

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL**

will meet on

**WEDNESDAY, 22ND NOVEMBER, 2017**

at

**7.00 pm**

in the

**COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD**

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

COUNCILLOR DEREK WILSON (CHAIRMAN)  
COUNCILLOR DAVID BURBAGE (VICE-CHAIRMAN)  
COUNCILLORS CLIVE BULLOCK, MAUREEN HUNT, RICHARD KELLAWAY,  
PHILIP LOVE (DEPUTY LEAD MEMBER - MAIDENHEAD REGENERATION AND  
MAIDENHEAD), DEREK SHARP, ADAM SMITH AND CLAIRE STRETTON

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, CARWYN COX, JUDITH DIMENT, GEOFF HILL,  
MOHAMMED ILYAS, MARION MILLS, MJ SAUNDERS, HARI SHARMA AND  
CHARLES HOLLINGSWORTH

Karen Shepherd  
Democratic Services Manager  
Issued: Tuesday, 14 November 2017

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. Do not re-enter the building until told to do so by a member of staff.

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be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

## AGENDA

### PART 1

ITEM	SUBJECT	WARD	PAGE NO
1.	<p><u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.</p>		
2.	<p><u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.</p>		5 - 6
3.	<p><u>MINUTES</u> To confirm the part I minutes of the meeting of 25 October 2017.</p>		7 - 12
4.	<p><u>PLANNING APPLICATIONS (DECISION)</u> To consider the Borough Planning Managers report on planning applications received.</p> <p>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></p>		13 - 144
5.	<p><u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.</p>		145 - 150
6.	<p><u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC</u> To consider passing the following resolution:-</p> <p>"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 7 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"</p>		

## PART II PRIVATE MEETING

ITEM	SUBJECT	WARD	PAGE NO
7.	<p><u>MINUTES</u></p> <p>To agree the Part II Minutes.</p> <p><b><i>(Not for publication by virtue of Paragraph 1, 3, 5, 7 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></b></p>		151 - 152
8.	<p><u>ENFORCEMENT REPORT - 16/50241</u></p> <p>To consider the above report.</p> <p><b><i>(Not for publication by virtue of Paragraph 1, 2, 6, 7 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></b></p>		153 - 168
9.	<p><u>ENFORCEMENT REPORT - 17/500246/ENF</u></p> <p>To consider the above report.</p> <p><b><i>(Not for publication by virtue of Paragraph 1, 2, 6, 7 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></b></p>		169 - 184
10.	<p><u>PART BRIEFING NOTE - 16/02814/FULL</u></p> <p>To consider the above report.</p> <p><b><i>(Not for publication by virtue of Paragraph 1, 2, 3, 4, 5, 6, 7 of Part 1 of Schedule 12A of the Local Governmet Act 1972)</i></b></p>		185 - 186

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## **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' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

# Agenda Item 3

## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

25.10.17

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

Officers: Tony Carr (Traffic & Road Safety Manager), Victoria Gibson (Development Management Team Manager), Mary Kilner (Head of Law and Governance), Andy Carswell (Democratic Services Officer) and Arron Hitchen (Senior Enforcement Officer)

Also Present: Councillor Leo Walters

### 29 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Sharp and Stretton. Councillors Saunders and Beer attended as substitutes.

### 30 DECLARATIONS OF INTEREST

Cllr Sharma and Cllr Love informed the Panel that they both lived very close to the application site of Item 4. However both stated that they had no personal interest to declare.

Cllr Saunders declared a personal interest in Item 6 as Chairman of Cookham Parish Council's Planning Committee, as he had been present at the meeting where the application was discussed and had been involved in the discussions. He confirmed that he had attended Panel with an open mind and stated that he did not consider he had pre-determined the application.

Cllr Wilson declared a personal interest in Item 7 as a member of Bray Parish Council, as he had been present at the meeting where the application was discussed. He confirmed that he had attended Panel with an open mind.

Cllr Beer declared a personal interest in Item 8 as he knew of the agent, although he stated that he had not had contact with him for a long time.

### 31 MINUTES

**RESOLVED: That the minutes of the meeting held on 27 September 2017 be approved.**

Cllr Beer abstained from voting to approve the minutes as he had not been present at the meeting.

### 32 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.

<b>Item 1 17/01499/FULL</b>	<i>Change of use of field from polo and equestrian to D2 Leisure for playing fields to be used by the school. <b>The item was withdrawn from the agenda.</b></i>
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<p>Great Oaks Forest Green Road Holyport Maidenhead SL6 3LQ</p>	
<p><b>*Item 2</b> <b>17/01885/FULL</b></p> <p><b>157 - 159 Boyn Valley Road Maidenhead</b></p>	<p><b>Construction of 35 apartments, comprising of 1 and 2 bedrooms with ground level car parking following demolition of the existing building.</b></p> <p>A motion to permit the Application, contrary to the Officer's recommendation, was put forward by Councillor Love and seconded by Councillor Hunt.</p> <p>A Named Vote was carried out.</p> <p><b>The PANEL UNANIMOUSLY VOTED that the application be deferred and delegated to the Head of Planning to APPROVE, subject to a legal agreement being made regarding Affordable Housing and a satisfactory Sustainable Urban Drainage design being agreed.</b></p> <p><b>Reason for overturning Officer recommendation: The scheme would not give rise to an unacceptable impact on neighbouring occupiers given the urban location of the development and the set back of the 3<sup>rd</sup> and 4<sup>th</sup> floors. The moving of the building back was welcomed and gave a better relationship to neighbouring properties than existing. The proposal was not considered harmful to the street scene given the other industrial buildings in the vicinity, and whilst there was a small shortfall in parking this was not considered to have a severe impact on the highway.</b></p> <p>(Speakers: The Panel was addressed by Dan Shepherd, Objector, and Paul Butt, Agent.)</p>
<p><b>*Item 3</b> <b>17/02051/FULL</b></p> <p><i>55 St Marks Road Maidenhead SL6 6DP</i></p>	<p><i>Erection of 14 x dwellings, car parking, landscaping and associated works following demolition of existing building and structures.</i></p> <p>Cllr Love put forward a motion to refuse the Application, contrary to Officer's recommendation. The reasons for this were that the Application represented a cramped form of development due to the size of the houses on the existing amenity space, and that it was out of keeping with the locality, contrary to policies DG1, H10 and H11. The motion was seconded by Cllr Wilson.</p> <p>A Named Vote was carried out. Three Councillors (Cllrs Beer, Love and Wilson) voted in favour of the motion, four Councillors (Cllrs Burbage, Hunt, Saunders and Smith) voted against the motion and two Councillors (Cllrs Bullock and Kellaway) abstained. The motion fell.</p> <p>Councillor Hunt put forward a motion to approve the</p>

	<p>Application, in line with the Officer's recommendation in the Panel Update Report. This was seconded by Councillor Burbage.</p> <p>A Named Vote was carried out. Six Councillors (Cllrs Burbage, Bullock, Hunt, Kellaway, Saunders and Smith) voted in favour of the motion and three Councillors (Cllrs Beer, Love and Wilson) voted against the motion.</p> <p><b>The PANEL VOTED that the application be APPROVED as per the Officer's recommendation, subject to the receipt of satisfactory Sustainable Urban Drainage details and the conditions listed in Section 10 of the main report.</b></p> <p>(Speakers: The Panel was addressed by Katie Harley, Agent.)</p>
<p><b>*Item 4</b> <b>17/02259/FULL</b></p> <p><i>Furze Platt Senior School Furze Platt Road Maidenhead SL6 7NQ</i></p>	<p><i>The construction of a 3 storey teaching block and school hall following demolition of two existing buildings on the site, and the partial demolition of two additional buildings.</i></p> <p><b>Cllr Smith put forward a motion to permit the application, in line with the Officer's recommendation. This was seconded by Cllr Wilson.</b></p> <p><b>A Named Vote was carried out. Eight Councillors (Cllrs Beer, Burbage, Bullock, Hunt, Love, Saunders, Smith and Wilson) voted in favour of the motion and one Councillor (Cllr Kellaway) abstained.</b></p> <p><i>The PANEL VOTED that the application be APPROVED as per the Officer's recommendation.</i></p> <p><b>(Speakers: The Panel was addressed by Glen Bown and Valeria Riso, applicants, and by Ward Councillors Sharma and Ilyas.)</b></p>
<p><b>*Item 5</b> <b>17/02401/FULL</b></p> <p><i>Baldasarre Farm Baldasarre The Straight Mile Shurlock Row Reading RG10 0QR</i></p>	<p><i>Replacement poultry shed with ancillary works (Part retrospective) and new security fence on eastern side boundary.</i></p> <p><b>Cllr Hunt put forward a motion to approve the Application, in line with the Officer's recommendation. This was seconded by Cllr Wilson.</b></p> <p><i>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.</i></p>
<p><b>*Item 6</b> <b>17/02444/FULL</b></p> <p><i>Land At Greythatch Terrys Lane Cookham Maidenhead</i></p>	<p><i>Detached dwelling with basement, parking, swimming pool, landscaping, amenity and new access following demolition of Greythatch Cottage.</i></p> <p><b>Cllr Kellaway put forward a motion to approve the Application, contrary to the Officer's recommendation. This was seconded by Cllr Saunders.</b></p> <p><b>A Named Vote was carried out. Seven Councillors (Cllrs Beer, Burbage, Bullock, Kellaway, Love, Saunders and Smith) voted in favour of the motion and two Councillors (Cllrs Hunt and Wilson) voted against the motion.</b></p> <p><i>The PANEL VOTED that the application be APPROVED,</i></p>

	<p>subject to a list of conditions, including a landscaping requirement, being agreed with the Head of Planning in conjunction with the Ward Councillor.</p> <p>Reason for overturning Officer recommendation: Not materially larger than existing house to be demolished. Furthermore the basement has a negligible impact on openness. Nature of design in Cookham is very broad and the proposal would be appropriate to its locality where there is no strong architectural theme. The materials are appropriate to the modern design.</p> <p><b>(Speakers: The Panel was addressed by Dick Scarf, Objector, Lisette Penston, Cookham Society, and Jeremy Spratley, Agent.)</b></p>
<p><b>*Item 7</b> <b>17/02772/FULL</b></p> <p>Lorien Brayfield Road Bray Maidenhead SL6 2BN</p>	<p>Attached garage.</p> <p><b>Cllr Burbage put forward a motion to approve the Application, contrary to the Officer's recommendation. This was seconded by Cllr Love.</b></p> <p><b>A Named Vote was carried out.</b></p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED, subject to agreement of conditions being deferred to the Officers.</p> <p><b>Reason for overturning Officer's recommendation: The proposed extension, due to its siting and design in a fairly built up part of the Green Belt, would not result in a disproportionate addition and neither would it harm the openness. The use of non-dig driveway and given the advice of the arboricultural statement submitted by the applicant the proposal was not considered to be detrimental to the trees.</b></p> <p><b>(Speakers: The Panel was addressed by Robert Williams, applicant. A written submission from Ward Councillor Coppinger was read to the Panel.)</b></p>
<p><b>*Item 8</b> <b>17/02830/VAR</b></p> <p>Green Trees Widbrook Road Maidenhead SL6 8HS</p>	<p>Erection of 10 x 2 bed and 2 x 1 bed flats with associated vehicular access, car parking, refuse and cycle storage following demolition of existing buildings as approved under planning permission 16/00811 (allowed on appeal) without complying with condition 2 (approved plans) to replace the approved plans with amended plans.</p> <p><b>Cllr Saunders put forward a motion to approve the Application, in line with the Officer's recommendation. This was seconded by Cllr Wilson.</b></p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.</p> <p><b>(Speakers: The Panel was addressed by Ashley Wheaton, Objector, and David Howells, Agent.)</b></p>

33 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

34 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

**RESOLVED UNANIMOUSLY: That the resolution be agreed.**

The meeting, which began at 7.00 pm, ended at 9.43 pm

Chairman.....

Date.....

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# Agenda Item 4

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Maidenhead Panel

22nd November 2017

#### 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>	17/02409/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	15
<b>Location:</b>	Queensgate House 14 - 18 Cookham Road Maidenhead						
<b>Proposal:</b>	Change of use from B1 (Offices) to C3 (Residential) at No.18 Queensgate House to provide a single townhouse and a new mansard roof forming part of the townhouse, 1 x 1 bed flat and 1 x 2 bed flat at No.14-18 Queensgate House.						
<b>Applicant:</b>	Mr Spencer	<b>Member Call-in:</b>		<b>Expiry Date:</b>	24 November 2017		
<hr/>							
<b>Item No.</b>	2	<b>Application No.</b>	17/02230/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	27
<b>Location:</b>	Lowbrook Academy The Fairway Maidenhead SL6 3AS						
<b>Proposal:</b>	Proposed two storey detached building to accommodate 4 additional classrooms and sports hall						
<b>Applicant:</b>	Mrs Reid	<b>Member Call-in:</b>		<b>Expiry Date:</b>	21 December 2017		
<hr/>							
<b>Item No.</b>	3	<b>Application No.</b>	17/02224/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	45
<b>Location:</b>	Land Adjacent 24 South Road Maidenhead						
<b>Proposal:</b>	Construction of 6 x 1bedroom apartments and alterations to road layout (approved under 16/00552)						
<b>Applicant:</b>	Mr Gray	<b>Member Call-in:</b>		<b>Expiry Date:</b>	29 November 2017		
<hr/>							
<b>Item No.</b>	4	<b>Application No.</b>	17/02124/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	57
<b>Location:</b>	Colonnade High Street Maidenhead SL6 1QL						
<b>Proposal:</b>	Demolition of The Colonnade						
<b>Applicant:</b>	Shanly Homes Limited	<b>Member Call-in:</b>		<b>Expiry Date:</b>	5 September 2017		

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**Item No.** 5      **Application No.** 17/01726/FULL      **Recommendation** PERM      **Page No.** 69  
**Location:** Land West of Crown Lane Including Part Hines Meadow Car Park And La Roche And The Colonnade High Street Maidenhead

**Proposal:** Demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.

**Applicant:** Shanly Homes Ltd      **Member Call-in:**      **Expiry Date:** 24 August 2017

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**Item No.** 6      **Application No.** 17/00619/FULL      **Recommendation** PERM      **Page No.** 125

**Location:** Hardings Farm Hills Lane Cookham Maidenhead

**Proposal:** Three detached dwellings following demolition of existing stables and equestrian storage buildings

**Applicant:** Mr And Mrs Richards      **Member Call-in:**      **Expiry Date:** 29 November 2017

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**Planning Appeals Received**

**Page No. 145**

**Appeal Decision Report**

**Page No. 148**

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

22 November 2017

Item: 1

<b>Application No.:</b>	17/02409/FULL
<b>Location:</b>	Queensgate House 14 - 18 Cookham Road Maidenhead
<b>Proposal:</b>	Change of use from B1 (Offices) to C3 (Residential) at No.18 Queensgate House to provide a single townhouse and a new mansard roof forming part of the townhouse, 1 x 1 bed flat and 1 x 2 bed flat at No.14-18 Queensgate House.
<b>Applicant:</b>	Mr Spencer
<b>Agent:</b>	Miss Natasha Gandhi
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward

**If you have a question about this report, please contact:** Alys Hughes on 01628 796040 or at [alys.hughes@rbwm.gov.uk](mailto:alys.hughes@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The loss of office floor space is not considered to unduly reduce the quantity and quality of office space within the Borough. The provision of additional residential units is considered to meet the key objective of Maidenhead Area Action Plan policy MTC12 and Local Plan policy H6, which encourages the provision of additional residential accommodation within towns, and would outweigh any harm as a result of the loss of office floorspace.
- 1.2 The proposed mansard roof is considered sufficiently proportionate and harmonious with the existing building and is not considered to detract from its original character and street scene. It is considered that the site is capable of accommodating the additional dwellings, and the density level of the residential accommodation is compatible with other densities in the locality.
- 1.3 The change of use is considered acceptable in terms of impact on highway safety and a sufficient amount of parking would be provided to the rear.

**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 Head of Planning 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 site is located within Maidenhead and comprises of a three storey with basement Georgian style terraced building on the eastern side of Cookham Road. No.14 and 16 consist of flats and no.18 is office suites. Parking is provided to the rear of the site and is accessed off Kennet Road to the north. Amenity space is also provided to the rear.

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

- 4.1 The proposal is for the change of use from B1 (offices) to C3 (residential) at No.18 Queensgate House to provide a single townhouse and a new mansard roof forming part of the townhouse, 1 x 1 bed flat and 1 x 2 bed flat at No.14-18 Queensgate House.
- 4.2 Planning permission was granted in 2016 for the change of use from B1 to C3 and addition of mansard roof to provide 3 x 1 bed and 3 x 2 bed flats. The current application differs from this existing extant permission as follows:

- Reduction in the number of units proposed,
- Alterations to fenestration,
- Reduction in size of mansard roof to provide roof terrace,
- Positioning of windows in mansard roof and
- Parking provision.

Ref.	Description	Decision and Date
16/00765/FULL	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	Approved. 15.06.16
08/02712/FULL	Change of use of garden floor to complimentary medical services	Approved. 23.12.2008
06/01198/FULL	Four storey rear extension to rear of no.18 to form additional B1, mansard roof across no.14-18 comprising of B1 and 2 x 1-bed flats and 2 x 2-bed flats.	Refused. 07.07.2006 Appeal Dismissed. 06.02.2007
05/02542/FULL	Change of use of basement, ground, first and second floor from B1 to 4x2-bed flats.	Approved. 27.03.2006
05/00978/COU	Change of use and conversion from offices B1 to 6 x 1-bed flats and 2 x 2-bed flats with associated parking.	Approved. 10.06.2005

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

### 5.1 National Planning Policy Framework Sections 6 and 7

#### 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	Trees	Maidenhead Area Action Plan (MAAP)
DG1, H6, H8, H10, H11	P4, T5	N6	MTP 4, MTC10, MTC12

These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

#### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In

this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

## **Other Local Strategies or Publications**

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Principle of Development;
- ii Character and Appearance;
- iii Impact on surrounding amenity areas;
- iv Highway Safety and Parking;
- v Other Material Consideration;

### **Principle of Development**

6.2 Policy MTC10 of the MAAP recognises that offices are an important town centre use and states that development proposals that result in the net reduction in office space will only be acceptable where this loss would not unduly reduce the quantity and quality of office floorspace or would be outweighed by other Area Action Plan objectives through the proposed development. The amount of office floorspace that would be lost is considered to be minimal and would not unduly reduce the quantity and quality of office space within the Borough. Furthermore, the additional residential units would meet the key objection of the MAAP, policy MTC12 and Local Plan policy H6, which encourages the provision of additional residential accommodation within towns. This would also outweigh any harm as a result of the loss of office floor space. Based on this, the proposal is considered acceptable in principle.

### **Character and Appearance**

6.3 Policy MTC4 of the MAAP requires proposals to be of high quality, contributing to an overall improvement in terms of urban design and architecture. Policy DG1 of the Local Plan states that *'the design of new buildings should be compatible with the established street façade having regard to the scale, height and building lines of adjacent properties'*. Core Planning Principle 4 of the NPPF states that *'planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*.

- 6.4 The principle of a mansard roof has been considered acceptable under planning permission 16/00765/FULL. Mansard roofs are not uncommon on Georgian style buildings. The proposed mansard roof would be set back from the front façade of the property and would be behind the proposed parapet wall. The angle of the roof would also slope away from the facades of the buildings and the dormer windows would sit within the roof itself and would not project further forward. For these reasons, it is considered that the bulk and massing of the proposed mansard roof when viewed from the street scene would be proportionate to the existing building so as not to detract from its original character. It is also considered that, although readily visible on the approach along both ends of Cookham Road, it would not appear as a prominent addition due to the angle of the roof and its set back.
- 6.5 To ensure that the proposed extension would harmonise with the existing building in terms of materials, it is considered reasonable to include a condition requesting a sample of materials. See condition 2.
- 6.6 Policy H8 of the Local Plan states that *'the Borough Council will expect development/redevelopment proposals for all appropriate sites to contribute towards improving the range of housing accommodation in the borough and will particularly favour proposal which include dwellings for small households and those with special needs'*. The proposal would include a mixture of one townhouse with three bedrooms, 1 x 1 bedroom flat and 1 x 2 bedroom flat. This would contribute to the range of housing accommodation within the town centre. Policy MTC12 also encourages a mixture and choice of housing. The current extant permission, 16/00765/FULL, proposed a greater number of units of accommodation resulting in a net reduction in housing accommodation. This discouraged by policy MTC12, however it is considered that this is outweighed by the wider range of housing proposed which is encouraged.
- 6.7 Based on the above, the proposal is therefore considered to comply with Local Plan policy DG1, H8, H10 and MAAP policy MTC4 and MTC10.

#### **Impact on surrounding amenity areas**

- 6.8 The proposed dormer windows would introduce new outlooks but these are not considered to materially add or differ from the existing outlooks from the building. The same would apply to the proposed new flank elevations windows on the existing building and the Juliette balconies.
- 6.9 Due to the set back of the mansard roof from the rear elevation by approximately 1m at the base, with a pitch sloping away, it is not considered that the proposed roof extension would have an overbearing effect to users of the amenity space to the rear.
- 6.10 The proposed residential use is not considered to cause any significantly greater disturbance to neighbouring uses than the existing office use. It is unlikely that the proposal would result in an unreasonable level of noise and disturbance which is significantly over and above the existing situation. Environmental Protection have recommended that informatives are included on any grant of permission. These relate to the control of smoke, dust and noise.
- 6.11 Internal rooms are considered to be sufficient in size to function for the use they are intended and habitable rooms benefit from natural light and ventilation. There is limited space provided around the building that could be used for amenity space for the occupiers of the residential units however the flats are located within an urban locality in close proximity to open space and the town centre. The proposed town house would have a roof terrace. No objections are therefore raised in this regard.

#### **Highway Safety and Parking**

- 6.12 The proposed development is likely to lead to a reduction in daily vehicle movements in comparison to existing office use and so there are no significant concerns over impact on local highway infrastructure.

- 6.13 There are no changes proposed to the existing access off of Kennet Road which can achieve visibility splays in excess of our current requirement being 2.4m x 43M to the left and right. The proposal would not affect these splays or access arrangements.
- 6.14 The proposal site is deemed to be within a sustainable location only being a short walk to Maidenhead town centre where there are many transport links. Therefore the proposal needs to comply with the minimum parking standard requirement of the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.
- 6.15 The parking area to the rear of the site is shared between No.14-18. Parking for the proposed development would generate a need for four parking spaces. The existing uses along with the proposed use would generate a need requirement for 23 parking spaces. The proposed site plan demonstrates that 23 parking spaces will be provided. In addition to this, a cycle store is proposed and will be secured by condition 3.

### **Other Material Consideration**

#### Housing Land Supply

- 6.16 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 housing applications 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 5 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 the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

### **7. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be charged at £240 per sqm.

### **8. CONSULTATIONS CARRIED OUT**

#### **Comments from interested parties**

No comments were received from the 44 neighbouring properties directly notified or as a result of a site notice posted on the 11.09.17.

#### **Other consultees**

Consultee	Comment	Where in the report this is considered
Highways Authority	' Summary: The proposals comply with the Local Authorities current standards therefore the Project Centre can offer no objection to the proposal.'. Conditions and informatives recommended.	6.12-.615
Environment Protection	Informatives recommended	6.10

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

- Appendix A – Proposed site plan

- Appendix B – Proposed elevations
- Appendix C – Proposed floor plan

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

1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 No development 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 DG1

3 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing no.2283-PL-205 . 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.

4 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing no.2283-PL-205. These facilities shall be kept available for use in association with the development at all times. Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1

5 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 no. 2283-PL-205. 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

6 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

7 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.

### Informatives

- 1 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, and Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.



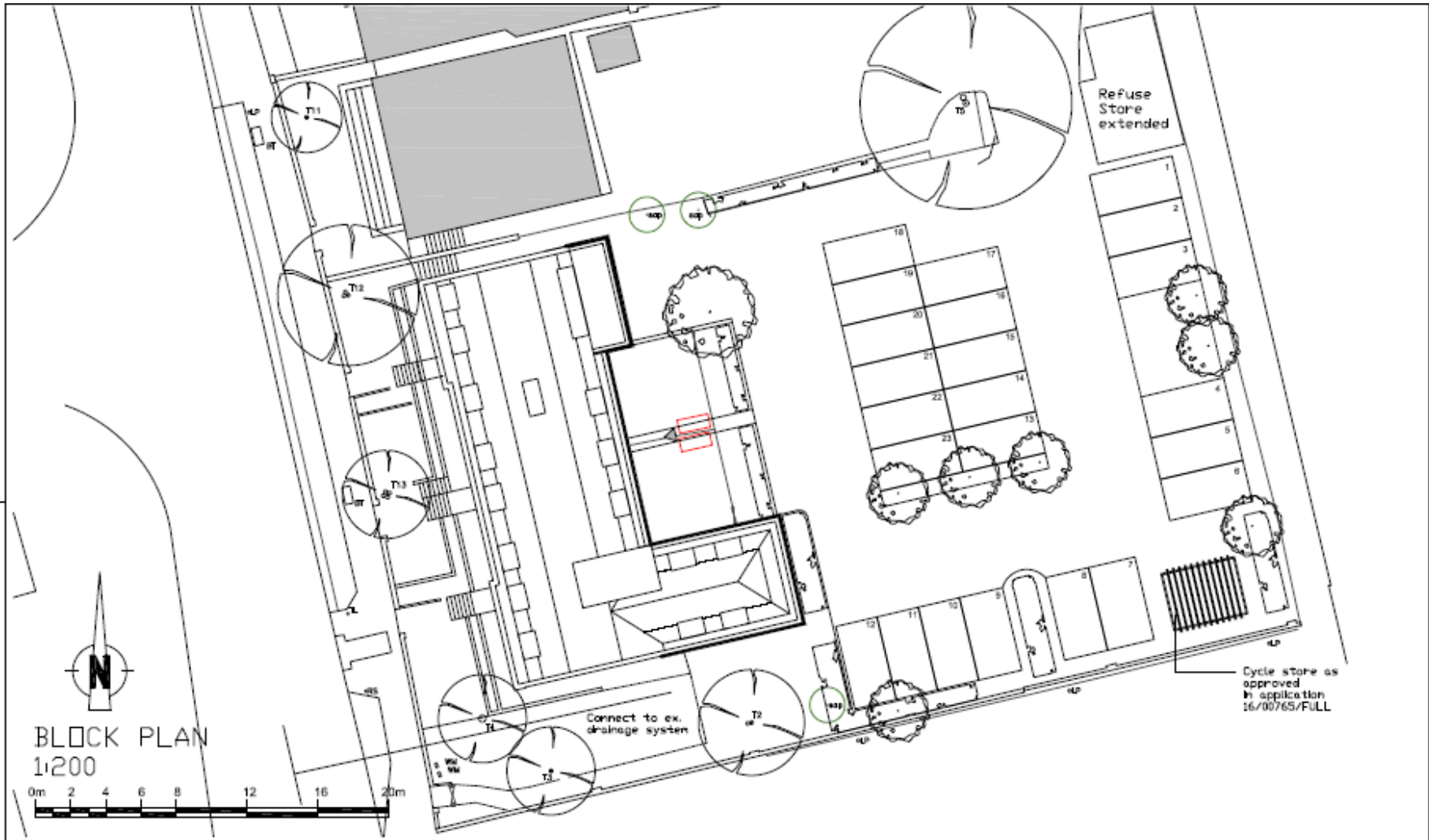
- 2 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
  
- 3 No builder's materials, plant or vehicles related to the implementation of the development should be parked / stored on the public highway so as to cause an obstruction at any time.
  
- 4 In the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority.
  
- 5 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'. 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
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 No working on Sundays or Bank Holidays. Please contact the Environmental Protection Team on 01628 683830.
  
- 6 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 and these are available on the internet: 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 oBuilding Research Establishment: Control of dust from construction and demolition activities
  
- 7 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.

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Appendix A – Proposed site plan



Appendix B – Proposed Elevation



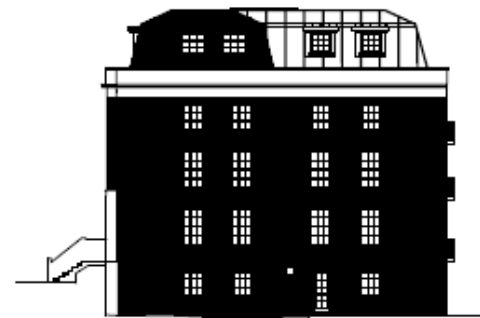
PROPOSED FRONT ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SOUTH ELEVATION

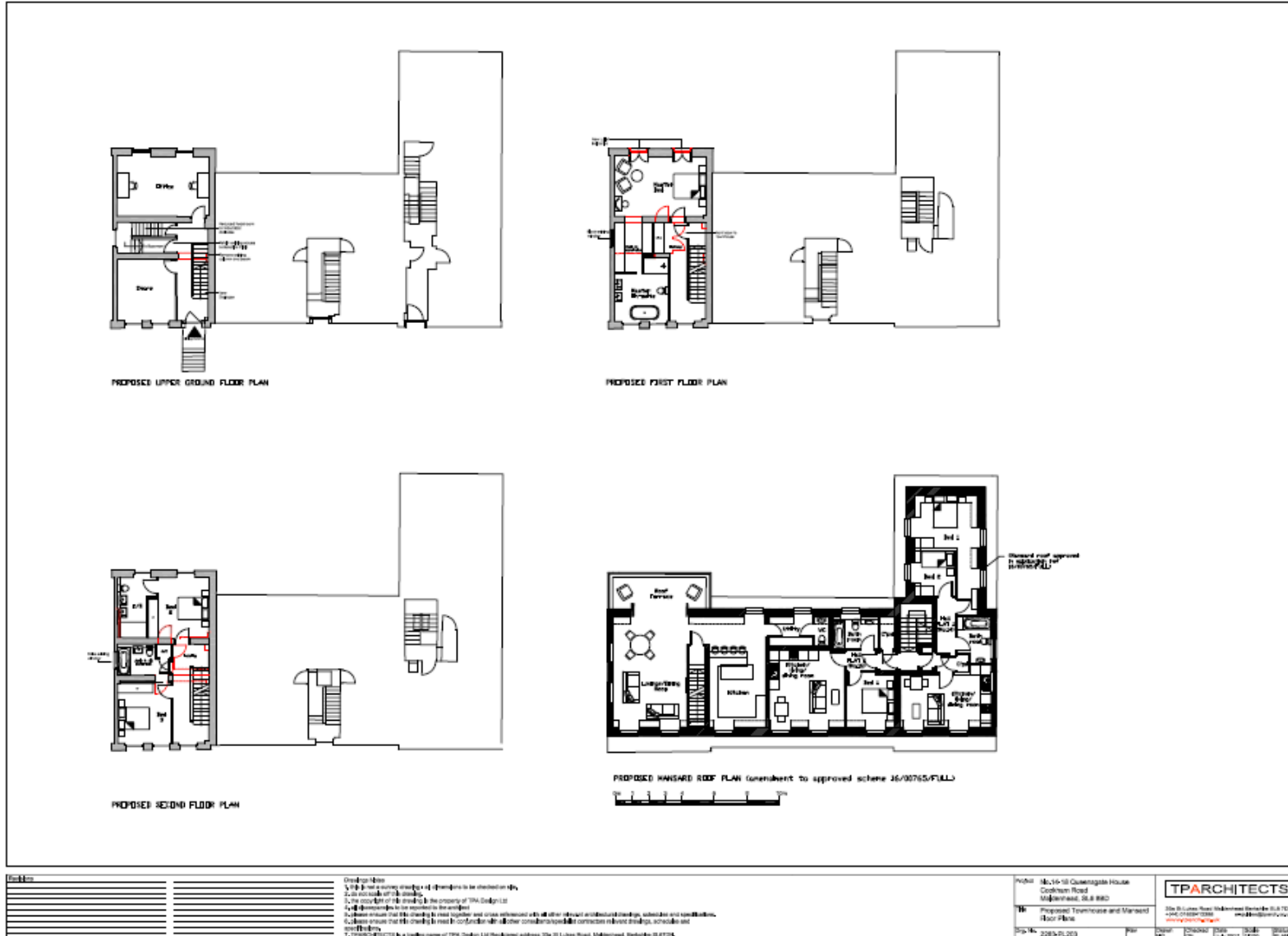
1	TPARCHITECTS
2	100-118 Queensgate House
3	Queensgate Road
4	Midland Road, QLD 4000
5	Proposed Townhouse and Mansard
6	Elevations
7	2024/01/20
8	TPARCHITECTS
9	100-118 Queensgate House
10	Queensgate Road
11	Midland Road, QLD 4000
12	Proposed Townhouse and Mansard
13	Elevations
14	2024/01/20
15	TPARCHITECTS

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12	Proposed Townhouse and Mansard
13	Elevations
14	2024/01/20
15	TPARCHITECTS

1. TPARCHITECTS is a trading name of TPA Design Ltd (Registered address 100-118 Queensgate House, Queensland, Australia 4000).  
 2. TPARCHITECTS is a trading name of TPA Design Ltd (Registered address 100-118 Queensgate House, Queensland, Australia 4000).  
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<p> <b>TPARCHITECTS</b>            100-118 Queensgate House            Queensland Road            Midland Road, QLD 4000            Proposed Townhouse and Mansard            Elevations            2024/01/20         </p>	<p> <b>TPARCHITECTS</b>            100-118 Queensgate House            Queensland Road            Midland Road, QLD 4000            Proposed Townhouse and Mansard            Elevations            2024/01/20         </p>
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Appendix C – Proposed Floor Plan



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## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 2

<b>Application No.:</b>	17/02230/FULL
<b>Location:</b>	Lowbrook Academy The Fairway Maidenhead SL6 3AS
<b>Proposal:</b>	Proposed two storey detached building to accommodate 4 additional classrooms and sports hall
<b>Applicant:</b>	Mrs Reid
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green Ward

**If you have a question about this report, please contact:** Christine Ellera on 01628 795963 or at [chrissie.ellera@rbwm.gov.uk](mailto:chrissie.ellera@rbwm.gov.uk)

### 1 SUMMARY

- 1.1 The proposed development relates to a two storey classroom block located on land to the south west of Lowbrook Academy. National policy supports the redevelopment of state funded schools which should be supported by LPA's and advises that a collaborative approach must be given to ensure their successful delivery.
- 1.2 The proposal is considered to be visually acceptable it is located well within the confines of the school site and would not appear overly prominent within the street scene. Furthermore due to its siting the proposed development would not impact on amenities of local residential in terms of loss of light overbearing impact.
- 1.3 There are a number of concerns from about the significant adverse impact the development would have to the local highway network with safety and capacity concerns. Contrary to the claims of the applicants supporting Transport Assessment it is considered that a number of off-site works are required to make the development acceptable in highway terms. Subject to these mitigations measures being secured through legal agreements and delivered prior to occupation the proposed development is considered to be acceptable.
- 1.4 The provision of additional school places at a school like Lowbrook Academy to meet the needs of the local community weighs heavily in favour of this scheme. Having due regard to the significant adverse impact on the highway network it is considered, on balance, that the development is acceptable subject to the highway mitigation works which will need to be implemented in advance of any development approved being occupied.
- 1.5 On this basis the Officer recommendation is to permit.

**To grant planning permission subject to the conditions listed in Section 10 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended as the Council has an interest in the land (ownership); such decisions can only be made by the Panel.

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

- 3.1 The application site relates to part of a plot of land located between Manor Green School, Cox Green School and Lowbrook Academy. The boundaries of the site are defined by a high wire mesh fence on all sides. The site boundaries are drawn tightly around the confines of the school building, and as such no further works are proposed as part of this development. This piece of land used to be within the curtilage of Cox Green School however as it has been fenced off for a

number of years and not utilised by this school it is proposed that this land would instead be utilised by Lowbrook Academy.

3.2 Lowbrook Academy is a primary school from reception (age 4 to 5) though to Year 6 (age 10 to 11). It has a capacity for approximately 330 pupils and it employs a total of 27 staff. The catchment area for the school is south of Highfield Lane.

3.3 Access to Lowbrook Academy is via The Fairway and shares the same access/ site entrance to Patchwork Montessori Nursery.

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

4.1 This is a full planning application for the erection of a new classroom block to be used in connection with Lowbrook Academy. The proposed new building would provide a new sports hall (effectively two story's in height) and a further four classrooms (two on each floor), along with associated changing facilities and circulation space. The proposed new building would be part pitch roof, part flat roof.

4.2 The proposed development would result in an increase of 90 pupils and 5 members of staff.

4.3 There is extensive planning history to Lowbrook Academy, the most relevant being:

Ref.	Description	Decision and Date
16/02247/FULL	Extension to form new classroom, washrooms, lobby and outside breakout area	Approved: 08.09.2016
15/01345/FULL	Erection of detached classroom with changing facilities (amendments to 14/01773/FULL)	Approved: 26.06.2015
14/01773/FULL	Erection of detached classroom with changing facilities	Approved: 31.07.2014
13/00605/FULL	Single storey front extension	Approved: 15.04.2013
12/02061/FULL	Erection of a cantilevered entrance canopy	Approved: 24.09.2012

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

5.1 National Planning Policy Framework (NPPF) (2012) and the Policy statement – planning for schools development (2011) is a strong material consideration in this application.

5.2 The latter document states that the Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards. State-funded schools - which include academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards.



- 5.3 It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.
- 5.4 The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools

### Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees
DG1, CF2	P4, T5	N6

These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

- 5.6 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to September 2017 with the intention to submit the Plan to the Planning Inspectorate towards the end of 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.
- 5.7 This document can be found at: <http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

### Other Local Strategies or Publications

- 5.8 Other Strategies or publications relevant to the proposal are:
- RBWM Townscape Assessment – view at:
  - RBWM Parking Strategy – view at:
- 5.9 More information on these documents can be found at: [https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- Principle of the development
  - Design Considerations
  - Highway Safety and Parking Considerations
  - Impact on Neighbouring Amenity
  - Environmental Considerations

## **Principle of the development**

### *Education Case*

- 6.2 The Royal Borough produces annual projections of demand for school places and reports these to the Department for Education. The projections for Reception intake in Maidenhead suggest that demand is going to fall slightly for September 2018 and 2019, before recovering again in September 2020. However significant housing development is expected in Maidenhead, and this is likely to boost demand.
- 6.3 The Education Authority have confirmed that Lowbrook Academy is the second most popular primary school in the borough, with 86 first preference applications for the 30 places available in September 2017. It is the most oversubscribed primary school in the borough, with 56 more first preference applications than places available for September 2017. The proposed development would facilitate in providing a greater choice of schools for parents and provide additional school places to meet future need.

### *Principle of the redevelopment of the site*

- 6.4 The proposed development would be located on an underused piece of land between the 3 schools. The site does not offer any opportunities for sport and recreation and does not act as a visual amenity. The proposed site therefore does not fall within the definition of open space as defined by the NPPF (2012).
- 6.5 The NPPF (2012) further sets out strong emphasis and presumption in favour of the development of state funded schools (including Academy's). The Policy Statement for schools further states that Local Planning Authorities (LPA) should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- 6.6 The above provides a clear national policy that the redevelopment of state funded schools is one which should be supported by LPA's and that a collaborative approach must be given to ensure their successful delivery. Local Plan policy CF2 also offers support for improved or new school facilities (subject to suitable parking facilities).
- 6.7 Accordingly the principle of the development of this school to meet the existing and future needs of the Borough weighs heavily in favour of this scheme.

## **Design Considerations**

- 6.8 The NPPF (2012) states that planning policies and decisions should not attempt to impose architectural styles or particular tastes but should concentrate on such matters as overall scale, density and layout in relation to neighbouring buildings and the local area more generally. It is also recognised that it is proper to seek to promote or reinforce local distinctiveness.
- 6.9 Policy DG1 of the Boroughs current Local Plan seeks to ensure that development will be of high standard of design and landscaping, compatible with the area and streetscene.
- 6.10 The building is located well within the confines of the school two storey in height with a part pitch flat roof and would appear as a new classroom block, situated between the three schools. Due to its siting and position within the main confines of the school it would not appear overly prominent or overbearing within the confines of the school and any views of this building from the surrounding area would be very limited.
- 6.11 The elevations of the proposed new building would be a mix of brick, cedar cladding and painted cladding. The proposed roof would utilise a variety of finishes including tile, sedum, mono pitch and flat roof single ply and cedar shingles. These are considered to be visually acceptable within the confines of the surrounding school sites. Condition 2 is however recommended for samples of these materials to be submitted to the LPA to ensure that they are of durable high-quality finish.

## Impact on Highway Safety and Parking Considerations

- 6.12 A key concern is the impact this proposal would have on the road network and highway safety. Ensuring that the surrounding road network can accommodate any increase in vehicle movements is key.
- 6.13 A Transport Assessment (TA) was submitted in support of this application. The TA includes a parking survey which was conducted in mid-January 2017 to look at the parking arrangement for this school. This solely looked at the traffic movements on one day, at the main access point and did not consider the wider traffic flow and impact on the wider highway network. The summary of the survey concluded only at one point during the day was the free flow of traffic affected in the morning.
- 6.14 A survey was also undertaken which revealed that just over half of the pupils (172) arrive by car, however many pupils have siblings at the school and to avoid double counting of car-generated trips account the TA estimated that this generates 132 pick-up events during the respective peak hours. Other main mode of transport is walk, only a few utilise bicycles or scooters to come to school. Over 80% of staff travels by private vehicle.
- 6.15 Based on the survey data the TA estimates that the increase in pupils and the 5 additional staff members would generate 76 additional vehicle trips per school peak hour. The TA concludes that the proposed development is likely to result in some additional short term parking on street. Contrary to the view of local residents (who live by the site), the TA claims that based on one day survey that as the existing school parking 'generally' takes place in a safe manner, there is nothing to suggest that the additional parking would have a detrimental effect on road safety. No further highway mitigation is proposed within the TA.
- 6.16 In contrast the Highway Authority considers that the proposal presents potentially detrimental impacts to the local highway network. The findings of the highway survey identify that during both AM and PM peaks parking occurs on both Highfield and Fairlea junction radii with The Fairway. This presents highway concerns with the anticipated intensification of traffic and parking due to the school expansion. It is therefore recommended that no waiting, no loading (double yellow) parking restrictions be implemented on these junctions.
- 6.17 In addition, the north eastern footway on The Fairway is frequently used during drop-off and pick-up periods, where there is currently no dropped crossing across the Fairlea junction with The Fairway. Therefore, to allow safer and suitable crossing facilities for pedestrian users it is recommended that an uncontrolled dropped crossing with tactile paving should be constructed across this junction.
- 6.18 If the above measures are implemented then this should mitigate any potential impacts. This includes implementing the double yellow lines and associated traffic regulatory orders (TRO) as well as the construction of the uncontrolled crossing. The works required are as follows:
- £2,000 transport contribution (prior to commencement);
  - £3,000 implementation of parking restrictions and supporting traffic regulation orders (prior to commencement);
- 6.19 Condition 8 looks to deal with these highway requirements.
- 6.20 A £1,750 Travel Plan contribution was also requested however no justification was given from the Highway Authority regarding how or why this is necessary to make the development acceptable in planning terms. On this basis these monies are not recommended to be sought.

- 6.21 Another key concern is ensuring suitable off street parking for the proposed development. The turning circle connects to the school car park, which provides 49 car parking spaces including two disabled spaces. The school have stated that there remains adequate staff car parking. However, a plan has been provided to demonstrate where additional parking can be provided to meet the 5 additional parking spaces needed for the increase in employees resulting from this development. This can be secured by condition 4.
- 6.22 The TA also claims that there is sufficient cycle storage to meet any increase capacity. Cycle use is also low at this school. No School Travel Plan has been submitted in connection with this application to look at opportunities to reduce reliance on cars. Whilst there are less opportunities for children to come to and from the school *independently* from sustainable modes of transport, nonetheless there are significant opportunities to encourage parents taking children to school and moreover staff, to utilise sustainable modes of transport. On this basis it is considered both reasonable and necessary for additional cycle spaces to be provided as part of this application. The school have identified an area within this site where this can be achieved and this is recommended in conditions 5 of the report.

### **Impact on Neighbouring Amenity**

- 6.23 Due to the siting and location of the proposed development located in the confines of the main school the proposed development would not impact on the on the amenities of the occupiers of the surrounding residential dwellings in terms of loss of sun/ daylight and or visual overbearing impact.
- 6.24 Notwithstanding the location of this land, between 3 schools, any noise and disturbance associated with this application will take place during school hours and therefore would not result in significant noise and disturbance to local residents at antisocial hours of the day.

### **Environmental Considerations**

- 6.25 There is one tree of some limited amenity value located near to the proposed classroom block. This tree is not protected. Over the summer this tree has suffered damaged (photo evidence has been provided) and the school have confirmed their intention to remove this tree on health and safety grounds. Accordingly this application raises no issues in terms of loss or harm to protected trees. However it is considered reasonable that conditions are recommended that a suitable replacement tree be provided once the development is completed, this is set out in condition 3 on landscaping.
- 6.26 In terms of impact on pollution including noise and dust during the construction process. The Environmental Protection Team has raised no objections to this development.
- 6.27 The site is not within a flood zone. Nor is it an application by reason of its floorspace or site area which would constitute a 'major' development. As such the proposed development does not raise any issues in terms of flooding or drainage.

### **Other Material Considerations**

- 6.28 As identified in the principle considerations strong support is offered from both National and local planning policy.
- 6.29 However, the above sets out that the proposal would result in a significant adverse impact to the local highway network. The Highway Authority has set out a number of offsite physical measures which would need to be taken to mitigate the development impact on the highway.
- 6.30 The need to provide additional school spaces to meet the needs of the local community weighs heavily in favour of this scheme. Having due regard for the consultation response from the Highway Authority it is considered, on balance, that the development is acceptable subject to these highway modifications which will need to be undertaken prior to the occupation of the school.

6.31 It should be noted that on submitting this application the applicants (the school) signed 'Certificate A' to confirm they own the land. The land in question is owned by the Royal Borough of Windsor and Maidenhead and as such 'Certificate B' should have been served on the Council as landowners. The applicants have confirmed that they will serve the correct ownership certificates. In any event, it is not considered that this prejudices any parties as the Council is aware of this application and the application has been submitted with proactive engagement with the Education Authority. In the event that this application is successful and national funding is achieved to deliver this scheme then the Council will look to provide the school with a long lease of this land (as is the current arrangement with the existing school) to facilitate to proposal.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. However required CIL payment for the development of this kind would attract a £0 charge.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

8.1 49 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 31.07.2017.

8.2 A total of 4 letters have been received in support of this application. Comments made can be summarised as follows:

Comment	Where in the report this is considered
The school need to expand to meet need	Para 6.2- 6.6
The extension would improve the facilities for existing pupils	Para 6.2- 6.6
This school provides an excellent education and as many children as possible should benefit from this opportunity	Para 6.2- 6.6
It would be controversial and unethical to refuse this application.	This application is considered in accordance with planning policies. To claim otherwise would be incorrect.
The proposed development will not result in significant increase in traffic movements.	Para 6.1- 6.11
Parking and traffic issues can be dealt with through encouraging sustainable modes of transport	Para 6.1- 6.11

8.3 A total of 8 letters of objection have been received from individual addressees. Comments made can be summarised as follows:

Comment	Where in the report this is considered
1 Concerns about highway safety from the development and the impact on those living on the adjacent residential roads	Para 6.1- 6.11
2. Concerns about child safety coming to and from the site during busy times of the day	Para 6.1- 6.11
3. Insufficient parking to accommodate existing school drop off and collection, the development will only increase this	Para 6.1- 6.11

Consultee	Comment	Where in the report this is considered
Highway Authority	<p>Although the proposal presents potentially detrimental impacts to the local highway network, there are measures which can be undertaken to mitigate any potential impacts.</p> <p>Therefore, highways will be seeking a S106 contribution to cover the cost of implementing the double yellow lines and associated traffic regulatory orders (TRO) as well as the construction of the uncontrolled crossing.</p>	Para 6.1- 6.11
Education Authority	Confirmation by the Education Authority that they will meet the costs associated with the transport mitigation measures required to make the development acceptable in planning perms.	Para 6.1- 6.11
Environmental Protection	No objection to the proposal subject to conditions	Para 6.15
Tree Officer	<p>A tree has been shown on the proposed site plan, it is not specified if the tree will be retained or removed as part of the proposal.</p> <p>The field maple appeared to be in a good condition with no major defects visible at the time of inspection. The existing tree provides some amenity within the site and it would be beneficial if it could be retained as part of the development.</p> <p>If removed the loss of this tree could be mitigated through replacement planting that could form part of a landscaping scheme.</p>	Para 6.14
Parish Council	No objection to the proposal subject to conditions regarding transport matters	Noted

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings
- Appendix C – site elevations

## 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 materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan 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 include a replacement tree and 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 No part of the development shall be occupied until vehicle parking 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. 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 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 forward gear. Relevant Policies - Local Plan P4, DG1.

- 5 No part of the development shall be occupied until covered and secure cycle parking facilities 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

- 6 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.

- 7 No development shall commence until such time as a Travel Plan (including for staff) has been submitted to and approved in writing by the Local Planning Authority. Once agreed, the development shall operate in accordance with the agreed Travel Plan. The Travel Plan shall specify initiatives to be adopted by the operators of the site to encourage access to the site by a variety of non car means. It shall set targets and shall specify a monitoring mechanism to ensure compliance with the Travel Plan objectives. The Plan shall identify the travel plan coordinator and outline their responsibilities in pursuing the objectives of the Travel Plan; it should also state who the Travel Plan Co-ordinator will report to. Should the targets within the Travel Plan not be met, the operator should undertake whatsoever measures, as may first have been agreed in writing by the Local Planning Authority, as are necessary to cause a reduction in the number of car borne trips to ensure the targets are achieved. The Plan shall set out a five year plan with measures introduced within six months of receiving approval from the Local Planning Authority. The Plan shall be under constant review with further surveys every two years thereafter. An Annual Report providing a review of progress towards targets and of the implementation of the Travel Plan shall be sent to the Local Planning Authority. Reason: In order to minimise danger, obstruction and inconvenience to users of the highway, to reduce travel by car. Relevant Policies - Local Plan T5.

- 8 No development (other than demolition works) shall commence until a Section 278 (of the Highways Act 1980) Agreement has been secured with the Highways Authority implementing the double yellow lines and associated traffic regulatory orders along the The Fairway as well as the construction of the uncontrolled crossing on the Fairlea junction with The Fairway. The development shall not be occupied until the aforementioned works and monies as approved through the S278 Agreement has been carried out in full.

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

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.





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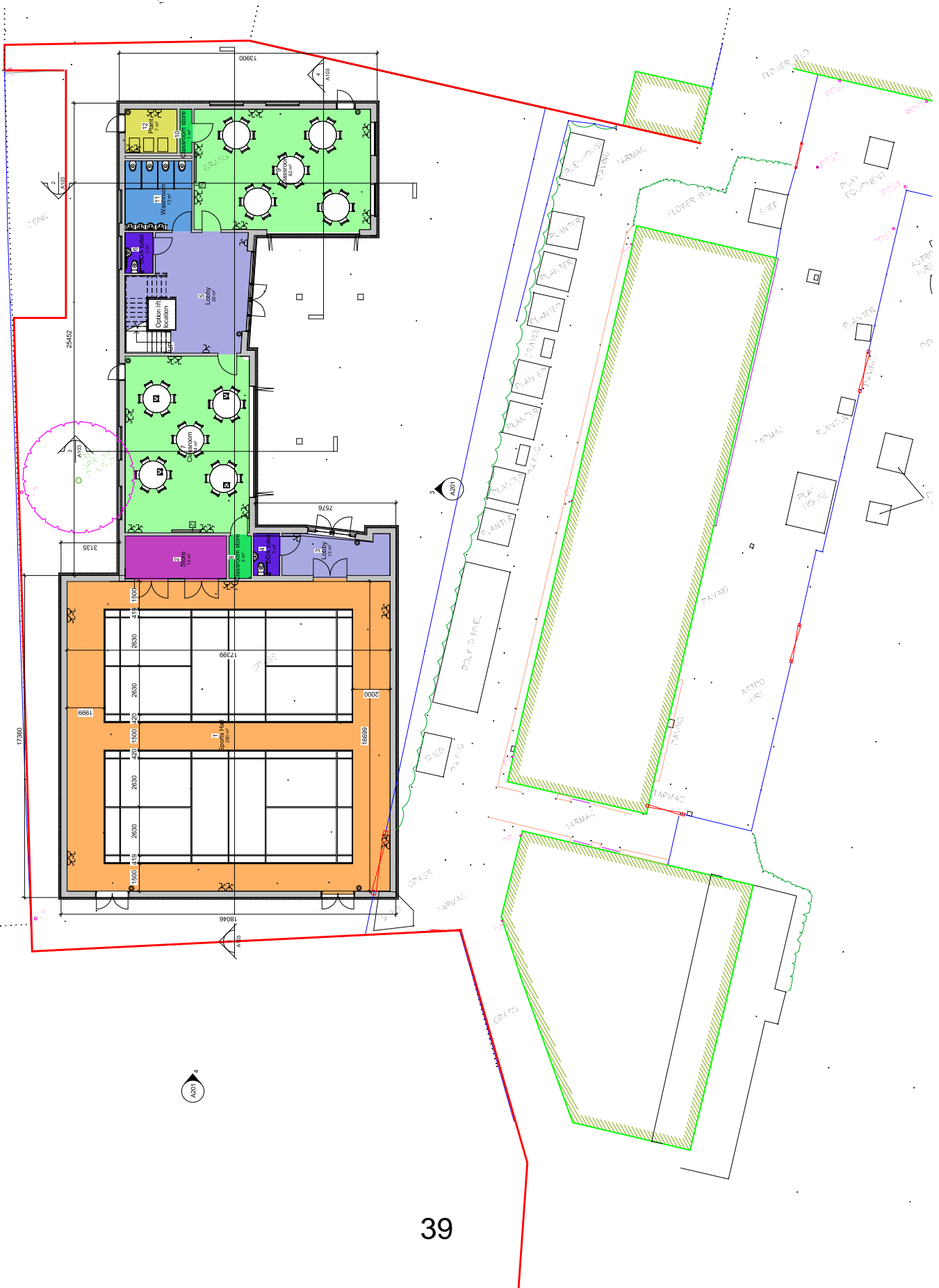
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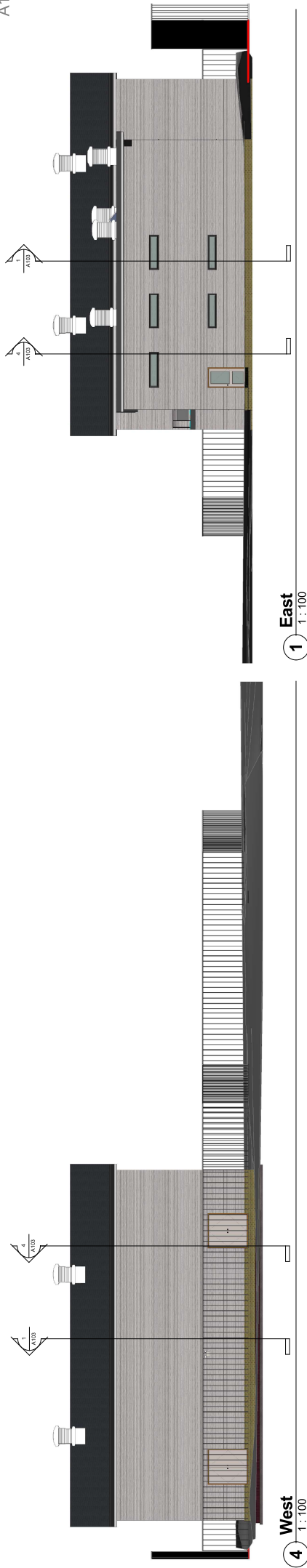
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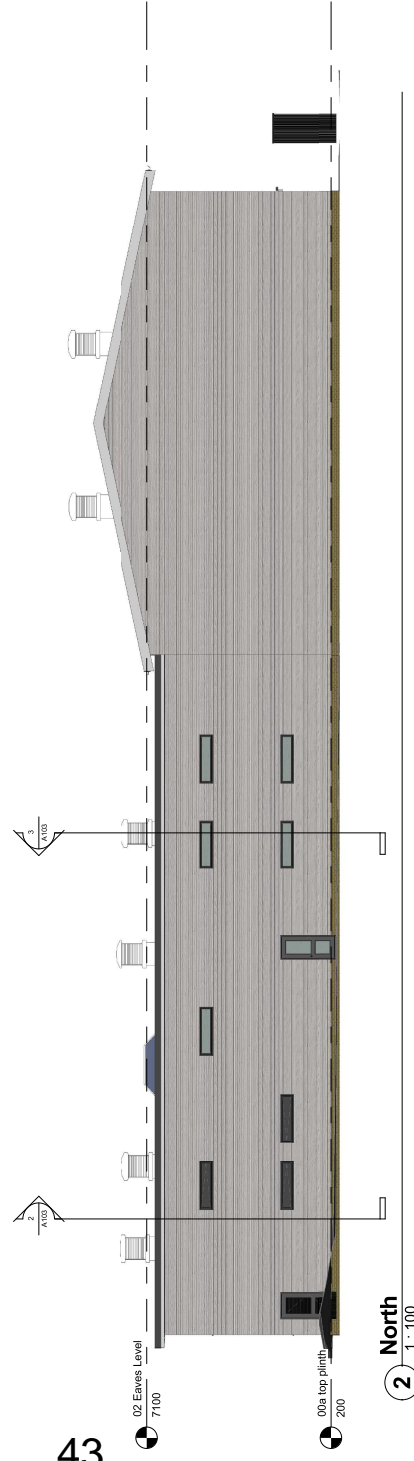
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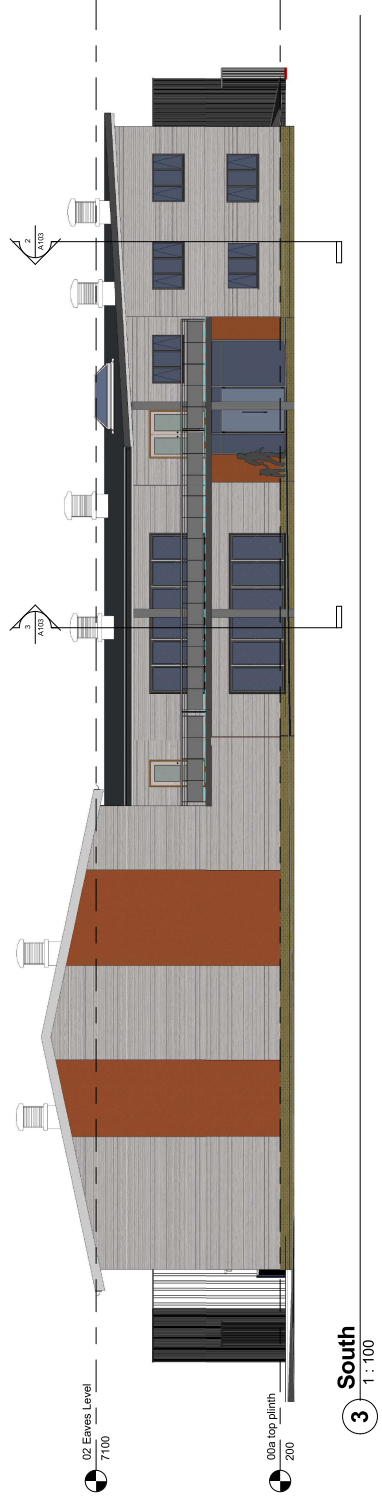
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PROJECT

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## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 3

<b>Application No.:</b>	17/02224/FULL
<b>Location:</b>	Land Adjacent 24 South Road Maidenhead
<b>Proposal:</b>	Construction of 6 x 1bedroom apartments and alterations to road layout (approved under 16/00552)
<b>Applicant:</b>	Mr Gray
<b>Agent:</b>	Mr Sean Kelly
<b>Parish/Ward:</b>	Maidenhead Unparished/Boyn Hill 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 applicant seeks planning permission to construct a two-storey building comprising of 6 x 1 bedroom flats on land adjacent to 24 South Road, Maidenhead.
- 1.2 Improvements to enlarge the turning head at South Road to improve ease for turning for larger vehicles and works to the gradient of the footpath to the north linking South Road to Frascati Way (A308) to improve disabled access are considered to outweigh the loss of the footpath from South Road to Grenfell Place. A legal agreement between the applicant and the Royal Borough under S278 of the Highways Act to ensure these works can be secured by a condition. There is to be no curtilage parking therefore there would be no access and visibility issues. Due to the high level of public transport accessibility the provision of no on-site parking is considered acceptable.
- 1.3 The provision of the site for housing would boost the Borough's supply of housing and would be a clear benefit in this respect. The scale, design and detailing will ensure that the proposal assimilates well into its surroundings, and a landscaping scheme would soften the external appearance of the new building.
- 1.4 The proposal is considered not to significantly affect the living conditions of existing occupiers of neighbouring properties.

**It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- The application is for 6 x 1-bed flats. The Council's Constitution does not give the Head of Planning 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 site lies within Maidenhead Town Centre and comprises of a plot of land to the west of Frascati Way and at the end of South Road. South Road is a residential street in the form of a cul-de-sac with a mix of detached, semi-detached and flatted properties however to the immediate neighbours to the west of the site comprise of semi-detached houses of similar scale and design. To the south is 31 Grenfell Place; while to the east is the A308 which runs at a right angle to South Road.

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

- 4.1 The proposal is for an erection of a two storey building comprising of 6 x 1-bed apartments on land to the east of 24 South Road. 4.2

Reference	Proposal	Decision
16/00552/FULL	Erection of 4 x 1bed apartments with improvements to road layout and disabled access	Approved – 15.08.2016
17/00747/FULL	Construction of 7 x 1-bed apartments with improvements to road layout.	Refused – 04.05.2017

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

- 5.1 National Planning Policy Framework, Section 2, 6 and 7.
- 5.2 The main strategic planning considerations applying to the site and the associated policies are:

##### Royal Borough Local Plan

	Within settlement area	Highway / Parking Issues
Local Plan	DG1, H6, H8, H9 H10, H11, N6	T5, T8, P4
Maidenhead Area Action Plan (MAAP)	MTC4, MTC12	MTC14, MTC15

##### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Acceptable level of housing provision	HO2, HO5
Acceptable impact on trees	NR2
Makes suitable provision for infrastructure	IF1, IF2, IF8

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

##### Other Local Strategies or Publications

- 5.3 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 Highway Safety and Parking
- iii Design and Appearance
- iv Neighbouring Amenity
- v Other Material Considerations

### **Principle of Development**

6.2 The site lies within Maidenhead Town Centre where residential development is supported in accordance with Local Plan policy H6 and MAAP policy MTC12. It is considered that high densities can be supported in Town Centres and intensification in these locations would protect the Green Belt. Paragraph 23 of the NPPF also recognises that residential development can play an important role in ensuring the vitality of centres. Therefore, the principle of residential development is acceptable provided that there is no conflict in terms of highway safety, parking, design and appearance, neighbouring amenity and other relevant material planning considerations.

### **Highway Safety and Parking**

6.3 Local Plan policy T5 requires new development to comply with the Council's adopted highway design standards, T8 states that the Council will improve conditions for pedestrians including identifying opportunities for enhancing pedestrian access to town through new and improved footways, while P4 requires new development to comply with the Council's adopted parking standards. MAAP policy MTC 14 states developments should, where appropriate improve pedestrian connections to and through the town centre

6.4 The proposal involves the loss of a footpath linking South Road to Grenfell Place (A308), but the footpath runs across private land and the Highway Assets Engineer agreed in principle to the stopping up of this section of adopted highway as there is an alternative route to the north, linking South road to Frascati Way (A308). The proposed alterations to the gradient of the footpath to the north linking South road to Frascati Way (A308) would improve disabled access. Furthermore, the proposed enlargement of the turning head would improve ease for turning for larger vehicles. These benefits are considered to outweigh the loss of the footpath from South Road to Grenfell Place. Under 16/00552/FULL the agreement for these works under S278 of the Highways Act had been secured through a S106 legal agreement. However, following legal advice this can be secured by a Grampian condition (condition 6).

6.5 There is to be no curtilage parking therefore there would be no access and visibility issues. Due to controlled parking within the area (residential parking permits and time controlled parking) and high level of public transport accessibility the loss of on-site parking for no. 24 South Road and lack of on-site parking provision for the flats is considered acceptable in this instance. Planning permission 16/00552/FULL included a clause within the S106 that restricted parking permits, S106 agreements to restrict parking permits is no longer used as a mechanism to prevent parking permits being issued; the Council's parking team is responsible for considering individual applications and for issuing parking permits. To comply with current cycle parking standards the proposal would need to provide 1 cycle parking space per unit. Cycle parking is shown to the rear of the property, and further details can be secured by condition 8. The proposed bin storage is located adjacent to the cycle storage area, which is in excess of the current maximum bin carry distance for operatives. A bin collection area for collection days can be secured by condition 9.

6.6 Overall, the proposal is considered to comply with Local Plan policies T4, T8 and P4, and policy MTC14 MAAP.

## **Design and Appearance**

- 6.7 Local Plan policy H10 requires new residential development schemes to display a high standard of design and landscaping in order to create attractive, safe and diverse areas and where possible to enhance the existing environment. Policy H11 takes this further and states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area. General Design policy DG1 states that harm should not be caused to the character of the surrounding area through cramped development or the loss of important features which contribute positively to the area. These policies are in line with the NPPF which attaches great importance to the design of the built environment and good design is indivisible from good planning and paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.8 The scheme under 17/00747/FULL was refused as the form and design would appear out of keeping with the general character of neighbouring residential development, and would appear cramped within its plot. The proposed building differs from the refused scheme by maintaining a two storey height, incorporating a similar ridge and eaves line with neighbouring houses and a hipped roof. This form is considered to be more in keeping with the prevailing form of neighbouring properties, and the resulting scale and bulk are considered to be more proportionate to its plot when seen within its streetscenes and wider locality. Due to its location at the end of the cul-de-sac the proposed building would be visible from Frascati Way and Grenfell Place, but both elevations offer similar fenestration in terms of size and arrangement to its respective streetscene. In terms of architectural detailing the neighbouring houses are plainer in design than the proposed, but the proposed detailing is not to be so incongruous or visually harmful to warrant refusal. The materials pallet proposed is also reflective of the existing materials pallet within the locality, including white render and slate effect tiles, which would harmonise and reinforce local character.
- 6.9 The proposal involves the loss of a strip of land along the A308 which currently comprises of some green scrub and an immature lime tree, it is considered that appropriate landscaping could soften the appearance of built development along the A308 and a landscaping scheme and its management can be secured by condition 3 and 4.
- 6.10 On this basis, the proposed development meets the aims and objectives of Local Plan policies DG1, H10 and H11, and policy MTC4 of the MAAP.

## **Neighbouring Amenity**

- 6.11 Local Plan policy H11 states that planning permission would not be granted for schemes which would cause damage to the amenity of the area, while Core Principle 4 of the NPPF seeks a good level of amenity for all.
- 6.12 In this instance the proposed building would not extend significantly further forward or rearwards of the immediate neighbouring dwelling to the west, no. 24 South Road, and would therefore not protrude through a 45 degree angle taken from the mid-point of the nearest neighbouring window. There are flank windows on the east elevation of 24 South Road, which the proposal would extend across, but these are secondary windows. As such, the proposal is considered unlikely to result in any unreasonable loss of light or visual intrusion to no. 24 South Road.
- 6.13 Proposed windows on the rear elevation would have indirect, oblique views into the rear garden at 24 South Road, but are not considered to materially add to or differ from views from existing neighbouring properties. Two first floor windows has also been proposed on the western flank

elevation which would directly face no. 24 South Road, but these would serve non-habitable room, and obscure and fixed glazing, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level can be secured by condition 5. There is an approximate 14m separation distance from the rear of the proposed house to the side of the existing house at 31 Grenfell Place which is considered to be sufficient to mitigate any undue overlooking, visual intrusion or loss of light to this neighbouring house.

- 6.14 It is therefore considered that the proposal complies with Local Plan policies H11 and Core Principle 4 of the NPPF.

### Other Material Considerations

#### Housing Land Supply

- 6.15 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. The Borough Council cannot demonstrate a 5 year housing land supply. 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.

#### Community Infrastructure Levy (CIL)

- 6.16 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The required CIL payment for the proposed development would be £100 per square metre based upon the chargeable residential floor area. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

10 occupiers were notified directly of the application, and the planning officer posted a statutory notice advertising the application at the site. At the time of writing public consultation is still open, 2 letters were received objecting to the application which are summarised below and any further representations will be reported in an update:

Comment	Where in the report this is considered
1. Increase on on-street parking pressure	Para. 6.5
2. Loss of public footpath from South Road to Grenfell Place, remaining footpath of poor quality	Para. 6.4
3. Impact on water mains and sewers	Noted, but not a material planning issue

### Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Local Highway Authority	No objections subject to conditions relating to a construction management plan, cycle parking and refuse/recycling bin storage and informatives.	Noted and agreed, conditions 7, 8 and 9, and informatives 4, 5, 6 and 7

Environmental Protection	No objection subject to informatives relating to prior consent for construction noise, and dust and smoke control.	Noted and agreed, informatives 1, 2 and 3.
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## 8. APPENDICES TO THIS REPORT

1. Appendix A – Site Location Plan
2. Appendix B – Proposed Layout
3. Appendix C – Proposed Floor Plans
4. 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 - Local Plan 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 the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping other than private domestic gardens.  
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 Polices - Local Plan DG1.
- 5 The first floor window(s) in the west elevation(s) of the building shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.

- 6 Prior to the commencement of construction of the new development a Section 278 (of the Highways Act 1980) Agreement shall be submitted to the Highways Authority for the reconfiguration and/or enlargement of the turning head on South Road and works to the gradient to improve the footpath from South Road to the A308 for disabled access, the full details of which are to be agreed with the Council. The development shall not be occupied until the aforementioned reconfigured and/or enlarged turning head on South Road and works to the gradient to improve the footpath from South Road to the A208 for disabled access, as approved through the S278 Agreement, has been carried out in full.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 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.
- 8 No part of the development shall be occupied until covered and secure cycle parking facilities 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 No part of the development shall be occupied until a refuse bin storage area and recycling facilities 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 be kept available for use in association with the development at all times.  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 10 No development shall commence until details of the existing ground levels (against OD Newlyn) measured at regular intervals across the site have been submitted to the Local Planning Authority. No changes shall be made to the existing levels of the site.  
Reason: In the interest of the visual amenities of the area. Relevant Policies Local Plan DG1, N1
- 11 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.

### **Informatives**

- 1 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'. 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, and no working on Sundays or Bank Holidays. Please contact the Environmental Protection Team on 01628 683830.
- 2 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 and these are available on the internet: 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

- 3 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.
- 4 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks' notice to obtain details of underground services on the applicant's behalf.
- 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.
- 6 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 7 No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

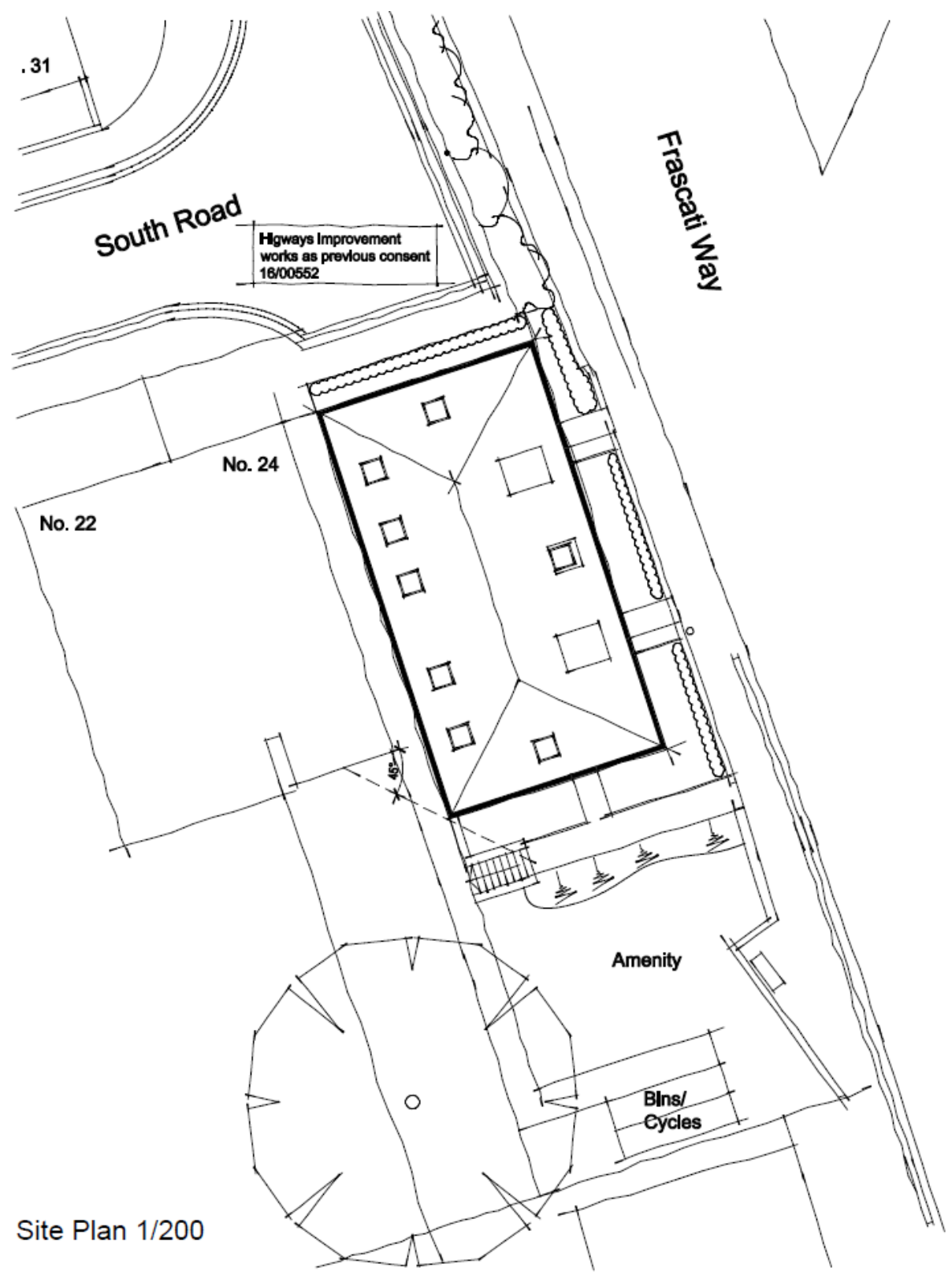


Appendix A – Site Location Plan



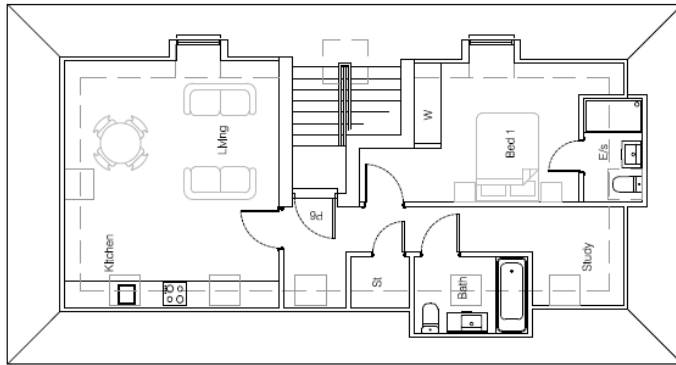
Location Plan 1/1250

Appendix B – Site Layout

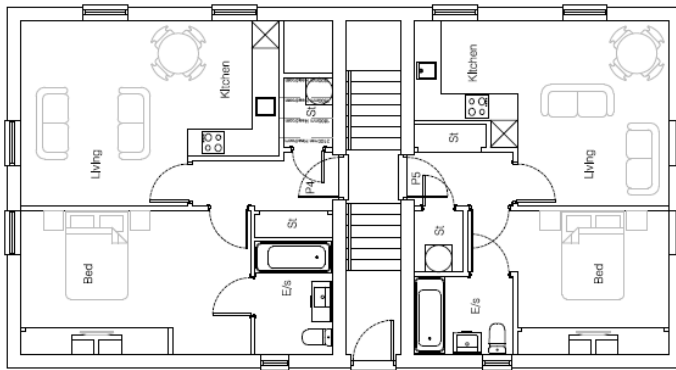


Site Plan 1/200

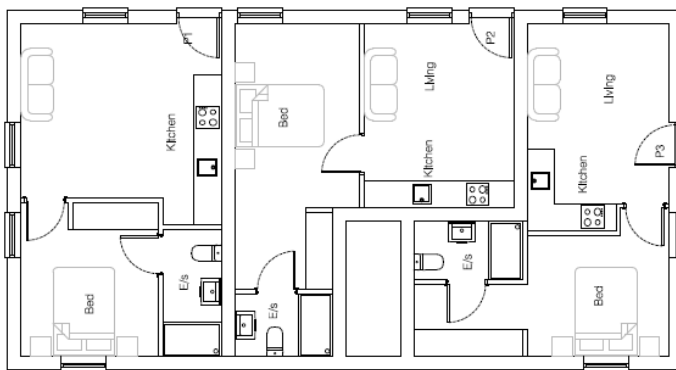
Appendix C – Proposed Floor Plan



First Floor Plan



Ground Floor Plan



Lower Ground Floor Plan

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 t: 02032 576 183 m: 07550 211 072

Project: Residential Redevelopment at  
 South Road, Maidenhead  
 Client: Nascot Homes Ltd  
 Drawing: Proposed Floor Plans  
 Scale: 1:100 @ A3 Date: Feb 17  
 Drawing No: **13.370.P.100D**

Rev	Description	Date

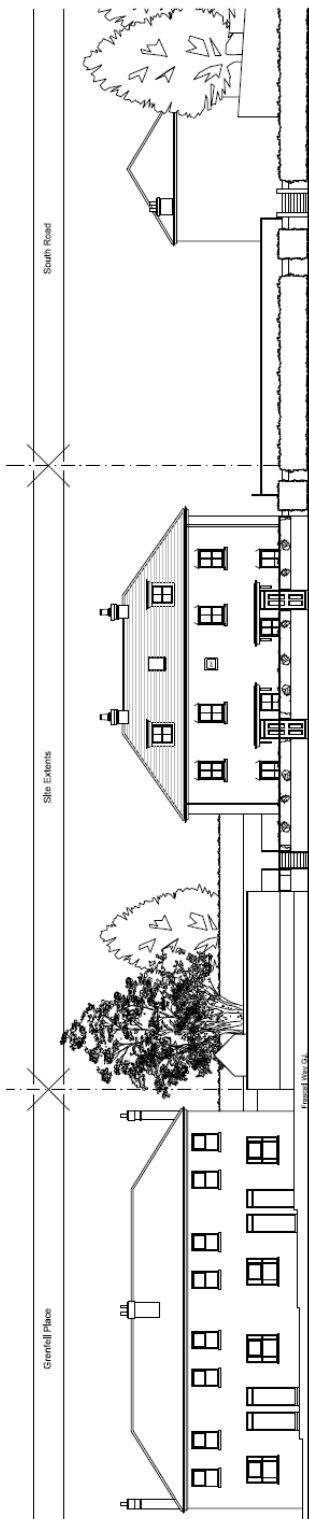
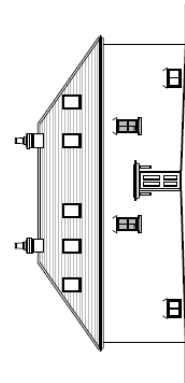
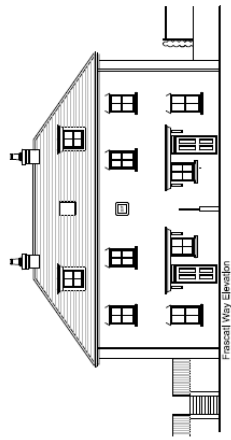
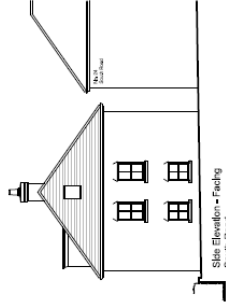
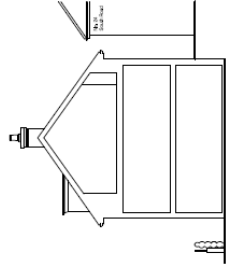
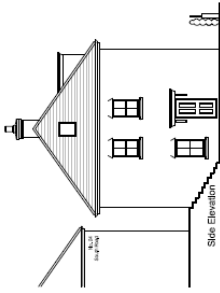
**PLANNING**

1:100 @ A3

**SOUTH ROAD, MAIDENHEAD**

# Appendix D – Proposed Elevations

**NOTES:**  
 1. The owner has approved the proposed elevations for the proposed building.  
 2. The owner has approved the proposed elevations for the proposed building.  
 3. The owner has approved the proposed elevations for the proposed building.  
 4. The owner has approved the proposed elevations for the proposed building.  
 5. The owner has approved the proposed elevations for the proposed building.  
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Residential Reimbursement at  
 100% of the original cost

Client: Maidenhead Council  
 Project: Proposed Elevations  
 Date: 10/06/2023 | Draw: 13.370.P.200E  
 File: 17

Site No. 13.370.P.200E

Site No. \_\_\_\_\_ Date \_\_\_\_\_

Site No. \_\_\_\_\_ Date \_\_\_\_\_

**SOUTH ROAD, MAIDENHEAD**

## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 4

<b>Application No.:</b>	17/02124/FULL
<b>Location:</b>	Colonnade High Street Maidenhead SL6 1QL
<b>Proposal:</b>	Demolition of The Colonnade
<b>Applicant:</b>	Shanly Homes Limited
<b>Agent:</b>	Mrs Rosalind Gall
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward

**If you have a question about this report, please contact:** Christine Ellera on 01628 795963 or at [chrissie.ellera@rbwm.gov.uk](mailto:chrissie.ellera@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 There is an extensive planning permission to this site which establishes the principle for the loss of The Colonnade due to the substantial public benefits associated with the redevelopment of the wider site. The applicants have sought this separate application for the demolition, independent from any planning permission for redevelopment in order to assist in commencing the preparatory works to facilitate in the redevelopment.
- 1.2 Officers have reviewed the application and consider that the proposed works are acceptable in planning terms subject to the conditions recommended below and comply with the National Planning Policy Framework (2012), The Borough Local Plan (2003) and the Maidenhead Area Action Plan (2011) and other material planning considerations.

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.</b>
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### 2. REASON FOR PANEL DETERMINATION

- The Head of Planning considers it appropriate that the Panel determines the application.

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

- 3.1 The application site contains a number of commercial premises including shops, beauticians and takeaways within the building known as The Colonnade which faces out onto High Street and forms part of the designated Conservation Area. These buildings are adjacent to a number of statutory listed buildings including The Bear Hotel (Public House).
- 3.2 In addition, to the north (rear) of The Colonnade is a wing of the Hines Meadow Public Car Park. This wing projects out from the main fabric of the public multi-storey carpark and provides 2 levels of parking and one of the accesses to the carpark via Crown Lane. These buildings are not within the Conservation Area
- 3.3 Running vertically through the middle of the site are the York Stream and The Green Way.
- 3.4 As a whole this area forms the site known as 'phase 3' of the Chapel Arches redevelopment currently being undertaken by the applicants. The scheme is immediately adjacent to, but does not include the Chapel Arches Bridge. Phase 1 and 2 are located to the south of the bridge. This site also forms the north eastern part the High Street/ York Stream Opportunity Area as identified in the Maidenhead Town Centre Area Action Plan (2011).
- 3.5 The site is within flood zone 2 with the majority of this part of the multi-storey carpark within flood zone 3.

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

- 4.1 This is a new full planning application for the demolition of the buildings known as 'The Colonnade' independent of any associated planning application.
- 4.2 There is extensive planning history to the wider 'chapel arches' redevelopment site, of direct relevance:

Ref.	Description	Decision and Date
12/02762/OUT	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm.	Permitted: 21.05.2014
15/03582/REM	Reserved matters (Landscaping) application pursuant to outline planning permission 12/02762 - for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm	Permitted: 26.07.2016
15/04219/CONDIT	Details required by condition 9 (remediation scheme for contamination), 12 (green roofs), 13 (biodiversity), 16 (Japanese knotweed), 22 (waste/recycling storage), 28 (external lighting), 36 (acoustic design), 37 (sound insulation), 38 (noise impact), 47 (cycle parking), 48 (highway works), 54 (archaeological work) and 62 (banks to York stream) of planning permission 12/02762 for an outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm.	Split decision issued on 10.03.2016. It was determined that insufficient information was submitted to agree the following conditions:  9 (contamination) 12 (green roofs) 13 (biodiversity) 22 (waste/recycling storage) 28 (external lighting) 36 (acoustic design), 37 (sound insulation) 38 (noise impact) 48 (highway works) 62 (banks to York

		stream)
15/04274/VAR	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762 without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed.	Permitted: 31.08.2016
17/00680/REM	Reserved matters (Landscaping) for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762/OUT and varied by 15/04274/VAR [varied as follows: without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed].	Permitted: 07.06.2017
17/01227/FULL	Demolition of part of Hines Meadow car park.	Valid on the 10.04.2017 and permitted at the Maidenhead Panel on 27.09.2017
17/01726/FULL	Demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and	Valid on the 25.05.2017 and currently pending consideration

	the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.	
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## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Planning Policy Framework (NPPF) (2012) acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.

This is emphasised in paragraph 14 which states that Local Planning Authorities (LPAs) should approve development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Chapter 12 on Conserving and enhancing the historic environment is also relevant to this application.

### Royal Borough Local Plan

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

- DG1 Design guidelines
- CA1 Development in Conservation Areas
- CA2 Guidelines on Development affecting Conservation Areas
- LB2 Proposals affecting Listed Buildings or their settings
- NAP4 Pollution of groundwater and surface water
- R14 Rights of Way and Countryside Recreation
- E1 Location of Development
- T5 New Developments and Highway Design
- P4 Parking within Development
- MTC5 Townscape and redevelopment
- MTC7 Major Development sites
- MTC11 Traffic management and highway improvements
- IMP1 Associated infrastructure, facilities, amenities

### Maidenhead Town Centre Area Action Plan (AAP) (2011)

The above document forms part of the adopted Development Plan and provides a mechanism for rejuvenating the Maidenhead Town Centre. The document focuses on; Place Making, Economy, People and Movement. The AAP also identifies six sites for specific development.

Policies of relevance include:

- Policy MTC 1 Streets & Spaces
- Policy MTC 2 Greening
- Policy MTC 3 Waterways
- Policy MTC 4 Quality Design
- Policy MTC 8 Food & Drink
- Policy MTC 13 Community, Culture & Leisure
- Policy MTC 14 Accessibility
- Policy MTC 15 Transport Infrastructure
- Policy OA5 High Street/ York Stream Opportunity Area
- Policy IMP2 Infrastructure & Planning Obligations



These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### **Borough Local Plan: Submission Version**

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from June to September 2017 with the intention to submit the Plan to the Planning Inspectorate late 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

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

Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

### **Positive and Proactive Engagement**

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

The wider Chapel Arches redevelopment has been subject to extensive discussion between the applicants and the Council (as a whole) and benefits from an extant planning permission.

During the course of the application additional information to overcome the concerns expressed by the respective consultees were accepted.

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

1. Principle of the demolition and the impact on Conservation Area and wider character and appearance of the area
2. Highway considerations and Parking Provision
3. Environmental Considerations
4. Impact on Neighbouring Amenity
5. Other considerations

### **Principle of the demolition and the impact on Conservation Area and wider character and appearance of the area**

6.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of the Conservation Areas.

- 6.3 The NPPF (2012) states that there is a desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
- 6.4 In determining planning applications, local planning authorities should take account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- 6.5 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 6.6 The NPPF further states that:
- 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...*
- ...Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'*
- 6.7 Furthermore in the Maidenhead Town Centre Conservation Statement the Colonnade is confirmed as a 'significant non-listed building'. It should be noted that Historic England were consulted on application 17/01726/FULL for the redevelopment of this site (which was submitted in advance of this application) and in their response dated 06.07.2017 they stated that they did not wish to offer any comments on the application and it was not necessary for them to be consulted on this application again. In view of this Historic England were not consulted on this application.
- 6.8 The principle of the loss of the Colonnade was established through the above planning history of this site. In permitting application 12/02762/OUT the consultation response from English Heritage noted that the Colonnade had limited positive contribution as a result of changes to the building that have taken place over a number of years. Moreover there was no particular objection to the loss of the Colonnade building because the proposals overall would deliver 'substantial public benefits' as required by the NPPF.
- 6.9 Under application 12/02762/OUT the justification for the loss of the Colonnade, which was necessary to achieve substantial public benefits was as follows:
1. The greater prominence to be given to the waterways through the demolition of the Colonnade and other buildings to the north of the High Street
  2. That the largely hidden area will be opened up to a mix of uses that will improve the vibrancy of this part of the town.
  3. The applicant will restore the historic Chapel Arches Bridge and construct a new balustrade and light the arches to give this heritage asset greater prominence.
  4. Improvements to the appearance of the Conservation Area through the public realm enhancements.
- 6.10 It is not considered that there has been any material change in planning policy since this decision which would affect the conclusions previously reached. Nor have conditions on site significantly changed that would affect the decision previously reached. Accordingly the main consideration is if there remains a substantial public benefit to justify the demotion of The Colonnade.
- 6.11 The application is linked to full planning application 17/01726/FULL which is being considered alongside this application and looks to improve the prominence of the waterway and redevelop and improve the vibrancy of this area.

- 6.12 The restoration of Chapel Arches Bridge is secured through the legal agreement and linked to the wider redevelopment of Chapel Arches area. At the time of writing the report the applicant was about to commence final restoration works to the southern elevation of this bridge. The works undertaken to the southern side will inform the northern faced works which will be undertaken as part of the full planning application considered alongside this application (and secured in the form of a legal agreement).
- 6.13 The land within the confines of 'phase 3' is now wholly within the ownership of the applicants and is part of the full planning application shows a number of public realm improvements. Improvements to the public areas are largely similar to that previously agreed under planning permissions for this site.
- 6.14 In view of the above and subject to conditions securing the delivery of the redevelopment of this site, it is considered that there remain substantial public benefits to justify the loss of the Colonnade. The comments from the local resident are noted but it is the view of Officers that the principle of the demolition of the Colonnade (subject to conditions) remains one which is acceptable.

### **Impact on flooding**

- 6.15 The site of the proposed demolition lies within flood zone 2. This application relates to the removal of the existing Colonnade buildings and a licensed waste remover deployed to remove from site all the demolition debris. No dumping of site materials into the watercourse will take place. The structural integrity of the existing banks of the York Stream including the bank levels will be maintained and no infilling of the York Stream will be undertaken.
- 6.16 The flood risk assessment has been submitted in connection with this application and concludes that all site levels will be set to the existing levels with no loss of floodplain storage volume envisaged. No infilling of the York Stream will take up and the existing river banks/walls will be maintained.
- 6.17 As such Officers do not consider that the proposal would increase flooding.

### **Highway considerations**

- 6.18 A Construction Management Statement has been submitted in support of this application. The purpose of the reports are to ensure that the works associated with the development does not impact on the surrounding area and do not rise any issues in terms of highway safety (including pedestrian safety). The Highway Authority has raised no objection subject to confirmation from the applicant that loading and unloading will take place from within the site. It is considered that this should be secured via condition.
- 6.19 The redline for the application site does not include the on street parking to the frontage. Subject to compliance with the construction management plan (and the above) this parking provision (including the disabled parking) should during demolition still be available.

### **Environmental Considerations**

#### *Impact on adjacent trees*

- 6.20 There are no trees within or adjacent to the application site which would be affected by the proposed demolition works.

#### *Pollution considerations: including noise and dust*

- 6.21 A Method Statement has been submitted which sets out how the demolition will take place and how this will look to prevent and mitigate against pollution including noise and dust. In line with the consultation response from the Environmental Protection Team, this is considered acceptable and conditions to secure compliance with this statement are therefore recommended.

## Archaeological matters

- 6.22 Berkshire Archaeology Officer was consulted on the full planning application and has confirmed that as established under the previous applications for the wider sites redevelopment. A written scheme of investigation document was submitted as part of this co-current application.
- 6.23 The exploratory archaeological investigation cannot be undertaken until after demolition to ground level of existing structures but should be undertaken prior to the commencement of development in order to enable mitigation measures to be agreed if there are any areas of archaeological interest.
- 6.24 Accordingly there are no archaeological implications from this particular application.

### Impact on Neighbouring Amenity

- 6.25 Any potential impact on neighbouring amenity relating to this application is in terms of noise and disturbance associated with the demolition process. Such matters are controlled under the environmental pollution acts which are dealt with under Environmental Protection Act(s) and sit outside of the remit of the Local Planning Authority.

### Other Considerations

- 6.26 It is considered that the above has considered all relevant matters.
- 6.27 The public footpath to the rear of the site is subject to 'Stopping up of the Highway Order' made to the SOS on the 30.06.2017 and as such the proposed development would not impact on any existing rights of way.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 7.1 86x occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 14.06.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 20.07.17
- 7.2 1x letters was received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Support the demolition and overall regeneration of Maidenhead Town Centre	Noted

3x letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Queries about the retention of the disable on street parking provision adjacent to the site	Para 0
2.	Wish to see the retention of the Colonnade	Para 0
3.	Concerns about the hours of construction	Para <b>Error!</b> <b>Reference source not found.</b>

## Consultees

Consultee	Comment	Where in the report this is considered
Historic Buildings Officers	No objections.	Para 7.2- 7.14
Environmental Protection	No objections subject to the demolition being completed inline with the method statement.	Para 0
Berkshire Archaeology	With reference to their consultation response to application 17/01726/FULL for the redevelopment of this site no object to the development, and any conditions are further to the demolition/ construction below ground level	Para 7.23
Highway Authority	No object subject to confirmation that unloading and loading will be undertaken within the construction site.	Para 0
Rights of Way Officer	No objection on public rights of way grounds	Para <b>Error! Reference source not found.</b>
Historic England	Letter dated 06.07.17 in relation to application 17/01726/FULL HE stated that 'It is not necessary for us to be consulted on this application again.'	Para 0

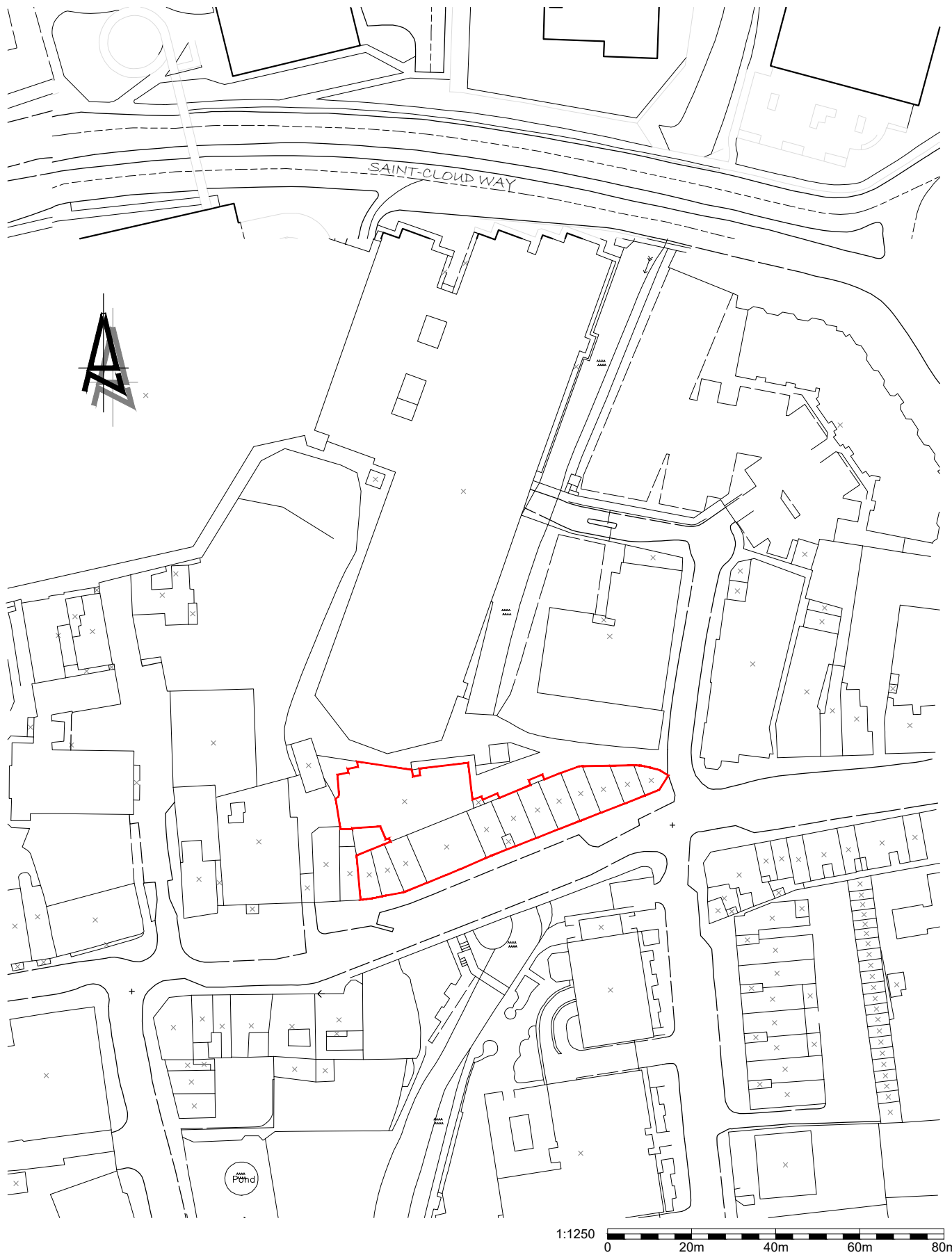
## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan

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

- 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 Notwithstanding the approved plans or any indication given otherwise, the loading and unloading of material during the demolition of the building hereby permitted shall be undertaken within the Demolition Plan (as set out in the approved plans) boundaries. Reason: In the interest of Highway Safety as required by the Borough Local Plan (2003)
- 3 In addition to the approved plan listed below, the proposed development should be built in accordance with the details set out in the following documents: Construction Method Statement (and associated appendices) received by the Local Planning Authority on the 04.07.2017 Amended Noise, Vibration and Dust Management Plan received by the Local Planning Authority on the 25.09.2017 Flood Risk Assessment prepared by Odyssey received by the Local Planning Authority on the 16.08.2017 Reason: to ensure the development takes place in an acceptable manner which does not impact on the environment and highway safety as required by the National Planning Policy Statement (2012) and the Borough Local Plan (2003).
- 4 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.





Drawing Title	Location Plan - section of Colonnade to be demolished
Scale	1:1250
Date	23.06.2017 DWG. NO. 971.PLN.DL02

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## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 5

<b>Application No.:</b>	17/01726/FULL
<b>Location:</b>	Land West of Crown Lane Including Part Hines Meadow Car Park And La Roche And The Colonnade High Street Maidenhead
<b>Proposal:</b>	Demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.
<b>Applicant:</b>	Shanly Homes Ltd
<b>Agent:</b>	Mrs Rosalind Gall
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward
<b>If you have a question about this report, please contact:</b> Christine Ellera on 01628 795963 or at <a href="mailto:chrisie.ellera@rbwm.gov.uk">chrisie.ellera@rbwm.gov.uk</a>	

### 1. SUMMARY

The application is for a new revised scheme to the site known as 'phase 3' of the Chapel Arches Development.

The proposals are for a mixed use scheme that would be residential led along with shops, café/restaurant uses. Car parking would be provided for the apartments within basements to the buildings. Other works associated with the applications include alterations to the York Stream, improvements to the streets and spaces around the site. The proposal would also involve the demolition of the Colonnade building and demolition of the wing of the Hines Meadow Car Park (north of which are subject to separate applications of demolition).

The revised 'phase 3 application' for the Chapel Arches Development would contribute to the overall mix of uses within the town centre and to the sustainable economic development of the town. As considered under the last applications the current arrangement of buildings has resulted in this area becoming largely hidden, underused and peripheral to the core of the town centre. The proposal would (like phase 1 and 2) result in the York Stream having greater prominence and visibility, and an improvement in the appearance and arrangement of the streets and spaces in this part of the town.

The principle of the development including the height and scale of the buildings and the demolition of the Victorian Colonnade have already been established under the extant planning permissions on this site. It is not considered that this revised scheme raises any further issues which have not already been addressed under the previous application.

Subject to a resolution and consultation feedback on the highway matters and drainage (which will be reported in the Panel update) it is considered that the proposed works are acceptable in planning terms and comply with the National Planning Policy Framework (2012), The Borough Local Plan (2003) and the Maidenhead Area Action Plan (2011).

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 7 (para 0) of this report and with the conditions listed in Section 10 of this report.</b>



### 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning 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 contains a number of commercial premises including shops, beauticians and takeaways within the building known as The Colonnade which faces out onto High Street and forms part of the designated Conservation Area. These buildings are adjacent to a number of statutory listed buildings including The Bear Hotel (Public House).
- 3.2 In addition, to the north (rear) of The Colonnade is a wing of the Hines Meadow Public Car Park. This wing projects out from the main fabric of the public multi-storey carpark and provides 2 levels (ground and first floor) of parking and one of the accesses to the carpark via Crown Lane. These buildings are not within the Conservation Area
- 3.3 Running vertically through the middle of the site are the York Stream and The Green Way.
- 3.1 As a whole this area forms the site known as 'phase 3' of the Chapel Arches redevelopment currently being undertaken by the applicants. The scheme is immediately adjacent to, but does not include the Chapel Arches Bridge. Phase 1 and 2 are located to the south of the bridge. This site also forms the north eastern part the High Street/ York Stream Opportunity Area as identified in the Maidenhead Town Centre Area Action Plan (2011).
- 3.5 The site is within flood zone 2 with the majority of this part of the multi-storey carpark being within flood zone 3.

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

- 4.1 This is a new full planning application for the redevelopment of the site for the demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.
- 4.2 The proposed development involves 3 buildings. Building A is located to the eastern side of York stream and is up to 8 storeys in height. Block C would be located to the western side of the stream facing High Street and would be 3- 4 storeys in height. These buildings offer retail units with traditional shop frontages facing the High Street. Building B is located to the rear of Building C, relatively on the footprint of part of Hines Meadow Car Park which is proposed to be demolished. Building B would be up to 8 storeys in height and would have ground floor commercial units facing York Stream and residential above.
- 4.3 With reference to the below planning history this is effectively a revised planning application for the redevelopment of the site. Section 4 of the applicants design and access Statement sets out these revisions in detail. The most notable changes to the extant planning permission are as follows:
1. An increase of 20 residential units comprising of:
    - a. 50x 1 bed- previously 16 unit, increase of 34 units
    - b. 131 x 2 bed - previously 134 unit, decrease of 3 units
    - c. 1x 3 bed - previously 12 unit, decrease of 11 units
  2. Loss of all B1 (office) use class space- previously 363 sqm contained in the ground floor of building A.
  3. 442 sqm retail space provided across the development- previously 1045 sqm of retail space
  4. 1,200 sqm flexible 'commercial' space across the development- previously 987 sqm of restaurant/cafe space (Class A3)

a. To accommodate the increase in units the two basement level parking areas would be extended and combined with the ground floor parking the development now proposes:

5. 196 car parking spaces- previously 163 spaces, increase of 33 spaces
6. 30 motorcycle spaces - previously 11 spaces, increase of 19 spaces
7. 246 secure cycle spaces previously 164 spaces, increase of 82 spaces

Notwithstanding the increase in the size of the basement parking most of these amendments are accommodated through internal reconfiguration. Otherwise any increases in the footprint to the proposed buildings are fairly limited. Some alterations to the proposed terraces are also shown.

4.4 There is extensive planning history to this site, of direct relevance:

Ref.	Description	Decision and Date
12/02762/OUT	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm.	Permitted: 21.05.2014
15/03582/REM	Reserved matters (Landscaping) application pursuant to outline planning permission 12/02762 - for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm	Permitted: 26.07.2016
15/04219/CONDIT	Details required by condition 9 (remediation scheme for contamination), 12 (green roofs), 13 (biodiversity), 16 (Japanese knotweed), 22 (waste/recycling storage), 28 (external lighting), 36 (acoustic design), 37 (sound insulation), 38 (noise impact), 47 (cycle parking), 48 (highway works), 54 (archaeological work) and 62 (banks to york stream) of planning permission 12/02762 for an outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new	Split decision issued on 10.03.2016. It was determined that insufficient information was submitted to agree the following conditions:  9 (contamination) 12 (green roofs) 13 (biodiversity) 22 (waste/recycling storage) 28 (external lighting)

	footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm.	36 (acoustic design), 37 (sound insulation) 38 (noise impact) 48 (highway works) 62 (banks to York stream)
15/04274/VAR	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762 without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed.	Permitted: 31.08.2016
17/00680/REM	Reserved matters (Landscaping) for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762/OUT and varied by 15/04274/VAR [varied as follows: without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed].	Permitted: 07.06.2017
17/01227/FULL	Demolition of part of Hines Meadow car park.	Permitted by the Maidenhead Development Panel on the 27.09.2017
17/02124/FULL	Demolition of The Colonnade	Valid on the 11.07.2017 and currently pending

		consideration alongside application	this
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## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework (NPPF) (2012) acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.
- 5.2 This is emphasised in paragraph 14 which states that Local Planning Authorities (LPAs) should approve development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
1. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  2. specific policies in this Framework indicate development should be restricted.
- 5.3 Paragraph 49 also states that housing applications should be considered in the context of the presumption in favour of sustainable development. 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.

### Royal Borough Local Plan

- 5.4 The main planning considerations applying to the site and the associated policies are:
- N6 Trees and development
  - N11 Creative Nature Conservation
  - DG1 Design guidelines
  - CA1 Development in Conservation Areas
  - CA2 Guidelines on Development affecting Conservation Areas
  - CA6 Car parking in Conservation Areas
  - LB2 Proposals affecting Listed Buildings or their settings
  - NAP4 Pollution of groundwater and surface water
  - R1 Protection of Urban Open Spaces
  - R3 Public Open Space Provision in New Developments (provision in accordance with the minimum standard)
  - R4 Public Open Space Provision in New Developments (on site allocation)
  - R5 Children's Play Space
  - R14 Rights of Way and Countryside Recreation
  - E1 Location of Development
  - E8 Business Use in Town Centres
  - E9 Business Use in Town Centres
  - E10 Design and Development Guidelines
  - H2 Identified housing sites
  - H3 Affordable housing within urban areas
  - H6 Town centre housing
  - H8 Meeting a range of housing needs
  - H9 Meeting a range of housing needs
  - H10 Housing layout and design
  - H11 Housing density
  - T5 New Developments and Highway Design
  - T7 Cycling
  - T8 Pedestrian environment
  - P4 Parking within Development
  - MTC4 Housing in redevelopments
  - MTC5 Townscape and redevelopment
  - MTC7 Major Development sites

MTC10 Non-retail uses  
MTC11 Traffic management and highway improvements  
MTC12 Pedestrianisation  
MTC13 Pedestrian routes  
IMP1 Associated infrastructure, facilities, amenities

### **Maidenhead Town Centre Area Action Plan (AAP) (2011)**

5.5 The above document forms part of the adopted Development Plan and provides a mechanism for rejuvenating the Maidenhead Town Centre. The document focuses on; Place Making, Economy, People and Movement. The AAP also identifies six sites for specific development.

5.6 Policies of relevance include:

Policy MTC 1 Streets & Spaces  
Policy MTC 2 Greening  
Policy MTC 3 Waterways  
Policy MTC 4 Quality Design  
Policy MTC 5 Gateways  
Policy MTC 8 Food & Drink  
Policy MTC 10 Offices  
Policy MTC 12 Housing  
Policy MTC 13 Community, Culture & Leisure  
Policy MTC 14 Accessibility  
Policy MTC 15 Transport Infrastructure  
Policy OA5 High Street/ York Stream Opportunity Area  
Policy IMP2 Infrastructure & Planning Obligations

These policies can be found at  
[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### **Borough Local Plan: Submission Version**

5.7 Policy TR3 deals specifically with Maidenhead Town Centre and offers strong support for development proposals that promote and enhance the vitality and viability of the Town Centre.

5.8 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from June to September 2017 with the intention to submit the Plan to the Planning Inspectorate late 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

5.9 This document can be found at:  
<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

### **Supplementary planning documents**

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

1. The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

5.11 More information on these documents can be found at:  
[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **Other Local Strategies or Publications**

5.12 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

5.13 More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **Positive and Proactive Engagement**

5.14 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by liaising with the applicants regarding the proposed development throughout the consideration of this planning application.

5.15 In this instance Chapel Arches redevelopment has been subject to extensive discussion between the applicants and the Council (as a whole) and benefits from an extant planning permission.

5.16 During the course of the application additional information to overcome the concerns expressed by the respective consultees were accepted.

## **6. EXPLANATION OF RECOMMENDATION**

6.1 There is extensive planning history to this site which establishes the redevelopment of this site and is supported by the Maidenhead AAP (2011). There has been no significant material change in planning policy since the previous planning permission at this site and site conditions have not changed which would amount to riveting the established principle of the development. This is a strong and material consideration is considering any new/ revised application on this site. Accordingly Officer's comments are limited to the proposed changes to the extant planning permission.

6.2 The key issues for consideration are:

- 1 Principle of the redevelopment of this site
2. Design considerations including the impact on heritage assets
3. Affordable Housing and other Financial Considerations
4. Highway considerations and Parking Provision
5. Provision of a Suitable Residential Environment
  1. Impact on Neighbouring Amenity
  2. Impact on trees and landscaping
  3. Flooding and Sustainable Urban Drainage
  4. Other Environmental Considerations
  5. Other considerations

### **Principle of the redevelopment of this site**

Principle of the loss of the existing buildings within the application site.

6.3 The principle for the loss of part of Hines Meadow Car Park has been established under the previous planning permissions for this site, including the most recent application 17/01227/FULL which was permitted by the Maidenhead Development Management Panel on the 27.09.17.

6.4 In terms of the principle of the loss of The Colonnade, this application should be read alongside application 17/02124/FULL which is on the agenda to be considered by Members of the Maidenhead Development panel after this application. It should be noted that Historic England was consulted on this application and stated that they did not wish to offer any comments on the application and it was not necessary for them to be consulted on this application again. The Officer report in connection with the application for the demolition of The Colonnade has concluded that there remain substantial public benefits to justify the demolition of The Colonnade.

This includes physical enhancements and visual improvements to the area which are discussed in greater detail below.

#### Principle of the proposed redevelopment

##### *Principle of the development in flood zone 2 and 3*

- 6.5 The principle of this development within flood zone has already been established by the various planning permissions on this site. The LPA is satisfied that it is not necessary to revisit the exceptions and sequential tests in this regard. Flood protection matters are dealt with further within the report.

##### *Principle of the proposed mix of commercial uses.*

- 6.6 The site forms part of the High Street East / York Stream Opportunity Area. The Maidenhead AAP allocated this site for a residential and office led mixed use development. The AAP further states that proposals for the area should comprise in the order of: 100 residential dwellings (gross), 6,500 m<sup>2</sup> office floorspace (gross) and food and drink uses at ground level. The boundaries of this area far exceed even that of the wider Chapel Arches redevelopment
- 6.7 The main significant difference is that this scheme now proposes no office space, whereas the last approved application on this site proposed 363 sqm office floor space. An economic justification has been provided to justify why office floor space is no longer appropriate for this location. The statement submitted provides limited justification and refers to overall matters in Maidenhead without any supporting evidence. No analysis has been done as to why office development cannot specifically be achieved on this particular development site.
- 6.8 Whilst the office floorspace in the consented scheme was fairly limited, in the absence of any robust justification the lack of office space in this development fails to comply with the AAP. However, the AAP always envisioned that this development would be residential led and the proposed development does propose a number of commercial and retail units on the ground floor, which will have economic benefits. The emerging Borough Local Plan further refers to this opportunity area in the justification for policy TR3 on Maidenhead Town Centre, however the reference is to the retail opportunities this site proves, as opposed to the delivery of office floorspace. On this basis the loss of all proposed office space in this location is not one which results in significant harm to warrant an object to the proposed development.
- 6.9 Only 442 sqm of retail floor space is now proposed, contained in Blocks A and C facing the High Street. This is less than half of that proposed in the initial application. However, 1,200 sqm of flexible 'commercial' space is now proposed across the development, this is largely contained within Block B facing the waterway. Previously 987 sqm of restaurant/cafe space (Class A3) was proposed.
- 6.10 In principle these alterations to the previously approved schemes are not considered to raise any significant issues. The key matter is to retain active frontages facing the High Street which contribute to the vitality of the Town Centre. Moreover, the site is located in the secondary retail area of the Town Centre. The preferred option for the LPA is to direct A1 (shop) uses to primary retail area, strengthening the retail core area. In the secondary retail area it is considered that all 'A' uses maybe considered acceptable in this location as they all contribute to the vitality and future viability of this area. Whilst these are opportunities for eating establishments in this location it is also considered that D2 (assembly and leisure) uses could benefit from this site and indeed D1 (non residential institutions uses) such as art galleries. On this basis conditions are recommended to allow for flexible uses in this area to attract a wide variety of business to contribute to the vitality and viability of Maidenhead Town Centre. See conditions 11 and 12.

#### **Design considerations including the impact on heritage assets**



- 6.11 Part of the justification for the loss of the Colonnade is the overall regeneration benefits of the scheme which includes the visual improvements and place making opportunities this application provides.
- 6.12 Following concerns expressed from the Council's Heritage Consultant plans have been amended since the initial submission to alter the proposed material finish. The materials now being proposed are the same as that that previous agreed.
- 6.13 Overall the proposed design, layout and appearance of the development would appear largely the same as the extant planning permission on the site. The alterations to the approved scheme are not considered to raise any further design implications.
- 6.14 The restoration of Chapel Arches Bridge as viewed from the southern side is secured through the legal agreement and linked to the wider redevelopment of Chapel Arches area. The restoration of the northern elevation of this bridge (following the demolition of the Colonnade) will be secured via a legal agreement as part of this planning application.

### **Affordable Housing Provision**

- 6.15 Policy H3 Affordable housing within urban areas of the current Local Plan requires development of this size to provide 30% affordable housing provision.
- 6.16 It is worth noting that on the previous planning application on this site the LPA approved a 0% affordable housing provision scheme, as it was accepted that due to the viability reasons associated with the cost of the build that affordable housing provision was not viable. The previous viability appraisal on this site agreed a developer profit of 20%. This is in the higher region of the industry accepted standard for developer profit which is usually around a 16-20% on redevelopment site. However, it is common practice for a higher developer profit to be accepted on schemes which offer higher risk, in this instance the works associated with the waterways and the bridge result in this development being consider higher risk.
- 6.17 A viability appraisal was submitted during the course of this planning application to demonstrate that due to the costs associated with this development, notably the works to York Stream and the basement level car parking the provision of on-site affordable housing in accordance with the Council's adopted policies is not viable. The applicants are alternatively proposing 6 on site shared ownership affordable housing units. This would be equivalent to 30% of the 20 *increase* in units above the approved planning permission on this site.
- 6.18 The applicants Viability Appraisal seeks to demonstrate that with 30% of the additional 20 units as Shared Ownership, the developer profit would be 17.31% which is considered low but still viable. The appraisal claims that the developer is prepared to forgo the "usually obtainable" developer profit in this instance in order to see Phase 3 of the Chapel Arches development proceed.
- 6.19 The District Valuers Office has reviewed this viability appraisal and agrees that assuming a 20% developer profit, it is not viable to continue with the scheme inclusive of the 6 Shared Ownership units offered. However should 17.5% developer profit be adopted the proposed scheme is viable with the 6 Shared Ownership units plus a surplus £1,377,611.
- 6.20 The Applicant has responded on these matters and considers the risks involved in a development of this scale a 20% developer profit is considered to be reasonable and justified. Having considered the matter further it is agreed that given the works associated with this application, notably that undertaken to York Stream (and as a 20% developer profit was previously accepted on this site), that this is a reasonable developer profit. On this basis the proposed 6 shared ownership units are considered to be acceptable on a development of this size, given the costs associated with the proposed development.

### **Financial Considerations**

- 6.21 Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application. The weight to be attached to these considerations is a matter for the Council.
- 6.22 With reference to the above planning history in granting the previous planning permission on this site for 'phase 3' of the development the following financial contributions were secured against this extant planning permission:

Type of Infrastructure	Scheme description	Chapel Arches Phases 3
Public open space		£75,154.93
Community & youth facilities		£97,505.76
Library services		£112,399.92
Education		£283,489.40
Highway/ public transport	Bus Service	£6,600
	Highways	£496,342.16
Indoor sport facilities	Sports hall	£164,746.97
Air quality		£6,600
Allotments	Maidenhead 9248	£9,582.20
Total		1,885,962.94

- 6.23 This is a new full planning application and needs to be considered on its own merits. Since the grant of the previous planning permission(s) on this site there has been a material and significant change in the way the Council collects monies towards funding infrastructure needed to support development in the Borough. The introduction of the Community Infrastructure Levy (CIL) means that financial contributions can only be sought where they are required to make the development acceptable in planning terms and not contained on the Councils' current Regulation 123 list which sets out what CIL receipt could be spent on.
- 6.24 As part of this planning application the Council is currently discussing with the applicants what matters are required to be secured by S106 to make this development acceptable in planning terms having due regard for the relevant legislation.
- 6.25 A draft S106 legal agreement has been provide by the applicants which looks to secure regarding provision of:
- 1) CCTV provision (as per the extant planning permission)
  - 2) 6x affordable housing units (shared ownership)
  - 3) Long term maintenance and management of the site (including the waterways in the application site)

Type of Infrastructure	Scheme description	Chapel Arches Phases 3
Highway/ public transport	Bus service	£6,600
Air quality		£6,600
Total		£13,200

- 6.26 Matters such as community provision, education, libraries and allotments are identified as being delivered through CIL and as such cannot be secured as part of a planning obligation. Part of this

report seeks the Panels authorisation to give delegated authority to the Head of Planning to grant planning permission for this scheme subject to further successful negotiations and completion of a legal agreement as part of this planning application.

- 6.27 The proposed development would result in the formation of additional dwellings and therefore is liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable rate set for all development, which forms a financial contribution towards to the provision of infrastructure required to support development. The site is located in Maidenhead Town Centre where the Levy is set at £0 per sqm.

### **Highway considerations and Parking Provision**

- 6.28 The proposed development would result in the net increase of 20 new units, a decrease in the amount of office floor space and some reconfiguration and the amount of retail/ commercial floor space. Either taken independently or as whole this is not considered to raise any significant issues in terms of capacity of the road network (above and beyond the existing extant planning permission).
- 6.29 The Highway Authority has requested a few amendments and alterations to the proposed Highway Assessment and the accompanying Travel Plan. These amendments including a plan showing changes to the size of the parking spaces and further details of the cycle design and access arrangement and information on the refuse servicing strategy for the commercial unit in Block B.
- 6.30 Whilst the travel plans were overall considered to meet the Council requirements, a few updates were required. These included correcting inaccuracies in the description of the local road network and updating the bus routes to reflect changes to Courtney Buses and First Buses routes.
- 6.31 This amended information was provided by the applicant on the 17.10.2017. The Highway Authority has been re-consulted on this additional information and Members will be updated on this matter at the Maidenhead Development Panel Meeting. However on the face of it, it would appear this additional information satisfies the concerns expressed by the Highway Authority.

### **Provision of a Suitable Residential Environment**

- 6.32 Proposed new residential development should provide an appropriate level of lighting, outlook and amenity to all habitable rooms and be of suitable space standards. Developments are also expected to enhance existing landscaping and allow visual interest and amenity.
- 6.33 All units would have suitable internal space, means of lighting and ventilation. No sunlight assessment has been submitted as part of this planning application however much of the layout was agreed under the previous applications on this site and officers do not consider that the changes proposed result in any material change with regard to this issue.
- 6.34 With the exception of some upper floor units on the southern corner 'apex' of Block A most units afford private balconies which provides amenity to future occupiers. Amended plans have been submitted since the original submission of the application to reconfigure the layout out of the additional ground floor units to block A to have a private terrace. This allows for a better separation of public and private spaces alongside footpaths running between Block A and York Stream. Roof Gardens are also proposed on all blocks which provides amenity for the proposed occupiers of each building and green infrastructure in support of the development.
- 6.35 It is accepted that the current Local Plan, notably policies R3, R4 and R5 require a greater quantum of on-site open space than that proposed. However, this has all largely been agreed under the previous planning permissions and in a Town Centre location, as a whole the amenity space of future occupiers is considered to be acceptable. Moreover the waterside location and improved public space offers an important setting and amenity for future occupiers.
- 6.36 Separate secure refuse and recycling stores are proposed as part of this application for each block. The location of this storage is amended as part of this location, the Highway Authority has

requested some amendments. As set out in para 3.1 This amended information was provided by the applicant on the 17.10.2017. The Highway Authority has been re-consulted on this additional information and Members will be updated on this matter at the Maidenhead Development Panel Meeting. However on the face of it, it would appear this additional information satisfies the concerns expressed by the Highway Authority.

- 6.37 On this basis it is considered that the proposed development would provide a suitable residential environment for future occupiers.

### **Impact on Neighbouring Amenity**

- 6.38 In comparison to the extant planning permission on this site the changes to the overall scale, mass and bulk of the proposed building are considered to be fairly limited. In view of this the proposed development is not considered to raise any additional issues in terms of loss of light, overbearing impact or overlooking, above and beyond the permitted scheme. Therefore the proposed development is not considered to have a detrimental impact on the amenities of the occupiers of surrounding residential dwellings.
- 6.39 Any potential impact on neighbouring amenity relating to this application is in terms of noise and disturbance associated with the demolition process. Such matters are controlled under the environmental pollution acts which are dealt with under Environmental Protection Act(s) and sit outside of the remit of the Local Planning Authority.

### **Impact on trees and landscaping**

- 6.40 There are no trees of any amenity value proposed to be removed as part of this application. As with the last applications on this site and subject to tree protection details it is considered that the construction of the development can take place without affecting off site trees (and the associated root protection areas).
- 6.41 A landscaping plan has been submitted as part of this planning application, which is aligned with that previously granted on this site. The applicants have provided tree pit information to demonstrate how trees can be successfully planted as part of this scheme whilst taking into account the basement parking limitations. The Council's Tree Officer has raised a number of concerns about how trees will be planted and can be maintained, particularly given the location of the proposed basements underneath proposed planting. The Tree Officer further considers that unless the viability of future planted trees can be assured the scheme should be refused.
- 6.42 It is acknowledged that landscaping is a crucial part of ensuring a successful development. However, it is not uncommon to achieve successful tree planting in and around urban built form, and/or above basement parking. Therefore in this instance, it is considered that matters regarding tree pit design can be dealt with by way of condition. Conditions X in section 10 deals with this matter.
- 6.43 The tree offer has also raised concerns about access to green roofs from future occupiers and the difference between green roof developments and amenity green space. Officers do not see any distinction between the two matters and considers that opportunities for green infrastructure should also been seen as valued opportunities for providing amenity space for residents in an urban environment. Officers therefore consider that access and management can be dealt with via condition 3 set out below.

### **Flooding and Sustainable Urban Drainage**

- 6.44 As set above, the principle of the development within flood zone 2 and 3 has been agreed as part of the previous applications on this site. There has been no material change in planning policy since these decisions were made.
- 6.45 On the 19th February 2016, the Environment Agency issued updated advice stipulating how climate change allowances should be incorporated into site specific FRAs and any proposed

SuDS features. Generally, designs will be required to incorporate higher river flows than previously recommended.

- 6.46 A Flood Risk Assessment (FRA) has been submitted as part of this planning application. The elevation plans show that the FFLs of the basement entry level will be above the predicted flood level (plus climate change). Any ground floor units and lobby areas are also situated above this level and a safe dry access and egress from the site can also be achieved.
- 6.47 The site is currently all laid to hardstanding and the FRA shows that the proposed development would result in an increase in floodplain storage of 270m<sup>3</sup>.
- 6.48 Flood resistant building design principles are also proposed at ground floor level and further recommendations regarding water proofing (where necessary) the below ground parking structures to protect against the potential risks associated with groundwater flooding will be secured through conditions.
- 6.49 The FRA also suggests that temporary surface water measures will need to be considered during the construction of the development to ensure the risk of flooding to the site and surrounding areas is not increased during to the works.
- 6.50 The Environment Agency raises no objections to this application subject to conditions including compliance with the FRA. See condition 37- 44.
- 6.51 In terms of Sustainable Urban Drainage, introduced from 6 April 2015 the Government strengthened planning policy on the provision of sustainable drainage systems (SuDS) for 'major' planning applications (Paragraph 103 of National Planning Policy Framework and Ministerial Statement on SuDS). As per the guidance issued by the Department of Communities and Local Government (DCLG), all 'major' planning applications being determined from 6 April 2015, must consider sustainable drainage systems. Developers are advised to assess the suitability of sustainable drainage systems in accordance with paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. Sustainable drainage systems should be designed in line with national Non-Statutory Technical Standards for SuDS.
- 6.52 SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development. Hydraulic calculation and drawings to support the design need to be provided along with proposed standards of operation and maintenance in accordance with paragraph 081 of NPP (PPG).
- 6.53 In accordance with The Floods and Water Management Act 2010 the Royal Borough in its role as Lead Local Flood Authority (LLFA), is a statutory consultee for all major applications. Previously the Environment Agency had that statutory responsibility. The above act is clear that on considering an application for approval the approving body must grant it, if satisfied that the drainage system if constructed as proposed will comply with national standards for sustainable drainage, or refuse it, if not satisfied.
- 6.54 The previous scheme on this site was approved prior to the introduction of the Sustainable Urban Drainage. Due to the constraints of this site the applicants have significant difficulties in providing a SuDs compliant scheme.
- 6.55 Following concerns expressed by the Lead Local Flood Authority about the level of drainage information submitted in connection with this application further supporting drainage information has been provided that highlights that the approved development proposals do not provide the surface water attenuation required by the latest local policy but claims a betterment to the existing situation.
- 6.56 Irrespective of the previous approved scheme, this application needs to be considered in the context of the current polices. The existing site is all laid to non-permeable hardstanding and built form and freely drains to the York Stream without any attenuation. As part of the development, it

is proposed to incorporate areas of green roof where suitable to reduce the discharge compared to the existing scenario. Surface water runoff will continue to discharge into the York Stream.

- 6.57 The Lead Local Flood Authority has been re-consulted on this additional information and Members will be updated on this matter at the Maidenhead Development Panel Meeting.

### **Other Environmental Considerations**

#### *Impact on York Stream*

- 6.58 The changes and modifications to the York Stream have been agreed under the most recent planning application on this site, the proposal does not raise any modifications in this regard. The comments from the Environment Agency and the Maidenhead Waterways raise no objection to the development, subject to conditions. These are set out in conditions 8 -10 and 37-42.

#### *Contaminated Land*

- 6.59 Under the original outline planning application the previous report prepared by Golden Associates showed some potential contamination due to light industrial activities on the site prior to the building of the multi storey car park on part of the application site.
- 6.60 The Council's Contaminated Land Officer considers that the applicant has not provided sufficient information to address the potential contamination on site, this is further supported by the recommended conditions from the Environment Agency which are seeking to ensure there is no risk of contamination to the watercourse.
- 6.61 As with the previous planning application on this site, Officers are satisfied that this matter can be dealt with by way of conditions. See condition 23, 24 and 39.

#### *Pollution considerations: including Noise, Air quality and Lighting*

- 6.62 It is not considered that a residential development of this size would result in an unacceptable level of noise in a town centre location such as this. Any significant issues regarding noise would likely be from construction. In line with the consultation response from the Environmental Protection Team, this can likely be dealt with under conditions and/or under separate control of pollutions legislation, as appropriate.
- 6.63 An amended Noise Impact Assessment and Air Quality Assessment have been submitted in support of this application. These reports do not raise any matters which have not already been addressed previously on this site. Where relevant conditions regarding these matters attached to previous planning permissions are recommended as part of this application. See conditions 22, 29, 30, 31, 32, 47 deal with these respective matters.

#### *Biodiversity*

- 6.64 The Bat survey (dated 2012) has been submitted in support of this application. Notwithstanding the date of this report only two significant alterations have taken place since then, notably York Stream is currently 'dammed', and the gymnasium has been demolished and currently being used as a private a car park. Accordingly, the majority of recommendations from the previous report remain relevant. An updated ecology report has also been submitted in support of this application which has also considered protected species such as bats.
- 6.65 These reports do not raise any matters which have not already been addressed previously on this site. Where relevant conditions regarding these matters were attached to previous planning permissions, these conditions are also recommended as part of this application and set out in condition 26.

#### *Archaeological matters*

- 6.67 An archaeological desktop assessment has been submitted in connection with this application. This concludes that that the site has limited archaeological potential and Berkshire Archaeology raise no objection subject to conditions, this is dealt with in recommended condition 35.

### Other Considerations

- 6.68 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.
- 6.69 This scheme would make a contribution to the Borough's housing stock. This weighs in significant favour of this scheme, as does bringing an underutilised brownfield site into more efficient use. The regeneration benefits and improvements to York Stream brought forward to this scheme also attract significant weight. Where any potential harm or inconsistency with planning policy has been identified above this has been given appropriate weight in the consideration of this application.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 7.1 275 occupiers of adjacent properties were notified directly of the application. The planning officer posted a notice advertising the application at the site on 07.06.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 15.07.2017.
- 7.2 2 x letters were received objecting to the application and 1 x letters from the Maidenhead Civic Society commenting on the scheme, comments made can be summarised as follows:

Comment	Where in the report this is considered
1. Would like to see part of the Colonnade retained	0
2. Support the redevelopment but concerned about suitable water supply for the town centre waterways	The current waterway is damned to allow for work to the stream to take place.
3. Concerns about the hours of construction	0

### Consultees

Consultee	Comment	Where in the report this is considered
Council Historic Building's Advisor	Following the submission of amended plans no objection is raised subject to conditions.	0
Historic England	No comments to make on this application	0
Highways England	Does not affect the M4 and there no objections	Noted
Buckinghamshire County Council	Requested a Transport Assessment. Further to its submission no further comments have been received	No comments to add
Highway Authority	Request further information to overcome concerns	0
Lead Local Flood Authority	Request further information to overcome concerns	0
Maidenhead Waterways	No objections subject to conditions relating to the details of the replacement bridge	0
<a href="#">Berkshire Archaeological</a>	No objections subject to conditions	0
Environment Agency	No objection, subject to conditions	0

Ecology Officer	No objections subject to conditions	0
Tree Officer	Insufficient information to demonstrate that the proposed trees can be accommodated above the basement. Recommend refusal.	0
Environmental Protection	No objections subject to conditions	0
Contaminated Land Officer	The applicant is required to investigate further any contamination from previous uses on the site.	0
Runnymede Borough Council	No objections	Acknowledged
<a href="#">Bracknell Forest Council</a>	No objections	Acknowledged
<a href="#">Wycombe District Council</a>	No objections	Acknowledged
Surrey Heath Borough Council	No objections	Acknowledged

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Plan and elevation drawings proposed

## 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 above ground floor slab level shall take place until samples of the materials to be used on the external surfaces of the development hereby approved 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.  
The materials provided shall include the following:
  - a) Brickwork Panel(s) : Sample panel(s) of brickwork showing the typical facing brick(s), method(s) of bonding and colour of pointing to be used for external surfaces of the development. The sample panel shall be erected on site and maintained there during the course of construction.
  - b) Stone Ashlar Panel Sample panel(s) of ashlar stone showing the typical facing stone(s), method(s) of bonding and colour of pointing to be used for external surfaces of the development. The sample panel shall be erected on site and maintained there during the course of construction.

The development shall only be carried out in accordance with the approved materials or such other details as agreed in writing by the Local Planning Authority

Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2.
- 3 No development shall take place above ground floor slab until full details of hard and soft landscaping works (including walls gates and fences), have been submitted to and approved in writing by the Local Planning Authority. The landscaping shall include opportunities for the incorporation of public art consistent with that agreed as part of the Chapel Arches 'phase 1 and 2' development. 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. The public art goes to the applicant's justification for the loss of buildings in the Conservation Area and the wider regenerative benefits package of this development, which include the visual improvements of the public spaces within the site. Relevant Policies - Local Plan DG1 and the National Planning Policy Framework (2012).

- 4 No development shall take place above ground floor slab level until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of shopfronts, windows (including surrounds), doors, down pipes, gutters, vents, soffits, cornices, ridge details to roofs, balustrades, balconies, bands of materials, stone detailing and any other decorative features including where appropriate re-use of materials in the existing Colonnade building 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 - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2.

- 5 The relevant part of the development shall not commence until samples of the internal surfaces to the car park including its access and servicing bays for the relevant building, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1; Area Action Plan MTC4, MTC6, OA5.

- 6 No development or other operations on site shall take place until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The statement shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special constructions works within any defined tree protection area on or off-site. The development shall be carried out in accord with the approved statement.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan CA2, GB2, DG1, N6; Area Action Plan MTC3, MTC4.

- 7 No development above ground floor slab level shall commence until details of the green roofs (including irrigation and any rainwater harvesting) to be incorporated within the scheme and a programme for their implementation has been submitted to, and approved in writing by, the Local Planning Authority. The green roofs shall be provided in accordance with the approved details and programme and retained as such thereafter.

Reason: To ensure satisfactory landscaping in the interests of visual amenity and the character and appearance of the area, and in the interests of biodiversity enhancement. Relevant Policies - Local Plan DG1, Maidenhead Town Centre Area Action Plan MTC1, MTC2, MTC3, MTC4, OA5 and in order to enhance biodiversity of the site and to accord with Requirement 6 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (September 2009).

- 8 No dwelling within Block A (as identified in the approved plans ) shall be occupied until the works to the York Stream shown on the ground floor approved plans and other detailed in the information approved under condition 9 and 10 have been completed.

Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2 and in the interests of the ecological value of the York Stream. Relevant Policies - AAP MTC4, OA5

- 9 No works, other than demolition and site clearance, shall commence until a scheme of the de-culverting of the High Street culvert and its replacement, the widening and lining of the new channel, the removal of the Colonnade, full details of the new bridge accessing the Hines Meadow Car park and the new footbridge have been submitted to and approved in writing by the local planning authority. The scheme shall demonstrate: no reduction in hydraulic capacity; the bridge deck being above the flood level of the 1 in 100 plus climate change flood level and that

there will be no central pier; a maintenance schedule for the structures. The development shall be carried out in accordance with the approved details.

Reason: To minimise disturbance to ecological interests of the site and in the interests of the free flow of water along the York Stream and in the interests of pedestrian and highway safety, the free flow of traffic and to ensure the future use of the York Stream would not be compromised. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14

- 10 Notwithstanding the approved plans, no development shall commence until details of the banks to the York Stream and the depth of the bed of the Stream 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 maintained thereafter.

Reason: In the interests of the visual appearance of the area and to ensure that the York Stream within this development can connect to the adjacent parts to the North and South of the site. Relevant Policies - Local Plan CA2, AAP MTC4

- 11 All buildings or premises to be used for purposes identified as 'retail' in the approved ground floor plan shall only be occupied as A1, A2, A3 or A4 use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall be retained as such use. All buildings or premises to be used for purposes identified as 'commercial' in the approved ground floor plan shall only be occupied as either A1, A2, A3, B1, D1 or D2 use as defined in The Town and Country Planning (Use Classes) Order 1987 (as amended)

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre. Relevant Policies - AAP MTC8 and OA5

- 12 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015 (or any Orders revoking and re-enacting those Orders with or without modification, in the event the 'retail' units hereby permitted are occupied within a Use Classes A1, they shall be used for the sale of comparison goods only.

Reason: To ensure that there will be an appropriate mix of retail floorspace and given that the retail impacts were based on this figure. Relevant Policies - AAP MTC7 and OA5

- 13 All buildings or premises to be used for purposes identified as 'retail' or 'commercial' on the ground floor plan (as listed in the approved ground floor plan) shall only be open during the following hours: Monday to Thursday 0700 to 2400 Friday to Saturday 0800 to 2400 Sunday, bank holidays and public holiday: 0900 to 2300

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4 and the National Planning Policy Framework para 123.

- 14 The relevant part of the development shall not be occupied until the cycle parking arrangements have been provided in accordance with the approved plans. The cycle parking shall be retained as such thereafter.

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, AAP MTC4, MTC14

- 15 (Maybe amended based on consultation response from the Highway Authority\*\*\*)  
No demolition or construction shall commence until the Highway Works Strategy for the provision of works to the local highway network required during construction, and prior to any part of the development being brought into use has been submitted to, and approved in writing by, the Local Planning Authority. In relation to the construction phase, the Highways Works Strategy shall be consistent with the Construction Strategy and Phasing Programme. Following approval of the Highway Works Strategy:

i) no demolition or construction in relation to the relevant part of the development is to commence until the works identified by the approved Highway Works Strategy as being required in relation to the demolition within or construction of that part of the development have been completed; and  
ii) no part of the development shall be brought into use until the works to the highway identified by the approved Highway Works Strategy as being required before that part of development may

be used have been completed.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan DG1, AAP MTC4

- 16 (Maybe amended based on consultation response from the Highway Authority\*\*\*)  
The relevant part of the development shall not be occupied until a detailed servicing strategy, including hours of operation, has been submitted to, and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.  
Reason: In the interests of highway safety and the free flow of traffic and in the interests of the living conditions of occupiers of existing buildings and future occupiers of the development. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14
- 17 (Maybe amended based on consultation response from the Highway Authority\*\*\*)  
The parking spaces approved shall be laid out in accordance with the approved plans and 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, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1, AAP MTC4, OA5.
- 18 Notwithstanding the approved plans or any indication given otherwise all access gates or building doors abutting the highway or the new streets and spaces within the development shall open away from the aforementioned areas when opening or when in the open position.  
Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14
- 19 The development shall be implemented in accordance with the approved site wide Closed Circuit Television (CCTV) strategy for buildings and public realm, including details of measures to ensure that CCTV footage is made available on request to the Police, the Local Planning Authority and the Highway Authority or potential to link into existing CCTV systems, the management, control and maintenance of the system, and of a programme for implementation as required and agreed by the associated legal agreement.  
Reason: In the interests of safety and security. Relevant Policies - AAP MTC4.
- 20 All the apartments shall be constructed to Lifetime Homes standards as defined in the Joseph Rowntree Foundation publication 'Achieving Part M and Lifetime Homes standards' (or such document as amended or replaces the said publication) and 10 per cent of the total number of residential units shall be constructed so that they are easily adapted for residents who are wheelchair users in accordance with the publication 'Wheelchair Housing Design Guide', Habinteg Housing Association 2006 (or such document as amended or replaces the said publication). The apartments shall thereafter be retained as such.  
Reason: In the interests of providing a range of accessible housing accommodation that will meet the needs of persons with mobility interests and to accord with the Royal Borough of Windsor and Maidenhead Requirements PAP1 and PAP5 of the Supplementary Planning Document 'Planning for an Ageing Population' (September 2010). Relevant Policy - Local Plan H9, AAP MTC4
- 21 No construction above slab level shall commence until an external lighting scheme has been 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.  
Reason: To ensure the development contributes to the visual amenities of the area and in the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - AAP MTC4, MTC6, OA1.

- 22 No development shall commence until a Construction Environmental Management Plan to control the environmental effects of all demolition and 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, along with some public viewing points
  - iv) site security arrangements, including hoardings and other means of enclosure
  - v) health and safety
  - vi) piling methods
  - vii) foundation design
  - viii) demolition techniques
  - ix) measures to control dust
  - x) details of access to retained premises within, and adjoining the development site, including the hours during which access will be available
  - xi) details of the means of storage, disposal and removal of spoil waste arising from the excavation or construction works
  - xii) demolition and 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
  - xiii) measures to control noise
  - xiv) protection of areas of ecological sensitivity
  - xv) methods for all channel, bankside water margin works
  - xvi) sectional plans showing the interface between the works and the watercourse

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, water quality) and amenity of the area and for highway safety and convenience. Relevant Policies - Local Plan CA2, LB2, DG1, NAP3, NAP4, T5, T7, ARCH2, AAP MTC4, MTC13, MTC1

- 23 No development shall commence until a site investigation is carried out and detailed remediation scheme is prepared to determine the nature and extent of any contamination present to bring that area to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to, and approved in writing by, the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (or a subsequent amendment or re-enactment of this Act) in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved details prior to the commencement of development, other than any development required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation carried out must be produced, submitted to, and approved 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

- 24 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

25 (the below is subject to changed based on consultation response from the Lead Local Flood Authority)

No development shall take place until a drainage scheme for the site to deal with surface water including disposal and the below ground drainage system based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall demonstrate the surface water run-off generated up to and including the 1 in 100 year storm with an allowance for climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. 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 and no infiltration into any contaminated land ii) include a timetable for its implementation; and provided 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 The scheme shall be carried out in accordance with the approved details and subsequently maintained.

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 and because the Environmental Statement refers to the opportunity to reduce gully blockages and provide attenuation storage in the drains below ground. Relevant Policies - Local Plan, NAP4, AAP MTC4.

26 The proposed development including the demolition, construction and post construction biodiversity enhancements shall be built in accordance with the following documents.

-Updated Ecological Survey, Chapel Arches, Regeneration Scheme, Maidenhead (Ethos Environmental Planning, February 2017). -Chapel Arches Regeneration Scheme, Maidenhead - Bat Survey and Assessment Report (Aspect Ecology, 2012). -Ecological Appraisal - Chapel Arches Regeneration Scheme, Maidenhead (Golder Associates, 2012).

or such other details as agreed in writing by the Local Planning Authority

If within 12 months from the date of the decision notice the demolition of the buildings has not been fully undertaken, further bat surveys of the existing buildings in the relevant part of the development shall be carried out and these and any appropriate mitigation measures prior to demolition shall be submitted for the Local Planning Authority's approval in writing. Any mitigation measures that should be identified as part of these surveys shall be implemented and retained in full accordance with the approved details 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 of the National Planning Policy Framework (2012).

27 The development shall be carried out in accordance with the recommendations set out in the Sustainability and Energy Statement prepared by Bluesky Unlimited dated 20th February 2017 or such other details as agreed in writing by the Local Planning Authority

Reason:To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009). Relevant Policy - AAP MTC4.

28 Notwithstanding the Sustainability and Energy Statement the non-residential elements of the development shall achieve a minimum post construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good' (or any such similar scheme and rating as may supersede BREEAM). Within 3 months of completion of the final commercial unit in each relevant part of the development a BRE issued Post Construction

Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of at least Very Good shall be submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009). Relevant Policy - AAP MTC4.

- 29 The rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc(collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15minute period).

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4

- 30 Notwithstanding the approved plans or any indication given otherwise no development above slab level until full details of the acoustic specifications, of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation and plant or equipment of a like kind installed within any part of the development, has been submitted to and approved by the Local Planning Authority prior to operation. Any flue or ducting shall be built to be fully integrated into the buildings hereby approved.

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings and in the interest of the visual amenity of Conservation Area and setting of the adjacent listed buildings . Relevant Policies - Local Plan NAP3, DG1, CA2 AAP MTC4.

- 31 No development above slab level shall commence until a noise study has been submitted to and approved in writing by the Local Planning Authority. This shall include:

Details of all the measures to be taken to acoustically insulate all habitable rooms against environmental and operational noise, together with details of the methods of providing acoustic ventilation

Details of sound insulation to be provided between the commercial use below and the residential development to demonstrate that the residential units will be designed and built to ensure that the sound reduction between the two uses is achieved.

Details of how the proposed development is designed so that cumulative noise from commercial sources (including service areas) does not impact on residential amenity. This shall include any appropriate mitigation measures.

The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4

- 32 Notwithstanding the approved plans or any indication given otherwise, in the event that any external ventilation equipment is to be installed to the underground car parks, this shall first be submitted to and approved in writing by the local planning authority prior to the construction of the development hereby permitted ( other than demolition and site clearance). Such equipment shall be installed and retained as approved and shall be maintained in good working order at all times.

Reason: To protect users of the car park from a build up of vehicle fumes. Relevant Policies - Local Plan NAP3, AAP MTC4

- 33 Notwithstanding the approved or any indication given otherwise any part of the development that oversails the public highway shall be a minimum of 2.5 metres above natural ground level at any point for pavements and shall be a minimum of 5.5 metres above natural ground level at any point for roads.Reason: In the interests of pedestrian and highway safety, and the free flow of traffic. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14

- 34 No part of the development shall be occupied until the access has been constructed in accordance with the approved plans. The access shall thereafter be retained.

Reason: In the interests of pedestrian and highway safety, and the free flow of traffic. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14

35 The details set out in the report by Archaeological Solutions 'Written Scheme of Investigation for an Archaeological Evaluation' (dated 26th October 2015) provides an appropriate programme of archaeological work.

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, ARCH3, ARCH4.

36 ( Maybe amended based on consultation response from the Highway Authority)The development shall be carried out in accordance with the Waste Management Plan prepared by RCP and received by the Local Planning Authority on the 25.05.2017 or such other details as agreed in writing by the Local Planning Authority. Refuse provision shall be provided in accordance with the approved plans and thereafter retained. Reason: To enable satisfactory refuse collection to take place in the interests of highway safety and convenience, to ensure effective waste collection services and to maximise recycling. Relevant Policies - Local Plan DG1, AAP MTC4

37 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) titled 'Flood Risk Statement, Chapel Arches, Crown Lane, Maidenhead ref: 17-036 dated February 2017 compiled by Odyssey Markides and the following mitigation measures detailed within the FRA: Finished floor levels of any living accommodation are to be set no lower than 25.0 metres above Ordnance Datum (mAOD). The mitigation measure(s) shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In the interest of flood mitigation Relevant Policies - 103 of the NPPF to reduce the risk of flooding to the proposed development and future occupants.

38 The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority and sewer undertaker. The scheme shall be implemented as approved.

Reason: At this stage it is unclear where the sewage effluent is due to be disposed. Therefore, there is uncertainty over the potential risk to the water environment. If the plan is to connect to the existing foul sewer network, there would need to be a clear statement from the sewer undertaker that they can accommodate the increased effluent flows in the sewer. This will alleviate any concerns of sewer flooding. Untreated sewage would be a concern for the Water Framework Directive (WFD) status of the receiving water body. Any deterioration in WFD status would be deemed unacceptable. Maidenhead Ditch is currently at 'Bad' status for Dissolved Oxygen and 'Poor' status for phosphates. Any untreated discharges or sewer overflows due to capacity issues is likely to exasperate the problem.

39 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: A preliminary risk assessment which has identified:

1. all previous uses
2. potential contaminants associated with those uses
3. a conceptual model of the site indicating sources, pathways and receptors
4. potentially unacceptable risks arising from contamination at the site.

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 40 No occupation of any part of the development here by permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site is underlain by Principal Aquifers in both the drift and solid geology and we need to protect these aquifers from any potential contamination which may be in the soils as a result of previously contaminative use.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 41 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: There is the potential for piling to form pathways for contaminants (such as solvents) to migrate from the soils, the alluvium or gravel aquifer to the Chalk aquifer under this site. We therefore need to establish the contaminative status of this parcel of land in order to ensure that foundation design does not create vertical pathways for contamination to migrate. The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

- 42 The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that should ensure that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The previous use of the site is potentially contaminative. We need to ensure that surface water drainage systems will not discharge through contaminated land. National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

- 43 No development shall commence until full details of measures to ensure the continued effective operation of all outfalls during both the construction and operational phases has been submitted to and approved in writing by the Local Planning Authority. If any proposed mitigation measure requires the permission of a third party and the applicant is unable to obtain such permission, then an alternative measure will need to be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed as approved prior to the construction of any building on the site and shall be permanently retained and maintained in effective working order thereafter.

Reason: To minimise flood risk. Relevant Policies - Area Action Plan MTC4.



- 44 No construction above slab level shall commence until details, including the management/maintenance arrangement to ensure 24 hour access, of the external lift to and from the Green Way has been submitted to and approved in writing by the local planning authority.  
Reason:To ensure unrestricted access is provided to the Green Way. Relevant Policies - Local Plan R14, AAP MTC4, MTC14
- 45 The windows in the following ground floor elevations of the commercial and retail premises: west facing elevation of Block A; north elevation in Block B; and east facing elevation of Block C shall be glazed with clear glass for the fascia to the sales area and there shall be no obstruction associated with the retail unit that restricts views into the premises. This shall be maintained as such.  
Reason: In the interests of the visual amenities of the area and to give an appropriate relationship of the building to the street. Relevant Policies - Local Plan DG1, AAP MTC4, OA5.
- 46 Notwithstanding the submitted plans, no construction above slab level shall commence until details of the mitigation measures for the wind microclimate as set out in section 7 of the RWDI Report 'Pedestrian Level Wind Microclimate Assessment Desk Study' have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation and retained as such thereafter. Reason: To ensure that the wind microclimate and the levels of daylight/sunlight would result in an acceptable level of amenity within and around the development. Relevant Policies - AAP MTC4, OA5
- 47 The development shall be undertaken in accordance with the details set out in Table 20 of the Air Quality Assessment dated 17th February 2017 and received by the Local Planning Authority on the 25.05.2017  
Reason: in the interest of air quality as required by the National Planning Policy Framework (2012)
- 48 The development hereby permitted shall be carried out in accordance with the approved plans listed below: 971\_DF\_125: Existing Topographical received by the Local Planning Authority on the 25.05.2017  
971\_DF\_126: Existing Site Layout received by the Local Planning Authority on the 25.05.2017  
971\_DF\_101 E: Proposed Lower Ground Floor - 2 received by the Local Planning Authority on the 17.10.2017  
971\_DF\_102 E: Proposed Lower Ground Floor received by the Local Planning Authority on the 17.10.2017  
971\_DF\_103 M: Proposed Ground Floor Plan received by the Local Planning Authority on the 11.09.2017  
971\_DF\_104 F: Proposed First Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_105 E: Proposed Second Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_106 F: Proposed Third Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_107 F: Proposed Fourth Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_108 G: Proposed Fifth Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_109 F: Proposed Sixth Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_110 E: Proposed Seventh Floor received by the Local Planning Authority on the 25.05.2017  
971\_DF\_111 C: Proposed Roof Plan received by the Local Planning Authority on the 25.05.2017  
971\_DF\_A\_112 D: Proposed Block A: Crown Lane Elevation received by the Local Planning Authority on the 11.09.2017  
971\_DF\_A\_113 D: Proposed Block A: High Street Elevation received by the Local Planning Authority on the 11.09.2017  
971\_DF\_A\_114 D: Proposed York Stream Elevation received by the Local Planning Authority on the 11.09.2017  
971\_DF\_A\_115 E: Proposed Block A: North Elevation received by the Local Planning Authority on the 11.09.2017  
971\_DF\_B\_116 E: Proposed Block B: York Stream Elevation received by the Local Planning Authority on the 25.05.2017

971\_DF\_B\_117 D: Proposed Block B: Rear Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_B\_118 D: Proposed Block B: North Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_B\_119 D: Proposed Block B: South Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_C\_120 D: Proposed Block C: York Stream Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_C\_121 C: Proposed Block C: High Street Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_C\_122 E: Proposed Block C: South Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_C\_123 B: Presentation Block A High Street Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_C\_124 B: Presentation Block A High Street Elevation received by the Local Planning Authority on the 25.05.2017  
 971\_DF\_A\_128 B: Block A High Street Elevations Upper Floors received by the Local Planning Authority on the 25.05.2017  
 5818.SA.HSP.3.0 A: Hard Surface Plan received by the Local Planning Authority on the 26.09.2017  
 5818.SA.LM.1 A: Landscape Overview Plan received by the Local Planning Authority on the 26.09.2017  
 Verti-Apex WM: Cycle stores received by the Local Planning Authority on the 17.10.2017

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

## **Informatives**

- 1 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'.  
 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.  
  
 Please contact the Environmental Protection Team on 01628 683830.
- 2 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 and these are available on the internet:
  - o 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
  - o Building Research Establishment: Control of dust from construction and demolition activities
- 3 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.

- 4 Works of repair or maintenance of plant, machinery or equipment shall only be carried out at the site between 08:00 and 18:00 hours Mondays to Fridays, 08:00 and 13:00 on Saturdays and at no time on Sundays, or Bank Holidays or Public Holidays
- 5 External flues or ducting are operational development and will require separate full planning permission. Large extractor flues are unlikely to be considered visually acceptable in visually prominent positions, or within or adjacent to the Conservation Area and/or listed buildings
- 6 The agreement of the details of the bridge from Crown Lane into the Hines Meadow Multi-Storey car park will be done in consultation with the Maidenhead Waterways Restoration Group. The details submitted shall include details of the headroom for the replacement Hines Meadow car park exit bridge and all other new or replacement structures in the development which span the waterway (as widened and improved as part of the application hereby improved)
- 7 This development will require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres and excavations within 16 metres of the top of the bank of a designated 'main river', the York Stream. This will include the requirement for any temporary works when working close to the watercourse notably in respect of constructing new river walls or crossings.  
An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
- 8 The applicant's attention is drawn to the requirements of condition 23 and 24 which relate to the contamination of the whole site. Condition 39 relates to the requirements of the Environment Agency regrading contamination and their statutory duty in terms of the impact on the waterway. Whilst information maybe submitted to satisfy both conditions, these conditions will be considered independently. Both are considered reasonable and necessary to make the development acceptable in planning terms.

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Notes		
Rev.	Description	Date

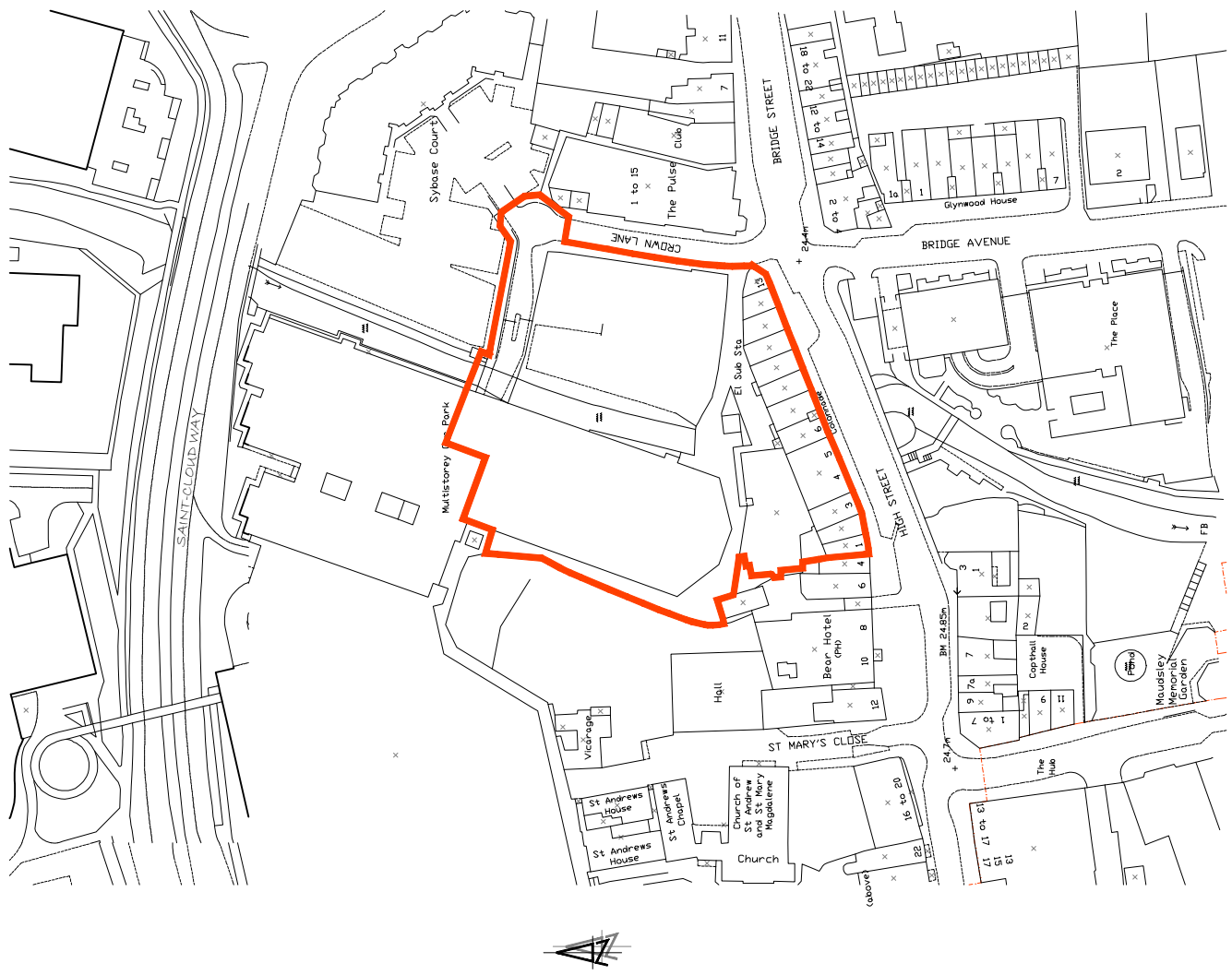
**Project**  
**CHAPEL ARCHES PHASE III**  
 Proposed development at  
 Crown Lane  
 Maidenhead  
 Berks

**Drawing Title**  
 Location Plan



'Sorbot', Aylesbury End, Beaconsfield,  
 Buckinghamshire, HP9 1LW  
 Tel: 01494 671331  
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Drawn By: se	Date: 17.02.2017
Scale: 1:1250	A3
Drawing No. 971_DF_100	Revision



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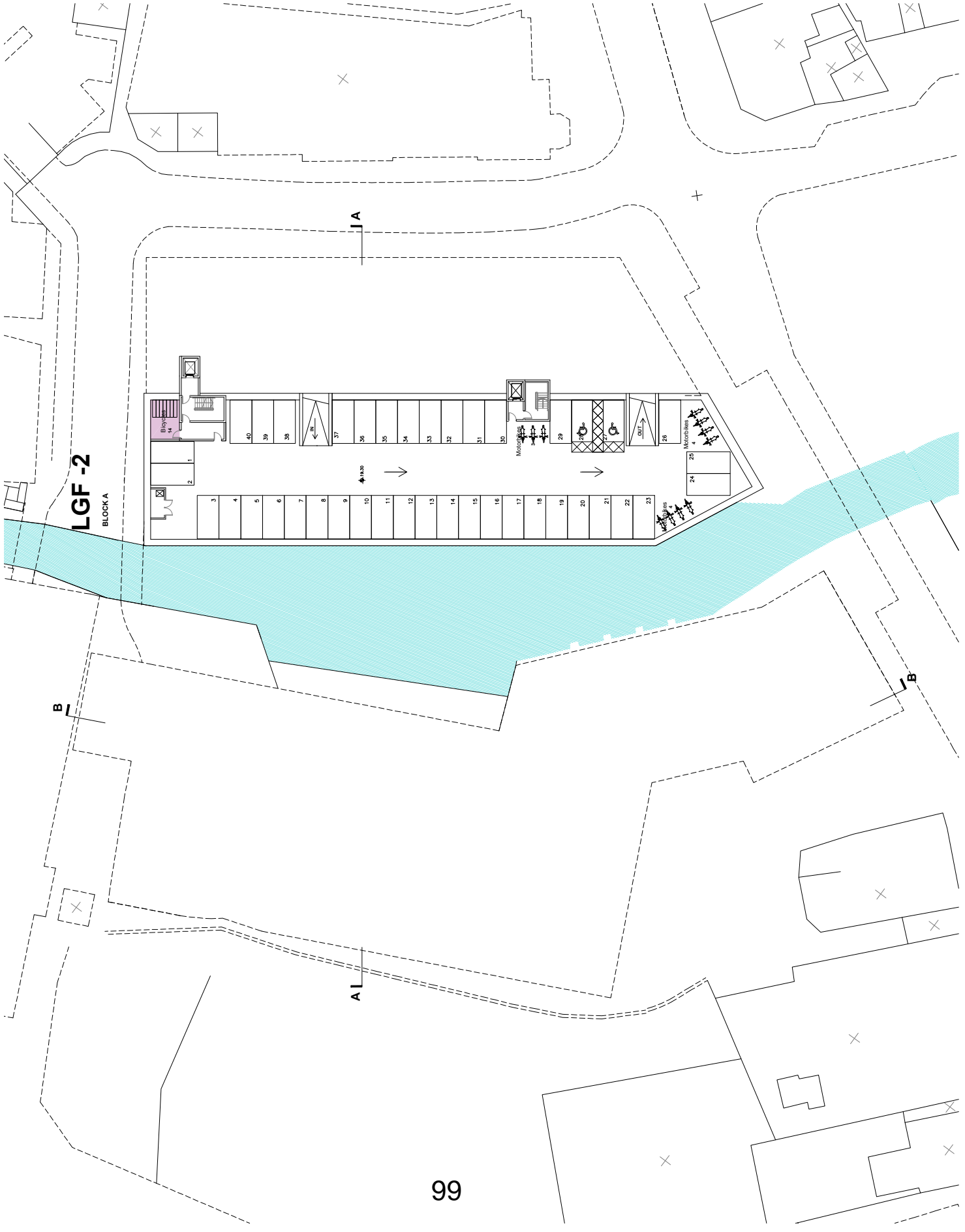
Rev.	Description	Date
D	cycle storage highlighted	07/03/17
C	Block redesign	06/01/17
B	M/S comments added	16/05/16
A	Region comments added	24/12/15

Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

Drawing Title  
**Lower Ground Floor - 2**

**SHANLY HOMES**  
 'Shanly' Architects Ltd, Beaconsfield,  
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Drawn By	SE	Date	02.12.2015
Scale	1:200	Revision	A1
Drawing No.	971_DF_101	Revision	D



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 BLOCK A

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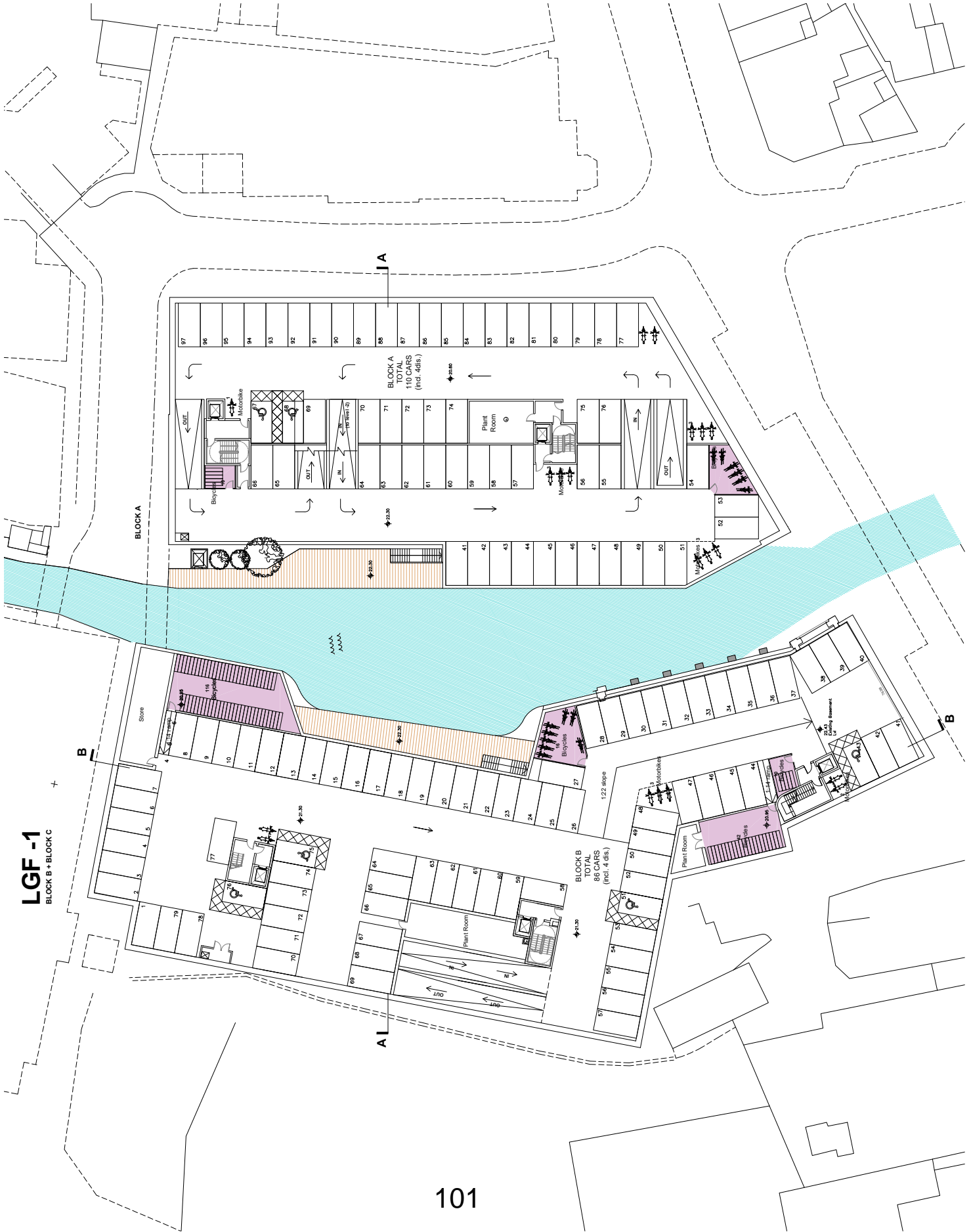
Rev.	Description	Date
D	cycle storage highlighted	07/03/17
C	floor redesign	04/12/16

Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

Drawing Title  
**Lower ground floor**

**SHANLY HOMES**  
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Drawn By	SE	Date	02.12.2015
Scale	1:200	Sheet	A1
Drawing No.	971_DF_102	Revision	D



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Notes

Rev.	Description	Date
K	round comments	07.03.17
H	round comments	07.03.17
G	cycle storage highlighted	07.03.17
F	windows added to block B commercial	23.02.17
E	access to service bay amended	17.02.17
D	block redesign	04.12.16
C	Apartment blocks maximised	26.09.16
B	M.S comments added	18.05.16
A	region comments added	24.12.15

Project  
 CHAPEL ARCHES PHASE III  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

Drawing Title  
 Ground Floor

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Drawn By	SE	Date	02.12.2015
Scale	1:200		A1
Drawing No.	971_DF_103	Revision	K



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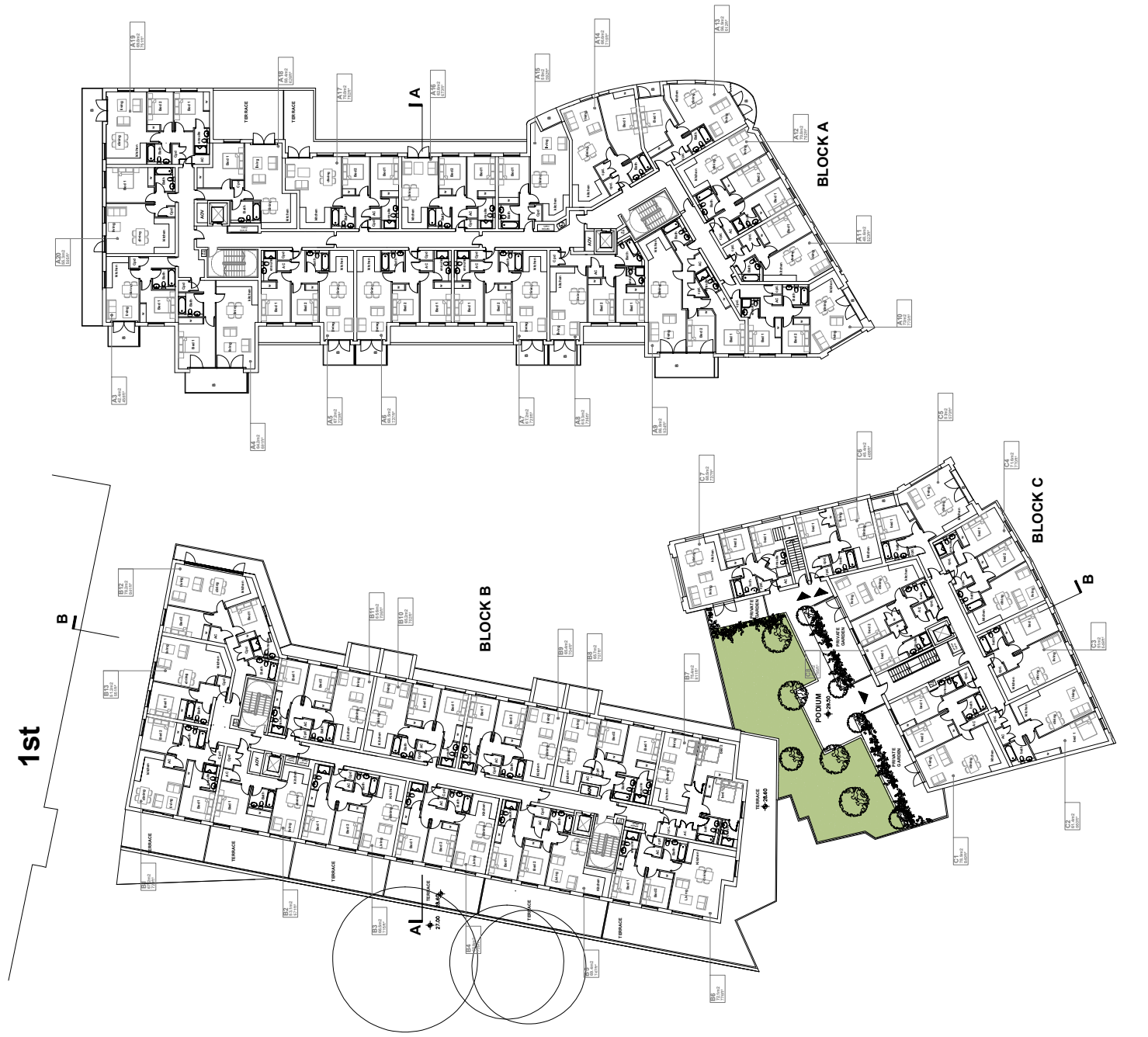
Rev.	Description	Date
F	Apartment blocks redesigned	06/01/17
E	Apartment blocks maximised	28/05/16
D	Apartment blocks reduced and revised	05/05/16
C	numbering amended in block B	27/05/16
B	MUSE comments added	16/05/16
A	region comments added	24/12/15

Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
 Crown Lane  
 Maldenhead  
 Berks

Drawing Title  
**First Floor**

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Drawn By:	SE	Date:	02.12.2015
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Drawing No.	971_DF_104	Revision	F



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Notes

Rev.	Description	Date
G	round comments	08.03.17
F	Block B window amended in A44.98	07.03.17
E	Apartment blocks redesigned	12.01.17
D	Apartment blocks renamed	26.09.16
C	numbering amended in Block B	07.08.16
B	M.S comments added	18.05.16
A	region comments added	24.12.15

Project  
 CHAPEL ARCHES PHASE III  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

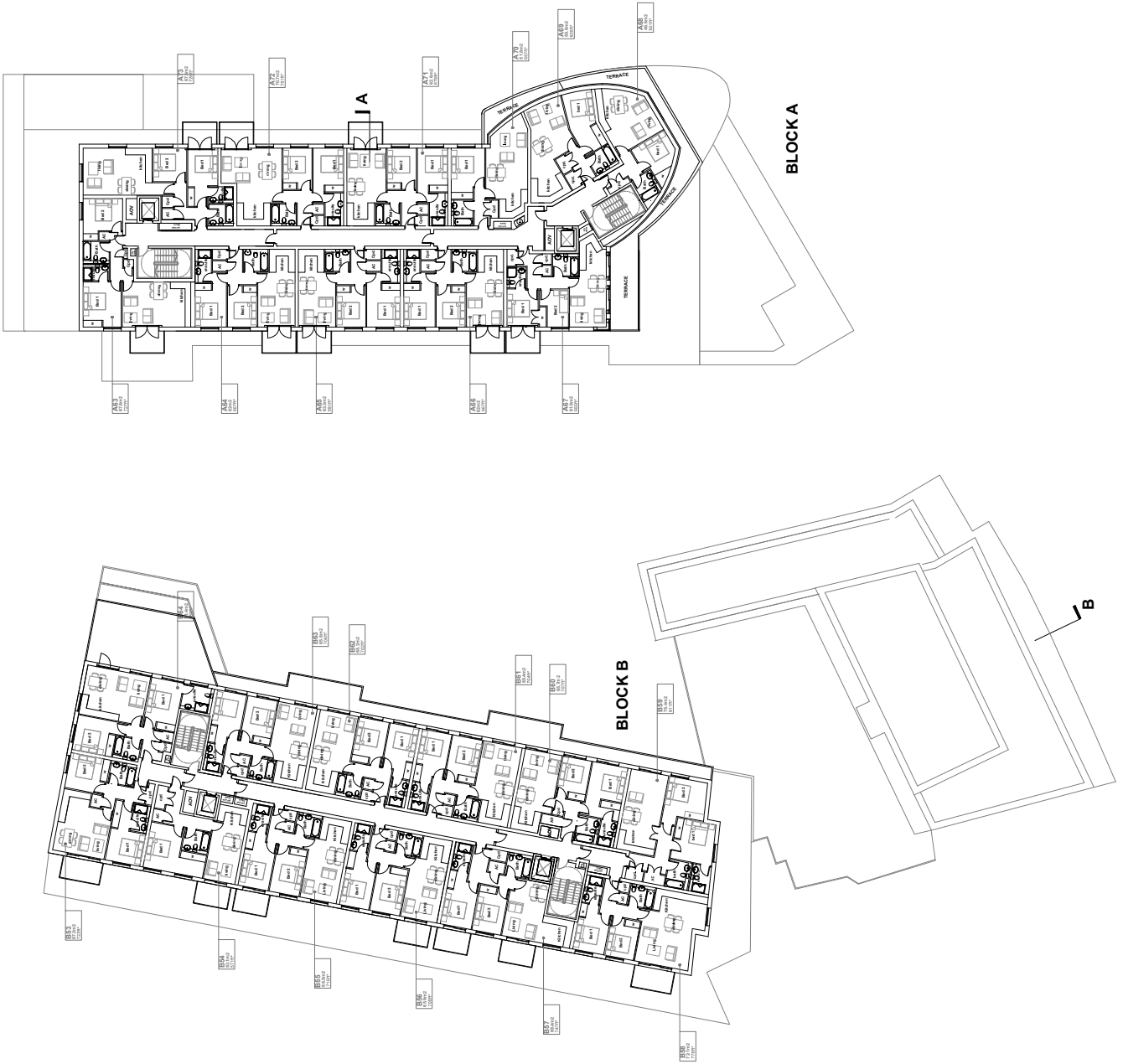
Drawing Title  
 Fifth Floor

**SHANLY**  
 HOMES

Shanly, Ashbury East, Beaconsfield,  
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Drawing No.	971_DF_108	Revision	G

5th



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Notes

Materials Key

- (A) white render
- (B) red brick
- (C) sandstone
- (D) curtain walling, opaque and clear glass system
- (E) stainless steel balustrade with glass infill
- (F) lightweight metal brise soleil
- (G) shopfronts in metal
- (H) timber shopfronts
- (I) double glazed windows set in metal frames
- (J) painted timber windows
- (K) glass Juliet balcony
- (L) glass balustrade for balcony behind
- (M) natural limestone cladding
- (N) reconstructed stone sitting course, balustrade

Rev.	Description	Date
D	Material changes	07.08.17
C	Block redesigned	12.01.17
B	MIS comments added	17.05.16
A	origin comments added	24.12.15

Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

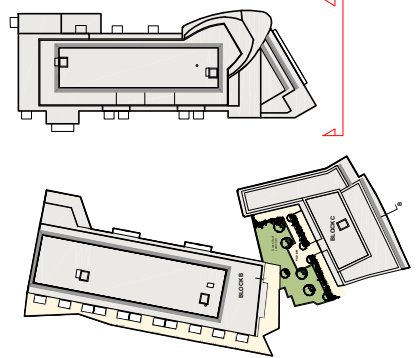
Drawing Title

**BLOCK A**  
 High Street Elevation

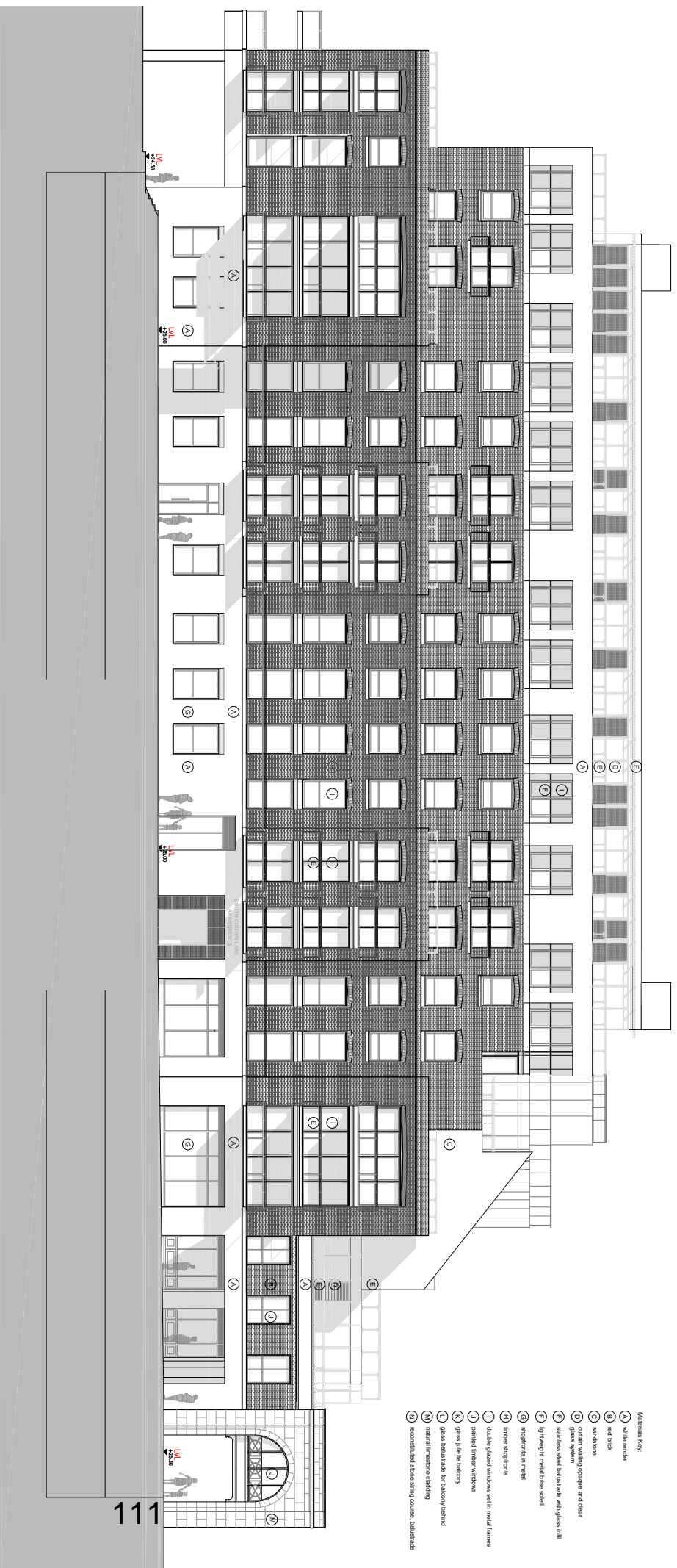
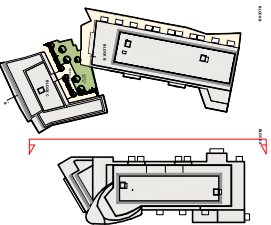


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Drawn By:	SE	Date:	02.12.2015
Scale:	1:100	Revision:	A1
Drawing No.:	977_DF_A_113	Revision:	D



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- Material Key:
- A white render
  - B red brick
  - C sandstone
  - D curtain walling opaque and clear
  - E glass system
  - F stainless steel balustrade with glass infill
  - G lightgrey 12 metal slip joint
  - H aluminium in metal
  - I timber cladding
  - J double glazed windows set in metal frames
  - K painted metal windows
  - L glass pane balcony
  - M glass balustrade for balcony behind
  - N natural limestone cladding
  - O architectural stone string course, balustrade

Consultant

Notes

Rvw.	Description	Date
D	Material changes	07.08.17
C	Block redefined	17.07.17
B	ALS comments added	17.06.16
A	original comments added	24.12.15

Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
**Crown Lane**  
**Maldenhead**  
**Berks**

Drawing Title  
**York Stream Elevation**

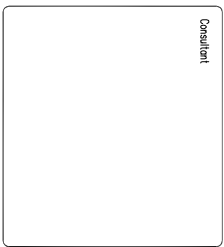
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Scale: <b>1:100</b>	AI
Drawing No: <b>971_DF_A_114</b>	Revision: <b>D</b>

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Prior to construction

Notes

Materials Key:

- A white render
- B red brick
- C sandstone
- D custom walking granite and clear glass system
- E stainless steel balustrade with glass infill
- F 607 (Kevlar) mineral fibre wool
- G anodised aluminium
- H timber cladding
- I double glazed windows set in metal frames
- J painted timber windows
- K glass balustrade
- L glass balustrade for balcony/behind
- M natural travertine cladding
- N monolithic stone string course, balustrade

Rev.	Description	Date
1	Initial design	07.08.17
2	Block redisplayed	17.01.17
3	HA's comments added	17.02.16
A	region comments added	24.12.15

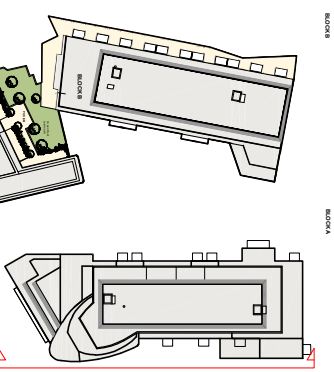
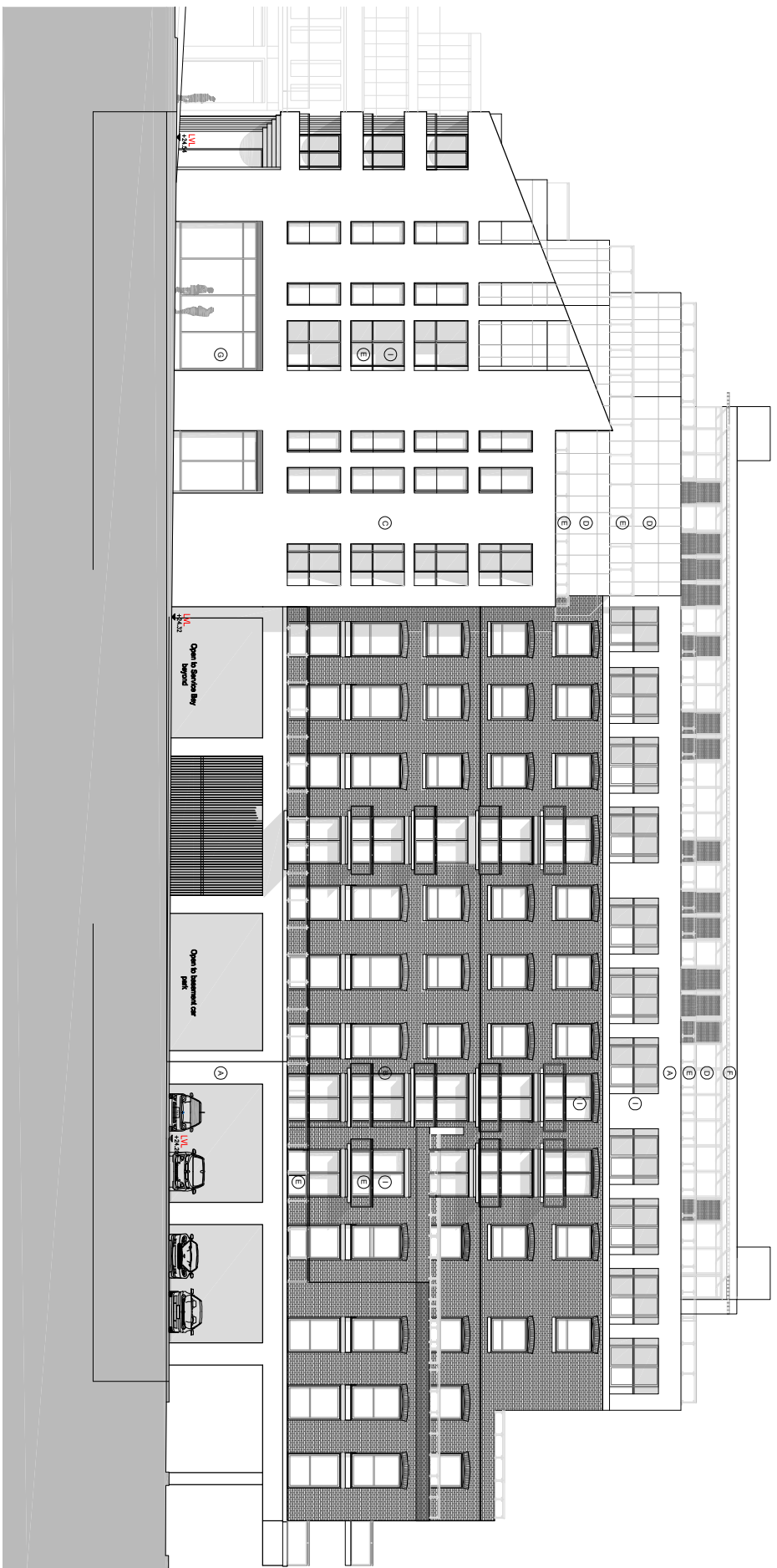
Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
 Crown Lane  
 Maldenhead  
 Berkshire

Drawing Title  
**BLOCK A**  
**Crown Lane Elevation**

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Drawn By:	SE	Date:	02.12.2015
Scale:	1:100	Revision:	A1
Drawing No:	871_DF_A_112	Revision:	D



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Consultant

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- Notes**
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  - (B) red brick
  - (C) sandstone
  - (D) curtain walling opaque and clear glass system
  - (E) stainless steel balustrade with glass still
  - (F) lightweight metal frame sash
  - (G) masonry in metal
  - (H) timber shiplap
  - (I) double glazed windows set in metal frame
  - (J) painted timber window
  - (K) glass Juliet balcony
  - (L) glass balustrade for balcony/terrace
  - (M) natural limestone cladding
  - (N) reconstructed stone string course, balustrade

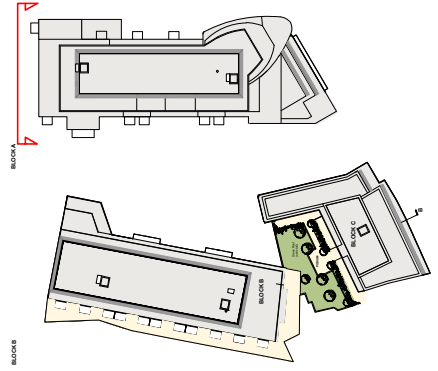
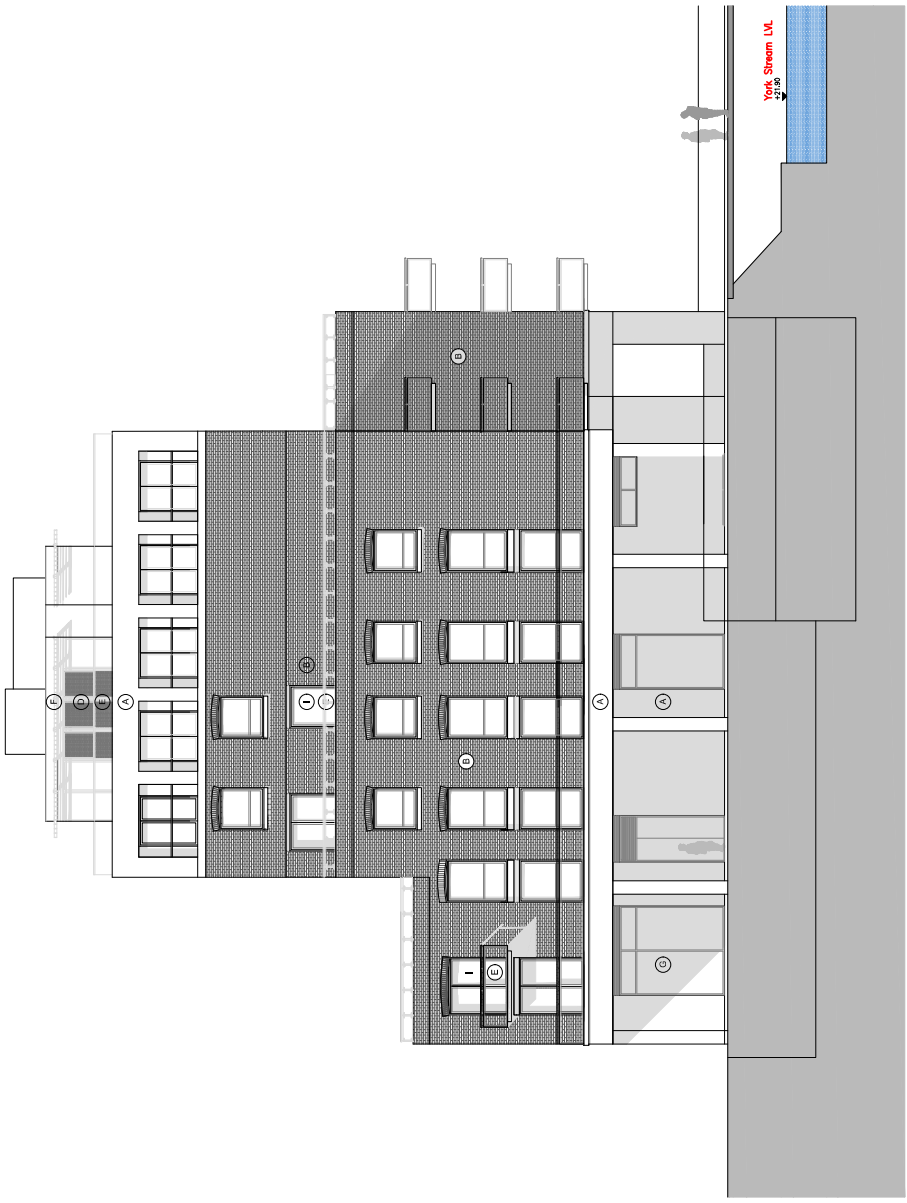
Rev.	Description	Date
F	amendments following council comments	08/09/17
D	amendments following council comments	07/03/17
C	Block redesign	17/01/17
B	M/S comments added	17/05/16
A	region comments added	24/12/15

**Project**  
 CHAPEL ARCHES PHASE III  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

**Drawing Title**  
 BLOCK A  
 North Elevation

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Drawn By	SE	Date:	02.12.2015
Scale:	1:100	AT	
Drawing No.	971_DF_A_115	Revision	F



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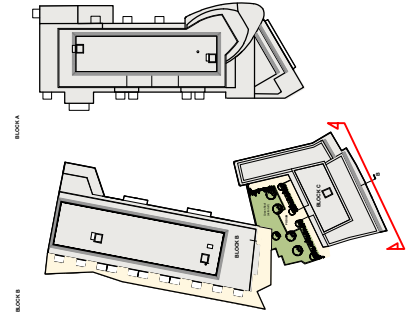
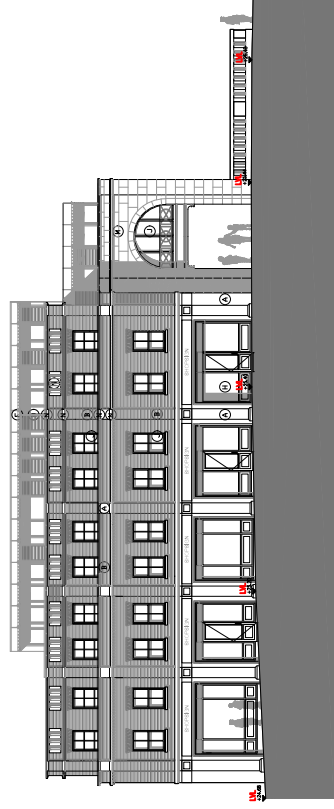
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C	scale amended 01.03.17
B	block redesigned 18.01.17
A	M/S comments added 18.05.16
Rev.	Description
Date	

Project  
**CHAPEL ARCHES PHASE III**  
 Proposed Development at  
 Crown Lane  
 Maidenhead  
 Berks

Drawing Title  
**Block C**  
 High Street Elevation

**SHANLY HOMES**  
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Drawn By: se	Date: 01.03.2017
Scale: 1:200	A2
Drawing No. 971_DF_C_121	Revision C



- Materials Key:
- (A) white render
  - (B) red brick
  - (C) render
  - (D) curtain walling opaque and clear glass system
  - (E) stainless steel balustrade with glass infill
  - (F) lightweight metal brise soleil
  - (G) shopfronts in metal
  - (H) timber shopfronts
  - (I) double glazed windows set in metal frames
  - (J) painted timber windows
  - (K) glass Juliette balcony
  - (L) glass balustrade for balcony behind
  - (M) natural limestone cladding
  - (N) reconstituted stone string course, balustrade

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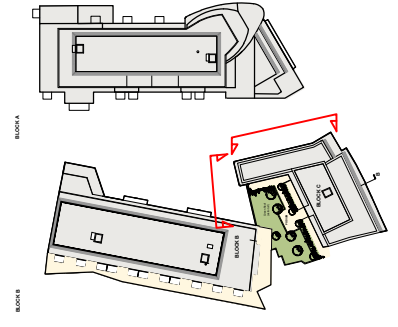
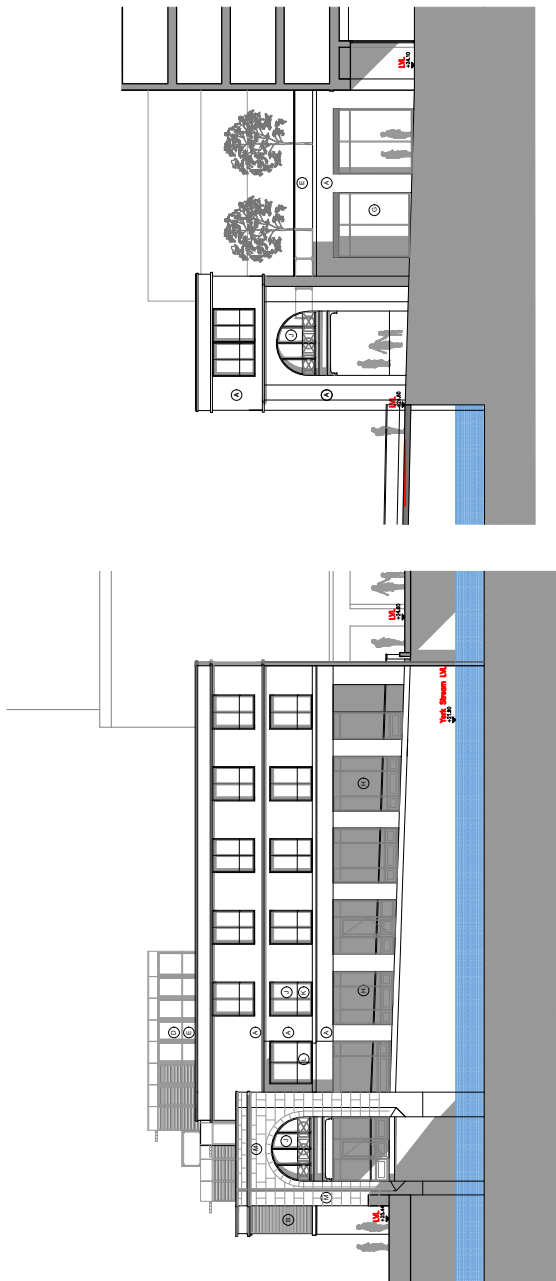
Notes	
D	scale amended 01.03.17
C	block redesigned 18.01.17
B	M/S comments added 18.05.16
A	region comments added 24.12.15
Rev.	Description
Date	

Project  
**CHAPEL ARCHES PHASE III**  
Proposed Development at  
Crown Lane  
Maidenhead  
Berkshire

Drawing Title  
**Block C**  
York Stream Elevation

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Drawn By: se	Date: 01.03.2017
Scale: 1:200	A2
Drawing No. 971_DF_C_120	Revision D



- Materials Key:
- (A) white render
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  - (C) render
  - (D) curtain walling opaque and clear glass system
  - (E) stainless steel balustrade with glass infill
  - (F) lightweight metal brise soleil
  - (G) shopfronts in metal
  - (H) timber shopfronts
  - (I) double glazed windows set in metal frames
  - (J) painted timber windows
  - (K) glass Juliette balcony
  - (L) glass balustrade for balcony behind
  - (M) natural limestone cladding
  - (N) reconstituted stone string course, balustrade

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Notes

Rev.	Description	Date
E	council comments	07.03.17
D	scale amended	01.03.17
C	block redesigned	18.01.17
B	MJS comments added	18.05.16
A	region comments added	24.12.15

Project  
**CHAPEL ARCHES PHASE III**  
Proposed Development at  
Crown Lane  
Maidenhead  
Berks

Drawing Title

Block C  
Podium Elevation

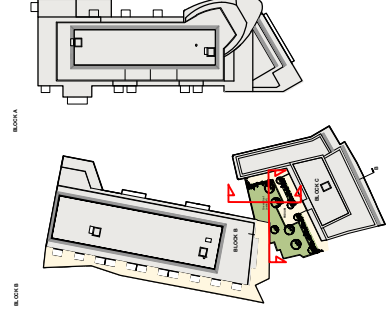
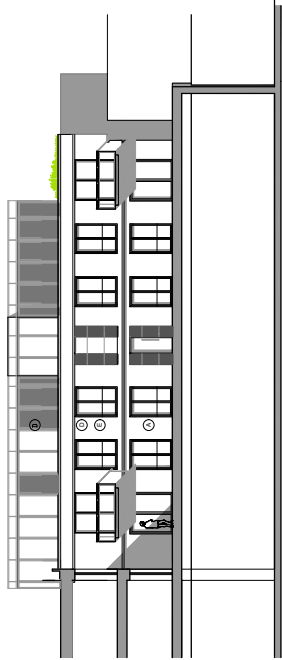
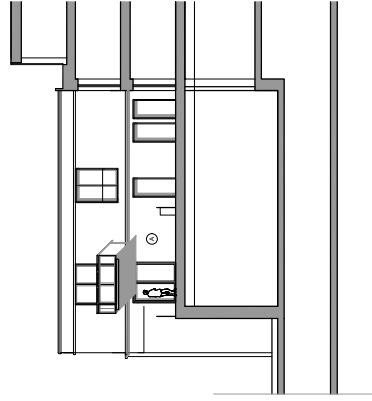
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Drawn By: se Date: 01.03.2017

Scale: 1:200 A2

Drawing No. 971\_DF\_C\_122  
Revision E



- Materials Key:
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  - (C) render
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  - (F) lightweight metal brise soleil
  - (G) shopfronts in metal
  - (H) timber shopfronts
  - (I) double glazed windows set in metal frames
  - (J) painted timber windows
  - (K) glass Juliette balcony
  - (L) glass balustrade for balcony behind natural limestone cladding
  - (M) natural limestone cladding
  - (N) reconstituted stone string course, balustrade

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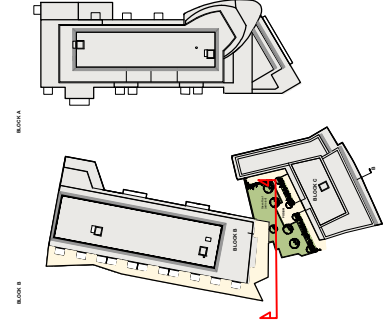
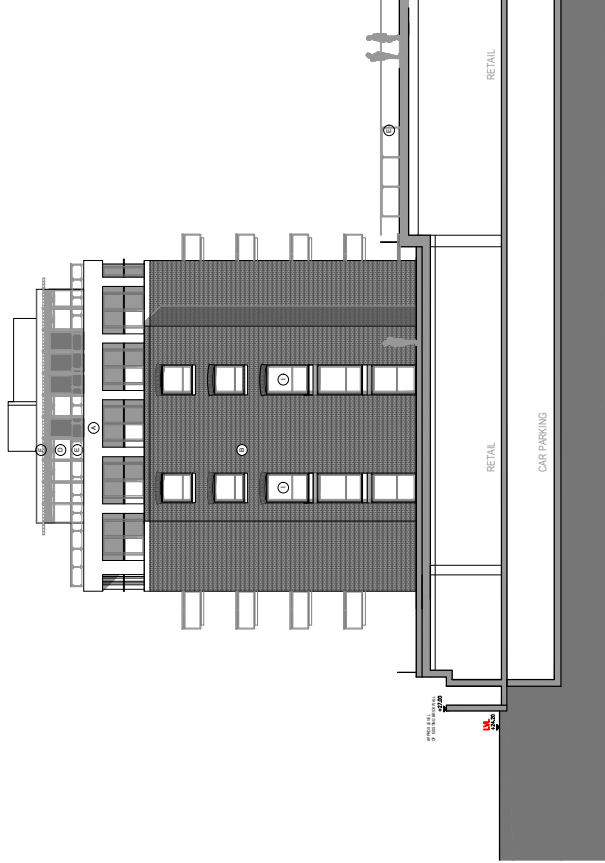
Notes	
D	Scale amended 01.03.17
C	Block redesign 23.01.17
B	M/S comments added 17.05.16
A	region comments added 24.12.15
Rev.	Description
Date	

Project  
**CHAPEL ARCHES III**  
Proposed Development at  
Crown Lane  
Maidenhead  
Berks

Drawing Title  
**Block B**  
South Elevation

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Drawn By: se	Date: 01.03.2017
Scale: 1:200	A2
Drawing No. 971_DF_B_119	Revision D



- Materials Key:
- (A) white render
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  - (F) lightweight metal brise soleil
  - (G) shopfronts in metal
  - (H) limber shopfronts
  - (I) double glazed windows set in metal frames
  - (J) painted limber windows
  - (K) glass Juliette balcony
  - (L) glass balustrade for balcony behind
  - (M) natural limestone cladding
  - (N) reconstituted stone string course, balustrade

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## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 6

<b>Application No.:</b>	17/00619/FULL
<b>Location:</b>	Hardings Farm Hills Lane Cookham Maidenhead
<b>Proposal:</b>	Three detached dwellings following demolition of existing stables and equestrian storage buildings
<b>Applicant:</b>	Mr And Mrs Richards
<b>Agent:</b>	Mr Matt Taylor
<b>Parish/Ward:</b>	Cookham Parish/Bisham And Cookham 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 site is considered to be previously developed land, and the proposal is considered not to conflict with the purposes of the Green Belt nor have a greater impact on openness of the Green Belt than the existing development. As such the proposal is considered to be appropriate development in Green Belt.
- 1.2 The layout, siting, scale, design and appearance is considered not to be unduly out of keeping with the character of the area or adversely affect the setting of Cookham Dean Conservation Area. It is considered unlikely that there is a direct visual link between 'Rickett's Farm, Cookham Dean' by Sir Stanley Spencer, and the present day application site and therefore the proposal would not have an adverse impact on views in paintings by Sir Stanley Spencer.
- 1.3 The proposal can provide adequate visibility splays for its new access, and sufficient turning and parking space within the site. The proposal is not considered to generate vehicular movements significantly over and above the existing situation that would warrant refusal in terms of highway safety or impact on the local highway infrastructure. Due to the nature of the proposal, it would not have a significant adverse impact on the public footpath either in terms of the views from the footpath or the extent of vehicular use of the footpath/farm track as access to the property.

**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 Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.
- If recommended for approval, at the request of Councillor Kellaway due to concerns about the access to the site, proximity to Cookham Dean Conservation Area and Stanley Spencer connections.

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

- 3.1 The application site measures approximately 0.23ha and forms part of the southern section of Hardings Farm which lies towards the eastern outskirts of Cookham Dean. The site lies adjacent to Kennel Lane and is currently used for equestrian purposes including stabling of horses, storage and menage. The land slopes downwards in an easterly direction.
- 3.2 To the north and east are associated paddocks while to the south, separated from the site by Kennel lane, are un-associated paddocks. Kennel Lane links Church Road to the west and Whyteladies Lane to the east. The site lies within designated Green Belt and Grade II

Agricultural Land, but outside of Cookham Dean Conservation Area which lies within 50m to the north and west.

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

- 4.1 The proposal is for 3 detached dwellings, comprising of 1x3-bed and 2x4-bed houses, following the demolition of existing stables and equestrian storage.
- 4.2 There are a number of applications relating to Hardings Farm. Planning applications specifically relating to the stables and equestrian facilities are as follows:

Reference	Proposal	Decision
03/40986/FULL	A new stable block following demolition of existing and creation of a horse manege	Approved – 15.12.2003
16/03793/FUL	Three detached dwellings following demolition of existing stables and equestrian storage buildings	Withdrawn – 06.02.2017
17/02640/CLU	Certificate of Lawfulness to establish whether equestrian use, incidental to the main dwellinghouse at Hardings Farm, is lawful	Approved – 16.10.2017

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

- 5.1 National Planning Policy Framework Sections 6, 7, 9, 11, 12

##### 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
GB1, GB2, GB3, DG1, H10, H11, R14,	P4, T5, T7

These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

##### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Acceptable housing provision	HO2, HO5
Acceptable impact on trees and local ecology	NR2, NR3
Acceptable impact on infrastructure	IF1, IF8

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

### **Supplementary planning documents**

1. Cookham Village Design Statement: Supplementary Planning Document

More information on these documents can be found at:  
[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

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

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

- RBWM Parking Strategy

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **6. EXPLANATION OF RECOMMENDATION**

- 6.1 The key issues for consideration are:

- i Green Belt / Principle of Development
- ii Design and Appearance and Impact on Special Character
- iii Highway Issues
- iv Residential Amenity
- v Ecology
- vi Archaeology
- vii Other Material Planning Considerations

### **Green Belt / Principle of Development**

- 6.2 The site lies within the Metropolitan 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 the construction of new buildings is inappropriate development in Green Belt with some exceptions. Local Plan policy GB1 is broadly in line with the NPPF but pre-dates the NPPF and therefore the NPPF is considered to be more up-to-date. One of the exceptions in the NPPF is the development of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. Annex 2 of the NPPF defines previously developed land as land which is or was occupied by a permanent structure including the curtilage of the development land and any associated fixed surface infrastructure.
- 6.3 In this case a stable block and menege was granted planning permission in 2003, subsequently implemented and stands today at the application site. The definition of previously developed land excludes a number of land uses including land that has been occupied by agriculture buildings. Historically the application site formed a dairy as part of the wider agricultural land holding at Hardings Farm. It would therefore be necessary to assess whether the agricultural use has genuinely ceased and moved on. Consequently, to clarify the situation an application for a

Certificate of Lawful Development was submitted and subsequently granted in October 2017 which established that the existing equestrian use, incidental to the main dwellinghouse at Hardings Farm, was lawful. As such, the application site is considered not to be in agricultural use, which ceased over 10 years ago.

- 6.4 The NPPF also excludes from the definition of previously developed land, land in built up areas such as private residential garden. The representation sent in by the Cookham Society states that it's been many years since farming took place at Hardings Farm and they believe Hardings Farm is now in effect a private house with extensive grounds. However, in planning definitions the site does not comprise of private garden nor is it located in a built up area. The Cookham Village Design Statement states that, in general nowhere in Cookham Dean is there any intense area of housing development.
- 6.5 For these reasons the site is considered to be previously developed land, and to determine whether the development is appropriate development in Green Belt the question falls to whether the development would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 6.6 As the proposal would comprise of redeveloping previously developed land and it would not extend beyond the boundary of what is considered to be previously developed it is considered that the proposal would not conflict with the 5 purposes of the Green Belt identified in paragraph 80 of the NPPF. In terms of impact on openness the table below sets out the footprint and volume of the existing and proposed buildings:

<b>Existing</b>	<b>Footprint (square metres)</b>	<b>Volume (cubic metres)</b>
Building 1	46	136
Building 2	48	152
Building 3	208	838
Building 4	64	208
Building 5	109	402
Building 6	65	151
<b>Total</b>	<b>543</b>	<b>1887</b>
<b>Proposed</b>	<b>Footprint (square metres)</b>	<b>Volume (cubic metres)</b>
Plot 1	91	487
Plot 2	91	459
Plot 3	91	459
<b>Total</b>	<b>273</b>	<b>1405</b>

From these figures there would be a reduction of approximately 50% decrease in building footprint and 25.5% decrease in building volume. The existing buildings on site are all single storey of varying heights, the maximum being 5.7m high. The proposed dwellings being 1 and half storeys would be higher than the existing buildings, which vary in height from approximately 2m to 3m, with an approximate 6.5m maximum ridge height for the dwelling on plot 1 and an approximate 6.85m maximum ridge height for the dwellings on plots 2 and 3. However, some regrading of the land is also proposed, comprising of lowering the ground level to the east of the site. Therefore as shown on drawing ref PL-300A the ridge of the proposed dwellings would be comparable in height with the existing buildings. Crown roofs are proposed, but given the low eaves and small flat area on top, together with the relatively simple plan form, the design of the proposed dwellings are considered to minimise bulk. The proposed dwellings would also be sited in approximately the same location as the existing buildings. As such, it is considered that the proposed development would not have a greater impact on openness of the Green Belt than the existing development.

- 6.7 The alteration to the profile of the land by excavation is considered as an engineering operation, which paragraph 90 of the NPPF states is not inappropriate in Green Belt provided they preserve the openness of the Green belt and do not conflict with the purposes of including land in Green

Belt. Given the nature of regrading works to alter the profile of the lane and the extent of excavation it is considered that these works would have a limited impact on openness and would not involve encroachment into the countryside.

- 6.8 For these reasons, it is considered that the proposal would constitute appropriate development within the Green Belt in accordance with the NPPF and there would be no conflict with Local Plan policy GB2(a).

### **Design and Appearance, and Impact on Special Character**

- 6.9 The site is one of a number of small farmsteads dotted around the village of Cookham Dean and lies adjacent to Kennel Lane. In terms of character, the Cookham Village Design Statement states that in general that nowhere in Cookham Dean is there any intense area of housing development, and on all roads and lanes the houses are well separated or sporadically grouped, punctuated by meadows or woodlands. Very frequently where groups of homes are situated, they are on one side of the road or lane only. On boundaries, hedging and wide green verges or green banks are the norm. The appearance of buildings are characterised by individually of design but dominated by 'country style' and homes are situated discreetly, usually well back from the road with long private driveways to a single home or small cluster of homes not being uncommon. Specifically, the amount of unbuilt land adjoining Kennel Lane helps engender a sense of peace and informality and within the general vicinity of Kennel Lane there is a prominence of rustic black-stained boarding giving it a particular appearance.
- 6.10 In this context the layout comprising of three detached buildings forming a small cluster of houses located on one side of the lane and served by a long private driveway would be in keeping with the prevailing pattern of development. Due to the limited number of houses and their modest scale, the proposed houses are not considered to result in a density that is excessive nor cramped within the site or disproportionate to their plots. The houses are sited irregularly within the site and well-spaced from each other, leaving sufficient room for the group to be interspersed by soft landscaping. Car parking is located to the side of the houses to avoid dominant hardstanding at the front of house. The amount of hardstanding at the site in comparison to the existing situation would also be reduced by approximately 92.2sqm, which is a reduction of approximately 16%. This is considered to preserve and enhance the informal, rural/semi-rural, green surroundings of the locality. The design of the proposed houses on plots 2 and 3 would be the same, but the house on plot 1 would add variation and therefore not considered to materially erode the individuality that characterises the area. Overall, the vernacular design of the houses would reflect the traditional rural character and they include key characteristics such as varied, asymmetrical elevations, pitched roofs and chimneys. The proposal incorporates naturally stained timber boarding, rather than black-stained, which is not a major characteristic of buildings along Kennel Lane other than for barns but it is considered that the natural stain would not be overly disharmonious with the material and colour pallet of the area and would not result in an overly obtrusive appearance. Details and approval of materials can be secured by condition 2. A hedge is proposed on the boundary, in keeping with the boundary treatment on Kennel Lane. For these reasons the proposal is considered to meet the aims and objectives of paragraph 60 and 64 of the NPPF, Local Plan policies DG1, H10 and H11, and policies G6.1, G6.2, G6.3, G6.4, G.6.5, G.6.6, G6.8, G.16, G.19 and G.21 of the Cookham Village Design Statement.
- 6.11 Concerns have been raised by local residents over the proposed changes in ground level resulting in a scar on the landscape. The existing topography comprises of land sloping downwards in an easterly direction with a more pronounced drop between the stables and the menage. The change in ground level would alter the gradient of the slope of the land towards the pronounced drop, but the resultant slope is not considered to be so severe to appear overly artificial or detract from the character of the site or wider locality.
- 6.12 Policy G14.1 of the Cookham Village Design Statement states that views, facades and other building detail depicted in paintings by Sir Stanley Spencer are part of Cookham's cultural heritage, and proposals should carefully balance the need to protect this cultural heritage with the aims of creating sensitive change. Proposals having an adverse impact, especially in relation to the direct visual linkage which is possible between the painting and the present day scene should not be permitted. Annex B of the Cookham Village Design Statement identifies the paintings by

Sir Stanley Spencer possessing identifiable or known links with views, facades or other building detail within Cookham Parish. Hardings Farm comprises part of the former Rickett's Farm and there is a painting known as 'Rickett's Farm, Cookham Dean' listed in Annex B. The painting depicts a pigsty in the foreground with woods in the distance and landscape slopes downwards from a lane to the right of the painting. The woods in the distance are assumed to be Bisham Woods as the supporting text to Policy G14.1 identifies the view as being northwards to Bisham Woods (or alternatively at another farm, near the reservoir above Pudsey Close). Given the topography depicted in the painting looking northwards towards Bisham Wood, it is considered unlikely that there is a direct visual link between the painting and the present day application site and so would not have an adverse impact on views in paintings by Sir Stanley Spencer.

- 6.13 Cookham Dean Conservation Area does not adjoin but lies to the west of the application site. Given the acceptability of its layout, siting, scale, design and appearance it is not considered to adversely affect its setting in accordance with Local Plan policy CA2.

### **Highway Issues**

- 6.14 The site is located off of Kennel Lane which measures approximately 2.5m in width. Past Harding's Farm, Kennel Lane narrows further into a footpath which leads eastwards to Whyteladyes Lane and is a Public Right of Way.
- 6.15 The site benefits from an existing vehicular access off Kennel Lane which is proposed to be stopped up and a new 4.8m wide access is proposed to the west which will lead onto a new internal access road measuring 4.8 to 7m in width to serve the proposed houses. With regard to visibility splays at the access, drawing ref: PL012A shows the required visibility splays of 2.4m x 15m to the left and right can be achieved, however to achieve adequate visibility splays to the left the hedge should be at a height of no more than 600mm from the carriageway level. As the hedge is within the application site this can be secured by condition 12. The widths provided along the new internal road will enable a two way flow and enable a vehicle to easily manoeuvre within the site to enter and exit the site in a forward gear. In respect of Kennel Lane, concerns have been raised by local residents over the use of this lane for vehicular access. However, given that Kennel Lane currently serves as a vehicular access for the existing equestrian site, and the proposal is likely to generate a 22 to 44 vehicle movements per day, the proposal is not considered likely to prejudice highway safety significantly over and above the existing situation.
- 6.16 In line with the current Parking Strategy the 3-bed dwelling will require 2 car parking spaces while the 4-bed dwelling will require 3 car parking spaces. Drawing number PL-102A shows that each dwelling will comply with the Local Authorities maximum parking standard. 6.0m manoeuvrability has also been provided in front of each bay and a 7.0m turning circle has been provided at the end of the cul-de-sac to enable delivery vehicles / emergency service vehicles to enter and exit the site in a forward gear. This can be secured by condition 11. No substantive details have been provided in relation to cycle parking facilities, but it is considered that there is space on site for satisfactory provision. This can be secured by condition 15.
- 6.17 The development has the potential to generate a total of 22 to 44 vehicle movements per day, which is not considered to have a detrimental effect on the local highway network.
- 6.18 A Public Right of Way footpath (Cookham Footpath 22) follows Kennel Lane from Church Road in Cookham Dean to the application site. The footpath then narrows and continues to Whyteladyes Lane. Due to its residential nature it is considered that the proposed change of use would not have a significant adverse impact on the public footpath either in terms of the views from the footpath or the extent of vehicular use of the footpath/farm track as access to the property.
- 6.19 The proposal is therefore considered to comply with Local Plan policies T5, T7 and P4.

## **Residential Amenity**

- 6.20 Core Principle 4 of the NPPF seeks to ensure a good standard of amenity, while Local Plan policies H11 states that planning permission will not be granted for new development that would cause damage to the amenity of the area. In this case, the separation distance from the nearest neighbouring property (Huntsman Cottage) is such that the proposed houses is unlikely to result in material loss of light, loss privacy or visual intrusion. The change of use to residential is not considered to give rise to undue noise and disturbance to the detriment of neighbouring amenity.

## **Ecology**

- 6.21 Paragraph 109 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.
- 6.22 A Preliminary Ecological Appraisal and Phase 2 Bat Assessment have been submitted as part of the application. No evidence of bats was recorded within any of the buildings, but 2 buildings were assessed as having potential to support roosting bats and a further survey was recommended. During the further survey, two common pipistrelle bats were recorded returning to roost from one building and the applicant's ecologist has provided an outline bat mitigation strategy which includes sensitive timing of works to building, careful removal and inspection of cladding, sensitive lighting and installation of bat boxes onto retained mature trees within the site, all of which will be detailed within a method statement to accompany a European Protected Species licence (EPSL). Provided that the mitigation and compensation measures are secured by condition 7 and adhered to, it is likely that the development proposal would not have a detrimental effect to the populations of bats species.
- 6.23 The submitted ecology report also makes a number of recommendations for enhancements including incorporation of wildflower areas, native species planting, sensitive lighting, and installation of bird and bat boxes onto the new buildings or retained mature trees, which would meet the aims and objectives of paragraph 109 of the NPPF. It is recommended that these are secured by condition 8.

## **Archaeology**

- 6.24 The proposal lies in an area of archaeological interest, in particular to the prehistoric settlement and land use of this part of the Thames Valley, as evidenced by Berkshire Archaeology's Historic Environment Record (HER). In addition, while the site is currently occupied by buildings, these are generally slight structures that are likely to have had little impact on below ground deposits. Paragraph 141 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. As such, there are no objections in principle subject to condition 6 to secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation to be submitted and approved by the Local Planning Authority.

## **Other Material Considerations**

### 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 NPPFF states that 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 5 year supply of deliverable housing sites.

6.26 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 the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 The application comprises of new residential development and therefore would be liable for a CIL contribution. In line with the Council's Charging Schedule the proposed development would be liable for £240 per square metre for upon the chargeable residential floor area. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

2 occupiers were notified directly of the application and the planning officer posted a statutory notice advertising the application at the site. As the development affects a Public Right of Way a site notice to this effect was erected at the site and published in the Maidenhead & Windsor Advertiser.

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

Comment		Where in the report this is considered
1	Kennel Lane is a designated footpath and restricted in width. Vehicular access would have a detrimental effect on the footpath which provides access between Cookham Rise and Cookham Dean by increasing highway danger for pedestrians.	Para. 6.15
2	Kennel Lane is a private lane, built and maintained by households on the Sterlings Field Development and Huntsmans Cottage. The proposal would increase traffic and use and therefore increase necessary maintenance and costs.	Not a material planning consideration.
3	Would encroach on the green space between settlements of Cookham Rise and Cookham Dean, harming the nature of the separate villages and their rural setting, and reduce openness.	Para. 6.6
4	Would be visually prominent and out of character with local character.	Para. 6.9 – 6.13

### Other consultees

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	The site lies within in an area of archaeological interest and while the site is currently occupied by buildings these are generally slight structures that are likely to have had little impact on below ground deposits. Berkshire Archaeology therefore recommends that, should this application be permitted, archaeological monitoring and recording (a watching brief) is undertaken during the construction of the new dwellings, which can be secured by condition. This is in accordance with Paragraph 141 of the NPPF.	Para. 6.24, condition 6
Cookham Society	Raises objections as the proposal is inappropriate development in Green Belt and would harm openness. It is not previously development land and considered to be an outbuilding to a private dwelling and private residential gardens are excluded from the definition of previously development land in the NPPF. The	Para. 6.2 – 6.8, 6.15, 6.18, 6.11



	proposed development would have an adverse effect on the users of the footpath (Kennel Lane). Furthermore, the excavation is unacceptable as it would leave a scar on the landscape and give extra height to the most prominent house (plot 1) above the building it replaces.	
Cookham Parish Council	Over development in Green Belt.	Para. 6.2 – 6.8
Ecology	Likely that the development will not have a detrimental effect to the maintenance of the population of bat species provided that suitable mitigation and compensation measures are included, which can be secured by condition. A condition to require biodiversity enhancements recommended in the ecology report is also recommended, and an informative on breeding birds should be included on any approval, and	Para. 6.21 – 6.23, conditions 7 – 8, and informative 8
Environmental Protection	No objection subject to informatives relating to asbestos, dust control, smoke control and hours of construction.	Noted and agreed. Informative 1 – 4.
Local Highway Authority	No objection subject to conditions relating to the access, parking layout and visibility splays being provided in accordance with approved plans, a construction management plan, details of refuse and recycling bin storage, and the stopping up of the existing access.	Para. 6.14 – 6.19, conditions 9- 14, and informatives 5 - 7
Public Rights of Way	No objection. The proposed change of use would not have a significant adverse impact on the public footpath either in terms of views from the footpath or the extent of vehicular use of the footpath / farm track as access to the property.	Para. 6.18
Ramblers Association	Objects as the proposal would detract from the rural aspect and visual enjoyment of users of the public right of way, access to the site via Kennel Lane is unsuitable for an increase in use by vehicles, and is inappropriate development in Green Belt.	Para. 6.2 – 6.8, 6.15, 6.18

## 9. APPENDICES TO THIS REPORT

- 5 Appendix A – Site Location Plan
- 6 Appendix B – Site Layout
- 7 Appendix C – Proposed Plans and Elevations

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

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development 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 DG1, H10, H11
- 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.

- 4 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.  
Reason: The site is in the Green Belt and whilst the development subject to this permission complies with the Green Belt policy further development would be unlikely to do so, Relevant Policies - Local Plan GB1, GB2, GB4.
- 5 Within one month of the substantial completion of the development the building shown to be removed on the approved plans, shall be demolished in its entirety and all materials resulting from such demolition works shall be removed from the site.  
Reason: To prevent the undesirable consolidation of development on the site having regard to its Green Belt location. Relevant Policies - Local Plan GB1, GB2,
- 6 No development shall take place 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 Local Planning Authority.  
Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric settlement and land use of this part of the Thames Valley. The potential impacts can be mitigated by a programme of archaeological work so as to record and advance understanding of the significance of any heritage assets in accordance with national and local planning policy.
- 7 Prior to the commencement of site works a copy of the European Protected Species Licence for bats, issued by Natural England, shall be provided to the Local Planning Authority and the development shall be carried out in accordance with the details within the agreed licence. Reason to safeguard protected species. Relevant Policies - NPPF.
- 8 The development shall be carried out in accordance with the recommendations for biodiversity enhancements within the Preliminary Ecological Appraisal report (ECOSA, November 2016) and retained thereafter.  
Reason: To secure biodiversity enhancements.
- 9 No other part of the development shall commence until the access has been constructed in accordance with the approved drawing. 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
- 10 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.
- 11 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.
- 12 No part of the development shall be occupied until the visibility splays shown on the approved

drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.

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

- 13 No part of the development shall be occupied until a refuse bin storage area and recycling facilities 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 be kept available for use in association with the development at all times.

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

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

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

- 15 No part of the development shall be occupied until covered and secure cycle parking facilities 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

- 16 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.

- 17 Prior to the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping other than private domestic gardens.

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.

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

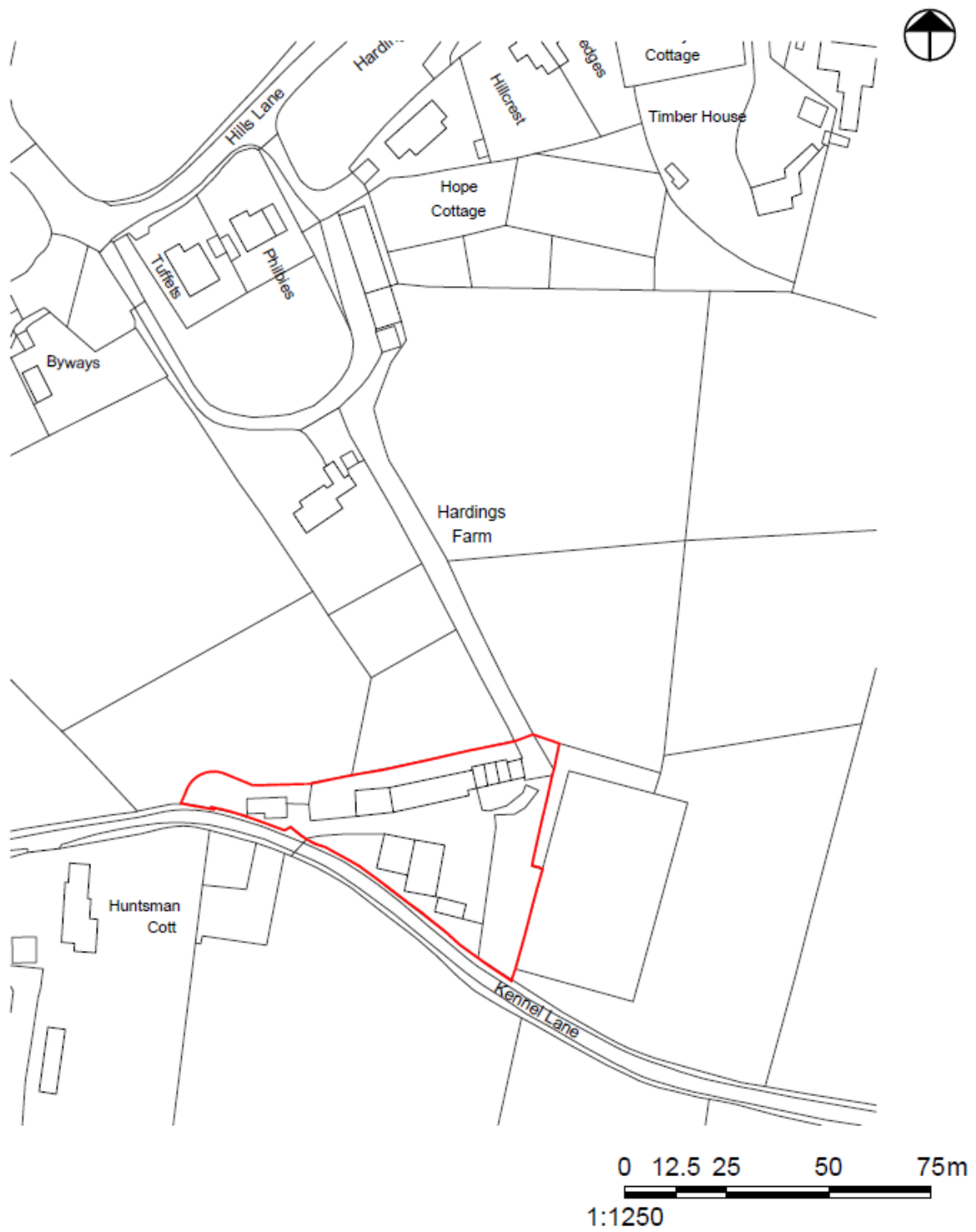
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

## **Informatives**

- 1 It is noted that the existing buildings may contain asbestos. The applicant is recommended to ensure that all contractors involved in the demolition and site clearance works are aware of the requirements of the Control of Asbestos at Work Regulations 1987 (as amended) and should contact the Health and Safety Executive at Priestley House, Priestley Road, Basingstoke, Hants, RG24 9NW tel 01256 404000 for further information and advice.

- 2 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
- 3 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.
- 4 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.
- 5 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 6 No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
- 7 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.
- 8 It is advised that there should be no building demolition, or tree, shrub and hedgerow removal be undertaken inside the breeding bird season (March to August inclusive) or such works to be undertaken immediately following inspection by a qualified ecologist.

Appendix A – Location Plan

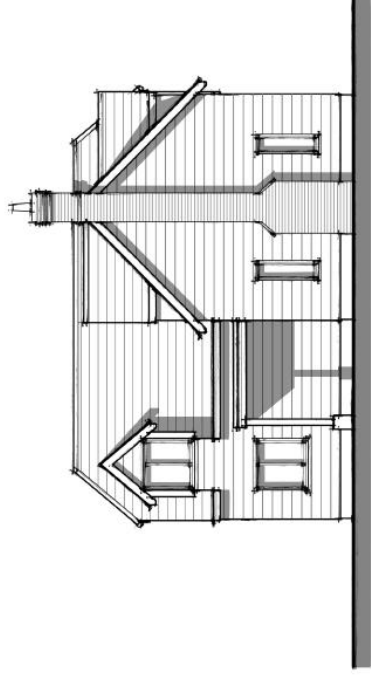


# Appendix B – Site Layout

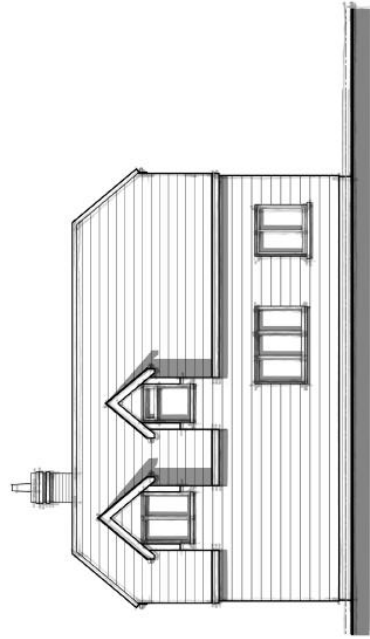




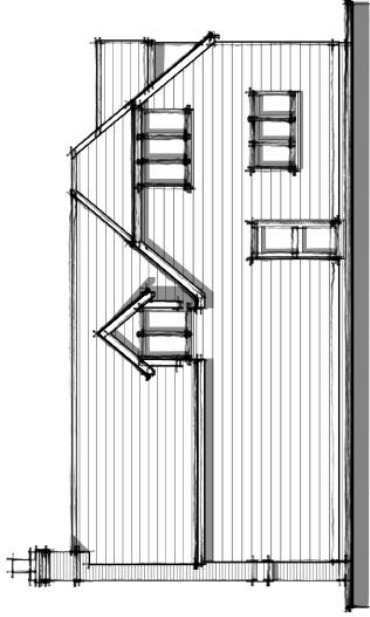
Side Elevation



Front Elevation



Rear Elevation



Side Elevation



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**Subject to:**  
 Full Site and Building Survey  
 Planning and Highways  
 Any assessments, covenants and contractual agreements existing, limiting or preventing potential development of the site to be brought to the immediate attention of Jsa Architects.

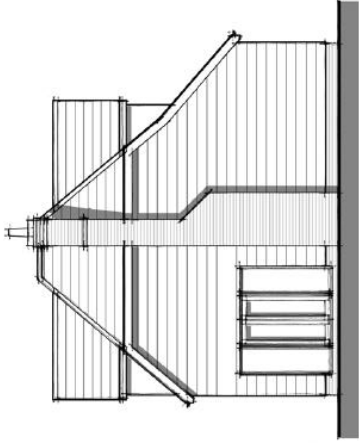
■ **Mr & Mrs Richards**  
 Hardings Farm, Hills Lane, Cookham.  
 ■ **Proposed Elevations Plot 1**

■ **Project** RHFC  
 ■ **Dwg No/rev.** PL-400A  
 ■ **Scale** 1:100@A3  
 ■ **Date** NOV 2016  
 ■ **Checked by** D.G

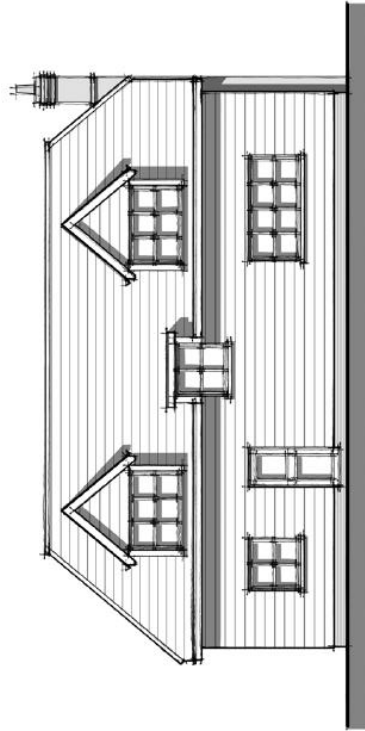




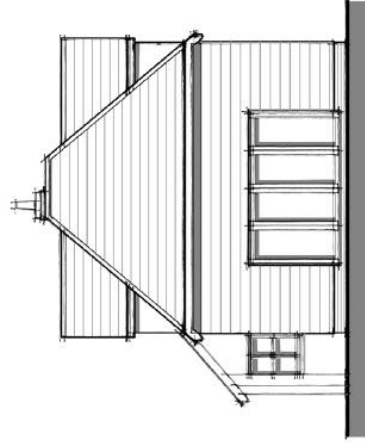
South Elevation



West Elevation



North Elevation



East Elevation



- Project RHF02
- Dwg No/rev. PL-410A
- Scale 1:100@A3
- Date NOV 2016
- Checked by D.G

- Mr & Mrs Richards
- Hardings Farm, Hills Lane, Cookham.
- Proposed Elevations
- Plots 2 & 3

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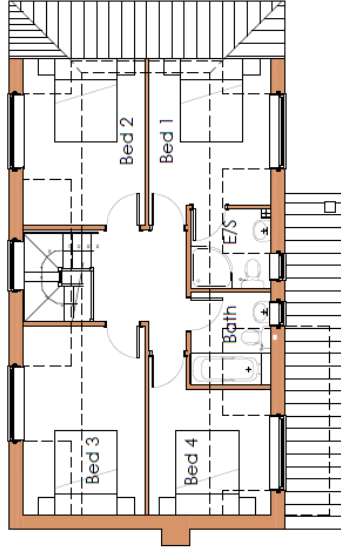
Subject to:  
 Full Site and Building Survey  
 Planning and Highways  
 Any easements, covenants and contractual agreements restricting, limiting or preventing potential development of the site to be brought to the immediate attention of Jsa architects.



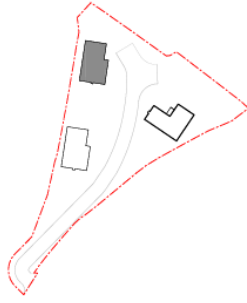




Ground Floor Plan



First Floor Plan



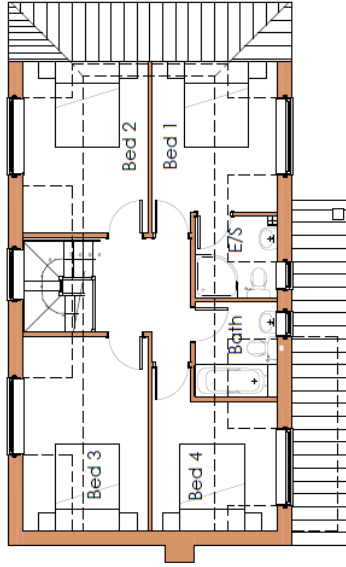
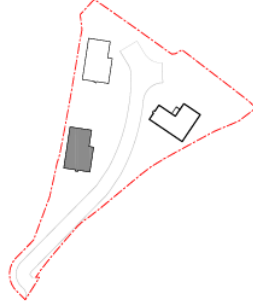
- Project RHFC2
- Dwg No/rev. PL-210
- Scale 1:100@A3
- Date AUG 2016
- Checked by AW

- Mr & Mrs Richards
- Hardings Farm, Hills Lane, Cookham.
- Proposed Floor Plans
- Plot 2

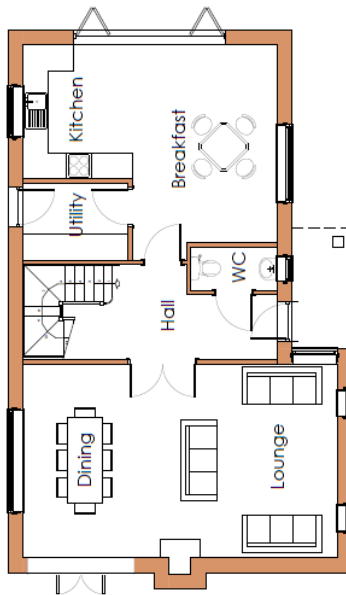
145/150 ROAD, WINDYBUSH, NSW 2478. SUBJECT TO LOCAL COUNCIL REQUIREMENTS AND REGULATIONS. ALL RIGHTS RESERVED.

Subject to:  
 Full Site and Building Survey  
 Planning and Highways

All statements, contracts and conditions apply to the development of the site to be brought to the immediate attention of the architect.



First Floor Plan



Ground Floor Plan



- Project RHFC2
- Dwg No/rev. PL-220
- Scale 1:100@A3
- Date AUG 2016
- Checked by AW

Mr & Mrs Richards  
 Hardings Farm, Hills Lane, Cookham.  
 Proposed Floor Plans  
 Plot 3

C:\Projects\Drawings\RHFC2 - Richards, Squareside St, Harpenden, Herts, UK\Architect\Drawings\RHFC2 - Plot 3 - 100 - 100.dwg

Subject to:  
 Full Site and Building Survey  
 Planning and Highways

Any easements, covenants and contractual agreements restricting, limiting or preventing potential development of the site to be brought to the immediate attention of jsa architects.

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## Appeal Decision Report

14 October 2017 - 10 November 2017

### MAIDENHEAD

**Appeal Ref.:** 17/60032/REF      **Planning Ref.:** 16/02868/CLU      **Plns Ref.:** APP/T0355/X/1  
7/3169871

**Appellant:** Mrs Karen Woolland c/o **Agent:** Miss Sophie Morris Oak Burn College Rise Maidenhead  
SL6 6BP

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

**Description:** Certificate of lawfulness to determine whether the use of the indoor swimming pool by Wctd  
Limited for teaching swimming lessons for a maximum of 13 hours per week is lawful.

**Location:** **4 Bramble Drive Maidenhead SL6 3NX**

**Appeal Decision:** Dismissed      **Decision Date:** 23 October 2017

**Main Issue:** The Inspector concluded that the Appellant's use of the appeal property to provide  
commercial swimming lessons gives rise to a change in the character of use of the  
property. Furthermore, the increased comings and goings, including vehicle movements  
and parking, go beyond what would be expected in association with a single family  
dwellinghouse. The Inspector was satisfied that there has been a material change of use  
and the Council's refusal of an LDC was well founded.

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**Appeal Ref.:** 17/60071/REF      **Planning Ref.:** 17/00327/OUT      **Plns Ref.:** APP/T0355/W/1  
7/3177826

**Appellant:** Mr And Mrs Scanlon c/o **Agent:** Mr Ifti Maniar J S A Architects Ltd Tavistock House  
Waltham Road Maidenhead SL6 3NH

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

**Description:** Outline application (all matters reserved) for the construction of a new dwelling.

**Location:** **Land At Ballards Jobs Lane Cookham Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 18 October 2017

**Main Issue:** The proposal would not be limited infilling and would therefore be inappropriate  
development, which is by definition harmful to the Green Belt. Harm would also be caused  
by loss of openness, to which the Framework requires substantial weight is given. There  
would also be harm to the character of the area. Very Special Circumstances have not  
been demonstrated to justify the development.

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**Appeal Ref.:** 17/60081/REF      **Planning Ref.:** 17/00822/FULL      **Plns Ref.:** APP/T0355/D/1  
7/3179286

**Appellant:** Mr Philip Anderson **c/o Agent:** Mr Ifti Maniar JSA Architects Tavistock House Waltham Road Maidenhead SL6 3NH

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

**Description:** Rebuilding of existing rear garage building. Rear extension to connect garage building.

**Location:** **Crook Cottage High Road Cookham Maidenhead SL6 9HR**

**Appeal Decision:** Allowed      **Decision Date:** 19 October 2017

**Main Issue:** The Inspector found that the proposed development would not have an unacceptably harmful effect on the character and appearance of the host property or the wider area. It would therefore not conflict with Policies DG1 and H14 of the Council's Local Plan 2003 (LP). The development would represent good design in the general overall context of paragraph 58 of the National Planning Policy Framework ('the Framework'). Similarly, it would not conflict with the guidance on extensions at G6.9a of the Cookham Village Design Statement Supplementary Planning Document 2013, (SPD). The development would be subordinate by way of its low height and sympathetic to the design of the original building through leaving the form and appearance of the cottage largely intact. It is also concluded that the proposed development would not have an unacceptably harmful effect on the living conditions of the neighbouring property with particular regard to light.

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**Appeal Ref.:** 17/60084/REF      **Planning Ref.:** 17/00876/FULL      **Plns Ref.:** APP/T0355/D/1  
7/3177671

**Appellant:** Mr And Mrs R And A Agrawal And Dixit **c/o Agent:** Mrs Fiona Jones Cameron Jones Planning 3 Elizabeth Gardens Ascot SL5 9BJ

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

**Description:** The erection of two storey side extensions and part single part two storey rear extensions and installation of front gate to the existing boundary wall opening

**Location:** **The Chase Tollgate Maidenhead SL6 4LJ**

**Appeal Decision:** Allowed      **Decision Date:** 19 October 2017

**Main Issue:** It was concluded that the effect of the proposed extensions on the character and appearance of the existing dwelling and its surroundings would not be harmful - although noticeably larger The Chase will remain a handsome building. There would therefore be no conflict with Policies DG1 & H14 of the Royal Borough of Windsor and Maidenhead Local Plan 2003 and Section 7 'Requiring Good Design' of the National Planning Policy Framework 2012.

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**Appeal Ref.:** 17/60086/REF      **Planning Ref.:** 17/01386/FULL      **Plns Ref.:** APP/T0355/D/17/3179010

**Appellant:** Mr & Mrs Maxwell **c/o Agent:** Mr S Dodd Authorised Designs Ltd Bacchus House Ley Hill Chesham Buckinghamshire HP5 1UT

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

**Description:** Two storey rear extension, single storey side extension, front dormer window and replacement porch.

**Location:** **4 Forest View Cottages Forest Green Road Holyport Maidenhead SL6 2NS**

**Appeal Decision:** Dismissed      **Decision Date:** 23 October 2017

**Main Issue:** The Inspector found that the proposed extensions would result in a disproportionate addition, over and above the size of the original building, and would amount to an inappropriate development in the Green Belt. He found that the proposed extensions would have a harmful effect on the openness of the Green Belt. There would thus be some conflict with the aims of Green Belt policy, as stated in the NPPF, to keep land permanently open and safeguard the countryside from encroachment. He found that the other considerations drawn to his attention, are insufficient clearly to outweigh the harm that would be caused to the Green Belt by reason of inappropriateness, which carries substantial weight, and the additional harm to its openness. The very special circumstances necessary to justify the development do not therefore exist and the proposed extensions would conflict with national policy set out in the NPPF and with LP Policies GB1, GB2 and GB4.

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**Appeal Ref.:** 17/60092/REF      **Planning Ref.:** 17/01012/FULL      **Plns Ref.:** APP/T0355/D/17/3182376

**Appellant:** Mr And Mrs Phil And Donna Cavell **c/o Agent:** Ms Irum Khan IQ Planning Consultants 4 Kendor Avenue Epsom Surrey KT19 8RH

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

**Description:** Detached outbuilding (retrospective).

**Location:** **2 Wellington Cottages Warren Row Road Warren Row Reading RG10 8QX**

**Appeal Decision:** Allowed      **Decision Date:** 3 November 2017

**Main Issue:** The Inspector did not find there to be any harm arising to the Green Belt or any other material consideration. It is considered that the development is not inappropriate development and is not deemed to have a harmful effect on openness.

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## Planning Appeals Received

14 October 2017 - 10 November 2017

### 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 Plns 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)

**Ward:**  
**Parish:** Hurley Parish  
**Appeal Ref.:** 17/60097/SOS      **Planning Ref.:** 16/02814/FULL      **Plns Ref.:** APP/T0355/V/17/3185731  
**Date Received:** 9 October 2017      **Comments Due:** 20 February 2018  
**Type:** Called in by Secretary of State      **Appeal Type:** Inquiry  
**Description:** Development of a care village comprising of a 50 bedroom care home, village care and wellbeing centre, 26 assisted living units, 82 independent living units, landscaping, parking and associated new access drive  
**Location:** **Land At BCA And Bordered By Main Buildings To North And Dellars Copse To South Burchetts Green Road Burchetts Green Maidenhead**  
**Appellant:** Berkshire College of Agriculture **c/o Agent:** Mr Kevin Scott Kevin Scott Consultancy Sentinel House Ancells Business Park Harvest Crescent Fleet Hampshire GU51 2UZ

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 17/60099/REF      **Planning Ref.:** 17/00591/FULL      **Plns Ref.:** APP/T0355/W/17/3179457  
**Date Received:** 1 November 2017      **Comments Due:** 6 December 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Proposed alterations and extension to existing flats  
**Location:** **1 Laburnham Road Maidenhead SL6 4DB**  
**Appellant:** Mr J Harris-Cohen **c/o Agent:** Mr Neil Dowlman Neil Dowlman Architecture Ltd 14 Main Ridge West Boston Lincolnshire PE21 6QQ

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 17/60100/REF      **Planning Ref.:** 17/01325/FULL      **Plns Ref.:** APP/T0355/D/17/3183273  
**Date Received:** 7 November 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Two storey and single storey rear extension, first floor front extension, single storey front porch extension, 6 No. front and 2 No. rear roof light's following demolition of existing annexe.  
**Location:** **Path Head Kinghorn Lane Maidenhead SL6 7QG**  
**Appellant:** Mr Nick Brandon-King **c/o Agent:** Mrs Emily Temple ET Planning Ltd Beechey House 87 Church Street Crowthorne RG45 7AW



**Ward:**  
**Parish:** Cookham Parish  
**Appeal Ref.:** 17/60101/REF      **Planning Ref.:** 17/01694/FULL      **Plns Ref.:** APP/T0355/  
D/17/318351  
6  
**Date Received:** 7 November 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Proposed two storey front/side extension following demolition of existing part single/ part  
two storey front projection  
**Location:** **Spring Cottage Sutton Road Cookham Maidenhead SL6 9SY**  
**Appellant:** Mr And Mrs Parker **c/o Agent:** Mr Oliver Hill Rectory Barn Berriew Near Welshpool  
Powys Wales SY21 8AN

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# Agenda Item 7

By virtue of paragraph(s) 1, 3, 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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# Agenda Item 8

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of the Local Government Act 1972.

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of the Local Government Act 1972.

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# Agenda Item 9

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