 1) and 2 & 3 bedroom houses are to be provided with 2 allocated spaces (as opposed to 1). In addition, it is proposed to provide a further 34 car parking spaces for visitors to help further prevent any overspill parking. There may be scope for the developer to introduce a Parking Management Scheme to ensure that future residents’ car parking spaces are not utilised by vehicles belonging to commuters or shoppers and this would be secured through the legal agreement.

As stated previously visibility and forward visibility within the internal site layout shows that there is some encroachment into a number of car parking spaces for both the 15mph and 20mph assessments resulting in visibility being restricted when vehicles are parked in those spaces. The internal street layout is in the form of a rectilinear grid. This effectively creates a number of right angle bends on the access routes in the car parking areas where vehicle speeds are likely to be lower and this would help to restrict forward visibility. Accordingly for these areas the forward visibility and junction visibility assessment for 15mph is considered acceptable.

However, for the main access street where vehicle speeds are likely to be higher, it is considered that the 20mph assessment should apply. These scenarios would result in 10 visitor car parking spaces having to be relocated from the main access street and a further 10 car parking spaces (144, visitor space, 145, 146, 2 spaces at 155, 156 and 228, 229, 230 & 231) on the access route at the junction of Plots 146 & 154 and that between Apartment Blocks G & H. In addition those spaces for Plots 136 (2), 137 (2), 155 (2), 156nd 243 need to be relocated closer to the residential unit it is proposed to serve. The developer has submitted amended plans addressing these points and the Highway Officer’s comment will be reported in the panel update.

The cycle parking and bin collection layout is shown on Drwg. No CB_20_018_009 Rev. A. Cycle parking is to be provided at a minimum of 1 space per dwelling in accordance with the Council’s standards. For houses, these will be located within larger garages or cycle stores within rear gardens. Cycle stores for the apartments will be provided at ground level in each block undercover and lit.

Refuse bin storage areas for the apartments in Blocks A to J will also be provided at ground level, in each building. For Block K there is to be an external bin store building located in close proximity to the entrance to the 6 apartments in that particular block. A swept path analysis for a Phoenix 2 (11.20m x 2.53m with duo recycler) large refuse vehicle demonstrates that the proposed layout can accommodate such turning movements and is acceptable from the highways aspect.

A Transport Assessment (TA) dated November 2014 has been submitted with the planning application and in addition to the comments already outlined above or in other sections below, this is evaluated as follows.

The simple priority T-junction arrangement with 4.8m wide carriageway, 6.0m radii together with the visibility splays of 2.4m x 43m in each direction is acceptable from the highways aspect. The Planning Layout drawing also includes the provision of the ‘missing footway link’ to the north (of the of the new access arrangements,) and this is welcomed.

It is noted that the carriageway widths vary along the length of Tip Lane from 5.5m and 6.7m and while no widening works other than the provision of the aforementioned ‘missing’ footway connection to the north is proposed, it would be prudent for appropriate land (required for any future widening) to be dedicated as public highway as part of the any new residential development. The developer has agreed to a clause in the s106 legal agreement to enable the Council to purchase the strip of land along the site’s frontage for possible local widening works along Tip Lane to provide 2 x 2.0m wide footways and 6.0m wide carriageway.)
6.89 In the Design & Access Statement which accompanied the planning application, it is stated that modifications will be made to the Tip Lane/Stafferton Way junction as part of s278 proposals. The Stafferton Way Link Road scheme proposes to improve the Tip Lane/Stafferton Way junction. Due to the intensification of Tip Lane (particularly by pedestrians) as a result of the proposed residential development the Council is seeking further improvements to this junction and the applicant has agreed to this. These additional improvements which include a slight realignment of the road will ease movement and reduce conflict.

6.90 Further improvement to the revised scheme however, would be required in connection with the proposed residential development. At present the footway terminates west of Tip Lane on the south side of Stafferton Way at the junction. Therefore, in addition to modifying the junction radii, the footway should be extended around the northern exit radius (Tip Lane to Stafferton Way) to afford improved routeing for pedestrians. The land to support any improvements at this junction is under the control of the Council and a Grampian condition will be imposed requiring the developer to submit a scheme to improve the Tip Lane junction Stafferton Way (to include improved pedestrian routeing at the junction). Such a scheme to be approved in writing by the Council before development is commenced and associated works to be constructed before the first occupation of any new dwelling unit.

Internal Road Layout

6.91 The main access street is 4.8m wide and provided with 2 x 2.0m footways. A 4.8m carriageway width would allow a car and delivery vehicle to pass each other at the same time and therefore, is acceptable from the highways aspect. It is acknowledged and accepted that the layout has been designed to keep vehicles speeds low.

Servicing & Deliveries

6.92 The proposed site layout does provide suitable access and turning for service delivery and refuse vehicles. However, given the number of dwellings and street configuration, consideration should be given to providing a secondary means of access for emergency service vehicles. This issue has been addressed in the amended plans and the comments of the Council’s Highway Officer are awaited.

Walking & Cycling

6.93 A ‘missing’ section of footway (2.0m wide) is to be provided within the application site area along the eastern side of Tip Lane, north of the new access point. The provision of improved routeing for pedestrians as part of junction modifications at the Tip Lane junction with Stafferton Way would serve to further enhance connectivity to/from the Town Centre and Rail Station which are within a short walking distance of the site. There is also scope for the pedestrian route proposed near to the southern boundary of the site linking Tip Lane through to Green Lane to be upgraded for use by cyclists, particularly as Green Lane forms part of the National Cycle Route 4. The amended plans now show this path widened in accordance with the Highway Officers request.

Public Transport

6.94 Bus Services
Local bus services are located on the A308 Braywick Road/King Street (Routes 4, 7, 9, 16 & 53) and also on B3028 Bray Road (Route 16). The nearest bus stops to the site are located approximately 390m to the east on Bray Road, adjacent to Chiltern Road and approximately 460m to the north-west on the A308 King Street, beneath the railway bridge.

Rail Services
The nearest rail station is Maidenhead Rail Station which is located 550m to the northwest of the site. Maidenhead is situated on the main Reading-London Paddington Line and at the junction with the local line to Marlow. Crossrail (service to/from London & Essex) is due to open in
Maidenhead in 2019 and the Maidenhead Rail Station is to be upgraded to provide improved rail access, station forecourt improvements and enhanced parking facilities.

In summary the site is well served by existing and proposed public transport facilities.

**Trip Rates**

6.95 To establish an accurate and location specific trip generation rate for the proposed residential development, it was agreed to utilise the manual classified counts undertaken at the entrance of Rushington Avenue in connection with Stafferton Way Link Road. The two-way trip rate was established as 0.51 per unit for the morning peak (08:00-09:00) and 0.35 per unit for the evening peak (17:00-18:00). The latter is less than the former because of the fact that the evening peak effectively spreads over a 3 hour period i.e. 16:00- 19:00. These rates are comparable with data held on: the TRICS (Trip Rate Information Computer System) database and therefore is acceptable.

**Vehicle Distribution & Assignment**

6.96 The TA has estimated the likely distribution and mode share for the development based upon the 2001 National Census 'Travel to Work' statistics using data for existing residential developments at nearby Greenfields and Rushington Avenue. This indicates that 626 journey-to-work trips were generated from the selected output areas and 50.6% of these trips were as car driver. Based on the ‘Travel to Work’ selected output areas the TA also identifies and establishes the trip distribution and assignments from the proposed development on the immediate highway network. It is considered that the methodology used and assumptions made in this respect are reasonable.

**Junction Capacity Assessments**

6.97 The site access onto Tip Lane has been modelled and a copy, of the results provided in the TA. The junction has been rechecked using PICADY software and given the standard of junction proposed and predicted traffic flows it is considered that the junction would operate well within capacity. The revised Tip Lane/Stafferton Way Mini roundabout junction has been modelled using ARCADY8 and a copy of the results also provided in Appendix the TA. There appears to be some anomalies in the geometry values used in the assessment however, the junction has been rechecked using ARCADY software and it is concluded that the junction with the development would still operate within capacity.

**Demolition & Construction**

6.98 An overview of the Construction Phasing & Access together with the Main Contractor’s Amenities and Provisions is given in Section 9 of the TA. It is stated that the site will be developed within a ‘Considerate Contractor Framework’ which will include the development of a Construction Method Statement which will be secured by condition.

**Vehicle Movements / per day:**

6.99 A development of this scale and size in an area of poor accessibility (as defined in the Council’s parking standards) is likely to generate between, 1500 to 1800 vehicle movements per day. However given this site’s good accessibility being in close proximity to Maidenhead Rail Station and also to local services and amenities in the Town Centre it is more realistic to assume additional vehicle movements as being in the region of between, 750 and 900 vehicle movements per day. This assumption is supported by data taken from the 2001 National Census which indicates that some 50% of ‘Travel to Work’ journeys for existing residential areas in this vicinity were as a car driver.
Rights of Way:

6.100 A public right of way FP No. 80 (south of Green Lane forming part of ‘The Greenway’) and FP 89 to the north-east running parallel to the waterway are located nearby. The Public Rights of Way Officer comments are awaited and will be reported in the panel update.

Environmental /Travel Plan

6.101 A framework Travel Plan has been submitted with the development and does require certain amendments. (see Highways Officers comments in section 8) The final Residential Travel Plan will need to be secured and controlled by way of obligation contained in a S106 agreement.

Odour

6.102 A full odour assessment has been undertaken to determine the potential effects of odour emission from the Sewage Treatment Works to the south. The assessment included an odour monitoring survey to determine emission rates from the main odour sources from the STW and the likely odour concentrations to which future occupiers of the development may be exposed to.

6.103 Based on odour dispersion modelling results future occupiers of the development are likely to be exposed to odour concentrations within the range of 1.1 to 3 OUE/m$^3$ with greater concentration towards the southern boundary as would be expected.

6.104 The developer considers that although the assessment finds a moderate adverse effect in this respect when combined with the absence of complaints from residents closest to the STW over the past 5 years, it is considered that the effect of odour emission on the development is more likely to be negligible. In addition, although not considered necessary, should they be required, the applicant is willing to consider the introduction of ventilation and filter traps on the units closest to the southern boundary.

6.105 The Council’s Environmental Protection officer has raised concern as the survey data shows that Odour emission will have a moderate adverse. Emissions from STW are difficult to predict and can vary significantly, the ambient odour concentrations the proposed site will be exposed to can only be controlled, to a degree, at source by Thames Water.

6.106 The Odour Survey carried out by Silsoe Odours Ltd at the STW site on the 15th May 2014 and included in the Odour Assessment has identified a number of issues with the odour control equipment and control measures, these include: the Odour Control Units (OCU) were not connected and in need of work/replacement. Emissions from covered tanks were not sufficiently controlled and the sediment tanks have no sludge clearance scrapers allowing the sludge sediment to accumulate.

6.107 Guidance ‘Odour Guidance for Local Authorities’ was published by DEFRA in 2010. The guidance states that: “Encroachment of odour-sensitive development around sewage treatment works can lead to significant problems, with existing sewage treatment works becoming subject to complaints, perhaps for the first time”.

6.108 The Odour Assessment concluded that the odour emissions affecting the proposed development are more likely to be negligible. This conclusion is base solely on the limited number of complaints reported to the Council over the past 5 years. Although it is acknowledged that the number of odour complaints relating to the STW is limited this does not necessarily mean that the number of complaints will not increase in the future and as a direct result of this development.

6.109 Considering the current state of the STW site with regard to odour management as reported in the odour survey and that between September and November 2014 the Council received 7 odour complaints about sewage smell, there is an increased risk that the proposed development encroaching on the STW will create an odour problem. A further concern is that the odour survey was undertaken over a period of one day only. This may not be sufficient to fully characterise the impact of the odour emission. Seasonal and intermittent odour emissions have not been included in the assessment, operations such as sludge dewatering and sludge tanker export can give rise to odour problems more so when the OCUs are not working. Odour complaints from the STW
can only be dealt under Statutory Nuisance, however, odour may be detected but may not be sufficiently frequent to constitute a nuisance.

6.110 The application contains no specific details of the ventilation and filtration system and how this in practice will reduce odour concentrations within the buildings. This is important for the consideration of this application because the living condition of future occupiers will depend on effectiveness and the long-term maintenance of such system.

6.111 Furthermore, the odour impact on the amenity areas of the proposed site including the play area could have a detrimental effect on their use and enjoyment. No alternative location for the play area has been identified. Considering the size of the development and its close proximity to the STW the assessment makes no reference to the long-term effects of the odour emissions.

6.112 In response to the Environmental Protection Officer’s concerns, although the effect of odours from the STW is not considered significant around the play area, in order to mitigate the risk of odour nuisance, the planting and cultivation of all year round pleasantly scented flora is proposed in this area (such as lavender and other herbaceous plants). Moreover, trees would be planted between the play area and the STW boundary as a screen. The full planting scheme will be controlled by condition.

6.113 Thames Water had been consulted and provided comments on the draft odour assessment report prior to submission. Thames Water validated the methodology used for the odour assessment, and have expressed concerns that odour emissions were likely to be overestimated, as discussed above this ensures that the results of the assessment are conservative. Thames Water have also confirmed that they will be improving the performance of its odour control units on site by 31 March 2016, TWUL are satisfied with the amenity buffer proposed by the applicant along the southern boundary of the site and do not object to the proposed Development from an odour amenity perspective.

6.114 Further discussions are taking place between the Council’s Environmental Protection Officer and the applicant and the conclusion of these discussions will be reported in the Panel Update.

Ecological impacts

6.115 An Extended Phase 1 Assessment has been carried out, and further Phase 2 surveys as necessary. The Phase 1 reports the habitats on site, as described above and that although there are a number of statutory and non statutory sites within 2km of the site, none will be affected by the development of the site. Habitats were identified for common reptiles, nesting birds, bats and badgers.

6.116 As such, Phase 2 surveys were undertaken for reptiles, badgers and bats. Low populations for Slow Worm and Grass Snake were identified and mitigation measures proposed in terms of layout and provision of appropriate habitat, which have been incorporated. Although no bats were recorded, it was recommended that trees were retained as far as possible as potential habitats. Further specific habitats for Stag Beetles has also been incorporated on advice. Finally, no evidence of badger activity was found, although there was a disused sett on site. This has now been cleared under appropriate guidance. Therefore there are no ecological constraints to development, and appropriate habitats are provided as part of the proposal for bats, birds and reptiles which can all be conditioned.

Sustainable Design and Construction

6.117 As defined within the accompanying Sustainability Statement, the site is designed to achieve the necessary compliance with Code for Sustainable Homes Level 3. Further photovoltaic panels are proposed to deliver 84kwp which equates to a 10% reduction in on-site energy use. A condition will also be imposed requiring that the scheme be implemented and maintained in accordance with the sustainability statement and this accords with the Council’s policy.
Provision of public open space

6.118 The overall proportion of the site dedicated to public open space is 0.96ha, which equates to 21% of the site. In addition, the site proposes both a LEAP and a LAP to provide more formal play areas for children and toddlers. Indicative details are provided with the application in terms of play equipment, and a more natural approach has been suggested. However, full details are proposed to be conditioned.

6.119 The areas of open space are provided in both a linear form along the southern boundary, in the form of walk, along the eastern boundary in more natural form, and in more formal provision at the front of the site to provide a site context and frontage. A location for public art is proposed in the southern boundary, in a form to the derived at condition stage. The areas of open space are complemented by balcony provision for the apartment block and private gardens for the houses.

Archaeological impacts

6.120 An ‘Archaeological Desk-Based Assessment’ has been submitted with the application and sets out the archaeological and historical background to the application. The most significant factor in relation to the buried archaeological heritage of this site is the construction and use of the Maidenhead Sewage Treatment Works, which was constructed in the late 19th century and occupied all of the application area by the early 1970s. As regards the archaeological potential of the site, the Assessment report concludes that ‘there are no designated archaeological or heritage assets on the site or in the immediate surrounding area’.

6.121 As regards previous impacts on the site, the report concludes that ‘the construction of the Maidenhead Sewage Treatment Works has caused severe and widespread below ground disturbance across the study area’ (Paragraph 6.5). In an earlier paragraph (5.1.5) the report states that ‘overall, the potential for archaeological survival is considered to be very poor within the eastern half of the site and poor within the western half of the site. Any potential, if it survives at all, is buried at depth beneath modern Made Ground’. In conclusion the report states that ‘any development on the site is unlikely to have either a significant or widespread impact on remains of limited archaeological interest or significance’ (Paragraph 6.7). On this the report advises that no further archaeological investigation or mitigation on the site would be merited if the scheme was permitted. Berkshire Archaeology agree with the findings and conclusions of this report and no objection is raised.

Contaminated Land

6.122 The ESI Environmental Specialists on behalf of developer Harrow Estates was appointed to investigate any potential pollutant linkage, which can affect the proposed redevelopment for residential properties with gardens and soft landscapes. The results of those investigations showed that Made Ground is present across the site. Site contamination will be mostly excavated during the construction stage of the new buildings.

6.123 The existing soils will not be suitable for reuse and imported, clean and free of any contamination soils should be provided within garden and soft landscape areas. The applicant is required to provide a validation report of imported soils and validation report for the installation of gas protection membranes. The developer is required to consult the Environment Agency to assess risk to Controlled Waters.

6.124 A full investigation of the ground conditions has been undertaken by ESI. This confirms that the ground conditions comprise made ground, alluvium, sand and gravel, chalk and groundwater. In terms of contamination the report concludes that there is no evidence of gross contamination such that would require active remediation. Equally, in terms of groundwater, no remediation or further modelling is considered necessary. However, a risk management strategy is proposed, such that should contamination be encountered during construction, a strategy will be put in place to deal with it appropriately. This can be covered by a standard condition.
Air Quality

6.125 The conclusions of the air quality assessment that the development is unlikely to have a significant effect on air quality and that pollutants levels affecting the proposed development are below national air quality objectives are accepted and the proposal complies with Local Plan Policy NAP3.

Noise

6.126 In terms of noise a full noise assessment has been undertaken the results indicate that during the daytime the majority of the site experience lower levels than 55db (which is the level noise becomes an issue). On this basis only limited mitigation for internal noise levels is necessary in the form of ventilation and glazing to units also on the northern, eastern and western boundaries. Accordingly the site is considered suitable for residential development and the proposed development is in accordance with policy NAP1.

6.127 The Environmental Protection Officer has requested a bund along the frontage of the site to protect occupiers from road noise. Given that the apartment blocks would be set 12 metres back from the road the requested bund is not considered necessary.

Other Material Considerations

6.128 Thames Water have confirmed that with regards to foul water sewerage, the submitted impact study submitted with the application included a hydraulic modelling exercise which indicated that the foul network is able to accept the proposed development flows without causing detriment to the existing levels of service. Therefore, no improvements to the existing foul network are required to enable the proposed connection to the sewer network.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 The CIL Regulations come into affect from 6th April 2015 and imposes a restriction on the pooling of Section 106 contributions by LPAs for use towards an infrastructure type or project.

7.2 Prior to 6th April 2015 the number of agreements/sites that could contribute to an infrastructure project was unlimited; under the new system no more than 4 agreements/sites can contribute to one infrastructure project.

7.3 It is also important to note that a planning obligation s106 can only be taken into account when determining a planning application for a development, or any part of a development, if the obligation meets all of the following tests:
1) necessary to make the development acceptable in planning terms
2) directly related to the development; and
3) fairly and reasonably related in scale and kind to the development.

7.4 Furthermore, national planning policy advice contained within the NPPG makes it very clear that site specific contributions should only be sought where this can be justified with reference to underpinning evidence on infrastructure planning.

7.5 Officers are currently liaising with the applicant and service areas in order to assess which projects meet the above tests. The service areas and projects that are considered to pass this test at present are as follows:

<table>
<thead>
<tr>
<th>Highways</th>
<th>£257,260</th>
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<tbody>
<tr>
<td>New street lighting along Tip Lane - £20,000</td>
<td></td>
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<tr>
<td>Improved pedestrian permeability and cycle provisions [New signalised crossing over Stafferton Way and CCTV cameras to link the cycle route along the York Stream] - £90,000</td>
<td></td>
</tr>
</tbody>
</table>
Proposed footbridge/cycle bridge across the Cut from Braywick Park to connect with Bray Road and the new Oldfield school – £120,000

Improved pedestrian and street lighting facilities to the east of the Tip Lane and Stafferton Way junction - £27,260

<table>
<thead>
<tr>
<th>Education</th>
<th>£480,000</th>
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<tbody>
<tr>
<td>Holyport College</td>
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<tr>
<td>£300, 000 sports and changing facilities</td>
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<tr>
<td>£180K enlarging the kitchens and library re-configuration</td>
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</table>

<table>
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<tr>
<th>Total</th>
<th>£ 737,260</th>
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</table>

There are also the following possible projects that are being assessed.

Altwood CE Secondary School
Remodelling/extension to enlarged undersized classrooms

Cox Green School
Enlargement of science/art/specialist teaching rooms

Desborough College
Remodelling/extension to enlarge undersized classrooms

Furze Platt Senior School
Enlargement of science rooms suite

Newlands Girls Schools
Extension to enlarge undersized general and specialist classrooms.

The final projects and contributions will be listed in the Panel Update.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

37 occupiers were notified directly of the application.
The application was advertised in the Maidenhead & Windsor Advertiser 25.12.2014
The planning officer posted a statutory notice advertising the application at the site on 22.12.2014.

A consultation has now been carried out regarding the amended plans, the consultation did not take place until the 23rd March and comments received will be reported in the panel update.

4 letters were received objecting to the application (original plans), summarised as:
<table>
<thead>
<tr>
<th>Comment</th>
<th>Where in the report this is considered</th>
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</thead>
<tbody>
<tr>
<td>1. The heights are too high.</td>
<td>6.50 &amp; 6.54</td>
</tr>
<tr>
<td>2. There is not enough car parking.</td>
<td>6.80 &amp; 6.8</td>
</tr>
<tr>
<td>3. It is highly likely that the site will contain reptiles and amphibians please therefore ensure that mitigation measures are put in place.</td>
<td>6.115 &amp; 6.116</td>
</tr>
<tr>
<td>4. The proposed development should reach code level 4.</td>
<td>6.117</td>
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<tr>
<td>5. Cycle paths along Tip Lane connecting to Stafferton Way should be provided.</td>
<td>6.93</td>
</tr>
<tr>
<td>6. Impact on wild life should be fully assessed and biodiversity enhanced.</td>
<td>6.115 &amp; 6.116</td>
</tr>
<tr>
<td>7. There may be an issue of commuter car parking in this area unless it is controlled and this then raises the question of how visitor car parking will be controlled.</td>
<td>6.81</td>
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</table>

### Statutory consultees

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Comment</th>
<th>Where in the report this is considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environment Agency (EA)</td>
<td>No objection subject to compliance with the sequential test and a condition to ensure that the proposed development is implemented in accordance with the Flood Risk assessment and that finished floor levels are no lower than 23.92 metres above AoD. The EA also advise that the proposed development should comply with the following standing advice.</td>
<td>6.59-6.66</td>
</tr>
<tr>
<td></td>
<td>· Surface water run-off should not increase flood risk to the development or third parties. This should be done by using Sustainable Drainage Systems (SuDS) to attenuate to at least pre-development run-off rates and volumes or where possible achieving betterment in the surface water run-off regime. The applicant should contact Local Authority Drainage Departments where relevant for information on surface water flooding.</td>
<td></td>
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<td></td>
<td>· An allowance for climate change needs to be incorporated, which means adding an extra amount to peak rainfall, as described in Paragraph 68, part 4, (Reference ID: 7-068-20140306) of the Planning Practice Guidance.</td>
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<td></td>
<td>· The residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event. Overland flow routes should not put people and property at unacceptable risk. This could include measures to manage residual risk such as raising ground or floor levels where appropriate.</td>
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<tr>
<td>Local Lead Flood Authority</td>
<td>I have reviewed the Flood Risk Assessment prepared by BWB and the accompanying surface water drainage scheme produced by JNP Group, which indicate that the proposed development would not be subject to significant flood risk or</td>
<td>6.59-6.66</td>
</tr>
</tbody>
</table>
increase flood risk to the catchment area.

It is not however clear whether the potential impacts of raising the water levels in the Stream as part of the Maidenhead Waterways Project on the proposed water outfall have been assessed.

It would appear that the proposed surface water system has not been assessed the 2160, 4320, 5760, 7200, 8640 and 10080 minutes summer or winter rainfall ever.

Clarification should therefore be sought from the applicant on these issues.

In any case a condition should be imposed stating that no part of the development shall be commenced until details demonstrating that the discharge rate of surface water run-off from the site would not exceed whichever is the higher of 2 1/s/ha or the predevelopment 1 year peak flow rate have been submitted and approved in writing by the Local Planning Authority. Any soakaway shall be constructed in natural ground, such that its base is at least 1m above the highest seasonal water table and in any case no deeper than 3m. No soakaways or SUDS discharge shall be constructed in contaminated ground.

Reason: To prevent run-off from the site and pollution of groundwater. Relevant Policy: Local Plan – NAP4

<table>
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<tr>
<th>Natural England</th>
<th>Comments awaited</th>
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</table>

Other consultees and organisations

<table>
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<tr>
<th>Consultee</th>
<th>Comment</th>
<th>Where in the report this is considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Protection</td>
<td>Odour</td>
<td>6.102- 6.114 6.122- 6.127</td>
</tr>
</tbody>
</table>

The assessment predicted adverse effects due to smell from STW to be moderate and to affect 75% of the proposed development.

In order to reduce the indoor levels of odour concentrations the future occupiers will be exposed to, the applicant would consider mitigation measures including mechanical ventilation equipped with carbon filters.

Considering the current state of the STW site with regard to odour management as reported in the odour survey and that between September and November 2014 the Council received 7 odour complaints about sewage smell, there is an increased risk that the proposed development encroaching on the STW will create an odour problem. A further concern is that the odour survey was undertaken over a period of one day only. This may not be sufficient to fully characterise the impact of the odour emission. Seasonal and intermittent odour emissions have not been included in the assessment, operations such as sludge
dewatering and sludge tanker export can give rise to odour problems more so when the OCUs are not working. Odour complaints from the STW can only be dealt under Statutory Nuisance however odour may be detected but may not be sufficiently frequent to constitute a nuisance.

The application contains no specific details of the ventilation and filtration system and how this in practice will reduce odour concentrations within the buildings. This is important for the consideration of this application because the living condition of future occupiers will depend on effectiveness and the long-term maintenance of such system.

Furthermore the odour impact on the amity areas of the proposed site including the play area will have a detrimental effect on their use and enjoyment. No alternative location for the play area has been identified. Considering the size of the development and its close proximity to the STW the assessment makes no reference to the long-term effects of the odour emissions. It seems that Thames Water has not been formally consulted about the encroachment risk and odour management problems the proposed development may pose.

**Air Quality**

No objection

**Noise**

No objection subject to amended plans showing a noise barrier along the Tip Lane.

**Contamination**

No objection subject to conditions.

<table>
<thead>
<tr>
<th>Crime Prevention Design Adviser</th>
<th>Raises a number of concerns regarding access points, car parking areas and the location of the LEAP.</th>
<th>6.71-6.73</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport Policy Officer</td>
<td>This Interim Residential Travel Plan satisfies the Council’s requirements in many respects. However, the following points needs to be addressed before it can be approved:</td>
<td>6.77-6.101</td>
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<tr>
<td></td>
<td>Commit to undertaking a baseline survey and submitting a final travel plan to the council for approval within 3 months of the trigger point being achieved.</td>
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<td></td>
<td>Provide further assessment / details on walking and cycling access to and through the site.</td>
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<td></td>
<td>Alter the balance of the travel plan measures to further incentivise and influence sustainable travel behaviours.</td>
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<td></td>
<td>Include targets for awareness of the travel plan amongst residents.</td>
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<td></td>
<td>Reduce the trigger point for undertaking the baseline survey and preparing the final travel plan to 50%.</td>
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<td></td>
<td>Commit to annual surveys.</td>
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<td></td>
<td>Commit to achieving a 50% sample rate from the surveys.</td>
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<tr>
<td>Thames Water</td>
<td>Raises no objection.</td>
<td>6.102- 6.114</td>
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<td>---</td>
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</tbody>
</table>
| Design Review Panel | Original Scheme  
The panel considers that there is a lot of scope for improvement.  
The proposal represents an overdevelopment of the site and this is adding pressure regarding car parking and the amount of hard standing across the site.  
A more coordinated approach to landscape needs to be taken across the site and a more natural pedestrian flow through the site should be explored.  
A central square/garden should be provided within the site.  
Blocks are overly bulky and their design needs to be improved. Heights need to start lower, possible elegant block higher for focus.  
Internal layouts of some of the flats cramped. | 6.47 – 6.58 |
| Maidenhead Waterways (MW) | Original Scheme  
MW was not consulted during the September 2014 exercise and the drainage proposals in the current plans cause us some concern. In particular, the proposed surface water drainage outfall for the entire site shown in drawing C85060-SK-001 appears to be planned to discharge into the York Stream below Stafferton Way at an invert level of 21.35m AoD. If that is the case then the new outfall will be submerged once the weir approved in the waterways consent 11/02183 is built and raises the permanent surface water level in this area to 21.90 AoD. The weir for the waterway will be built just north of Green Lane bridge.  
We strongly recommend that the current plans are not approved until this specific point has been investigated and the design amended to resolve the potential conflict.  
Should this issue be satisfactorily resolved and the development be consented in substantially the current form, the MW would recommend that the detailed design maximises the permeability of the estate, with open and accessible pedestrian and cycle linkages to the enhanced waterway, the Green way path and Braywick. | 6.62 |
<p>| Berkshire Archaeology | No objection | 6.120 – 6.121 |</p>
<table>
<thead>
<tr>
<th>Location</th>
<th>Comment</th>
<th>Percentage</th>
</tr>
</thead>
</table>
| Maidenhead Civic Society | **Original scheme**
While in favour of this previously developed Green Belt location being built upon, we believe that there are too many dwellings in total and the car parking provision and leisure amenity space is inadequate. If the scheme can get the balance right it could be very good use of a marginal site – but fundamentally 293 is too high a number of dwellings.

In particular the height bulk and mass of these blocks are driving the totally unacceptably density. The number of dwellings should be reduced and under croft parking proposed with a central amenity space provided.

The level of car parking provision is also of concern in spite of proximity to town and station old developments such as Courtlands and more recent developments such as Kings Quarter experience a major parking shortfall.

We do support the proposed element of 30% affordable housing and the fact that these homes are dispersed within the development. | 6.47, 6.58, 6.80 & 6.83 |
| Rushington Area Residents Associations | **Original scheme**
The overall concept of re developing this brown field site for housing particularly with a good mix of affordable homes is supported by RARA.

However it is considered that the overall density is too high and that 6/7 storey buildings are too high. Concern is also raised regarding over spill car parking and the effect on surrounding areas. More on site parking should be provided.

Concern is also raised that there is no safe crossing point on Stafferton Way in the vicinity of the Green Way which is crucial for pedestrian safety.

Given the increased vehicular traffic the site will bring to Tip Lane combined with the Stafferton way link road and the expansion of the multi storey car park RARA is concerned that the double junction at Tip Lane/Stafferton Way car park access road will become a potential accident hot spot. | 6.47, 6.58, 6.80 & 6.83 |
| Council's Tree Officer | **Original Scheme**
The 'Initial Layout' published in the ‘Design and Access Statement' appears to be a better layout leaving more space between buildings, car parking spaces and the trees on and off-site. Plots 123, 129, 130 and 131 are too close to existing trees along the north and eastern boundaries. This is a prominent tree line that provides beneficial separation between the site and the commercial buildings to the north. The trees also form part of the backdrop to the Greenway and contribute to the ecology. | 6.67 – 6.70 |
Plot 124 would need to be moved slightly further to the south or deleted. Block A is likewise close to the northern belt of trees. These trees being mainly Beech, will have an ultimate branch spread of 10m. Whilst some minor pruning could be tolerated in future, 2m clearance should be given from a side elevation, the position of the building would create too much of a constraint and would lead to pressure to detrimentally prune and or remove the trees. Block A should therefore be moved further to the south by at least 3m. An individual assessment should be carried out on these trees. Some of them are growing through a chain-link fence, the fence becoming embedded into the stems. The poor quality trees should be removed and replaced. The chain-link fence should be removed and repositioned to avoid conflict with the growth of the remaining trees.

The row of car parking bays along the northern boundary come within the root protection area (RPA) of some of the trees. In addition with further growth of the trees their branch spread will over-sail all these bays. This is likely to result in pressure to detrimentally prune and or remove trees to prevent or lessen debris fall onto vehicles. These parking bays should be moved at least 2m further to the south.

The main access into the site could potentially be softened, perhaps along one side, with the introduction of a grass verge. Parking bays would need to be deleted. Measures would need to be put in place to ensure vehicles don’t park on the verge, by incorporating a raised kerb or other device.

Block E, F, G, H and the rear of 156 -161 face towards each other across a densely packed area of hard standing. If the central island of bays were replaced with soft ground, on which some trees and shrubs could be planted, this would help offset the impact. Others areas of the site should be reconsidered in a similar way. I understand the open space will be kept soft without play equipment. Apart from a strip along the southern, eastern and western boundary, this is the only opportunity to plant trees in a sustainable position within the site. The rest of the site is heavily consolidated with buildings, roads, driveways, car parking bays and paths. As it currently stands, the scheme cannot be adequately softened nor enhanced and will have a negative effect on living conditions and from views of it from outside the site.

Underground utilities and drainage are likely to provide further constraints to the viability of any new planting. Unless the above is satisfactorily addressed, I recommend refusal of the application under N6, H10, H11 and DG1

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Original and Amended Site Layout
- Appendix C – Original and Amended Number of Storey elevations
This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

2. No development, excluding earth works, shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
   **Reason:** In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1.

3. No development, excluding earth works shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site, including details of construction methodology and plans, have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.
   **Reason:** In the interests of the visual amenities of the area and the character and appearance of the area. Relevant Policies - Local Plan DG1.

4. No development shall take place, excluding earth works, until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
   **Reason:** To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

5. No tree shown to be retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without prior written consent of the local planning authority. Any tree shown to be retained that is removed without consent, or is dying or is severely damaged or is diseased within 5 years, or longer as may be agreed in the Management / Maintenance Plan, from the completion of the development hereby permitted shall be replaced with tree(s) of an appropriate size, species and planted in the same place unless otherwise agreed in writing by the Local Planning Authority.
   **Reason:** To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.

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

No development shall commence until details of all proposed ground and finished slab levels of the apartment blocks and houses in relation to the existing ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1, H10 and AAP MTC4.

The measures set out in the Sustainability Statement accompanying the application shall be implemented in accordance with the statement prior to the first occupation of any unit, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Sustainable Design and Construction SPD.

No development, excluding earth works, shall commence until a schedule of measures to minimise the risk of crime and meet the specific needs of the development has been submitted to and approved in writing by the Local Planning Authority. The detailed scheme of measures shall be implemented prior to first occupation and subsequently retained.


10 per cent of the total number of units shall provide wheelchair accessible accommodation. The dwellings shall thereafter be retained as such.


No more than 25 per cent of the residential units of the development shall be occupied until the areas shown on the approved plan as Public Open Space and Local Equipped Areas of Play has been fully laid out in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. It shall be permanently retained and maintained as open space in accordance with the approved details.

Reason: To accord with the terms of the application. Relevant Policies Local Plan R3, H10, DG1.

No part of the development shall be commenced until details demonstrating that the discharge rate of surface water run-off from the site would not exceed whichever is the higher of 2 l/s/ha or the predevelopment 1 year peak flow rate have been submitted to and approved in writing by the local planning authority. Any soakaway shall be constructed in natural ground, such that its base is at least 1m above the highest seasonal water table and in any case no deeper than 3m. No soakaways or SUDS discharge shall be constructed in contaminated ground.

Reason: To prevent excess run-off from the site and pollution of groundwater. Relevant Policy: Local Plan - NAP4. and to reduce the rate of surface water run-off in order to minimise the

13 Unless or until the Code for Sustainable Homes or any successor has been abolished, no development shall take place until:

(a) evidence that the development is registered with the Building Research Establishment (BRE) under the Code for Sustainable Homes and a Design Stage Report showing that the development will achieve Code level 3; for all of the residential units have been submitted to and approved in writing by the Local Planning Authority, and
(b) a BRE issued, or equivalent to be agreed, Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 3 for all of the residential units has been submitted to and approved in writing by the Local Planning Authority.

Note: A completed pre-assessment estimator will not be sufficient.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead Sustainable Design and Construction Supplementary Planning Document.

14 Within 3 months of the completion of the final dwelling a Building Research Establishment (BRE) issued Final Code Certificate confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code Level 3 shall be submitted to the Local Planning Authority.

Reason: The Code Assessor can only confirm that the site wide works are satisfactory when the whole of the development is complete. The Assessor will then write a report and submit it to the BRE. The BRE can only then verify the submission and issue Final Code Certificate. This could realistically take 3 months to achieve.

15 No house shall be occupied until details of the location of a water butt of at least 120L internal capacity to be installed to intercept rainwater draining from the roof of each dwelling has been submitted to and approved in writing by the Local Planning Authority and subsequently provided at each dwelling. The approved facilities shall be retained.

Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and to comply with Requirement 4 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

16 No house shall be occupied until details of the location and size of external composting facilities for each dwelling have been submitted to and approved in writing by the Local Planning Authority and subsequently provided in full. The approved facilities shall be retained.

Reason: To minimise waste generated by the development, to increase the level of sustainability of the development and to comply with Requirement 7 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

17 No development, excluding earth works, shall commence until a scheme to further modify the Tip Lane junction with Stafferton Way (with improved routeing for pedestrians) has been submitted to and approved in writing by the local planning authority. None of the dwellings hereby approved shall be occupied until the improvement works have been constructed in accordance with the approved scheme

Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5

18 No part of the development shall be occupied until the access connection to Tip Lane and the new footway extension on the eastern side of Tip Lane (north of the new access) together with the internal access arrangements have been constructed in accordance with the approved drawings (add revised plan number when submitted and approved). The access shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.

19 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan
shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

20

No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

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

21

No development, excluding earth works, shall take place until a scheme for the operational management of facilities to be provided for the storage and emptying of refuse and recycling bins has been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided and managed in accordance with the approved details and no part of the development shall be occupied until such facilities have been provided.

**Reason:** To enable satisfactory refuse collection to take place in the interests of highway safety and convenience. Relevant Policies – Local Plan DG1,

22

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

**Reason:** In the interests of highway safety. Relevant Policies - Local Plan T5.

23

No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

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

24

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

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

25

No development, excluding earth works, shall take place until details of odour mitigation measures to be installed throughout the development have been submitted to and approved in writing by the Local Planning Authority. Such measures shall be installed and retained as approved and shall be maintained in good working order at all times.

**Reason:** To protect the amenities of the area. Relevant Policy Local Plan NAP3.

26

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 below 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.

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

This must be conducted in accordance with DEFRA and the Environment Agency's `Model
procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme. A detailed remediation scheme to bring the site to a
condition suitable for intended use by removing unacceptable risks to human health, buildings
and other property and the natural and historical environment must be prepared, and is subject
to the approval in writing of the Local Planning Authority. The scheme must include all works to
be undertaken, proposed remediation objectives and remediation criteria, timetable of works and
site management procedures. The scheme must ensure that the site will not qualify as
contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the
intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme. The approved remediation scheme must
be carried out in accordance with its terms prior to the commencement of development other
than that required to carry out remediation, unless otherwise agreed in writing by the Local
Planning Authority. The Local Planning Authority must be given two weeks written notification of
commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification
report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the
remediation carried out must be produced, and is subject to the approval in writing of the Local
Planning Authority.

4. Reporting Unexpected 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 accordance with the requirements of condition 1, and where
remediation is necessary a remediation scheme must be prepared in accordance with the
requirements of condition 2, which is the subject of the approval in writing of the Local Planning
Authority.

Following completion of measures identified in the approved remediation scheme a verification
report must be prepared, which is subject to the approval in writing of the Local Planning
Authority in accordance with condition 3.

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.

The development permitted by this planning permission shall be carried out in accordance with
the approved Flood Risk Assessment (FRA) prepared by BWB Consulting, reference
BMW/2302/FRA, dated March 2015 and the following mitigation measures detailed within the
FRA: Finished floor levels will be set no lower than 24.22 metres Above Ordnance Datum (AOD).
The mitigation measures shall be fully implemented prior to occupation and subsequently in
accordance with the timing / phasing arrangements embodied within the scheme, or within any
other period as may subsequently be agreed, in writing, by the local planning authority.
Reason: This condition is sought in accordance with paragraph 103 of the National Planning
Policy Framework (NPPF) and saved policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted 2003). It seeks to ensure that the proposed development will be appropriately flood resistant and resilient. The applicant has demonstrated that a route of safe access and egress with a ‘very low’ hazard rating in accordance with FD2320 is achievable from and to the site.

28 No development shall take place (including any ground works or site clearance) until a mitigation plan or method statement detailing measures to avoid harm to reptiles has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan/ method statement, unless otherwise approved in writing by the council.

**Reasons:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and NPPF.

29 No removal of scrub or trees shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds nests immediately before vegetation clearance and provided written conformation that no birds will be harmed and/ or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the council.

**Reason:** To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and NPPF.

30 A sensitive lighting design strategy for biodiversity at the site should be submitted to and approved in writing by the Council. All external lighting shall be installed in accordance with the specifications and locations set out within the strategy and these shall be maintained thereafter in accordance with the strategy.

**Reason:** To minimise light spill to the stream in order to avoid impacts on LWS and otters.

31 All fallen trees identified within the Extended Phase 1 habitat survey report (RSK 2014) should be left in situ. If this is not possible, the fallen trees should be translocated to another appropriate location within the site under an ecological watching brief.

**Reason:** To maintain suitable habitat on site for stag beetles in accordance with the NPPF.

32 No works should take place until full details of biodiversity enhancements have been submitted to and approved by the council. Biodiversity enhancements shall include but not limited to: Schedule of plants and trees; details of bird nesting and bat roosting opportunities on and around new buildings and retained trees; details of the attenuation pond including planting and biodiversity opportunities and details of the buffer zone between the development site and stream.

**Reason:** In accordance with the NPPF.