

NOTICE  
OF  
MEETING



**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

will meet on

**WEDNESDAY, 6TH JULY, 2016**

at

**7.00 pm**

in the

**COUNCIL CHAMBER - TOWN HALL,**

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT CONTROL PANEL

COUNCILLOR DAVID BURBAGE (CHAIRMAN)  
COUNCILLOR DEREK WILSON (VICE-CHAIRMAN)  
COUNCILLORS CLIVE BULLOCK, GERRY CLARK, DAVID COPPINGER,  
MAUREEN HUNT, RICHARD KELLAWAY, PHILIP LOVE, DEREK SHARP, ADAM  
SMITH, CLAIRE STRETTON AND LEO WALTERS.)

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, STUART CARROLL, CARWYN COX, JUDITH  
DIMENT, GEOFF HILL, MOHAMMED ILYAS, MJ SAUNDERS AND HARI SHARMA.

Karen Shepherd  
Democratic Services Manager  
Issued: Tuesday, 28 June 2016

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) – if you are viewing this on the website and there are appendices you are unable to access, please contact the Panel Administrator **Shilpa Manek** 01628 796310, or [democratic.services@rbwm.gov.uk](mailto:democratic.services@rbwm.gov.uk)

**Fire Alarm** - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

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## AGENDA

### PART 1

ITEM	SUBJECT	WARD	PAGE NO
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		3 - 4
3.	<u>MINUTES</u> To confirm the part I minutes of the last meeting.		5 - 10
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning and Development'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 by selecting the following link. <a href="http://www.rbwm.gov.uk/web/dc_public_apps.htm">http://www.rbwm.gov.uk/web/dc_public_apps.htm</a>		11 - 144
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		145 - 150

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

## **STATEMENT OF THE HUMAN RIGHTS ACT 1998**

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

#### **DISCLOSABLE PECUNIARY INTERESTS (DPIs)**

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

#### **PREJUDICIAL INTERESTS**

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

#### **DECLARING INTERESTS**

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

# Agenda Item 3

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

08.06.16

To listen to audio recordings of this meeting, go to:  
[http://www.rbwm.gov.uk/web/meetings\\_audio\\_recordings\\_august2015.htm](http://www.rbwm.gov.uk/web/meetings_audio_recordings_august2015.htm)

PRESENT: Councillors David Burbage (Chairman), Derek Wilson (Vice-Chairman), Clive Bullock, David Coppinger, Maureen Hunt, Philip Love, Adam Smith and Leo Walters.

Officers: Tony Carr (Traffic & Road Safety Manager), Victoria Gibson (Development Management Team Manager), Jenifer Jackson (Borough Planning Manager), Shilpa Manek and Matthew Tucker (Solicitor - Shared Legal Solutions)

Also Present:

68/15 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Clark, Kellaway, Sharp and Stretton.

69/15 DECLARATIONS OF INTEREST

Councillor Burbage, Chairman, declared a personal interest for item 5 as he knows the proprietor of the Berkshire Health Clinic and is a member of Bray Parish Council but attends the meeting with an open mind.

Councillors Coppinger and Love declared a personal interest for item 5 as they know the proprietor of the Berkshire Health Clinic.

Councillor Smith declared a personal interest for item 5 as he knows the proprietor of the Berkshire Health Clinic and also an interest in item 8 as his wife works at Holyport College.

Councillor Walters declared a personal interest for item 5 as he knows the proprietor of the Berkshire Health Clinic and is a member of Bray Parish Council but attends the meeting with an open mind.

Councillor Wilson declared a personal interest for items 4, 5 and 7 as he is a Member of the Maidenhead Town Partnership and PRoM and also a personal interest for items 2 and 8 as he is a member of Bray Parish Council but attends the meeting with an open mind.

70/15 MINUTES

**RESOLVED: That the Part I minutes of the meeting of the Maidenhead Development Control Panel held on 11 May 2016 be approved.**

71/15 PLANNING APPLICATIONS (DECISION)

**RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.**

The Panel considered the Head of Planning and Development's report on planning applications and received updates in relation to a number of applications, following the publication of the agenda.

NB: \*Updates were received in relation to planning applications marked with an asterisk.

<p><b>*15/03284/OUT</b> Land Rear of 105 To 119 Whyteladyes Lane Cookham Maidenhead</p>	<p>Outline application with all matters reserved for the erection of 7 affordable houses.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be REFUSED as per the officers panel update report.</b></p> <p>(Speakers: The Panel was addressed by Tanya Rushbrooke, objector, Dick Scarf, Cookham Society, Councillor Andrew Nye, Cookham Parish Council and James Copas, Applicant)</p>
<p><b>*16/00325/OUT</b> Oakland And Donne Mede Harvest Hill Road Maidenhead</p>	<p>Outline application (access, layout and scale) with some matters reserved for the construction of three detached and two semi-detached dwellings following the demolition of two existing dwellings (Oakland and Donne Mede).</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be DEFERRED and DELEGATED subject to secured updated ecology reports and amended conditions as below:</b></p> <ul style="list-style-type: none"> <li>• condition 1 to include landscaping</li> <li>• Remove conditions 15 and 16.</li> <li>• Reword condition 17 to include retention of wall along frontage</li> <li>• Condition 20 - Change to an informative (was condition 21 on panel update sheet)</li> <li>• Remove condition 21 (was condition 22 on panel update sheet)</li> </ul> <p>as the Panel considered that these conditions were not necessary to make the application acceptable and failed the relevant tests.</p> <p>(Speakers: The Panel was addressed by Jennifer Leverett and John Kendall, objectors and Terry Platt, Applicants Agent)</p>
<p><b>16/00552/FULL</b> Land Adjacent 24 South Road Maidenhead</p>	<p>Erection of 4 x 1bed apartments with improvements to road layout and disabled access.</p> <p><b>The PANEL VOTED that the application be PERMITTED as per the officers panel report. The Application was approved subject to the amended conditions as agreed by the Panel and as below:</b></p> <ul style="list-style-type: none"> <li>• <b>Amend condition 5 to ensure obscure to glazing level 3.</b></li> <li>• <b>Remove conditions 4 and 6</b></li> </ul> <p>as the Panel considered that these conditions were not necessary to make the application acceptable and failed the relevant tests.</p>

	<p>(Seven Councillors voted in favour of the motion to permit the application (Councillors Bullock, Burbage, Coppinger, Love, Smith, Walters and Wilson). Councillor Hunt abstained from voting.)</p> <p>(Speakers: The Panel was addressed by Kris Collett, Applicants Agent)</p>
<p><b>*16/00560/FULL</b> Diwa 2 Norfolk Road Maidenhead SL6 7EE</p>	<p>Construction of 10 dwellings 3 x 1 bed units and 7 x 2 bed units, with associated parking and amenity provision following demolition of property including outbuilding.</p> <p><b>The PANEL VOTED against the officers recommendation that the application be PERMITTED and be DELEGATED to the Borough Planning Manager to agree conditions in consultation with the Chairman of the Panel.</b></p> <p><b>The Panel considered that this proposal overcame the Inspectors concerns as the building was now set further back. On balance the development would have an acceptable impact in the street scene given the surrounding context, was in a sustainable location and contributed towards housing.</b></p> <p><b>(Four Councillors voted in favour of officers recommendation to reject the application (Councillors Coppinger, Hunt, Love and Walters). Four Councillors voted against the officers recommendation to reject the application (Councillors Bullock, Burbage, Smith and Wilson). The Chairman gave the casting vote to reject the officers recommendation.)</b></p> <p>(Speakers: The Panel was addressed by Paul Butt, Applicants Agent)</p>
<p><b>*16/00765/FULL</b> Queensgate House 14 - 18 Cookham Road Maidenhead</p>	<p>Change of use from B1 (Offices) to C3 (Residential), addition of mansard roof to provide 3 x 1 bed and 3 x 2 bed flats.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officers panel update report. The Application was approved subject to the conditions in the Borough Planning Manager's report.</b></p> <p>(Speakers: The Panel was addressed by Blanca Ibanez and Dr Mariette Grant, objectors and Terry Platt, Applicants Agent)</p>
<p><b>*16/00885/FULL</b> April Cottage Poundfield Lane Cookham Maidenhead</p>	<p>Raising of roof with addition of 3 No. front dormers and 2 No. rear dormers, garage conversion to habitable accommodation, single storey rear extension and alterations to front elevation to</p>

SL6 9RY	<p>reposition garage. Amendment to planning permission 15/03699.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officers panel update report. The Application was approved subject to the conditions in the Borough Planning Manager's report.</b></p> <p>(Speakers: The Panel was addressed by Peter Munday, objector, Dick Scarf, Cookham Society, Councillor Andrew Nye, Cookham Parish Council and James Owen, Applicant)</p>
<p><b>*16/00909/FULL</b>  Colemans Solicitors 21  Marlow Road  Maidenhead SL6 7AA</p>	<p>Alterations to second floor, addition of third, fourth and penthouse floors, change of use from office to residential to form 10 x 2-bed, 1 x 1-bed and 1 x 3-bed flats with external alterations. (Part retrospective).</p> <p><b>The PANEL VOTED that the application be PERMITTED against the officers recommendation and be DELEGATED to the Borough Planning Manager to agree conditions.</b></p> <p><b>The Panel considered that this proposal whilst taller than the previously approved scheme was of higher architectural merit and its set back minimised its impact. Furthermore given it glass construction it would appear less heavy than the previously approved scheme. As such the scheme was considered acceptable and compliant with development plan policies.</b></p> <p><b>(Four Councillors voted in to approve the application (Councillors Bullock, Love, Smith and Walters). Three Councillors voted to reject the application (Councillors Coppinger, Hunt and Wilson. Councillor Burbage abstained from voting).</b></p> <p>(Speakers: The Panel was addressed by Neil Oakley, Applicants Architect)</p>
<p><b>16/00972/FULL</b>  Holyport College Ascot  Road Holyport  Maidenhead SL6 3LE</p>	<p>Single storey extension to dining hall and single storey extension to sports hall.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officers report. The Application was approved subject to the conditions in the Borough Planning Manager's report.</b></p>
<p><b>*16/01289/CPD</b>  Land Between  Lightlands Lane And  Strande View Walk And</p>	<p>Certificate of lawfulness to determine whether a moveable poultry shed is lawful.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the</b></p>



Strande Lane Cookham Maidenhead	<p><b>application be REFUSED as per the officers panel update report. The Application was refused subject to the conditions in the Borough Planning Manager’s report.</b></p> <p>(Speakers: The Panel was addressed by Mark Garrett and Dr Joanna Leach, objectors, David Ashwanden, Cookham Society and Councillor Andrew Nye, Cookham Parish Council).</p>
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72/15 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

The Panel noted the planning appeals received.

The meeting, which began at 7.00 pm, ended at 9.20 pm

Chairman.....

Date.....

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## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Maidenhead Panel

6th July 2016

#### INDEX

APP = Approval  
 CLU = Certificate of Lawful Use  
 DD = Defer and Delegate  
 DLA = Defer Legal Agreement  
 PERM = Permit  
 PNR = Prior Approval Not Required  
 REF = Refusal  
 WA = Would Have Approved  
 WR = Would Have Refused

<b>Item No.</b>	1	<b>Application No.</b>	16/00984/FULL	<b>Recommendation</b>	DD	<b>Page No.</b>	11
<b>Location:</b>	Braywick Court School Hibbert Road Maidenhead SL6 1UU						
<b>Proposal:</b>	Construction of part single part two storey school building (Class D1) with associated external works, following demolition of existing buildings.						
<b>Applicant:</b>	Bellevue Place Education Trust	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	21 June 2016		
<hr/>							
<b>Item No.</b>	2	<b>Application No.</b>	16/00973/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	33
<b>Location:</b>	Church of Christ Science Marlow Road And The Cloisters Sun Lane Maidenhead						
<b>Proposal:</b>	Erection of B1(a) office building with associated landscaping, car parking and cycle parking following demolition of existing buildings						
<b>Applicant:</b>	Mr Richardson	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	8 July 2016		
<hr/>							
<b>Item No.</b>	3	<b>Application No.</b>	16/01667/FULL	<b>Recommendation</b>	DD	<b>Page No.</b>	69
<b>Location:</b>	Hard Edge 100 - 102 High Street Maidenhead SL6 1PT						
<b>Proposal:</b>	Construction of building with retail at ground floor and 1 x 1 bed and 4 x 2 bed flats following demolition of existing building.						
<b>Applicant:</b>	Shenley Estates	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	20 July 2016		
<hr/>							
<b>Item No.</b>	4	<b>Application No.</b>	16/01129/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	83
<b>Location:</b>	105 Brunel Road Maidenhead SL6 2RU						
<b>Proposal:</b>	Erection of 6 x 1 bed flats with associated parking and communal amenity space						

**Applicant:** Mr Potyka - RAP Building And Developments  
**Member Call-in:** Not applicable  
**Expiry Date:** 8 July 2016

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**Item No.** 5      **Application No.** 16/01236/FULL      **Recommendation** REF      **Page No.** 95

**Location:** Herons Court Terrys Lane Cookham Maidenhead SL6 9RR

**Proposal:** Erection of new detached dwelling following demolition of existing dwelling and buildings

**Applicant:** Ms Scott      **Member Call-in:** Cllr Clark      **Expiry Date:** 16 June 2016

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**Item No.** 6      **Application No.** 16/01292/FULL      **Recommendation** REF      **Page No.** 111

**Location:** Hedsor Cottage 11 Maidenhead Court Park Maidenhead SL6 8HN

**Proposal:** Erection of detached dwelling following demolition of existing garage and annexe

**Applicant:** Mrs Hock      **Member Call-in:** Cllr Diment      **Expiry Date:** 13 July 2016

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**Item No.** 7      **Application No.** 15/03548/FULL      **Recommendation** DD      **Page No.** 125

**Location:** St Lukes CE Primary School Cookham Road Maidenhead SL6 7EG

**Proposal:** Construction of new staff car park

**Applicant:** Mrs Hough      **Member Call-in:** Not applicable      **Expiry Date:** 5 February 2016

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**Item No.** 8      **Application No.** 16/01360/FULL      **Recommendation** PERM      **Page No.** 135

**Location:** Cookham Rise Primary School High Road Cookham Maidenhead SL6 9JF

**Proposal:** Rear classroom extension

**Applicant:**      **Member Call-in:** Not applicable      **Expiry Date:** 23 June 2016

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Appeal Decision Report      Page No. 143

Planning Appeals Received      Page No. 147

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 1

<b>Application No.:</b>	16/00984/FULL
<b>Location:</b>	Braywick Court School Hibbert Road Maidenhead SL6 1UU
<b>Proposal:</b>	Construction of part single part two storey school building (Class D1) with associated external works, following demolition of existing buildings.
<b>Applicant:</b>	Bellevue Place Education Trust
<b>Agent:</b>	Miss Rebecca Skinner - JLL Ltd
<b>Parish/Ward:</b>	Oldfield Ward
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The application seeks planning permission for a new enlarged school building that will enable the school to become a 1 form entry primary school. The site is located in the Green Belt, but because of the site characteristics and design elements, the proposal will not have a greater impact on the openness of the Green Belt and the purposes of including the land within it than the existing development and is, therefore, appropriate development.
- 1.2 The Highway Authority has raised no objections to the scheme subject to the implementation of a robust Travel Plan and other conditions. Likewise, subject to an appropriate landscaping scheme, Tree Protection Plan and Arboricultural Method Statement, concerns relating to the impact on trees can be sufficiently addressed.
- 1.3 The Council is currently awaiting the results of further bat surveys which are due at the end of June. The findings of those surveys will be reported at the Panel meeting. Subject to these being satisfactory and accompanied by an acceptable mitigation strategy and method statement, together with conditions in respect of breeding birds, invasive species and biodiversity enhancements, no objections are raised on ecology grounds.
- 1.4 The Council's Conservation Officer has advised that the proposal will cause less than substantial harm to the setting of the nearby listed terraced row and that the benefits of the proposal would outweigh the low level of harm. The existing school building is not considered to be a non-designated heritage asset and thus the loss of this building raises no objection. The former Braywick Lodge stable building is not considered to be a non-designated heritage asset and therefore development within its setting would not harm historical built significance.
- 1.5 It is not considered that the proposal will harm the character and appearance of the area, nor the living conditions of any nearby residents.
- 1.6 The Council's Head of Schools and Educations Services has confirmed there is a need for this school in Maidenhead.

<b>It is recommended the Panel grant planning permission with the conditions listed in Section 10 of this report.</b>
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**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Borough Planning Manager 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 main part of the application site is located on the north-west side of Hibbert Road, on the southern edge of Braywick Park within the Oldfield Ward. It extends to approximately 0.73 hectares and, together with the area of land occupied by the existing school, includes part of the existing car park accessed from Hibbert Road, a section of car park behind Stafferton Lodge and a footpath crossing Braywick Park.
- 3.2 The site is currently occupied by a typical Victorian village school building, constructed mainly of red brick with steeply pitched tiled roofs. It is largely single storey, with the exception of a two-storey section located to its east. In addition, there is an existing former toilet block towards the east boundary. The site slopes downwards from west to east by approximately 1.7m.
- 3.3 The surrounding area to the south and west of the site is predominantly residential in character and appearance. Within the vicinity of the site, Hibbert Road is characterised by large detached two-storey houses of mainly red brick construction, set back from the highway and enclosed by mature vegetation and walls. Braywick Park, to the north of the site, comprises areas of open space, Braywick Cemetery, Stafferton Lodge, Maidenhead Golf Centre and a number of other recreational facilities. To the south-east, approximately 20m from the site, is a terrace of grade II listed cottages. Braywick Nature Centre immediately to the west of the school occupies the former stable building of the now demolished Braywick Lodge.
- 3.4 The site is located in the Green Belt and adjoins Braywick Park which is a Local Wildlife Site and Nature Reserve.

### **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 A school has existed on the main part of the application site since the 1860's and the more recent planning history relates primarily to temporary terrapin consents and small extensions to the former Winbury Preparatory School. Winbury School closed in 2011 and the building remained vacant until it was occupied in 2014 by Braywick Court School (BCS), a new free school. BCS is funded by the Education Funding Agency which granted funding for a 1 Form Entry (1FE) primary school as it is not financially viable to operate a school less than 1FE.
- 4.2 A previous application (15/00801) for an extension to the existing school, a change of use of Braywick Nature Centre to a school, and the construction of a replacement nature centre was withdrawn following a number of concerns from officers. Essentially, the previous scheme sought to retain the existing main school building, however in order to achieve the required floor space, the proposal involved a large, two-storey extension taken close to the edge of Hibbert Road. Concerns were raised in respect of the bulk and scale of the extension and how it would appear in the wider area, as well the possible impact on the amenities of nearby residents. In addition, the scheme proposed to convert the existing building occupied by the Nature Reserve Centre to classrooms, which meant the nature centre itself required a new building to be located in Braywick Park.
- 4.3 Although currently a small school, there have been problems of conflict between traffic associated with the school and other road users and users of the nature reserve public car park off Hibbert Road. The school's strategy for dealing with this issue proposed under the previous application was not considered acceptable by the Highway Authority.
- 4.4 Following the withdrawal of the previous application, the applicant and their representatives met with officers from the Council to discuss alternative proposals and undertook a comprehensive public consultation. The result of these is the current submitted proposal, which is notably different from the previous scheme. Essentially, the proposal involves the demolition of the existing school buildings on the site and the construction of a contemporary designed part-single, part two storey school building. The new building is roughly L-shaped with the two-storey section (running east to west) positioned towards the north boundary, as per the existing school, and taken up to the east side boundary. The single storey element runs north to south, adjoining and perpendicular to the two-storey part of the building. The main entrance to the school is changed from the south to the north through the park.

4.5 The proposed building is approximately 21.5m wide and 25m deep, compared to the existing school which is 19m and 16m respectively. In terms of the height, the development takes advantage of the difference in levels across the site, resulting in the height of the flat roofed new school being lower than the maximum ridge height of the existing school, (35.481m AOD compared to existing maximum AOD of 35.970m). Two separate play areas are also provided, together with 42 cycle spaces. All parents/carers arriving by car will be required to use the existing Park and Stride Car Park behind Stafferton Lodge. Additional car parking spaces for staff will also be available at the Park and Stride.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework (NPPF) Sections: 4 (Promoting sustainable transport), 7 (Requiring good design), 8 (Promoting healthy communities), 9 (Protecting Green Belt land), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment).

### Royal Borough Local Plan

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

Green Belt	Highways and Parking	Trees	Community Facilities	Listed Buildings
GB1, GB2	P4, T5	N6	CF1/2	LB2

### Supplementary planning documents

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

- Sustainable Design and Construction

More information on these documents can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- The principle of development and Green Belt issues;
- Parking provision and highway issues;
- The impact on trees;
- Ecology;
- The impact on nearby listed buildings/heritage assets and archaeology;
- The impact on the character and appearance of the area; and
- The impact on the living conditions of local residents.

## The principle of development and Green Belt issues

- 6.2 The application site is located in the Green Belt. Paragraph 89 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces or limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.3 In this case, the existing building is a school and the replacement building is also for a school. The existing school is largely single storey and has a floor area of approximately 475sq.m, while the proposed school has a floor area of 1,311sq.m, representing a 183% increase in floor area over and above the existing. However, what this does not take account of is the bulk of the existing building, which although single storey, is covered by steeply pitched roofs that, in parts, reach a height of 8.1m. So while in terms of floor area the proposal would be larger, this is not automatically the case in terms of overall scale and bulk, particularly when having regard to the contemporary design of the proposed school and the topography of the site.
- 6.4 The proposal can also be assessed under the category of redevelopment of a previously developed site. The test under this provision is whether the new building would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. An assessment of impact on openness is a matter of planning judgement for the decision taker and often involves a review of relevant case law. Historically, in planning terms, openness refers to the absence of development and is concerned primarily with the amount and extent of development and its physical effect on a site. A recent case (Turner v Secretary of State for Communities and Local Government (2016) EWCA CIV 466) however affirmed the visual dimension in the assessment of openness. In short, the judge found that the concept of openness was not narrowly limited to a volumetric approach, that the word “openness” is open textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.
- 6.5 With regard to the current proposal, the application site has existing development within it and the two storey part of the new building would be positioned in a similar location to the existing school, approximately 15m back from Hibbert Road. The width of the new building would be only 2.5m more than the existing school, while the maximum roof would be lower (the existing AOD being 35.970 while the proposed is 35.481). With the exception of the entrance footpath, the majority of the development would be contained within the existing site. Views of the new building would be limited from outside due to the substantial tree cover along the north and east boundaries, from the west due to the existing nature centre building and further trees and vegetation and from the south due to the building’s set back and 2m high brick wall adjacent to Hibbert Road. Overall, having regard to the specific circumstances of the proposal and the site, together with the recent relevant case law, it is not considered that the development would have a greater impact on the openness of the Green Belt than the existing development.
- 6.6 Paragraph 80 of the NPPF states that the Green Belt serves five purposes: To check the unrestricted sprawl of large built-up areas; To prevent neighbouring towns merging into one another; To assist in safeguarding the countryside from encroachment; To preserve the setting and special character of historic towns and; To assist in urban regeneration, by encouraging the recycling of derelict and other urban land. In this case, the proposal would not compromise any of these purposes for including the site within the Green Belt.
- 6.7 As the proposal is not considered to have a greater impact on the openness of the Green Belt or the purposes of including the land within it, the development is not inappropriate and the principle is acceptable.



## **Parking provision and highway issues**

- 6.8 The school currently utilises the existing Park and Stride facility behind Stafferton Lodge and it is proposed that its use will be compulsory (enforced through the School's Travel Plan and Home-School Agreement) for parents/carers dropping off and picking up their children, with the exception of the collection of pupils from after school clubs in the winter. The car park provides 99 spaces (including 28 for staff) and the Highway Authority has advised that, together with the proposed 'Kiss and Drop / Grab and Go' arrangements this is sufficient to meet the parking needs associated with the expanded school.
- 6.9 The Highway Authority has further advised that to encourage the use of the Park and Stride a number of improvements should be undertaken to improve the car park and footpath. However, it adds that there is no funding in place to enable these works and suggests a condition be imposed to any planning consent requiring the works to be completed before development is commenced. While the suggested works (largely resurfacing and marking out of parking spaces) may improve the Park and Stride facility they are not necessary to the development and it would also be unreasonable to attach a pre-commencement condition to a planning consent in the knowledge that there is currently no funding for such works.
- 6.10 During winter (18 school weeks from October half-term to Easter) parents/carers will be allowed to collect pupils from after school clubs from the Nature Reserve car park. The school proposes staggered end times for the after school clubs with 5 pick-up times at 25 minute intervals ranging from 16.20 to 18.00. It is predicted that there would be a parking demand for 7 spaces during each 25 minute slot and these would be provided by the 8 parking spaces within the Nature Reserve car park currently allocated to the school. This would be enforced through the School's Travel Plan which would be regularly reviewed and updated (see condition 6 in Section 10).
- 6.11 14 full-time and 17 part-time employees are proposed once the school reaches capacity, equating to a need for 28 parking spaces and these will be provided in the Park and Stride car park. Staff will also marshal walking buses to and from the school and the Park and Stride, and any staff finishing after normal school hours will park in the Braywick Park car park (between the Stafferton Lodge and Braywick Road) so that they can walk to their cars along the lit footway of Braywick Road.
- 6.12 42 cycle/scooter parking spaces are proposed at a ratio of 1 space to 5 pupils which is in accordance with the Council's Parking Strategy.
- 6.13 Visitors to the school will be able to park in the 8 spaces allocated to the school in the nature reserve car park. Bus/coach access arrangements will need to be agreed before the development is occupied and the School Travel Plan updated accordingly. The Highway Authority has also advised that the delivery and waste collection arrangements need to be further developed and have recommended condition 9 to that effect on any planning consent that may be forthcoming.
- 6.14 It is predicted that the net change in two-way vehicle trip generation would be approximately 90 during the morning peak 08.00-09.00 hours, approximately 88 during the school afternoon peak 15.00-16.00 hours and approximately 216 daily two-way vehicle trips. Given that most of these movements would be from the Braywick sports ground junction with the A308 Braywick Road, it is considered that the proposed school trip generation can be accommodated on the local highway network. This is provided the School Travel Plan and Home-School Agreements, including the Park and Stride and after school parking arrangements are successful.
- 6.15 The Highway Authority has raised no objections to the proposal subject to a legal agreement to secure funds to address future parking, congestion or vehicle speed issues that may arise as a result of the development, together with a number of conditions. With regard to a legal agreement, it is considered that it is unreasonable to request funds from an applicant for issues that may or may not occur in the future. The local planning authority is required to determine the application as submitted and the proposed parking provision is either acceptable or not. In this case, it is acceptable provided the School Travel Plan is robust and properly implemented and

the appropriate mechanism for dealing with this is by way of a planning condition, which is recommended at condition 6.

- 6.16 Other conditions recommended by the Highway Authority include the submission and approval of a demolition and construction management plan, a delivery and waste collection management plan and cycle parking, all of which are considered reasonable and necessary. Conditions relating to the resurfacing of the footpath, widening of the access road to the Park and Stride and parking and turning within the car park are not necessary or reasonable to the development.

### **The impact on trees**

- 6.17 The tree officer has advised that the area of trees to the north and east of the site may be ancient woodland and if it is, the removal of any of these trees would be unacceptable. In addition, the school building comes within part of the root protection area of two off-site trees (T76 and T78) and should therefore be moved outside of this area. Clarification on the construction of the retaining / boundary wall to the north is required as it may impact on the important line of off-site Yew trees.
- 6.18 Details of service/drainage runs are required to assess the impact on off-site trees and the tree officer has advised that access should be restricted for pupils along the northern side of the site due to the toxicity of the Yew. The proposed tank on the north-east corner will result in the loss of a cherry tree (T86) unless the tank is installed via a trenchless technique. The new entrance via the footpath in Braywick Park will result in the loss of a small but mature Box tree (T63). The existing Yew trees in the park will obstruct views and create a dark area when viewed from the school building and this may result in pressure to detrimentally prune them back.
- 6.19 The tree officer has advised that unless the above issues are adequately addressed the proposal would not comply with policies N6 and DG1 of the Local Plan. Should planning permission be granted a tree protection plan and arboriculture method statement will need to be submitted for approval.
- 6.20 The applicant has provided a response to the issues raised by the tree officer. With regard to the question of whether the woodland outside of the site is ancient, this was assessed by an ecologist and arboriculturalist for ancient woodland indicator plants. The following indicator plants were observed. Field maple, hornbeam, bluebell, holly and Hart's tongue (fern). None of these appeared in any great numbers and as such there is insufficient evidence to suggest the wood is ancient from its floral diversity. Consequently it would be unlikely that the Local Planning Authority would pursue this issue, the scheme is thus acceptable in this regard.
- 6.21 The root protection areas of the T76 and T78 have been revised. Given the proximity of T76 to the existing retaining wall, it is considered likely that the tree root system has been restricted mainly to the soft ground. Some roots may extend below the wall, however the footing depth of the wall has not been validated. Given the presence of vegetation and the topography to the north of the existing boundary (step slope downhill away from the wall); it is considered that T78 is unlikely to have developed a rooting system in close proximity to the wall.
- 6.22 With regard to the foundation design of the reinstated boundary / retaining wall, the engineering solution is a cantilever design that will limit the ground working in the vicinity of the northern site boundary. All installation of new fencing will use the same holes as the existing fence wherever possible. In terms of service /drainage runs, provided the installation of these uses directional drilling or air-spade open trench techniques, the impact on off-site trees will be minimal. Arboricultural supervision is recommended for any operations taking place within RPA's.
- 6.23 It is considered that the likelihood of harm from the Yew trees is minimal, but awareness education for the children should be considered. Works within the RPA of the cherry tree should use trenchless techniques, the details of which will be supplied within an Arboricultural Method Statement secured by condition 11. The Box tree is to be retained.
- 6.24 The school has been designed and laid out so that its main outlook and light will be taken from the south and west. The platform to the north will require regular maintenance to limit the build-up of leaf matter / tree debris. It was noted that the yew trees have undergone regular

management in the past with lower limb removal and branch reduction both within the park and within the school boundary line. A cyclical programme of light formative pruning is likely to be required to limit low level overhanging branches.

- 6.25 Subject to a landscaping scheme that includes the replacement planting of off-site trees (condition 3), together with a Tree Protection Plan (condition 10) and an Arboricultural Method Statement (condition 11), that includes the measures proposed by the applicant to protect the RPA's of off-site trees, no objection is raised to the proposal on tree grounds.

### **Ecology**

- 6.26 The Council's ecologist has provided the following summarised advice in respect to ecological matters:
- 6.27 The proposed development site lies adjacent to Braywick Park Local Nature Reserve and Local Wildlife Site and it is understood that a number of trees and areas of scrub are to be removed to facilitate the larger school building. The effect of this on ecology has not been addressed. The new building is also likely to lead to an increase in light pollution which would impact on the wildlife site and this has also not been addressed. It is recommended that an assessment of the impact should be undertaken prior to determination of the application.
- 6.28 Bats and their habitats are protected by law and a survey of the main school building, which is to be demolished, has confirmed that the roof space has been used as a bat roost. Further surveys are therefore being undertaken to confirm if this is still the case. The results of these surveys are due at the end of June and the findings will be reported at the Panel meeting. In addition, details of a suitable mitigation strategy and method statement will need to be provided.
- 6.29 Breeding birds are also protected by law and as such vegetation removal should be undertaken outside of the breeding bird season. Concerns are also raised in relation to the potential harm from any lighting along the footpath between the Park and Stride car park and the school.
- 6.30 In response to the issues raised by the ecologist, the proposal does not involve any lighting along the Park and Stride footpath and it is not considered that the new building, for a primary school, will lead to a significant increase in light pollution. The applicant's ecologist has also confirmed that none of the trees proposed to be removed have the potential to support roosting bats. Subject to the submission of acceptable bat survey results, a mitigation strategy and method statement and the imposition of planning conditions in relation to these matters no objections are raised on ecology grounds.

### **The impact on nearby listed buildings/heritage assets and archaeology.**

- 6.31 The Council's conservation officer has advised that the submitted heritage assessment and addendum clearly identify the built heritage significance of the nearby buildings, namely the listed terrace row, the existing school building and the former Braywick Lodge stables, which is now the nature reserve centre.
- 6.32 With regard to the setting and significance of the listed cottages, the proposal would have a low level of harm that is less than substantial, and the public benefits of the scheme would deliver social progress through the provision of a high quality education building.
- 6.33 The existing building is not considered to be non-designated heritage asset, as defined by the NPPF and NPPG. Therefore the loss of this building would not raise heritage-related concerns. Likewise, although there are elements to the building which have some age, it is not considered that the nature reserve building warrants non-designated heritage asset status. Therefore the setting of the building and the impact of the scheme on this does not raise heritage concerns.
- 6.34 The proposed materials appear to have been chosen to provide a contemporary yet harmonious new building that would assimilate itself within the wooded setting. The bronze cladding is an important element in the design and the quality of the materials used must be high to ensure the longevity of the high quality finish. A sample of the proposed brick should be agreed to

complement the bronze cladding and wooded setting and would be secured by condition 2. The large canopies, designed to provide shade to the building, should be low maintenance particularly their underside.

- 6.35 There are potential archaeological implications with the current proposal linked to the site's former associations with the medieval Court House of the Manor of Bray. In addition, the site is on a gravel terrace of the River Thames in an area that had been a focus of prehistoric settlement and land use. The proposed development has the potential to disturb buried remains and therefore in accordance with advice set out in the NPPF paragraph 128 a condition is recommended to secure a programme of archaeological work see condition 16 in section 10 of this report.

### **Impact on the character and appearance of the area**

- 6.36 As advised under the planning history section above, the previous application sought to retain the existing building and proposed a large two storey extension and conversion of the existing nature centre. While this was of a more traditional design incorporating materials to match the existing buildings, it resulted in a bulky development taken very close to Hibbert Road that would have detracted from the area and likely harmed the living conditions of nearby local residents. It also would have meant that a new nature centre would have to be built in Braywick Park.
- 6.37 The current proposal allows for the nature centre to be retained as it is and sets the main two storey element well back from Hibbert Road (15m), making use of the topography of the site and existing tree screening along the north and east boundaries. The single storey section will be partially screened by the existing brick wall abutting Hibbert Road and good sized gaps (from 11m to 17m) will be retained between the new school and the nature centre, allowing views of Braywick Park beyond. This is a vast improvement to the previous scheme.
- 6.38 The more efficient use of the site and better relationship with neighbouring properties is achieved not only by the siting of the building but also its contemporary design, which involves the use of flat roofs. This enables the bulk of the building to be kept to a minimum. To complement the design, the proposal involves the use of different materials than those on development surrounding it. Provided these materials are of a high quality which can be secured by condition 2 it would not be harmful to the character and appearance of the area. The application site is not within nor adjoins a conservation area and there are numerous examples within the Borough where contemporary development sits comfortably next to more traditional buildings.

### **The impact on the living conditions of local residents**

- 6.39 The closest residential property to the new school is positioned approximately 20m to the east. Given this separation distance, the orientation of the buildings and the existing tree screening to be retained, together with any additional tree planting considered necessary, it is not considered that the proposal would harm the living conditions of the occupiers of this property in terms of loss of privacy, loss of light or from the development appearing overbearing.

### **Other Material Considerations**

- 6.40 Paragraph 72 of the NPPF advises that "The government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools; and work with school promoters to identify and resolve key planning issues before applications are submitted." This weighs in favour of the proposal.
- 6.41 Policy CF1 of the Local Plan seeks to protect against the loss of existing community facilities unless the Council is satisfied that an acceptable alternative provision is to be made elsewhere. It is understood that if the school is not able to expand it will lose its funding and have to close. Policy CF2 seeks to permit proposals for new community facilities which "meet the needs of local

residents” provided adequate access and car parking is provided especially for people with disabilities.

- 6.42 The submitted Energy Statement outlines a number of measures to be undertaken to minimise energy consumption and the proposal involves the use of 49 solar photovoltaic panels that will deliver a 10.5% reduction of the total predicted energy demand through on-site renewable energy. A BREEAM pre-assessment has identified that the proposal would achieve a ‘Very Good’ score.
- 6.43 The application is supported by RBWM’s Head of Schools and Education Services. Full comments set out in Section 8 below.
- 6.44 The submitted Planning Statement sets out the school’s attempt to find an alternative site. In short, the existing Hibbert Road school site has been determined as the preferred location for provision of a 1FE school, as it was, and remains, the most suitable, deliverable and affordable site, selected in accordance with the DfE’s and EFA’s requirements. It is not financially viable to deliver a school at less than 1FE.
- 6.45 Some local residents have expressed concerns about noise pollution, however given that the pupils will be outside for only short periods of time and supervised; it is not considered that this will harm the living conditions of any local residents.

## 7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The application seeks to enable the provision of a primary school. No negative transport, open space, sport, recreation or other will arise as a result of the development and therefore the proposal does not need to be supported by any new infrastructure. As such financial contributions are not being sought in this case.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

15 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 1<sup>st</sup> April 2016.

Maidenhead Advertiser 14<sup>th</sup> April 2016.

397 letters were received supporting to the application, summarised as:

Comment		Where in the report this is considered
1.	Maidenhead is in desperate need of school places.	6.43
2.	The new plans have taken local resident’s concerns into account.	Noted
3.	The school will be an excellent learning space for the children.	Noted
4.	The comprehensive travel plan ensures that there should be little or no impact on traffic on the Hibbert Road.	6.8
5.	The school promotes an outdoor life and insists on daily physical activity with its Park and Stride scheme, which is used by children in rain or shine.	Noted
6.	BCS is very much needed in our community.	Noted
7.	I have two children at the school and they are both thriving and receiving a fantastic education. We use the Park and Stride or walking bus every day.	Noted

8.	BCS is a very special and unique school and has provided amazing results.	Noted
9.	Pupils benefit from green school lessons and are able to explore the nature reserve on a regular basis.	Noted
10.	I am a resident of Bray – finally we are getting a village school back.	Noted
11.	It is a beautiful setting with a high standard of teaching.	Noted
12.	A lot of consideration has gone into the new building to fit in nicely with its surroundings.	6.36 – 6.38
13.	I would rather see a school built there than anything else.	Noted
14.	A modern design is pleasing – we do not want to lose this excellent school.	6.36 – 6.38
15.	The design is modern, exciting and innovative.	Noted
16.	The travel options put forward by the school are a fair solution.	6.8
17.	Sustainable site due to ease of access.	
18.	The teaching is outstanding and the pupils are thriving in the nurturing environment provided by the school.	Noted
19.	The proposal will make better use of the site.	6.38
20.	The site has been used as a school for many years. As a local resident and parent it's really exciting to see investment in high quality education facilities, which will benefit and serve the local community for years to come.	Noted
21.	This school is wonderful and fantastic for children and it will be at the heart of this wonderful natural environment.	Noted
22.	We desperately need this for our children.	6.43
23.	This will be a state of the art facility. The school has listened to local feedback and adjusted the plans accordingly.	Noted
24.	It's great to see this application resubmitted and momentum for this crucial upgrade of local school capacity resumed.	Noted
25.	This will deliver an excellent quality, practical and overall, essential solution for the local community.	Noted
26.	Increasing school capacity is vital.	6.43

21 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. This rural area and nature park will totally change. The development will have a detrimental impact on Braywick Park. The site is not suitable for this development.	6.37
2. This will be a nightmare for traffic and local residents. Hibbert Road cannot tolerate the number of cars the school will generate. Will lead to more cars through Bray.	6.8 – 6.16
3. Please do not be pressurised by outside forces to approve this.	Not a material consideration
4. Extremely confusing and inaccurate application.	Noted
5. Have not accurately counted the number of trees to be removed	This has been

	which provide habitats to wildlife.	checked and confirmed
6.	The Bellevue Place Educational Trust has been offered a more suitable location. They cannot be trusted.	Not a material consideration
7.	Have further surveys been done?	6.28
8.	The removal of trees will have a significant adverse impact on views from Hibbert Road. The development will not be able to avoid the Yew trees.	6.17 – 6.25 6.36 – 6.38
9.	The development will be overbearing – it will be only 20m from the nearest property. It will cause overlooking and is out of scale with the area.	6.39
10.	The building will be of glass, aluminium and yellow brick which is not in keeping with the surroundings. The new building is a carbuncle, a huge, ugly glass box with no resemblance to the surrounding red brick properties.	6.36 – 6.38
11.	The size of the site is too small. This is overdevelopment of the site.	6.38
12.	The Park and Stride is too far away.	Noted
13.	This will put a great strain on the local network.	6.14
14.	The Travel Plan won't work. It will only work on sunny days. How will the home / school agreement be enforced?	6.8 – 6.16
15.	Parents will ignore the school's wishes to use the Park and Stride.	Noted
16.	This site should not have been chosen in the first place – there are alternative sites. The school should not have been allowed to set up here if it knew it would have to expand.	6.44
17.	Will lead to noise pollution. Will cause light pollution in the winter months.	6.45
18.	There is inadequate space for playing. The children will have to make use of Braywick Park.	6.30
19.	All this for a single form entry school.	Not a material consideration
20.	The school is taking over the public car park and public open space.	There is no loss
21.	There are many inaccuracies and deceptive comments in the application. The plans are inaccurate / inconsistent. The reports are misleading. Context drawings have added trees and the elevational drawings are not correct.	Checked and confirmed
22.	The Council is leasing additional open space to the school.	Not a material consideration
23.	The Council will be breaking its promise on protecting the environment.	Not a material consideration
24.	In using the Park and Stride many more cars will have to cross the Braywick Road, where there have already been several accidents.	Noted
25.	Will cause harm to bats which are protected.	6.27
26.	The Council's own departments have recommended refusal.	See consultee responses below
27.	The Nature Centre will lose its garden.	Not a material consideration
28.	The public park and public will be devastated and destroyed.	Noted

29.	The building will detract from the pond and dell in the nature reserve.	6.37
30.	Why has the Highway Authority changed its mind?	6.8 – 6.16
31.	The construction will cause major disruption in the area.	Disruption can be minimised by a Construction Management Plan condition
32.	This is inappropriate development in the Green Belt.	6.2 -6.7
33.	The artists' impression shows trees where they are proposed to be removed.	6.25
34.	The Council leader has been openly supportive of this application, so how can an unbiased, democratic decision be made by the Council?	Not a material consideration
35.	Cllr. Burbage was the main driving force behind RBWM buying this site, so he is strongly invested in the success of the school application.	Not a material consideration
36.	Given such powerful members of the Cabinet and Council so openly supporting the school, how do we know if other members of the Panel or council employees will not be put under pressure to vote in favour or give favourable supporting reports?	Noted, the Local Planning Authority is required to act within the law
37.	Object to any parking / waiting restrictions on Hibbert Road. Local residents need to be able to park on Hibbert Road. A Residents' Only system would cause inconvenience and be inflexible.	Noted

### Statutory Consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No objections subject to a legal agreement and conditions.	6.8 – 6.16

### Other Consultees

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	No objection subject to a condition to secure a programme of archaeological work. (See condition 16 in Section 10).	Noted
Conservation	The proposal will cause less than substantial harm to the setting of the nearby listed terraced row. The benefits of the proposal would outweigh the low level of harm. The existing school building is not considered to be a non-designated heritage asset and thus the loss of this building raises no objection. The former Braywick Lodge stable building is not considered to be a non-designated heritage asset and therefore development within its setting would not harm historical built significance.	6.31 – 6.34
Head of Schools and Education Services	RBWM Children Services support this application as the school is already open and the places are definitely needed. The Department for Education agreed that the school should be a one form entry primary school, but the current buildings are too small.	6.43



	<p>The enlarged school is definitely required from a place planning perspective, as the number of children living in the local area, in particular the Oldfield Ward, are greater than the number of school places available. Braywick Court School helps to provide for the shortfall of school places in the area.</p> <p>Although BCS does not have a specific designated area, its popularity makes it a community school, serving the children in the immediate area. It is a popular school and always full after allocation. Between 2014 and 2015, the number of preferences increased from 16 to 28 (57% growth), and by 2016 there was a further 18% application growth, taking the first preference applications to 34, for only 30 spaces. For the 2016 allocation, 29 of the 30 children given a place live within 1.6 miles of the school. Holyport primary school designated area abuts that of Oldfield, and it too is full – taking 60 pupils per year group. In the whole of Maidenhead, there are only 19 spare places across all schools when places were allocated in April 2016 – and many of these will be taken up by late applicants who live in the Maidenhead area. This shows that the places at BCS are vital to the provision of school places for Maidenhead children.</p> <p>One suggestion has been that the old Oldfield school site should be used for BCS, but this site is not available as Forest Bridge special school is in occupation until such times as it can move into permanent premises elsewhere.</p> <p>A new building, fit for purpose for the modern day curriculum to replace the small school buildings that have been on this site for many years, is therefore the best location and is necessary for the pupils living in the local area.</p> <p>Children Services therefore support this planning application wholeheartedly.</p>	
Maidenhead Civic Society	<p>Obviously we are disappointed to see the old Winbury School buildings being demolished. However, we believe that a new purpose built school is the most satisfactory solution for this site. We are pleased that the Braywick Nature Centre is retained in situ and that there appears to be no incursion in the Green Belt.</p> <p>Although the car parking area – shared with the Nature Centre – has been extended, we are concerned that there will be traffic and parking problems at the start and close of the school day. Parent’s vehicles will join those of teachers and Nature Centre staff and visitors. We believe that there will be a need for active parking and traffic management.</p>	6.8 – 6.16 & 6.36 – 6.38
Local Lead Flood Authority	<p>The submitted Flood Risk Assessment does not confirm how surface water runoff from the existing development is dealt with. The outline sustainable drainage system does not indicate any levels on the proposed system and therefore it is difficult to assess the feasibility of the proposed system. The outfall also appears to be based on an assumed invert level and location of a Thames Water sewer. The viability of connection to this system will need to be proved and the applicant will require Thames Water’s consent to connect to the surface water sewer.</p> <p>In the absence of this additional information it is recommended that the application be refused.</p>	The strategy for dealing with surface water runoff is outlined in the submitted FRA. Ongoing discussions with Thames Water are taking place Final details to be conditioned
Adjoining Parish (Bray) Council	<p>Recommend refusal – GB1 Impact / intensification on the Green Belt and GB2 overdevelopment of the plot and traffic issues as inadequate parking / access.</p>	6.2 – 6.7 6.8 – 6.16

comments		
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## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Site layout plan
- Appendix C - Elevations
- Appendix D - 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 NPPF.

In this case the issues have been successfully resolved.

## 10. CONDITIONS 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. Prior to construction 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 DG1.
3. No development shall take place 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.
4. Prior to construction details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.  
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
5. No development shall commence until details of all finished slab levels in relation to 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.
6. Prior to occupation, a revised School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of the operation of the Park and Stride facility, the home - school agreement, staff and visitor parking, after school collection arrangements and bus/coach arrangements, together with a plan outlining how each of

these will be appropriately managed and enforced by the school. The plan shall be implemented in accordance with the approved details

Reason: In the interests of the flow of traffic and conditions of highway and pedestrian safety in the area. Relevant Policies Local Plan T5).

7. No development shall commence until a Construction Environmental Management Plan to control the environmental effects of all construction activities for that part of the development, and containing all relevant Codes of Construction Practice, has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Environmental Management Plan shall include details of the strategy, standards, control measures and monitoring effects of the construction process and shall include:
- i) hours of working and periods of the year
  - ii) access and parking for construction vehicles, plant and construction workers' vehicles and sustainable travel measures for construction workers
  - iii) site layout and appearance, including measures to manage the visual impacts during demolition and construction
  - iv) site security arrangements, including hoardings and other means of enclosure
  - v) health and safety
  - vi) piling methods
  - vii) foundation design
  - viii) measures to control dust
  - ix) details of the means of storage, disposal and removal of spoil waste arising from the excavation or construction works
  - x) construction waste arising from the development that will be recovered and reused on the site or on other sites, and a Site Environmental Management Plan
  - xi) measures to control noise
  - xii) protection of areas of ecological sensitivity
  - xiii) details of temporary lighting

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology) and amenity of the area and for highway safety and convenience. Relevant Policies - Local Plan DG1, NAP3, NAP4, T5, T7, ARCH2, GB2.

8. 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.

9. Prior to occupation, a Delivery & Waste Collection Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan as approved shall be implemented and be kept available for use in association with the development at all times.

Reason: To ensure the development is provided with adequate facilities that allow it to be serviced in a manner that would not adversely affect the safety and flow of traffic. Relevant Policies - Local Plan T5, DG1.

10. Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees adjacent to the site 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.

11. Prior to commencement, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

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

12. Prior to commencement of development a detailed mitigation strategy for bats and a copy of the European Protected Species License for bats, issued by Natural England shall be submitted to

and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigations strategy in respect of bats and with the agreed license unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development will not harm the protected species and its habitat, in accordance with the core principle<sup>7</sup> of the National Planning Policy Framework.

13. The development hereby permitted shall not commence until a precautionary method statement with measures that protect bats during the construction of the development has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved.

Reason: In order to comply with advice in paragraph 118 of the National Planning Policy Framework 2012.

14. Prior to occupation, details of the biodiversity enhancement measures for the site shall be 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 order to comply with advice in paragraph 118 of the National Planning Policy Framework 2012.

15. Prior to occupation, a Building Research Establishment (BRE) issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of Very Good 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 then needs to write a report and submit it to the BRE. The BRE can only then verify the submission and issue Final Code Certificate.

16. No development shall take place, other than demolition to ground level, until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority.

Reason: To ensure the continued preservation in situ or by record of any finds made in this area of archaeological interest. Relevant Policies - Local Plan ARCH2, ARCH4.

17. Prior to the commencement of development or other operations on site, details of the proposed drainage and services, including showing their position on a layout plan, shall be submitted to and approved in writing by the Local Planning Authority. The drainage runs and services must provide for the protection of trees to be retained on the periphery of the site. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of trees identified for retention at the site and to ensure new planting is not compromised. Relevant Policy - Local Plan N6.

18. Prior to installation an external lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented before any of the external lighting is brought into use and thereafter the lighting shall be operated in accordance with the approved scheme and maintained as operational. The scheme shall include the following: i) The proposed design level of maintained average horizontal illuminance for the site. ii) The proposed vertical illumination that will be caused by lighting when measured at windows of any properties in the vicinity. iii) The proposals to minimise or eliminate glare from the use of the lighting installation. iv) The proposed hours of operation of the light. There shall be no other external lighting other than that approved.

Reason: In the interest of the amenities of the area and ecology. Relevant Policies - NAP3, DG1.

19. The building hereby permitted shall not be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems, March 2015, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall: i). provide

information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; ii). Include a timetable for its implementation; and iii). Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime."

Reason: To prevent an increased risk of flooding from surface water runoff. Relevant Policy - NPPF, Paragraph 103.

20. Prior to commencement, details of the footpath from Braywick Park that links with the main and pupil's entrances shall be submitted to and approved by the Local Planning Authority. The construction of this footpath shall be undertaken and maintained in accordance with the approved details.

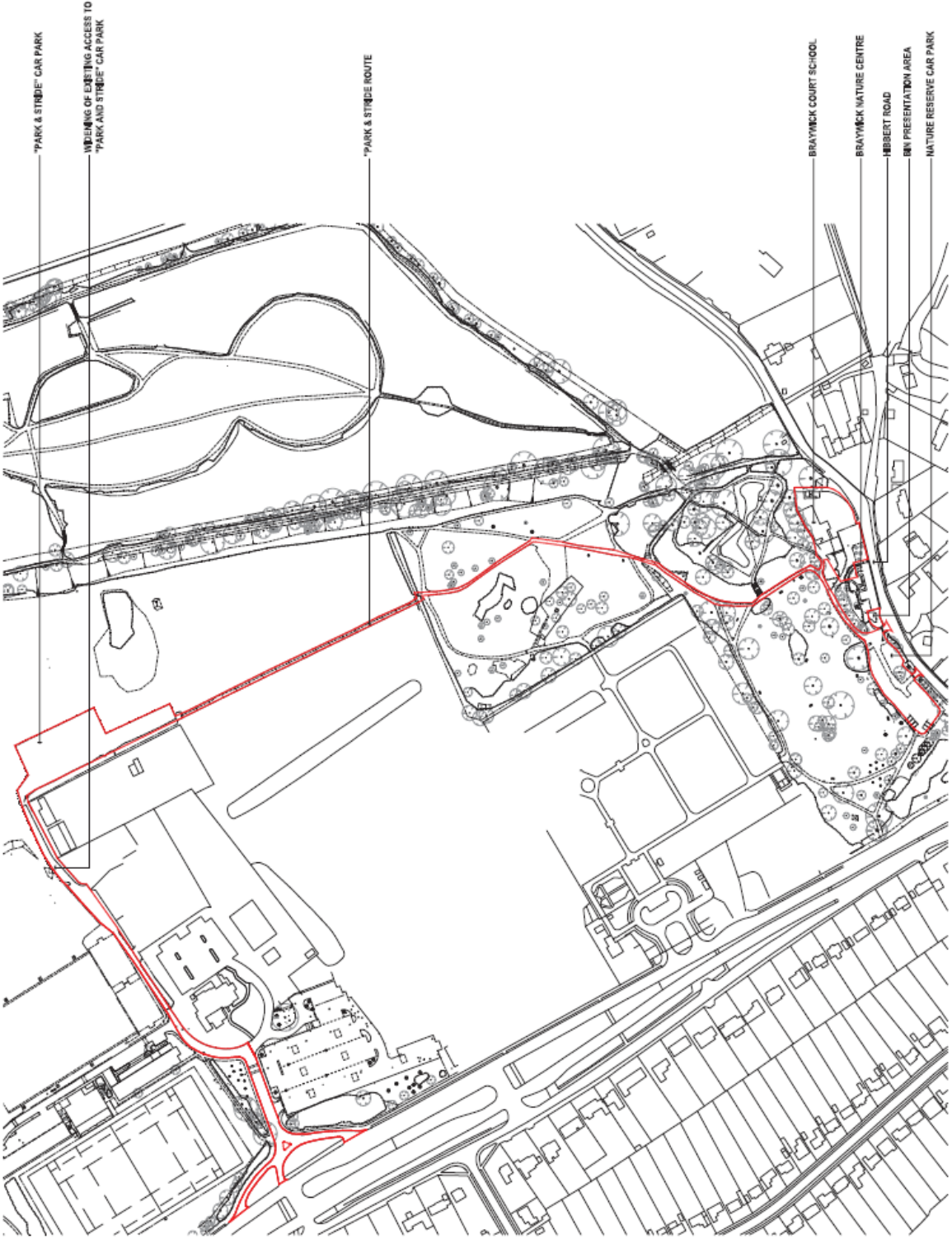
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.

### **Informatives**

1. No trees or scrub shall be removed during the bird breeding season (between 1st March and 30th September inclusive).

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Applicant Boundary  
Application 23/ Amct 1, 856 upm



PLANNING

**acp**

BRAYWICK COURT SCHOOL  
 BRAYWICK NATURE CENTRE  
 HIBBERT ROAD  
 ENVIRONMENTAL AREA  
 NATURE RESERVE CAR PARK

PLANNING  
 APPLICATION 23/ AMCT 1, 856 UPM  
 DATE: 14/01/2024  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]





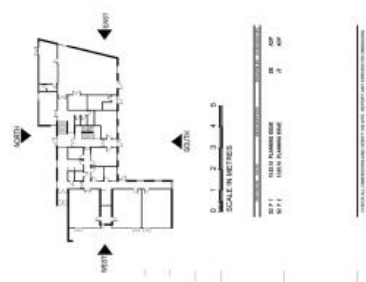
- KEY**
- 01 BRONZE COLOURED ALUMINIUM CONDUIT
  - 02 BUFF BRICKWORK BEAMT COLOUR
  - 03 CERESTONE GLAZING BRONZE
  - 04 COLOURED ALUMINIUM FRAME
  - 05 COLOURED ALUMINIUM FRAME
  - 06 BRONZE COLOURED LOUVER
  - 07 BRONZE COLOURED ALUMINIUM PANEL
  - 08 BRONZE COLOURED ALUMINIUM FRAMED DOUBLE GLAZED DOORS
  - 09 BRONZE COLOURED ALUMINIUM FRAME
  - 10 GLASS BALUSTRADE
  - 11 PV PANELS
  - 12 BRONZE COLOURED LOUVERED DOOR



**1 GA EAST ELEVATION**  
1:100



**2 GA NORTH ELEVATION**  
1:100



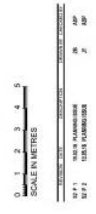
PLANNING

KEY

- 01 BRONZE COLOURED ALUMINIUM CANOPY
- 02 BLUE BRICKWORK (EAST CLIVERY SPECIFICATION TO BE AGREED)
- 03 CLEARSTORY GLAZING (BRONZE COLOURED ALUMINIUM FRAME)
- 04 BRONZE COLOURED LOUVRE COLOURED ALUMINIUM FRAME
- 05 BRONZE COLOURED LOUVRE
- 06 BRONZE COLOURED ALUMINIUM PANEL
- 07 BRONZE COLOURED ALUMINIUM FRAMED DOUBLE GLAZED DOORS
- 08 BRONZE COLOURED ALUMINIUM CLADDING PANELS
- 09 BRONZE COLOURED ALUMINIUM PARAPET
- 10 GLASS BALUSTRADE
- 11 - IN PANELS
- 12 BRONZE COLOURED LOUVRED DOOR



1 GA SOUTH ELEVATION  
1:100



2 GA WEST ELEVATION  
1:100

PLANNING

BRAYNICK COURT SCHOOL  
PROPOSED GA SOUTH AND WEST ELEVATIONS

SCALE	1:100	DRAWING NUMBER	A1	DATE	18.10.2018
PROJECT	BRAYNICK COURT SCHOOL	CLIENT	BRAYNICK COURT SCHOOL	DESIGNER	ADP ARCHITECTURE
PROJECT NO.	ADP-6932608-A-021	SCALE	A1	DATE	18.10.2018
PROJECT NAME	BRAYNICK COURT SCHOOL	CLIENT	BRAYNICK COURT SCHOOL	DESIGNER	ADP ARCHITECTURE

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 2

<b>Application No.:</b>	16/00973/FULL
<b>Location:</b>	Church of Christ Science Marlow Road And The Cloisters Sun Lane Maidenhead
<b>Proposal:</b>	Erection of B1(a) office building with associated landscaping, car parking and cycle parking following demolition of existing buildings
<b>Applicant:</b>	Mr Richardson
<b>Agent:</b>	Mr Asher Ross
<b>Parish/Ward:</b>	Belmont Ward

**If you have a question about this report, please contact:** Daniel Gigg on 01628 796044 or at [daniel.gigg@rbwm.gov.uk](mailto:daniel.gigg@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 Planning permission is sought for an office building following the demolition of an existing Church and office building. Previously at this site, a five storey office block was refused planning permission in 2014 and subsequently dismissed at appeal in early 2015.
- 1.2 In dismissing the appeal, the Planning Inspector considered the main two impacts of the five storey office were: that the design and scale would not be appropriate, along with the failure to achieve outstanding and distinctive architecture supported by high quality public realm, particularly soft landscaping; and, that the bulk, scale and proximity would have an unacceptably overbearing impact on the outlook from the garden of no. 16 Castle Hill.
- 1.3 The five storey office building would have had a height of between 20m and 22m. It would have been sited close to the back of the footway and would have stretched across the full width of the site. There would have been no space on the frontage of the site to secure soft landscaping.
- 1.4 The current scheme would be four storeys, with a height of between 15.5m and 19m. For the most part, the building would be set away from the back of the footway and angled so as to reduce the overall scale and bulk. It would also allow for planting between the building and the back of the footway.
- 1.5 The building would be more compatible in height to the immediate neighbouring properties of Hanson House and Thames House but it would rise to 19m facing towards the point close to the junction of the Castle Hill roundabout with Marlow Road (referred to as 'the apex'). There will be a parapet around the top of the building which will be angled and will rise upwards to the apex; behind this apex will be a more modern take on a pitched roof. Such a design will help to reduce the overall scale and bulk, like a traditional pitched roof would do. The facades of the building will have interest as a result of the angles, the apex and the deep window reveals; these design aspects will result in a building of outstanding and distinctive architecture.
- 1.6 In addition, there would be space for meaningful planting with a total of 5 fastigate trees and shrub/hedge planting shown indicatively. More detailed landscaping plans and details of up-lighting of the trees will be provided by the applicant in advance of the Panel, so will be reported in the update. This will demonstrate that a high quality public realm will be achieved.
- 1.7 It is considered that the amendments to the building would address the concerns that were raised with the appeal scheme. The building would be of an appropriate design and scale, it would be of outstanding and distinctive architecture and through the additional information relating to the landscaping and lighting the development will be supported by high quality public realm both on- and off- site. In addition, the height of the building and the reduction in the width will ensure that the outlook from the occupiers at no. 16 Castle Hill would not feel enclosing.

- 1.8 In all other respects, the proposals would be acceptable. There would be no objection to the loss of the unoccupied Church building as it has been demonstrated that there is no longer a need for this community facility. In addition, a sufficient amount of parking would be provided within the site and the visibility at the junction with Marlow Road/Sun Lane would be marginally improved compared to the existing. In respect of air quality, contamination, archaeology, drainage and sustainable design and construction the proposals would be acceptable.

<b>It is recommended the Panel authorises the Borough Planning Manager:</b>	
1.	<b>To grant planning permission on the satisfactory completion of an undertaking to secure the off-site public realm improvements referred to at paragraph 6.15, the Travel Plan and with the conditions listed in Section 9 of this report.</b>
2.	<b>To refuse planning permission if an undertaking to secure the obligations referred to above has not been satisfactorily completed by 8<sup>th</sup> July 2016 for the reason that the proposed development would not be accompanied by associated infrastructure improvement.</b>

## 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended as the proposal is for more than 1000m<sup>2</sup> of floor space; such decisions can only be made by the Panel.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located on the edge of Maidenhead Town Centre. It comprises two buildings – The Cloisters which is an office and the former Church of Christ Science. Vehicular access into the site is from Sun Lane. There is a surface level car park located at the rear of the buildings.
- 3.2 The area is characterised by a mix of residential and commercial buildings. To the north and north east of the site (along Marlow Road) are predominantly offices and there is No. 4 Marlow Road which is a community building. Beyond these buildings on Marlow Road are a mix of apartments and houses. To the east of the site is Kidwells Park. To the south is a landscaped roundabout beyond this is the town centre to the south east and a number of residential properties to the south west and west. Immediately to the south west of the application site is an office building.

## 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The table below sets out the relevant planning history. The most recent scheme relates to an office building that was refused planning permission in 2014 and which was subsequently dismissed at appeal in 2015. These decisions will be referred to Section 6 of this report under the 'key issues'.

<b>Ref.</b>	<b>Description</b>	<b>Decision and Date</b>
402057	Demolition of Church. New Church, library, school and office block.	Withdrawn 17.09.1972
406009	Office building over existing car park.	Withdrawn Date not known
87/00893	Replacement Church Building and erection of office with integral flat.	Approved 21.08.1987
89/00122	Change of use of flat on second floor to offices.	Withdrawn 16.03.1990
89/00123	Use of second floor for offices and ancillary purposes.	Withdrawn 27.06.1990

14/00791	Demolition of existing buildings and construction of a 5 storey office building with parking and landscaping.	Refused 09.06.2014 Dismissed at appeal 03.02.2015 (see Appendix D and E)
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- 4.2 The proposal is to demolish the existing two buildings on the site and to replace these with a 4 storey office building to a height of between 15.5m to 19m. On the ground floor would be parking for 20 vehicles. Also within the car park area of the building would be lockers and showers and plant rooms. The car park would be accessed off Sun Lane. Also on the ground floor on the north east side of the building would be a double height reception with pedestrian access off Marlow Road. The upper 3 floors would be the office accommodation that will total around 2120sqm of floorspace (Gross Internal Area).
- 4.3 The building will not be rectangular in its form, as there will be angles to the building that will give 'deflections' in the facade. The strongest angle that will create a prominent vertical point to the building will be the one facing eastwards towards the southern edge of Kidwells Park; this part of the building will also be the apex. A parapet wall is proposed around the top floor. At the apex will be a low pitched roof which will slope in different directions and will cover around 50% of the overall roof. Within the pitched roof part of the building will be plant. The rest of the roof will be flat and solar panels are proposed on this part of the building.
- 4.4 The building will have a grid form that will be reconstituted stone/natural stone cladding. Within each grid will be a recess of brickwork and aluminium framed, curtain wall glazing. At the ground floor the openings to the car park will be metal security bars with metal mesh behind these. The materials for the pitched roof will be a wire mesh cloth. At the double height entrance, there will not be horizontal stone cladding but instead full height curtain wall glazing.
- 4.5 In front of the south east elevation of the building will be an area of soft landscaping that will be at its deepest 6m. Soft landscaping is also proposed on the north east and north west with the greatest space for planting on the Marlow Road/Sun Lane junction side of the building. A total of 5 fastigate oak trees (planted at a minimum height of 5 to 6.5m) are proposed within the landscaped areas, along with a hornbeam hedge that will be maintained at a height of 1.2m and planted close to the back edge of the adjoining pavement. In addition there will be various shrubs and ground cover plants behind the hedge.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework: Core planning principles (paragraph 17); Section 1 – Building a strong, competitive economy; Section 2 – Ensuring the vitality of town centres; Section 4 – Promoting sustainable transport; Section 7 – Requiring good design; Section 8 – Promoting healthy communities; Section 10 – Meeting the challenge of climate change, flooding and coastal change; and, Section 12 – Conserving and enhancing the historic environment.

### Royal Borough Local Plan

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

	Within settlement area	Conservation Area	Listed Building	Highways /Parking issues
Local Plan	DG1	CA2	LB2	T5, P4
Maidenhead Area Action Plan	MTC1, 2, 4, 5, 12			MTC4, 14, 15

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

- Interpretation of Policy R2 to R6 - Public Open Space provision
- Sustainable Design and Construction

More information on these documents can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

#### **Other Local Strategies or Publications**

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- Conservation Area appraisal - view at:  
[http://www.rbwm.gov.uk/web/pp\\_conservation\\_consultation\\_appraisals.htm](http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i The principle of the proposals;
- ii The impact on the character and appearance of the area (including heritage assets);
- iii Highway safety and convenience;
- iv Living conditions;
- v Air quality;
- vi Contamination;
- vii Archaeology;
- viii Sustainable design and construction;
- ix Drainage; and,
- x Other material considerations.

#### **The principle of the proposals**

##### Offices

6.2 The application site lies at the edge of the commercial boundary of the town centre. While the area within the commercial boundary is the preferred location for this type of development, the applicant has demonstrated that there are not any reasonably available, more central sites that could be developed. As such the proposal complies with paragraph 24 of the NPPF.

6.3 While this proposed development is not within the commercial boundary, it lies very close to its edge. Given this close proximity, there is a strong likelihood that office workers will use its services and facilities thereby helping to support the vitality and viability of Maidenhead town centre in line with the policies of the NPPF. The NPPF states at paragraph 26 that schemes of over 2,500sqm of floorspace should be accompanied by an Impact Assessment but as the scheme would be below this – and given that there is currently not a locally set threshold – this is not a requirement that the applicant needs to comply with. In addition, the Employment Land

Review for the Borough identifies a need for more offices; the proposals for Grade A offices will help meet the supply requirements for the Maidenhead area.

#### Loss of the Church

- 6.4 The Church is classed as a community facility. Policy CF1 of the Local Plan states that there is a general shortage and difficulty in obtaining premises for community use; it seeks their retention unless there is no longer a need for them or alternative provision is to be made elsewhere.
- 6.5 The applicant maintains that there is no longer a need for this facility. They state that there has been no change to this situation since the last application was dealt with in 2014 and the Inspector did not raise the loss of the community facility as an issue in the appeal. The applicant's have re-submitted the same letter from their property advisor (dated March 2014) in respect of the marketing that was carried out. It is accepted that the applicant has made a satisfactory case and the following is an extract from the previous Officer's report for the 2014 application *"The Church has been marketed since 2009 across the use class D1 range which includes crèches, vets, education and training centres. Over this period the price for the freehold has been reduced but there has been no serious interest. There has been no interest from education bodies, medical groups/dentists and nursery/day care operators consider that the premises would not suitable due to the lack of outdoor space. In addition two religious organisations expressed interest but would need to make substantial alterations to the building to suit their requirements that it would not be financial viability to take on the premises. Also the premises would have been too large for a veterinary surgery because they only wanted the ground floor. It is therefore considered that there is no longer a need for this facility and as such the redevelopment proposals for an alternative use would not conflict with Policy CF1."*

#### **Impact on the character and appearance of the area**

- 6.6 As pointed out by the Inspector, this site is in a prominent location alongside the Castle Hill roundabout, part of the road system that skirts Maidenhead. The AAP identifies the area as a 'Gateway' because it is regarded as an important entrance into the town centre. Within a gateway location, proposals are expected to demonstrate outstanding and distinctive architecture supported by high quality public realm, particularly lighting, landscaping and public art.
- 6.7 The appeal scheme was for a five storey office with a height of between 20m and 22m. It was set close to the back of the footway and would have stretched full width across the site at a distance of over 52m. It would have had a flat roof. The Inspector considered that at the height and bulk proposed that it would sit uneasily alongside its neighbours, particularly the neighbouring dwellings, so it was considered that it would not be compatible with the existing street façade. In addition, the Inspector considered that a distinctive feature of the gateway is the amount of landscaping which provides relief in an otherwise car dominated and un hospitable environment; it was concluded that the building would fail to reflect or build on this feature.
- 6.8 The proposed building would be four storeys. It would have a height of between 15.5m adjacent to both Hanson House and Thames House. The office then rises up to 19m at the point facing Marlow Road. It will extend across the width of the site by around 50m. In terms of its frontage to the Castle Hill roundabout and Marlow Road, the majority of the building will be set back from the pavement.
- 6.9 Around a quarter of the overall width of the building will be built up to the back edge of the pavement for the section adjacent to Hanson House. The building will then extend around 24m and set back from the pavement; there will be a triangular-shaped area of predominantly soft landscaping in front of this part of the building to a maximum length of 6m. The building then extends for 14m towards Sun Lane and set back from the pavement up to 6m at its furthest point; in the area between the back edge of the pavement and the building will be a mix of both planting and paving which will be an equal split between the two types of landscaping.
- 6.10 It is considered that the amended building addresses the concerns of the Inspector. While it will still be a wide building, it will be compatible with the street facade because its scale and bulk has

been reduced significantly. The reduction in the scale and bulk is as a result of a combination of the following factors: the majority of the building being set back from the pavement; the removal of the additional floor and corresponding reduction in height; and the form of the building.

- 6.11 The building will be more compatible with the immediate neighbours with Hanson House standing at 15m and Thames House between 14m to 15m. The tallest part of the office building will be set some distance from these neighbouring offices. The building will have flat roofs to the lower sections of the buildings behind a flat-topped parapet. For the rest of the roof, the angle of the parapet will change to a slope. The sloped section will be from a point where the flat section will terminate and then rising to the 19m high apex of the building. Behind the parapet will be several pitches of roof that will not be highly visible in nearby and medium distance views.
- 6.12 The appeal scheme was a taller building with a flat roof over the full extent of it. The Inspector noted, in referring to Hanson House and Thames House, that these neighbouring buildings have a pitched roof. While the Inspector did not go on to explain his comment on the pitched roofs they were made in the context of scale and bulk arising from the combination of the width, height and flat roof form of the appeal scheme building. It would be reasonable to conclude the Inspector was commenting that pitched roofs help to reduce bulk and scale, and not that a traditional pitched roof is necessary from an architectural point of view. The angled parapet and the several pitched roofs on the current office scheme will help to break up the scale and bulk of the building thereby avoiding a monolithic flat roof.
- 6.13 In addition, the form of the building with the 'deflections' arising from the angled facades will also help to break up the overall scale and bulk because these design elements will give the impression of a less wide building while travelling around because people will view two different planes of wall together. In the appeal scheme the walls were much wider and seen as single planes over a longer distance. In addition, the facades will be a series of grids with re-constituted stone surrounds; within each grid will be two elements – the glazing to the window and to one side of, and over the top of the window, a brickwork panel. These design elements will further help to break up the mass. The form of the building and the design elements will achieve outstanding and distinctive architecture.
- 6.14 In terms of the contribution to the verdant appearance of this part of the town, two existing silver birch trees will be removed but there will be no objection to the loss. This loss will be off-set against the new, fastigiated tree planting; 3 trees are proposed on the frontage of the site, with two positioned along Sun Lane. The Tree Officer comments that the future canopy may conflict with the building. However, a management plan is recommended to ensure that the trees will be kept to a maximum size of canopy (see condition 21). In addition to the tree planting, the applicant is proposing a mix of shrubs and hedges in the triangular shaped planting beds.
- 6.15 It is considered that the level of planting proposed will add to the existing landscaping in a positive way. It will also help to reduce the visual impact of the grilles at the ground floor level that are required to allow for ventilation of the car park. While the submitted landscaping plan with the application shows indicative species and arrangement, the applicant has agreed to provide specific details of all the landscaping such as types of plants, number, density, tree pit sizes and paving materials. In addition, in recognition of Policy MTC5 of the AAP, the applicant will provide full details of a lighting scheme. In addition to mitigate the impact of additional use of the pavements within this part of the town the applicant has agreed to re-pave the area in front of the building from Sun Lane through to the bottom of Castle Hill (in front of the Hanson Offices). The proposal will result in a high quality public realm. Both the details of the landscaping and the up-lighting of the trees will be provided at the panel through the update report which will then require conditions 5 and 18 to be amended to reflect this.
- 6.16 The proposals will be of an appropriate design, scale and bulk set within high quality public realm, so the scheme complies with Local Plan policies E10 and DG1 and AAP policies MTC4 and MTC5.

### **Highway safety and convenience**



- 6.17 For the appeal scheme, which proposed 23 car parking spaces, the main issue that was considered related to the impact on Sun Lane itself and at the junction of Sun Lane with Marlow Road.
- 6.18 At the appeal local residents expressed concern at the speed at which vehicles leave the nearby roundabout and the consequent difficulties for vehicles turning right out of Sun Lane. They also referred to the difficulties caused when vehicles turning left into Sun Lane are confronted by vehicles loading/unloading or picking up/dropping off. Anecdotal evidence from the residents was also raised at the appeal hearing in respect of near misses at this junction and accidents not involving personal injury. Very similar concerns have been raised with this proposal from both residents and a local business.
- 6.19 The Inspector noted that drivers entering and leaving Sun Lane would need to exercise caution in the current situation and the future had the office been approved and subsequently built. The Inspector discounted the additional sightline through the pillars of the Church because these look across the existing car park that could be blocked on occasions. But it was acknowledged that the other sightline to the right along Marlow Road over the public highway (which includes the pavement and frontage leading up to the Church) would not be diminished. The Inspector went on to conclude that while the operation of the Sun Lane junction is not ideal, the proposed development would not lead to any significant loss of highway safety so would comply with the policies of the Development Plan.
- 6.20 The Highways Officer considers that there are existing visibility splays of 2.4m by 30m (to the right) and 2.4m by 90m (to the left). The applicant's Highways Consultant considers that to the right it is marginally greater at 31.5m. The Highways Officer has pointed out that while the applicant's plan has been annotated with a label to show a right hand splay of 2.4m by 32.5m, it is not scaling to the correct dimension. The applicant's Highways Consultant has been asked to check the plans and this will be covered in the update report. However, it is clear from the plans in the Transport Statement in comparing the existing and proposed built form that the visibility would not be diminished. Given the stance taken by the Inspector in the appeal scheme, the visibility would be acceptable once again. Lastly on this aspect of highway safety, it is not considered that the Highway Authority's request for a financial contribution towards anti-skid surfacing on Marlow Road would be reasonable. This is because the visibility would be marginally improved and there is not any evidence of personal injury accidents in the vicinity of the junction.
- 6.21 In addition, it remains the case – as was accepted by the Inspector – that the building will generate only a very low number of net additional trips; the loading/unloading and picking up/dropping off of passengers already occurs on Sun Lane and will not increase significantly; there is no record of personal injury claims at the Sun Lane/Marlow Road junction; and, that the site is in an area of good accessibility to public transport. Also, with respect of the current scheme it will significantly improve visibility at the access into the site from 2.4m by 11.1m to 2m by 25m; the better visibility on Sun Lane is welcome by the Highways Authority. This will be secured by condition 12.
- 6.22 In terms of other highway aspects, the proposal will not materially alter the capacity of the existing roads and within the development the access road to the car park and the gates across the entrance will be acceptable. The Highways Authority considers that one of the proposed twenty parking spaces should be slightly larger to make it useable as it will be adjacent to a solid wall which could restrict access. However, given this highly sustainable location it is considered that even with nineteen useable car parking spaces the level of parking would be acceptable. Furthermore, to help encourage more journeys to and from the site by non-car travel the applicant has agreed that future occupiers of the office will be bound by a Final Travel Plan (FTP) that will set out targets that will need to be achieved. A Framework Travel Plan which will inform the FTP is being amended – at the request of the Highway Authority to address some points that have been raised with the submitted version – and this will be reported on in the update report.
- 6.23 The Highway Authority has questioned whether there would be adequate refuse storage and the arrangements for bin collection. A total of 4 bins could be provided which is considered sufficient

for this office. In terms of bin collection and to avoid a situation of additional refuse storage being outside of the designated area which could reduce the use of the car park, a condition is recommended that will require the submission of a management plan. In terms of cycle parking, 8 cycle stands are proposed on the North West (NW) side of the site. They will be positioned under a canopy that will be attached to the NW side of the building. While an enclosed and lockable bike store would be better, CCTV could be provided to allow for surveillance of the store and the canopy would be sufficient to mitigate most rainfall events. This will be secured by condition 17.

### **Living conditions**

- 6.24 For the appeal scheme, the Inspector considered that the residential occupiers of no. 16 Castle Hill have a spacious outlook because of the pitched roof of the Cloisters and of the church on the application site leave gaps through which the sky and tops of trees can be glimpsed. While noting that the appeal scheme would be 21m at its nearest, the height, bulk and proximity would have an unacceptably overbearing impact on the outlook from this garden and would result in views that were largely cramped and constrained by tall buildings.
- 6.25 For the current office building, it will still be at least 21m from the boundary with no. 16 Castle Hill. The building will come closer to the western boundary than the appeal scheme. However, the reduction in the height of the building from 20m to 22m to 15.5m will reveal more of the sky which will help give a more spacious feel. In addition, the building will not be a solid mass with a cube-like appearance with the tower feature at the northern end which was the form of the appeal scheme. There will be 'deflections' in the West facing elevation and the northern end of the building will be set away from the back edge of the pavement of Sun Lane by 2.5m. For the occupiers of this neighbouring property, they would have an outlook across the site as a result of the angle of the office building and the aforementioned set back thereby giving a clear splay in the North East direction to the edge of Kidwells Park and the canopies of the trees. This would further help with spaciousness of the outlook. A small area of green roof is proposed on the west side of the office and on the roof which could be accessed from the third floor – this will be secured by condition 22. If office workers were to use this area, then it would lead to an unacceptable level of overlooking, so a condition is recommended precluding the use of this area other than for maintenance. As it is considered that the impact on no. 16 would be acceptable it follows that the relationship with the other neighbouring buildings to the west of no. 16 will ensure that a good level of amenity will remain.
- 6.26 To the north and south west of the application site are two office blocks. Occupiers of office blocks cannot expect the same level of amenity as residential occupiers but nevertheless it is considered that the relationships would be acceptable. It is also considered that the comings and goings of those persons using the offices would not be noticeable particularly given the background noise levels primarily from traffic.
- 6.27 It is considered that the proposals would not result in an un-neighbourly development and as such complies with Policy E10 of the Local Plan and Core Planning Principle Bullet Point 4 of the NPPF.

### **Air quality**

- 6.28 The site lies within an air quality management area which has been designated because of the pollutants in the air as a result of vehicular traffic. The assessment of the impact from road traffic on air quality levels is predicted to be of 'negligible significance'. When the scheme is operational the impact on air quality will not be unacceptable and during construction there will be an increase in dust/other pollutants but the impact would only be temporary. On the last application for the larger office development, the Environmental Protection Officer raised no objections. As the vehicular traffic generated by this development would be less than the previous proposal, it would not be unreasonable to conclude that no objection would be raised again. The proposals accord with Policy MTC4 of the AAP and Policy NAP3 of the Local Plan.

### **Contamination**

6.29 As identified with the last application, there may be potential for the site to be contaminated. As such condition 18 is recommended to require identification of the contaminants and any appropriate mitigation to 'clean' the site. This is the correct approach as paragraph 120 of the NPPF states that responsibility for securing safe development rests with the developer and/or landowner. The proposals accord with Policy NAP4 of the Local Plan.

### Archaeology

6.30 Given that the application site lies close to the presumed extent of the medieval settlement of Maidenhead there is potential for archaeological remains. The Archaeologist considers that the site is likely to have been disturbed when the Church and The Cloisters were constructed in the late 20<sup>th</sup> Century. Therefore it is considered in these circumstances that it is appropriate for a condition to require further archaeological investigation (see condition 4). The proposals accord with ARCH2 and ARCH3 of the Local Plan.

### Sustainable design and construction

6.31 Policy MTC4 of the AAP requires buildings to be sustainable in their design, construction and operation. In addition, the Council has adopted a Supplementary Planning Document setting out 12 criteria for developments to achieve in order to improve the sustainability performance of buildings. The SPD advises that over its lifetime, a sustainable building will cost less to build, heat and light than a conventional building resulting in economic and environmental gains which will have direct impacts on the sense of well-being of the occupiers and society as a whole.

6.32 The table below sets out how the development complies with 12 criteria:

SPD Requirements	Will the development achieve the requirement?
Requirement 1 <i>For major developments – meet 'very good' BREEAM.</i>	Yes. The 'Energy & Sustainability Statement' sets out that the development will meet this requirement.
Requirement 2 <i>Sustainable design to reduce energy demand.</i>	Yes. The building will be air tight and it will include energy efficient features. It will also feature solar control glass to help with solar gain and cooling.
Requirement 3 <i>On-site renewable energy generation – to secure at least 10% of expected energy demand from on-site renewable or low carbon sources.</i>	Yes. This achieved through heat pumps and photovoltaic panels.
Requirement 4 <i>Water efficiency measures.</i>	The development will incorporate water efficient devices.
Requirement 5 <i>Manage flood risk.</i>	No detail has been provided. The site is not in an area at high risk of flooding. However, in order to reduce surface water runoff in the even of high rainfall periods, a sustainable drainage system will be installed.
Requirement 6 <i>Maintain or enhance biodiversity.</i>	The landscaped areas around the site and the green roof will help to enhance biodiversity.
Requirement 7 <i>Waste, recycling and composting facilities.</i>	Provision is to be made waste and recycling facilities.
Requirement 8 <i>Meets the cycling facility requirements.</i>	Yes sufficient space for cycle parking will be provided.

Requirement 9 <i>Demonstrate air, noise and light pollution are satisfied.</i>	Yes. See paragraph 6.28 regarding air pollution. There would not be any unacceptable noise impacts from plant equipment or general activity. However, conditions are recommended covering the precise details of plant and light.
Requirement 10 <i>Responsibly sourced and recycled material.</i>	Materials will be responsibly sourced.
Requirement 11 <i>Site Waste Management during construction.</i>	A Site Waste Management Plan will be produced and this could be secured by condition 12.
Requirement 12 <i>Site Environmental Management Plans.</i>	This would be covered by condition 11 relation to construction management.

## Drainage

- 6.33 A Ministerial Statement from December 2014 confirms the Government's commitment to protecting people from flood risk. This Statement was as a result of an independent review into the causes of the 2007 floods which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of 'flash flooding'. Such flooding occurs when rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface.
- 6.34 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development. The proposal is to collect the water from the roof which will be transferred to a tank via rainwater downpipes. The Surface Water Management Plan sets out the size of the tank and confirms that the water will be discharged to a sewer. The Local Lead Flood Authority has confirmed that they are content with the arrangements to manage the rain water. A condition is recommended to secure the final details of the drainage system and the future management/maintenance of the system (see condition 9).

## Heritage Assets

- 6.35 To the South West and West of the application site is the Castle Hill Conservation Area (CHCA). The views into the part of the CHCA are restricted by the existing buildings. It is considered that this situation would not materially change with the redevelopment of the site. In addition, the views out of the CHCA would not materially change because these are largely confined to short range views. To the South East of the site beyond the Castle Hill roundabout is the Maidenhead Town Centre Conservation Area but the combination of the separation distances along with restricted views from the evergreen vegetation on the roundabout would ensure that the views into and out of the MTCCA would not be significantly affected. The proposals would preserve the setting of the Conservation Areas and as such would accord with Policy CA2 of the Local Plan. In arriving at this conclusion special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.36 The new office building would be a sufficient distance from the listed buildings of 16 and 18 Castle Hill and 4 Marlow Road. The proposals would not affect the setting of these important buildings. In arriving at this conclusion special regard has been paid to the desirability of

preserving the setting or any features of special architectural or historic interest of the nearby listed buildings, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

38 occupiers were notified directly of the application.

The application was advertised in the Maidenhead & Windsor Advertiser 21<sup>st</sup> April 2016

The planning officer posted a statutory notice advertising the application at the site on 13<sup>th</sup> April 2016

13 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Not a pleasing building to look at – it is an ugly, rectangular and overbearing design. It will not fit with its neighbours and has no place in a gateway location or the edge of a conservation area. The proposals incorporate a generally plain looking façade with the overall style being an oblong box shape, at a size that will totally dominate the area, and buildings all around it. People passing this building will feel that it was built in the wrong place and that it appears to ‘celebrate austerity’ which is not something that would promote Maidenhead. The hope was that the building would have character that would reflect the style of Maidenhead’s local architectural heritage. A much smaller building with a pitched and tiled roof would be more in keeping with the surroundings and neighbouring buildings. The building would not be in keeping with its prominent location and the rectangular and blocky architectural style is not considered outstanding or distinctive. The objective of a distinctive and architecturally outstanding building at this gateway would not be achieved.	6.6 – 6.16
2.	The existing buildings are very attractive and the houses in Sun Lane are quite lovely with period features and pitched roofs. A number of buildings are listed. The building would sit uneasily and unsympathetic against the listed buildings (Nos. 16-18 Sun Lane). There are other well designed buildings nearby such as at Victoria Place which is surrounded by greenery and have extremely attractive facades. The proposed building would not be in keeping with the area. It will blot the relatively soft edged boundary to the Conservation Area. There will be harsh juxtaposition between new large buildings and listed buildings leading up Castle Hill, contrary to Policy CA2 of the Local Plan.	6.6 – 6.16 and 6.35 – 6.36
3.	The building is still too big, bulky, overbearing and much higher than the existing buildings on the site and around it. At 19m at its highest point it still overbears Hanson House (15m) and Thames House (14-17m). The design has not taken into account the context of the neighbouring houses. The inVentiv Health offices would be overshadowed due to the overbearing height. The plans disguise the overbearing impact and are misleading. A building that matches Handson House would be less likely to dominate the skyline and view from the Castle Hill houses. The building will block views through the site. It will be incompatible with the street façade contrary to Policies	6.6 – 6.16

	E10 and DG1 of the Local Plan.	
4.	Surrounding buildings have a pitched roof which is more pleasing. The new roof would be sloped with a small amount of pitch but essentially looks flat from the rear. The roof would be flat for approximately 50% of its length and the pitched section is of wire mesh which is completely different from the tiled roofs of adjacent buildings. The part that is pitched would be too shallow and out of keeping with the steeply pitched roofs of neighbouring buildings. A point was made by the Inspector that the original proposal lacked a pitched roof. The slight slope will be lost from people walking by it or driving past it with it only visible halfway across Kidwells Park. One resident was made to change a flat roof dormer to a pitched one on a property on Castle Hill. The Council should enforce the same standard.	6.6 – 6.16
5.	Insufficient information has been provided to assess the potential impacts of the proposals on the surrounding area and against planning policy. In particular, the applicant has not provided clear plans of the existing situation.	Throughout the report. Adequate plans have been provided.
6.	Given the location – on the edge of a conservation area, opposite a park and a landscaped roundabout – more greenery and landscaping around the building would be expected. The proposed landscaping is perfunctory and unimaginative e.g. instead of office windows, a ‘living wall’ would improve the rear elevation. It would create a softer, green boundary easing the Conservation Area into the rest of the town. More detailed landscaping and lighting should be provided at this stage, and not left to condition.	6.6 – 6.16
7.	Not enough car parking spaces for the building which will lead to overspill of parking in Sun Lane. This will cause a problem for residents. The proposed car park at West Street is short-stay only which seems to have been overlooked by the Planners. It is also normally full with cars waiting for someone to exit.	6.22
8.	Hazardous turning in and out of Sun Lane due to the reduced visibility. Even though it was determined (at the appeal) not to be a significant problem, the residents of Sun Lane still feel that the increased flow of traffic into and out of Sun Lane which will increase the chances of an accident. Courier and delivery vehicles routinely park on the double yellow lines at the entrance of Sun Lane, leaving cars to swerve to avoid them in a constrained space. Cars park on the green triangle of grass which is evidence of the lack of parking available in this area. Thames House would have a particular concern with the shared access.	6.17 – 6.23
9.	Note the Highways Officers comments about re-locating the stands to a covered, safe and secure location.	6.17 – 6.23
10.	Maidenhead does not need more offices – there are vacant offices all over the town centre. Existing offices should be used first before more are built. Where is the evidence that there is a requirement for more offices?	6.2 – 6.3
11.	The proposal will result in a loss of privacy for neighbouring houses, including no. 16 Castle Hill where there will be 3 floors of windows and at no. 20 Castle Hill which is already overlooked by the inVentiv Health building.	6.24 – 6.27
12.	The building will be large and loom over no. 16 Castle Hill which is the closest residential property. The building has been reduced in height	6.24 – 6.27

	but this is off-set by it moving closer to the West boundary of the site. The Inspector raised concern about the impact no. 16 Castle Hill. Having a view towards Kidwells Park and its trees creates a break between the buildings. The break will be lost. The view will be through to a solid building with no space between the new building and Hanson House. These concerns are also raised by the occupiers of no. 24 Castle Hill on behalf of all residents of Sun Lane. The development would lead to a loss of light to no. 20 Castle Hill. The roof will be 2-3m higher than the existing roofline. The drawings of lines of sight are disingenuous as they are not taken from different points in the garden. Negative impact on sunlight, daylight and overlooking for existing, neighbouring occupiers. The proposals would be contrary to Policy E10 of the Local Plan.	
13.	The traffic will lead to inconvenience and disruption for residents during both the construction and operational phases.	6.17 – 6.23  During construction the impact will be temporary. A condition is recommended covering construction management
14.	The flat roof may mean that additional floors may be added to the building at a later date.	Only the submitted plans can be considered
15.	The concerns raised by the Planning Inspector when turning down the appeal have not been successfully addressed.	Throughout the report
16.	No further marketing report has been provided by the applicant in respect of the Church.	6.4 – 6.5

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways Authority (HA)	Request: clarification in relation to visibility splays shown on the plan; amendments to the cycle parking arrangements; and, amendments to the Framework Travel Plan. However the HA raise no objection subject to conditions.	6.17 – 6.23
Local Lead Flood Authority	The drainage strategy has been amended to give reduction in discharge from the site and the issues with the levels required to drain to a sewer have been addressed. However, a condition is recommended to cover future maintenance of the drainage system.	6.3 – 6.34

### Other consultees and organisations

Consultee	Comment	Where in the report this is considered

Berkshire Archaeology	No objection subject to a condition relating to a programme of archaeological investigation.	6.30
Tree Officer	No objection to the loss of two existing trees but considers that there would not be sufficient space for the new 5 trees.	6.6 – 6.16
Maidenhead Civic Society	The proposals are a great improvement on the previous scheme. Building heights have been significantly reduced and the building line has been set back. Landscaping has been introduced to soften the frontage at street level. But whilst approving of the scaled down height and bulk, the Society would prefer a more architecturally stimulating design. The proposal is rectangular in the extreme and on a landmark gateway the Society would appreciate something more distinctive.	6.6 – 6.16
	The level of parking would be inadequate for the size of building. Local commuters will be using their cars. This is against the backdrop of an ever decreasing supply of parking spaces in Maidenhead.	6.17 – 6.23

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Floorplans
- Appendix C - Elevations
- Appendix D - Appeal Decision
- Appendix E - Appeal Scheme 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.

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. No development 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 - The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted June 2003) DG1 and Maidenhead Town Centre Area Action Plan (Adopted September 2011) (herein the 'MTCAAP') MTC4.
3. No development shall commence until details of all finished slab levels in relation to 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 and MTCAAP MTC4.

4. No development, other than to the slab level of the existing buildings and to surface adjacent to the buildings, shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the continued preservation in situ or by record of any archaeological finds. Relevant Policies - Local Plan ARCH2, ARCH4.

5. No development shall commence until details of external lighting to the building have been submitted to and approved in writing by the Local Planning Authority. The external lighting approved shall be under control of light sensor/timer that will enable the light to come on when ambient external light drops at dusk and then turn off as ambient light levels rise at dawn. The development shall be carried out and maintained as such.

Reason: To ensure the building contributes to the visual amenities of the area and because the reasonable protection of the amenities of neighbours is a matter of acknowledged planning importance and part of the principles of good planning practice as set out in national planning policy statement 1. Relevant Policies - Local Plan DG1 and NAP3, and MTCAAP MTC4

6. The development shall be carried out and maintained so as to achieve the reduction in its annual energy demand along with the other sustainability measures as specified in the 'Energy and Sustainability' Statement by Twin and Earth (dated 3 March 2016).

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with Requirement 1 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. Relevant Policy - MTCAAP MTC4

7. Within 3 months of completion of the development a Building Research Establishment (BRE) issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 'Very Good' 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 then needs to 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.

8. No development shall commence until details of the green roof as shown on the approved drawings 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 these areas as shown on the approved plans not used for any other purpose.

Reason: To reduce the rate of surface water runoff from the site in order to minimise the risk from flooding to comply with Requirements 5 and 6 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document and in the interests of enhancing biodiversity at the site. Relevant Policies - MTCAAP MTC4

9. No development shall take place until the full drainage scheme for the site to deal with surface water based on the system referred to in the 'Surface Water Management Strategy' by Heine Tillet Steel (dated 15/12/15), along with a management and maintenance plan for the drainage system for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be constructed in accordance with the approved details and subsequently maintained, and the management and maintenance plan shall be implemented for the duration of the development.

Reason: To reduce the rate of surface water run-off in order to minimise the risk from flooding to accord with Requirement 5 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009), to minimise the risk of ground water pollution. Relevant Policies - Local Plan, NAP4, AAP MTC4.

10. No development, including any demolition works, shall take place until a Site Waste

Management Plan confirming how any demolition and construction waste arising from the development will be recovered and reused on the site or on other sites, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plan.

Reason: To ensure that the development will include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with Requirement 11 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. Relevant Policy - MTCAAP MTC4

11. 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.
12. No part of the development shall be occupied until: a) visibility splays of 2.4 metres by 32.5 metres have been provided at the access to the junction of Sun Lane and the A308 Marlow Road, and b) visibility splays of 2m by 25m have been provided at the internal access road to Sun Lane. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.  
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
13. The gates shown on the approved plans shall open away from the highway and be set back a distance of at least 5 metres from the highway boundary or at least 7 metres from the nearside edge of the carriageway of the adjoining highway. No further gates shall be erected along the internal access road to the car park without the prior written approval of the Local Planning Authority.  
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan T5
14. 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.
15. No part of the development shall be occupied until the 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.
16. No development 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 and general servicing 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.
17. No development shall commence until a scheme setting out security measures to protect the vehicular access, the car park, the cycle store and the building itself has 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: To ensure a safe and secure environment. Relevant Policies - Local Plan DG1

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately in writing to the Local Planning Authority. Prior to any further works in the affected area, an investigation and risk assessment, remediation scheme and verification report must be undertaken which will be the subject of the approval in writing by the Local Planning Authority.  
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4; AAP MTC4
19. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure other than those shown on the approved plans shall be erected on the site without planning permission having first been obtained from the Local Planning Authority.  
Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area and in the interests of highway safety and convenience. Relevant Policies - Local Plan DG1, AAP MTC4.
20. No development shall take place until full details of both hard and soft landscape works, including tree pit design, 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 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 and such replacement planting will take place for the lifetime of the office development.  
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, AAP MTC4, MTC5.
21. Prior to the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for the duration of the office development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover all areas of proposed landscaping, including the maximum tree canopy sizes.  
Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Policies - Local Plan DG1, AAP MTC4, MTC5.
22. The flat roof area at third floor level and on top of the roof shall not be used as a balcony, roof garden or similar amenity area and shall only be used for maintenance purposes.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.
23. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the list of plans below.  
Reason: For the avoidance of doubt as to the nature of the development permitted.

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Appendix B  
Ground floor

# AROS

**Architects**  
177 Victoria Street  
London SE1 1JW

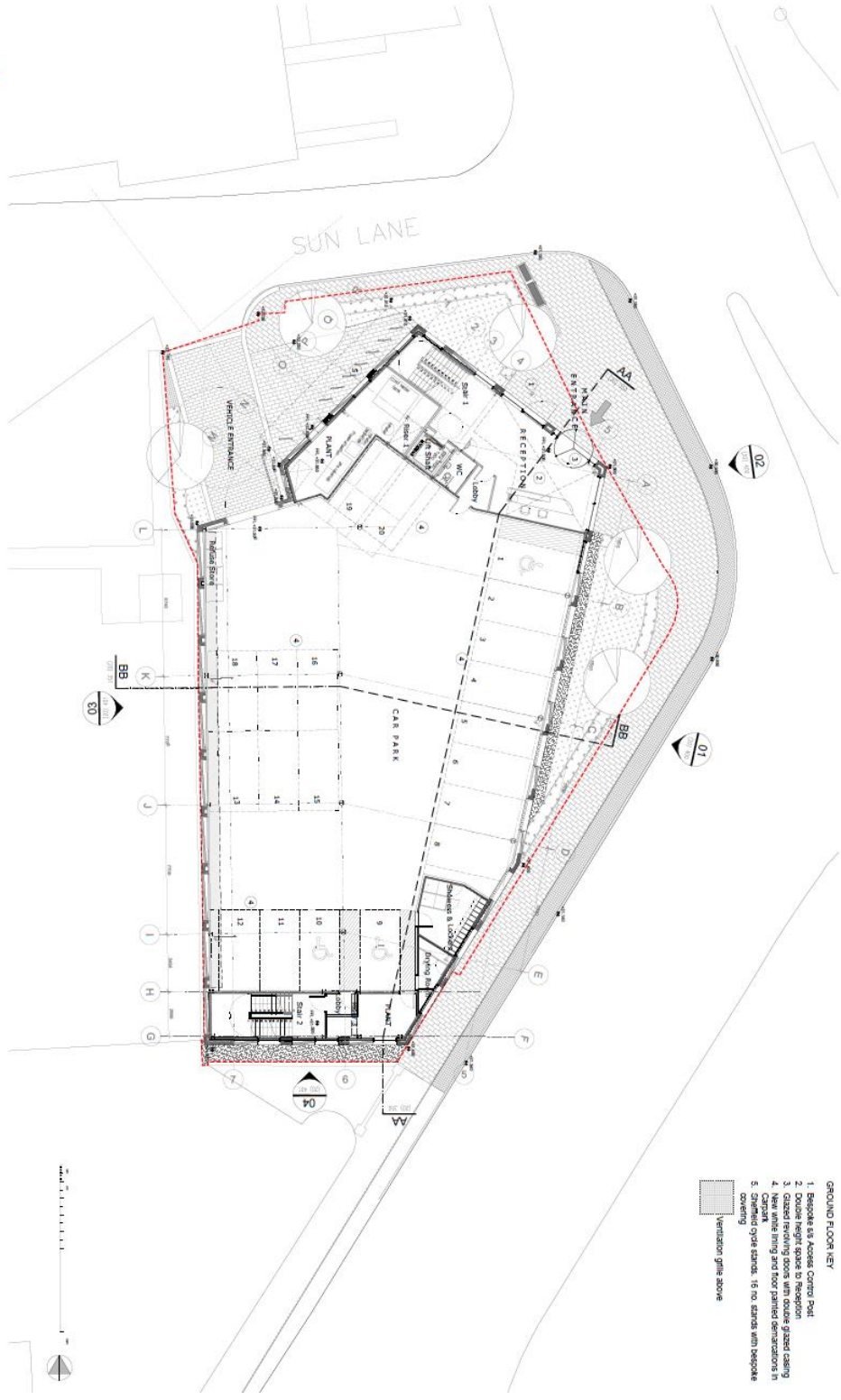
**Telephone**  
+44 (0)20 7522 2444  
+44 (0)20 7522 2440  
**Email**  
aros@arosc Architects.com  
**Website**  
www.arosc Architects.com

**Notes**  
1. This drawing is a preliminary design and is subject to change without notice.  
2. The client is responsible for ensuring that all necessary permissions and consents are obtained for the proposed works.  
3. The client is responsible for ensuring that all necessary services are provided for the proposed works.  
4. The client is responsible for ensuring that all necessary safety measures are in place for the proposed works.

NO.	REVISION	DATE	BY	REASON
01	Issue for tender	04.10.2018	MM	Issue for tender
02	Issue for tender	04.10.2018	MM	Issue for tender
03	Issue for tender	04.10.2018	MM	Issue for tender

**Project**  
1. Service Hall, Hammersmith  
2. Proposed Ground Floor Plan

Project No.	Sheet No.
2182	Sheet 01.01
2182	Sheet 01.02
2182	Sheet 01.03
2182	Sheet 01.04
2182	Sheet 01.05
2182	Sheet 01.06
2182	Sheet 01.07
2182	Sheet 01.08
2182	Sheet 01.09
2182	Sheet 01.10
2182	Sheet 01.11
2182	Sheet 01.12



- GROUND FLOOR KEY**
1. Bespoke s/s Access Control Post
  2. Double height space to Reception
  3. Glazed revolving doors with double glazed casing
  4. New wire mesh and floor painted decorations in reception
  5. Shielded cycle stands, 16 no stands with bespoke covering
- Ventilation grille above

# AROS

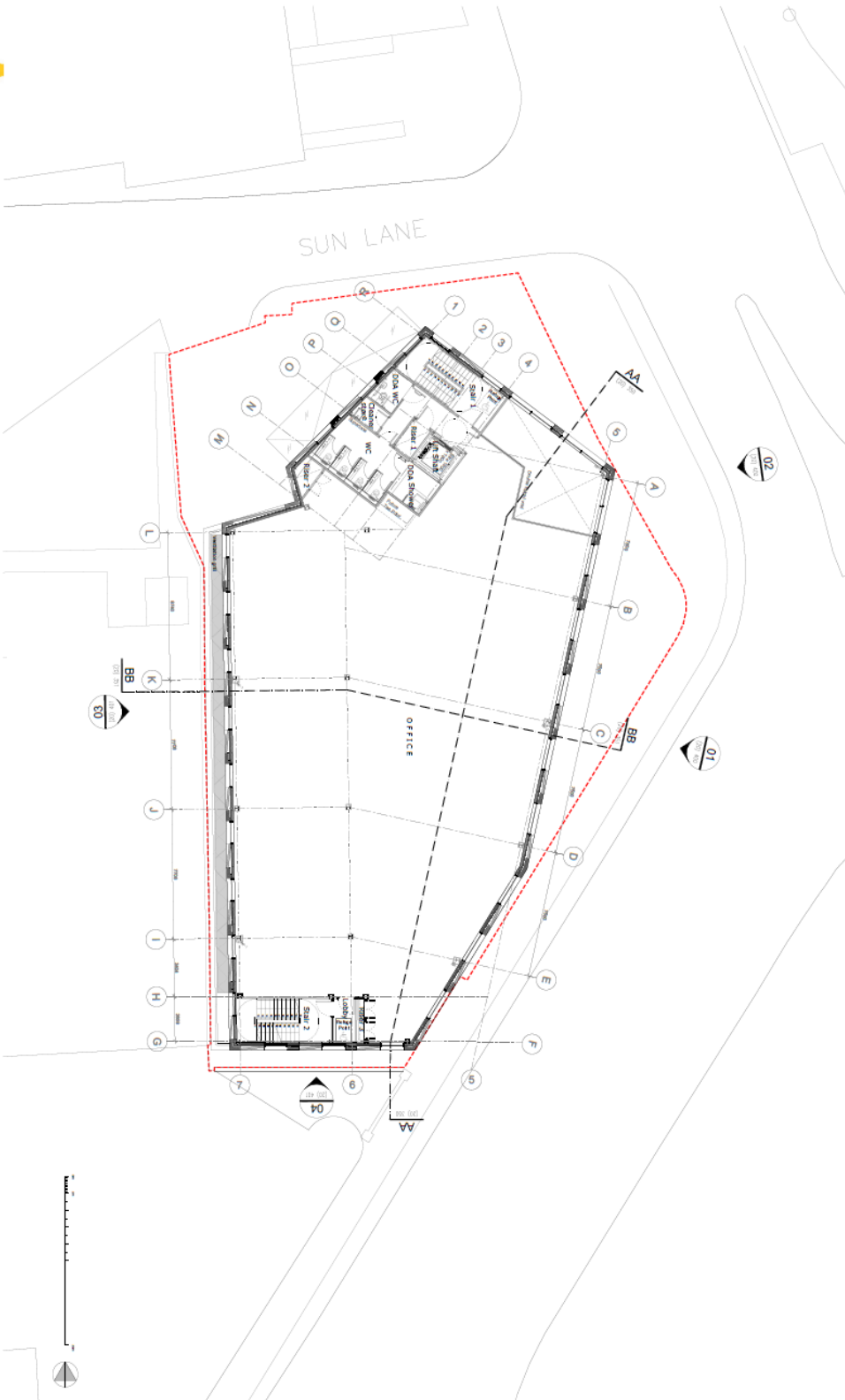
**Architects**  
 1777 LINDEN STREET  
 COLUMBIAN, MD 21046  
 TEL: 410-326-7000  
 FAX: 410-326-7001  
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**Engineer**  
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 FAX: 410-326-7001  
 WWW.AROSARCHITECTS.COM

**Project No.** 2015-001-01  
**Sheet No.** 1-01  
**Date** 01/20/2015  
**Scale** AS SHOWN



Second floor

# Aros

**Aros Architecture**  
171 Tupper Street  
London ON, N6A 1A1

**Project Information**  
Project No: 2018-001  
Project Name: Aros Architecture  
Client: Aros Architecture  
Date: 2018-01-15

1. This drawing is the property of Aros Architecture and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Aros Architecture.

2. The drawings are prepared for the specific project and site conditions. Any changes to the drawings must be approved by Aros Architecture.

3. The drawings are prepared for the specific project and site conditions. Any changes to the drawings must be approved by Aros Architecture.

**Revisions**

No.	Description	Date
01	Initial Design	2018-01-15
02	Revised Design	2018-01-20

**Project**

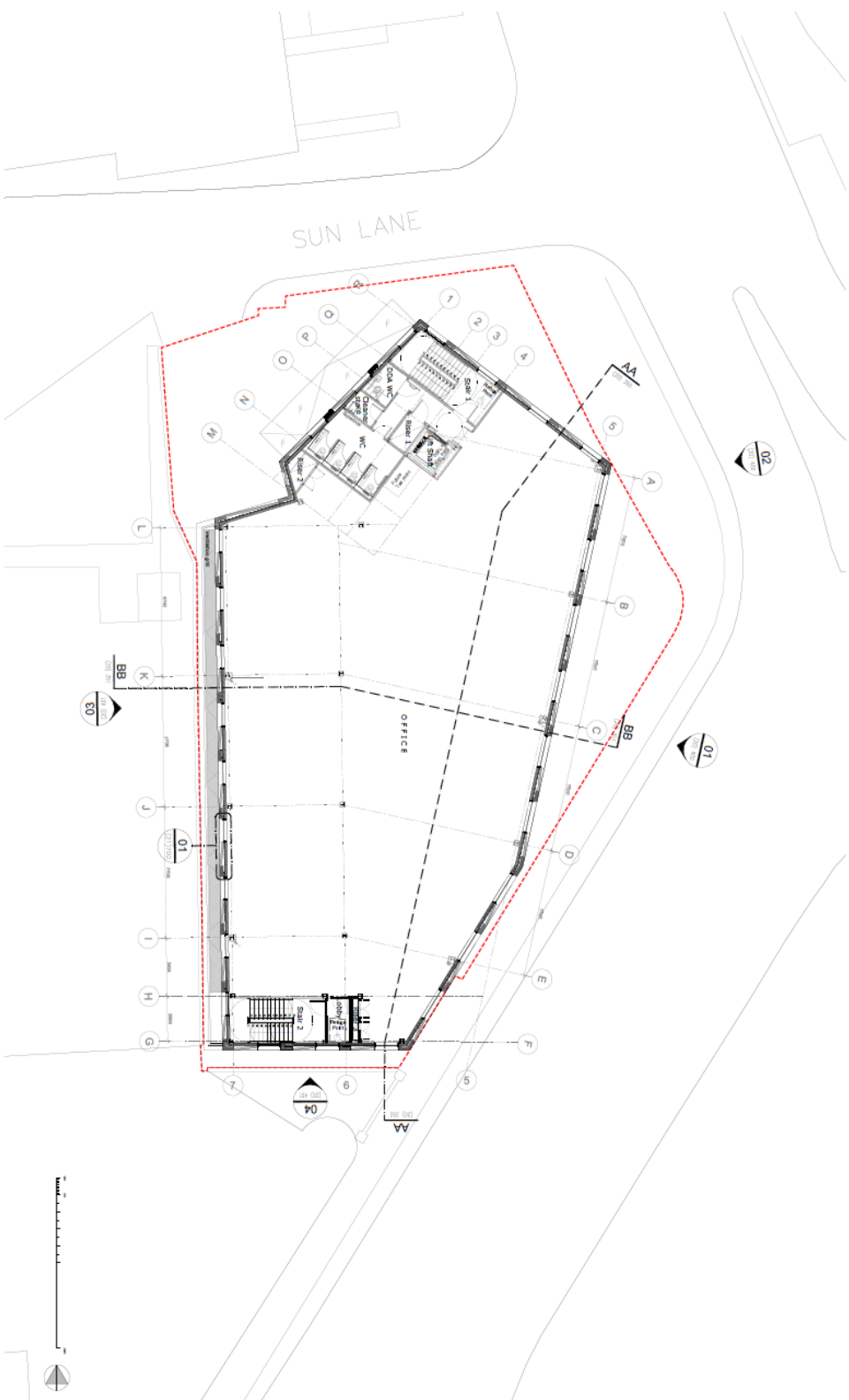
Project Name	Aros Architecture
Project Address	171 Tupper Street, London, ON
Project Contact	Aros Architecture

**Project No**

Project No	2018-001
Project Name	Aros Architecture
Project Address	171 Tupper Street, London, ON

**Project No**

Project No	2018-001
Project Name	Aros Architecture
Project Address	171 Tupper Street, London, ON





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**Email** [info@arosarchitects.com](mailto:info@arosarchitects.com)  
**Website** [www.arosarchitects.com](http://www.arosarchitects.com)

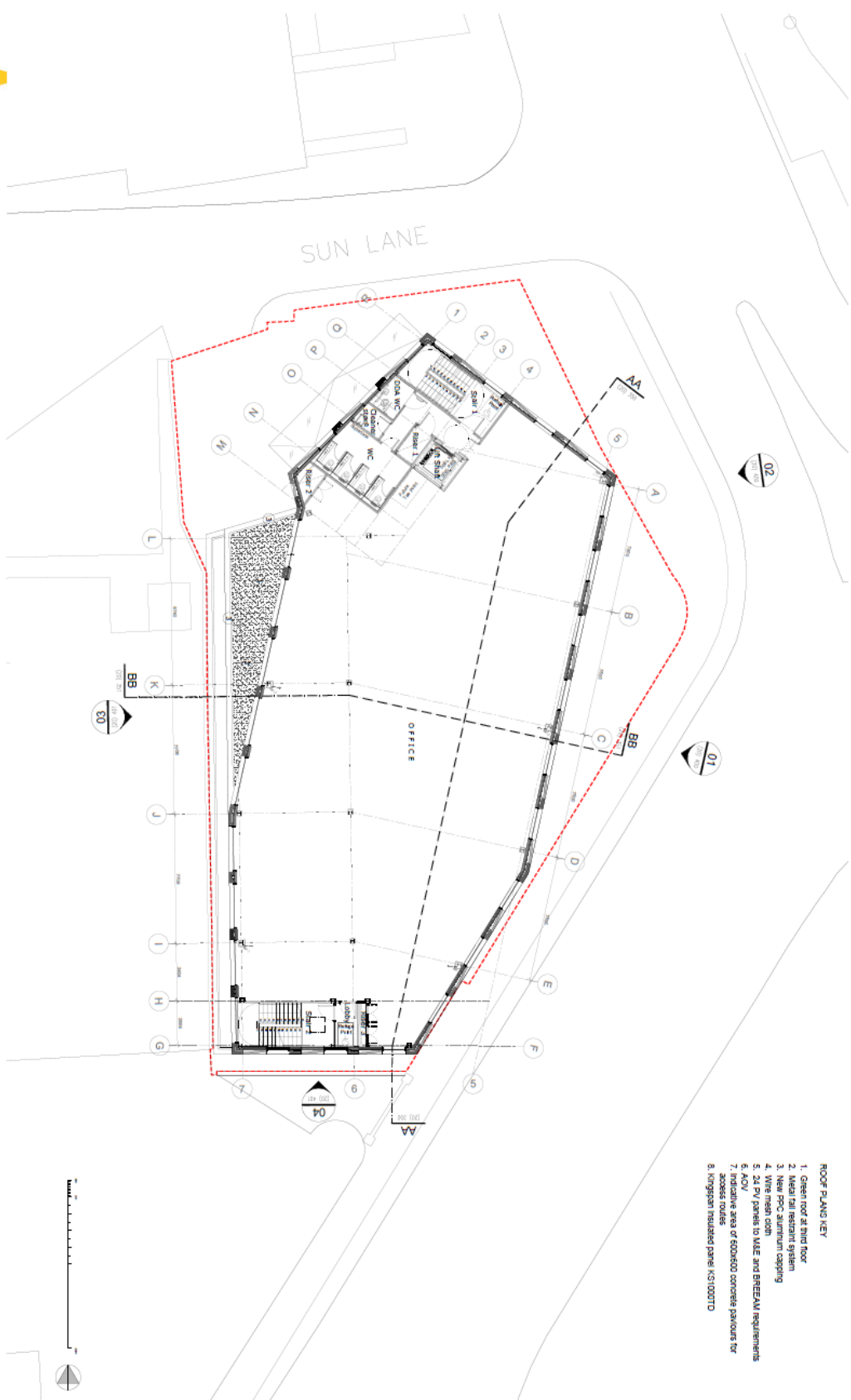
**Contract**  
1. To provide architectural services for the design and construction of the building.  
2. To provide architectural services for the design and construction of the building.  
3. To provide architectural services for the design and construction of the building.  
4. To provide architectural services for the design and construction of the building.

**Revisions**

No.	Description	Date
01	Issue for client review	12.12.2018
02	Issue for client review	12.12.2018
03	Issue for client review	12.12.2018
04	Issue for client review	12.12.2018
05	Issue for client review	12.12.2018
06	Issue for client review	12.12.2018
07	Issue for client review	12.12.2018
08	Issue for client review	12.12.2018
09	Issue for client review	12.12.2018
10	Issue for client review	12.12.2018
11	Issue for client review	12.12.2018
12	Issue for client review	12.12.2018
13	Issue for client review	12.12.2018
14	Issue for client review	12.12.2018
15	Issue for client review	12.12.2018
16	Issue for client review	12.12.2018
17	Issue for client review	12.12.2018
18	Issue for client review	12.12.2018
19	Issue for client review	12.12.2018
20	Issue for client review	12.12.2018

**Project**  
1. London Hall, Newcastle  
2. Projected Third Floor Plan

**Project No.** 1234  
**Client** ABC Ltd  
**Architect** AROS  
**Scale** 1:100  
**Date** 12.12.2018



- ROOF PLANS KEY**
1. Green roof at third floor
  2. Metal rail resistant system
  3. New PVC aluminum capping
  4. Wire mesh cloth
  5. 20 PIV panels to M&E and BREXAM requirements
  6. AOV
  7. Existing area of 600x600 concrete panels for access routes
  8. Kingspan insulated panel K5100TTD

Roof plan

# AROS

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**Architect**  
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**Notes**

1. All dimensions are to the centre line of the structure unless otherwise stated.
2. All dimensions are to the centre line of the structure unless otherwise stated.
3. All dimensions are to the centre line of the structure unless otherwise stated.
4. All dimensions are to the centre line of the structure unless otherwise stated.

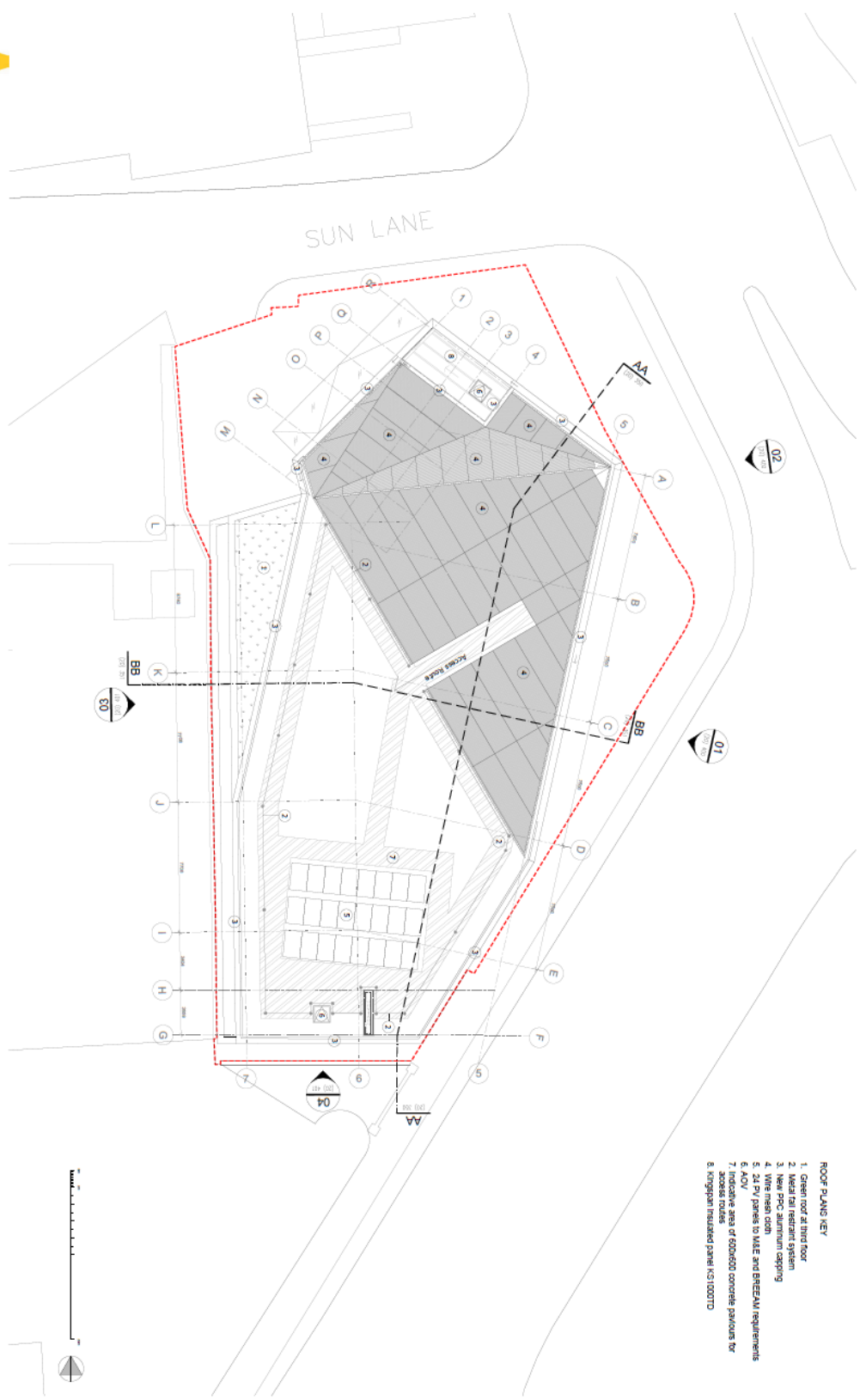
**Revisions**

No.	Date	Description
01	04.02.2016	Issue for planning
02	04.02.2016	Issue for planning

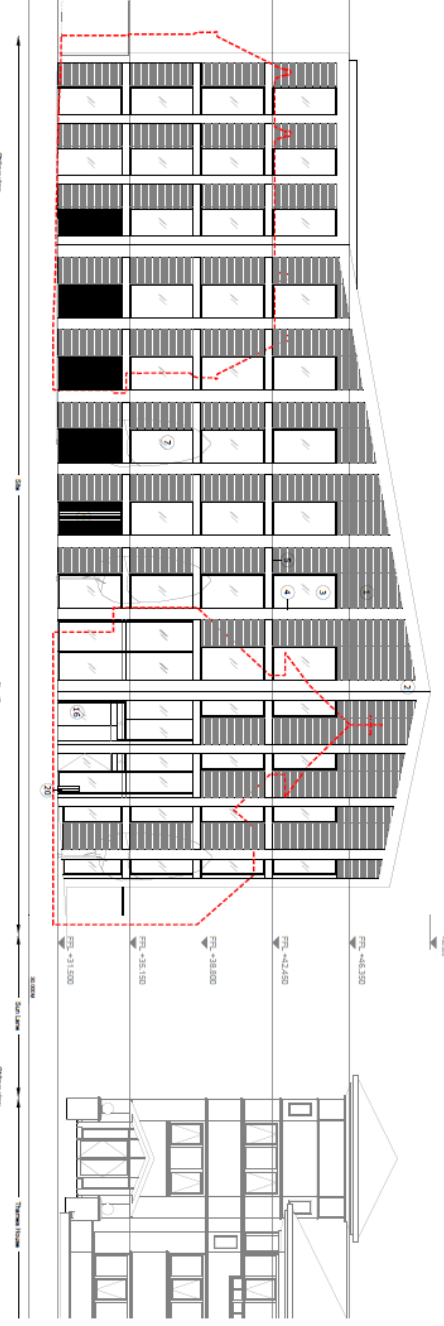
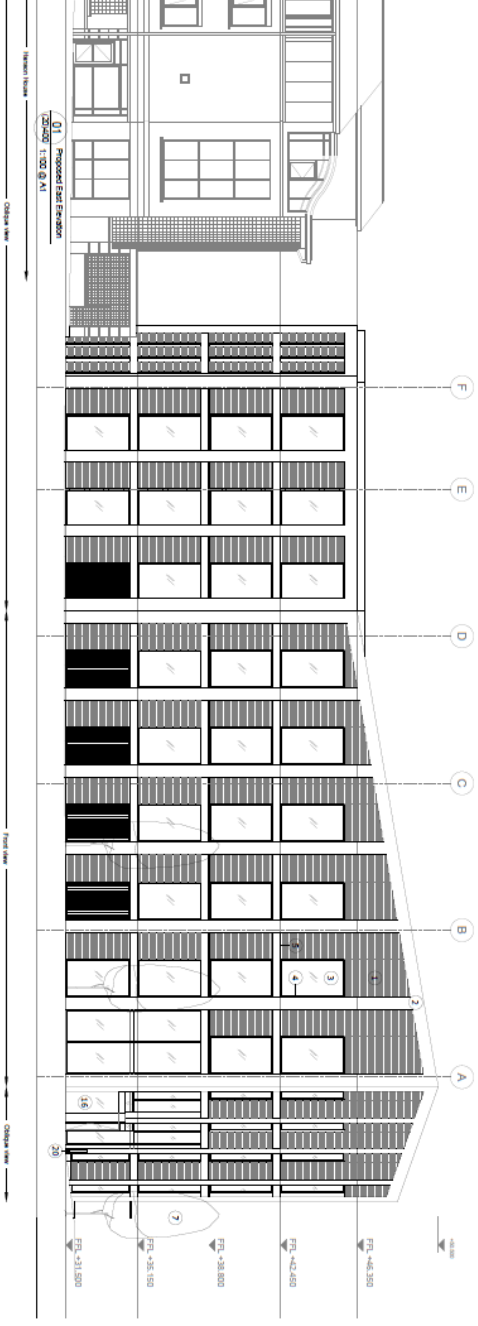
**Project**

Project Name: **NEW BUILD, KINGSLEIGH**  
 Project Location: **100 Kings Lane, London SW10 2SN**

**Project No.** 100  
**Client** 100  
**Scale** 1:100  
**Author** 100  
**Check** 100  
**Drawn** 100  
**Date** 100



- ROOF PLANS KEY**
1. Green roof at third floor
  2. Metal rail restraint system
  3. New PPC aluminium cladding
  4. Wire mesh deck
  5. 20 p/y gables to M&E and BRECHM requirements
  6. 20 p/y gables to M&E and BRECHM requirements
  7. Indicate area of 600x600 concrete pavers for access routes
  8. Kingspan Insulated panel KSI 1000TT



- SECTIONS & ELEVATIONS KEY**
1. Wetherberger Curtain track shading system
  2. Reconstituted natural stone cladding
  3. Curtain wall system
  4. Aluminium framed windows
  5. Aluminium sash bars with black metal mesh behind
  6. Proposed glazing. Refer to unescape drawings
  7. Calculated beams to Structural Engineer's specs
  8. Raked floor
  9. Suspended ceiling
  10. Green roof at third floor
  11. Venturi's grille at first floor for car park ventilation
  12. Proposed aluminium rainwater downpipes
  13. Concrete pavements for access outside
  14. PV panels to M&E and BREXAM requirements
  15. Glazed passed door and revolving doors
  16. Glazed passed door with bespoke covering
  17. Proposed door types
  18. Aluminium cladding
  19. Concrete slab to SE specifications
  20. Bespoke six access control post
- Dashed outline of existing building

**Aros**

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Project Name  
Proposed vs Existing North - East Elevation Overlay

Client  
Aros Architects

Location  
London SE1 1JN

Date  
2018

Scale  
1:100 @ A1

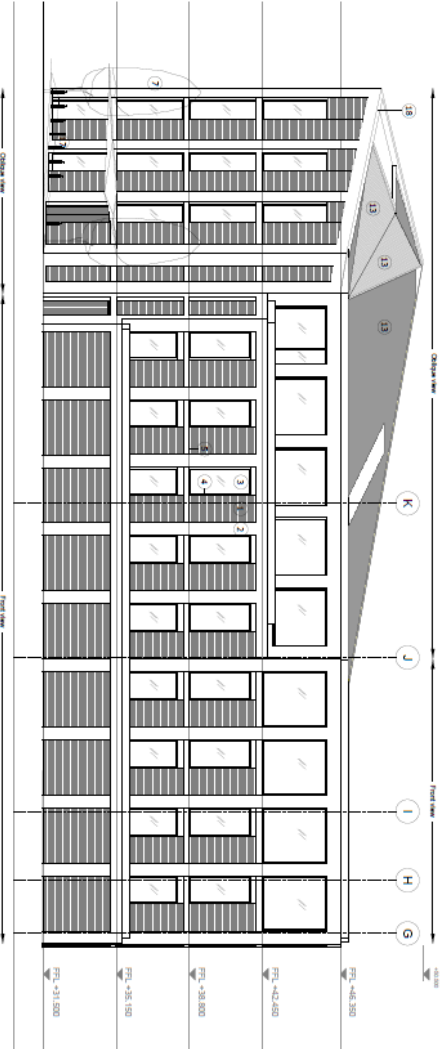
Notes

1. All dimensions are in millimetres unless otherwise stated.
2. All dimensions are to the face of the work unless otherwise stated.
3. All dimensions are to the face of the work unless otherwise stated.
4. All dimensions are to the face of the work unless otherwise stated.
5. All dimensions are to the face of the work unless otherwise stated.
6. All dimensions are to the face of the work unless otherwise stated.
7. All dimensions are to the face of the work unless otherwise stated.
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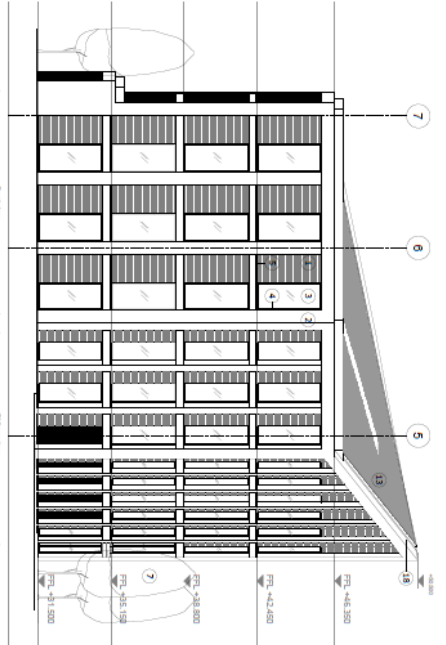
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2	ISSUED FOR PERMITTING	04.04.2018	MM	MM
3	ISSUED FOR PERMITTING	04.04.2018	MM	MM
4	ISSUED FOR PERMITTING	04.04.2018	MM	MM

NO.	DESCRIPTION	DATE	BY	CHECKED BY
1	ISSUED FOR PERMITTING	04.04.2018	MM	MM
2	ISSUED FOR PERMITTING	04.04.2018	MM	MM
3	ISSUED FOR PERMITTING	04.04.2018	MM	MM
4	ISSUED FOR PERMITTING	04.04.2018	MM	MM

NO.	DESCRIPTION	DATE	BY	CHECKED BY
1	ISSUED FOR PERMITTING	04.04.2018	MM	MM
2	ISSUED FOR PERMITTING	04.04.2018	MM	MM
3	ISSUED FOR PERMITTING	04.04.2018	MM	MM
4	ISSUED FOR PERMITTING	04.04.2018	MM	MM



- SECTIONS & ELEVATIONS KEY**
1. Wainscoper Column brick cladding system
  2. Reconstituted natural stone cladding
  3. Curtain wall system
  4. Aluminum framed windows
  5. Aluminum sills
  6. Metal security bars with black metal mesh behind
  7. Corroded painting 'rest' to aerospace standards
  8. Corroded concrete to structural Engineer's specs
  9. Raised floor
  10. Suspended ceiling
  11. Green roof at third floor
  12. Ventilation grille at first floor for Car Park Ventilation
  13. Wire mesh cloth for Plant area Ventilation
  14. Concrete pavours for access routes
  15. CV panels to IBC and BREXAM requirements
  16. Repaired concrete to structural Engineer's specs
  17. Shirefield Bicycle hoops with bespoke covering
  18. Aluminum claddings
  19. Concrete slab to site specifications
  20. Bespoke six Access control post
- Derivates outline of existing building



# Aros

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**Structural Engineer**  
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 LONDON, W1A 1AA, UK  
 WWW.STRUTS.CO.UK

**NOTES**

1. All dimensions are to the centre of the structure unless otherwise specified.
2. The building is to be constructed in accordance with the Building Regulations.
3. The building is to be constructed in accordance with the Building Regulations.
4. The building is to be constructed in accordance with the Building Regulations.
5. The building is to be constructed in accordance with the Building Regulations.
6. The building is to be constructed in accordance with the Building Regulations.
7. The building is to be constructed in accordance with the Building Regulations.

NO.	DATE	DESCRIPTION
01	04.10.2016	ISSUED FOR PERMITS
02	04.10.2016	ISSUED FOR PERMITS
03	04.10.2016	ISSUED FOR PERMITS

PROJECT NO.	ISSUED FOR PERMITS
1000 @ A1	1000 @ A1
1000 @ A1	1000 @ A1
1000 @ A1	1000 @ A1

---

## Appeal Decision

Hearing held on 6 January 2015  
Site visit made on 6 January 2015

by **R J Yuille Msc DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2015

---

**Appeal Ref: APP/T0355/A/14/2221972**  
**the First Church of Scientology and Cloisters, Marlow Road, Maidenhead, Berkshire, SL6 7AA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr J Richardson against the decision of Council of the Royal Borough of Windsor and Maidenhead.
  - The application Ref: 14/00791/FULL, dated 14/03/14, was refused by notice dated 09/06/14.
  - The development proposed is the demolition of existing buildings and erection of new office (Use Class B1(a)) building. The development includes car parking, cycle parking and landscaping.
- 

### Decision

1. The appeal is dismissed.

### Application for costs

2. At the Hearing an application for costs was made by Mr J Richardson against the Council of the Royal Borough of Windsor and Maidenhead. This application is the subject of a separate Decision.

### Background

3. The Council's officers recommended that planning permission be granted for the appeal scheme subject to planning conditions and the submission of a Unilateral Obligation. The appellant submitted such an Obligation at the Hearing but questioned its legitimacy in a number of respects. This matter will be dealt with later in this decision.

### Main Issues

4. The main issues in this appeal are, firstly, the effect of the proposed building on the appearance of this important entrance to the Town Centre; secondly, its effect on highway safety; and thirdly, its effect on the outlook of the occupants of neighbouring dwellings, particularly the dwelling at 16 Castle Hill.

## Reasons

### *Appearance*

5. The appeal site is located in a prominent position alongside the Castle Hill Roundabout, part of the road system that skirts Maidenhead Town Centre. The area in which the site is set is regarded as being an important entrance to the town and in recognition of this it is defined as a 'Gateway' in the Maidenhead Town Centre Action Area Plan (the Action Area Plan). Policy MTC5 of this plan states that in gateway locations proposals will be expected to demonstrate outstanding and distinctive architecture supported by a high quality public realm – particularly lighting, landscaping and public art. The supporting text to this policy makes clear that this gateway in general is characterised by a mix of poor quality buildings many of which turn their backs on the road. However, in my opinion, these comments do not apply to the appeal site as the two buildings on it face the road and are not of a particularly poor quality.
6. It is proposed to demolish the offices and church that stand on the site and replace them with a five storey office block between 20m and 22m in height, set close to the back of the footway and stretching across the full width of the site - a distance of some 50m or more. Attempts have been made to add interest to the façade of the building by the use of brick, stone and glazed elements, by the use of lighting and by the incorporation of a tower feature with a double height entrance.
7. Nonetheless, the dominant impression of the building would be its height and its bulk. It would be considerably taller than neighbouring office buildings - Hanson House being some 15m high and Thames House some 14 to 17m high - and would rise well above the height of nearby houses on Castle Hill. Unlike those other buildings it would have a flat roof and not a pitched roof. In designing the appeal scheme an attempt has been made to achieve a building of quiet monumentality but in my judgement a building of the height and bulk proposed would sit uneasily alongside its neighbours, particularly neighbouring dwellings, and in this respect would not be compatible with the existing street façade.
8. In coming to this view I acknowledge that the supporting text to Policy MTC5 does not rule out the possibility of providing taller buildings in this area and I acknowledge that the Commonwealth War Graves Commission building to the north is a tall, bulky building with a flat roof but this benefits from the landscaped setting provided by Kidwells Park. The proposed building by contrast, being set close to the back of the footway and extending across the entire width of the site, would provide very limited opportunities for landscaping at the front of the site- even if that landscaping were to extend into the footway as is proposed. A distinctive feature of this gateway location is the amount of landscaping within and around the Castle Hill roundabout which provide some relief in what is otherwise a car dominated and inhospitable environment. The appeal scheme fails to reflect or build on this feature.

9. For the reasons set out above I consider that the proposed building would not be of a design and scale that would be appropriate to the area and in this respect would not meet the aims of Policies DG1 and E10 of the Royal Borough of Windsor and Maidenhead Local Plan and Policy MTC4 of the Action Area Plan which variously seek to achieve a high quality of design. Moreover, it would not meet the aim of Policy MTC5 of the Action Area Plan insofar as this seeks to achieve development which demonstrates outstanding and distinctive architecture supported by high quality public realm.

*Highway Safety.*

10. As with the existing buildings on the site, access to the proposed building would be by way of the junction between Sun Lane and the A308 Marlow Road, which is itself close to the roundabout junction between Marlow Road and the A4 Castle Hill.
11. Local residents are concerned about the speed at which vehicles leave the nearby roundabout and the consequent difficulties for vehicles seeking to turn right out of Sun Lane. They also refer to the difficulties caused when vehicles turning left into Sun Lane are confronted by vehicles which are loading/unloading or picking up/dropping off people and give anecdotal evidence of near misses at this junction and accidents not involving personal injury. They also make the point that while the sightlines at the Sun Lane/Marlow Road junction may be unaltered when these are measured, as is conventionally done by highway engineers, along the kerb of the nearside carriageway, it is also possible to gain an additional sightline through the pillars on the front of the church on the site - which gives an indication of traffic approaching the roundabout along Castle Hill. Such a sightline would be lost if the proposed building were constructed.
12. However, the appellant takes the view that the new building will generate only a very low number of net additional trips; that loading and unloading and picking up and dropping off of passengers already occurs on Sun Lane and will not increase significantly; that there is no recent record of accidents involving personal injuries at the Sun Lane/Marlow Road junction; that sightlines at that junction would be retained or indeed marginally improved with the removal of an existing planter; and that the site is in an area with good accessibility to public transport. The Council's highway engineers take a broadly similar view. I see no reason to dispute this evidence.
13. It was clear from the site visit that drivers entering and leaving Sun Lane need to exercise caution and this would continue to be the case if the proposed new office were constructed. While drivers leaving the junction at present can glean some information from the additional sightline described above it looks across an existing car park and could, therefore, be blocked on occasion. Moreover, a driver leaving the junction could not be sure whether any vehicle glimpsed on Castle Hill would be turning along Marlow Road. In other words a driver leaving Sun Lane would rely principally on the sightlines along Marlow Road which would not be diminished by the proposed development. The site is within an easy walk of the railway station and bus stops and the parking proposed meets the Council's parking standards.
14. To my mind, while the operation of the Sun Lane junction is not ideal, the proposed development would not lead to any significant loss of highway safety and would meet the aims of policies T5 and P4 of the Royal Borough of Windsor

and Maidenhead Local Plan and of Policy MTC14 of the Maidenhead Action Area Plan insofar as these seek to ensure that development complies with the Council's adopted highway design and parking standards and require development to optimise traffic flows and circulation and provide adequate parking.

#### *Outlook*

15. This issue was not raised by the Council but by neighbouring residents and the appellant responded to it at the Hearing. From the patio and garden of the house at No 16 Castle Hill, the nearest house to the appeal site, the upper portions of the buildings now on the site can be seen as can the neighbouring buildings at Hansen House and Thames House. While all of these existing buildings are considerably taller than the house at No 16 the pitched roof of the Cloisters and of the church on the site leave gaps through which the sky and the tops of trees can be glimpsed and this creates an element of spaciousness in the outlook.
16. This sense of space would be largely lost with the construction of a flat roof building that would vary in height between 20m and 22m, that would be some 50m wide and which would be located only some 21m away at its nearest. A building of such bulk, height and proximity would have an unacceptably overbearing impact on the outlook from this garden and would result in views that were largely cramped and constrained by tall buildings. The appeal scheme would, therefore, run counter to the aims of Policy E10 of the Royal Borough of Windsor and Maidenhead Local Plan which, amongst other things, seeks to avoid unneighbourly development.

#### *Unilateral Obligation*

17. Policies IMP1 and T6 of the Royal Borough of Windsor and Maidenhead Local Plan seek to ensure the provision of necessary infrastructure, services, facilities and amenities. Paragraph 204 of the National Planning Policy Framework and regulation 122 of the Community Infrastructure Levy Regulations make clear that a Planning Obligation should only be sought where it passes all of the following tests - that it is necessary to make the proposed development acceptable in planning terms, that it is directly related to that development and that it is fairly and reasonably related to it in scale and kind.
18. In this instance while the appellant has submitted a Unilateral Obligation, the wording of which has been agreed with the Council, he does not consider it passes these tests. Consequently the document contains a clause which, in effect, provides that, in the event of planning permission being granted, the various obligations within it would not come into effect (and, therefore, carry weight in determining this appeal) until I have satisfied myself that they do indeed pass these tests.
19. The obligations relating to Highways and Public Transportation, Indoor Sports and Leisure, Public Art and Heritage, Public Open Space and Town Management all list schemes on which monies could be spent but include the qualifying phrase "*including but not limited to*". It has already been pointed out to the Council by Inspectors at previous appeals<sup>1</sup> that this could mean that monies were spent elsewhere in the Borough on schemes that were not directly related to the proposed development.

---

<sup>1</sup> For example in the appeal at Ridgemount Road, Sunningdale, Ref: APP/T0355/A/13/2191400.



20. Moreover, not all of the schemes listed relate directly to the proposed development. So for example it was acknowledged at the Hearing by the Council that when considering the Highways and Public Transportation obligation, not all works on the A308 and A4 would relate to the site and that similarly, when considering the Public Open space obligation, works in the northern parishes would be unrelated to the appeal scheme. In all the respects referred to in this paragraph the submitted Unilateral Obligation would breach the requirement that it should be directly related to the proposed development.
21. Moving on to another matter, contributions to Heritage projects are calculated as a percentage of build costs while the Indoor Sports and Leisure contributions are calculated on the basis of the number of people who would be employed in the proposed building with no attempt to estimate what percentage of them would be likely to make use of local indoor sports and leisure facilities. In neither instance is it clear whether the obligations sought are fairly and reasonably related to the appeal scheme in scale and kind.
22. These aspects of the Unilateral Obligation do not, therefore, accord with the law or relevant policy in the National Planning Policy Framework and I cannot give them full weight.
23. I can, however, give full weight to the Library obligation. Maidenhead Library is within easy walking distance of the appeal site and in determining the size of the contribution to be made an attempt has been made to assess the number of employees on the site who would typically be expected to live outside the Borough and thus place an additional demand on library services.

*Conclusions*

24. For the reasons set out above I have found that the proposed scheme is acceptable in highway terms but this is outweighed by my finding that this scheme would cause unacceptable harm to the appearance of the area and to the outlook of neighbouring residents. I conclude, therefore, that the appeal should be dismissed.

*RJ Yuille*

Inspector

# AROS

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 University Street  
 London WC2E 7ES  
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 +44 (0)20 7427 2444  
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 london@arosarchitects.com  
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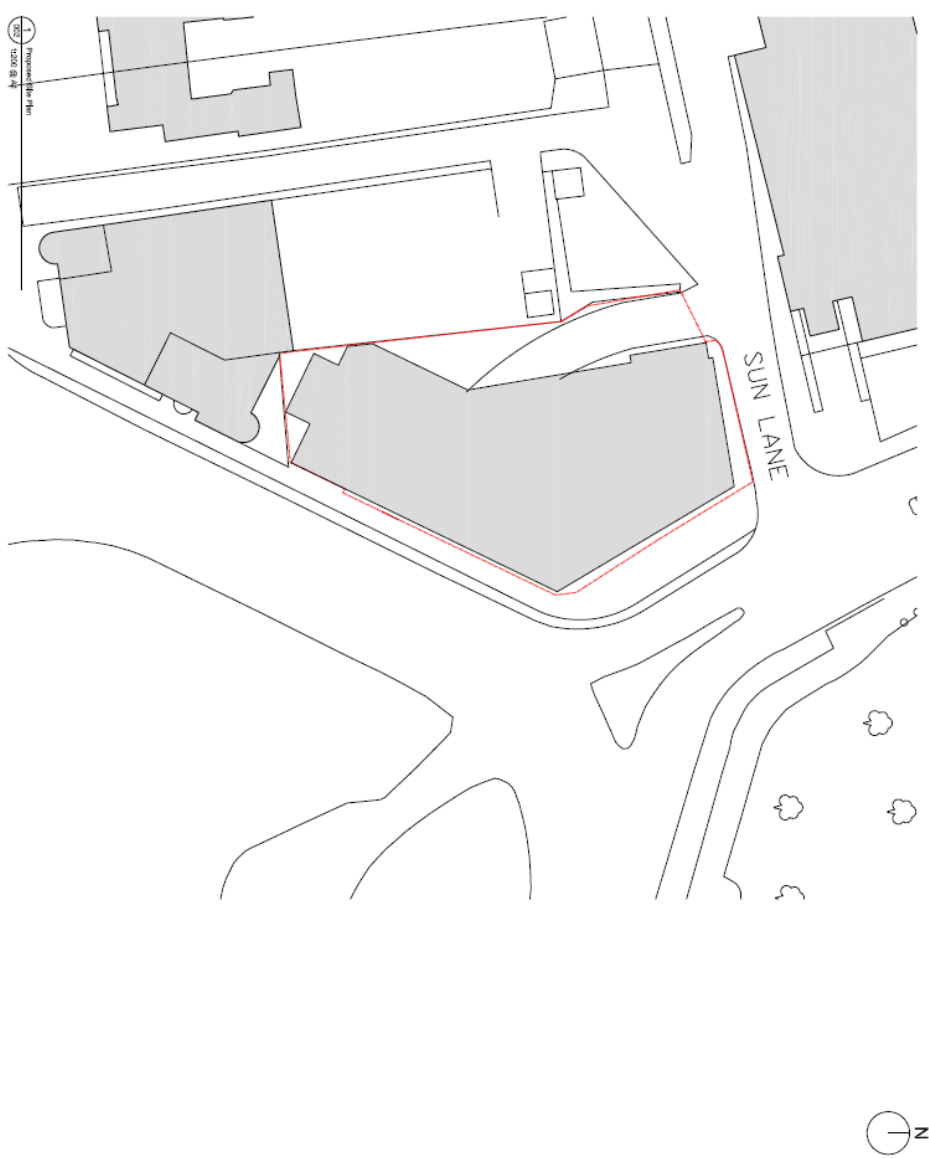
- Notes**
1. The site is to be used for the proposed development as shown on the site plan.
  2. The site is to be used for the proposed development as shown on the site plan.
  3. The site is to be used for the proposed development as shown on the site plan.
  4. The site is to be used for the proposed development as shown on the site plan.

**Dimensions**

Dimension	Length	Width	Area
Overall Length	100m	50m	5000m <sup>2</sup>
Overall Width	50m	50m	2500m <sup>2</sup>
Overall Area	100m	100m	10000m <sup>2</sup>

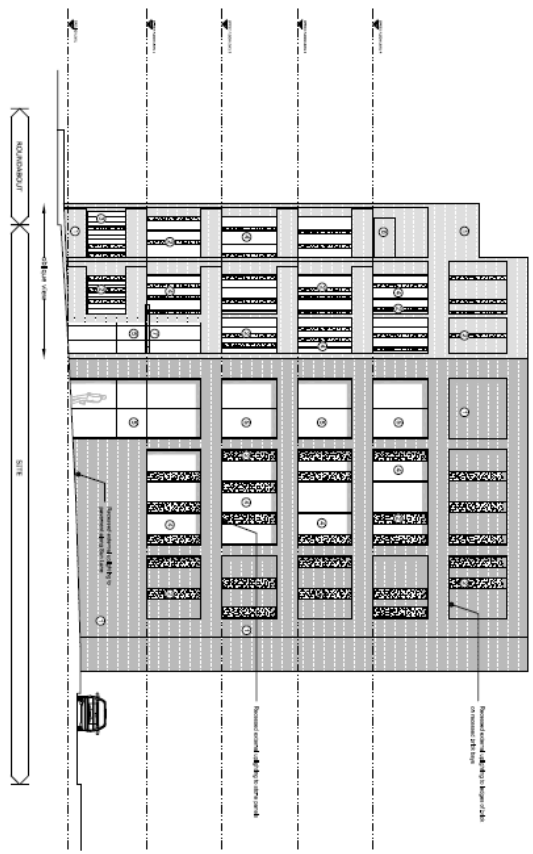
**Project**  
 Station Road, Blandford

**Project No**  
 1000  
**Project Name**  
 Station Road, Blandford  
**Project Date**  
 February 2014  
**Project Status**  
 IZ





- ① ceiling slabwork
- ② floor finish
- ③ structural ceiling finish
- ④ pre-fabricated raised access system
- ⑤ structural floor slab raised finish with
- ⑥ service air structural steel columns
- ⑦ structural steel column
- ⑧ precast concrete
- ⑨ precast concrete
- ⑩ precast concrete
- ⑪ precast concrete
- ⑫ precast concrete



① Proposed Lift Shaft Extension  
17.00m x 11.00m

Note:  
 1. Refer to the architectural drawings for details of the proposed lift shaft extension.  
 2. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.  
 3. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.

# AROS

**Aros Architects**  
 17, Old Street  
 London EC1A 9DF  
 London EC1A 9DF

**Telephone** 020 7293 2044  
**Facsimile** +44(0)20 7293 2040  
**Email** info@arosarchitects.com  
**Website** www.arosarchitects.com

**Notes**  
 1. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.  
 2. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.  
 3. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.

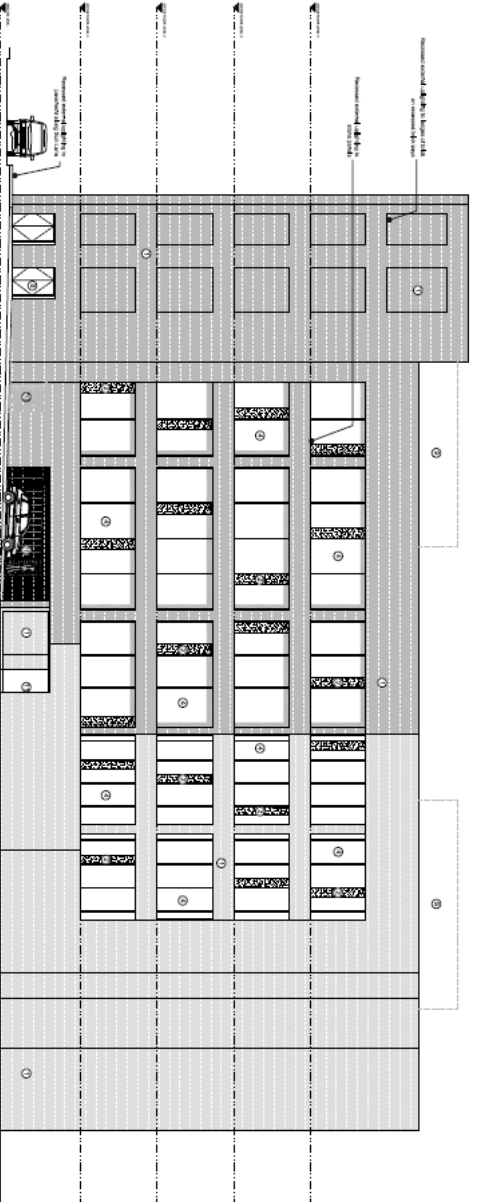
Room	Area	Volume	Notes
Proposed Lift Shaft Extension	17.00m x 11.00m		

**Notes**  
 1. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.  
 2. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.  
 3. The proposed lift shaft extension is to be constructed in accordance with the relevant building regulations.

**Project**  
 1. Market Road, Market Road  
 Proposed Lift Shaft Extension

**Project No.** 0708  
**Date** February 2014  
**Scale** 1:100 @ A1  
**Drawn by** [Name]  
**Checked by** [Name]

- ① Entry Staircase
- ② Stone Panels
- ③ Standard Glass Panel
- ④ PVC Acrylics Frame System
- ⑤ Structural Glass Glass System Glass
- ⑥ Frame with Structural Glass Materials
- ⑦ Standard Glass Clarity
- ⑧ PVC Metal Doors
- ⑨ PVC Frames to Heat Insulation
- ⑩ Semi-reflective glass
- ⑪ PVC Metal Doors to Car Park



① Proposed West Elevation  
 1100 @ A1

# Aros

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 Fax: +61 (0)2 9392 9400  
 Email: info@areaarchitects.com.au  
 Website: www.areaarchitects.com.au

Notes	Scale	Project
1. This drawing is a preliminary design and is subject to change without notice. It is not to be used for construction purposes without the written consent of the architect.	1:100	Proposed West Elevation
2. All dimensions are in millimeters unless otherwise stated.	1:100	Proposed West Elevation
3. The architect is not responsible for the accuracy of the information provided in this drawing.	1:100	Proposed West Elevation
4. This drawing is the property of the architect and is not to be reproduced or used in any way without the written consent of the architect.	1:100	Proposed West Elevation

Project No.	Scale	Project
100	1:100	Proposed West Elevation
101	1:100	Proposed West Elevation
102	1:100	Proposed West Elevation
103	1:100	Proposed West Elevation
104	1:100	Proposed West Elevation
105	1:100	Proposed West Elevation
106	1:100	Proposed West Elevation
107	1:100	Proposed West Elevation
108	1:100	Proposed West Elevation
109	1:100	Proposed West Elevation
110	1:100	Proposed West Elevation

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 3

<b>Application No.:</b>	16/01667/FULL
<b>Location:</b>	Hard Edge 100 - 102 High Street Maidenhead SL6 1PT
<b>Proposal:</b>	Construction of building with retail at ground floor and 1 x 1 bed and 4 x 2 bed flats following demolition of existing building.
<b>Applicant:</b>	Shenley Estates
<b>Agent:</b>	Mr Stephen Harrington - Boyes Rees Architects
<b>Parish/Ward:</b>	Oldfield Ward
<b>If you have a question about this report, please contact:</b> Victoria Gibson on 01628 685693 or at victoria.gibson@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 Planning permission is sought for the demolition of the existing building with the construction of a four storey building comprising of a retail unit on the ground floor and 5 flats above. The proposal provides the opportunity to provide new homes in a sustainable location and would contribute to improving the vitality and viability of Maidenhead High Street. In addition, the new building and its shopfront would improve the appearance of this part of the High Street. Overall, the proposals would have a positive impact on the town centre.
- 1.2 In all other respects such as highway safety and living conditions of neighbouring and future occupiers the proposal is acceptable subject to conditions. A legal agreement will need to be entered into to restrict future occupants obtaining parking permits in order to accord with the Council's aims regarding sustainable travel.

<b>It is recommended the Panel authorises the Borough Planning Manager:</b>	
<b>1.</b>	<b>To grant planning permission on the satisfactory completion of an undertaking to secure preclusion on future residents obtaining parking permits and with the conditions listed in Section 10 of this report.</b>
<b>2.</b>	<b>To refuse planning permission if an undertaking to secure the preclusion on future residents obtaining parking permits has not been satisfactorily completed by 20th July 2016 for the reason that the proposed development would not create sustainable travel.</b>

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended as the proposal is for the approval of more than 2 net additional dwellings; such decisions can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 100 - 102 High Street is sited within the Maidenhead Town Centre Conservation Area and within the primary retail frontage. The character of the area is predominately retail at ground floor with a mix of first floor uses. The existing building is two storeys and has no first floor front elevation details and offers no positive contribution to the character and appearance of the area.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The current premises comprise of ground, first and basement levels and consist of two interconnecting shop units. The proposal comprises of the demolition of the existing building and the redevelopment of a three storey building with a significantly set back fourth storey. The

development will accommodate five residential flats whilst maintaining the retail use at ground floor together with the service access to rear. The third floor is formed within a mansard roof containing window dormers with a large roof terrace which is accessible to all residents. The proposal will be finished with traditional face brick and detailing window surrounds, cornices and capped parapet. The mansard roof will be finished in slate zinc and a low pitched roofing system. The rear facade will be finished in face brick with recessed balconies serving the residential flats at the rear. The new building will be of a similar height to that of the newly permitted scheme on 94-96 High Street and sympathetic in scale with its immediate surrounding buildings.

- 4.2 With regard to the planning history of the site application 14/02450 which proposed the construction of a three storey building with basement level, comprising of retail unit (A1) at ground floor and 5x 2 bed and 1x 1 bed self contained residential units above with associated cycle and refuse store was withdrawn on 2<sup>nd</sup> October 2014.
- 4.3 The applicant has also been in discussion with officers through the Council’s pre application service and a number of design improvements have been secured.

**5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

5.1 National Planning Policy Framework Sections

**Royal Borough Local Plan**

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

Within settlement area	Highways and Parking	Conservation Area	Air Quality
DG1, H10, H11	P4, T5	CA2	NAP2
Maidenhead Area Action Plan	MTC1, MTC2, MTC4, MTC12, MTC14		

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

**Other Local Strategies or Publications**

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- Conservation Area appraisal - view at:  
[http://www.rbwm.gov.uk/web/pp\\_conservation\\_consultation\\_appraisals.htm](http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm)

**6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Principle of the development;
- ii Impact on the character and appearance of the Conservation Area and neighbouring amenity;
- iii Future living conditions of occupiers of properties;
- iv Housing Mix;



v Highway safety and refuse collection; and

vi Air Quality.

### **Principle of Development**

- 6.2 Residential development is supported in the town centre under Policy MTC12 of the Area Action Plan. The AAP recognises that town centre locations are becoming increasingly important as a place to live.
- 6.3 Furthermore, support can be given to the proposed redevelopment as it would preserve the character and appearance of the Conservation Area. The development is acceptable in principle as the site lies within a highly sustainable location and the development will provide additional homes. The development accords with national advice contained within the NPPF which favours such development in principle.

### **Impact on the character and appearance of the Conservation Area and neighbouring amenity**

- 6.4 The existing building is formed within a small stretch of terraced buildings reflecting post war era typology, with white render and large window openings at first floor. The existing building is considered to be incongruous both to its surroundings and its location and neither in harmony with many taller buildings adjacent and opposite the site. This small stretch of terraced buildings offers very little positive contribution to the High Street with the abrupt gap in the street visually disrupting the flow of what otherwise is a charming series of varying window heights which differs from each and every building. The building eras also vary offering mixed period style architecture which all adds to the character of the Conservation Area. As such no objection is raised to the demolition of this building subject to its replacement being considered acceptable.
- 6.5 The existing ground floor shop front has a more contemporary appearance and the proposed shop front would give the building a more traditional appearance with stallrisers, pilasters and fascias reflecting Victorian proportions and design and this is an improvement.
- 6.6 The upper floors will also have a more traditional appearance to better fit with the existing mix of predominantly Victorian and Georgian-style. This will be achieved through the use of a traditional brick facade with windows of an appropriate style and scale, the use of stone cornice banding and the fourth floor set approximately 9 metres back so that it would not be viewed from the High Street. There are buildings in the High Street of a similar height and as such it will have an appropriate relationship with its neighbours.
- 6.7 Subject to securing external materials and details of the shop front and the mansard roof (see conditions 2 and 3 in section 10), the proposals will preserve the character and appearance of the Conservation Area and in arriving at this recommendation special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Future living conditions of occupiers of properties**

- 6.8 The living accommodation will be of an appropriate size and there will be sufficient levels of natural light. Amenity space is provided via the means of balconies on the rear elevation and a roof terrace on the third floor.

### **Housing Mix**

- 6.9 The proposal will provide good sized apartments and the mix is acceptable (Application 1 for 1 x 1 bed apartment and 4 x 2 bed apartments). The proposal accords with Policy MTC12 of the AAP and Policies H8 and H9 of the Local Plan

### **Highway safety and refuse collection**

- 6.10 Parking is not proposed and it is recommended that the right to parking permits is withdrawn in order to create sustainable travel patterns given that the apartments are within the town centre where there are a range of services, facilities and access to public transport. A bike store will be provided in a secure, covered building and a communal bin store area will be provided. In terms of the existing shop units there will still be access to the rear service yard. The proposals accord with Policies DG1 and P4 of the Local Plan, and Policies MTC4 and MTC14 of the AAP.

### **Air Quality**

- 6.11 Given that there will not be any parking at the site there will not be any impact on air quality directly attributable to the proposal. The proposal accords with Policy NAP3 of the Local Plan and Policy MTC4 of the AAP.

### **Other Material Considerations**

#### Housing Land Supply

- 6.12 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It is acknowledged that this scheme would make a contribution to the Borough's housing stock and this weighs in favour of the development.
- 6.13 The Environmental Protection Officer raises no objection subject to conditions. However on reviewing these conditions they are not considered reasonable or necessary and therefore do not comply with national guidance regarding the imposition of planning conditions. The proposed ground floor use is to stay as an A1 (retail) use and therefore it is not considered necessary to condition its opening hours or hours of deliveries. Additionally, it is also unreasonable to request a noise survey to assess construction noise or to restrict the maintenance and repair of any plant.

## **7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS**

- 7.1 The Council's Community Infrastructure Levy (CIL) document was subject to examination in March of this year. While this development is likely to place additional pressure on local services and infrastructure, the CIL has not yet been adopted, so the development would not be liable for any financial contributions at this time.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

4 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 31<sup>st</sup> May 2016.

The application was advertised in the Maidenhead and Windsor Advertisers on 2<sup>nd</sup> June 2016.

No letters of support or objection have been received.

### **Other Consultees**

Consultee	Comment	Where in the report this is considered
Conservation Officer	No objections subject to conditions.	6.4 – 6.7
Highway Officer	Comments Awaited.	-

Environmental Protection	No objection.	-
--------------------------	---------------	---

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B - Plan and elevation drawings
- Appendix C - Views of the proposed development

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 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 shall take place until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of the new shopfront, windows (including stone surrounds and reveals), doors, down pipes, gutters, vents, roof parapet, cills, the stone bands and anti-pigeon measures have been submitted to, and approved in writing by, the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Local Plan DG1, CA2 and AAP MTC4.
3. No development shall take place until samples of the materials to be used on the external surfaces of the development(s), including a sample brick panel (incorporating Flemish Bond, the colour of the mortar and type of pointing to be used) as well as a sample panel of the zinc slate roof finish, have been submitted to, and approved in writing by, the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1, CA2 and AAP MTC4.
4. The measures set out in the document 'Planning Application Design and Access 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 prior to the commencement of the development.  
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 Council's Supplementary Planning Document 'Sustainable Design and Construction'.
5. 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.
6. No development shall be occupied until a refuse bin storage area and recycling facilities along with a scheme for the operational management of facilities to be provided for the storage and

emptying of refuse and recycling bins for the apartments have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided, managed and retained in accordance with the approved details and the apartments shall not 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 and in the interests of visual amenity. Relevant Policies - Local Plan DG1 and AAP MTC4.

7. 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 and AAP MTC4.

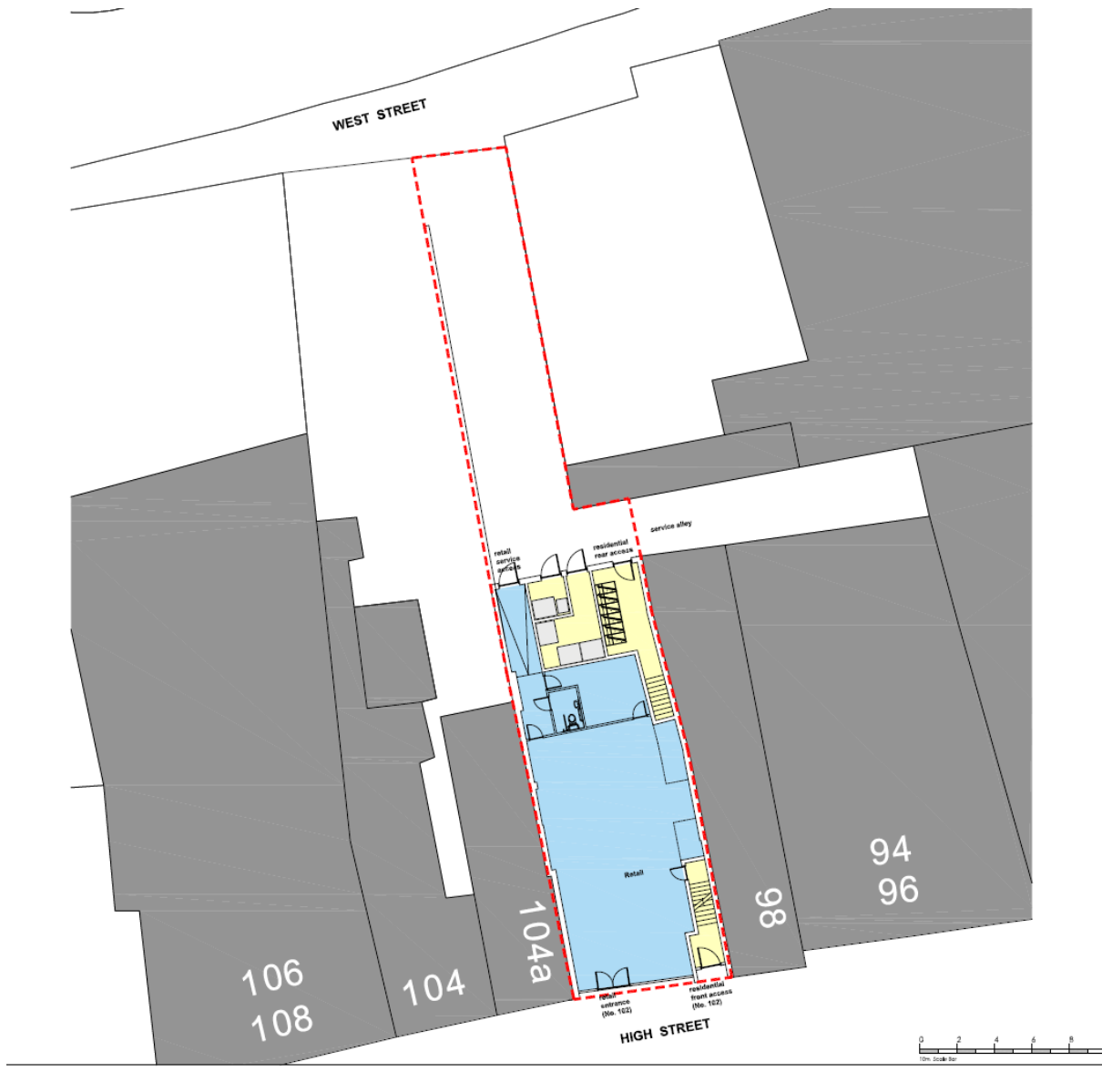
8. The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

Appendix A



Appendix B

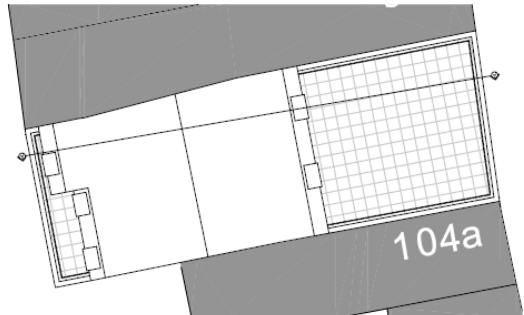




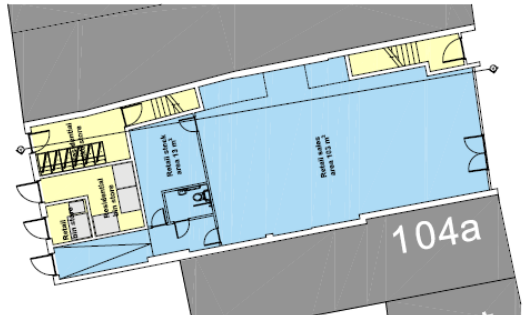
SECOND FLOOR PLAN



FIRST FLOOR PLAN



ROOF PLAN



GROUND FLOOR PLAN



THIRD FLOOR PLAN

REV	DATE	DESCRIPTION	BY
A	14/02/2018	Initial release for floor and elevations	ST

CONSULTANTS: ARCHITECTURE: GUY CARROLL ARCHITECTS  
 CIVIL/STRUCTURAL: GUY CARROLL ARCHITECTS  
 MECHANICAL: GUY CARROLL ARCHITECTS  
 ELECTRICAL: GUY CARROLL ARCHITECTS  
 PLUMBING: GUY CARROLL ARCHITECTS  
 LANDSCAPE: GUY CARROLL ARCHITECTS

**03. PLANNING**  
 DRAWING TITLE: 03. PLANNING  
 SHEET NO.: 11 OF 11  
 PROJECT: 03. FOR APPROVAL  
 PROJECT NAME: PROPOSED REDEVELOPMENT  
 100-102 HIGH STREET  
 MADISONHEAD  
 BENDSIDE SUB 1 PT  
 DRAWING TITLE: PROPOSED PLANS

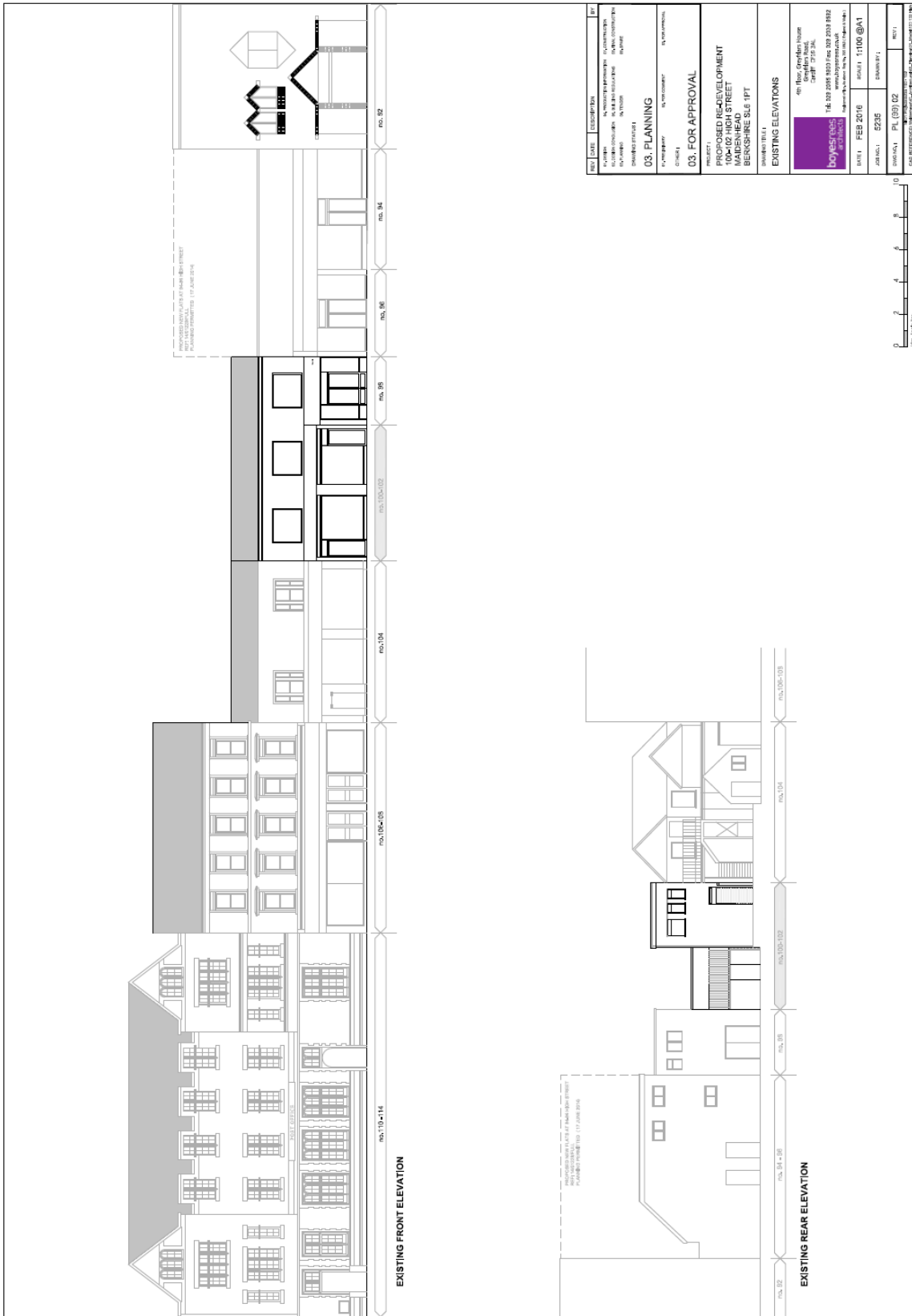
4th Floor, Guy Fawkes House  
 Corporation Road,  
 Cardiff, CF10 2SL  
**BOYD & BUCK**  
 144-150 SOUTH BRIDGE STREET, CARDIFF, CF1 1TL  
 TEL: 0300 2000 8800 FAX: 0300 2000 8822  
 WWW.BOYDANDBUCK.CO.UK  
 DATE: FEB 2018 SCALE: 1:100 @A1  
 JOB NO.: 5226 DRAWN BY:

PROJECT: PL (B3) 100 REV: A  
 DATE: 14/02/2018  
 DRAWN BY: ST

RAMP ACCOMMODATION REQUIREMENTS		
(Approved areas are subject to detailed design)		
LEVEL	PROPOSED Slope	EXISTING Slope
1st	1:1	1:1
2nd	1:1	1:1
3rd	1:1	1:1
TOTALS	3	3

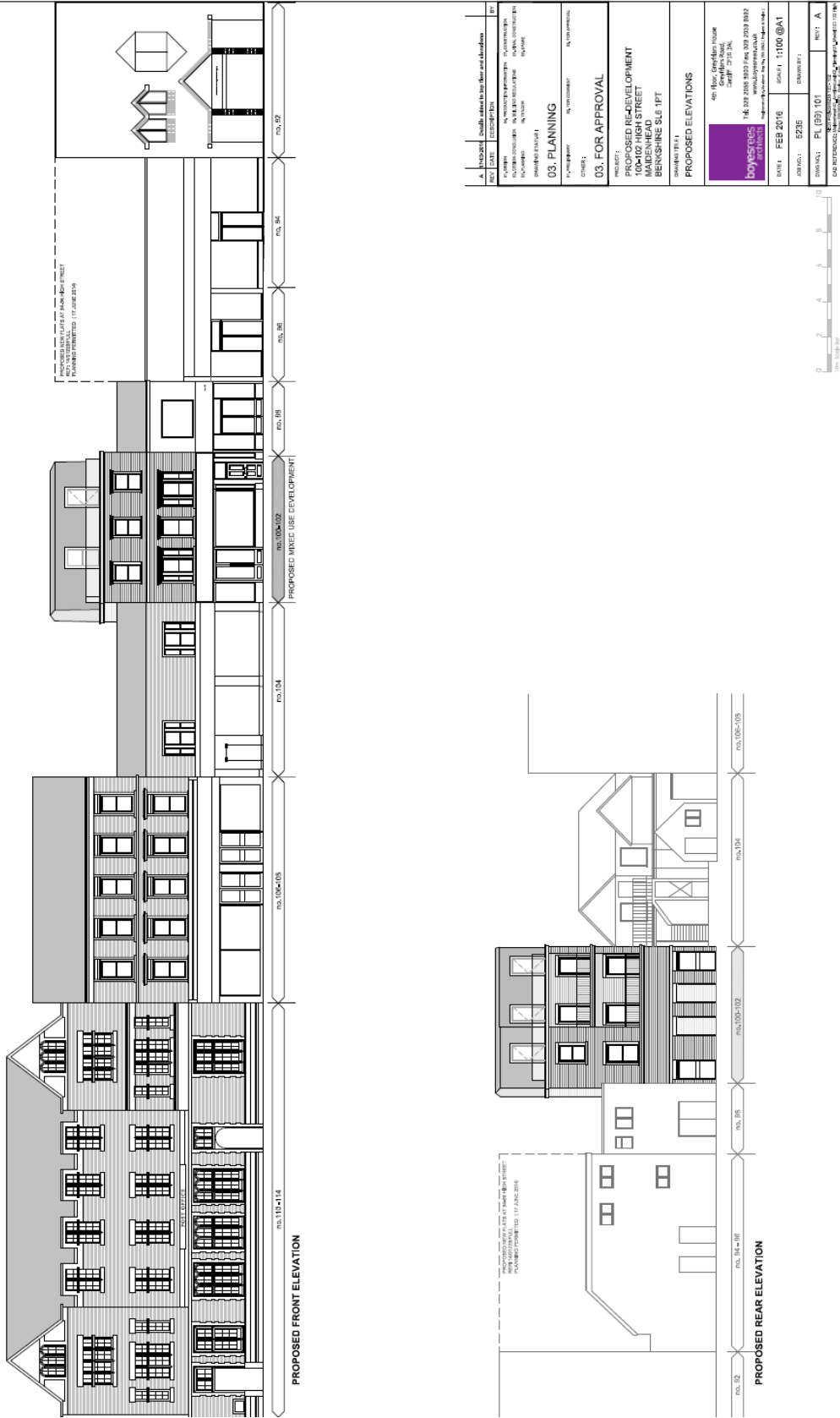


Existing Elevation





# Proposed Elevations



Street Scene



# Key Views



View 1

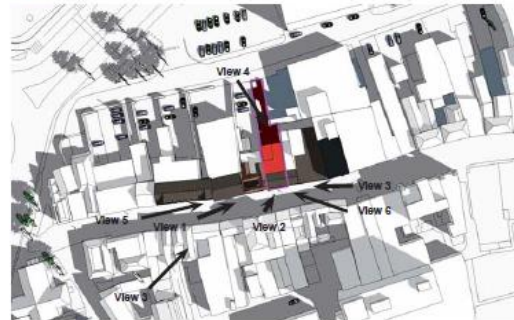


View 2

3



View 3



View 5

ROOFSCAPE



View 6



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 4

<b>Application No.:</b>	16/01129/FULL
<b>Location:</b>	105 Brunel Road Maidenhead SL6 2RU
<b>Proposal:</b>	Erection of 6 x 1 bed flats with associated parking and communal amenity space
<b>Applicant:</b>	Mr Potyka - RAP Building And Developments
<b>Agent:</b>	Mr Rickie Chambers
<b>Parish/Ward:</b>	Oldfield Ward
<b>If you have a question about this report, please contact:</b> Diane Charlton on 01628 685699 or at <a href="mailto:diane.charlton@rbwm.gov.uk">diane.charlton@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The applicant seeks planning permission to construct a two-storey building comprising 6 number one bed flats.
- 1.2 The provision of the site for housing would boost the Borough's supply of housing and would be a clear benefit in this respect.
- 1.3 This proposal is considered to meet the relevant NPPF and Local Plan requirements in respect of impact on the character and appearance of the area, the amenities of neighbours and highway safety.

<b>It is recommended the Panel authorises the Borough Planning Manager:</b>	
1.	<b>It is recommended the Panel grants planning permission subject to the conditions listed in Section 9 of this report.</b>

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended as it is for more than 2 dwellings; such decisions can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site lies on the corner of Reid Avenue and Brunel Road. At present there is a detached bungalow and garage on the site facing and accessed from Brunel Road. There is a mix of housing types in the area with 2 storey terraced houses to the south east in Reid Avenue, maisonettes on the opposite corner of Reid Avenue, bungalows to the north west in Brunel Road, with the dwellings to the north east and east being 2 storey terraced and semi detached.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 There is no relevant planning history for the site.
- 4.2 The proposal is for the erection of a two storey building to provide 6 one bed flats with associated parking and communal amenity space. When originally submitted the proposal was for 7 flats over 3 floors. This was considered to be unacceptable in terms of its height, character and amount of development on the site as a whole. The plans were amended accordingly to reduce the number and scale of development.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework, Section 17, 58, 64.

### Royal Borough Local Plan

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

	Within settlement area	Highway / Parking Issues
Local Plan	DG1, H10, H11,	T5, P4

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

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact of the proposal on the character and appearance of the area;
- ii The impact on the living conditions of neighbours;
- iii Parking provision and highway safety.

### The impact of the proposal on the character and appearance of the area

6.2 The proposed building follows the building line of number 12 Reid Avenue and is of a similar depth. The proposed parking has been amended and softened with additional planting. The rear amenity space is 6.5 metres in depth with a width of 14 metres and this is considered to be acceptable for 6 one bedroomed flats in this location,

6.3 The proposed building, as amended, will still result in an increase in the amount, scale and spread of development on this site and will make for a noticeable change in the immediate locality along both Brunel Road and Reid Avenue. However, in both this and the wider context, it is considered that the scale of change could be readily absorbed without undue harm to the character of what is a mature and densely settled residential area.

6.4 The area is characterised by a variety of house types including two storey properties on 3 sides of the site and bungalows opposite on the 4<sup>th</sup> side. The height (7.5 m) and scale of the proposed building is of similar height and scale to the adjacent 2 storey houses and although it contains flats as opposed to being a dwelling house it would not be out of keeping or harm the character of the area. The proposal therefore complies with Policies H10 and H11 of the Local Plan.

### Impact on neighbours

6.5 There are 3 properties to the north east of the site, 123-125 Brunel Road who would be most be effected by the proposal, however there is a separation distance of between 19.5m and 20.5 m

which is not dissimilar to other back to back distances within the surrounding area and a loss of privacy through overlooking would not result from the proposal.

- 6.6 Overall the proposed development would not appear dominant or overbearing when viewed from the neighbours. It would not result in a loss of daylight and the degree of over overlooking is considered acceptable in this urban location. Whilst there will be a potential increase in the number of people on the site and there will be more movements to and from the site this is not considered to be harmful given the built up residential location.

### **Highway Safety and Parking**

- 6.7 To comply with the current parking requirements each one bedroom unit needs to provide one curtilage parking space. The Highway Officer considers that the parking layout as amended and considered that the required visibility splays will be achieved by the proposal.
- 6.8 The existing 3 bedroom dwelling will produce between 6 and 12 vehicle movements per day. The proposed 6 x one bedroom flats have the potential to produce between 12 and 24 vehicle movements per day. This increase is considered to be acceptable in highway safety terms.
- 6.9 Whilst the submitted plans show a bin store it is considered that the position and size is not acceptable and the applicant has been requested to amend this. This will be reported as an update.

### **Other Material Considerations**

#### Housing Land Supply

- 6.10 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.
- 6.11 The Community Infrastructure Levy Regulations 2010 (CIL Regulations) which came in force on the 6 April 2015, allows the Council to raise funds from developers undertaking new building projects in the borough to support and fund new infrastructure that the Council and local communities may require. Planning obligations may still be sought to mitigate local impact if they are still necessary to make the development acceptable in planning terms if directly related to the development and if fairly related to the scale and kind of the development. In this case, it is considered that planning obligations would not be sought.
- 6.12 The removal of the hedge from along the front of the site facing Brunel Road can not be prevented and nor are the trees subject to or worthy of a Tree Preservation Order.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

20 occupiers were notified directly of the application, and the planning officer posted a notice advertising the application at the site on 25<sup>th</sup> April 2016.

Original Plans

5 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
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1.	Inadequate parking provision hazard to safety especially children.	6.6-6.7
2.	Out of character with area. Most properties are bungalows. Detrimental impact on character of area. Contrary to Policies.	6.1-6.3
3.	Cramped form of development too large and over development.	6.1-6.3
4.	Loss of hedge which has nesting birds in it. Trees used by local wildlife.	
5.	Overlooking, loss of light and loss of privacy.	6.4-6.5
6.	Additional noise and disturbance.	6.5
7.	Potential damage to garden and shed.	This is not a material planning consideration

#### Amended Plans

4 letters were received objecting to the application, all above comments still maintained with additional comments summarised as:

Comment		Where in the report this is considered
1.	The removal of the loft and matching the roof line is welcomed.	Noted
2.	The amended parking still too close to corner.	6.6-6.7
3.	Large bin needed but not provided for.	Amended plan received showing bin area
4.	Can only accommodate 4 units.	Noted

#### Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Maidenhead Civic Society	Out of context with surrounding housing stock. Overdevelopment with inadequate provision of amenity space and parking. Dangerous corner plot and parking proposed unacceptable. Two storey only should be allowed and 4 flats.	6.1-6.7
Local Highway Authority	No objection subject to conditions.	Condition 3, 5 and 6.
Environmental Protection	No objection subject to informatives relating to prior consent for construction noise, and dust and smoke control.	Informative 2

#### 8. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan
- Appendix B - Proposed Layout
- Appendix C - Proposed Floor Plans
- Appendix D - Proposed 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 NPPF.

In this case the issues have been successfully resolved.

## **9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

1. The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. No development 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
3. No other part of the development shall commence until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. 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.
4. 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.
5. No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking 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. Relevant Policies - Local Plan P4, DG1.
6. No part of the development hereby permitted shall be occupied until pedestrian visibility splays of 2.0m by 2.0m have been provided at the junction of the driveway and the adjacent footway. All dimensions are to be measured along the outer edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.  
Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5
7. No development shall commence until details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.  
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
8. No part of the development shall be occupied until covered and secure cycle parking facilities to the adopted standard size, have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. 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 parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

9. 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.

Appendix A



Site location

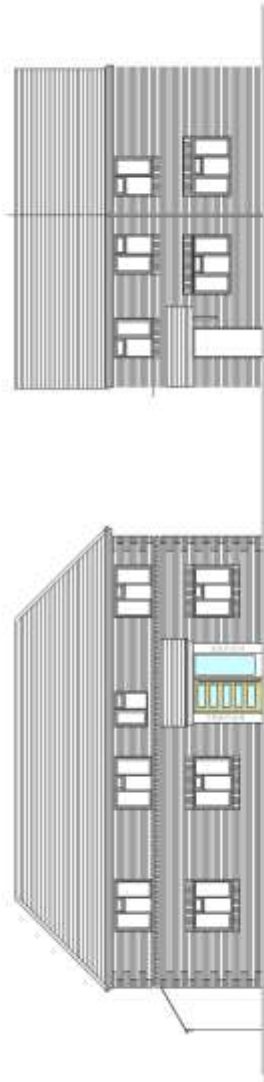




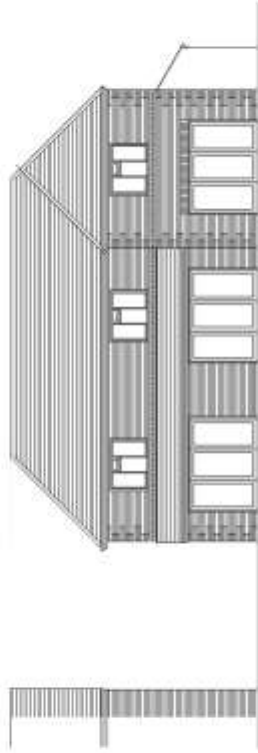
Appendix C



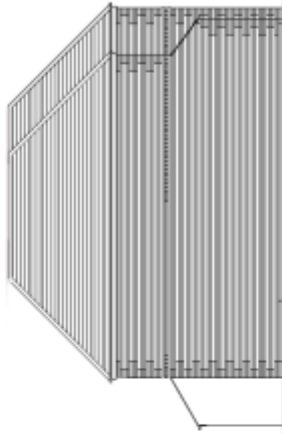
## Appendix D



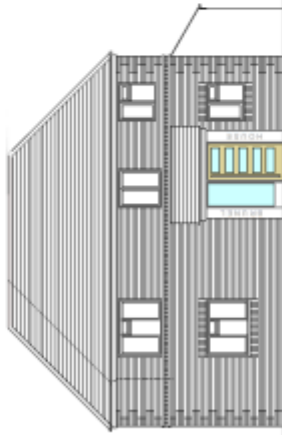
RED AVENUE ELEVATION (1/2)



BRUNEL ROAD ELEVATION (1/2)



SIDE ELEVATION 1:50



BRUNEL ROAD ELEVATION 1:50



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 5

<b>Application No.:</b>	16/01236/FULL
<b>Location:</b>	Hérons Court Terrys Lane Cookham Maidenhead SL6 9RR
<b>Proposal:</b>	Erection of new detached dwelling following demolition of existing dwelling and buildings
<b>Applicant:</b>	Ms Scott
<b>Agent:</b>	Mr Paul Butt - Paul Butt Planning Ltd
<b>Parish/Ward:</b>	Cookham Parish

**If you have a question about this report, please contact:** Antonia Liu on 01628 796697 or at [antonia.liu@rbwm.gov.uk](mailto:antonia.liu@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 The proposal for a new detached dwelling following the demolition of the existing house and outbuildings on site. While a replacement, the proposal would be a materially larger than the existing house and therefore represents inappropriate development, which by definition would be harmful to the Green Belt. Due to its scale, height, form, mass and bulk it would also result in the actual loss of openness across the site representing an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt namely 'to assist in safeguarding the countryside from encroachment', and harming the visual amenity of the locality.
- 1.2 A case of Very Special Circumstances has not been made by the applicant that clearly outweighs the harm by reason of inappropriateness and any other harm to justify the development.
- 1.3 The proposal is considered to be acceptable in terms of highway safety and parking, impact on neighbouring amenity, ecology and archaeology. At the time of writing, comments from the Council's Arboriculture Officer are still pending and will be reported in an update.

**It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):**

- |    |   |
|----|---|
| 1. | The proposal represents inappropriate development in the Green Belt which is by definition harmful to its openness and would conflict with one of the purposes of the Green Belt, and the applicant has failed to demonstrate that any very special circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal. |
| 2. | Due to its scale, height, form, mass and bulk the proposal would result in actual loss of openness across the site to the detriment of the representing an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt, and would harm the visual amenity of the locality.   |

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Clark if the Borough Planning Manager is minded to refuse the planning application to view the application on its merits.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site comprises of a large detached dwelling and a number of ancillary outbuildings, including a garage building with a residential flat above, greenhouse and stables. The site lies outside the

recognised settlement boundary of Cookham in the Green Belt, and within an Area of Special Landscape Importance.

- 3.2 To the west lies a railway line, to the east lies the neighbouring property known as The Meadows (formally known as Fiveways), to the north the neighbour known as The Paddocks and to the south, on the opposite side of Terrys Lane, are residential properties along Poundfield Lane.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1

Ref.	Description	Decision and Date
5923/64	Horse Box.	Approved – 27.6.1964
6725/65	Extensions.	Refused – 24.11.1965
7849/68	3 Stables.	Approved – 27.5.1968
96/30720	Residential dwelling in garden to replace flat at Herons Court.	Refused – 5.12.1997
14/00609	Part two part single storey rear extension with new front porch and associated alterations.	Approved 07.04.2014
14/03999	Erection of a detached dwelling following demolition of existing garage and annex and creation of new vehicular access.	Refused – 11.03.2015

- 4.2 The proposal is for a new detached dwelling following the demolition of an existing dwelling and outbuildings, including building incorporating garaging ground floor and ancillary accommodation at first floor level.

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 6, 7, 9 and 11.

##### Royal Borough Local Plan

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

	Within settlement area	Highway and Car parking
Local Plan	GB1, GB2, GB3, N1, DG1	T5, P4

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

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

##### Other Local Strategies or Publications

- 5.4 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](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether proposed development is inappropriate development within Green Belt and the effect of the proposed development on the purposes of the Green Belt, its openness, its visual amenity and the appearance of the surrounding countryside.
- ii Design and Appearance.
- iii Impact on Neighbours.
- iv Highway Safety and Parking.
- v Other Material Considerations.
- vi Planning Balance and the Case of Very Special Circumstances.

### **Green Belt**

#### Principle of Development

- 6.2 The site lies within the Green Belt with the fundamental aim to keep land permanently open as set out in paragraph 79 of the NPPF. Paragraph 89 of the NPPF indicates that with some exceptions the construction of new buildings is inappropriate development in Green Belt. The exceptions include the replacement of a building provided that the new building is in the same use and not materially larger than the one it replaces. In this case, the proposed house is considered to be significantly materially larger and therefore constitutes inappropriate development within the Green Belt. In comparison, the footprint of the original house measures approximately 215 square metres with a volume of approximately 1196 cubic metres while the proposed house would measure approximately 527square metres with a volume of approximately 3365 cubic metres. This represents an increase of approximately 245% in footprint and approximately 281% in volume. It should be noted that this excludes the basement as this would be entirely underground save for the external staircase. As such, it would not harm openness or visual amenity of the Green Belt and therefore could not be considered as an encroachment into the countryside.
- 6.3 In terms of whether the proposal is materially larger, the proposal includes the demolition of a number of buildings and the submitted planning statement cites *Tandridge District Council v Secretary of State for Communities and Local Government* which states that when interpreting 'building' for the purposes of paragraph 89 of the NPPF and established that 'building' can refer to either a singular or multiple structures on a site. The applicant therefore argues that taking into account the demolition of the ancillary flat and outbuildings, which represent a loss of approximately 469 square metres in footprint and approximately 1488 cubic metres in volume the proposed building would consequently result in a 157 square metre reduction in footprint and 780 cubic metre gain in volume. However, paragraph 2.1.25 in the supporting text of Local Plan policy GB3, which is largely consistent with the NPPF, specifically states that the calculation of replacement floor areas will exclude the area of existing outbuildings which are not part of the living accommodation of the original dwelling unless there are Very Special Circumstances. In the decision making process the weight that should be given to the policy is significant as the planning process is a plan led system. The weight therefore afforded to Local Plan Policy GB3 policy in this instance outweighs the consideration of the piece of case law cited above.
- 6.4 By reason of inappropriateness and in accordance with paragraph 88 of the NPPF the weight against the proposed development is substantial.

#### Purpose and Openness Character of Green Belt

- 6.5 Paragraph 79 of the NPPF states the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Greenbelt are their

openness and their permanence. In accordance Local Plan policy GB2 states that permission will not be granted for development if it would have a greater impact on the openness of the Green Belt or purposes of including land in the Green Belt. As inappropriate development in the Green Belt, the proposal is by definition harmful to its openness and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. It is therefore considered that the encroachment into the countryside would be substantially harmful to the Green Belt.

- 6.6 In terms of openness the proposal is considered to be materially larger than the existing house on the site. Height, form, mass and bulk should also be taken into consideration when assessing the impact on openness. In this instance it is considered that the prominent two-storey gables on the front (south-east) elevation, measuring some 9.5m in height and 6m in width and incorporating two-storey-bay windows measuring approximately 2.5m in depth, adds significant mass and bulk to the building. To incorporate living accommodation within the roof space, the ridge of the roof to the single-storey elements measures approximately 7.1m in height and project above the eaves of the two storey element. This is considered to increase the visual impact of the built development and add further bulk and mass. Overall, in comparison to the existing house, the increase in scale which is assessed in paragraph 6.3, the height, form and resultant bulk would have a greater actual and visual presence on the site and would materially erode the open character of the Green Belt. The loss of the existing outbuildings are not considered to sufficiently mitigate the loss of openness as a result of the new house as with the exception of the residential annex and garaging the outbuildings are single storey and low level and therefore have a significantly lesser impact.
- 6.7 In accordance with paragraph 88 of the NPPF the harm caused by reason of the encroachment into the countryside and loss of openness should be given substantial weight.

### **Design and Appearance**

- 6.8 There is no objection to the loss of the existing house and ancillary outbuildings which are not of any particular historic or architectural merit and it is acknowledged that the house and ancillary outbuildings are in poor condition. There is also no objection in relation to density as the proposal is for a replacement dwelling. While the proposed house is considered to be large and substantial it is not considered to be disproportionate or cramped within the plot being offset from the boundaries and with over 1,500 square metres of amenity space. However for the reasons outlined in paragraph 6.6 the proposed house, together with the additional hardstanding which equates to approximately 341 square metres, would result in the loss of openness and urbanisation of the site. The Cookham Village Design Statement states that the permissible size of buildings must relate to their context. The most important criterion is they should not appear to be over-dominant or to possess too great a mass vis-à-vis their surroundings, whether that may be neighbouring buildings or the open countryside. The site lies adjacent to the Cookham High Street Conservation Area and the relevant Conservation Area Statement states that the western end of the conservation area comprises of open spaces to the north and west The Pound and predominately agriculture in nature. As with other open areas of the village this openness provides an important contrast to the built areas of the village and help enforce the semi-rural nature of the settlement edge. Due to height, form, scale, mass and bulk, and amount of additional hardstanding the proposal fails to comply with this guidance, thereby failing to meet the aims and objectives of the Cookham Village Design Statement, and is considered to erode these identified characteristic, to the detriment of local character.
- 6.9 In terms of detailed design, the Cookham Village Design Statement states that for new development involving several dwellings it is important that new development should relate in a vernacular manner to the appearance of the neighbouring parts of Cookham. While the proposal involves a single replacement dwelling rather than several dwellings, given the aim to visually integrate new development harmoniously, this guidance is considered applicable and in particular policy G6.4. The site also lies within an Area of Special Landscape Importance and the Council's Landscape Character Assessment identifies that settlement within this landscape is variable, but a key characteristic is the vernacular style of traditional building forms. In this case the design incorporates overly ornate and decorative architectural features including colonnades, decorative brackets along the eaves, pointed pediments, rounded arch windows and contrasting stone

dressings. These features are not considered to be in keeping with this locality which is characterised by clean and simple lines. As such, the proposal is considered to be unduly incongruous with the character of the locality.

- 6.10 For these reason the proposal is considered to be contrary to Local Plan policy DG1 which states that harm should not be cause to the character of the surrounding area through development which results in the loss of important features that contribute to the character, N1 which states that Council will resist proposals that detract from the special quality of that landscape.

### **Impact on Neighbours**

- 6.11 The relationship of the proposed house with adjacent neighbours at Paddocks to the north, Fiveways to the east, and Dawn Chorus and Fox Hollow to the south are considered acceptable given the separation distances. The nearest part of the proposed house to Paddocks would be the garage, which is sited approximately 4m from the shared boundary and over 25m from the house at Paddocks. Furthermore, while incorporating a 7.1m high ridge, a hipped roof is proposed that reduces mass and bulk. In relation to Fiveways, the two properties are separated by a shared private drive and there would be a distance of over 55m between the buildings. Dawn Chorus and Fox Hollow are located on the opposite site on Terrys Lane with over 30m between buildings. As such it is considered that there would be no unreasonable loss of light, visual intrusion or loss of privacy to occupiers of these neighbouring properties.

### **Highway Safety and Parking**

#### Access and Visibility

- 6.12 The site, Herons Court, is located on Terrys Lane, Cookham. Terrys Lane is an adopted highway with a 60mph speed limit, however such speeds are rarely achieved as the road is very narrow. Terrys Lane is not street lit and has no forms of traffic calming. The proposal would consist of closing the existing access and constructing two new accesses to the east of the site off a private road. Both accesses would be gated. The accesses would provide good visibility when exiting the site.

#### Vehicle Parking and Cycle and Refuse Storage

- 6.13 In accordance with the Council's adopted parking standards a 6 bedroom dwelling would require 3 parking spaces. It is considered that there is sufficient room to accommodate 6 spaces on site on proposed hardstanding and within the proposed garage. The plan shows that there is enough room to accommodate cycle and refuse storage.

#### Vehicle Movements

- 6.14 The construction of a 6 bedroom dwelling has the potential to generate between 12 – 24 vehicle movements per day, which is not considered to significantly over and above the existing situation. The proposal is therefore not considered to be unduly impactful on local highway infrastructure.

### **Other Material Considerations**

#### Trees

- 6.15 A good tree cover is present on the site itself as well as adjacent sites, with many semi-mature and mature trees of both native and exotic origin characterising the local area. The applicant has submitted an Arboriculture Report and Tree Protection Plan. Comments from the Council's Arboriculture Report are still pending and comments will be reported in an update.

#### Ecology

- 6.16 During the ecological appraisal which was undertaken in April 2015 a small number of bat droppings were recorded within the garage and a number of the other structures on site were recorded as having the potential to support bats. Further surveys revealed one common

pipistrelle emerging from around the lead flashing on the west facing dormer window of the main house and it was concluded that this was a summer roost of a single pipistrelle bat. The applicant has provided a bat mitigation and compensation plan with appropriate mitigation measures to compensate for the loss of the roosts within the buildings and includes the creation of replacement roosting opportunities, removal of bat roosting features under a watching brief and exclusion of any bats within the buildings all of which will be detailed within a method statement to accompany a European Protected Species licence. If minded to approve, this mitigation strategy could be secured by condition to make the development acceptable and comply with paragraph 109 and 118 of the NPPF.

- 6.17 Suitable habitats to support reptiles were recorded at the site and a further survey recorded the presence of a slow worm. The applicant's ecologist has recommended that a precautionary approach to vegetation clearance is followed in order to prevent the killing or injury of reptiles during development. If minded to approve this could be secured by condition to make the development acceptable and comply with paragraph 109 and 118 of the NPPF.
- 6.18 The trees, hedgerows and scrub were recorded as having the potential to support breeding birds. If minded to approve an informative is recommended to ensure vegetation removal is undertaken outside the breeding bird season (which spans from March to August inclusive) or immediately after subject to checks by an experienced ecologist.

#### Archaeology

- 6.19 Berkshire Archaeology's Historic Environment Record (HER) records a Saxon (AD 400 –900) inhumation cemetery 150m to the north of Herons Court, which appears to represent a cemetery of unknown extent while the associated settlement and fields of those buried in this cemetery will lie nearby. Evidence for prehistoric and Saxon remains were recorded during archaeological investigations to the south of Herons Court in 2008. An archaeological watching brief during the construction of extensions to the rear of Spencers (now The White Oak) recorded a high number of buried archaeological remains including some shards of rare Late Neolithic (3,300 – 2,100 BC) Grooved Ware pottery, pits and a ditch containing Early to Middle (6th – 7th century AD) pottery and a pit containing Saxo-Norman (10th – 11th-century AD) pottery. If permitted, the construction of the new house would potentially impact on buried archaeological remains. There is no objection in principle, however, subject to a condition to secure the implementation of a programme of archaeological works, (which may comprise one or more phases of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority. Subject to this condition in the event of approval the proposal would accord with paragraph 128 of the NPPF.

#### **Planning Balance and the Case of Very Special Circumstances**

- 6.20 The NPPF states that inappropriate development is by definition harmful to the Green Belt, and should not be approved except in very special circumstances (VSC). Therefore the main issue is whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations which would amount to very special circumstances necessary to justify the development. Substantial weight is given against the development by reason of its inappropriateness, conflict with the purpose of the Green Belt, and harm to openness.
- 6.21 Paragraph 5.11 of the submitted Planning Statement the applicant cites a 'fall back' position is a material consideration in this case could amount to VSC necessary to justify the development. The 'fall back' comprises of what could be constructed under 'permitted development' to provide for the accommodation sought in the current application. However, the intention to implement permitted development is normally only given limited weight in favour of the proposal as there is no guarantee that these works can or will be implemented. It is also unclear how extensions under permitted development would result in development that is comparable to the scale, height and form of the proposed house. The applicant has cited a specific appeal case in Oxford where the Inspector opined that there was a likelihood of the 'fall back' position being implemented and it was appropriate to assess the proposed development against the 'fall back' position, but the appellant had obtained planning permission and a lawful development certificate in relation to the accommodation sought with plans showing how, within the limits of what may be lawfully

constructed, the works would be undertaken. No such steps or evidence have been taken by the applicant and so in this respect very little weight is assigned to the existence of a fallback position as none has been demonstrated with the proposal.

- 6.22 The applicant has also put forward the case of enhancement to openness and to the countryside character of the Green Belt as the new dwelling would be less conspicuous than the existing development. For the reasons in paragraph 6.6 it is considered that the design of the new dwelling would be visually prominent and would erode openness in comparison to the existing house and outbuildings. The applicant has also put forward a case that the countryside character would be improved through extensive new landscaping. No landscaping details have been submitted to support this case and for the LPA to assess the level of improvement and if there is reliance on landscaping to constitute Very Special Circumstances it is considered appropriate that details should be submitted prior to determination rather than secured by condition. Lastly, the applicant has stated that the scale, siting and design have been considered against Policy DG1, H10 and the Cookham Village Design Statement. However, compliance with DG1, is a policy requirement and would have to be met unless there are material considerations that indicate otherwise and Policies H10 and H11 are not relevant to the determination of this application. Furthermore, it is not considered that the proposal meets the aims and objectives of policy DG1 in relation to the loss of open character, which is a defining feature of the locality. It is therefore not considered that a case for VSC has been made by the applicant.
- 6.23 The NPPF also requires a balancing exercise of benefits against harm. The acceptability of the scheme in terms of highways, ecology and archaeology cannot be considered to outweigh the substantial harm to the Green Belt in respect of its inappropriateness, openness and purpose, or the moderate harm to the character of the countryside and locality. This is because the scheme is required to comply with the Development Plan; compliance with the plan cannot be then a benefit of the proposal.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

3 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 4 May 2016.

3 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Existing house is in poor condition and design of new house will enhance the area / be an asset to Cookham.	Para. 6.6, 6.8 – 6.11
2.	Will have little visual impact on neighbouring properties and setting does merits the scale and nature of proposed house.	Para. 6.8, 6.11
3.	No increase in traffic to Terry's Lane.	Para. 6.14

### Other Consultees

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	Berkshire Archaeology's Historic Environment Record (HER) records a Saxon (AD 400 – 900) inhumation cemetery 150m to the north of Herons Court and evidence for Saxon as well as prehistoric remains were recorded during archaeological investigations to the south of Herons Court in 2008.	Para. 6.19

	<p>If permitted, the construction of the new house would potentially impact on buried archaeological remains. There is no objection in principle, however, subject to condition to secure the implementation of a programme of archaeological works, (which may comprise one or more phases of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority to accord with paragraph 141 of the NPPF.</p>	
Cookham Parish Council	<p>Objects on overdevelopment in the Green belt, comprising its openness.</p>	<p>Para. 6.2 – 6.7</p>
Ecology	<p><u>Bats</u>  The submitted ecology appraisal / surveys recorded bat droppings were found on site and one common pipistrelle was recorded emerging from the main house. All species of bat are protected and it is illegal to deliberately or recklessly kill, injure, capture or disturb bats, obstruct access to bat roosts or damage or destroy bat roosts, whether occupied or not. The applicant has provided a mitigation and compensation plan with appropriate measures to the loss of roosts and removal of bat roosting features. Should the LPA be minded to approval the proposal, the submitted mitigation measures should be secured by condition.</p> <p><u>Reptiles</u>  The submitted ecology appraisal / surveys recorded the presence of slow worms, which is a protected species. All native species of reptile are protected from killing and injury. The applicant’s ecologist has recommended that a precautionary approach to vegetation clearance is followed in order to prevent the killing or injury of reptiles during development. Should the LPA be minded to grant planning permission the submitted mitigation measures should be secured by condition.</p> <p><u>Birds</u>  The trees, hedgerows and scrub were recorded as having the potential to support breeding birds. Breeding birds, their eggs and active nests are protected. Should the LPA be minded to grant planning permission a condition is recommended that vegetation removal should be undertaken outside the bird breeding season ( March to August inclusive) or else vegetation clearance should be undertaken immediately subsequent to checks by an experienced ecologist.</p> <p><u>Biodiversity</u>  To accord with paragraph 109 of the NPPF and Section 40 of the Natural Environment and Rural Communities Act 2006 it is recommended that detailed ecological enhancement proposals are provided to the local planning authority for their approval. Enhancements suitable for this site include native species planting, installation of bird and bat boxes and creation of log piles.</p>	<p>Para. 6.16 – 6.18</p>



Environmental Protection	No objection subject to informatives relating to contaminated land, dust and smoke control, and hours of construction.	Noted
Local Highway Authority	<p>No objections to the proposal subject to the following - Conditions:</p> <p>No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking 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. Relevant Policies - Local Plan P4, DG1.</p> <p>5 The existing access to the site shall be stopped up and abandoned immediately upon the new accesses 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.</p> <p>Informatives:</p> <p>5 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.</p>	Para. 6.12 - 6.14

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan
- Appendix B - Site Layout
- Appendix C - Proposed Plans and 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 NPPF.

In this case the issues have not been successfully resolved.

## 10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The proposal represents inappropriate development in the Green Belt which is by definition harmful to the Green Belt, and the applicant has failed to demonstrate that Very Special Circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal. The proposal is therefore contrary to paragraph 87, 88 and 89 of the National Planning Policy Framework (2012) and saved Policies GB1 and GB3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003).
2. Due to its scale, height, form, mass, bulk and amount of hardstanding the proposal would result in the actual loss of openness across the site and urbanisation of the site. This would conflict with one of the main purposes of the Green Belt, and be unduly harmful to the open and rural character of Area of Special Landscape Importance and the locality in general. Furthermore the

form and design of the proposed house would be incongruous with the vernacular architecture that is characteristic of the area, to the detriment of visual amenity. This is contrary to Paragraph 60, 79 and 80 of the National Planning Policy Framework (2012) and saved Policy GB1, GB3, GB2 (a), DG1 and N1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations adopted June 2003), and policy G6.4the Cookham Village Design Statement 2013.

Appendix A



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Scale @ A4 1:1,250





0 1 2 3 4 5 6 7 8 9 10

**EXTERNAL FINISH MATERIALS**

**ROOF** - Bare stone with matching untreated and white zinc. Soffits, top gable and eaves. Lead cladding.

**WALLS** - Red facing brickwork with white window surrounds and dressings.

**WINDOWS** - white painted hollow-leaf high quality and fully opening doors.

FRONT ELEVATION (SOUTH-EAST)

REAR ELEVATION (NORTH-WEST)

LEFT FLANK ELEVATION (SOUTH-WEST)

RIGHT FLANK ELEVATION (NORTH-EAST)

**See a separate Library and book on site of the site and the Library building at the site.**

**PROPOSED REPLACEMENT DWELLING AT HERRONS COURT, TERRY'S LANE, COORHAM, SL6 9KR**

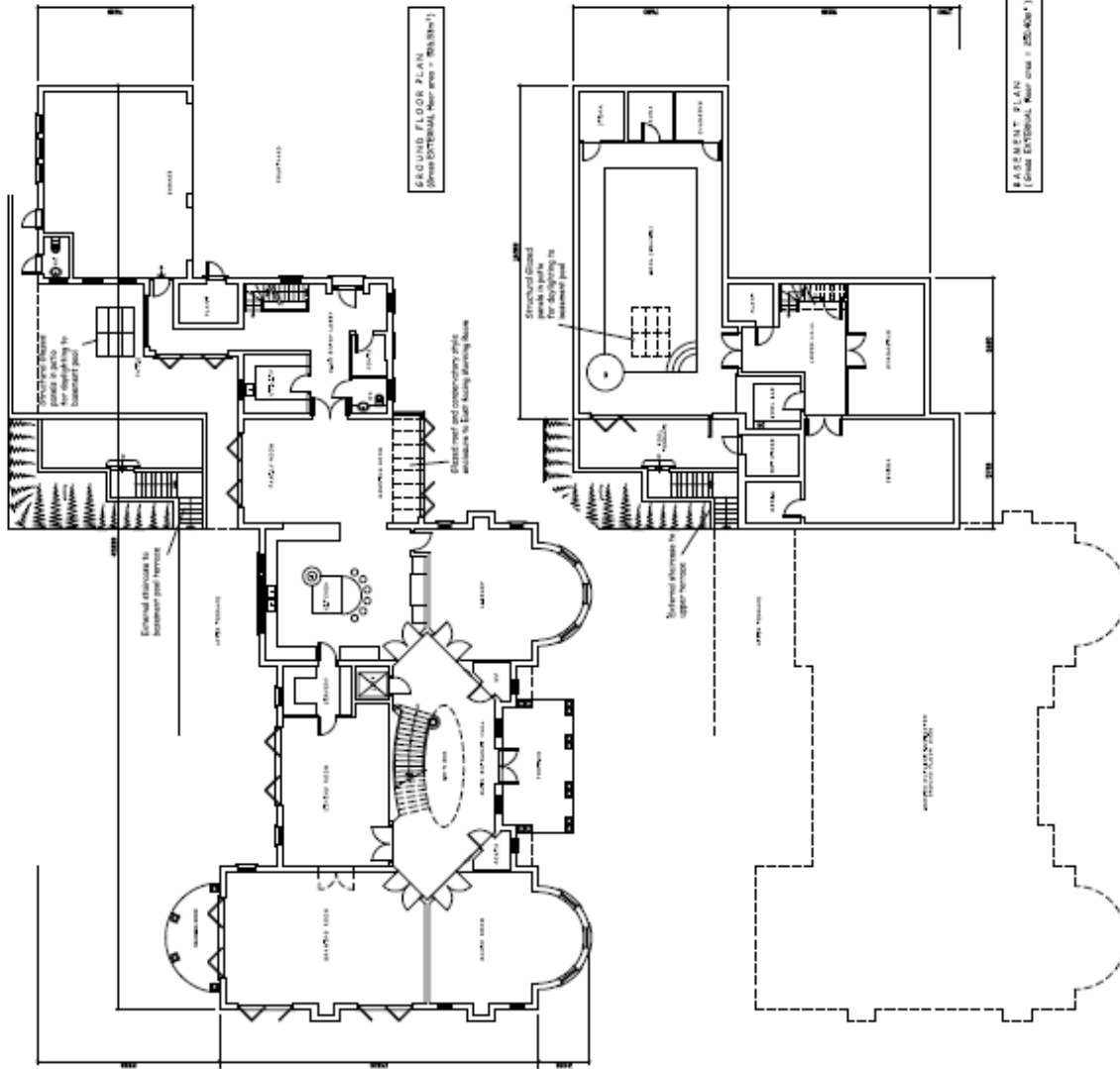
**HOUSE TYPE ELEVATIONS AS PROPOSED**

**CAROL & SIMONE SCOTT**

**1127/03 Rev A**



INDICATIVE ONLY



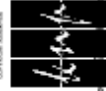
GROUND FLOOR PLAN (Gross External, floor area = 204.50m<sup>2</sup>)

BASEMENT PLAN (Gross External, floor area = 252.40m<sup>2</sup>)

See A Schedule Part 1a, for instructions as to how to read this section

THIS SET OF DRAWINGS IS INTENDED TO BE USED AS A GUIDE ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION OR AS A BASIS FOR ANY CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.

CONTRACT DOCUMENTS



Design submitted for & shown following

11/11/2010

11/11/2010

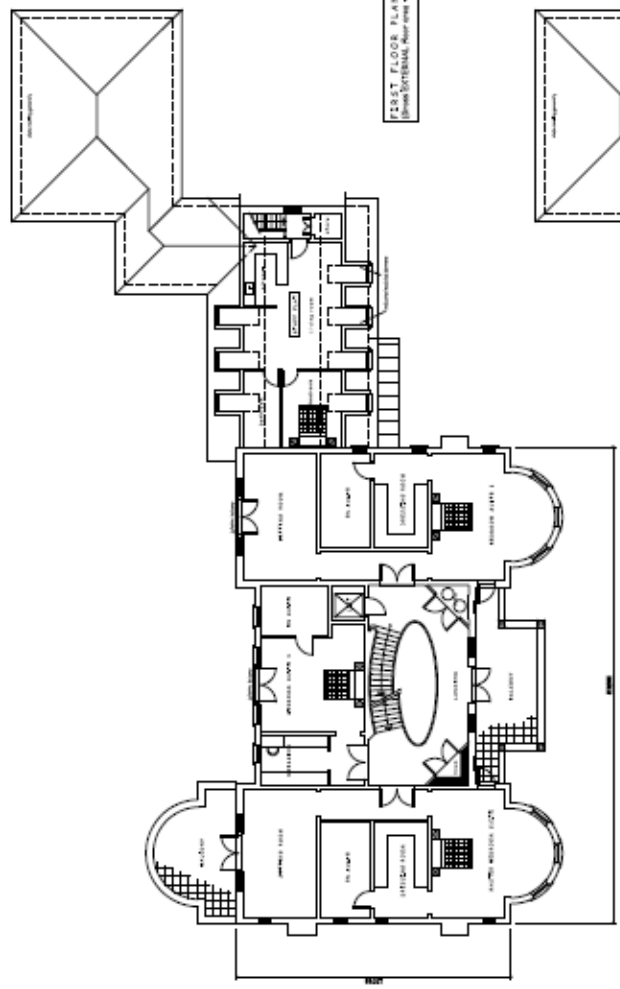
11/11/2010

<p>PROPOSED REFRACTORY DWELLING AT          HERONS COURT          TERRY'S LANE, COOKHAM SL4 9RR</p> <p>HOUSE TYPE FLOOR PLANS          AS PROPOSED          BASEMENT &amp; GROUND FLOOR</p> <p>Scale: 1:100          Date: 11/11/10</p> <p>Project No: 11201/03 Rev A</p>	<p>CAROL &amp; SIMONE SCOTT</p>
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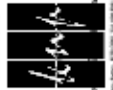
INDICATIVE ONLY

FIRST FLOOR PLAN  
(Gross External Floor area = 807.00m<sup>2</sup>)



SECOND FLOOR/ROOF PLAN  
(Gross External Floor area = 600.00m<sup>2</sup>)

Rev B PLANNING PLAN: This plan is intended to show the proposed layout of the building and the location of the proposed external works. It is not intended to show the detailed layout of the building or the location of the proposed external works. It is not intended to show the detailed layout of the building or the location of the proposed external works. It is not intended to show the detailed layout of the building or the location of the proposed external works.



Architect	CAROL & SIMONE SCOTT
Project Name	PROPOSED REPAIR/ACTIVATION DWELLING AT HERONS COURT TERRYS LANE COOKHAM SL6 5RR
Client	HOUSE TYPE FLOOR PLANS AS PROPOSED FIRST & SECOND / ROOF
Date	11/20 / 04 Rev B

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 6

<b>Application No.:</b>	16/01292/FULL
<b>Location:</b>	Hedsor Cottage 11 Maidenhead Court Park Maidenhead SL6 8HN
<b>Proposal:</b>	Erection of detached dwelling following demolition of existing garage and annexe
<b>Applicant:</b>	Mrs Hock
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Maidenhead Riverside Ward

**If you have a question about this report, please contact:** Antonia Liu on 01628 796697 or at [antonia.liu@rbwm.gov.uk](mailto:antonia.liu@rbwm.gov.uk)

## 1. SUMMARY

- 1.1 The proposal for a new detached dwelling following the subdivision of the existing plot and demolition of the existing garage and annex is the same as the previously refused scheme under 14/03999/FULL, which was refused on the grounds that it would lead to an unacceptable risk to people in the event of a flood. The proposal is considered to fail the Sequential Test as it fails to demonstrate that the development could not be located in areas with a lower probability of flooding. The submitted Flood Risk Assessment also contains no new information or evidence that demonstrates safe access and egress to an area wholly outside of the 1% Annual Exceedance Probability (AEP) plus 20% allowance for climate change flood extent. The proposal would therefore result in an unacceptable risk to the health and safety of the occupants during a flood event, and would place an increased burden on the emergency services during a time of flood, contrary to paragraph 103 of the NPPF and Local Plan policy F1. In terms of wider sustainability benefits to the community that outweigh flood risk, it is noted that the development would provide new housing which would be a clear benefit. Notwithstanding this it is not would not outweigh the risk to people due to the lack of a safe escape.
- 1.2 The proposal is considered acceptable in terms of impact on character and appearance, impact on neighbours, and highway safety and parking.
- 1.3 At the time of writing, comments from the Environment Agency are still pending. Further comments will be reported in an update.

**It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):**

- |    |  |
|----|--|
| 1. | The application site lies within an area at high and medium risk from flooding and the proposal fails the Sequential Test and the Exceptions Test as it would not provide wider sustainability benefits to the community that outweigh flood risk and would not be safe for its lifetime taking account of the vulnerability of its users. The proposal is therefore contrary to saved Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraph 103 of the NPPF. |
|----|--|

## 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Diment irrespective of the recommendation due to concerns over bulk, scale and positioning of the development.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 This application comprises of a large plot containing a large two-storey detached dwelling, which is set further back into the plot than the adjacent houses, with a single-storey triple garage and adjoining outbuilding sited to the front of the main house. The site is situated within a residential area which is located in Flood Zone 2 and 3a. The boundary of Maidenhead Settlement cuts across the rear garden of the site, with Green Belt to the west.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
14/00609/FULL	Part two part single storey rear extension with new front porch and associated alterations.	Approved – 07.04.2014
14/03999/FULL	Erection of detached dwelling following demolition of existing garage and annexe and creation of new vehicular access.	Refused – 11.03.2015
93/00857/FULL	Change of use of agricultural land to residential.	Approved – 31.03.1993
93/00854/FULL	Detached single storey building to house swimming pool.	Refused – 28.12.1993
92/00795/FULL	Single storey extension to garage to form garden and pool store.	Approved – 01.04.1992
91/00869/FULL	Pitched tiled roof to existing garage.	Approved – 31.03.1991
87/00874/FULL	Erection of two storey front extension.	Approved – 10.11.1987

- 4.1 The proposal for a new detached dwelling following the subdivision of the existing plot and demolition of the existing garage and annex is the same as the previously refused scheme under 14/03999/FULL, which was refused on the grounds that the proposal is unable to provide a safe escape route that can be used by all future occupiers of the dwelling during a severe flood event. It would therefore increase the number of people and properties at risk from flooding. No appeal was lodged.

### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 6, 7 and 10

#### Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Flood Risk	Trees
DG1, H10, H11	P4, T5	F1	N6

#### Supplementary planning documents

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

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

#### Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Principle of Development.
- ii Flood Risk.
- iii Character of the Area.
- iv Impact on Neighbours and Future Occupiers.
- v Highway Safety and Parking.
- vi Other Material Considerations.

### **Principle of Development**

6.2 The site is situated within an established residential area within Maidenhead. Development in such areas is acceptable in principle provided that the provisions of the NPPF and Local Plan policies can be satisfied.

### **Flood Risk**

#### Sequential Test

6.3 The application site is located within Flood Zone 2 (medium probability of flooding) and Flood Zone 3a (high probability of flooding), with the proposed dwelling sited in Flood Zone 2, surrounded by Flood Zone 3a. In accordance with paragraphs 101 to 102 of the NPPF the proposed residential development must successfully pass a flood risk sequential test in order to direct development to the lowest risk areas of flooding first, before land in the medium and high probability of flooding classifications. A sequential test has been submitted by the applicant which uses the most recent version of the Council's SHLAA (January 2014) to identify potential housing sites within the Borough. In relation to size, the assessment has been made on sites which are comparable in area and potential yield (sites listed in Appendix D – Small Sites Under 0.25ha), which is considered acceptable. However, the applicant has discounted a number of sites on the basis that they are unlikely to be available to the applicant. The issue is whether there are other housing sites within the Borough with a lower flood risk that could accommodate the proposed development. The Sequential Test does not specifically require sites to be available to a particular owner/applicant (in accordance with advice set out in the Environment Agency's advice note 'Demonstrating the flood risk Sequential Test for Planning Applications' April 2012) It is considered insufficient evidence has been provided by the applicant to demonstrate that alternative sites are not reasonably available to accommodate this new house in a lower flood risk area. The proposal therefore fails the Sequential Test in this respect.

#### Exceptions Test

6.4 As it is shown that it is not possible for development to be located in zones with a lower probability of flooding, an Exceptions Test must be applied to demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk and a site-specific Flood Risk Assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.

- 6.5 The submitted FRA by AA Environmental Ltd dated December 2014 states that the existing ground floor levels of the annexe will be maintained for the new dwelling at 25.43m which is 0.58 metres above the 1 in 100 year (plus climate change) flood level which is acceptable. However, the FRA fails to demonstrate that the development can provide appropriate safe access and egress for future occupants with a 'very low' hazard rating in accordance with FD2320/TR2 and the National Planning Policy Guidance from the development to an area wholly outside of the 1% Annual Exceedance Probability (AEP) plus 20% allowance for climate change flood extent. While the occupants could reach a 'dry island', which comprises of a residential area known as Maidenhead Court located within Flood Zone 1, by following the road southwards for approximately 25m it is considered that given the size and residential nature of the 'dry island' it would be unable to adequately provide essential supplies and facilities i.e. food, drinking water, shelter and medical treatment throughout the duration of a flood event. Consequently it would be likely that emergency services would be called upon to move occupiers, especially those less able. The proposal would therefore increase the number of people at risk from flooding, would result in an unacceptable risk to the health and safety of the occupants during a flood event, and would place an increased burden on the emergency services during a time of flood, contrary to paragraph 103 of the NPPF and Local Plan policy F1.
- 6.6 The applicant considers that the flood risk can be satisfactorily mitigated by the submitted Flood Evacuation Plan and the proposal has been re-submitted on the basis of a number of recent cases where the Council has adopted Flood Evacuation Plans to overcome flood risk. The Council does not normally accept reliance on Flood Evacuation / Management Plans to demonstrate that the development would be safe over its lifetime in the event of the flood as there is no guarantee that people would / could heed warnings to vacate or be aware of the time duration of flooding at the time of any warning. Therefore, it is essential that a safe route of access and egress from the development to an area wholly outside the 1% Annual Exceedance Probability (AEP) plus 20% allowance for climate change flood extent can be provided and maintained during flood events. Each application is considered on its own merits and as with the previous refusal it is considered that there are no specific circumstances or material considerations that would support sole reliance on a Flood Evacuation Plan. No new information or evidence has been submitted with the current application to support a contrary position.
- 6.7 Paragraph 3.5 of the FRA states that any additional development has the capacity to displace flood water in the event of an increase in building footprint and the proposed development would result in an increase over and above the existing situation. In relation to flood compensation comments from the EA are still pending will be reported in an update.
- 6.8 In terms of wider sustainability benefits to the community that outweigh flood risk, it is noted that the development would provide new housing which would be a clear benefit. Notwithstanding this it would not outweigh the significant risk to people during a flood event due to the lack of a safe escape.
- 6.9 Planning history is a material consideration and it is noted that 14/03999/FULL was refused on the lack of a safe escape route, thereby increasing the number of people and properties at risk from flooding. However, based on its own merits for the aforementioned reasons the proposal is considered to fail the Sequential Test and the Exception Test in terms of wide sustainability benefits as well safe access and egress, and therefore contrary to the paragraph 102 of the NPPF and Local Plan policy F1.

### **Character of the Area**

- 6.10 Maidenhead Court Park is an attractive residential area which is characterised by detached dwellings set within relatively modest to large plots with landscaped frontages which gives a spacious, verdant feel. In terms of the style of dwellings there is a mixture of bungalows, two storey dwellings to two and a half storey dwellings ranging from Edwardian style to later twentieth century suburban housing.

- 6.11 The left side of Maidenhead Court Park from No's 3 to 17 is sited approximately in line within one another with the exception of Hedsor Place and Redlands Cottage which are set significantly further back from the road. The new dwelling would be sited fronting Maidenhead Court Park to the front of Hedsor Place and in the gap between no. 9 and no. 13 Maidenhead Court Park, approximately in line with these two adjacent properties. While the proposal would result in a tandem development, due to its siting to the front it is considered that the new house would read as a continuation of the prevailing building line along this section of Maidenhead Court Park and therefore acceptable in this case. Following subdivision, the resultant plot for the existing house at Hedsor Place would still be large in size and comparable with plot within the locality. The plot for the proposed house would be smaller, but the house is not considered to be cramped being offset from the boundaries, with over 150sqm of amenity space to the rear and there would be sufficient space to accommodate soft landscaping along its frontage. If recommended for approval and a landscaping scheme could be secured by condition to mitigate the loss of existing greenery to the front of Hedsor Place and maintain the existing verdant character of the street. The space between the new house and shared flank boundary with no. 9 Maidenhead Court Park would be narrower than the prevailing gaps between buildings along this section of Maidenhead Court Park, but it is considered that the 1.5m gap and hipped roof would maintain the sense of space between buildings and present visual terracing. The scale of the proposal and the lower eaves design is considered to result in dwelling that sits comfortably between both the existing neighbours, which comprises of a two storey and two and half storey dwelling.
- 6.12 In terms of the design of the dwelling, it incorporates similar features to that of Hedsor Place with the roof design and double fronted gables.
- 6.13 For these reasons the proposed dwelling is considered to be of a high quality design that would be in keeping with the character and appearance of the area in accordance with Local Plan Policies DG1, H10 and H11 and the provisions of the NPPF in this respect.

#### **Impact on Neighbouring Amenity and Future Occupiers**

- 6.14 The proposed dwelling would be sited approximately in-line with no. 9 and 13 Maidenhead Court Park and would not extend significantly further forwards or rearwards of these adjoining houses. It is therefore not considered to result in a significant loss of light to or visual intrusion when viewed from their rear and front windows or neighbouring gardens. It is noted that no. 9 Maidenhead Court has a number of ground-floor and first-floor side windows on the northwest elevation. On the ground floor there is a window serving a kitchen, but as this kitchen window is north facing and not the only source of natural light or outlook with another kitchen window on the southwest elevation, this relationship is considered acceptable. The remaining ground floor windows serve non-habitable rooms. With regards to the first-floor, the proposal dwelling would not intrude through a 25 degree taken from the mid-point of these side-facing windows and therefore unlikely to result in an undue loss of light or visual overbearing to the detriment of neighbouring amenity. With regards to no. No. 13 Maidenhead Court Park there are no side windows to the main house on the southeast elevation, with only a high level, ground floor window serving the adjoining garage. As this is a non-habitable room, the proposal is not considered to result in undue harm to neighbouring amenity in this respect.
- 6.15 A first floor window is proposed on the southeast elevation of the proposed house which would face no. 9 Maidenhead Court Park. However, this would serve an en-suite and if it had been recommended for approval a condition could be attached to any permission granted to ensure that the window was obscurely glazed and non opening to a level of 1.7m above finished floor level. Windows to the front and rear elevation are not considered to result in an undue loss of privacy which materially differ or add to existing levels of overlooking. Concerns have been raised over loss of privacy from a proposed balcony, but no balcony is shown on the proposed floor plan or elevations (drawing ref: D1418/PL02 B and D1418/PL03 A). A distance of 24 metres would be maintained between Hedsor Place and the proposed dwelling from front to rear which would be considered sufficient to prevent any issues in respect to overlooking and loss of privacy.

- 6.16 The proposed dwelling would be of an appropriate size, there would be sufficient levels of natural light to serve the main living area and an appropriate level of private amenity size. It is considered that the proposed redevelopment would provide a good living environment for future occupiers.
- 6.17 Concerns were also raised over undue levels of smell from the proposal given its proximity to the neighbouring house at no. 9, but given that it is one unit and its residential nature it is not considered that the proposal would generate unreasonable levels of smell or other disturbances such as noise. Overall, the proposal is considered to meet the aims and objectives Core Planning Principle 4 of the NPPF.

### **Highway Safety and Parking**

- 6.18 Maidenhead Court Park is an adopted residential street which is approximately 6.0m wide and subject to a local 30mph speed restriction. There is a 2.2m wide footway adjacent to the proposed access point and a 2.0m wide verge and 1.3m wide footway opposite. The existing dwelling (Hedsor Place) has an in-out drive arrangement. It is proposed to utilise the centrally located access point to serve the new development and construct a new access further to the north in order to serve Hedsor Place. The proposed access to the existing and proposed house would achieve stopping sight distances of 2.4 x 43 metres each way, in compliance with the principles as set out in Manual for Streets, and so there are no objections in terms of visibility. The redundant southernmost access point will need to be stopped up for use by vehicles and the adjoining footway/verge crossover reinstated, which could be secured by condition.
- 6.19 The proposed car parking layout for the proposed house would provide adequate parking and turning facilities for two cars which would meet the Council's adopted Parking Standards for a 3-bed house. In addition, while the proposal involves the loss of garages for Hedsor Place, sufficient parking and turning would be retained for the existing 4-bed dwelling to the front of the house.
- 6.20 The proposed development would result in an increase in 6-12 vehicle movements per day, but would not be substantial enough to have a negative impact on highway safety and the local road network.
- 6.21 Overall, the proposal is considered to meet the aims and objectives of Local Plan policy P4 and T5.

### **Other Material Considerations**

#### Trees

- 6.22 The proposal would result in the loss of a tree, but it is not protected and is not considered to contribute significantly to visual amenity. As such there are no objections to its loss.

#### Contaminated Land

- 6.23 The site is located on an old gravel pit however there is no objection to the development subject to a condition if minded to approve in the event that unexpected soil contamination is found after development has begun.

#### Precedents

- 6.24 Concerns have been raised over the lawful status of the garage and annex and the precedence of build development in this location. Attention has also been drawn by local residents to planning applications within the locality to support their objection. The lawfulness of the garage and annex is a separate issue to this application, and the proposed house is assessed on its own merits against the policies in the Development Plan.

#### Housing Land Supply

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

6.26 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. However, it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwelling would not be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, in particular flood risk for the reasons in paragraph 6.4 – 6.9.

## 7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 The Council's Community Infrastructure Levy (CIL) document was subject to examination in March of this year. While this development is likely to place additional pressure on local services and infrastructure, the CIL has not yet been adopted, so the development would not be liable for any financial contributions at this time.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

4 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 2.06.2016.

15 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Out of character within the streetscene and wider locality due to the smaller plot size following subdivision, siting inconsistent with the uniform building line / there is no consistent building line and therefore attempts to unify it would be harmful, excessive bulk and poor design of the house, incongruous spacing between building, and lack of front garden with little space for planting contrary to the existing verdant character.	Para. 6.11
2. Overdevelopment of the site resulting in a cramped development. Density is too high and out of keeping with low density locality.	Para. 6.11
3. Increase in flood risk, no safe access or egress.	Para. 6.3 – 6.9
4. Dominant and overbearing, second floor balcony would result in overlook to neighbouring property, smells from new residential property would result in harm to neighbouring amenity.	Para. 6.14 – 6.17
5. Loss of a tree, loss of existing greenery / vegetation to the front of Hedsor Place.	Para. 6.11 and 6.22
6. Sited on an old gravel pit, raising concerns over land contamination.	Para. 6.23
7. Additional drive and insufficient parking, resulting in on-street parking, would be detrimental to character and highway safety.	Para. 6.18 – 6.21
8. Need for housing - local policies should not be disregarded in light of NPPF. Development would not make a significant contribution to housing need. Maidenhead is already building housing to meet	Para. 6.25 – 6.26

	demand.	
9.	Loss of view of Hedsor Place which is an attractive building.	Not a material planning consideration
10.	Precedent for tandem development, planning applications for similar development has been refused.	Each application must be considered on its own merits
11.	Garages and annex are not authorised, and the garage and annex should not set a precedent for build development in this location.	Each application must be considered on its own merits
12	Issues relating to party wall, damage neighbouring properties / foundations.	Not a material planning consideration

### Other Consultees

Consultee	Comment	Where in the report this is considered
Maidenhead Civic Society	Harm to streetscene, obscuring view of attractive existing house, break in building line, tandem development.	Para. 6.11 and loss of view to Hedsor Place is not a material planning consideration
Environmental Protection	No objection subject to condition related contaminated remediation in the event that unexpected soil contamination is found after development has begun, and informatives relating to dust and smoke control and hours of construction.	Para. 6.23
Local Highway Authority	<p>No objection subject to the following conditions:</p> <p><b>5</b> HA03A (new &amp; altered access to be provided as per approved drawing numbered D1418/PL01)</p> <p><b>6</b> HA9A (parking/turning layout as per Drwg. No. D1418/PL01).</p> <p><b>7</b> The existing southernmost access point to the site shall be stopped up and abandoned for use by vehicles immediately the new access arrangements being first brought into use. The adjoining footway and verge shall be reinstated.</p> <p>In addition, it is recommended that the following highway informatives be attached to any planning consent:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> HI04 (highway licence for new northern access; central access alterations and stopping up of southern access works).</li> <li><input type="checkbox"/> HI06 (recovery of costs re: any damage caused to footways/verges).</li> <li><input type="checkbox"/> HI07 (recovery of costs re: any damage caused to the public highway).</li> </ul>	Para. 6.18 – 6.21



## **9. APPENDICES TO THIS REPORT**

- Appendix A - Site Location Plan
- Appendix B - Site Layout
- Appendix C - Proposed Plans and 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 NPPF.

In this case the issues have not been successfully resolved.

## **10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

1. The application site lies within an area at high and medium risk from flooding and the proposal fails the Sequential Test due to the failure to demonstrate to the satisfaction of the Local Planning Authority that the development could not be located in areas with a lower probability of flooding. The proposal also fails the Exceptions Test as it would not provide wider sustainability benefits to the community that outweigh flood risk and would not be safe for its lifetime taking account of the vulnerability of its users. The proposal is therefore contrary to saved Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraph 103 of the NPPF.

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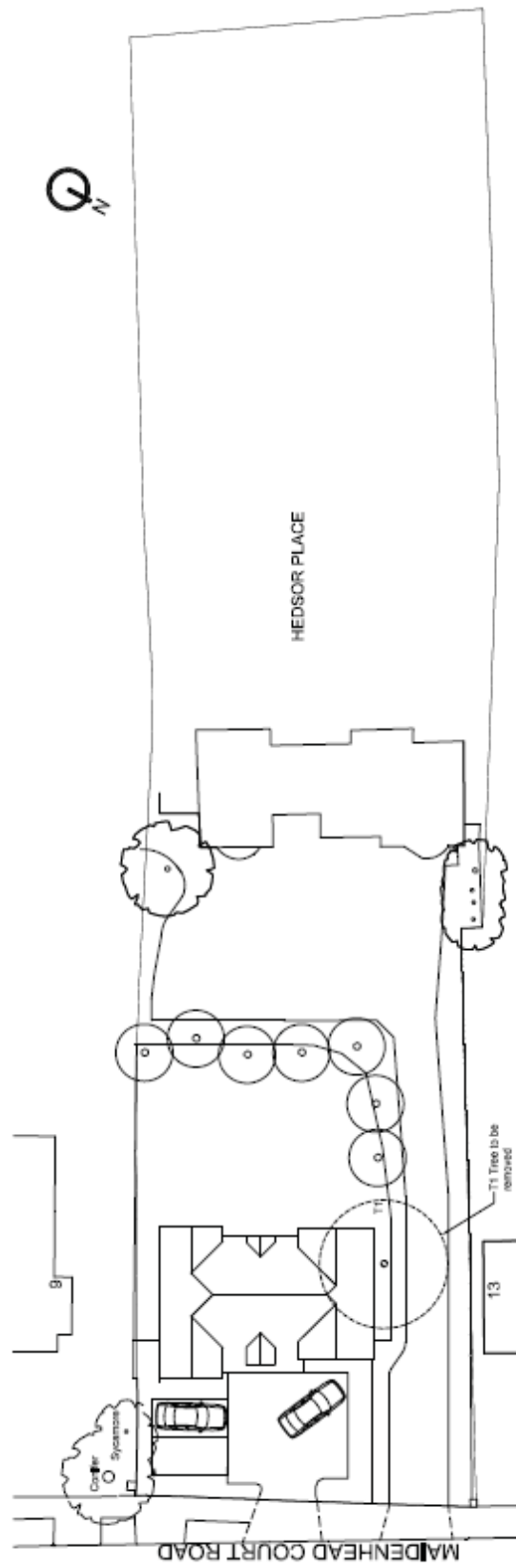
Appendix A



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Scale @ A4 1:1,250





Site Plan  
Scale 1:250

**FOR PLANNING**

Project: LAND AT HEDSOR PL., 11 MAIDENHEAD COURT PARK, SL6 8HN

Title: PROPOSED BLOCK

PLAN

Drawing Number: D1418/PL01

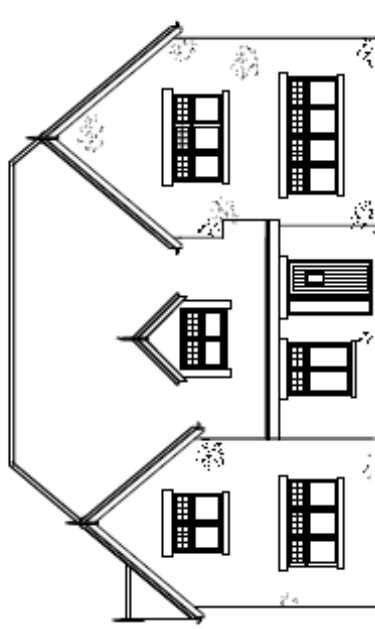
Date: NOV '14

Scale: 1:250 (see also 1:100 on page 10)

Author: AN AS STATED AT

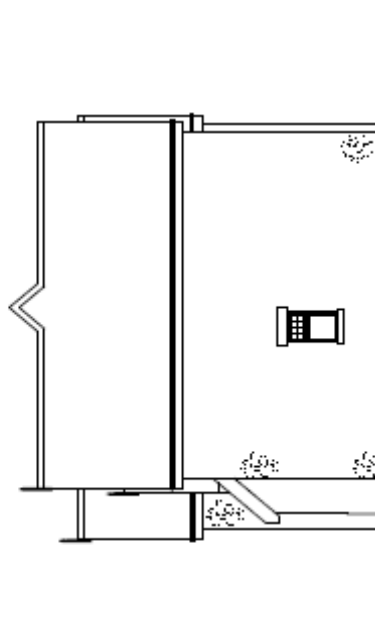
**Artichoke**  
Architectural Developments Limited  
71, Cliver Hill Road, Windsor, SL4 4DE  
01753 830 422 • 07793 318 035  
info@artichoke.co.uk





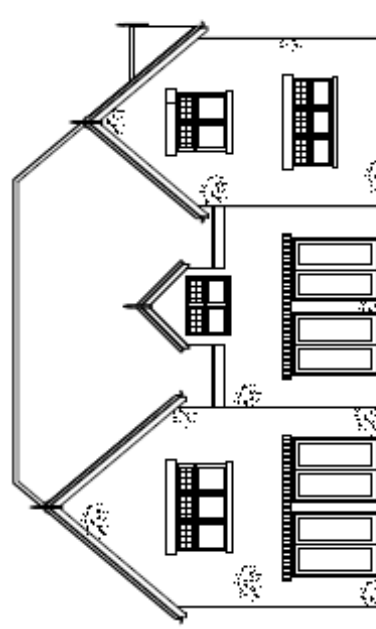
PROPOSED FRONT ELEVATION

Scale 1:100



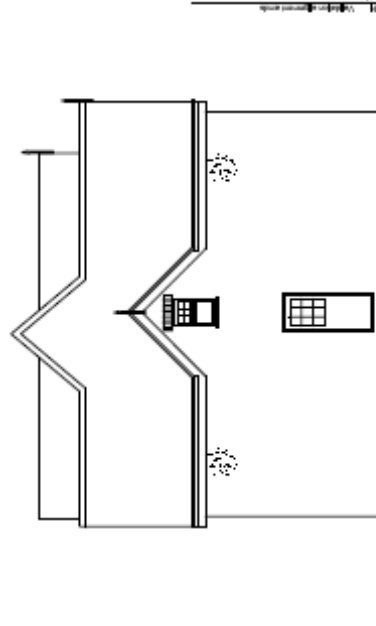
PROPOSED SIDE ELEVATION

Scale 1:100



PROPOSED REAR ELEVATION

Scale 1:100

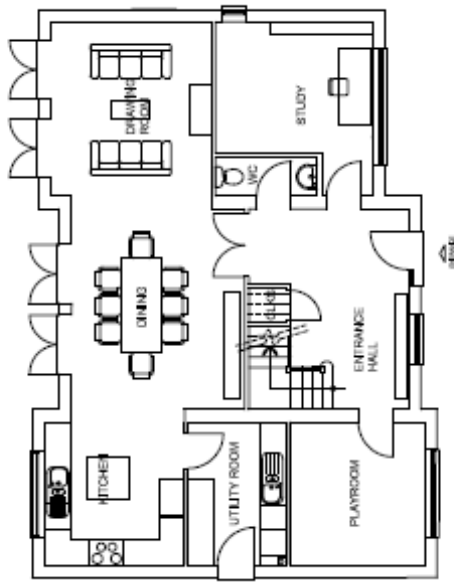


PROPOSED SIDE ELEVATION

Scale 1:100

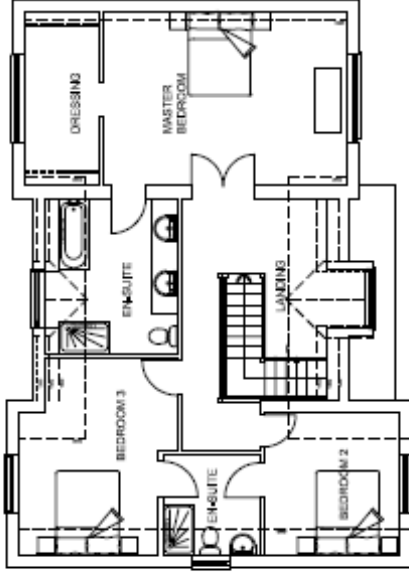
**FOR PLANNING**  
 Project: LAND AT HEDSOR PL,  
 11 MAIDENHEAD  
 COURT PARK, SL5 8HN  
 Title: PROPOSED  
 ELEVATIONS  
 Drawing Number: D1418/PL03  
 Date: NOV '14  
 Scale: A1  
 AN SEE DRGS A3  
 Paper: 216 Dia 220x310 Dia 100mm long  
 Version: A

**Artichoke**  
 Architectural Developments Limited  
 71, Clewer Hill Road, Windsor, SL4 4DE  
 01753 830 422 • 07793 318 035  
 info@artid.co.uk



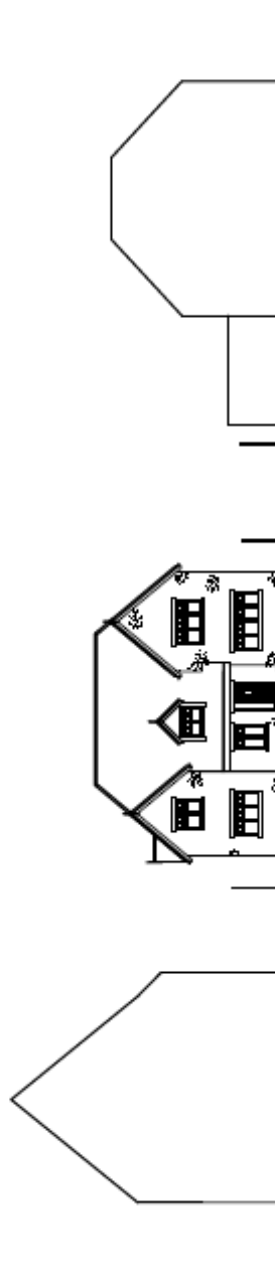
PROPOSED GROUND FLOOR PLAN

Scale 1:100



PROPOSED FIRST FLOOR PLAN

Scale 1:100



INDICATIVE STREET SCENE

Scale 1:200



**FOR PLANNING**

Project: LAND AT HEDSOR PL  
11 MAIDENHEAD  
COURT PARK, SL6 8HN

Title: PROPOSED PLANS &  
STREET ELEVATION

Drawing Number: D1418/PL02

Date: NOV '14

Scale: 1:100

Author: AN AS STATED AS

Info: For details, 100m long

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 7

<b>Application No.:</b>	15/03548/FULL
<b>Location:</b>	St Lukes CE Primary School Cookham Road Maidenhead SL6 7EG
<b>Proposal:</b>	Construction of new staff car park
<b>Applicant:</b>	Mrs Hough
<b>Agent:</b>	Mr Mustafa Chaudhary - Space Office Limited
<b>Parish/Ward:</b>	Maidenhead Riverside Ward
<b>If you have a question about this report, please contact:</b> Nosheen Javed on 01628 796040 or at nosheen.javed@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 The proposal is to provide 30 new staff parking spaces to the north-east side of the school on an area of land which is currently under used and does not form part of the playing fields. There is inadequate parking on site and this proposal would improve the existing situation, particularly as the school is currently using the car park at the adjacent vacant building St Edward's House, which would end when the building is used again. Therefore the total number of 34 parking spaces (4 existing spaces to remain) would be provided for staff on site. This significantly reduces the current short fall experienced at the site.
- 1.2 The walnut tree has limited amenity value and its loss would be compensated by replacement planting, which can be secured through a condition requiring a landscape scheme to be submitted prior to the commencement of the development. The proposal would be in compliance with saved policies of the Local Plan and the aims of the NPPF which seek to protect and improve community facilities. Consequently, planning permission is recommended, subject to conditions.

**It is recommended the Panel grants planning permission subject to the conditions listed in Section 10 of this report, provided that Flood Risk Engineer is satisfied with the details to mitigate surface water drainage. OR**

**To refuse planning permission if the flood matters have not been resolved satisfactorily by the updated consultation response received by the Flood Risk Engineer.**

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Borough Planning Manager 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 comprises of St Lukes CE Primary School, located within the settlement of Cookham as designated in the Local Plan proposals map. The site is adjoined by residential dwellings to the north and east and St Joseph Church to the south. There is an area Tree Preservation Order (TPO) on the trees along part of the east boundary continuing along the rear boundary and further along the boundary adjoining Cookham Road. The site is accessed via the access along St Edward's House from Ray Mill Road West with pedestrian access from Cookham Road. Adkinsons Alley adjoins the eastern boundary of the site.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The proposal is to provide 30 staff car parking spaces in a new area to the front of the school building (nursery) in the north east area close to the rear boundaries of Nos. 4 and 5 The Hyde.

This section is a grassed area which is currently under used and does not form part of the playing fields. The car park would be constructed from a porous tarmac surface to reduce surface water run-off.

- 4.2 Five existing car parking spaces located in the eastern section would be removed and a turning area would be created to access the new parking bays. The existing four parking spaces in front of the school including one disabled space would be retained as part of this scheme.

Ref.	Description	Decision and Date
12/01540/FULL	Construction of a single storey front office extension and single storey resources room extension. Insertion of new doors to 3 classrooms and door and windows to a corridor.	Approved 16.07.12

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 7 (Requiring good design); Section 8 (Promoting healthy communities) and Section 11 (Conserving and enhancing the natural environment).

### Royal Borough Local Plan

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

	Within settlement area	Highways/Parking issues
Local Plan	DG1, CF2	T5, P4

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

- Interpretation of Policy R2 to R6 - Public Open Space provision
- Sustainable Design and Construction

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- The principle of the development;
- The impact of the proposal on amenities of neighbouring properties;
- Impact on highways and parking and;
- Trees and Landscaping;

### The principle of the development



6.2 In principle no objections would be raised to the proposed area for staff parking as there is inadequate on-site parking provision for the 45 staff (39 equivalent full-time)

6.3 The design and access statement states:

*There are currently only 8 (including 1 disabled) car parking spaces on site for staff. There is temporary parking for 28 cars in the St Edward's House Car Park whilst that building is vacant. Once the temporary parking is no longer available, the school will be back to a situation of severely inadequate parking.*

6.4 The proposed 30 parking spaces would be located on an under utilised area and would not occupy any part of the playing fields. There is inadequate parking on site and this will be an improvement to avoid on-street parking and causing inconvenience to other local residents. Therefore, the proposal would be in compliance with saved policy CF2 which seeks to improve and enhance existing community facilities.

### **The impact of the proposal on amenities of neighbouring properties**

6.5 The site is well screened by tall trees along the boundaries adjoining the rear gardens of 1-5 The Hyde with garden depth of over 30 metres and a distance ranging from 11-19 meters would be retained to the flank boundary adjoining No. 24 Florence Avenue. A new 1.8 metre high close boarded fence would also be erected along this side securing the car park and preventing vehicles parking on the grass verge.

6.6 Paragraph 123 of the NPPF advises that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of a new development, and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

6.7 Whilst there would be more noise and disturbance to the rear gardens of the properties in The Hyde and No. 24 Florence Avenue from vehicles manoeuvring and car doors shutting, it is considered that the proposed car park would be a suitable distance away not to result in an adverse loss of the quiet enjoyment of the gardens of the neighbouring properties. Furthermore, there would not be an increase in the number of vehicles travelling along the existing access adjoining No. 5 The Hyde and in any case, a certain level of noise and traffic should be expected by the occupiers of properties in close proximity to the school. The car park would be a safe and secure area for cars which would not be directly visible from outside the confines of the site. As such, the proposal would be in compliance with saved policy DG1 of the Local Plan.

### **Impact on Highways and Parking**

6.8 The existing access arrangements would remain unaltered as part of this application. It is unlikely that there would be an increase in the number of vehicle movements and on this basis the Highway Authority would not raise any objections to the proposal in terms of highway safety.

6.9 The Council's Car Parking Strategy requires 39 car parking spaces to be provided. 30 parking off-street parking spaces have been indicated on the proposed plan and would complement the existing 4 spaces located in front of the school building. There would be a shortfall of 5 spaces, which would be required to comply with the maximum parking standards.

6.10 The existing 28 car parking spaces would be replaced with 30 parking spaces (an increase in 1 space). Whilst this number of spaces does not meet the car parking standards, this is an existing use which does not propose an increase in staff or children, therefore the total number of 34 parking spaces on site would be considered to be acceptable in this situation. In the event that additional parking is required, parking spaces would be available in the existing temporary car park. The Highway Authority has raised no objections to the proposal as it would decrease the likelihood of on-street car parking within the local highway network but have recommended that the parking and turning is conditioned which gives the applicant the option to revise the parking and turning as required to create more parking facilities (see condition 7).

## Trees and Landscaping

- 6.11 In order to implement the car park, T11 (Walnut) would need to be removed. Whilst this tree has merit, it is set back into the site and, as a result, its loss would not have a detrimental impact on the overall visual amenities of the site and surroundings. Therefore, tree planting is proposed to compensate for its loss that would complement both the development and the immediate landscape. This could be secured by a landscape condition to any grant of planning permission (see condition 4). Two other trees, T7 (Field Maple) and T10 are also proposed to be removed. These trees are already dead and therefore their loss would not be significant in the group of trees along the northern and eastern boundaries of the site.
- 6.12 The Council's Arboriculturist has raised no objections to the removal of the trees subject to the development being constructed in accordance with the tree protection measures within the submitted Arboricultural reports. It is considered that this could be conditioned in the event of planning permission being recommended (see condition 2). Therefore the proposal would be considered acceptable in this respect.

## Other Material Considerations

### Flooding/drainage

- 6.13 This particular part of the site does not lie within a flood zone, however given that the site area results in the application constituting major development and given that the hard-surfacing could result in flash flooding a suitable sustainable drainage system is required. The car park surface would be constructed from a porous asphalt to allow drainage and avoid any surface water run-off. The proposed development would use a geo-cellular modular soakaway unit. However the Flood Risk Engineer is concerned with the use of the soakaway as no details have been shown to indicate that it is feasible to use this method for drainage. The information has been sought from the Agent to address this issue and the method has been tested on site. An update would be provided at the next meeting.
- 6.14 Environmental Protection has not raised an objection, recommending informatives relating to dust control, smoke control and construction hours to safeguard the amenities of the neighbouring properties, which could be attached in the event of planning permission being recommended.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

No letters of objection were received from the **31** neighbouring properties directly notified or as a result of a site notice that was posted on **20<sup>th</sup> November 2015**.

Comment	Where in the report this is considered
1. 1 letter was received asking to be consulted when any tree works take place – this has been passed on to the School.	N/A

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways	The Highway Authority welcomes any increase in off-street parking and turning as this would reduce the likelihood of on-street parking on the local highway network. No objections would be raised subject to the	See paragraphs 6.8-6.10

	recommended conditions and informatives.	
Environmental Protection	No objections subject to informatives relating to dust control, smoke control and construction hours in the event of planning permission being recommended.	See paragraph 6.14
Flood Risk Engineer	The application form submitted states that the proposals will be drained via soakway; however no details have been submitted to show that this feasible. If soakaways are to be used, the applicant should undertake formal soakaway tests to the latest BRE Digest 365 guidance and standards to ensure that it is a feasible technique or another method will have to be used for surface water management Until further information is received, I recommend that the application is not approved on surface water drainage grounds.	See paragraph 6.13
Arboriculturist	Provided the tree protection measures are carried out in strict control with the submitted arboricultural report and supporting tree protection plan then no objections would be raised subject to the recommended conditions.	See paragraphs 6.11-6.12

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Layout drawing no P1228-01 rev: B.

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 NPPF.

In this case the issues have been successfully resolved subject to resolving the drainage issue.

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to 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. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written 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.
3. No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the

Local Planning Authority gives its prior written consent to any variation.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.

4. No development shall take place 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. 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 approval to any variation.  
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme first agreed in writing by the Local Planning Authority, and retained in accordance with the approved details.  
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1.
7. No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. Thereafter the spaces 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 and turning 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 a forward gear. Relevant Policies - Local Plan P4 and DG1.

### **Informatives**

1. The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays.
2. The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
3. The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or

damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities

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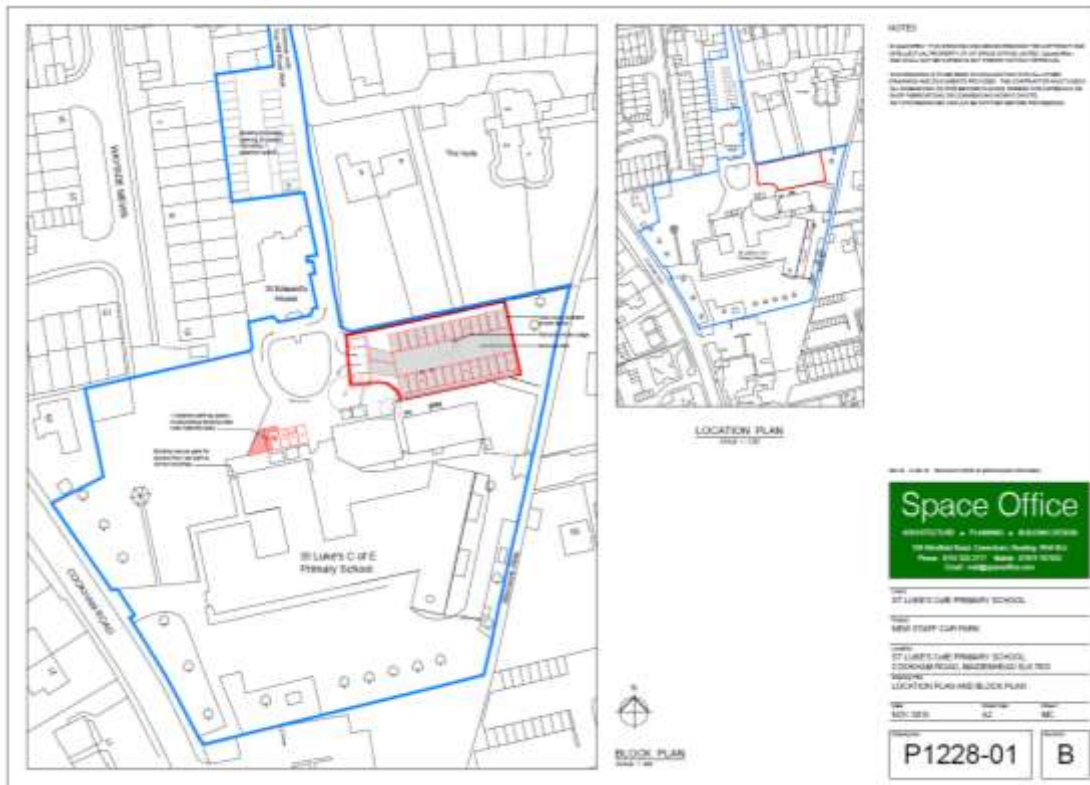
Site location  
ref: 15/03548/FULL

St Luke's Primary School, Cockham

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Scale @ A4 1:2,108







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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 July 2016

Item: 8

<b>Application No.:</b>	16/01360/FULL
<b>Location:</b>	Cookham Rise Primary School High Road Cookham Maidenhead SL6 9JF
<b>Proposal:</b>	Rear classroom extension
<b>Applicant:</b>	
<b>Agent:</b>	Mr Phil Grover - Thomson Roddick And Laurie
<b>Parish/Ward:</b>	Cookham Parish
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The proposed extension is small and located to the rear of the school which is located in a settlement area. It will match the main building in terms of design and scale and will not harm the living conditions of any neighbours or harm the character and appearance of the area. The existing parking arrangements will remain unaltered.

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

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Borough Planning Manager 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 relates to Cookham Rise Primary School, which is located on the south side of High Road. The site is a rectangular shape, with the existing single storey building occupying approximately one-third of the site. Beyond this are the school's playing fields.
- 3.2 The school building adjoins the local library, but the area is predominantly residential, with dwellings located to the north, east and west of the site. The Alfred Major Recreation Ground lies to the south.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

Ref.	Description	Decision and Date
14/01610/FULL	Installation of roof mounted mechanical ventilation plant and screening.	Approved 31.07.14
11/00144/FULL	Erection of 2 Gazebos.	Approved 01.03.11
10/01272/FULL	Single storey rear canopy area.	Approved 27.07.10
10/01025/FULL	Erection of a log cabin.	Approved 07.07.10
09/01856/FULL	Installation of replacement external play equipment and erection of fence.	Approved 01.12.09
04/41719/FULL	Alterations to door and windows to front elevation of main school building.	Approved 30.04.04

- 4.1 The proposal is for a single storey rear extension, measuring 6.8m by 2.3m. The height will match that of the existing building. The extension is required to enlarge an existing classroom.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections: 7 (Requiring good design) and 8 (Promoting healthy communities).

### Royal Borough Local Plan

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

Within settlement area	Community Facilities
DG1	CF2/3

### Supplementary planning documents

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

- Sustainable Design and Construction

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i The impact on the character and appearance of the area;
- ii The impact on the amenities of neighbours; and
- iii Parking.

### The impact on the character and appearance of the area

- 6.2 The proposed extension will square-off an existing part of the school building, which is located at the rear away from the site boundaries. It is a small development of 15sq.m and will match the main building in design and materials. The extension will not be visible from High Road and only partially visible from the recreation ground. It will have no adverse impact on the character or appearance of the area.

### The impact on the amenities of neighbours

- 6.3 The proposed extension will be approximately 20m from the nearest residential property. As such it will not harm the amenities of any neighbours in terms of loss of privacy, loss of light or by appearing overbearing.

### Parking

- 6.4 The proposed extension is to enlarge an existing classroom. This will not lead to the increase in numbers of employees at the school and as such does not give rise to a need for any additional parking. The Highway Authority has raised no objections to the proposal.

## 7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 Given the nature of the development is not liable for financial contributions.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

17 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 20/05/16

No letters of representation have been received.

### Statutory Consultees

Consultee	Comment	Where in the report this is considered
Cookham Parish Council	No comment.	Noted

### Other Consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No objections.	6.4

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B - Elevations
- Appendix C - Planning layout

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 NPPF.

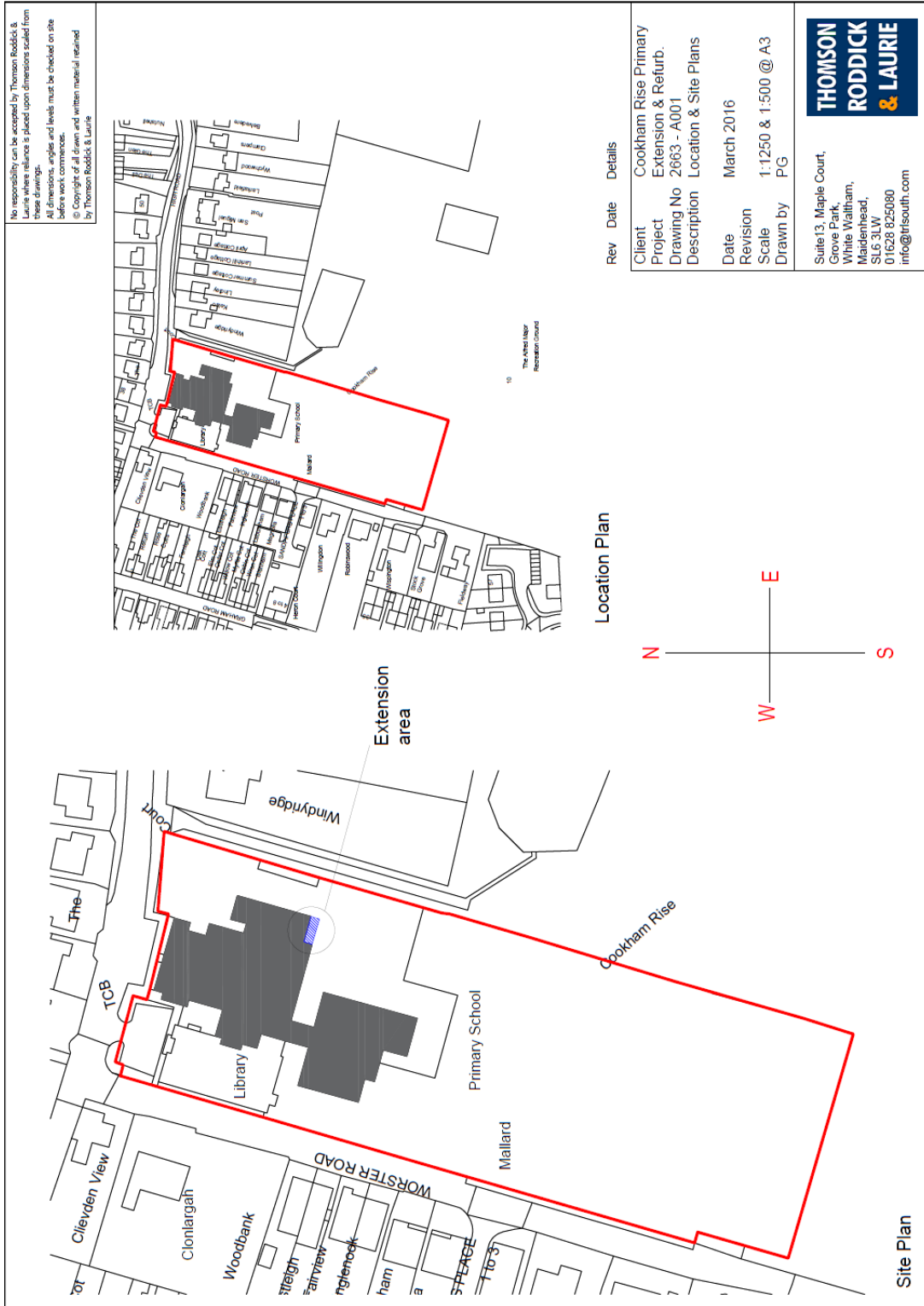
In this case the issues have been successfully resolved.

## 10. CONDITIONS IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used on the external surfaces of the development shall match those of the existing building unless first otherwise agreed 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 Policies - Local Plan 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.

# Appendix A – Site Location and Layout



# Appendix B – Elevations

No responsibility can be accepted by Thomson Roddick & Laurie for any errors or omissions in these drawings. All dimensions, angles and levels must be checked on site before work commences.  
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Rev	Date	Details
Client		Cookham Rise Primary
Project		Extension & Refurb.
Drawing No		2663 - A103
Description		Existing & Proposed Elevations
Date		March 2016
Revision		1-100@A3
Scale		SM
Drawn by		SM

Suite 13, Maple Court,  
Grove Park,  
White Waltham,  
Maidenhead,  
SL6 3LW  
01628 825080  
info@trifsouth.com

Existing Partial South Elevation

Existing Partial East Elevation

Proposed Partial South Elevation

Proposed Partial East Elevation



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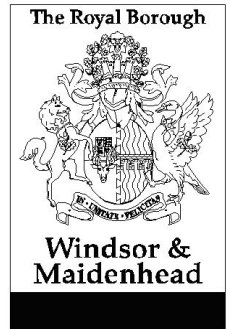


## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

### Appeal Decision Report

26 May 2016 - 23 June 2016

MAIDENHEAD



**Appeal Ref.:** 16/00008/REF      **Planning Ref.:** 15/01248/FULL      **Plns Ref.:** APP/T0355/W/16/  
3142379

**Appellant:** Mr Martin Ebbetts **c/o Agent:** Mr Allen Watson Buttery And Watson Berry House 78 Altwood Road Maidenhead SL6 4PZ

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Construction of detached two storey dwelling

**Location:** **Land To The Rear of 5 To 8 Sunnymede Cottages Ray Mill Road East Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 17 June 2016

**Main Issue:** The Inspector concludes that as the new dwelling would be substantially smaller than any of the other detached properties in the area; therefore the proposal would contrast with the local characteristic. The plot would be considerably smaller than any of the other plots fronting Sheephouse Road in proximity of the site. The small size of the plot, and of the detached dwelling, would mean that the development would appear cramped and incongruous in the Sheephouse Road street scene. As the proposed dwelling would be sited wholly forward of No 4 Sheephouse Road it would significantly disrupt the building line and so would detract from the appearance of the street scene. The Inspector further concludes that, as the boundary with No 4 Sheephouse Road is a close boarded fence around two metres high and there are a few tall trees on the neighbour's side of the fence, these would do little to screen the proposal. The dwelling would be close to this boundary and, in combination with its height and forward projection, would appear prominently and be overbearing when viewed from No 4. Furthermore, due to its position to the south of No 4, it would be likely to overshadow the house and reduce the amount of sunlight received by the windows on the front elevation, particularly the first floor window above the double garage which is closest to the appeal site. The outlook from No 4 would be detrimentally affected which would harm the living conditions of the occupiers. The Inspector finally concludes that, despite being only one house, it would not be safe from flooding and would increase the number of people at risk of flooding. In the absence of a sequential test, the Inspector concludes that the proposal would be contrary to Policy F1 of the Local Plan which aims to ensure development does not increase the number of people and properties at risk from flooding.

**Appeal Ref.:** 16/00020/REF      **Planning Ref.:** 15/01966/FULL      **Plns Ref.:** APP/T0355/W/16/3142751

**Appellant:** Mr And Mrs A Dhendsa **c/o Agent:** Mr Paul Butt Paul Butt Planning Ltd 8 Hyde Copse Marcham Abingdon Oxfordshire OX13 6PT

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Construction of 10 dwellings 3 x 1 bed units and 7 x 2 bed units following demolition of property including outbuilding.

**Location:** **Diwa 2 Norfolk Road Maidenhead SL6 7EE**

**Appeal Decision:** Dismissed      **Decision Date:** 27 May 2016

**Main Issue:** The main issue is the effect on the character and appearance of the area. A unifying characteristic of the area is that buildings tend to be set back within their plots allowing for soft landscaping works to have taken place, providing visual relief to the otherwise hard edge of the built form along Cookham Road. The extent of the set back proposed would be minimal and would not allow for any substantial or meaningful planting taking into account space constraints and proximity of adjacent habitable rooms. The height of the building combined with its position cramped very close to the highway and lack of potential for meaningful landscaping works would make it appear as a dominant and imposing structure in the street scene. The substantial blank north-west elevation of the building would in part project forward and jar with the front elevation of Spens. The building would also obscure views of the mature trees behind adding to its strident visual impact. Although the Council cannot demonstrate a 5 year housing land supply, the proposal would not meet the high standards of design sought by the NPPF which, considering the highly prominent location of the site would outweigh in importance the relatively limited contribution of the development to any housing supply shortage. The development would not be in keeping with the NPPF when taken as a whole.

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**Appeal Ref.:** 16/00023/REF      **Planning Ref.:** 15/01323/FULL      **Plns Ref.:** APP/T0355/W/15/3141078

**Appellant:** Mr Patrick Noone **c/o Agent:** Mr Vincint Verster Vail Williams LLP 550 Thames Valley Park Drive Reading RG6 1RA

**Decision Type:** Committee      **Officer Recommendation:** Application Permitted

**Description:** Change of use of ancillary outbuilding to single dwelling.

**Location:** **Dean Farm Alleyns Lane Cookham Maidenhead SL6 9AE**

**Appeal Decision:** Allowed      **Decision Date:** 7 June 2016

**Main Issue:** The Inspector found that the position and limited extent of the proposed alterations would result in a neutral impact on the Conservation Area, therefore preserving its character and appearance and no harm to the setting of the listed buildings. The proposal would therefore conform with Policy CA2 of the Royal Borough of Windsor and Maidenhead Local Plan (as altered) 2003 and the National Planning Policy Framework (the Framework) which seek to preserve or enhance the character or appearance of Conservation Areas through high quality design. The proposal is for the re-use of an existing building and would not involve an extension to it. There is no dispute that the building is of permanent and substantial construction and accordingly the proposal would not be regarded as inappropriate development in the Green Belt. In this regard it would not be in conflict with the LP or the Framework.

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**Appeal Ref.:** 16/00033/REF      **Planning Ref.:** 15/00393/FULL      **Plns Ref.:** APP/T0355/W/16/3143139  
**Appellant:** Mr Stuart Thorn **c/o Agent:** Mr Jake Collinge JPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Construction of a detached dwelling with integral garage and new access to Altwood Road  
**Location:** **Land At 59 Altwood Road Maidenhead**  
**Appeal Decision:** Dismissed      **Decision Date:** 17 June 2016

**Main Issue:** The main issues were the effect of the proposal on the character and appearance of the area including its effect on protected trees and on the living conditions of neighbours. The Inspector was not satisfied that the wellbeing of the protected Cedar within the site would be safeguarded and concluded that the proposal would damage the roots resulting in the loss of this significant tree. The Inspector also considered that the proposed driveway would likely damage the roots of a protected strawberry tree, which would threaten the vitality of the tree and lead to the loss of an important feature in the street scene. The loss of both trees would harm the character and appearance of the area contrary to Policy N6 of the Local Plan. In addition, the Inspector considered the proposed dwelling would appear overdominant when viewed from No.1 Altwood Road detrimentally affecting the outlook of this property. As such the proposal would have an adverse effect on the living conditions of the adjoining occupiers and would be contrary to the advice in the NPPF which advises that development should always seek a good standard of amenity for existing occupants.

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**Appeal Ref.:** 16/00035/REF      **Planning Ref.:** 15/03864/FULL      **Plns Ref.:** APP/T0355/D/16/3146523  
**Appellant:** Mr Lee Hall **c/o Agent:** Mr Peter M Salmon Camber Broad Lane Bracknell Berkshire RG12 9BY  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Double garage and car port  
**Location:** **Oak Cottage West End Road Waltham St Lawrence Reading RG10 0NL**  
**Appeal Decision:** Dismissed      **Decision Date:** 1 June 2016

**Main Issue:** The Inspector concludes that the new garage and car port would be inappropriate development in the Green Belt; further harm would be caused as a result of loss of openness. The Inspector gives limited weight to the material considerations cited in support of the proposal and concludes that, taken together, they do not outweigh the harm the proposed development would cause to the Green Belt. Consequently, the very special circumstances necessary to justify the proposal do not exist.

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**Appeal Ref.:** 16/00037/REF      **Planning Ref.:** 15/03758/FULL      **Plns Ref.:** APP/T0355/D/16/3146726

**Appellant:** Mrs S Mead **c/o Agent:** Mr P Emmett Emmetts Architecture 20 High Street Croughton Brackley NN13 5LT

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Part retrospective open logia adjacent to existing swimming pool

**Location:** **Manor House Bradenham Lane Bisham Marlow SL7 1SB**

**Appeal Decision:** Dismissed      **Decision Date:** 8 June 2016

**Main Issue:** The Inspector considered that the building is larger than is strictly necessary to protect access to the plant room. The proposal would be quite large in respect of its floor area and height, although its impact would be somewhat reduced by the lack of enclosures on two sides and it would result in a material reduction in the openness of the Green Belt. The Inspector therefore concluded there are no very special circumstances to justify the development. The proposal conflicts with local plan policies GB1 and GB2(A) and the Framework.

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**Appeal Ref.:** 16/00039/REF      **Planning Ref.:** 15/04016/FULL      **Plns Ref.:** APP/T0355/D/16/3147692

**Appellant:** Mr Duncan Innes 7 Switchback Road South Maidenhead SL6 7QR

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Construction of vehicular access.

**Location:** **7 Switchback Road South Maidenhead SL6 7QR**

**Appeal Decision:** Allowed      **Decision Date:** 21 June 2016

**Main Issue:** The Inspector found that the alternative parking which appears to be available in the layby opposite or on street appears less satisfactory from a consideration of highways safety and particularly in terms of pedestrian safety. Parking within the front garden area would improve pedestrian safety and would not materially affect highway safety. The proposal would not compromise highway safety and would improve pedestrian safety.

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**Appeal Ref.:** 16/00042/REF      **Planning Ref.:** 16/00092/FULL      **Plns Ref.:** APP/T0355/D/16/3147663

**Appellant:** Mr Adrian Wheeler 3 Switchback Road South Maidenhead SL6 7QR

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Alterations to driveway including dropped kerb.

**Location:** **3 Switchback Road South Maidenhead SL6 7QR**

**Appeal Decision:** Allowed      **Decision Date:** 21 June 2016

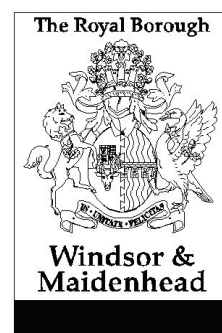
**Main Issue:** The Inspector found that the alternative parking which appears to be available in the layby opposite or on street appears less satisfactory from a consideration of highways safety and particularly in terms of pedestrian safety. Parking within the front garden area would improve pedestrian safety and would not materially affect highway safety. The proposal would not compromise highway safety and would improve pedestrian safety.

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## Planning Appeals Received

26 May 2016 - 23 June 2016

### MAIDENHEAD



The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email [teame1@pins.gsi.gov.uk](mailto:teame1@pins.gsi.gov.uk)

**Other appeals:** The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email [teamp13@pins.gsi.gov.uk](mailto:teamp13@pins.gsi.gov.uk)

**Parish/Ward:** Waltham St Lawrence Parish  
**Appeal Ref.:** 16/60056/NONDET **Planning Ref.:** 16/00584/FULL **PIns Ref.:** APP/T0355/W/16/3150386  
**Date Received:** 26 May 2016 **Comments Due:** 30 June 2016  
**Type:** Non-determination **Appeal Type:** Hearing  
**Description:** Conversion of existing barn to a dwelling with ancillary landscaping works  
**Location:** **Paradise Farm Twyford Road Waltham St Lawrence Reading RG10 0HL**  
**Appellant:** Mr B Palmer-Page **c/o Agent:** Mr Martin Crook MSC Planning Ltd 259 Amersham Road Hazlemere High Wycombe Buckinghamshire HP15 7 QW

**Parish/Ward:** Waltham St Lawrence Parish  
**Appeal Ref.:** 16/60057/NONDET **Planning Ref.:** 16/00585/LBC **PIns Ref.:** APP/T0355/Y/16/3150390  
**Date Received:** 26 May 2016 **Comments Due:** 30 June 2016  
**Type:** Non-determination **Appeal Type:** Hearing  
**Description:** Consent to convert existing barn to a dwelling with ancillary landscaping works  
**Location:** **Paradise Farm Twyford Road Waltham St Lawrence Reading RG10 0HL**

**Appellant:** Mr B Palmer-Page **c/o Agent:** Mr Martin Crook MSC Planning Ltd 259 Amersham Road Hazlemere High Wycombe Buckinghamshire HP15 7 QW

**Parish/Ward:**  
**Appeal Ref.:** 16/60060/REF      **Planning Ref.:** 16/00785/FULL      **Plns Ref.:** APP/T0355/W/16/3151162

**Date Received:** 7 June 2016      **Comments Due:** 12 July 2016  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Change of use of existing detached ancillary playroom to a self-contained separate one bedroom dwelling with retention of detached garage, existing garden and off street parking

**Location:** **47 Allenby Road Maidenhead SL6 5BE**  
**Appellant:** Mr Ricky Davidson **c/o Agent:** Mr Tom McArdle Pike Smith \_ Kemp Ltd, The Granary Hyde Farm, Marlow Road Maidenhead Berkshire SL6 6PQ

**Parish/Ward:** White Waltham Parish  
**Appeal Ref.:** 16/60062/NONDET      **Planning Ref.:** 16/00960/VAR      **Plns Ref.:** APP/T0355/W/16/3151815

**Date Received:** 15 June 2016      **Comments Due:** 20 July 2016  
**Type:** Non-determination      **Appeal Type:** Written Representation  
**Description:** Construction of a detached 2 bedroom agricultural workers dwelling as approved under planning permission 09/02083 without complying with condition 3 (Agricultural occupancy) to vary the wording of the condition

**Location:** **Glebeland Farm Drift Road Maidenhead SL6 3ST**  
**Appellant:** Ms J Bennett **c/o Agent:** Mr Tom McArdle Pike Smith And Kemp The Granary Hyde Farm Marlow Road Maidenhead Berkshire SL6 6PQ

**Parish/Ward:** White Waltham Parish  
**Appeal Ref.:** 16/60063/NONDET      **Planning Ref.:** 15/02303/FULL      **Plns Ref.:** APP/T0355/W/16/3151610

**Date Received:** 15 June 2016      **Comments Due:** 20 July 2016  
**Type:** Non-determination      **Appeal Type:** Written Representation  
**Description:** Change of use from agriculture to equestrian to install full size polo pitch and associated stick and ball pitch

**Location:** **Glebeland Farm Drift Road Maidenhead SL6 3ST**  
**Appellant:** Ms J Bennet **c/o Agent:** Mr Tom McArdle Pike Smith And Kemp Ltd The Granary Hyde Farm Marlow Road Maidenhead Berkshire SL6 6PQ

**Parish/Ward:** White Waltham Parish  
**Appeal Ref.:** 16/60064/NONDET      **Planning Ref.:** 15/02344/OUT      **Plns Ref.:** APP/T0355/W/16/3151615

**Date Received:** 15 June 2016      **Comments Due:** 20 July 2016  
**Type:** Non-determination      **Appeal Type:** Written Representation  
**Description:** Construction of quadrangle of 66 no. stables, tack rooms, feed stores, hay barn and groom's day room following demolition of existing agricultural buildings

**Location:** **Glebeland Farm Drift Road Maidenhead SL6 3ST**  
**Appellant:** Ms J Bennet **c/o Agent:** Mr Tom McArdle Pike Smith And Kemp Ltd The Granary Hyde Farm Marlow Road Maidenhead Berkshire SL6 6PQ