### Public Document Pack

# NOTICE

OF

# **MEETING**



### MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

will meet on

# **WEDNESDAY, 17TH JANUARY, 2018**

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)
COUNILLORS CLIVE BULLOCK, MAUREEN HUNT, RICHARD KELLAWAY,
PHILIP LOVE, 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, 9 January 2018

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 <a href="www.rbwm.gov.uk">www.rbwm.gov.uk</a> – 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 <a href="mailto:democratic.services@rbwm.gov.uk">democratic.services@rbwm.gov.uk</a>

**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.

**Recording of Meetings** –In line with the council's commitment to transparency the meeting will be audio recorded, and filmed and broadcast through the online application Periscope. The footage can be found through the council's main Twitter feed @RBWM or via the Periscope website. The audio recording will also be made available on the RBWM website, after the meeting.

Filming, recording and photography of public Council meetings may be undertaken by any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will 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.	APOLOGIES FOR ABSENCE To receive any apologies for absence.		
2.	DECLARATIONS OF INTEREST  To receive any declarations of interest.		5 - 6
3.	MINUTES To confirm the minutes of the last meeting.		7 - 10
4.	PLANNING APPLICATIONS (DECISION) To consider the Head of Planning's report on planning applications received.		11 - 54
	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. http://www.rbwm.gov.uk/web/dc_public_apps.htm		
5.	ESSENTIAL MONITORING REPORTS (MONITORING) To consider the Appeals Decision Report and Planning Appeals Received.		55 - 58
6.	LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC To consider passing the following resolution:- "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"		

# PART II PRIVATE MEETING

ITEM	SUBJECT	WARD	PAGE NO
7.	PART II MINUTES		59 - 60
	To confirm the minutes of the meeting of 22 November 2017.		
	(Not for publication by virtue of Paragraph 1, 3, 5, 7 of Part 1 of Schedule 12A of the Local Government Act 1972)		

lii l



### **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  $\underline{or}$  (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.

6

# Agenda Item 3

### MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

### 20.12.17

PRESENT: Councillors Derek Wilson (Chairman), Clive Bullock, Maureen Hunt, Richard Kellaway, Philip Love, Adam Smith and Charles Hollingsworth.

Officers: Tony Carr (Traffic & Road Safety Manager), Victoria Gibson (Development Management Team Manager), Jenifer Jackson (Head of Planning), Mary Kilner (Head of Law and Governance), Antonia Liu and Shilpa Manek

### 48 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Burbage and Stretton. Councillor Hollingsworth substituted at the meeting.

### 49 DECLARATIONS OF INTEREST

Councillor Hunt declared a pecuniary interest in Item 1 and said she would leave the room for the discussion and vote.

Councillor Kellaway, Love and Wilson all declared a personal interest as PRoM Members for item 1 but they were all attending the meeting with an open mind.

### 50 MINUTES

The Panel **Unanimously Voted** that the Minutes of the last meeting were a true and correct record.

### 51 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.

Item 1 15/04284/FULL	Pontoon on the west bank of York Stream for mooring boats.
Former Cinema Site Bridge Avenue And Copthall House St Ives Road And 1 To 11 High Street	Councillor Wilson put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Love.
Maidenhead	The Panel VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.
Item 2 17/01649/FULL	Extension to east elevation and internal alterations to provide 4 new flats and alterations to provide an additional 8 car parking spaces.
Lennox House	
Ray Park Avenue	Councillor Wilson put forward a motion to
Maidenhead	refuse the application, in line with the Officer's
SL6 8DT	recommendation. This was seconded by Councillor Hollingsworth.

Item 3 17/02812/OUT DEFERRED FOR ONE CYCLE Land Including Thames Auto Sales And The Amber Centre And Former Unit 5 Oldfield	A named vote was carried out. Six Members (Bullock, Hollingsworth, Kellaway, Love, Smith and Wilson) voted for the Officer's recommendation for refusal and Councillor Hunt abstained from voting.  The Pane voted to REFUSE the application as per the Officer's recommendation.  Outline application (means of access, appearance, layout and scale only to be determined) for demolition of existing buildings, erection of a three storey building in the southern part of the site, erection of a part two/part three/part four storey building in the northern part of the site to provide 67 residential dwellings and associated parking.
Road	
Maidenhead	
Item 4 17/02910/FULL 20 And 24 Braywick Road	Construction of x9 dwellings with access, parking and amenity space following demolition of the existing Dwelling.
Maidenhead	Councillor Love put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Hunt.
	The Panel VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.
	(Speakers: The Panel was addressed by John Hudson, Objector and Jake Collinge, the Agent.)
Item 5 17/03038/FULL	Temporary modular teaching block comprising four classrooms and toilets and provision of six temporary parking spaces.
Riverside Primary School	
And Nursery Donnington Gardens Maidenhead SL6 7JA	Councillor Smith put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Love.
	The Panel VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.
Item 6 17/03098/FULL	Change of use of existing HMO (Class C4) to a large HMO (Sui Generis) (Retrospective).
Tesca 16 Belmont Road Maidenhead SL6 6JW	Councillor Hunt put forward a motion to refuse the application, against the Officer's recommendation. This was seconded by Councillor Smith.
	This was for the reasons as recommended by the highway officer regarding the severe parking

problems experienced in the vicinity of the site and the limited availability of on street parking given the absence of a pavement opposite the site, the shortfall in parking would have a severe impact harmful to the free flow of traffic and would have a detrimental impact on highway safety. Furthermore the existing on-site parking is tight for the parking of 2 vehicles and providing access to the property meaning that it may not be readily used. The proposal is contrary to Local Plan policy P4 and para 32 of the NPPF.

A named vote was carried out. Five Councillors voted for refusal (Councillors Bullock, Hunt, Kellaway, Smith and Wilson) and two Councillors abstained from voting (Councillors Hollingsworth and Love).

The Panel VOTED that the application be REFUSED, against the Officer's recommendation.

(Speakers: The Panel was addressed by Murray Pannell, Objector and Tom Leeming, the Applicant.)

### Item 7 17/03445/VAR

52

Land Rear of 4 And 5 And 6 And 7 Woodlands Park Road Maidenhead

Erection of 2 x 3 bed semi-detached and 2 x 4 bed detached dwellings as approved under planning permission 15/01659/FULL to vary condition 2 (Approved Plans) to substitute plans.

Councillor Hunt put forward a motion to approve the application, in line with the Officer's recommendation. This was seconded by Councillor Kellaway.

The Panel VOTED UNANIMOUSLY that the application be APPROVED as per the Officer's recommendation.

### **ESSENTIAL MONITORING REPORTS (MONITORING)**

The Panel noted the appeal decisions.

The meeting, which began at 7.00 pm, ended at 8.40 pm

Chairman	
Date	



# Agenda Item 4

# **ROYAL BOROUGH OF WINDSOR & MAIDENHEAD**

### Maidenhead Panel

17th January 2018

**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

Item No. 1 Application No. 17/03466/FULL Recommendation REF Page No. 13

Location: Desborough Bowling Club York Road Maidenhead SL6 1SF

Erection of 1 No. 8 storey building and 2 No. 7 storey buildings to provide 154 apartments with associated Proposal:

access and servicing, landscaped courtyards and podium level and 176 car parking spaces following

demolition of existing buildings.

Applicant: Shanly Homes Ltd Member Call-in: Not applicable Expiry Date: 8 February 2018

Item No. 2 Application No. 17/03635/FULL Recommendation **REF** 

Page No.

29 Holmanleaze Maidenhead SL6 8AW Location:

Retention of rear dormer Proposal:

Applicant: Mrs Nehar Member Call-in: Cllr. Majeed **Expiry Date:** 23 January 2018

Item No. 3 Application No. 17/03773/FULL Recommendation PERM Page No. 47

Location: Furze Platt Junior School Oaken Grove Maidenhead SL6 6HQ

Proposal: Installation of single window

Applicant: Mrs Nagiel Member Call-in: Not applicable **Expiry Date:** 2 February 2018

Page No. 55 Planning Appeals Received

Appeal Decision Report Page No. 56

11 AGLIST



# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

#### MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 January 2018 Item: 1

**Application** 

17/03466/FULL

No.:

**Location:** Desborough Bowling Club York Road Maidenhead SL6 1SF

**Proposal:** Erection of 1 No. 8 storey building and 2 No. 7 storey buildings to provide 154

apartments with associated access and servicing, landscaped courtyards and podium

level and 176 car parking spaces following demolition of existing buildings.

Applicant: Shanly Homes Ltd Agent: Mr Kevin Scott

Parish/Ward: 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

### 1. SUMMARY

- 1.1 The development plan encourages the redevelopment of this site and the wider 'York Road Opportunities Area'. Significant weight is attached to any application which seeks to achieve this, significant weight is also attached to the delivery of a well-designed and considered development which delivers and contributes to providing housing in a sustainable town centre location.
- 1.2 However, it is considered that this should be done in a comprehensive manner. The LPA will support a phased approach where it can be demonstrated that a well-designed proposal will not prejudice nor undermine the wider sustainable redevelopment of the area. Greater and substantial weight is attached to ensuring the wider opportunity area is able to fully maximise its potential to make efficient use of previously developed land and deliver a sustainable mixed use development, including a range of housing.
- 1.3 This application comes following the previous refusal on the site. The proposed revisions and additional information has been considered against the previous grounds for refusal and the relevant adopted planning policies and material considerations. It is not considered that this revised application overcomes the previous grounds for refusal. In view of the above and for the further reasons set out below the above planning application is recommended for refusal for the following reasons:

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

- 1. In the absence of any robust evidence to demonstrate otherwise the proposed development has failed to show how the development could successfully ensure effective integration without prejudicing the wider comprehensive redevelopment of the area known as the 'York Road Opportunity Area'. This could lead to the prevention of the further efficient use and cohesive approach of wider urban land to deliver a mixed use scheme in a sustainable town centre location. This is contrary to the National Planning Policy Framework (2012), the Maidenhead Area Action Plan (2011) and the emerging Borough Local Plan.
- 2. The proposed development by reason of its layout, scale, mass, bulk and overall design is considered to be one which is visually over dominant and overbearing, detrimental to the character and appearance of the area, and the street scene in general. This is contrary to the National Planning Policy Framework (2012), policy DG1, H10 and H11 of the Borough Local Plan (2003) and policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre Area Action Plan (2011).

- 3. The proposed development fails to provide or secure any affordable housing provision which is required to make the development acceptable in accordance with the National Planning Policy Framework (2012), policy H3 of the Local Plan (2003) and policy IMP2 of the Maidenhead Town Centre Area Action Plan (2011).
- 4. The proposed development would result in the loss of four trees covered by a Tree Preservation Order (trees of high amenity value). No adequate replacement tree planting is proposed and proposed landscaping is limited. This is contrary to the National Planning Policy Framework (2012) and its associated guidance, policies N6 and DG1 of the Local Plan (2003), and policies MTC 2, MTC 4 of the Maidenhead Town Centre Area Action Plan (2011).
- 5. In the absence of a signed legal agreement under Section 106 of the Planning Act which secures the re-provision of the Bowling Club on land at Green Lane, Maidenhead (permission 15/02135) prior to the implementation of the redevelopment of this site; the proposal results in the loss of a community and sports facility and open space contrary to the NPPF (2012).

#### 2. REASON FOR PANEL DETERMINATION

• In consultation with the Lead Member for Planning the Head of Planning considers it appropriate that the Panel determines this major planning application.

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

- 3.1 The application site relates to the Desborough Bowling Club, a community sports and recreation facility located to the southern end of York Road and the wider Maidenhead Town Centre. The site comprises of the outdoor bowling green and club house. The club house benefits from an indoor 'bowling green.' With reference to the planning history below the facility has secured a new site for re-provision, just outside of the Town Centre.
- 3.2 The rear of the site abuts Maidenhead Football Club and to the east is York Centre and Café, which is a single storey detached building, the freehold of which is in Council ownership.
- 3.3 The site is located near to but not directly adjacent to York Stream and is adjacent but not within flood zone 2.
- 3.4 To the front of the site are a number of trees which afford protection through a Tree Preservation Order.
- 3.5 The application site forms part of the wider 'York Road Opportunity Area' as identified in the Maidenhead Town Centre Area Action Plan (2011).
- 3.6 The bowling green would fall within the definition of open space.

### 4. RELEVANT PLANNING HISTORY AND DESCRIPTION OF DEVELOPMENT

- 4.1 This is a full planning application for the erection of 154 residential units comprising of 1x eight storey building and 2x seven storey buildings with associated access and servicing, landscaped courtyards and podium level parking.
- 4.2 The block to the west of the site (adjacent to the Conservative club) is referred to as Block A, is 7 stores in height. The block to the centre of the site is referred to as Block B, is 8 storeys in height and the block to the east of the site (adjacent to the York Road Centre) is referred to as Block C, is 7 storeys in height.

	17/01000	Fraction of A No. O stores building and O No. 7	Defused (see now 7.0
	Reference	Description	Decision
4.9	There is a num	ber of planning applications which are relevant to t	his proposal:
	the body of  The roof co  Each of the  Blocks mov	ions and articulation of the roof has been modified the building. lour has been lightened. three blocks is proposed to be of a different brick ed westwards by 1.5m s altered and brought closer to street edge to reinf	
4.8	With reference to the below planning history this is a revised application following the refusal of application 17/01808. The overall height, layout and quantum of development proposed remains the same as the previously refused application. The proposed alterations include:		
4.7	The proposed landscaping would be in the form of a planting strip of some 2-3m between the front of the new blocks. To the west of the site there is private garden area for the ground floor units. Podium gardens are proposed above the proposed ground floor parking		
4.6	104 cycle spaces will be provided to the ground floor rear of block A and a further 64 cycle spaces to block C, providing a total of 155 cycle spaces. Bin storage will be located to the front of units A and B and to the rear side of block C.		
4.5	Pedestrian acc	ess will be taken from the front (northern) frontage	of the site facing York Road.
4.4	some ground floof 176 onsite co	arking level with 140 spaces is proposed under toor parking with podium above providing a further ar parking spaces. Access to this parking will be to York Road and runs along the east boundary and a the ground and basement level parking.	36 spaces. This provides a total aken via the north eastern point
	☐ 19 x Studio ☐ 31 x one be ☐ 99 x two be ☐ 5 x three b	droom units droom units	
4.3	Overall the prop	posed development would provide:	

Reference	Description	Decision	
17/01808	Erection of 1 No. 8 storey building and 2 No. 7 storey buildings to provide 154 apartments with associated access and servicing, landscaped courtyards and podium level and 176 car parking spaces following demolition of existing buildings. The main alterations to the previously refused application are as follows:	Refused (see para 7.2 for summary of reasons for refusal)	
Land South of Ho	orwoods Yard, Green Lane, Maidenhead		
15/02135/FULL	Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping  Note – there is no legal agreement to tie this application to redevelopment of the existing bowls club site.	Permitted	
17/00786/VAR	Variation of Condition 27 (under Section 73) to substitute amended plans for those plans approved to allow for the lowering of the outdoor green and associated external	Pending consideration/ determination	

alterations, and variation of pre-	
commencement Conditions 4 (hard and soft	
landscape works), 7 (details of the proposed	
drainage and services), 22 (Bio-Diversity	
Enhancements), 23 (security measures) so	
that details are approved for the construction	
of an indoor bowling green and clubhouse with	
associated facilities and construction of	
outdoor bowling green and green-keepers	
store with car parking and associated	
landscaping approved under 15/02135/FULL.	

### 5. MAIN 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 **RBWM Local Plan (2003)**

<ul> <li>5.3 The main planning considerations applying to the site and the associated policies are: <ul> <li>N6 Trees and development</li> <li>N11 Creative Nature Conservation</li> <li>DG1 Design guidelines</li> <li>NAP4 Pollution of groundwater and surface water</li> <li>R1 Protection of Urban Open Spaces</li> <li>R3 Public Open Space Provision in New Developments (provision in accordance with minimum standard)</li> <li>R4 Public Open Space Provision in New Developments (on site allocation)</li> <li>R5 Children's playspace</li> <li>R7 Formal Sports and Leisure Facilities</li> </ul> </li> </ul>	(2000)
☐ R14 Rights of Way and Countryside Recreation ☐ CF1 Protection of existing facilities ☐ 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	and development e Nature Conservation a guidelines ition of groundwater and surface water on of Urban Open Spaces pen Space Provision in New Developments (provision in accordance with the andard) pen Space Provision in New Developments (on site allocation) 's playspace Sports and Leisure Facilities of Way and Countryside Recreation ition of existing facilities of Development s Use in Town Centres s Use in Town Centres and Development Guidelines d housing sites le housing within urban areas intre housing a range of housing needs a layout and design g density

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

5.4 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 - the Opportunity Areas, which includes York Road. With specific reference to this site the document identifies that the area also includes Maidenhead Football and Desborough Bowls Clubs. Whilst

the football club wishes to remain in the town centre, the bowls club have indicated a willingness to relocate. The document states that any redevelopment proposals will be expected to include suitable open and amenity space recognising the open urban character of the site.

_	_	D :: :	•			
5.	h	DAliciae	∩t	rolovanco	Inc	nigo.
J.	J	L OIICIES	OI.	relevance	шь	IUUC.

	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 OA3 York Road Opportunity Area
	Policy IMP2 Infrastructure & Planning Obligations

The Council's planning policies in the Local Plan can be viewed at: https://www3.rbwm.gov.uk/downloads/download/154/local\_plan\_documents\_and\_appendices

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

- 5.6 The site also forms part of the York Road allocations in the emerging Borough Local Plan (BLP). Policy OA3 York Road Opportunity Area will be superseded in part by HO1 Housing Development Sites and ED2 Defined Employment Sites.
- 5.7 The wider allocation of York Road is 4.5 hectares and includes the land to the north of the site including the Borough Town Hall and Public Library. This emerging allocation looks to provide approximately 320 residential units as part of a mixed use scheme across the whole site.
- 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 30 June to September 2017 with the intention to submit the Plan to the Planning Inspectorate in 2018. In this context, the Borough Local Plan: Submission Version is a material consideration, 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

### **Positive and Proactive Engagement**

- 5.9 The application follows the delegated refusal of an earlier scheme which was not the subject of pre application discussions. In advance of the submission of this planning application Officers met with the Applicants and their Agent on the 04.10.2017 to discuss the grounds for the previous refusal and to encourage detailed pre-application discussions prior to the submission of any new application secured through a Planning Performance Agreement.
- 5.10 The applicants requested a Planning Performance Agreement however only to cover the planning application. A PPA is meant to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

### 6. **EXPLANATION OF RECOMMENDATION** 6.1 The key issues for consideration are: ☐ Planning history ☐ Principle of the development □ Provision of Affordable Housing ☐ Impact on trees ☐ Provision of a Suitable Residential Environment ☐ Highway and Parking Considerations ☐ Other Environmental Considerations Planning History 6.2 This is a revised application following the refusal of planning application 17/01808 for the redevelopment of the site. The amendments are set out in paragraph 4.8. There has been no material change in planning policy since the previous decision and conditions on site have not changed. As such the main material consideration is whether the proposed development overcomes the previous reasons for refusal, these are considered in detail below. 6.3 In terms of the proposed loss of the bowling club an alternative site has been secured for its reprovision. The development approved under planning application 15/02135/FULL would be for an equivalent sized bowling club facility in terms of quantity and of an improved quality in a suitable location. The principle of the loss of the existing bowling club, subject to the re-provision (which would be secured by way of planning obligation) has already been established under the last application. Sport England were consulted on the last planning application and raised no objection subject to securing the re-provision alongside redevelopment of the current site. Principle of the development 6.4 The previous application was refused on the grounds that: The proposal has failed to demonstrate how the development could be successfully achieved without prejudicing the wider comprehensive redevelopment of the area known as the 'York Road Opportunity Area'. This could lead to obstructing the efficient use of urban land to deliver a mixed use scheme in a sustainable town centre location and take opportunities to facilitate improve access and connectivity. This is contrary to the National Planning Policy Framework (2012) and the Maidenhead Area Action Plan (2011) (AAP). 6.5 Maidenhead Town Centre benefits from an AAP adopted in 2011 which covers the wider town centre area including not only the shopping area but also the surrounding leisure facilities, offices and main roads, helping to ensure the town centre is considered comprehensively and not in a piecemeal way. 6.6 Paragraph 3.29 of the AAP is clear that some sites could be developed independently of one another, it is preferable for landowners to work together to achieve a better solution which would unlock opportunities to make more substantial changes across the town centre. Within this document this site forms part of the York Road Opportunity Area which is allocated for a residential and office led mixed use development. The allocation is split into land north and south of York Road, this site is located to the south and forms part of the wider allocation for the following:

☐ 60 residential dwellings (gross);

□ Community facilities;

☐ Up to 2,000 m2 of office floor space (gross);

☐ A multi-use community, cultural and leisure facility.

- 6.7 The document is clear that the redevelopment of this Opportunity Area may be achieved through a single or phased approach; with land either side of York Road coming forward at separate times. Any proposals for the area will however need to be planned in a comprehensive manner and ensure effective integration between land north and south of York Road.
- 6.8 The emerging BLP, as a whole, looks to direct a significant level of growth to Maidenhead Town Centre as the main urban core and sustainable location within the Borough. The York Road sites are allocated as site HA5 in the emerging BLP to provide approximately 320 residential units as part of a mixed use scheme on the site. The allocation also retains a key requirement of enhancing accessibility to the football club.
- 6.9 The development plan provides in principle support for the redevelopment of this site.
- 6.10 However concerns were previously raised about the contextual analysis of how this site forms part of the wider development site and how this redevelopment site would ensure 'effective integration' and bring forward a high quality scheme which makes the required provision for linkages to other spaces and provides infrastructure.
- 6.11 Some evidence has now been submitted to show how the development could come forward as part of the developers proposed masterplan. These are small scale images and as such this information fails to adequately demonstrate that the development of the York Road area will deliver an integrated scheme which accords with the AAP or the emerging Borough Local Plan, nor does it demonstrate that this scheme would not prejudice wider redevelopment of this site coming forward.
- 6.12 Therefore and in the absence of any robust evidence to demonstrate otherwise the proposed development has failed to show how the development could be successfully ensure effective integration without prejudicing the wider comprehensive redevelopment of the area known as the 'York Road Opportunity Area'. This could lead to the prevention of the further efficient use and cohesive approach of wider urban land to deliver a mixed use scheme in a sustainable town centre location. This is contrary to the National Planning Policy Framework (2012) and the Maidenhead Area Action Plan (2011).

### Proposed design and impact on the character and appearance of the area

6.13 The previous application was refused on the grounds that:

The proposed development by reason of its layout, scale, mass, bulk and overall design is considered to be one which is visually dominant and overbearing, detrimental to the character and appearance of the area, and the streetscene in general. This is contrary to the National Planning Policy Framework (2012), policy DG1, H10 and H11 of the Borough Local Plan (2003) and policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre Area Action Plan (2011).

- 6.14 The proposed changes are summarised in para 4.8. The main consideration is whether the proposed changes have resulted in the proposed design now being considered as high quality, respectful of the context, reflective of the place and therefore acceptable in policy terms.
- 6.15 The NPPF seeks presumption in favour of sustainable development with emphasis on the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, as well as taking account of the character of different areas. It 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.
- 6.16 The NPPF further states that LPA's should have local design review arrangements in place to provide assessment and support to ensure high standards of design. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.

- 6.17 Policies DG1 and H10 of the Borough's current Local Plan seeks to ensure that residential development is of a high standard of design with appropriate landscaping, compatible with the area and streetscene.
- 6.18 The successful integration of all forms of new development with the surrounding context is an important design objective and one which is emphasised in the AAP. Views into and out of larger sites should also be carefully considered from the start of the design process. The town centre should also be able to adapt in light of any change in future needs. Development proposals will be expected to be appropriate in terms of site coverage, urban grain, layout, access, scale, proportion, mass and bulk, height, roofscape and landscape. Developments are also expected to be visually attractive from all angles and enhance streets and spaces through quality design and architecture.
- In terms of a design review panel arrangement (as recommended by the NPPF), the Council has an arrangement in place that any large scale major redevelopment in Maidenhead Town Centre should look to enlist the service of Design South East which comprise of an independent design panel that provides clear, constructive and consistent advice on design issues. The rationale for enlisting the services of DSE is to avoid piece meal development which fails to have due regard for the wider town centre and to ensure that the redevelopments coming forward in Maidenhead are considered in a holistic manner. Other developers proposed major redevelopment in Maidenhead Town Centre have engaged in this process and are developing their schemes through the pre-application process to have due regard for this expert advice. The applicants for this scheme have chosen not to engage in this process. This is not a grounds for objection, however it does seek to emphasise that the LPA's approach is to work to deliver the successful regeneration of the area as a whole with achieving high quality design as being central to success.
- 6.20 The proposed layout and grain of the development is for 3 'fingers' of development with the north end facing York Road. Buildings would be 7- 8 storeys in height with approximately 18m spacing between them. The proposed design principles set out in the applicant's supporting Design and Access statement (DAS) follows a brief analysis of the current situation on York Road. It however fails to justify the 'perforated' northern edge solution that is proposed and claims that this approach is to respond to the 'villa' form of development along the road.
- 6.21 It is accepted that a number of buildings along this section of York Road have a similar layout, in terms of the short edge facing York Road. However these buildings are located closer together with smaller gaps and spacing between buildings providing for interaction and connection with the streetscene. Buildings are also only typically 1-4 stories in height. The proposal is not considered to respond to the character and appearance of the area. The layout of the proposed 'finger' blocks looks to maximise the capacity of the site, as opposed to integrate the proposal with the wider urban grain.
- 6.22 The three 'fingers' have a dominating extensive bulk and massing that is obvious due to the configuration of the wide, long blocks. Comparative to their length and width the buildings are proportionally not tall, but appear overbearing and lack any variation or interest. The scale and form is also not varied across the site to respond to the four different site edge situations. There is little variation in height between the three blocks, and no variation in height at all within the individual blocks. The applicants DAS does explore some alternative massing options, however again whilst some of these propose a taller 'tower' element, generally the individual blocks are of mono height and this creates a dominant and 'monolithic' appearance. The large balconies add to the overall bulk and width of the proposed new buildings and instead of breaking up the massing of the proposed buildings they only add to scale and overbearing appearance of the proposal
- 6.23 The two storey mansard with 5-6 storey main body does not work well proportionally as it creates a dominant and overbearing roof form. This only exacerbates the massing and overall scale of the proposed buildings and means that the proposed buildings look 'top heavy.' No clear justification has been provided in terms of design approach. Some examples of other roof forms in the town centre have been shown. However, this does not provide a clear design case over why the design approach promotes or reinforces local distinctiveness

- 6.24 The proposal for different colour brickwork on the three buildings is understood to be in response to trying to create greater variation between the proposed buildings. This is a crass response to the issue, the materials proposed have no basis in the locally distinct character and it simply reinforces the inappropriateness of the scheme to its local context.
- 6.25 York Road is the main route through from the Civic Area to the railway station. The way that the three buildings address York Road is an extremely poor response to developing apartments in an urban town centre location. The low hedge boundary treatment effectively cuts the proposed development off from the rest of the street and is inappropriate to its location.
- 6.26 On this basis the proposed development has not overcome the previous grounds for refusal. It is recommend for refusal on the grounds that the proposed development by reason of its layout, scale, mass, bulk and overall design is considered to be one which is visually dominant and overbearing, detrimental to the character and appearance of the area, and the streetscene in general. The proposal represents poor design. This is contrary to the National Planning Policy Framework (2012), policy DG1, H10 and H11 of the Local Plan (2003) policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre Area Action Plan (2011) and emerging policies SP2 and SP3 of the Borough Local Plan.

### Affordable Housing Provision

6.27 The previous scheme was refused for the following reason:

The proposed development fails to provide or secure any affordable housing provision required to make the development acceptable in accordance with the National Planning Policy Framework (2012), policy H3 of the Local Plan (2003) and policy IMP2 of the Maidenhead Town Centre Area Action Plan (2011).

- 6.28 Policy H3 of the current Local Plan requires development of this size to provide 30% affordable housing. A viability appraisal was submitted as part of this planning application which demonstrates that due to the costs associated with this development no affordable housing is viable as part of the development.
- 6.29 The District Valuers Office has reviewed this viability appraisal and agrees that assuming a 20% developer profit the scheme is not able to make provision for any affordable housing. There is an 'industry accepted' developer profit of around 16-20%. The upper limit of this profit margin is usually accepted for developments which contain significant risk. Whilst the proposal is linked to providing a new bowling club on a different site details have been provided which demonstrates that this has been negotiated into the land value for this site. Therefore it is difficult to argue that this creates significant additional risk to developing this site.
- 6.30 Moreover the proposed abnormal costs for this development includes over £4 million attached to making provision for basement parking, lower deck parking and podium garden above. This proposed parking provides 176 car parking spaces, 47 car parking spaces above the 129 car parking spaces required by RBWM adopted car parking standards. There is no clear planning justification why this additional parking is needed. Generous parking provision may not be sufficient grounds to warrant refusal on its own but this is an accessible town centre location where a case could be made for a car free scheme. Officers consider that the increased cost associated with providing an excess of car parking or even parking to standard in an accessible location (without clear planning justification) should not be to the detriment of providing affordable homes which are needed.
- 6.31 The proposal fails to accord with current and emerging development plan policy in this regard.

### **Impact on Trees**

6.32 The previous application was refused on the grounds that:

The proposed development would result in the loss of four Tree Preservation Order trees which are of high amenity value. No replacement tree planting is proposed and any proposed

landscaping is considered limited and also fails to take into consideration opportunities for biodiversity enhancements. This is contrary to the National Planning Policy Framework (2012) and its associated guidance, policies N6 and DG1 of the Local Plan (2003), and policies MTC 2, MTC 4 of the Maidenhead Town Centre Area Action Plan (2011).

- 6.33 The four trees within the site are the subject to a TPO comprising 2x Horse Chestnuts and 2x Limes, growing within the existing car parking area to the front of the Bowls Club building immediately behind the brick boundary wall. Another Horse Chestnut is situated off-site. The trees are a prominent visual feature within the street scene of York Road and contribute significantly to local amenity and the wider landscape value of this part of York Road.
- 6.34 There is no objection to the removal of these trees. However this is subject to the trees which are to be removed being replaced by trees that will grow to a similar stature, to be planted in the same (or relatively similar) location in order to maintain the green backdrop on York Road and the visual amenity protected by the Tree Preservation Order.
- 6.35 The proposed landscaping strategy plan (6076/LSP/ASP3.2 Rev B) shows the new trees on the frontage of the site to be planted as close as 1.8m from the sides of the new buildings and no more than 5.6m away from the buildings. At this distance from the buildings the proposed replacement tree planting will require continued reduction work to prevent interference with the buildings and will have no scope to develop to a size that would provide suitable mitigation for the loss of the protected trees.
- 6.36 No amendments have been proposed or considered as part of this planning application to look at how the development could look to be amended to facilitate more meaningful opportunities for tree planting. The proposed removal of the entire group of trees would have a significant impact on the visual amenity of the area. The proposed replacement planting would not provide suitable compensation for the loss of these trees, would break up the green backdrop and has not been provided with sufficient space to develop to a similar scale as the existing trees. On this basis the revised scheme has not overcome this previous grounds for refusal.

### Impact on Sustainable Urban Drainage (SuDs)

6.37 Under the previous application insufficient information was provided regarding SuDs. The previous application was therefore refused for the following reason:

In the absence of any information to indicate otherwise it is considered that there is insufficient information to demonstrate that the proposed development would provide suitable sustainable drainage systems. This is contrary to the provisions of The Floods and Water Management Act 2010, The National Planning Policy Framework (2012) and it's associated Planning Practice Guidance for Flood Risk and Coastal Change.

- 6.38 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).
- 6.39 In accordance with The Floods and Water Management Act 2010 the Royal Borough in its role as Lead Local Flood Authority, is a statutory consultee for all major applications. 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.
- 6.40 A Ground Drainage and SuDS Report Feasibility Study prepared by Price and Myers, revision 4, dated November 2017 has been submitted in support of this planning application. The Lead Local Flood Authority has reviewed this document and in view of the high density of the proposed development the proposed surface water drainage strategy, outlined in this document is acceptable in principle.

On this basis it is considered that the applicants have overcome this grounds for refusal. However concerns were expressed in terms of the proposed construction of the attenuation tanks and associated pumping station below the proposed basement car park and the issues during construction and on-going maintenance arrangements. Therefore and in the event any planning permission is granted the LLFA consider that conditions should be attached regarding full Suds and Management information.

### Highway and Parking Considerations

- 6.42 In terms of highway safety the proposed new access would be the same as the previous application. This would be taken from the north eastern end of the site, via York Road. Access to the basement would be via a ramp to the rear of the site. No concerns have been raised under the previous planning application in terms of access or capacity grounds and it is not considered that this application raises any further issues in terms of highway safety or capacity matters.
- 6.43 The site is located within a highly sustainable town centre location in close proximity to Maidenhead Train Station, with Cross Rail opening up in January 2019. Within such a location the Borough's Parking Strategy (2004), the development generates a maximum demand for 129 car parking spaces. The development proposes 176 spaces. This means that the proposed development would provide 47 spaces above the Council's maximum standards. Proposed car parking provision should usually be proposed having due regard for car ownership and need within such locations. National Guidance states that parking strategies should take into consideration car ownership for the area. No justification for the proposed 'over provision' of parking in one of the borough's most sustainable locations has been provided. This could lead to the encouragement for increased car ownership in the location. This potential breach in planning policy should be balanced against the wider considerations.
- 6.44 The proposed plans also indicate sufficient cycle spaces to allow for one cycle per unit which complies with the current standards. Whilst the storage arrangement might be difficult to manage for those physically incapable of lifting and securing a bike to these vertical stands such matters could be resolved via condition if permission were to be granted.
- 6.45 Adequate bin storage has also been proposed.
- 6.46 A residential travel plan should be required as part of this application, in the event this application is approved such matters (including car parking management) would be dealt with by way of a planning obligation (section 106 legal agreement). This is also relevant to the overprovision of car parking spaces within the scheme.

### Provision of a suitable residential environment

- 6.47 The layout is relatively similar to the previous application. The proposed flats offer generous spacious accommodation which exceeds the nationally prescribed space standards. The applicants Design and Access Statement and Planning Statement looks at how the proposed development would deliver a high quality living environment with around 50% of the proposed units being dual aspect. All units' habitable rooms are lit by windows which provide suitable outlook and ventilation. Balconies also contribute to the amenity of each flat although these could be designed better to improve usability.
- 6.48 It is accepted that the current Local Plan, notably policies R3, R4 and R5 require a greater quantum of onsite open space then that proposed. The emerging local plan requires provision of green infrastructure including a pocket park within the wider allocation and links to be made between existing blue and green infrastructure. Specifically proposals within the wider site should enhance the York Stream by improving its amenity value and accessibility. Should the applicant come forward with a future scheme this should be considered.

6.49 There are concerns that the habitable room windows and balconies on Block C facing east could prejudice the redevelopment of the adjoining land in terms of potential impact on loss of light, overbearing impact and privacy however this is dealt with in the principle considerations of this planning application.

### Impact on Neighbouring Amenity

6.50 In terms of neighbouring amenity and notwithstanding the minor alterations to the position of the proposed dwellings in relation to the eastern side boundary the buildings are effectively the same height, scale and mass and relatively in the same position as the previous proposal. No significant concerns were raised under the previous planning application in terms of neighbouring amenity. It is not considered that this application raises any further issues in this regard.

### Other Environmental Considerations

- 6.51 Under the previous planning application it was 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.
- 6.52 An Air Quality Assessment has been submitted in connection with this application. The findings and conclusions of the assessment were that the air quality impacts from the development are to be considered to be significant. Basement parking fumes also needs to be properly ventilated. This can all be secured by way of condition. However, there is a wider concern with redevelopment proposals in the town centre that there could be a further degradation in air quality which may require mitigation: green infrastructure and planting could be one such approach. Any future planning application for this site should consider the opportunity to provide mitigation through scheme design.
- 6.53 Any lighting scheme for this site could be secured by way of condition.

### **Biodiversity**

6.54 Whilst this application is supported by a landscaping scheme no biodiversity enhancements have been presented with this application. Assertions have been made that the proposed landscaping scheme would result in biodiversity enhancements. However there is no evidence to support this. However, given the likely biodiversity value of the existing site, details of biodiversity enhancements as part of this proposal could be dealt with by way of condition. Again any future scheme should consider how green and blue infrastructure could provide opportunity to achieve enhancements.

### Archaeological matters

6.55 An archaeological desktop assessment has been submitted in connection with this application. This concludes that that the site has limited archaeological potential. Berkshire Archaeology has been consulted on this application and considers that there is evidence to indicate application area to have an archaeological interest and that investigation would be merited. In the event the application was recommended for approval then this could be secured by way of condition.

### Other Material Considerations

6.56 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. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council intends to formally submit by 31 January 2018. The Borough Local

Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

6.57 It is acknowledged that the proposed development would facilitate in the re provision of a new bowling club in a sustainable location to the southern end of the Maidenhead Town Centre. However, the development would not have been acceptable in planning terms had this facility not been re-provided: this application does not secure the link between the two proposals to ensure that the new bowling club is implemented before the other is commenced. Reason for refusal 5 is a technical reason for refusal on the basis that there is no legal agreement in place to ensure that the bowls club is not lost as a community and sports facility.

### 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. However within the Maidenhead Town Centre boundary the levy is set at a rate of £0 per sum.

### 8. CONSULTATIONS CARRIED OUT

### **Comments from interested parties**

8.1 1x letters were received <u>objecting</u> to the application from the Maidenhead Civic Society comments made can be summarised as:

Col	mment	Where in the report this is considered
1.	The scheme is almost identical to the previous refused scheme	The report as a whole deals with this matter
2.	Redevelopment of the area should be done in a coordinated manner and not piece meal	See para 7.4- 7.15
3.	Concerned that 7 or 8 storeys will become the norm in the area	See para 7.16- 7.23
4.	Concerns about the wider views from the south	See para 7.16- 7.23
5.	Consider the parking is acceptable	See para 7.39- 7.43

### Consultees

Consultee	Comment	Where in the report this is considered
Council's Urban Design Consultants	This is set out in the report.	See para 7.20- 7.26
Tree Officer:	Raised objections to the loss of the TPO trees without any suitable replacement.	See para 7.33 & 7.34
Lead Local Flood Authority:	No objection in principle to the proposed development, but insufficient information has been provided to allow a full assessment of the proposed surface water drainage system. Should the LPA grant planning permission should be subject to conditions for full details of the proposed surface water drainage system and its maintenance arrangements?	See para 7.40 & 7.41

Highway Authority	Subject to the outstanding queries relating to highway and transport matters being satisfactorily addressed raise no objection subject to conditions and section 106 legal agreements	See para 7.42- 7.46
Sport England:	No objections raised on the last planning application subject to conditions	See para 7.3
Archaeology Officer:	No objections raised on the last planning application subject to conditions	See para 7.55
Environmental Protection:	No objections raised on the last planning application subject to conditions	See para 7.51 &- 7.52
Ecology officer:	Comments from previous application set out that the proposed development would provide suitable mitigation against bats and breeding birds (subject to conditions and Informative). However no information has been provided in relation to biodiversity enhancements.	See para 7.52 – 7.54

### 9. APPENDICES TO THIS REPORT

- Appendix 1 Location plan
- Appendix 2 Proposed site plan, basement floor plan and ground floor plan
- Appendix 3 Proposed first floor plan
- Appendix 4 Proposed front elevation
- Appendix 5 Proposed rear elevation
- Appendix 6 Proposed side elevation

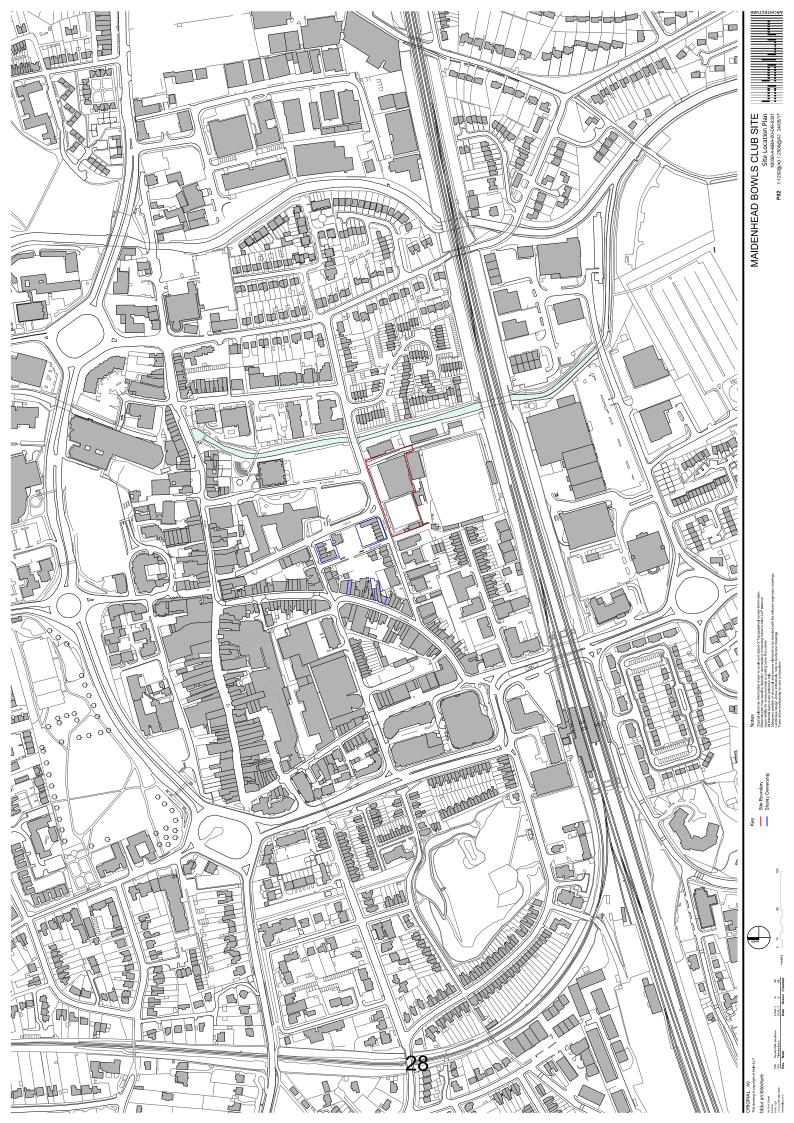
### 10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

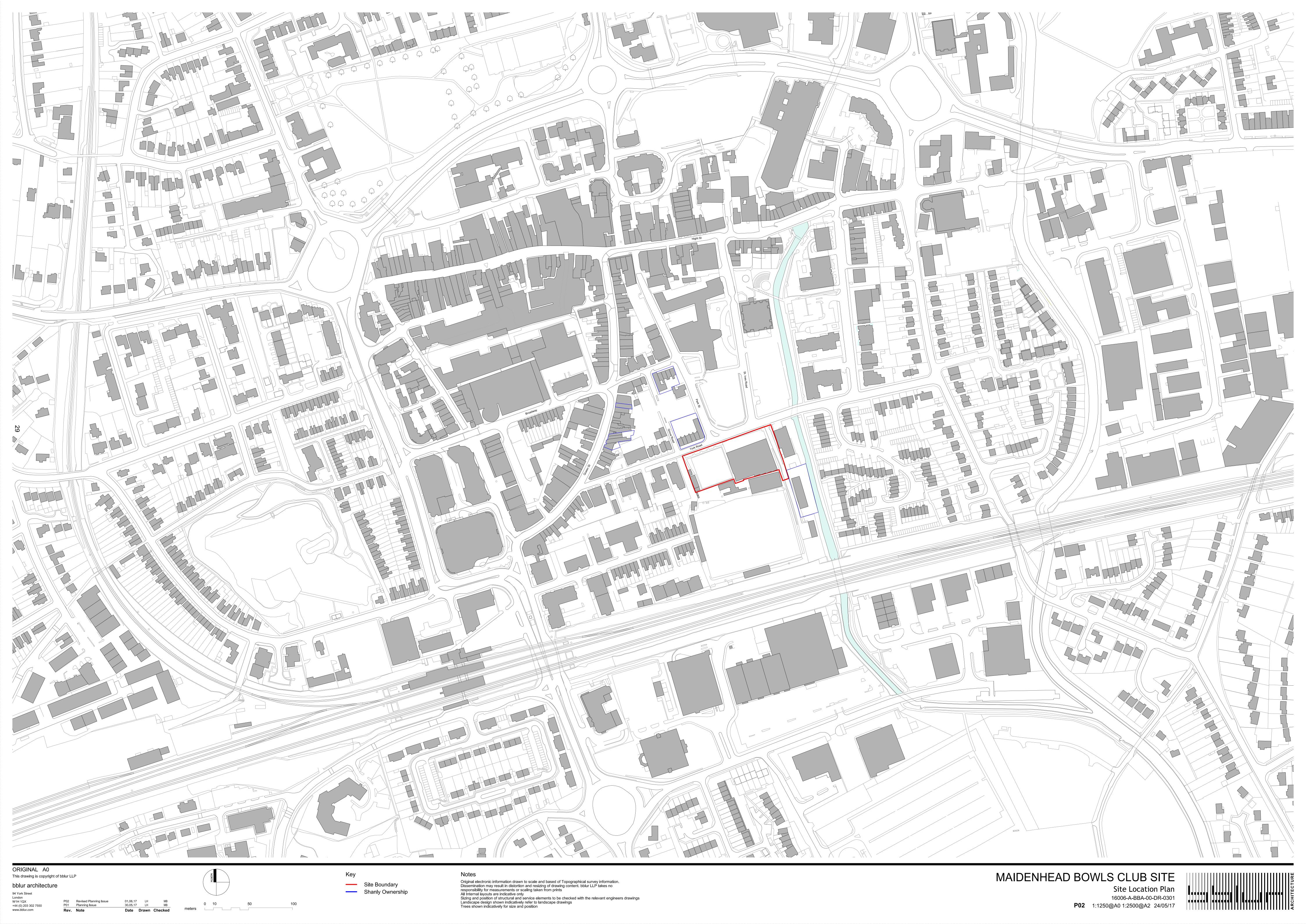
- In the absence of sufficient information to demonstrate otherwise the proposed development has failed to show how the development could be successfully ensure effective integration without prejudicing the wider comprehensive redevelopment of the area known as the 'York Road Opportunity Area'. This could lead to the prevention of the further efficient use and cohesive approach of wider urban land to deliver a mixed use scheme in a sustainable town centre location. This is contrary to the National Planning Policy Framework (2012) and the Maidenhead Area Action Plan (2011).
- The proposed development by reason of its layout, scale, mass, bulk and overall design is considered to be one which is visually overdominant and overbearing, detrimental to the character and appearance of the area, and the streetscene in general. This is contrary to the National Planning Policy Framework (2012), policy DG1, H10 and H11 of the Borough Local Plan (2003) and policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre Area Action Plan (2011).
- In the absence of sufficient information to demonstrate otherwise the proposed development fails to provide or secure any affordable housing provision required to make the development acceptable in accordance with the National Planning Policy Framework (2012), policy H3 of the Borough Local Plan (2003) and policy IMP2 of the Maidenhead Town Centre Area Action Plan (2011).
- The proposed development would result in the loss of four Tree Preservation Order trees which are of high amenity value. No adequate replacement tree planting is proposed and any proposed landscaping is considered limited. This is contrary to the National Planning Policy Framework (2012) and its associated guidance, policies N6 and DG1 of the Local Plan (2003), and policies MTC 2, MTC 4 of the Maidenhead Town Centre Area Action Plan (2011).
- In the absence of a signed legal agreement under Section 106 of the Planning Act which secures

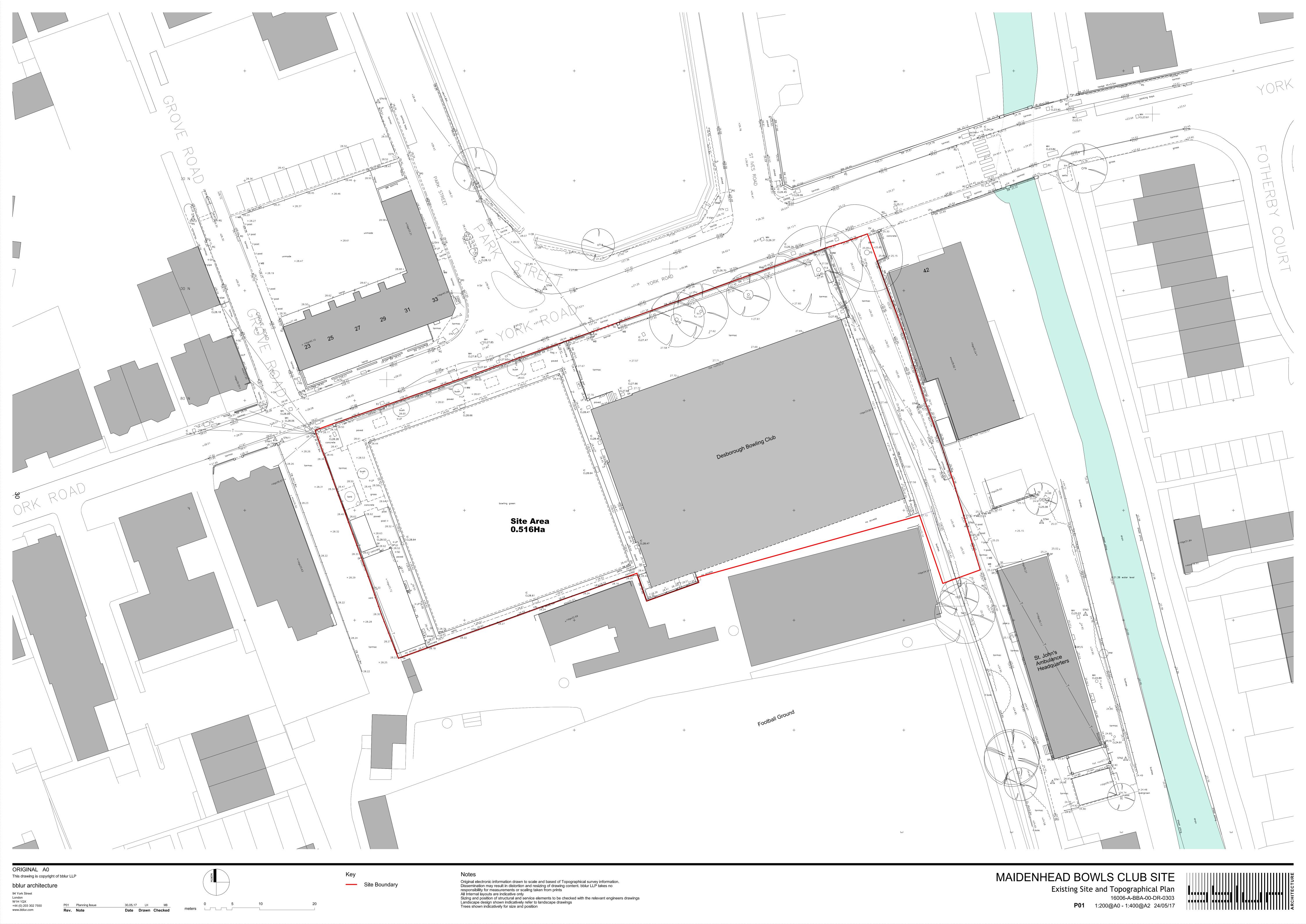
the re-provision of the Bowling Club on land at Green Lane, Maidenhead (permission 15/02135) prior to the implementation of the redevelopment of this site; the proposal results in the loss of community and sports facility and open space contrary to the NPPF (2012)

### **Informatives**

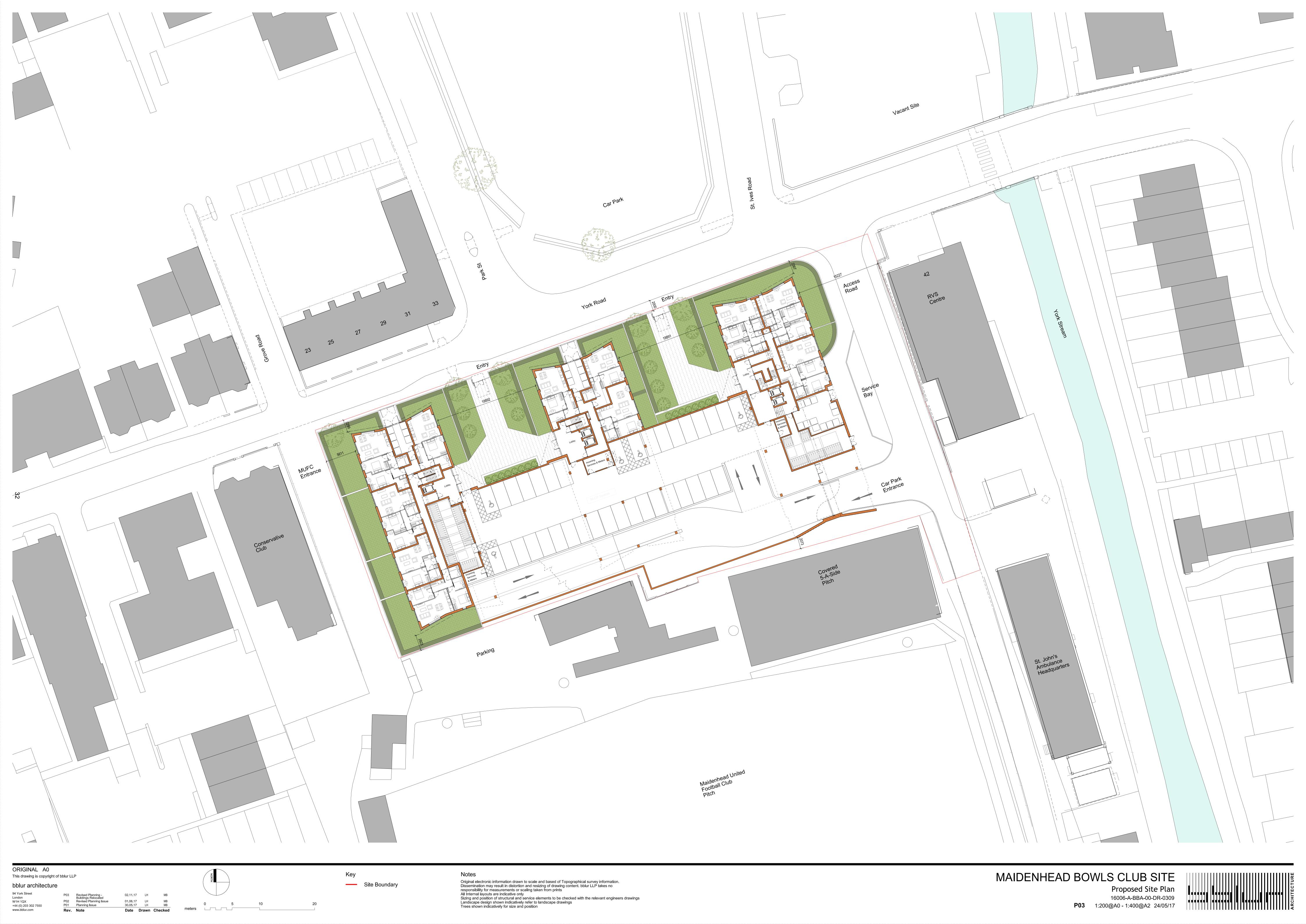
The plans which have been considered and refused are as set out in the submitted 'DRAWING REGISTER' dated 19.10.16 and received by the Local Planning Authority on the 13 Nov 2017

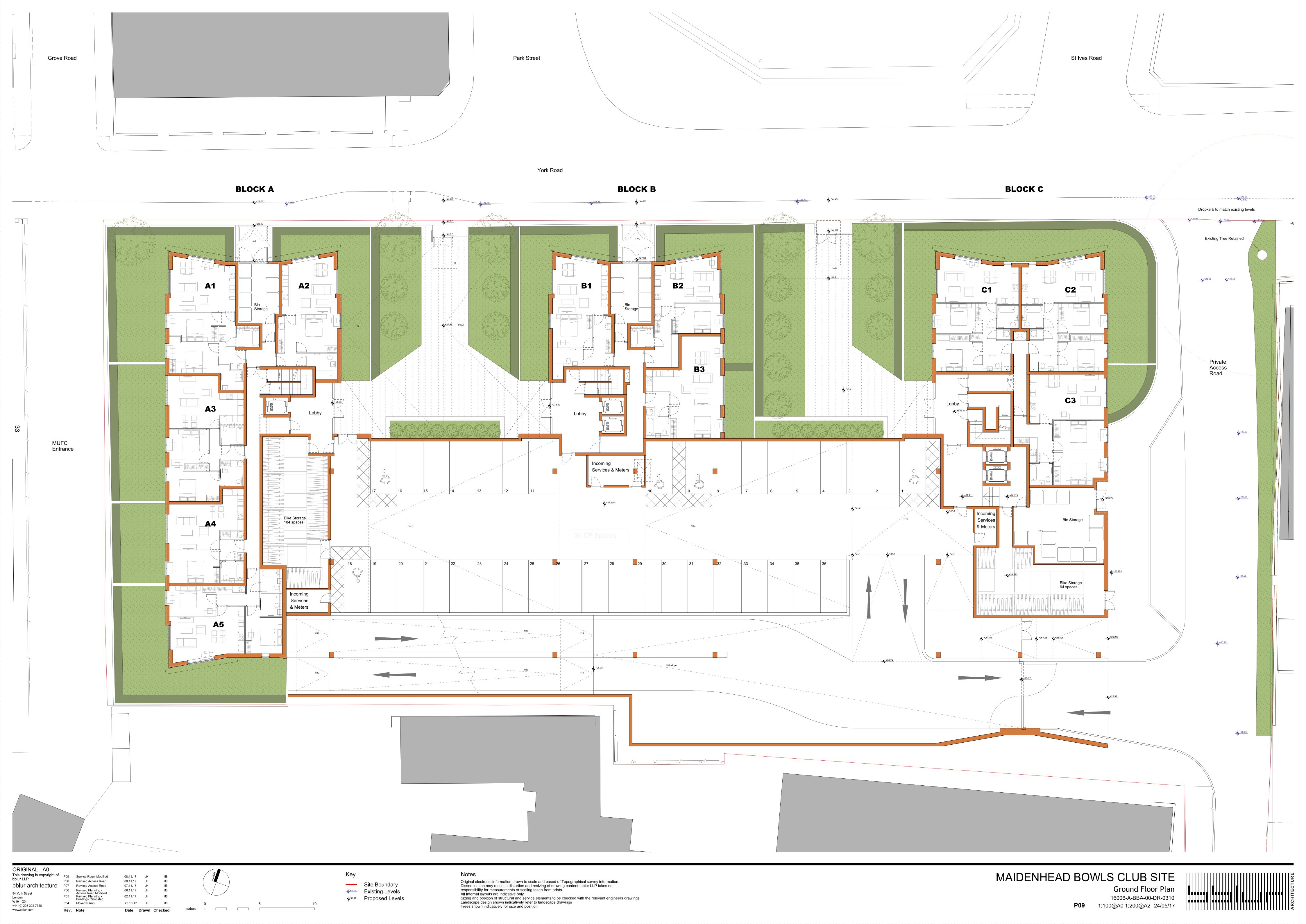
















MAIDENHEAD BOWLS CLUB SITE Proposed Noth Elevation Insolution Action (1990) 1100 (1990) 11



CC11.17 UN MB CC11.17 UN MB S105.17 UN MB 30.005.17 UN MB

ORIGINAL AD
The page and a copyoget of
Mour architecture are interessed as well as wel



MAIDENHEAD BOWLS CLUB SITE
Proposed South Elevation
Proposed South Elev



and the described the second of the second o

Key

(0.11.7) (1) ME (0.11.7) (1) M



MAIDENHEAD BOWLS CLUB SITE Propose Est Elevation Propose Est Elevation Propose 2 strong Page 1:100@bot 1200@cc 2100TT



00.11.17 UH MB 00.00.17 UH MB 01.00.17 UH MB 30.00.17 UH MB 30.00.17 UH MB

# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

# MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 January 2018 Item: 2

Application 17/03635/FULL

No.:

**Location:** 29 Holmanleaze Maidenhead SL6 8AW

**Proposal:** Retention of rear dormer

**Applicant:** Mrs Nehar **Agent:** Mr Neil Davis

Parish/Ward: Maidenhead Unparished/Oldfield Ward

If you have a question about this report, please contact: Nuala Wheatley on 01628 796064 or at nuala.wheatley@rbwm.gov.uk

#### 1. SUMMARY

1.1 The unauthorised extension at second floor level by reason of its overall size, discordant form and poor design has resulted in an overall form of development which, fails to integrate with the original dwelling. It would also appear overly prominent and obtrusive when viewed from the public carpark to the rear of the property, resulting in an adverse effect on the character and appearance of the host dwelling and the area in general. The development is contrary to local plan policies DG1 and H14, emerging local plan policies SP2 and SP3. Authority has been given by the Panel to issue an enforcement notice to remove the development that is the subject of this application.

# It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):

1. The unauthorised extension at second floor level by reason of its overall size, discordant form and poor design has resulted in an overall form of development which, fails to integrate with the original dwelling and would appear overly prominent and obtrusive when viewed from the public carpark to the rear of the property, resulting in an adverse effect on the character and appearance of the host dwelling and the area in general. The extension is therefore contrary to saved policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003), Policies SP2 and SP3 of the emerging Borough Local Plan (2013-2033) and, to the desire to create high quality living environments advocated by National Planning Policy Framework Core Planning Principle 4 and Section 7 (Requiring Good Design).

#### 2. REASON FOR PANEL DETERMINATION

• At the request of Councillor Majeed, so that the application can be debated in an open forum because of the public interest.

# 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, 29 Holmanleaze, is a circa 1930's semi-detached property close to the turning head of a small cul-de-sac. To the north of the site are residential properties with a public bowling alley behind them; to the east lie other residential properties; to the south are residential properties and the Central Maidenhead Mosque; and to the west lies the Magnet Leisure Centre and associated parking.
- 3.2 The character of the dwellings within the area are modest sized, semi-detached dwellings, of a simple design with reasonably low and well-proportioned hipped roofs.

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

- 4.1 The application seeks to retain a rear extension at second floor level.
- 4.2 Following a complaint to the Council regarding the apparent breach of planning control in the form of an unauthorised extension having being built, a Planning Enforcement Officer visited the site. During the site visit, it was established that the extensions as approved under permission ref. 15/03450/FULL had not been built in accordance with the plans approved under that permission, in so much as a large rear dormer/roof extension had been constructed which was not shown on the approved plans.
- 4.3 A subsequent letter was sent from the Council advising that the development was unauthorised and that it was not likely to receive a favourable decision, if an application was submitted, given that it is contrary to Policy DG1 of the Local Plan. The letter further advised that "considering the above circumstances I strongly recommend that you remove the second storey extension in its entirety and rebuild in accordance with the approved plans of application 15/03450/FULL. I recommend that this work is carried out within 28 days otherwise the Council will consider the expediency of enforcement action with immediate effect."
- 4.4 An application for the extensions as built was made under ref. 17/02957/FULL but the application was later withdrawn.
- 4.5 An enforcement report was prepared and was considered by the Maidenhead DM Panel on the 22<sup>nd</sup> November 2017. The report recommended the authorisation of an Enforcement Notice with the following requirements:
  - i. Remove the unauthorised dormer roof structure at second floor level as shown in photograph A and build in accordance with the scheme approved under planning application ref.15/03450/FULL; or
  - ii. Remove the unauthorised two storey side and rear extension including the dormer as shown in photograph B and restore the building to its condition prior to the breach of planning control as shown on drawings ref. HOL001 (existing) and HOL002 (existing), submitted under application ref. 15/03450/FULL.

Authority was given to serve the Enforcement Notice, which covers the development which this application seeks to retain. As stipulated in the Council's adopted enforcement policy, the enforcement team has held enforcement action in abeyance, pending the determination of this application. The application refers to the same development that is detailed in the authorised enforcement report and no alterations are proposed.

4.6 The below table summarises the relevant planning history:

Ref.	Description	Decision and Date
95/00899/FULL	Ground floor front bay window.	Permitted, 26.10.1995
15/03450/FULL	Construction of two storey rear and side extension and front porch following demolition of existing conservatory.	Permitted, 07.01.2016
17/02957/FULL	The erection of a two storey side and rear extension to include a rear dormer and the erection of a front porch following the demolition of an existing conservatory.	Application withdrawn, 09.11.2017
17/50246/ENF	Enforcement investigation relating to the unauthorised rear dormer/roof extension.	Enforcement Notice authorised

	by	panel,
	22.11.2017	,

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

# **Royal Borough Local Plan**

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

	Within settlement area
Local Plan	DG1, H14

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local plan documents and appendices

# **Borough Local Plan: Submission Version**

	Within settlement area
Borough Local Plan (submission version)	SP2, SP3

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 runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 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.

# 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
  - i Impact of the proposal on the original dwelling, neighbouring properties and wider street scene.

# Impact on original dwelling and neighbouring properties

- 6.2 Planning permission ref. 15/03450/FULL established that extensions of the scale and design as approved under that permission were acceptable. However, the unauthorised dormer/roof extension has added considerable bulk and mass to the extensions as approved. In addition to this the dormer/roof extension has resulted in the height of the roof being marginally higher than the original roof and higher than the other half of the semi no.31 Holmanleaze. The addition of the dormer/roof extension has resulted in a predominant and visually awkward form of development that can been seen in many views within the public domain.
- 6.3 The appearance of a development is a material planning consideration and in general terms the design of a proposal, should not adversely impact on the character and appearance of the wider area. The National Planning Policy Framework (NPPF) was published in March 2012 and is a material planning consideration in the determination of planning decisions. One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 59 of the NPPF concentrates on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new buildings in relation to neighbouring buildings and the local area more generally. It is considered that the dormer/roof extension is an incongruous addition to the host dwelling, resulting in the complete loss of the existing roof form.

- 6.4 Local Plan Policy H14 advises that extensions should not have an adverse effect upon the character or appearance of the original property or any neighbouring properties, nor adversely affect the street scene in general. Policy DG1 seeks to secure a high quality standard of design. The emerging Borough Local Plan Policies SP2 and SP3 mirror these requirements. The roof extension has a depth of approximately 5m and is therefore considered to be disproportionate and overbearing, particularly when viewed from the other half of the semi no.31 Holmanleaze. Several interested parties have raised that the rear dormer/extension cannot be seen from the street scene as it is at the rear of the property. However, the fact that a development cannot be seen is not a reason in itself for granting planning permission. Additionally, in this case, the development can be seen from a number of public viewpoints and from the gardens of the properties on the southern side of Holmanleaze.
- 6.5 It is considered that that due to the poor design and overall size of the extensions (as a result of the addition of the dormer/roof extension), they have resulted in incongruous, disproportionate additions especially to the original roof space that adversely impacts on the character and appearance of the street scene and fails to respect the appearance of the original host dwelling.

#### **Other Material Considerations**

6.6 As previously mentioned, an Enforcement Notice was authorised by the panel on the 22<sup>nd</sup> November 2017 which covers the development which this application seeks to retain. Therefore, the resolution of the panel is a material consideration when determining this application. The enforcement report concluded that the rear dormer/extension was contrary to saved policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003), Policies SP2 and SP3 of the emerging Borough Local Plan (2013-2033) and, to the desire to create high quality living environments advocated by National Planning Policy Framework Core Planning Principle 4 and Section 7 (Requiring Good Design).

# 7. CONSULTATIONS CARRIED OUT

# **Comments from interested parties**

Two occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 30<sup>th</sup> November 2017

4 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	It's well designed and looks nice.	6.2 – 6.5
2.	The rear/extension dormer has been completed a while ago and does not cause any problems or issues for my house.	6.2 – 6.5
3.	It is not causing any harm to the street view or to our area.	6.2 – 6.5
4.	It can only be seen from the carpark.	6.4
5.	It cannot be seen from the front of the house.	6.4

# 8. APPENDICES TO THIS REPORT

- Appendix A Site location plan
- Appendix B Existing Plans
- Appendix C Existing and Proposed Elevations
- Appendix D Roof Plan

Documents associated with the application can be viewed at <a href="http://www.rbwm.gov.uk/pam/search.jsp">http://www.rbwm.gov.uk/pam/search.jsp</a> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

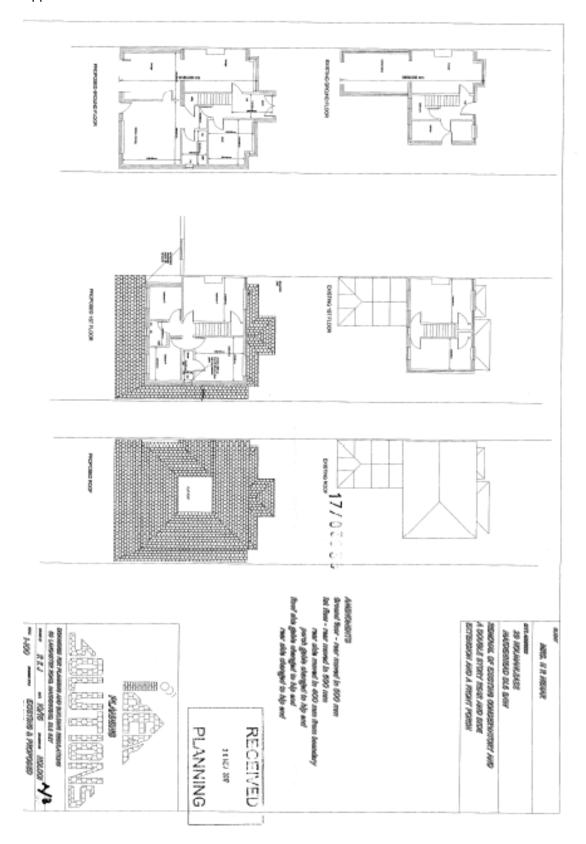
In this case the issues have been unsuccessfully resolved.

#### 9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

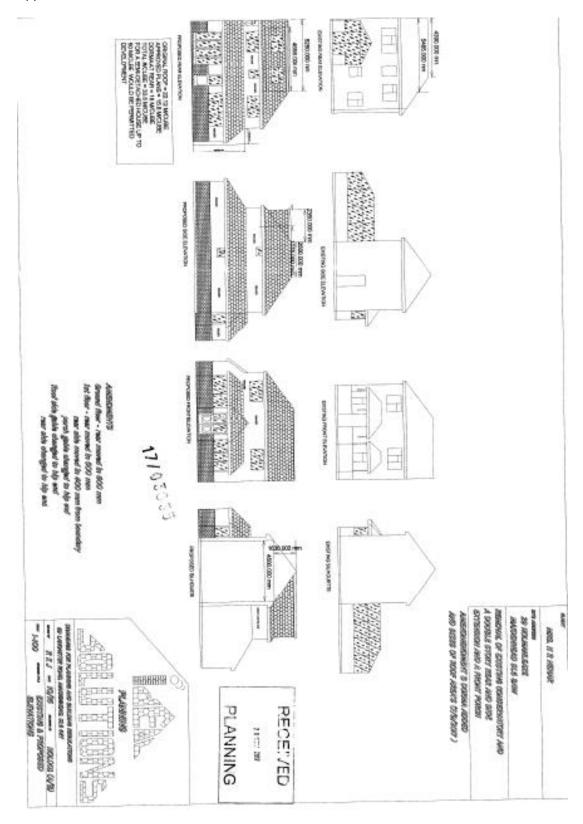
The unauthorised extension at second floor level by reason of its overall size, discordant form and poor design has resulted in an overall form of development which, fails to integrate with the original dwelling and would appear overly prominent and obtrusive when viewed from the public carpark to the rear of the property, resulting in an adverse effect on the character and appearance of the host dwelling and the area in general. The extension is therefore contrary to saved policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003), Policies SP2 and SP3 of the emerging Borough Local Plan (2013-2033) and, to the desire to create high quality living environments advocated by National Planning Policy Framework Core Planning Principle 4 and Section 7 (Requiring Good Design).

# Appendix A – Site Location

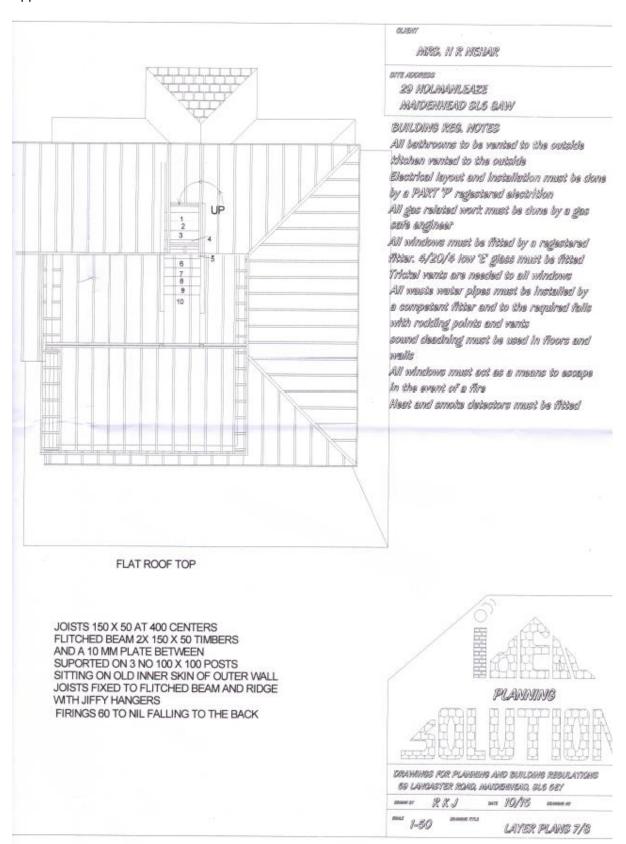




# Appendix C



# Appendix D



# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

#### MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 January 2018 Item: 3

**Application** 

17/03773/FULL

No.:

Location: Furze Platt Junior School Oaken Grove Maidenhead SL6 6HQ

**Proposal:** Installation of single window

**Applicant:** Mrs Nagiel **Agent:** Paul Ansell

Parish/Ward: Maidenhead Unparished/Furze Platt Ward

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

# 1. SUMMARY

- 1.1 The application proposes a new high level window facing a courtyard at the centre of the school.
- 1.2 The proposal is considered to be acceptable in terms of scale and design and would not result in any adverse visual or residential impacts and no impact on highways.

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 because the Council has an interest in the land.

# 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, Furze Platt Junior School is located within the suburbs of north Maidenhead, accessed off Oaken Grove. The surrounding area is mostly residential in nature, with school playing fields separating the site from Furze Platt Comprehensive School to the north.
- 3.2 The existing school buildings consist of a series of single storey buildings.

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

Reference	Description	Decision and Date
92/00835/REG3	Erection of temporary toilet block	Approve 14.01.1993
98/33224/FULL	To provide new toilets and connecting corridor	Approve 07.12.1998
00/36369/REG3	Erection of single storey extension to staff toilets and new window to south west elevation	Approve 01.03.2001
01/36966/REG3	Brick clad modular classroom for IT and Library use connected to existing main school	Approve 21.06.2001
01/37946/REG3	Creation of two parking bays, increase area of existing car park, extension of playground and soft play area and ancillary works.	Approve 07.02.2002

02/39270/OUT	Detached modular classroom for use as an After-School Club	Approve 12.12.2002
06/00095/FULL	Construction of a single storey modular classroom extension and formation of a disabled W.C.	Approve 16.03.2006
13/01467/FULL	Construction of a single storey extension to main school building	Approve 15.07.2013
17/01321/FULL	Provision of additional main hall space	Approve 21.09.2017

4.1 The application seeks consent for the insertion of a new high level window in an existing wall facing an internal courtyard in the centre of the school. The window would measure 1.6m wide by 0.4m high, and would be set 1.9m above ground level. It would serve a small office.

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

5.1 National Planning Policy Framework

# **Royal Borough Local Plan**

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

Community	Within settlement
facilities	area
CF1	DG1

These policies can be found at

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

#### 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
  - i. Principle of development;
  - ii. Impact on the character and appearance of the area;
  - iii. Impact on neighbouring amenities;
  - iv. Highways.

# Principle of development

- 6.2 Under policy CF2 (Provision of new facilities) of the Local Plan, the Council will permit proposals for the improvement of existing community facilities provided that adequate access and car parking can be provided in accordance with the Council's adopted standards and provided adequate access and facilities are provided for people with disabilities.
- 6.3 The proposal involves the provision of a new window and in principle there is no objection to this.

# Impact on the character and appearance

- 6.4 Policy DG1 of the Local Plan requires that new developments should promote high quality standards of design, be compatible with the established street scene and use appropriate materials.
- 6.5 The proposal is considered to be of an appropriate design and scale and its siting centrally within the site is not considered to have any adverse impacts on the character and appearance of the site and surrounding area.

# Impact on neighbouring amenities

The proposed siting of the window is over 50m away from the nearest boundary of the site and it is not considered to affect the visual or residential amenities of neighbouring residents.

# **Highways**

- 6.7 The proposal involves an alteration to an existing building within the site. It will not result in any increase in pupil or staff numbers and access and parking arrangements will be unaffected.
- 6.8 The proposal is not considered to create any highways issues of concern.

# 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 Proposal is not CIL liable.

# 8. CONSULTATIONS CARRIED OUT

# **Comments from interested parties**

No representations were received.

The planning officer posted a notice advertising the application at the site on 2 January 2018.

# **Statutory consultees**

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objections.	Noted
Highways Officer	No concerns	6.7, 6.8

#### 9. APPENDICES TO THIS REPORT

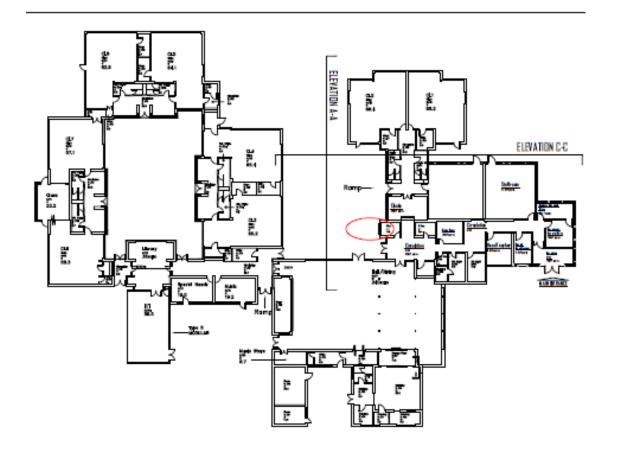
- Appendix A Site location plan
- Appendix B planning layout drawings
- Appendix C elevation drawings

# 10. 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.
  - <u>Reason:</u> To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 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 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
  - Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

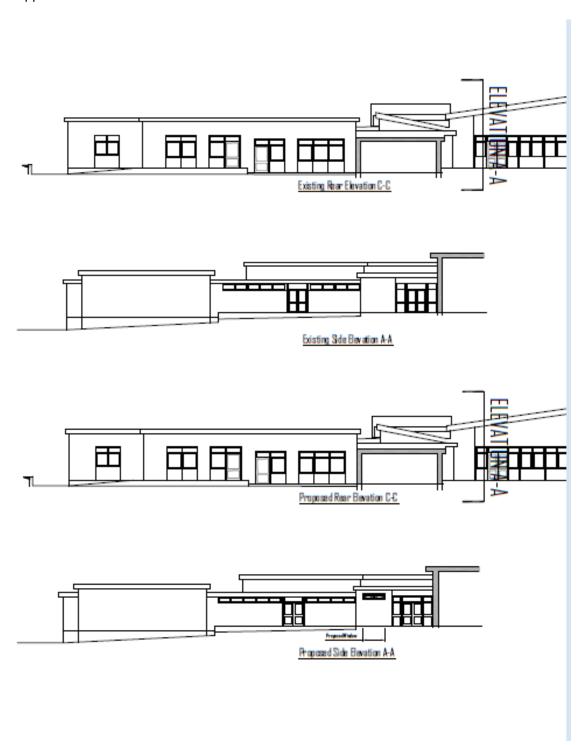
# Appendix A





Whole School Plan - scale 1:200

# Appendix C



# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

# MAIDENHEAD DEVELOPMENT CONTROL PANEL

# **Planning Appeals Received**

# 7 December 2017 - 5 January 2018

#### **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 <a href="https://acp.planninginspectorate.gov.uk/">https://acp.planninginspectorate.gov.uk/</a>. Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square,

Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

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

Ward:

Parish: Bray Parish

**Appeal Ref.:** 17/60117/REF **Planning Ref.:** 17/00686/FULL **Plns Ref.:** APP/T0355/W/17/

3186099

**Description:** Construction of a pair of detached cottages.

Location: Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead

Appellant: Mrs Lucy Pickering 116 Woodlands Road Ashurst Southampton SO40 7AL

Ward:

Parish: Bray Parish

**Appeal Ref.:** 17/60118/NONDET **Planning Ref.:** 17/02821/CPD **Plns Ref.:** APP/T0355/X/17/

3188459

Date Received: 7 December 2017 Comments Due: 18 January 2018

Type: Non-determination Appeal Type: Written Representation

Description: Certificate of lawfulness to determine whether the proposed replacement building is lawful

Location: Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead SL6 2JQ
Appellant: Mrs Lucy Pickering 116 Woodlands Road Ashurst Southampton SO40 7AL

Ward:

Parish: Bray Parish

Appeal Ref.: 18/60001/REF Planning Ref.: 17/01510/FULL Plns Ref.: APP/T0355/D/17/

3185038

Date Received:2 January 2018Comments Due:Not ApplicableType:RefusalAppeal Type:Householder

**Description:** Installation of a new sliding electrical gate on the front driveway and replacement of the

existing wooden fencing with brick walls and piers

Location: Ashbery Fifield Road Fifield Maidenhead SL6 2NX

Appellant: Mr Ryan Best Ashbery Fifield Road Fifield Maidenhead SL6 2NX

# **Appeal Decision Report**

# 8 December 2017 - 5 January 2018

#### **MAIDENHEAD**

**Appeal Ref.:** 17/60100/REF **Planning Ref.:** 17/01325/FULL **Plns Ref.:** APP/T0355/D/17/

3183273

Appellant: Mr Nick Brandon-King c/o Agent: Mrs Emily Temple ET Planning Ltd Beechey House 87

Church Street Crowthorne RG45 7AW

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

**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

Appeal Decision: Dismissed Decision Date: 22 December 2017

Main Issue: Development as proposed would appear incongruous and represent an overdevelopment of

the appeal site that would be detrimental to the character and appearance of the host building and that of the surrounding area, contrary to national policy in the Framework as referred to above and saved Policy H14 (1) of the Local Plan. Development as proposed would also have an unacceptably harmful impact on the living conditions of existing and future residents of 69 and 69a Switchback Road South, contrary to saved Policy H14 (2) of

the Local Plan.

Appeal Ref.: 17/60101/REF Planning Ref.: 17/01694/FULL Plns Ref.: APP/T0355/D/17/

3183516

Appellant: Mr And Mrs Parker c/o Agent: Mr Oliver Hill Rectory Barn Berriew Near Welshpool Powys

Wales SY21 8AN

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

**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

Appeal Decision: Allowed Decision Date: 22 December 2017

Main Issue: The Inspector acknowledges that the extension would be readily visible from the street scene

and would radically change appearance of the building. However, due to the wide range of dwelling designs in the area, the Inspector did not consider that the proposed extension would appear out of place and would not be at odds with the appearance of the host dwelling. The Inspector did not therefore agree with the Council's reason for refusal which

referred to poor design.

**Appeal Ref.:** 17/60103/REF **Planning Ref.:** 17/02290/FULL **Plns Ref.:** APP/T0355/D/1

7/3187808

Appellant: Mr Kobir Ahmed c/o Agent: Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

**Decision Type:** Delegated **Officer Recommendation:** Refuse **Description:** First floor rear extension with Juliette balconies and alterations to fenestration

Location: 19 Brompton Drive Maidenhead SL6 6SP

Appeal Decision: Dismissed Decision Date: 29 December 2017

Main Issue: The Inspector agreed with the Council's decision to refuse the application based on its

impact on the character of the area and on the amenities of no.18 Brompton Drive. The Inspector did not however agree with the reason for refusal relating to insufficient parking. The Council's standards pre-date the National Planning Policy Framework which states that local planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network. No such justification has been provided and the Inspector therefore attached limited weight to the Council's parking standards. He also considered that even if there would be parking spill onto the roads as a result of the proposal, there was no evidence of any local parking stress and no regime for restricting

parking on the surrounding roads.



# Agenda Item 7

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

Document is Restricted

