

# MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 17TH JULY, 2019

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

## SUPPLEMENTARY AGENDA

### PART I

July 2019 Panel Update

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## ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PANEL UPDATE

### Maidenhead Panel

<b>Application No.:</b>	19/00148/FULL
<b>Location:</b>	Gardner House Harrow Lane Maidenhead SL6 7NX
<b>Proposal:</b>	Demolition of existing 33 x 1 bed sheltered housing and erection of 23 x 2 bed affordable homes
<b>Applicant:</b>	Mr Stritch
<b>Agent:</b>	Mrs Jennifer Thompson
<b>Parish/Ward:</b>	Maidenhead Unparished/Furze Platt Ward
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk	

#### 1. SUMMARY

- 1.1 The Lead Local Flood Authority has provided further advice in respect to surface water runoff from the site. It raises no objections to the proposal subject to a condition requiring a surface water drainage scheme.

**It is recommended the Panel grants planning permission on the satisfactory completion of an undertaking to secure the affordable housing referred to in Section 9 of the main report, with the conditions listed in Section 10 of the main report with the additional condition in section 3 below.**

#### 2. ADDITIONAL INFORMATION

##### Comments from Consultees

##### 2.1

Comment	Officer response	Change to recommendation?
<p>Lead Local Flood Authority: No objection.</p> <p>The content of Thompson Planning Ltd's response, regarding the proposed reduction in existing surface water runoff rates and spatial constraints limiting any further reduction, is acceptable.</p> <p>We are satisfied that the cascade model submitted as part of the application is representative of the proposed drainage strategy.</p> <p>We note that a Building Close to Agreement is to be entered into with Thames Water due to the close proximity of the proposed development to existing public sewers crossing the site.</p>		<p>No.</p> <p>Addition condition as per 3.1 below.</p>

No objection to the granting of planning permission subject to a condition requiring the submission of a Surface Water Drainage Scheme, based on the submitted sustainable drainage strategy.		
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**3. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

3.1 Prior to the commencement of the development (excluding demolition) a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
- Supporting calculations confirming compliance with, the Non-statutory Technical Standards for Sustainable Drainage Systems, the agreed discharge rates, and the attenuation volumes to be provided
- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented

The surface water drainage system shall thereafter be implemented and maintained in accordance with the approved details.

Reason – To ensure compliance with the National Planning Policy Framework and the Non Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Local Plan Policy F1.

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

**Maidenhead Panel**

<b>Application No.:</b>	19/00989/FULL
<b>Location:</b>	Units 9 To 27 Clivemont Road Maidenhead
<b>Proposal:</b>	Demolition of the existing buildings and redevelopment of the site to provide a 3,010 sqm GEA warehouse building in use class B1c/B2/ B8 with associated lorry, car and cycle parking and landscaping.
<b>Applicant:</b>	Ioan Rees
<b>Agent:</b>	Georgia Barrett
<b>Parish/Ward:</b>	Maidenhead Unparished/Belmont Ward

**If you have a question about this report, please contact:** Claire Pugh on 01628 685739 or at [claire.pugh@rbwm.gov.uk](mailto:claire.pugh@rbwm.gov.uk)

**1. SUMMARY**

1.1 Recommended condition 3 (contaminated land) has been amended.

**It is recommended the Panel grants planning permission with the conditions listed in Section 11 of the main report with the amended condition in section 3 below**

**2. ADDITIONAL INFORMATION**

2.1 No additional information has been received, however, the planning condition relating to contaminated land (recommended condition 3 in the main agenda) has been amended, following discussions with the applicant and the Council's Environmental Protection Officer. The condition has been amended in relation to reporting any unexpected contamination. The amended condition is set out in section 3 of this Update report.

**3. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

Prior to the demolition of the building, a site walkover to identify potential sources of contamination shall be submitted to and approved in writing by the Local Planning Authority.

Unless otherwise agreed by the Local Planning Authority, construction of the building, other than that required to be carried out as part of the approved scheme of remediation must not commence until conditions 1 to 3 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 in the approved in the timetable of works (in accordance with the approved details under point 2 of this condition)

Following completion of measures identified in the approved remediation scheme, a verification 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. The verification report shall be submitted to the LPA for approval in writing in accordance with the timetable of works (in accordance with the approved details under point 2 of this condition)

## 4. Reporting Unexpected Contamination

A methodology for addressing how unidentified contamination should be included within the approved remediation scheme. In the event that unidentified contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. The methodology for addressing unidentified contamination within the approved remediation scheme should be followed and where necessary an appropriate risk assessment should be completed. Where it is necessary to amend the approved remediation scheme as a result of the unidentified contamination this should be agreed in writing by the Local Authority.

## 5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time which shall be agreed in writing by the Local Planning Authority under point 2 of this condition (Submission of the Remediation scheme) , and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority

Following completion of the measures identified in that scheme and when the remediation

objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. As per the requirements of paragraph 178 of the NPPF.





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

**Maidenhead Panel**

<b>Application No.:</b>	19/01102/FULL
<b>Location:</b>	Forest Green Farm Forest Green Road Holyport Maidenhead SL6 2NN
<b>Proposal:</b>	Change of use from agricultural to mixed agricultural and Equestrian use, new stable block and manege. (Part Retrospective).
<b>Applicant:</b>	Mrs Craig
<b>Agent:</b>	Fergus Hodge
<b>Parish/Ward:</b>	Bray Parish/Bray Ward
<b>If you have a question about this report, please contact:</b> Charlotte Goff on 01628 685729 or at <a href="mailto:charlotte.goff@rbwm.gov.uk">charlotte.goff@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The Lead Local Flood Authority has provided further comments in respect to surface water runoff from the site. Additional information has been received from the applicant in response to these comments, including details of how they will manage runoff. Overall it is considered that surface water runoff can be managed adequately within the site.

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

**2. ADDITIONAL INFORMATION**

**2.1 Comments from Consultees**

The Lead Local Flood Authority (LLFA) provided additional comments, which are summarised below:

Consultee comment	Officer reponse	Change to recommendation?
<p>LLFA - The geological map indicates that the underlying strata is likely to consist of London Clay with no superficial deposits and we therefore have some reservations regarding the effectiveness of a soakaway to dispose of surface water runoff from the proposed stable block.</p> <p>We note however that rainwater harvesting is also to be employed and in view of the size of the stable block and more specifically its location, we would have no objection to this application.</p>	Noted	No



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

**Maidenhead Panel**

<b>Application No.:</b>	19/01343/FULL
<b>Location:</b>	The Crooked Billet Westborough Road Maidenhead SL6 4AS
<b>Proposal:</b>	Construction of x6 dwellings with associated landscaping, amenity space and parking, following demolition of the existing building.
<b>Applicant:</b>	Clearview Residential Limited
<b>Agent:</b>	Mr Ben Stonebridge
<b>Parish/Ward:</b>	Maidenhead Unparished/Boyn Hill

**If you have a question about this report, please contact:** Claire Pugh on 01628 685739 or at [claire.pugh@rbwm.gov.uk](mailto:claire.pugh@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 Further letters of objection have been received, which raise concerns about the scheme failing to meet Policy CF1 of the Local Plan, and the loss of the trees on the eastern boundary. Clarification is also sought on the Council's position on the 5 year housing land supply.

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

**2. ADDITIONAL INFORMATION**

- 2.1 No additional information has been submitted, however, following queries raised by objectors about the Council's position on the 5 year housing land supply, this report explains the Council's position on the 5 year housing land supply.
- 2.2 In December 2018 the Council published a 5 year housing land supply statement, which set out that the Council had a 5 year housing land supply. This position statement used ONS 2016 housing projection figures to calculate its 5 year housing land supply position, as per the advice contained within National Planning Policy at that time. However, in February 2019 National Planning Policy changed, and it was set out within National Planning Guidance that the ONS 2014 household projections should be used to calculate the 5 year housing land supply. Due to the change in approach as to what household projections should be used, this changed the Council's 5 year housing land supply position, and at the current time the Council is unable to demonstrate a 5 year housing land supply.
- 2.3 The applicant has also advised that although the trees on the eastern boundary are shown for removal, they would not object to these trees being retained. In response to this, the Council's tree officer advises that if these are retained they are likely to overshadow the gardens of the new properties, which will result in a pressure to remove them in the future. The tree officer advises that more sustainable planting could be put on the eastern boundary. Condition 3, would secure details of landscaping.

**Comments from Interested Parties**

2.4 2 additional comments have been received, summarised as:

Comment	Officer response	Change to recommendation?
Considers this is overdevelopment of the site.	Addressed in main Panel report	No
Considers that the rear elevation of the buildings are of poor design, and these will be clearly visible from Rutland Gate and Rutland Place.	Addressed in main Panel report	No
In a report published by the Council in December 2018, it was stated the Council had a 5 year housing land supply, however, now it has been stated the Council cannot demonstrate a 5 year housing land supply. Why is this? This is important as it affects whether the 'tilted balance' is engaged.	Addressed in this Update report.	No
Why is the applicant still asserting Policy CF1 is not applicable? This is not true.	Noted, however, officers are of the view that adequate marketing of the premises has been undertaken.	No.
The applicant's information is out of date; they refer to the Crown as an alternative, but this is closed.	Noted, however, officers are of the view that adequate marketing of the premises has been undertaken.	No
Low barrelage does not mean the building is not a public house.	Noted.	No
Does not consider the marketing undertaken on the property to be credible. It does not demonstrate that a community facility is no longer needed.	Noted, however, officers are of the view that adequate marketing of the premises has been undertaken.	No
No acceptable alternative provision has been made elsewhere. The scheme conflicts with Policy CF1.	Noted, however, officers are of the view that adequate marketing of the premises has been undertaken.	No
Buildings are out of keeping in scale and height.	Addressed in main report.	No
Comments that they submitted their comments in time, but that these were not included in the main panel report. This is not fair.	Noted, however, these comments have been considered in this update report.	No
Questions why the Panel report is not scanned on the planning portal.	The Panel report is uploaded on the Council and Democracy website.	No
Questions how the officer can make a recommendation without new comments from the tree officer, and how this could be done without a landscaping plan.	The tree officer commented on the quality of the trees in the previous application, and it was known they did not object to the removal of these trees. A landscaping plan is recommended to be secured by planning condition.	No
Wants to see all appeal documents relating to application 18/02588.	The appeal is valid, however, a start letter has	No

	not been sent from the Planning Inspector yet.	
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**Comments from Consultees**

2.3

Comment	Officer response	Change to recommendation?
<p>Council's tree officer:</p> <p>The trees on this site are not located within a conservation area or subject to a tree preservation order.</p> <p>As discussed the 10-15m high Leyland cypress and willow hedge (G7), Lawson cypress (G6), Norway Maples (G5) and Whitebeam (T1) are all of generally poor quality. Whilst the trees provide some screening they would not be suitable for inclusion in a Tree Preservation Order. The group of trees on the eastern boundary of the site would be located within 8m of the proposed new buildings and would significantly overshadow the rear gardens of the proposed new properties. If retained this hedge is likely to be removed by future residents.</p> <p>As discussed I would recommend if this application is approved landscaping details be provided that include more sustainable planting on the eastern boundary.</p>	<p>Noted.</p>	<p>No</p>

