

# ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 3RD MARCH, 2021

At 6.15 pm

in the

VIRTUAL MEETING - ONLINE ACCESS

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
3.	<p><u>20/01251/OUT - SITE KNOWN AS NICHOLSON QUARTER BOUND BY HIGH STREET AND BROADWAY - MAIDENHEAD</u></p> <p><i>PROPOSAL: Hybrid planning application (part-outline, part-full) for comprehensive mixed-use redevelopment of the site including: (1) OUTLINE planning application (with all matters reserved) for four buildings that range in height, with the highest being 88.70m AOD and the lowest being 66.20m AOD, on the site for a comprehensive mixed-use redevelopment comprising: Residential Institutions (Class C2) - up to 29,400 m2 (GEA); Business Use (Class B1) - up to 29,700 m2 (GEA); Flexible Retail, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways, non-residential institutions and assembly and leisure (Class A1 / A2 / A3 / A4 / A5 / D1 / D2) - up to 4,400 m2 (GEA); Parking and plant space - up to 13,600 m2 (GEA); Formation of new pedestrian and vehicular access; Means of access and circulation and car parking within the site; and Provision of new public open space and landscaping. (2) FULL planning application for the demolition of all existing buildings on site, except Nicholsons House and Brock House, site preparation, construction of two residential buildings comprising 25 storeys, and part 15/part 10 storey and a landscaped podium (Class C3), construction of a 4 storey office building (Class B1), the provision of a new public open space, and landscaping and the erection of a multi-storey car park and flexible retail, financial and professional services, restaurant and cafes,</i></p>	3 - 14

*drinking establishments, assembly and leisure uses (Class A1 / A2 / A3 / A4 / A5 / D1 / D2).*

**RECOMMENDATION: DEFER & DELEGATE**

**APPLICANT: Areli Estate**

**EXPIRY DATE: 14 September 2020**

## ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

### PANEL UPDATE

<b>Application No.:</b>	20/01251/OUT
<b>Location:</b>	Site known as Nicholson Quarter bound by High Street and Broadway – Maidenhead
<b>Proposal:</b>	Hybrid planning application (part-outline, part-full) for comprehensive mixed-use redevelopment of the site including: (1) OUTLINE planning application (with all matters reserved) for four buildings that range in height, with the highest being 88.70m AOD and the lowest being 66.20m AOD, on the site for a comprehensive mixed use redevelopment comprising: Residential Institutions (Class C2) - up to 29,400 m2 (GEA); Business Use (Class B1) - up to 29,700 m2 (GEA); Flexible Retail, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways, non-residential institutions and assembly and leisure (Class A1 / A2 / A3 / A4 / A5 / D1 / D2) - up to 4,400 m2 (GEA); Parking and plant space - up to 13,600 m2 (GEA); Formation of new pedestrian and vehicular access; Means of access and circulation and car parking within the site; and Provision of new public open space and landscaping. (2) FULL planning application for the demolition of all existing buildings on site, except Nicholsons House and Brock House, site preparation, construction of two residential buildings comprising 25 storeys, and part 15/part 10 storey and a landscaped podium (Class C3), construction of a 4 storey office building (Class B1), the provision of a new public open space, and landscaping and the erection of a multi-storey car park and flexible retail, financial and professional services, restaurant and cafes, drinking establishments, assembly and leisure uses (Class A1 / A2 / A3 / A4 / A5 / D1 / D2)
<b>Applicant:</b>	Areli Estate
<b>Agent:</b>	Mr Mark Knibbs
<b>Parish/Ward:</b>	Maidenhead Unparished/St Marys
<b>If you have a question about this report, please contact:</b> Tim Chapman at <a href="mailto:tim.chapman@rbwm.gov.uk">tim.chapman@rbwm.gov.uk</a>	

#### 1. SUMMARY

1.1 This report provides an update on the above report, being considered by the Panel on 3<sup>rd</sup> March 2021. The proposed changes are as follows:

1.2 Correction of an error regarding the number of proposed residential units within Zone 5, which is 346 (not 364). Proposed change in Paras 5.19, 9.2.9, 9.8.6 replace “364” with “346”.

- 1.3 Correction of an error in paragraph 3.3. From “ *Central House, which is proposed to be demolished, is located in the centre of the Site (Zone 2)* ” to “ *Central House, which is proposed to be demolished, is located in the centre of the Site (Zone 5)* ”.
- 1.4 Correction of an error in 9.5.6 from “*The issue of affordable housing is covered in section v, below*” to “*The issue of affordable housing is covered in section 9.6, below*”
- 1.5 The list of conditions has been updated and is included in section 4 below. There have been updates to conditions to clarify the timeframe when details are required to be submitted and amended wording where relevant. New conditions are recommended regarding provision of showers and changing facilities in the office buildings to encourage cycling and regarding approval of details for all security measures.

## 2. RECOMMENDATION

<b>It is recommended the Panel delegates authority to the Head of Planning:</b>	
1.	<b>To grant planning permission subject to the conditions listed in Section 4 of this panel update report and subject to the completion of a legal agreement to secure the affordable housing review mechanism and other infrastructure set out in section 10 of the main report</b>
2.	<b>To refuse planning permission if a legal agreement to secure the affordable housing review mechanism and other infrastructure set out in section 10 of the main report has not been completed by 3rd June 2021 for the reason that the application would not secure the provision of affordable housing from the scheme nor provision of other infrastructure necessary to offset the impact of the development</b>

## 3. ADDITIONAL INFORMATION

3.1 The following representations have been received:

3.2 A email from the owners of Smokeys night club has been received which can be summarised as following:

- The night club should be reprovided within the new development;
- Disagrees with the view that the wider benefits of the development outweigh the loss of the night club;
- Claims that the sale of the Council part of the Nicholson Centre was unlawful.

Officer response

- Sections 9.2.7 and 9.2.8 of the report address the loss of the night club and concludes that the reprovision of the nightclub is not required to make the application acceptable in planning terms.
- Concerns about the details of the sale of the Nicholson Centre are not planning issues.

3.3 The Chairman of the Maidenhead Civic Society has written to make the following points:

- Parking is inadequate;
- The 25 storey building is not justified or appropriate;
- Should be mixed uses in the 25 storey tower;
- Should have a venue or two;
- The decision should not be taken by deferring and delegating to a planning officer.

Officer response

- As explained within sections 9.8.6 to 9.8.10 the amount of car parking proposed for each use accords with policy and is considered acceptable;

- The design and height of the 25 storey building is considered acceptable as explored in section 9.3.13- 9.3.22;
- The provision of mixed uses within the 25 storey building are not a planning requirement and are not proposed. The application must be assessed as submitted.
- The lack of a venue is not considered to be a determining factor. Sections 9.2.7 and 9.2.8 of the report address the loss of the night club.
- The application is to be determined by the Panel. The delegation to the Head of Planning would only be in relation to finalising the relevant legal agreement.

3.4 An objection has been reiterated in regard to the sustainability of the development, making the following points:

- The questions and opportunities raised in an earlier objection have not been addressed in the report;
- Paragraph 1.9 of the report that measures relating to the sustainability of the development will be secured by planning conditions, but in Section 13 I can only see specific conditions relating to cycling, biodiversity and water.
- Is condition 4 anticipated to capture the remaining items relating to energy and carbon emissions and will this be sufficient to monitor ongoing operational effectiveness?

Officer response

- Section 9.10 of the report provides a summary of the developments sustainability related elements.
- Documents submitted as part of the application include a Sustainability Statement, an Energy Demand Statement, a Transport Assessment and a Framework Travel Plan. If planning permission is granted, these documents would form part of the approved plans and would need to be adhered to under Condition 3. While Sustainability is a wide ranging topic and could be seen to relate to all aspects of the development, the following proposed conditions are considered particularly relevant:
  - Condition 6 – Management and maintenance of the public realm;
  - Conditions 8 and 9 Servicing strategy;
  - Condition 11 – Cycle parking;
  - Conditions 16 and 17 - Construction environmental management plan (CEMP: Biodiversity) and Construction Logistics Plan;
  - Conditions 18-19 – external lighting;
  - Condition 20 – birds nest protection;
  - Condition 21 – Biodiversity management scheme;
  - Conditions 22-25, 29-31 drainage and flooding
  - Conditions 26-27 land contamination and verification
  - Condition 28 – protection of ground water
  - Conditions 33-34 hard and soft landscaping
  - Condition 35 – provision of showers and changing facilities in officer accommodation.

3.5 An updated report has been received from BPS, the Council's independent financial viability advisors. BPS conclude that the provision of an upfront, onsite affordable housing contribution is not viable, but that a review of viability would allow any changes in the value of the extra care facility to be taken into account. If surplus value were identified then affordable housing could be provided.

Officer response

The planning report (Section 9.6) is consistent with BPS' report. The Heads of Terms in section 10 of the report propose the provision of a suitable review mechanism to allow the provision of affordable housing and transport improvements should the scheme's finances allow.

3.6 The Borough's Housing Department have provided the following comments:

- Paragraph 64 of the NPPF states that planning decisions should expect at least 10% of the homes to be available for affordable home ownership, although the RBWM local plan Policy HO3 expectation is for 30% of total dwellings to be affordable housing. The tenure preference is always to secure rented housing rather than shared ownership as this is more affordable and better addresses priority housing needs.

- A financial assessment has concluded, at this time, that the scheme is in deficit even without providing any affordable housing. However if the scheme is to proceed, the Section 106 agreement should contain an early review mechanism to re-consider viability and the potential provision of on-site affordable housing in accordance with local plan Policy HO3.

Officers response:

- Paragraph 64 of the NPPF states that planning decisions should expect at least 10% of the homes to be available for affordable home ownership. However it is considered that the provision of affordable home ownership units would prejudice the Council’s ability to meet the identified need of those requiring affordable homes for rent and therefore they have not been sought in this instance.”

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#### 4. AMENDED CONDITIONS

4.1 A complete revised list is provided below:

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 An application for the approval of the reserved matters

Access

Appearance

Landscaping

Layout

Scale

in relation to the outline planning permission hereby approved for zones 1, 3 and 6 shall be made to the Local Planning Authority within three years of the date of this permission. Any application for approval of reserved matters shall ensure that the details are in conformity with the design code approved as part of this permission and shall demonstrate how the proposal will mitigate any microclimatic effects. Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and Local Plan policy DG1.

3 The development hereby permitted shall be carried out in accordance with the approved plans listed below. Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

4 No development above slab level on zones 2, 4 and 5 shall take place until samples and/or a specification of all the external or finishing materials to be used on the development hereby approved within zones 2, 4 and 5 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. Relevant Policies - Local Plan DG1.

5 No development above slab level on zones 1, 3 and 6 shall take place until samples and/or a specification of all the external or finishing materials to be used on the development hereby approved within zones 1, 3 and 6 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. Relevant Policies - Local Plan DG1.

6 No occupation of the development shall take place until details of the management and maintenance strategy for the public realm, to include a regular public forum, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter. Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

7 No occupation of the office element of the building known as Zone 2A shall take place until screening details for the terrace on the High Street frontage of the Nicholson Quarter entrance building, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter. Reason: to protect the amenity of adjoining existing residential occupiers.

8 No occupation of the development within zones 2, 4 and 5 shall take place until details of the servicing strategy for those zones have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter. Reason: In the interests of residential amenity.

9 No occupation of the development within zones 1, 3 and 6 shall take place until details of the servicing strategy have for those zones have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter. Reason: In the interests of residential amenity.

10 No occupation of the development within zones 2, 4 and 5 shall take place until details of cycle parking for those zones have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter. Reason: In order to ensure the cycle parking is appropriately provided in the interests of sustainable transport.

11 No occupation of the development within zones 1, 3 and 6 shall take place until details of cycle parking for those zones have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter. Reason: In order to ensure the cycle parking is appropriately provided in the interests of sustainable transport.

12 No development shall commence in each zone until a programme of archaeological work in relation to that zone, including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and: 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site

investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. B) The Development shall take place in accordance with the Written Scheme of Investigation approved under condition (A). The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. Reason: The site lies in an area of archaeological potential, particularly for, but not limited to Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with national and local plan policy.

13 No extraction system shall be installed until details of equipment for the purpose of extraction and filtration of odours including maintenance, cleaning and filter replacement schedule shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such. It is recommended that details are in accordance with Annex B and C of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69280/pb10527-kitchen-exhaust-0105.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf) Noise from the system must also be considered. Reason: To protect the amenities of the area and prevent nuisance arising from odour and to accord with the Local Plan Policy NAP3.

14 No mechanical plant shall be installed until a scheme for the insulation of the plant in order to minimise the level of noise emanating from the said plant has been submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the plant is first brought into use. It is recommended that the scheme is in accordance with 40 British Standard (BS) 4142:2014, "Methods for rating and assessing industrial and commercial sound." Reason: To protect the amenities of the area and prevent nuisance arising from noise and to accord with the Local Plan Policy NAP3.

15 Prior to the first occupation of a retail unit within Class A3/A4/A5 or D2 use at the time of approval, a noise assessment shall be submitted to and approved, in writing, by the Local Planning Authority. The noise assessment shall include assessment of the noise environment within the unit and inclusion of any required mitigation measures (including to the internal structure of the unit itself) to protect nearby occupiers from disturbance, including structure borne noise. Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be carried out and completed before the use commences and shall be retained maintained in good working order at all times. Reason: To protect the amenities of the neighbourhood and to accord with the Local Plan Policy NAP3.

16 No development shall take place (including demolition, ground works, vegetation clearance) in relation to zones 2, 4 and 5 until a construction environmental management plan (CEMP) and Construction Logistics Plan has been submitted to and approved in writing by the local planning authority relating to zones 2, 4 and 5. The CEMP shall include the following: 1) Risk assessment of potentially damaging construction activities. 2) Identification of "biodiversity protection zones" 3) Practical measures (both physical measures and sensitive working practices) to avoid or reduced impacts during construction (may be provided as a set of method statements) 4) The location and timing of sensitive works to avoid harm to biodiversity features. 5) The times during construction when specialist ecologists



need to be present on site to oversee works.6) Responsible persons and lines of communication. 7) The role and responsibilities on site of an ecological clerk of works (ecow) or similarly competent person.8)Use of protective fences, exclusion barriers and warning signs. The approved CEMP and Construction Logistics Plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority". Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF and to protect local residential amenity.

17 No development shall take place (including demolition, ground works, vegetation clearance) in relation to zones 1, 3 and 6 until a construction environmental management plan (CEMP) and Construction Logistics Plan has been submitted to and approved in writing by the local planning authority relating to zones 1, 3 and 6. The CEMP shall include the following:1) Risk assessment of potentially damaging construction activities.2) Identification of "biodiversity protection zones"3) Practical measures (both physical measures and sensitive working practices) to avoid or reduced impacts during construction (may be provided as a set of method statements)4) The location and timing of sensitive works to avoid harm to biodiversity features.5)The times during construction when specialist ecologists need to be present on site to oversee works.6) Responsible persons and lines of communication. 7) The role and responsibilities on site of an ecological clerk of works (ecow) or similarly competent person.8)Use of protective fences, exclusion barriers and warning signs. The approved CEMP and Construction Logistics Plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority". Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF and to protect local residential amenity.

18 Prior to the occupation of zones 2, 4 and 5 a report detailing the lighting scheme for those zones and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices: A layout plan with beam orientation o A schedule of equipment o Measures to avoid glare An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas where dark corridors for wildlife can be incorporated. The approved lighting plan shall thereafter be implemented as agreed. Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.

19 Prior to the occupation of zones 1, 3 and 6 a report detailing the lighting scheme for those zones and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:A layout plan with beam orientation o A schedule of equipment o Measures to avoid glare An 41 isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas where dark corridors for wildlife can be incorporated. The approved lighting plan shall thereafter be implemented as agreed. Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.

20 All buildings and vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest. Reason: To ensure that breeding birds are not adversely affected by the proposed development in line with wildlife legislation.

21 Prior to the commencement of the development within each zone, a biodiversity management scheme for that zone, to include all the recommendations within the ecology report and landscaping scheme submitted with this application, shall be submitted to and approved in writing by the local planning authority. Prior to the occupation of each zone a brief letter report confirming that the biodiversity enhancements have been installed, and photographs of the enhancements in situ, is to be submitted to the local planning authority. Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF.

22 The development within zones 2, 4 and 5 shall not be occupied until confirmation has been provided in relation to the relevant zones that either:- 1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been submitted to and agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - Network reinforcement works are likely to be required to accommodate the proposed development.

23 The development within zones 1, 3 and 6 shall not be occupied until confirmation has been provided in relation to the relevant zones that either:- 1. All wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been submitted to and agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - Network reinforcement works are likely to be required to accommodate the proposed development.

24 The development within zones 2, 4 and 5 shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been submitted to and agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - Network reinforcement works are likely to be required to accommodate the proposed development.

25 The development within zones 1, 3 and 6 shall not be occupied until confirmation has been provided that either:- 1. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or- 2. A development and infrastructure phasing plan has been submitted to and agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - Network reinforcement works are likely to be required to accommodate the proposed development.

26 Prior to the commencement (other than demolition) of each zone of development approved by this planning permission a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components: 1. A site investigation

scheme, based on the Phase 1 Geotechnical and Geoenvironmental Desk Study Report (reference NMH-ACM-GE-RP-ZZ-XX-001, dated 17 October 2019 and prepared by AECOM Limited) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. 2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved. Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework, policy NAP4 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy EP5 of the Borough Local Plan 2013-2033 (incorporating proposed changes, October 2019). In particular, to protect the nearby public water supply abstraction, the Taplow Gravel Formation principal aquifer, and the Chalk principal aquifer from unacceptable levels of groundwater pollution from potential on-site sources of contamination.

27 Prior to each zone of development being brought into use, a verification report demonstrating the completion of works for that zone set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework, policy NAP4 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy EP5 of the Borough Local Plan 2013-2033 (incorporating proposed changes, October 2019).

28 Prior to any piling using penetrative methods within each zone, a piling methodology statement shall be submitted to, and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason To ensure that the proposed development does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework, policy NAP4 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy EP5 of the Borough Local Plan 2013-2033 (incorporating proposed changes, October 2019).

29 No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details. Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework, policy NAP4 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy EP5 of the Borough Local Plan 2013-2033 (incorporating proposed changes, October 2019).

30 Prior to commencement (excluding demolition) of development 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. 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.

31 Prior to first occupation of the development, 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 be implemented and maintained in accordance with the approved details thereafter. 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.

32 Prior to first occupation of the residential units within zones 5 and 6, details of acoustic and noise attenuation measures for the residential accommodation hereby approved, shall be submitted to and approved by the Local Planning Authority, and implemented prior to occupation of the relevant residential building. Reason: in order to ensure an acceptable standard of internal residential environment.

33 No development (other than demolition) in relation to zones 2, 4 and 5 shall take place until full details of both hard and soft landscape works for those zones, 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. 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.

34 No development (other than demolition) in relation to zones 1, 3 and 6 shall take place until full details of both hard and soft landscape works for those zones, 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. 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.

35: Prior to the installation of mechanical and engineering systems within the office accommodation hereby permitted in zones 1, 2 or 3, details of details of showers and changing facilities shall be  
Planning Panel Maidenhead Area

submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason: In the interests of sustainable transport.

36: No occupation of the each zone of the development shall take place until details of all security measures including gates, fences and CCTV within the relevant zone have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason: In the interests of security and the visual amenities of the area. Relevant Policies - Local Plan DG1.

### **Informatives**

1 Although it is not anticipated that the use of a crane at this site will impact Heathrow's Obstacle Limitation Surfaces, Instrument Flight Procedures or radar. We would like to advise the developer That if a crane is required for construction purposes, then red static omnidirectional lights will need To be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the Requirements set out by CAP1096.<https://publicapps.caa.co.uk/modalapplication.aspx?Appid=11&mode=detail&id=570544>

2 The final design of the cycle parking facility should be informed by current best practice guidance as identified in Transport for London's updated London Cycling Design Standard or the West London Cycle Parking Guidance.

3 Please be aware that during the Phase 2 intrusive ground investigation, the chemical status of groundwater should be characterised by analysing for a comprehensive suite of contaminants that could be associated with historic or current operational activities at the proposed development site (e.g. chlorinated solvents should be included on account of the historical dry cleaning activities).

