

# MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

MONDAY, 17TH DECEMBER, 2018

At 7.00 pm

in the

DESBOROUGH SUITE - TOWN HALL,

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
4.	<u>PLANNING APPLICATIONS (DECISION)</u>  To consider the Head of Planning's report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module at <a href="http://www.rbwm.gov.uk/pam/search.jsp">http://www.rbwm.gov.uk/pam/search.jsp</a> .	3 - 18

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## ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PANEL UPDATE

Item 1

### Maidenhead Panel

<b>Application No.:</b>	18/00600/FULL
<b>Location:</b>	John Guest Speedfit Ltd Oldfield Road Maidenhead SL6 8BY
<b>Proposal:</b>	Demolition of existing warehouse (B8) and construction of extended warehouse (B8), with access from Oldfield Road.
<b>Applicant:</b>	John Guest Ltd
<b>Agent:</b>	Mr Barry Watts
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward
<b>If you have a question about this report, please contact:</b> Alys Hughes on 01628 796040 or at <a href="mailto:alys.hughes@rbwm.gov.uk">alys.hughes@rbwm.gov.uk</a>	

#### 1. SUMMARY

- 1.1 This panel update is the same as the previous panel update when the application was initially reported to the Borough Wide panel on the 4<sup>th</sup> of October.
- 1.2 Further comments were received from Environmental Protection, Lead Local Flood Authority and one additional neighbour.
- 1.3 The Environmental Protection confirmed that the Construction Noise and Vibration Assessment is acceptable subject to the development being carried out in accordance with the Authority's working hours. It is considered that if approved, a condition could be included to ensure that the development is carried out in accordance with this document and also that an informative is included regarding the construction working hours.
- 1.4 It has been noted in the report under 6.7 that an appropriate drainage system can be secured by condition. The Lead Local Flood Authority have provided further comments since the drafting of the report and have advised that they would recommend refusal unless additional information is provided to demonstrate that a sustainable drainage system is achievable on site. In light of this, it is advised that a 4<sup>th</sup> reason for refusal is added.
- 1.5 One additional neighbour objection has been received. The issues raised have already been covered in the report under section 7.

**It is recommended the Panel refuses planning permission for the reasons outlined in section 9 of the report and with the additional reason outlined in section 3 below**

#### 2. ADDITIONAL INFORMATION

##### Comments from Interested Parties

- 2.1 Additional comments received, summarised as:

Comment	Officer response	Change to recommendation?
Objecting for following reasons: <ul style="list-style-type: none"> <li>- Additional construction vehicles access the site via Oldfield Road.</li> <li>- Request that all construction vehicles access the site via Reform Road.</li> <li>- Construction noise should be restricted to reasonable hours</li> <li>- Commercial buildings along Oldfield Road have been replaced with residential. HGVs should therefore be restricted along Oldfield Road and should use Reform Road.</li> </ul>	Refer to section 7 of the report which has already addressed these concerns which were raised by other neighbours.	No

### Comments from Consultees

#### 2.2

Comment	Officer response	Change to recommendation?
Environmental Protection: Additional info regarding Construction Noise and Vibration Assessment has been reviewed and the only comment the EP wish to add is that the permitted working hours within the borough shall be added to the report.	If approved, condition could be included to ensure development is carried out in accordance with the Construction Noise and Vibration report. An informative could be added to cover the working hours	No
Lead Local Flood Authority: Recommend for refusal unless the applicant is given the opportunity to provide additional information in relation to infiltration device overflow arrangements and surface water system.	Reason for refusal should be added	Additional reason for refusal. Outlined under section 3 below.

### 3. RECOMMENDED FOLLOWING REASON IS ADDED TO LIST OF REASONS FOR REFUSAL IF PERMISSION IS NOT GRANTED

4. It has not been adequately demonstrated that an appropriate sustainable drainage system is achievable on site. The development is therefore contrary to paragraph 165 of the NPPF (2018) which states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Item 2.

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

**Maidenhead Panel**

<b>Application No.:</b>	18/02105/FULL
<b>Location:</b>	Land To The South of Stafferton Way And East of Vicus Way Maidenhead
<b>Proposal:</b>	Erection of five storey split-deck multi-storey car park with access and associated landscaping following removal of existing slab and hardstanding (Regulation 3 application)
<b>Applicant:</b>	The Royal Borough of Windsor And Maidenhead
<b>Agent:</b>	Mr Matthew Blythin
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward
<b>If you have a question about this report, please contact:</b> Claire Pugh on 01628 685739 or at <a href="mailto:claire.pugh@rbwm.gov.uk">claire.pugh@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 Additional measures to be incorporated in the Car Park Management Plan have been put forward by the applicant. Thames Valley Police have provided comments, and advise that they can remove their objections if certain conditions on security measures are imposed.
- 1.2 Additional objection letters have been received.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of the main report with additional conditions to ensure the details of security measures are secured.**

**2. ADDITIONAL INFORMATION**

- 2.2 The applicant is proposing additional measures for the management of the car park. One of the measures includes having all pedestrian and vehicular entrances and exits to be locked shut from midnight. This is in addition to the proposals for closing the vehicular entrance at 8pm, meaning that between 8pm and midnight, people arriving from a late train can access the car park and leave but not after midnight. All entrances would then be open from 5am as previously proposed.
- 2.3 Comments have been received from Thames Valley Police who advise that they can remove their objection, on the basis of the additional measures put forward by the applicant for the management of the car park. Thames Valley Police have recommended what matters conditions need to cover, and this is set out in the table of 2.5 of this update report. It is recommended that condition 8 (car park management plan) is amended to secure an updated car park management plan, and additional planning conditions are imposed to secure the measures recommended by Thames Valley Police

**Comments from Interested Parties**

- 2.4 A number of additional e-mails have been received since the writing of the main report, making  
Planning Panel North

the total number of objections logged at this time of writing 31 objections. There is also a petition objecting to the application which is reported in the main report. Many of the points raised in the further objection letters have already been made before and addressed within the officer report.

The new points raised are set out below.

Comment	Officer response	Change to recommendation?
If the council believes this is the last piece of land left in Maidenhead, to erect a car park, it should Help residents move away from this area.	This is not relevant to the planning consideration.	No
Council sends confusing messages. Is the area residential or commercial? If the latter, why has it recently allowed hundreds of residences to be erected on the next plot (the Loftings)?	The site is situated in the Stafferton Way Opportunity Area, which includes retail, employment (B8) and a car park. Residential properties are adjacent to this Opportunity Area	No
Council appears to be treating the residents of the area as 2nd class citizens, due to the fact that the area is not affluent (there is Social housing nearby).	This is not relevant to the planning consideration.	No
Maidenhead has always been an attractive town compared to other towns. The erection of the car park on this busy location would have a detrimental effect on how Maidenhead is perceived and looks.	Scale and appearance of building is addressed in the report.	No
Council is creating a road where people would be afraid to walk through in the night (with 3 empty car parks in same road).	This application has to be considered on its merits.	No
Councillors creating this slum, will not be personally affected, as they don't live in the area.	This is not relevant to the planning consideration. The application must be determined on its merits.	No
There is Evidence that the plan is short of employment land. Houses land increases and employment land decreases This is another employment land going. Maidenhead needs more EMPLOYMENT SPACE	The conflict with the BLP Submission Version allocation is addressed in the officer report.	No
The council is putting Commuters who are not residents of Maidenhead above its existing residents, as this car park is aimed for commuters coming to Maidenhead after the completion of the Cross rail	Not relevant to the planning consideration.	No
We/the residents have even had to sit by and watch the RBWM flatten the land in preparation for the build. This has been quite distressing as these actions appear to be predetermined that the car park will be approved by the largely conservative planning panel at RBWM, due to alleged internal politics.	Not relevant to the planning consideration.	No
The RBWM argues it is in keeping with the area.	The character of the area has	No

We dispute this. The 'BraywickView' demonstrates a children's play area and the green fields/nature reserve to the rear aspect of Vicus Way. It is also a heavily residential area.	been addressed in the main report.	
Given the choice I would like to see the site developed into residences, offices or retail. These developments would be looked after because they would have occupiers. A car park doesn't have an occupier, especially at night.	This application has to be considered on its merits. An application for an alternative use would need to be assessed against on its planning merits.	No
Residents already experience ALL of the above from the nearby Stafferton Way Car Park, owned by the COUNCIL. They fear the same will happen in the Vicus Way Car park	This application has to be considered on its merits. A car park management plan is proposed for this application.	No
Proximity to residences will make noise from car park unbearable, as it is 5 metres away from residences. The existing car park is 200m away, but residents still hear noise very clearly.	The proposed building is not 5 metres away. The scheme is not considered to generate noise levels to an unacceptable level to warrant refusal on this ground	No
Precedent was set by the refusal of a planning application on the same site in 2016. The Council Refused this application on the same grounds that this application should be refused (due to the Borough Local Plan and being Detrimental to the area). It appears that there is One Rule for the Council and another for everybody else!	The application referred to (16/01063/VAR) was for a different scheme to this scheme. In addition this scheme was allowed on planning appeal.	No
This Planning Application is wrong in every way, social, practical, etc. It should have been rejected internally before it reached the Panel, (like the Nene application). The fact that it has been allowed to carry on, shows that the council has given a special treatment to this application, which appears to be because the Council is the applicant.	The Constitution does not allow for an application on Council land to be determined under delegated powers.	No
What kind of council allows the erection of hundreds of apartments and houses, (The Loftings) and sneakily applies to erect a car park next door, a few months after?	The Loftings/Redrow scheme was granted permission in 2015. The application for this car park was made in 2018; the application for the car park was publicised in the correct way.	No
Demand for car parking needs to be re-examined. Surveys by residents show that car parks in Maidenhead are underutilised.	This application has to be considered on its merits.	No
The Maidenhead Town Centre Area Action Plan indicates that parking should be to the north of Stafferton Way, yet this application is to the south. Furthermore, this particular site is reserved for employment land, non-office space with any application for retail use not to be supported. Developments are to be up to 4,000 sq m in size.	The interpretation of Policy OA6 of the AAP is covered within the officer report.	No
What is the legal statutory limit for distances between a multi-storey car park and residences?	There is no statutory limit.	No
Erecting a multi-storey car park right next door to the Loftings village and the existing	The site is within the Stafferton Way Opportunity Area. Non-	No

residences doesn't fit in with the character of the area, which is also very close to a green belt and children's park and play area.	residential uses are located adjacent to this Opportunity Area. The site is not situated in the Green Belt.	
The Council has not looked into other alternatives. At the moment a new 7 floor car park has been proposed in Nicholson centre, and this could be amended to a 10 or 11 floor car park, to accommodate more cars. A new height limit of 16 stories has been approved on the opposite side of the Nicholson street, by the Landing project approval, so there is now a precedent and it would not look out of place.	This application has to be considered on its merits. There is no planning application at Broadway car park (Nicholson's)	No
Concerned residents of Oldfield ask for this application to be turned down on the following grounds:-  THE HUMAN RIGHTS ACT 1998 OA6, ED1 and ED2 DG1 Design guidelines, NAP3- Noise and Fumes, T5 New Developments and Highway Design, E1 Location of Development, T8 Pedestrian environment, IMP1 Associated infrastructure, facilities, amenities, Borough Local Plan: Submission Version (BLPSV SP3 Character and design of new development, EP3 Artificial Light Pollution, EP4 Noise	The Humans Rights Act is addressed on page 3 of the agenda pack.  The interpretation of Policy OA6 has been covered in the officer report. Policy E1 of the Local Plan is not a relevant policy.  The Borough Local Plan Submission Version does not form part of the development plan.  Matters of pedestrian safety, light pollution and noise and air quality have been addressed in the report.	No
Many near misses happen every-day on the existing zebra crossing. One additional zebra crossing practically inside a resident's garden just simple isn't the answer or correct mitigation!	Addressed in report. The zebra crossing is on highway land.	No
Distance to residences – is the most shocking! This does not even consider the traffic entrance and exit to the car park from people's homes/balcony's and windows.	The assessment does consider the distances between the proposed building, in terms of its and impact on residential amenity.  The impact air quality and noise has been considered.	No
Reference is made to the Design & Tall Buildings & ongoing work on a tall building strategy & Parking Strategy & these documents will be consulted on so how a decision can be made on the Vicus Car Park until a consultation has taken place.	As these documents have not been consulted on, they are not of relevance to this application. They are simply a future indication consideration of policy.	No



A legal opinion has been submitted by an objector, but this legal opinion was produced in relation to the Borough Local Plan Submission Version.	This legal opinion submitted is not relevant to this planning application.	No
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**Comments from Consultees**

2.5

Comment	Officer response	Change to recommendation?
<p>Thames Valley Police have no objection, subject to planning conditions being imposed to secure the following:</p> <ul style="list-style-type: none"> <li>• Details demonstrating how the vehicle and pedestrian access control will be achieved have been submitted to and approved in writing. The development shall be carried out in accordance with the approved details</li> <li>• Until details to demonstrate how the multi storey car park will achieve maintain 'Park Mark' Safer parking award status, have been submitted to and approved in writing by the local authority in agreement with Thames Valley Police.</li> <li>• Details of The Management Policy for the above Car Park- demonstrating how the security of the facility will be managed have been submitted and approved prior to building commencement .</li> </ul>	Noted, such conditions can be imposed.	No



ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD  
PANEL UPDATE

Item 3

Maidenhead Panel

<b>Application No.:</b>	18/02379/FULL
<b>Location:</b>	The Red Lion Oakley Green Road Oakley Green Windsor SL4 4PZ
<b>Proposal:</b>	Proposed 1no. two bedroom dwelling and 1no. four bedroom dwelling with associated works following conversion of public house
<b>Applicant:</b>	P Roger
<b>Agent:</b>	Mr Richard Murray
<b>Parish/Ward:</b>	Bray Parish/Bray Ward
<b>If you have a question about this report, please contact:</b> Claire Pugh on 01628 685739 or at <a href="mailto:claire.pugh@rbwm.gov.uk">claire.pugh@rbwm.gov.uk</a>	

1. SUMMARY

- 1.1 Further information has been received in respect of visibility splays, refuse and recycling facilities and cycle storage.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of the main report with the amended and additional conditions in section 3 below.

2. ADDITIONAL INFORMATION

- 2.1 A plan has been submitted showing visibility splays. The plan shows visibility of circa 41 metres can be achieved to the west, and circa 26 metres to the east. The Highway Authority is satisfied with this, and it is recommended that condition 12 is amended so that the visibility splays are provided in accordance with this plan.
- 2.2 Elevations of the proposed bike store and bin store have been submitted. The stores would be in wood, and would be relatively low in height, and are considered to have an acceptable impact on the setting of the Listed Building. It is recommended that condition 13 is amended so that the refuse and recycling facilities are provided in accordance with the approved plans. In addition, a condition has been added to ensure the cycle facilities are provided in accordance with the approved details.

3. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 3.1 **(Condition 12)** No part of the development shall be occupied until the visibility splays shown on the approved drawing (1316 P 003) 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.

**(Condition 13)** No part of the development shall be occupied until the refuse and recycling facilities have been provided in accordance with the approved drawings. These facilities shall be

kept available for use in association with the development at all times. Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

**(Additional condition 16)** 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.

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD  
PANEL UPDATE

Item 4

Maidenhead Panel

<b>Application No.:</b>	18/02510/FULL
<b>Location:</b>	Land To The West of Mullberry Coningsby Lane Fifield Maidenhead
<b>Proposal:</b>	Construction of an agricultural building
<b>Applicant:</b>	Mrs Kendall Smith
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Bray Parish/Bray Ward
<b>If you have a question about this report, please contact:</b> Alys Hughes on 01628 796040 or at <a href="mailto:alys.hughes@rbwm.gov.uk">alys.hughes@rbwm.gov.uk</a>	

1. SUMMARY

- 1.1 Additional information regarding the potential flood risk from surface water in the area has been reviewed. The area where the barn is to be sited lies within an area of very low surface water flood risk.

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

2. ADDITIONAL INFORMATION

- 2.1 A government map relating to long term surface water flood risk information has been reviewed. This shows that the proposed building is situated in an area of very low risk of flooding from surface water and is set back approximately 70m from an area of low risk of surface water flooding. As such no objection is raised to the scheme regarding an unacceptable increase in the risk of flooding from the site especially given the small scale nature of the proposal.



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

Item 6.

**Maidenhead Panel**

<b>Application No.:</b>	18/02770/OUT
<b>Location:</b>	Field Adjacent To North West Corner of Grove Business Park Waltham Road Maidenhead
<b>Proposal:</b>	Erection of a single storey agricultural barn
<b>Applicant:</b>	Mr & Mrs Smith
<b>Agent:</b>	Tom McArdle
<b>Parish/Ward:</b>	White Waltham Parish/Hurley And Walthams Ward

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

**1. SUMMARY**

- 1.1 An objection has been received from the landowner of the Grove Business Park, saying that future residential use of the park has not been taken into consideration, and saying that the barn would prejudice the residential use of the site. These considerations are set out in this Panel Update, and it is considered that the barn would not be prejudicial to any future redevelopment of the business park, because of the distance from the boundary and the low height of the barn, and the intervening tree and hedge screening.

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

**2. ADDITIONAL INFORMATION**

- 2.1 An objection to the proposal on behalf of Sorbon Estates has been received, in which it is pointed out that the planning officer has not taken into account the potential future use of the adjacent Grove Business Park, nor is there an assessment of the proposal's impact on any future development at the business park.
- 2.2 The Hurley and the Walthams Neighbourhood Plan, which was formally adopted (made) by the Council on 12 December 2017 has the following Spatial Policy relating to Grove Business Park:  
WW1 – Housing at Grove Park:  
Proposals for the redevelopment of Grove Park, to provide housing, will be supported, subject to:
- i) the majority of dwellings comprising smaller 2 and 3 bedroom houses of no more than two storeys in height;
  - ii) providing for a range of housing, including dwellings for downsizers and first time buyers;
  - iii) having a positive impact on local character; and
  - iv) ensuring safe and secure access onto Waltham Road.

This Plan forms part of the development plan and carries significant weight in the decision making process.

- 2.3 The Borough Local Plan Submission Version also has policies which relate to Grove Business Park, both Policy HO1 in the Housing Section and Policy ED2 in the Economy Section.

Policy HO1 – Housing Development Sites. Among the sites allocated for housing development and defined on the Policies Map is HA50 – Grove Business Park: allocated for mixed use development.

Policy ED2: Employment Sites. The Borough Local Plan will retain sites for economic use and employment as defined on the Policies Map: 6. Established Employment Sites in the Green Belt f) Grove Business Park White Waltham, mixed uses.

8. Within business areas and mixed use areas, intensification of employment activity will be encouraged subject to the provision of appropriate infrastructure and safe access. An element of residential development may also be acceptable in mixed use areas but it must ensure that the overall quantum of employment floorspace within the mixed use area as a whole is not reduced, except where it is identified in the proforma in this plan.

Policy H01 carries less than significant weight in the decision making process due to the level and nature of representations received to it during the Examination process. Policy ED2 carries significant weight.

- 2.4 Given the above, it is envisaged that Grove Business Park will be redeveloped at some stage in the future to provide mixed employment and residential uses, with the quantum of employment floorspace being no less than it is currently.
- 2.5 There is a current outline application (18/03348) under consideration for the redevelopment of Grove Business Park for up to 79 dwellings and a nursery building (access, layout and scale to be considered). The draft allocation in the BLP is for approximately 66 units. No recommendation has been reached at this stage as to whether the current application complies with the Development Plan, the emerging Borough Local Plan Submission Version, or the Hurley and the Walthams Neighbourhood Plan. The indicative layout submitted with application 18/03348 shows rear gardens to houses along the boundary of the site.
- 2.6 The proposed barn would be very large at 72m in length, but would be only 6.5m high. It would be 10m from the North West boundary of the Grove Business Park. It is considered that this is far enough away not to materially impact whatever the future use of this end of the business park site might be. There are also a number of mature trees protected by Tree Preservation Orders along the boundary of the site, which would help to soften views of the barn from within the business park. It is considered that the recommendation to grant planning permission for this proposed development is not contrary to the development plan or to the Borough Local Plan Submission Version (as a material consideration) and that a grant of planning permission would not unreasonably fetter the future redevelopment of the Grove Business Park or conflict with policy WW1 of the Neighbourhood Plan

### Comments from Interested Parties

- 2.2 The additional comments received are summarised below:

Comment	Officer response	Change to recommendation?
Sorbon Estates own the adjacent Grove Park Business Estate and were not notified of the application.	Neighbouring occupiers were notified in the normal way.	No
No consideration has been made of the site's residential designation within the made Hurley and the Walthams Neighbourhood Plan (Policy WW1) and the draft allocation in the Borough Local Plan Submission Version,	See paragraphs 2.1-2.6 above	No
No consideration has been taken of the outline planning application 18/03348/OUT currently	See paragraph 2.5 above	No



under consideration for up to 79 dwellings		
It is unacceptable that the application is only considered against the current commercial use.	See paragraphs 2.1-2.6 above	No
The erection of a 6.5m high barn at 72m in length will prejudice the development of the Grove Park Business Estate. Its allocation for housing is important to the Borough housing trajectory as well as the strategy of the neighbourhood plan and will be impeded by the proposed development.	See paragraph 2.6 above. Note the mixed employment and residential designation in the Borough Local Plan Submission Version.	No
The proposed location of the barn is incompatible with the efficient redevelopment of this brownfield site and will impact the amenity of future residents in terms of outlook and noise. This will undermine the ability of the Council to make optimal use of this sustainable brownfield site, contrary to Paragraphs 117, 118 and 123 of the National Planning Policy Framework 2018. This requires local authorities to make as much use as possible of previously developed land.	As above	No
There are numerous alternative locations for the store that do not create conflict that need not exist with proper planning.	Noted	No
We request that the Panel refuses this application.	Noted	No

