

NOTICE
OF
MEETING

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**MAIDENHEAD AREA DEVELOPMENT
MANAGEMENT PANEL**

will meet on

WEDNESDAY, 21ST AUGUST, 2019

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DONNA STIMSON (CHAIRMAN), LEO WALTERS (VICE-CHAIRMAN), GURPREET BHANGRA, PHIL HASELER, ANDREW JOHNSON, CHRIS TARGOWSKI, JOHN BALDWIN, MANDY BRAR, GEOFF HILL, JOSHUA REYNOLDS AND HELEN TAYLOR

SUBSTITUTE MEMBERS

COUNCILLORS DAVID CANNON, STUART CARROLL, GERRY CLARK, MAUREEN HUNT, ROSS MCWILLIAMS, GURCH SINGH, CLIVE BASKERVILLE, SIMON BOND, CATHERINE DEL CAMPO, JON DAVEY AND NEIL KNOWLES

Karen Shepherd – Service Lead - Governance- Issued: 13 August 2019

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Shilpa Manek** 01628 796310

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<p><u>APOLOGIES FOR ABSENCE</u></p> <p>To receive any apologies for absence.</p>	
2.	<p><u>DECLARATIONS OF INTEREST</u></p> <p>To receive any declarations of interest.</p>	5 - 6
3.	<p><u>MINUTES</u></p> <p>To confirm the part I minutes of the meeting of 6 August 2019.</p>	7 - 8
4.	<p><u>PLANNING APPLICATION - ITEM 1 (DECISION)</u></p> <p>To consider the Head of Planning's report on planning applications received.</p> <p>Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module at http://www.rbwm.gov.uk/pam/search.jsp.</p> <p>Key: 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</p> <p>Item 1 Application No. 18/02550/FULL Recommendation: PERM Location: 23 - 33 York Road Maidenhead Proposal: Redevelopment of the site to provide 53 apartments, comprising 23x studio flats, 25x 1 bed flats and 5x 2 bed flats, and associated landscaping following demolition of the existing buildings.</p> <p>Applicant: Shanly Homes Limited Member Call-in: Not Applicable Expiry Date: 31 July 2019</p>	9 - 38

5.	<p><u>PLANNING APPLICATION - ITEM 2 (DECISION)</u></p> <p>Item 2 Application No. 18/03523/FULL Recommendation: PERM Location: <i>Magnolia Cabin, Fishery Road, Maidenhead, SL6 1UP</i> Proposal: <i>Replacement Outbuilding (Retrospective).</i></p> <p>Applicant: Mr Lock Member Call-in: Cllr Geoffrey Hill Expiry Date: 20 September 2019</p>	39 - 48
6.	<p><u>PLANNING APPLICATION - ITEM 3 (DECISION)</u></p> <p>Item 3 Application No. 18/03692/FULL Recommendation: PERM Location: <i>Boulters Lock Car Park And Land Rear of 9 To 6 Horsham Reach, Lower Cookham Road, Maidenhead</i></p> <p><i>Proposal: New hardstanding and landscaping to provide 39 additional car parking spaces and 16 new cycle parking spaces. [Amendments: amended site layout, revisions to ecology report, sequential test]</i></p> <p>Applicant: Royal Borough of Windsor And Maidenhead Member Call-in: Not Applicable Expiry Date: 15 February 2019</p>	49 - 62
7.	<p><u>PLANNING APPLICATION - ITEM 4 (DECISION)</u></p> <p>Item 4 Application No. 19/00051/FULL Recommendation: REF Location: <i>Tudor House And Half Acre, Waltham Road, White Waltham, Maidenhead</i></p> <p><i>Proposal: Demolition of the existing buildings and the construction of 12 residential units comprising a mix of 6 flats (4 x 2-bed and 2 x bed sits) in one building and 6 x4-bed houses. [amendment to description to reduce No. of units and alterations to design and scale of buildings]</i></p> <p>Applicant: Mr And Mrs And Mr F. Mason Member Call-in: Not Applicable Expiry Date: 31 May 2019</p>	63 - 84
8.	<p><u>ESSENTIAL MONITORING REPORTS (MONITORING)</u></p> <p>To consider the Appeals Decision Report and Planning Appeals Received.</p>	85 - 96

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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

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

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

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

“Comments Awaited”.

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

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

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

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

STATEMENT OF THE HUMAN RIGHTS ACT 1998

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

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

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

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

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

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

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

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

Prejudicial Interests

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

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

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

Personal interests

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

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

Agenda Item 3

MAIDENHEAD AREA DEVELOPMENT MANAGEMENT PANEL

TUESDAY, 6 AUGUST 2019

PRESENT: Councillors Donna Stimson (Chairman), Leo Walters (Vice-Chairman), Clive Baskerville, Gurpreet Bhangra, David Cannon, Phil Haseler, Andrew Johnson, John Baldwin, Mandy Brar, Geoff Hill and Helen Taylor

Also in attendance: Councillor David Coppinger

Officers: Melvin Andrews, Andy Carswell, Chrissie Ellera, Tony Franklin, Mary Severin and Ashley Smith

APOLOGIES FOR ABSENCE

Apologies were received from Councillors Reynolds and Targowski. Councillors Baskerville and Cannon were attending as substitutes.

DECLARATIONS OF INTEREST

Councillor Brar declared a personal interest in item 1 as a friend of hers lived opposite the application site.

Councillor Walters declared a personal interest in item 1 as he was a Bray Parish Councillor. He stated he had not taken part in any discussions on the application and confirmed that he was attending the meeting with an open mind.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on July 17th 2019 be approved.

PLANNING APPLICATION - ITEM 1 (DECISION)

The Panel considered the Head of Planning's report on the planning application and received updates to the application, following the publication of the agenda.

Item 1 17/03857/OUT Lodge Farm and Water Tower Ascot Road Holyport Maidenhead SL6 2HX	<p>Outline application for 150 dwellings with new access off Holyport Road with emergency access only onto Ascot Road. Provision of a 667sq.m. Doctors Surgery with 25 parking spaces. Change of use of agricultural land to community park, open space, two grass football pitches, allotments and the change of use of an existing farm building to a community building. Ancillary landscaping and parking. All matters reserved except for access.</p> <p>A motion was put forward by Councillor Walters to refuse the application, as per Officer's recommendation. This was seconded by Councillor Haseler.</p> <p>It was unanimously agreed to REFUSE the application as per the reasons given in the panel update, in line with the Officer's recommendation.</p> <p>(The Panel were addressed by Terry Knibbs and David Howells, objectors, Louvaine Kneen on behalf of Bray Parish Council, and Councillor Coppinger, Ward Member.)</p>
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The meeting, which began at 7.00 pm, finished at 7.40 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 August 2019

Item: 1

Application No.:	18/02550/FULL
Location:	23 - 33 York Road Maidenhead
Proposal:	Redevelopment of the site to provide 53 apartments, comprising 23x studio flats, 25x 1 bed flats and 5x 2 bed flats, and associated landscaping following demolition of the existing buildings.
Applicant:	Shanly Homes Limited
Agent:	Mr Kevin Scott
Parish/Ward:	Maidenhead Unparished/Oldfield Ward

If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk

1. SUMMARY

- 1.1 Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development and that, for decision-taking, this means approving development proposals that accord with an up-to-date development plan; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 1.2 In this case the tilted balance is engaged. The proposal would have some harm to the visual amenities of the area. However, the proposal would make more efficient use of a previously developed site, which the NPPF affords substantial weight, and the site is within a sustainable location and would contribute to meeting the need for high quality homes in the Royal Borough. Accordingly, the benefits of the scheme are not outweighed by the harm.

Subject to the LLFA's consultation response, it is recommended the Panel GRANTS planning permission with the conditions listed in Section 11 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises a 0.09 hectare, corner plot located on the north side of York Road, at its junction with Park Street, within Maidenhead Town Centre. The site is roughly square and currently occupied by a short terrace of six, three-storey Victorian buildings. 5 of the properties have been vacant for approximately 15 years, while the end building, adjacent to the Park Street York Road junction, is occupied by 'The Anchor' public house on the ground floor with a flat above and with a single story extension to the rear. The building occupies approximately one-third of the site with the remainder being hard-surfaced and used for parking.

- 3.2 The application site is part of the York Road Opportunity Area, identified in the adopted Maidenhead Town Centre Area Action Plan (2011). It is also an identified housing allocations site in the emerging Borough Local Plan. Desborough Bowling Club, to the south and on the opposite side of York Road, is also part of the Opportunity Area and where planning permission to redevelop the site to provide 149 apartments was granted in October 2018 under application 18/01777. On the opposite corner of the Park Street York Road junction, and to the east of the application site, Phase 1 of a mixed use redevelopment scheme is currently under construction. Planning permission to provide 229 dwellings and 1,930 sqm of commercial and community space, in 3 construction phases, was granted in 2018 under application 18/01608. Phase 3 of the redevelopment scheme is immediately to the north of the application site. Grove Road bounds the application site to the west with three-storey office buildings beyond.
- 3.3 There are no particular planning policy constraints to the site. It is not in an area at risk from flooding, there are no trees on the site and it is approximately 70m away from the Maidenhead Town Centre Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal as originally submitted involved the redevelopment of the site for 55 apartments in one building rising to 8 storeys, with basement parking for 17 cars. The original proposal also involved the loss of 'The Anchor' pub. Following consultation with Design Review South East, (an advisory panel of specialists in architecture, urban design and landscaping, paid for by the applicant), the proposal was revised. (Details of the specific changes, together with an assessment of the scale and design of the proposal, are set out in Section 8 of this report).
- 4.2 The revised application seeks full planning permission for a residential led mixed use development providing 53 dwellings (47 dwellings net), with a revised mix of a higher percentage of studios and one-bedroom units, to take account of the revised parking provision. As a result, the area of residential use has been reduced by 750sqm (870sqft) and the proposed A3/A4/D1 use by 246sqm (gross internal area). The development would be within one building across 7 floors and would be approximately 27m wide by 23m deep. The roof line is staggered with the building at 4 storeys on its west side, where it adjoins Grove Road and adjacent to the three-storey offices, then rising to 7 storeys at a height of approximately 22m.
- 4.3 The proposed A3/A4/D1 use would occupy roughly the same ground floor area as the existing public house taking up the whole of the east elevation facing Park Street and two-thirds of the south elevation facing York Road. The main entrance to the apartments would be taken from York Road. Access to 5 under-croft parking spaces (including 2 disabled spaces) and the residential and commercial bin stores would be from Grove Road, while access to a bike store for 50 cycles would be to the rear (north elevation). Above the ground floor and across six storeys, the proposed dwellings would be a mix of 23 studios, 25 x 1 bedroom apartments and 5 x 2 bedroom apartments. Some open space with tree planting and seating would be provided to the front of the building adjacent to York Road.

4.4

Reference	Description	Decision
19/01291	Demolition of existing building and site hoarding.	Pending determination.
18/01969	Prior notification of demolition of 23 to 31 York Road.	Withdrawn 07.08.18.
10/00968	Full application for 13 x 2 bed flats following demolition of existing buildings.	Refused 28.07.10. Considered to prejudice the regeneration of the wider area identified in the, what was then, emerging AAP.
10/00592	Landscape reserved matters.	Invalid.
09/01646	Application for prior approval to demolish existing properties.	Approved 08.09.09.
07/02392	Reserved matters.	Approved 06.12.07.
06/01282	Outline application for 13 dwellings.	Approved 03.08.06.

05/02474	Outline application for 13 dwellings.	Refused 09.01.06.
03/40099/OUT	Demolition of houses and public house and erection of 14 residential units and semi-basement parking.	Withdrawn 26.01.05.

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

5.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design guidelines	DG1
Affordable housing within urban areas	H3
Housing layout and design	H10
Housing density	H11
Parking within development	P4
New developments and highway design	T5
Cycling	T7

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Maidenhead Town Centre Area Action Plan (MTCAAP), Adopted September 2011

5.2 When it was adopted in September 2011, the MTCAAP superseded the Maidenhead Town Centre area based policies and proposals in the Local Plan and became the most relevant development plan for the Maidenhead Town Centre area. The main planning considerations and policies applicable to the site and the proposal are:

Issue	Adopted MTCAAP
Principle of development: York Road Opportunity Area.	Policy OA 3
Streets & Spaces	Policy MTC 1
Greening	Policy MTC 2
Quality Design	Policy MTC 4
Food & Drink	Policy MTC 8
Housing	Policy MTC 12
Accessibility	Policy MTC 14

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

6. OTHER MATERIAL PLANNING POLICY CONSIDERATIONS

6.1 National Planning Policy Framework Sections (NPPF) (2019)

The main sections of the NPPF relevant to the consideration of the proposal are:

Section 2 – Achieving sustainable development
Section 4 - Decision making
Section 5 – Delivering a sufficient supply of housing
Section 11 – Making efficient use of land
Section 12- Achieving well-designed places

6.2 Borough Local Plan: Submission Version (BLPSV)

Issue	Local Plan Policy
Spatial strategy.	SP1
Sustainability and placemaking and the character and design of new development.	SP2, SP3
Housing – sites, mix and type, affordable housing and density.	HO1, HO2, HO3, HO5
Environmental protection – Air pollution.	EP2
Managing flood risk.	NR1

6.3 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

6.4 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

6.5 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- Affordable Housing Planning Guidance

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 24 occupiers of neighbouring properties were notified directly of the application and re-consulted, along with consultees, on the revised scheme on 16.04.19.
- 7.2 The planning officer posted a notice advertising the application at the site on 14.09.18. and the application was advertised in the Local Press on 13.09.18.
- 7.3 1 letter was received from the Maidenhead Civic Society objecting to the original proposal on the grounds of height, bulk and mass, high density, too little space for landscaping and amenity space around the building, inadequate parking provision and lack of a safe drop off / delivery location. These matters are addressed in Section 8 of this report. No further comments were received from the Maidenhead Civic Society in relation to the revised scheme.
- 7.4 No other third party representations were received either supporting or objecting to the original or revised scheme.

7.5 Consultee responses

Consultee	Comment	Where in the report this is considered
Design Review – South East	<p><u>Summary of issues raised in relation to the original scheme:</u></p> <ul style="list-style-type: none"> • The lack of affordable housing is unacceptable; • The Anchor pub is a significant landmark and there is no evidence to justify the loss of this community space; • Non-residential uses should be on the ground floor; • New building should respect the existing scale, building line and visual continuity of York Road; • The interface with the boundary to the north is poor and needs rethinking. The floor plans should show how the proposed relates to the neighbouring scheme to the north; • 8 storeys is too high given context of site; • Need street views from eye-level along York Road, Grove Road and Park Street. Needs sensitive massing and some space for some public realm, for example street trees, seating and width of pavement increased; • Parking should be minimised. The lift to the basement parking is environmentally unsound and financially unviable; • Too many homes are provided; • Need to consider an alternative to the corner entrance proposed; • Relocate bin store and needs street access to cycle store; • Need to consider how the homes will be experienced – light, space, acoustics and orientation; • The design should respond to the immediate context of Maidenhead and not art-Deco style of bowling club redevelopment; • The set back of the top floor is not necessary, nor are the projecting balconies; • The double height plinth on York Road elevation is disproportionate and needs to be revised to coordinate with existing terraces and Countryside scheme; • Architectural details need to be made clear and materials clarified; 	<p>Covered in paragraphs 8.52-8.54</p> <p>Revised scheme includes PH or alternative D1 use.</p> <p>No residential on GF. Acceptable in terms of building line and continuity, and generally in terms of scale.</p> <p>Revised scheme is better with some harm. The height has been reduced. Street scenes are provided.</p> <p>Parking is significantly reduced. No lift or basement parking. Scheme makes a very efficient use of PDL. Corner has been re-designed. Bin stores now relocated.</p> <p>Occupiers amenities are acceptable.</p> <p>Scheme re-designed to reflect existing context.</p>

	<ul style="list-style-type: none"> The application should be accompanied by an energy strategy. 	<p>Revised scheme takes account of this.</p> <p>Double plinth removed from revised scheme.</p> <p>Details are acceptable.</p> <p>An energy statement has been submitted.</p>
Highway Authority	<p><u>In relation to the original scheme for 55 dwellings and basement parking 17 cars:</u> No objections to the proposed parking provision on the basis that the site is in an accessible location. No objections to the car lift in principle but concerns with regard to its operation. Advised cycle storage should be a mix of two-tier and Sheffield type stands. The refuse storage should be relocated to Grove Road to avoid refuse lorries stopping on York Road. Compared to the existing use of the site, the proposal would lead to an increase of 78 trips per day.</p> <p>Summary in relation to the original scheme: The proposal raises no highway concerns with respect to traffic generation, its impact on the surrounding network or parking provision. The applicant is advised to amend the cycle parking plan and submit a refuse and recycling strategy for the development. It is suggested these be covered by planning conditions.</p> <p><u>In relation to the revised scheme for 53 dwellings, no basement parking, under-croft parking for 5 cars and relocation of refuse and bike storage:</u> The parking provision is significantly below the Council's adopted parking standards but in light of the site's accessible location and policies in the NPPF, no objection is raised in relation to parking. The layout and design of the cycle parking is not best practice compliant and should be amended. The long-term refuse and recycling strategy involves collection from Grove Road, which is preferred to York Road. Details of the service and refuse arrangements for the commercial use should be submitted. The revised scheme will generate less trips than the original proposal due to the reduction in parking, but it is not accepted that the commercial use will not generate any trips. Overall, no objections subject to conditions in respect of cycle parking plans to be provided, access as approved, construction management plan and details of refuse bin and recycling facilities.</p> <p>In response to the amended cycle parking details submitted: The cycle storage facilities do not comply with best practice and would not be accessible for all users.</p>	<p>See paragraphs 8.42 to 8.47 inclusive.</p>

Lead Local Flood Authority	<p><u>In relation to the revised scheme and additional information:</u> It is noted that the revised proposal no longer involves basement parking and the associated surface water pumping station. However, the applicant should clarify why green roofs are not incorporated in the scheme to improve the sustainability of the development. It is noted that a gravity connection to the public surface water sewer system is proposed and that the revised design no longer includes a car lift.</p> <p>The applicant should confirm who will be responsible for the maintenance regime and confirm where flows will be redirected in any exceedance events. The implications of a 40% increase in peak rainfall runoff (from climate change) should be assessed with proposed mitigation to reduce this risk. The applicant needs to provide further information on how rainwater pipes will connect to the attenuation tank and provide cover and invert levels for the tank, plus details of flow controls.</p>	See paragraphs 8.48 to 8.51 inclusive.
Thames Water	No objections with regard to waste water network and waste water process infrastructure capacity based on the information provided.	Noted.
Archaeology	No objection.	See paragraphs 8.55 to 8.58 inclusive.
Trees	<u>In relation to the original scheme:</u> There are no trees within the site and very limited soft ground, therefore no objection on tree grounds. However, there is insufficient space for the proposed 4 trees to the front of the development and the thin strips of lawn to the north, east and west of the building are unlikely to be feasible in the long-term and will be difficult to maintain.	Covered in paragraphs 8.24 and 8.25.

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i The principle of the proposed development;
- ii The impact of the proposal on the character and appearance of the area, having regard to density, scale and massing, design and landscaping;
- iii The impact of the proposal on the amenities of occupiers of neighbouring properties;
- iv Whether the living conditions of future occupiers of the development are acceptable;
- v Highway implications and parking provision;
- vi Whether the proposal would increase surface water runoff from the site leading to increased flood risk;
- vii Affordable housing;
- viii Archaeological impacts;
- ix Air quality;
- x Ecology; and

The principle of the proposed development

- 8.2 The application site is located within the wider York Road Opportunity Area as identified by Policy OA3 in the adopted Maidenhead Town Centre Area Action Plan (AAP). This Opportunity Area, as a whole is allocated in the Plan for residential and office led mixed use development.
- 8.3 The AAP sets out that the redevelopment within the York Road Opportunity Area may be achieved through a single or phased approach, with land either side of York Road coming forward at separate times. However, any proposals for the area are required to be planned in a comprehensive manner and ensure effective integration between land north and south of York Road.
- 8.4 The Spatial Strategy set out in the BLPSV states “New development will be largely focused on the strategic growth location of Maidenhead. Maidenhead town centre will be a major focus of sustainable growth to support its important role within the wider Thames Valley. Higher intensity development will be encouraged within and near to Maidenhead town centre to make the most of the town’s transport links and to take advantage of the Elizabeth Line connections.” The York Road sites are allocated as site HA5 in the emerging BLPSV Policy HO1 to provide approximately 320 residential units as part of a mixed use scheme for the whole site. The BLPSV effectively doubles the housing allocation for the area, superseding the allocation set out in Policy OA3 of the AAP.
- 8.5 As the application site is identified within the York Road Opportunity Area in the adopted Maidenhead AAP, and as part of an allocated housing site (HA5) of the emerging Policy HO1 of the BLPSV, the principle of redeveloping the site for a residential led mixed use scheme is acceptable. Whilst the original proposal would have involved the loss of the public house which, as a community facility there would be an in-principle objection to, the Design and Access Statement Addendum March 19 for the revised scheme confirms part, (246sqm compared to the existing floor area of 230sqm) of the ground floor would be retained for an A3/A4 use. The applicants have subsequently advised that they would also like to consider a D1 (non-residential institutions) use within this area. As public houses fall within Use Class A4 and cafes and restaurants are within Use Class A3, and as Policy OA3 of the AAP and site allocation HA5 of the BLPSV specifically require retention of community facilities, unless it can be demonstrated that it is no longer needed or acceptable alternative provision can be made elsewhere, it is recommended a condition be imposed that the ground floor commercial use be for an A4 or D1 use only, (as per condition 4 in Section 11 of this report).

The impact of the proposal on the character and appearance of the area, having regard to density, scale and massing, design and landscaping

- 8.6 Policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre AAP emphasise the need for place making and creating a high quality, town centre environment, setting out a framework for how this can be delivered in the York Road Opportunity Area. The successful integration of all forms of new development in the area with the surrounding context is an important design objective. Development proposals are 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.
- 8.7 Section 12 of the NPPF deals with achieving well-designed places and delivery of developments that will function and contribute to the overall quality of the area in the long term. To achieve this, development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping and should be sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF is also clear to emphasise that this should not prevent or discourage change, such as increased densities.

- 8.8 Policies SP1 and SP2 of the BLPSV states that new developments should positively contribute to the places in which they are located. Larger developments should provide a harmonious, integrated mix of uses, where appropriate, that foster a sense of community, vibrancy and activity. Policy SP3 sets out a number of principles to achieve a suitable high quality design.
- 8.9 It is noted from the planning history that planning permission for 13 apartments was refused under application 10/00968 on the grounds that it would have prejudiced the wider regeneration of the area set out in the then emerging AAP. Since that application and with the approval of the Countryside application, reference 18/01608/FULL and the applicant's plans for the bowling club site approved under application 18/01777/OUT, the context of the application site is now better known. In addition, advice from the Design Review South East panel on the original scheme, (a summary of its recommendations are set out in Section 7 of this report), has informed the now revised scheme.

Context

- 8.10 In terms of context, the application site will be surrounded on three sides by recently approved redevelopment schemes. To the east of the site is Phase 1 of what is known as the 'Countryside' redevelopment scheme for the York Road area, (the applicant/developer being Countryside Properties Ltd in partnership with RBWM). This phase is currently under construction on what was previously the Council's staff car park and involves the building of Block D, which is roughly U-shaped and runs adjacent to the east side of Park Street, the north side of York Road and west side of St. Ives Road. Where Block D faces the application site, along Park Street and at its junction with York Road, the building will have 5 storeys (approximately 16m high). The design of Block D is described in the Planning Officer's report to Panel as homogenous and simple so not to distract from the strength of the Maidenhead Library's design and with a predominant use of brick.
- 8.11 Block E of Phase 3 of the 'Countryside' scheme is to the north (rear) of the application site, on what is currently part of the Grove Road public car park. At its closest point to the application site, Block E will have 4 storeys (approximately 13m high). Together with Block F (to be built on the remainder of the Grove Road car park), Block E is described as being in a 'Home Zone' that will integrate into the historic layout of Grove Road.
- 8.12 To the south of the application site on the opposite side of York Road will be the applicant's redevelopment scheme of the Desborough Bowling Club, approved under application 18/01777. This envisages a part 4, part 6 and part 7 storey building facing the application site. The architectural approach of the development is described in the Planning Officer's report to Panel as one of a "mansion block" in red brick and with stone detailing.
- 8.13 To the west of the site, on the opposite side of Grove Road, are tall three-storey Victorian buildings currently used as offices. These are outside the York Road Opportunity Area and there are currently no plans to redevelop this site.
- 8.14 Within the wider area, planning permission has been granted to redevelop land approximately 100m north-west of the application site bounded by Queen Street, King Street and Broadway, known locally as 'The Landing'. The permission granted under 18/01576/FULL includes 3 buildings of 15-16 storeys high accommodating 344 residential units. 'Berkshire House' located at the northern end of Park Street, approximately 180m from the application site, is a prominent 15 storey building in the town centre.

Density

- 8.15 The density of the development is 588 dwellings per hectare. By comparison, the redevelopment scheme for the bowling club has a density of 286 dwellings per hectare, the 'Countryside' scheme is 139 dwellings per hectare and 'The Landing' scheme has a density of 330 dwellings per hectare.

- 8.16 While the density of development is high this does not automatically make the proposal unacceptable if it can be justified on the wider merits of the scheme. The development does not involve a tall building, unlike parts of 'The Landing' development at 15 storeys. Density is only one consideration and it is the form the development takes as a result of the density that is key to determining its acceptability. The fact that the majority of the apartments are studios and one-bedroom results in the proposal having a higher density. In addition, the NPPF makes clear that planning decisions should support development that makes effective use of land, particularly in meeting the need for homes and taking account of promoting regeneration and change.

Scale and massing

- 8.17 Having regard to the site's surroundings, the Design Review panel advised that the original scheme at 8 storeys was too high, suggesting a building of four or five storeys. In response to this, the applicant has revised the scheme by reducing the staggered height of the building by one storey to five and seven storeys and slightly increasing the separation distance between the development and the site to the west.
- 8.18 In relation to the redevelopment schemes to the north and east of the site the proposed development would be three and two storeys higher respectively. It would also be two-storeys higher than the existing development to the west. However, in relation to the proposed development to the south, on the opposite side of York Road, the proposal would be of a similar scale at seven storeys.
- 8.19 Ideally any differences in height between buildings that are in close proximity to each other should be more gradual, so as not to dominate the character of the area and detract from its appearance. At two-storeys higher and in close proximity (approximately 5m at its closest point) to Block E of the Grove Road redevelopment, the proposed building would appear noticeably taller when viewed from Park Street, though it is not considered to have a significantly overbearing impact. Although there is harm at this point of the development it does not necessarily make the overall scheme unacceptable when considered in the round. The harm and benefits of the proposal as a whole are assessed further in this report under the Planning Balance.
- 8.20 While the proposed building would also be noticeably taller than the approved development to the east and existing development to the west some visual relief would be afforded by way of the separation between the buildings provided by Park Road and Grove Road respectively. The building would also sit slightly further back from York Road than these neighbouring developments helping to alleviate any perceived dominance. When viewed in relation to the bowling club scheme, the development will appear compatible. With the exception of its relationship to the Grove Road development, it is not considered that the scale and massing of the proposal would dominate the street scene to the detriment of the existing and emerging character of the area.

Design

- 8.21 Following consultation with the Design Review Panel (DRP), a number of architectural changes were made to the scheme. The lowering of the height by one storey, as mentioned above, has helped alleviate the scale and bulk of the building, while providing a focal point and connection to the York Road Opportunity Area and mediating the existing and emerging context. In addition to this, the architectural language has been reconsidered and amended to refer to the existing architecture in the immediate context as well as the proposed architecture of the emerging schemes along the north side of York Road.
- 8.22 The applicant has also taken on the advice of the DRP by not setting the top floor back and instead designed it as a mansard roof in keeping with the proposed architecture. The previously proposed recessed balconies have been omitted and bay windows have been added to integrate better with the existing neighbouring properties to the west. The double height plinth originally proposed has now been removed and designed to better integrate with the emerging 'Countryside' scheme, and the main entrance to the residential units has been moved away from the corner to provide a better experience and a more direct route for residents and visitors. The

recessed corner on the ground and first floors originally proposed has now been removed to give the building more prominence at street level and create a stronger relationship between the building and the public realm.

- 8.23 Overall, the DRP suggested a number of architectural changes which the applicant has largely embraced resulting in an architecturally high quality scheme. Subject to conditions 2, 3, 5, 6 and 8 in Section 11 of this report, (and with the exception of some harm resulting from the relationship of the north elevation to the adjoining Block E Countryside scheme), the proposal will not harm the existing or emerging character and appearance of the area, and complies with adopted Policies DG1, H10 and H11 of the Local Plan, adopted Policies OA3, MTC1, MTC4 and MTC12 of the AAP, and emerging Policies SP2, SP3, HO2 and HO5 of the BLPSV.

Landscaping

- 8.24 The proposed landscaping for the original scheme has also been revised following advice from the DRP, in order to create a stronger relationship between the building and the wider public realm. The small areas of grass, fencing and street trees originally proposed have now been omitted and replaced by carefully designed hard landscaping. As a result, the pavement adjacent to York Road will appear wider, opening-up the building to attract passers-by.
- 8.25 Having regard to the lack of trees and landscaping on the existing site and to the tree planting proposed adjacent to the 'Countryside' scheme along York Road, the proposed landscaping is appropriate and acceptable. Subject to condition 13 in Section 11 of this report the proposal complies with Policies DG1 and H10 of the Local Plan, Policies OA3 and MTC2 of the AAP and emerging Policies SP2 and SP3 of the BLPSV.

The impact of the proposal on the amenities of occupiers of neighbouring properties

- 8.26 At present, the proposed development if constructed now would have no adverse impact on the living conditions of any occupiers of neighbouring residential properties in terms of loss of light, loss of privacy or from appearing overbearing. This is because there are no residential properties immediately adjoining the site. The closest residential properties likely to be affected by the proposed development would be flats above shops located on Queen Street at least 50m away from the application site. This separation, together with the orientation of the building and the position of proposed openings and balconies, will ensure that the amenities of the closest residents will not be harmed.
- 8.27 In terms of any impact on the amenities of the occupiers of the approved redevelopment schemes, a gap of approximately 14m would be retained between the proposed front elevation and front elevation of the bowling club scheme, on the opposite side of York Road, providing sufficient separation to ensure no loss of privacy, light or dominant appearance would result. Similarly, a gap of approximately 15m would be retained between the east side elevation and the 'Countryside' scheme on the opposite side of Park Street, and while this is positioned at a slightly lower level than the application site, the separation is sufficient to ensure no harm would be caused to the living conditions of future occupiers of this neighbouring development.
- 8.28 The main potential impact on neighbouring amenities would arise from the relationship of the proposed rear elevation to the side elevation of Block E of the 'Countryside' scheme. At its closest point the proposed building would be approximately 5m from the side of Block E. This part of the 'Countryside' scheme involves an open, central first floor communal garden and private garden areas, and while there would be no windows on the side elevations of the building up to the second and third floors, the top apartments on Block E each have a balcony to the side directly facing the rear elevation of the application building.
- 8.29 In terms of potential overlooking / loss of privacy issues, the main impact would be from rear facing windows and balconies in the proposed development on the second floor and above. One bedroom flats are proposed in the north-east corner on the second to fifth floors of the proposed development. Each flat would have a rear facing living room window, a bedroom French window with Juliette balcony and a small balcony also serving the bedroom. In relation to the eastern side of Block E and specifically its third floor balcony, only the windows and balconies on the fourth

and fifth floors of the development would have the potential to cause overlooking concerns, (the sixth floor having windows only that would be set back within the mansard roof). However, it is considered that as the living room window is only secondary, (with the main bay window facing east over Park Street), and the balconies are small and serve the bedroom only any loss of privacy over the south-facing balcony on the east side of Block E would be limited.

- 8.30 The central garden area within Block E would be overlooked by the windows and balconies serving the central one bedroom flats within the proposed development. However, these flats are set further back into the building and would largely only overlook the communal part of the garden. Any loss of privacy to the private garden areas within Block E would be limited.
- 8.31 As with the rest of the rear facing dwellings, the flat in the north-west corner of the building is also only one bedroom. These flats each have a window, French windows and Juliette balcony and a small balcony serving the living room. There is a south-facing balcony on the third floor of the western side of Block E. However, as the proposed development is stepped down to five storey on the western side, only the fourth floor rear windows would overlook the balcony on Block E. Having regard to the fact that this is a one-bedroom flat and the balconies are proposed to mainly provide light to the north facing living room, it is considered that any loss of privacy would be limited.
- 8.32 In terms of the proposed development appearing overbearing, Block E is orientated from east to west, the main outlook from these properties will not be harmed. The third and fourth floor south-facing balconies and windows would look up at what would effectively be a single storey and 2½ storey building which, at at least six metres away, is not considered to be overbearing.
- 8.33 As the main outlook from Block E is from east to west and the balconies are on the third and fourth floors, the proposed development will not result in unacceptable loss of sunlight or daylight to the neighbouring properties.
- 8.34 It is understood that the applicant has worked closely with Countryside Developments to ensure the proposal does not harm the living conditions of future residents and this is evident from the carefully designed scheme. Subject to conditions 7 and 16 in Section 11 of this report, the proposal complies with Paragraph 127 (f) of the NPPF.

Whether the living conditions of future occupiers of the development are acceptable

- 8.35 Paragraph 127 (f) of the NPPF states planning decisions should ensure that developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.” Policy HO3 of the BLPSV states that proposals for higher density residential schemes in a sustainable location, in and around the town centre, will be permitted subject to, inter alia, the need to ensure a satisfactory residential amenity for the proposed accommodation.
- 8.36 All the proposed units have sufficient internal floor space that accord with the Nationally Described Space Standards (2015).
- 8.37 In terms of daylight and sunlight, none of the 25 studios would be north-facing and, on the first to fifth floors, all units facing east and west would have balconies serving their living rooms. Of the studios with a southern aspect, all would have bay windows to their living space with the exception of the studio on the 6th (top) floor which would have a standard window. The provision of bay windows to the scheme resulted from advice from the DRP so that, in addition to better integration with neighbouring properties, the levels of daylight/sunlight could be increased.
- 8.38 Of the one-bedroom apartments proposed, all of the two rear-corner units, (with the exception of unit 48 on the top / sixth floor), facing north would have dual aspect living rooms. Each of the central one-bedroom units facing north would have a small balcony to its living room. The previously proposed continuous balconies on the north façade to the one-bedroom apartments were changed on the advice of the DRP to individual smaller balconies to increase the daylight/sunlight levels to the north facing door and windows.

- 8.39 All of the south-facing one and two bedroom apartments on the first to the fifth floors have bay windows, with the two bedroom units being dual aspect. Overall, the level of daylight and sunlight to all apartments is considered acceptable.
- 8.40 In order to ensure sufficient privacy is maintained between occupiers of the proposed development, some of the side panels to the bay windows would be obscure glazed. In addition, the small balconies serving bedrooms at the rear would also be provided with an obscure screen to safeguard privacy.
- 8.41 Subject to conditions 7 and 16 in Section 11 of this report, the proposal would provide satisfactory residential amenity to its occupiers and complies with Paragraph 127 (f) of the NPPF.

Highway implications and parking provision

- 8.42 Following consultation with the Design Review Panel, the originally submitted scheme was amended to remove the basement car parking and car lift. In addition, the amended scheme involves a reduction in the number of residential units to 53; a reduction in the number of parking spaces from 17 to 5 to include 2 accessible parking spaces; an amendment of the proposed ground floor use from residential units to A3/A4/D1; and bike storage located on the ground floor.
- 8.43 The Highway Authority has advised that with reference to the Borough's Parking Strategy (2004), the proposal attracts a maximum demand for 24 car parking spaces and that by providing only 5 car parking spaces the proposal is significantly below this adopted standard. However, it acknowledges that the development is in a sustainable location where on-street parking is managed by the Borough and that the NPPF specifically states that "Local Planning Authorities should only impose local parking standards for residential and non-residential developments where there is clear and compelling justification that is necessary to manage their local road network." Accordingly no objection is raised to the proposed parking provision.
- 8.44 Compared to the original scheme, the revised proposal would generate significantly less vehicular trips, primarily as a result of the reduction of on-site parking provision. Accordingly, the traffic associated with the development would not have a material impact on the local highway network.
- 8.45 The scheme proposes 53 cycle parking spaces provided in a secure facility on the ground floor. The Highway Authority initially advised that although the level of cycle parking is policy compliant, the design and layout did not comply with current best practice. In response to this the applicant submitted amended cycle parking details, however the Highway Authority has referred back advising the types of racks proposed to be installed do not comply with West London Cycle Parking Guidance. However, as the applicant has rightly pointed out, the Council's adopted cycle parking policy refers to the London Cycle Network Design Guide against which the proposed cycle provision complies.
- 8.46 Based on the design, the long-term refuse servicing strategy requires the refuse and recycling bins to be wheeled out to a vehicle stationed on Grove Road and this is acceptable. Whilst the Highway Authority has advised that the short-term solution with a vehicle stationed on York Road is not the preferred option given the relatively narrow carriageway, this is acceptable given that it is only temporary whilst the redevelopment of Grove Road is carried out.
- 8.47 The Highway Authority has no objections to the proposal subject to conditions in respect of the access to be constructed as approved, construction management plan to be submitted and approved prior to commencement and details of the refuse bin and recycling provision to be submitted and approved prior to occupation. The Highways Authority's recommendation that a condition be imposed requiring further details on the cycle parking provision to be submitted and approved prior to occupation is not necessary, given the proposal complies with the Council's adopted cycle parking policy. Subject to conditions 9, 10, 11, 12 and 13 the proposal complies with adopted Local Plan Policies DG1, P4 and T5.

Whether the proposal would increase surface water runoff from the site leading to increased flood risk

- 8.48 The applicant has submitted a Below Ground Drainage and SuDS (Sustainable Urban Drainage Systems) Report, (Prepared by Price & Myers, Version 5 July 2019), which has been reviewed by the Lead local Flood Authority (LLFA). The report advises that the entire site is impermeable and generates a peak run-off rate of 24.5l/sec for the 1 in 100 year storm event. The Surface Water Strategy has been developed in line with the SuDS hierarchy. Infiltration is not feasible as soakaways need to be located a minimum of 5m away from any structure and due to the limited space on site this is not possible. Attenuation will therefore be provided to ensure surface water run-off is as close to the 1 in 100 year greenfield run-off rate as practicable. Preliminary calculations indicate that a volume of 30m³ is required to attenuate the surface water run-off from the site to 3 l/sec for storm events up to the 1 in 100 year plus 20% allowance for climate change.
- 8.49 For the external hard paved areas, permeable paving will be utilised which will provide additional storage and treatment for surface water run-off. This will be in the form of a lined 'tanked' system. In addition, a green roof has been incorporated where practicable on the flat area of the mansard roof.
- 8.50 In response to queries raised by the LLFA, the applicant's engineer has confirmed that in any exceedance events, flows will drain to the road gully in Grove Road, away from the building. No exceedance flows will reach the thresholds of the building. Falls away from building thresholds will also be preserved. In response to the query regarding potential impacts of a 40% increase in peak rainfall intensity, the applicant's engineer has advised that the surface water volumes are designed to be stored in the below ground attenuation tank, for the respective design flood events including the 20% climate change allowance. 4.2m³ of storage would be needed to accommodate the 40% upper estimate and this would be accommodated in the below ground drainage network (manholes and pipework), and the permeable paving. A drawing clarifying how the rainwater pipes will connect to the attenuation tank has also been provided.
- 8.51 The LLFA has been re-consulted on the additional points of clarification provided and its response to these will be reported in the update report to Panel. However, it is not anticipated that the LLFA will raise an objection to the proposal on flooding grounds, subject to additional appropriately worded condition.

Affordable housing

- 8.52 Policy H3 of the adopted Local Plan requires housing development on sites of over 0.5 hectare or 15 or more dwellings to comprise at least 30% of the total to be delivered as on-site affordable housing, and this approach is largely mirrored in emerging Policy HO3 of the BLPSV.
- 8.53 In this case, the applicant has provided financial appraisal information of the proposed development, submitting that if it provided 30% affordable housing the proposal as a whole would not be economically viable. Accordingly, this information has been reviewed by an independent expert.
- 8.54 Having assessed the applicant's Viability Study, by comparing the residual value of the proposed scheme with an appropriate Benchmark Land Value figure, having regard to the NPPF and published Royal Institute of Chartered Surveyors Guidance Note into Financial Viability in Planning, the Council's independent expert has advised that the development would not be viable with the affordable housing. Indeed, the expert has advised that, based on the applicant's adopted profit level of 20% of private Gross Development Value, the revised scheme of 53 private apartments is also not viable. Accordingly, if the applicant were to provide 10% affordable, (the minimum required on major applications, set out in paragraph 64 of the NPPF), housing this would also be unviable. In the expert's opinion, in order to be profitable the applicant's adopted profit level would need to be reduced to approximately 17% which should make the scheme deliverable. Consequently it has been established to the Council's satisfaction that it is not financially viable to provide affordable housing as part of this development.

Archaeological impacts

- 8.55 In accordance with Paragraph 128 of the NPPF, the applicant has submitted in support of the application an 'Archaeological Desk-Based Assessment' prepared by Archaeological Solutions Ltd and dated January 2017. This assessment presents the archaeological background to the application area, assesses its archaeological potential and considers the likely impacts of the development proposal on buried remains.
- 8.56 The principle conclusions of the assessment are:
- 1) There are no heritage assets, either designated or not, within or immediately adjacent to the application area. The find spot of an Iron Age coin, illustrated as being adjacent to the site is poorly provenanced, having been recorded as found "*near maidenhead town*";
 - 2) The wider area has revealed evidence of prehistoric, Roman and Saxon remains. The application area lies outside of but not far from the historic medieval settlement of Maidenhead and its post-medieval expansion;
 - 3) Cartographic evidence indicates that the site was agricultural land from the 18th Century until the late 19th Century, with the current terrace of houses of 23-33 York Road being constructed around 1870;
 - 4) The site has been subject to previous development and in particular all current properties on site are basemented;
 - 5) The assessment concludes that the site has low potential for buried remains of all periods but makes no recommendations for the need of otherwise of archaeological investigation.
- 8.57 Berkshire Archaeology, consulted on this application, has advised that the Archaeological Solutions Ltd's desk-based assessment is a reasonable account of the known archaeological resource within and in the vicinity of the application boundary. While the assessment concludes that the site's archaeological potential is low, a consideration of the known archaeology of the wider Middle Thames Valley and of the topography of the site, lying on deposits of Taplow Gravel, indicates that the area is not completely devoid of potential. However, this is a site of modest area (circa 0.09 hectares) that has been subject, in part, to previous development. In particular No's. 23-33 York Road are basemented, in all probability removing all buried remains from a significant proportion of the site area.
- 8.58 On balance the remaining area of the site that lies outside of the existing basements is of such modest size, allied to the uncertain archaeological potential, that in Berkshire Archaeology's view it would be disproportionate to seek any archaeological investigation in relation to this scheme should it be permitted. On this basis, no further action is required as regards the buried archaeological heritage.

Air quality

- 8.59 The application site is located within an Air Quality Management Area and has the potential to affect local air quality during the construction and operation phases. The proposed development will also introduce relevant exposure to the area. Accordingly, the applicant commissioned an Air Quality Assessment to be carried out, the report (undertaken by Redmore Environmental Ltd) for which has been submitted with the application.
- 8.60 Environmental Protection has advised that the submitted report includes detailed dispersion modelling of annual mean nitrogen dioxide and particulate matter at existing and proposed receptor locations, and that the conclusion of the assessment is that the air quality impacts of the development on all relevant receptors are not significant. The proposal is therefore acceptable in terms of impact on air quality.

Ecology

- 8.61 A bat survey report has been submitted with the application, (Ethos Environmental Planning, Bat Survey Report, July 2018), and is an update to a previous survey and report undertaken at the site approximately two years previously. The previous survey concluded that the structures, (terraced houses and pub) had negligible value for bats due to their condition and location. The

updated survey concludes that the structures are unchanged since the last survey, with no potential access points for bats and no evidence of bats being found during the inspection. Accordingly, the structures continue to have negligible potential to support bats.

- 8.62 The existing row of buildings are to be soft stripped to reclaim roof materials and the brick which is of commercial value. This lends itself to a precautionary approach to ensure there are no bats present and implementing actions in the unlikely event bats are found. This is secured by condition 15 as set out in Section 11 of this report.

The Planning Balance

- 8.63 Paragraphs 10 and 11 of the NPPF 2019 set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- 8.64 Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

- 8.65 The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. The LPA cannot currently demonstrate a five year supply of deliverable housing sites (with the appropriate 5% buffer). As such, in line with paragraph 11 d (ii) of the NPPF (2019), including footnote 7, the 'tilted balance' is engaged. This sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.66 The proposal would have some harm to the visual amenities of the area, when viewed from Park Street in relation to Block E of the 'Countryside' scheme. However, the proposal would make more efficient use of a previously developed site to which the NPPF affords substantial weight, and the site is within a sustainable location and would contribute to meeting the need for high quality homes in the Royal Borough. Accordingly, the benefits of the scheme are not outweighed by the harm.

9. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 9.1 The development is CIL liable, however the application site is within Maidenhead Town Centre which attracts a £0 per square metre levy and therefore no CIL will be due in relation to the proposal.

10 APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan
- Appendix B – Site Plan
- Appendix C – First Floor Plan
- Appendix D – Fifth Floor Plan
- Appendix E – Sixth Floor Plan
- Appendix F – North Elevation
- Appendix G – East Elevation
- Appendix H – South Elevation
- Appendix I – West Elevation
- Appendix J – Street Elevation
- Appendix K – Street Elevation

11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place above slab level until samples of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan: DG1, H10. MTCAAP: MTC4 and OA3.
- 3 No development shall take place above slab level until samples of all the finishing materials to be used in the hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, H10. MTCAAP: MTC4.
- 4 The ground floor area described as commercial, on Drawing No. 200 Rev 06 shall be restricted to a use falling within Class A4 or D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only.
Reason: To ensure the retention of the existing community facility use in accordance with MTCAAP Policy OA3.
- 5 Prior to occupation of the ground floor in any A4 use, details of any venting, ducting and/or fume extraction equipment shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed and retained in accordance with the approved details.
Reason: To ensure the proposed equipment does not harm the appearance of the building in the interests of the visual amenity of the area. Relevant Policies - Local Plan: DG1. MTCAAP: OA3.
- 6 The development shall not be occupied until all means of enclosure, (particularly to the north of the site), have been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policies - Local Plan: DG1. MTCAAP: OA3.
- 7 The obscure screens in the north facing elevation shall be fitted with obscure glass that has a minimum level 3 obscurity. The windows shown on drawing numbers 201, 202, 203, 204 and 205 (all revision 06) shown to have obscure glazing shall be of a permanently fixed, non-opening design and fitted with obscure glass minimum level 3 obscurity. These screens and windows shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policy MTCAAP MTC4.
- 8 Other than shown on the approved drawings, no plant shall be installed on the building without planning permission having first been obtained from the Local Planning Authority.
Reason: In the interests of the visual amenities of the area. Relevant Policies - MTCAAP MTC4 and Local Plan DG1.
- 9 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained as approved.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 10 Prior to construction a management plan showing how construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 11 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to

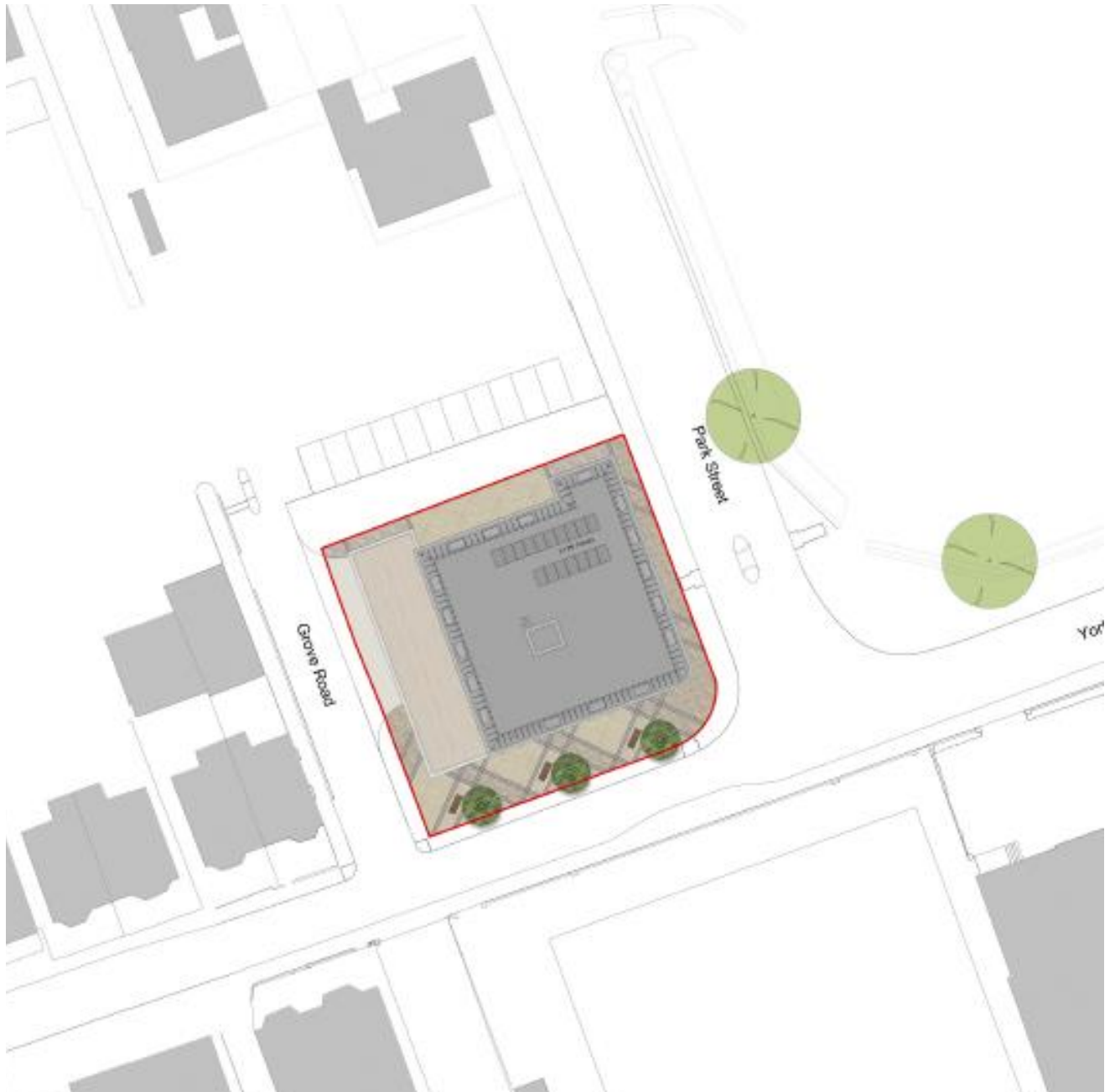
- reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
- 12 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing and details. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 13 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 14 The development shall not be occupied until the hard and soft landscaping scheme has been implemented within the first planting season following the substantial completion of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The development shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area Relevant Policies - Local Plan DG1.
- 15 Prior to the demolition of the building and once the building has been made safe, i.e. opened up and scaffolding erected, an ecologist shall inspect the building for evidence of bats as set out in Section 5.0 of the submitted and approved Bat Survey Report (by Ethos Environmental Planning), dated July 2018. Should evidence of bats be found works will cease and the measures set out in the approved Bat Survey Report implemented in full.
Reason: In the interests of any bats as a protected species and in accordance with Paragraph 170 (d) of the NPPF.
- 16 The development hereby permitted shall be carried out in accordance with the approved plans listed above.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 Due to the close proximity of the site to existing residential properties, the applicant's attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicle parking at the site or making deliveries, and general disruption caused by the works. By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk



Application site



Proposed First Floor Plan

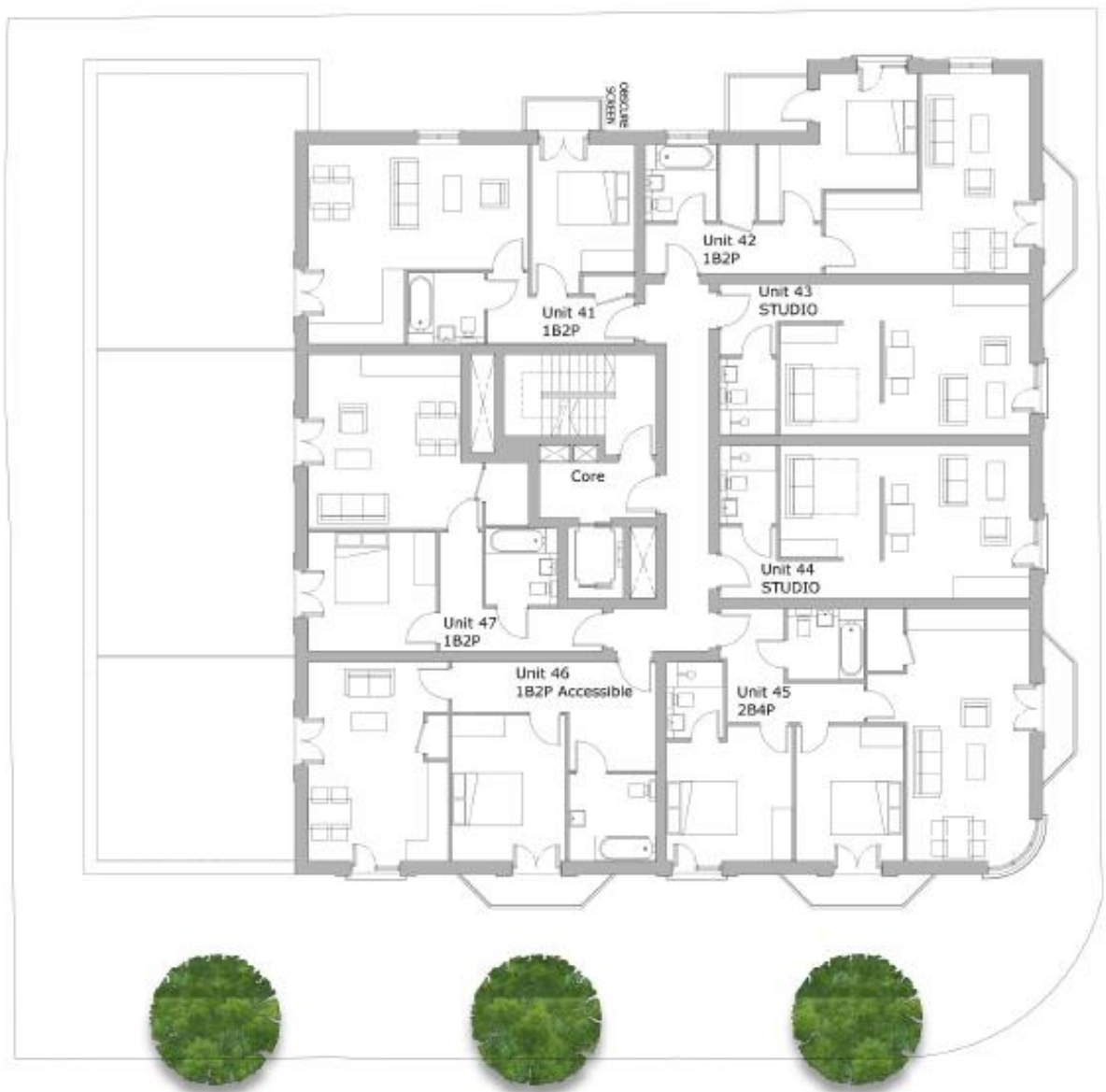


Appendix D

Proposed First Floor Plan

(repeated layout on 2nd, 3rd and 4th floors)









Proposed North Elevation



Proposed East Elevation

Proposed South Elevation



Proposed South Elevation



Proposed West Elevation

Proposed Park Street Elevation in Context



Proposed Park Street Elevation in Context

Proposed York Street Elevation in Context



Agenda Item 5

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 August 2019

Item: 2

Application No.: 18/03523/FULL

Location: Magnolia Cabin Fishery Road Maidenhead SL6 1UP

Proposal: Replacement Outbuilding (Retrospective).

Applicant: Mr Lock

Agent: Not Applicable

Parish/Ward: Maidenhead Unparished/Oldfield 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 wooden shed is considered not to be harmful to the character of the area, and preserves the character and appearance of the Maidenhead Riverside Conservation Area. Its mass and scale is considered to be appropriate for the area, and there are other examples of outbuildings near the frontages of houses along the road, including a larger one next door. The outbuilding does not harm the street scene as it is behind a high hedge, and in any case its design is unobtrusive and would be acceptable even if it were not screened. There is no adverse impact on neighbouring amenities. It is a floodable wooden shed so its ground cover area is not considered to impact the risk of flooding elsewhere, and complies with Policy F1 of the Local Plan concerning flood risk. The proposal is considered to comply with relevant development plan policies.

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

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Hill irrespective of the recommendation of the Head of Planning: 'Residents have asked me to call this application in for the following reasons: No planning permission submitted. It's unsightly and neighbours want it removed. Mass and scale is inappropriate. It's in the floodplain. It's in a Conservation Area.'

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Magnolia Cabin was constructed in the late 1970's and is positioned to the east of Fishery Road within Maidenhead Riverside Conservation Area. The building is within an area of land that once belonged to Bray Lodge to its north. Bray Lodge is a non-designated heritage asset and was built in the late C19.
- 3.2 Riverside Conservation Area is split into Character Areas and Magnolia Cabin lies within the Character Area entitled "Late C19 early C20 Riverside Development". This Character Area is typified by its red clay tile roofs and buildings which are rendered and decorated in the mock Tudor style: Magnolia Cabin positively contributes to this Character Area as it contains both of these design features. There are a number of other examples of frontage outbuildings along the same stretch of road, including a larger one next door.
- 3.3 The site backs onto the Green Belt, but the house and its garden are not in the Green Belt. The site lies in the Maidenhead Riverside Conservation Area, and is in Flood Zone 3 at high risk of flooding.

4. KEY CONSTRAINTS

4.1 The key constraints relating to the application site are:

- Flooding, and
- Maidenhead Riverside Conservation Area

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 The proposed building, which has already been constructed, is a black wooden flat roofed structure which replaced a smaller shed in the same position. It measures 7m by 4.3m, and has a slightly sloping roof which is at its highest point 3.4m in height. It is positioned 2.5m back from the front boundary, and is separated from the road by a dwarf wall, a low metal fence and a high dense hedge which largely hides it from public view. The outbuilding contains a golf simulator.

Ref.	Description	Decision and Date
94/00758 /FULL	Renewal of permission 420652 (for use as a separate dwelling)	Approved 6.4.1994
97/31959 /FULL	Two storey side and front extensions	Approved 10.9.1998
00/34968 /FULL	Erection of a conservatory at the rear	Appeal against non-determination allowed 30.10.2000
09/00533 /FULL	Single storey rear extension	Approved 11.5.2009
18/03499 /FULL	First floor rear extension, raise existing roof to form new second floor, 4 No. side rooflights	Approved 8.2.2019

6. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Adopted Royal Borough Local Plan (2003)

6.1 The main strategic Development Plan policies applying to the site are:

	Within settlement area	High risk of flooding	Conservation Area	Setting of the Thames
Local Plan	DG1	F1	CA2	N2

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

6.2 National Planning Policy Framework Sections (NPPF) (2019)

- Section 4 - Decision-making
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 16 – Conserving and enhancing the historic environment

6.3 Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Acceptable impact on River Thames corridor	SP4
Manages flood risk and waterways	NR1

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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

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

- Interpretation of Policy F1 – Areas liable to flooding

More information on this document can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

6.5 Other Strategies or publications relevant to the proposal are:

- Maidenhead Riverside Conservation Area appraisal – view at https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

3 occupiers were notified directly of the application.

The application was advertised in the Maidenhead Advertiser on 28.2.2019.

The planning officer posted a notice advertising the application at the site on 22.2.2019.

One letter was received commenting on the application, summarised as:

Comment	Where in the report this is considered
1. My first reaction was I was not happy with the size and appearance especially from our bedroom window. I have since told the owner that I	N/A

	would not lodge an objection.	
--	-------------------------------	--

One letter from **The Fisheries Residents Association** was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Object as it represents an inappropriate development in the Riverside Conservation Area.	8.2-8.4
2.	It is built forward of the existing building line and presents a visual impairment to the property "Bray Lodge" from their main living room	8.4-8.5
3.	It represents an additional obstruction to flood waters in this flood zone 3 area.	8.6
4.	In volume terms, the property has already exceeded the 75 cu metre expansion allowed	Comment noted but not relevant
5.	Although this is a separate building, it should not be allowed under permitted development rights for the reasons outlined above, and below.	It is not an application for a certificate of lawfulness for permitted development
6.	It conflicts with N2 (Setting of the Thames). It conflicts with flood plain policy F1 parts 1), 2) & 3). It conflicts with Development in conservation area guidelines.	8.2-8.7
7.	In the case of non-residential development within a conservation area, you would need permission for: Extensions in materials that would not have a similar appearance to that of the original building. Extensions or additional buildings above a certain size, or within 2 metres of the boundary. The materials used are totally different from the existing and surrounding properties; the building is with 2 metres of the boundary, and is excessive in size.	It is not an application for a certificate of lawfulness for permitted development

Consultees

Consultee	Comment	Where in the report this is considered
Conservation Officer	No objection	8.2-8.4

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i the impact of the proposal on the character of the area, the street scene and the Conservation Area;
- ii impact on neighbouring amenities;
- iii impact on flooding
- iv impact on setting of the Thames

Character, appearance and Conservation Area

- 8.2 Maidenhead Riverside Conservation Area is of significance because it has both architectural and historic interest. The built environment has a strong relationship to the Thames which nods to historical transport links, and its architectural examples of both Jacobean and Gothic Revival Architecture. Additionally, the area is significant due to its open green spaces and plentiful bushes and trees.
- 8.3 The proposal is not considered to cause harm to the character of the Conservation Area. The size and scale of the proposed outbuilding is sensitively proportionate and subordinate to the existing dwelling and to the neighbouring non-designated heritage asset. Although a modern design, the structure is of timber construction and the finish is dark which allows it to be less conspicuous in its surroundings and matches the colour of the Tudor style detailing on the existing house. Furthermore, Magnolia Cabin itself is a modern dwelling and therefore a development such as this within its boundaries would not have an impact on the overall character and appearance of the Conservation Area. The use of the building is intended to be entirely ancillary and incidental to the dwellinghouse on the site and this can be conditioned should permission be forthcoming (condition 2).
- 8.4 In addition to the above, the premise of an outbuilding that sits farther forward than the building line is not uncommon in this area, the neighbouring Bray Lodge is an example of this. In addition to the above it is worth noting that the proposal is situated behind a significant hedge and rail boundary which successfully screens it from the road. Even if not screened, the design of the outbuilding is considered acceptable in its context. The proposal will not cause harm to the Conservation Area or nearby Non-Designated Heritage Asset. The proposal does not harm the street scene or the character of the area.

Neighbouring amenity

- 8.5 The proposal would not impact neighbouring amenity in terms of overlooking, outlook, loss of light or sunlight, or any other impacts. Although it is partially visible from the side windows of the neighbouring property, Bray Lodge, it is beyond their own garage, and is not harmful in terms of outlook.

Flooding

- 8.6 The outbuilding is a wooden shed, and it is noted that in the Supplementary Planning Guidance 'Interpretation of Policy F1 (Development within areas liable to flood)', Appendix 6, it is stated that wooden sheds do not count as ground covered area as they are floodable. In this case, not only is it wooden, but also it has openings along the sides and underneath the walls to allow flood waters to pass through. A satisfactory Flood Risk Assessment has been submitted. In view of this, it is considered that the development does not increase the risk of flooding elsewhere, and complies with Policy F1 of the Local Plan concerning development in areas at high risk of flooding.

Setting of the Thames

- 8.7 The proposal is considered to have a neutral impact on the setting of the Thames, in that it does not harm the character of the area, and furthermore, it is not visible from the Thames.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B –Plan and elevations
- Appendix C – Axonometric drawings showing openings

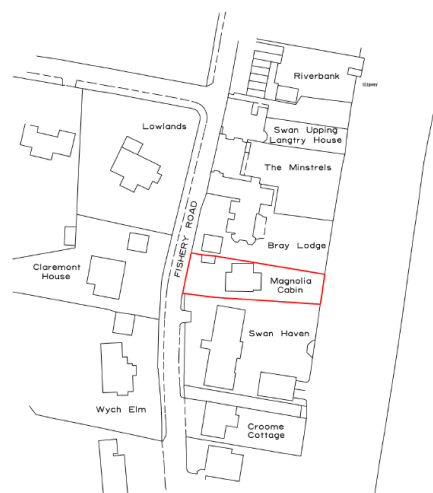
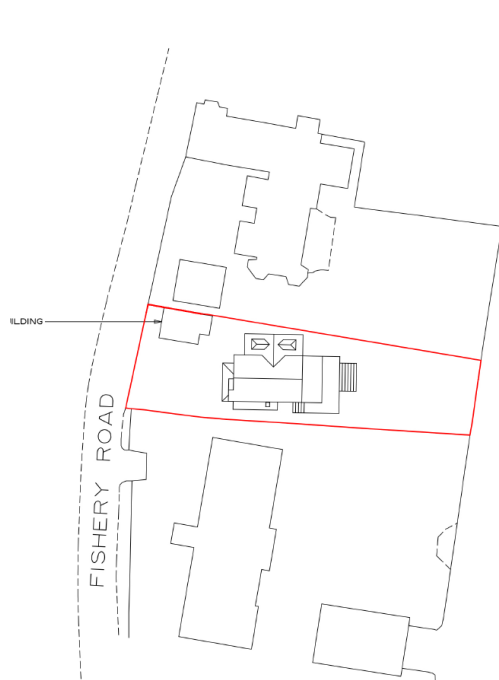
Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

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 successfully resolved.

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed above.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.
- 2 The building hereby permitted shall be used solely for purposes entirely incidental to the occupation and use of the dwellinghouse, Magnolia Cabin
Reason: To protect the residential amenities of the locality.



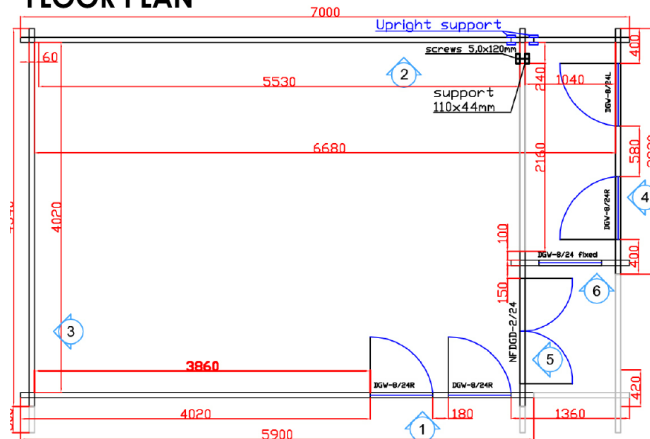
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LOCATION PLAN

SCALE 1:1250

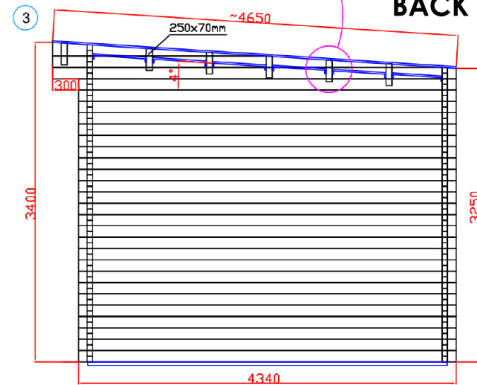
Appendix A

FLOOR PLAN

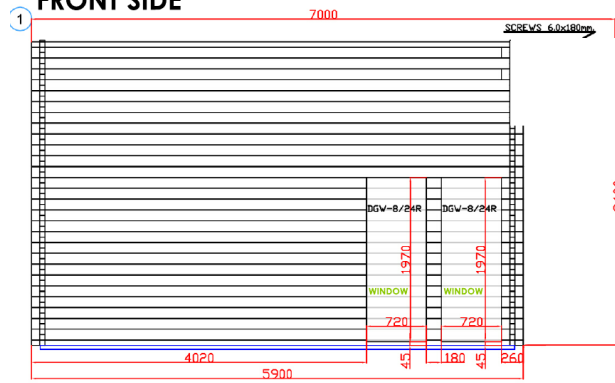


Roof board 19mm
Beam 250x70mm
Edging 40x16mm

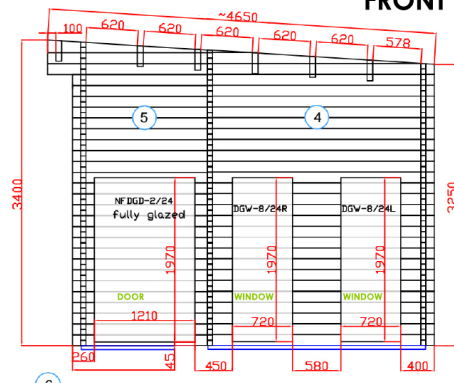
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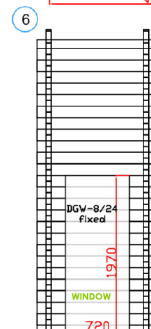
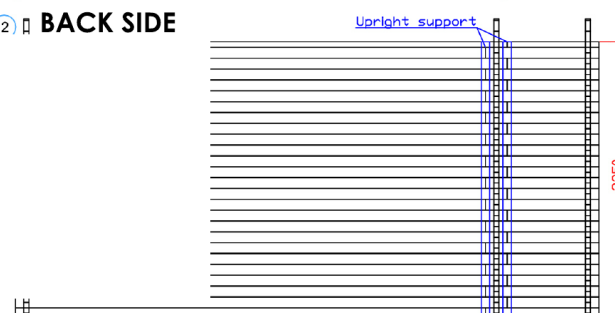
FRONT SIDE



FRONT

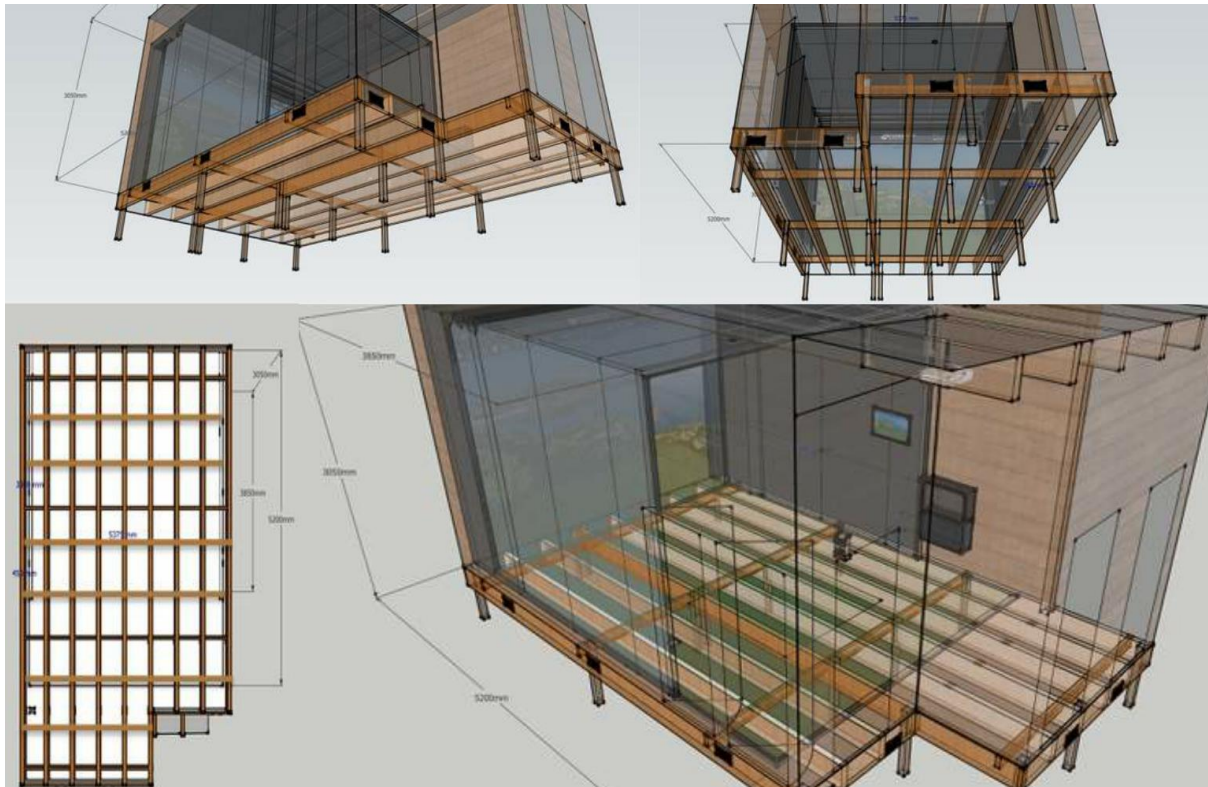


BACK SIDE



SIDE WINDOW (INSERT)

Appendix B



Appendix C

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Agenda Item 6

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 August 2019

Item: 3

Application No.:	18/03692/FULL
Location:	Boulters Lock Car Park And Land Rear of 9 To 6 Horsham Reach Lower Cookham Road Maidenhead
Proposal:	New hardstanding and landscaping to provide 39 additional car parking spaces and 16 new cycle parking spaces. [Amendments: amended site layout, revisions to ecology report, sequential test]
Applicant:	Royal Borough of Windsor And Maidenhead
Agent:	Miss Lidija Honegger
Parish/Ward:	Maidenhead Unparished/Maidenhead Riverside Ward

If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk

1. SUMMARY

- 1.1 This application seeks consent to extend the existing public car park to create 39 additional standard car parking spaces, two further disabled parking bays and 16 cycle spaces.
- 1.1 A previous application on this site for a new community centre for use by the Hindu Society, 17/01107/FULL was dismissed on appeal by a Planning Inspector as the scheme failed to demonstrate that the proposal would not cause harm to reptiles and Great Crested Newts. Further ecological surveys into the presence of Great Crested Newts have been undertaken which has concluded that it is highly unlikely that they inhabit the site. No objection is therefore raised in this regard.
- 1.2 The site is located within Flood Zone 3a and a sequential test has been carried out for the site which has established that there are no sequentially preferable sites for the car park. The site is not shown to be at risk of flooding from groundwater, surface water or reservoirs. The scheme proposes a permeable paving system within the car park extension which increases flood storage within the site and operators propose to close the car park when a flood warning from the Environment Agency is received.
- 1.3 Whilst a number of trees around the site are to be lost, it is not considered that this will have a significantly detrimental impact on the overall character and appearance of the area. Conditions are recommended to secure a suitable planting scheme.
- 1.4 The existing controls on access to this part of the car park are to be continued for the proposed additional spaces. Given that the spaces will only be accessible Monday-Thursday 0800 – 1800 and Friday-Sunday 0800-2000, the scheme is not considered to have a detrimental impact on the amenities of the surrounding occupiers.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 13 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is a vacant parcel of land located to the west of Lower Cookham Road, Maidenhead/ It is a largely overgrown, undeveloped site with a number of boundary trees.
- 3.2 The site is accessed via the Boulters Lock public car park to the south and is surrounded by residential properties on the three remaining boundaries. Located to the west are individually designed detached properties fronting Boulters Lane, with 'Elmwood' sharing its rear (east) boundary with the site. The rear gardens of the properties located on Lock Avenue are to the north and a row of four terraced properties are to the east within Horsham Reach.
- 3.3 The application site is within the built up area of Maidenhead, approximately 80m outside of the Maidenhead Riverside Conservation Area. The site is also located within an area where there is a high probability of flooding, Flood Zone 3a.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This application seeks to extend the existing public car park to create 39 additional standard car parking spaces, and an additional 2 blue badge holder car parking spaces near to the entrance. In addition, 16 new cycle parking spaces are proposed as part of the application.
- 4.2 The car park will be finished in a permeable asphalt surface to match the appearance of the existing. The existing walls and fencing surrounding the site are to be retained, with new landscaping in the form of trees and shrubs planted.
- 4.3 There is one relevant planning application for this site:

Reference	Description	Decision
17/01107	Construction of a new community centre for use by the Hindu Society of Maidenhead and the wider community, to include associated parking, bin storage and cycle store	Refused and dismissed on appeal (17/9/18)

- 4.4 The reasons for refusal with the above application were as follows:

- 1) The proposed development would not be provided with sufficient parking given the size and layout of the building and given the high demand of parking within the area, particularly within the spring and summer months and weekends. As such the proposal would increase the need for additional street parking which would be detrimental to the free flow of traffic and the provisions of saved policy P4 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003) and paragraph 32 of the NPPF.*
- 2) It has not been demonstrated that the proposal would not cause harm to reptiles and Great Crested Newts. As such the proposal is contrary to paragraph 118 of the NPPF and the provisions of saved policy N9 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003).*

- 4.5 This decision was appealed and the Inspector made the following conclusions:

- The proposed development would cause significant harm to the Great Crested Newts (GCN) and their habitat, which is not outweighed by the need for the development or its benefits;
- The sequential test submitted is inadequate and out of date. The Inspector was unable to say with certainty that there were no reasonably available sites at lower risk of flooding. The sequential test has therefore not been met;
- No objection was raised in terms of the impact of the development on highway safety;

- The separation distances and boundary treatments proposed, subject to conditions, would ensure that the proposal would not harm the living conditions of the occupants of surrounding properties.

Further detail of the Inspectors conclusions will be provided within the relevant sections of this report.

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

5.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1,
Highways	P4 AND T5
Trees	N6
Flooding	F1

These policies can be found at https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

6. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 14- Meeting the challenge of climate change, flooding and coastal change

Section 15- Conserving and enhancing the natural environment.

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP1, SP2, SP3
Sustainable Transport	IF2
Managing Flood Risk and Waterways	NR1
Trees, woodlands and hedgerows	NR2

6.1 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

- 6.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Interpretation of Policy F1

Other Local Strategies or Publications

- 6.3 Other Strategies or publications relevant to the proposal are:
- RBWM Townscape Assessment
 - RBWM Parking Strategy

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

22 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 8th January 2019

11 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Support additional parking given the demand in the area for such. These should include mother and baby spaces and careful consideration of how security/car park will be managed;	8.31-8.32
2.	Welcome additional planting. Species should be carefully considered and habitats/ecology of the site maintained	8.3-8.7

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

Comment		Where in the report this is considered
1.	Application has not addressed the previous concerns in respect of ecology/sequential test for flooding	8.3-8.7 & 8.16-8.18
2.	Concern over proposed lighting design and spill into adjacent properties	8.33
3.	Concern with anti-social behaviour/misuse of car park	8.31-8.32
4.	Unacceptable visual and environmental impact on conservation area	8.29-8.30
5.	Loss of trees along the southern boundary is unacceptable	8.27-8.28

Consultees

Consultee	Comment	Where in the report this is considered
Archaeology	Site falls within an area of archaeological significance. Condition recommended to secure a programme of archaeological works.	8.37

Environment Agency	LPA to determine if there are reasonably available appropriate sites with a lower probability of flooding. EA have no objection provided a condition is included to ensure that any development is carried out in accordance with the submitted Flood Risk Assessment	8.16-8.18
Highways	No objection to the scheme.	8.34-8.36
Trees	Although there are a number of trees within the site of poor quality, they have collective merit as they are visually prominent. The amended plans have retained the Robinia but there is still insufficient mitigation/enhancement.	8.24-8.28
Ecology	No objections on ecological grounds, subject to planning conditions to secure biodiversity enhancements.	8.3-8.13

Others

Group	Comment	Where in the report this is considered
RBWM Advisory Forum	Shortfall of 3 disabled parking spaces in total for the existing and proposed car park. The advisory number of spaces outlined in the Traffic Advisory Leaflet 5/95 is 7 (6% of total number).	4 disabled parking spaces are being provided on site.

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i Principle of development;
- ii Ecology;
- iii Flooding;
- iv Impact on the character and appearance of the area including trees;
- vi Impact on the living conditions of the surrounding occupiers;
- vii Highways and parking;
- viii Archaeology.

i. Principle of development

8.2 The application site is located within the built up area of Maidenhead. The existing site is vacant and there is no objection in principle to the extension of the existing car park in this location, subject to compliance with other development plan policies.

ii. Ecology

Great Crested Newts

8.3 One of the main reasons why application 17/01107/FULL was dismissed on appeal related to the significant harm that the proposed development would have to a protected species (Great Crested Newts (GCN)) and its habitat.

8.4 Circular 06/2005: Biodiversity and Geological Conservation states that it is essential that the presence or otherwise of protected species and the extent to which they may be affected by development is established before planning permission is granted. Paragraph 175 of the NPPF

further states that where significant harm to biodiversity cannot be avoided, adequately mitigated, or compensated, then planning permission should be refused.

- 8.5 Within the decision notice dismissing the appeal against the refusal of application 17/01107/FULL, the Inspector considered that there were several shortcomings in the surveys carried out. Four ponds were identified within the gardens of neighbouring houses which the appellant failed to survey for Great Crested Newts. Furthermore the land survey carried out did not use pitfall traps, but used artificial refugia and carpet tiles laid on the site which were lifted on 7 days. Natural England's standing advice recommends that if there is a pond within 500m of a development, that a Great Crested Newts survey should be undertaken between March and June. Between March and October, presence surveys on land should use pitfall trapping, on at least 60 nights.
- 8.6 Further surveys were undertaken to assess the presence/likely absence of Great Crested Newts. Of the four identified ponds, access was not possible to Pond 1 to the north of the site, which the neighbours reported to be a raised swimming pool that had been emptied recently, apart from collection of recent rainwater. Ponds 2 (approx. 460m to the north east of the site accessed by Lock Avenue) and 3 (240m north west of the site, towards Poplars Grove) were inspected and were dry. Pond 4 was the only one surveyed and is a large pond, approx. 1 hectare in size, located 100m to the west of the site.
- 8.7 The survey returned no recent (post 2004) records for Great Crested Newts within 2km of the site. This information has been reviewed by the Council's Ecology Officer taking full account of the conclusions of the appeal Inspector concerning GCN. The Council's Ecologist raises no objection to the surveys and considers that it is highly unlikely that GCN inhabit the site.

Bats

- 8.8 The trees on site were reported as having "low" potential to host roosting bats. Where trees are assessed as having "low" bat roosting potential, the Bat Conservation Trust's Bat Survey Guidelines state that no further surveys are required. Trees with "low" roosting potential are usually felled under ecological supervision.
- 8.9 As such, subject to a condition to secure the submission and approval of a construction environmental management plan (CEMP) (condition 3), bats are not considered to be a constraint to the development.

Other wildlife

- 8.10 No reptiles were found on site during reptile surveys undertaken in 2017 (7 surveys were undertaken during suitable conditions in line with best practice guidance and the results are still considered to be valid). There is a small risk that amphibians such as frogs and toads may be found on the application site, however, as long as the CEMP is implemented, amphibians should not be a constraint to the proposals. In addition, no signs of badgers were observed during the survey.
- 8.11 The site may be used by nesting birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended. Any vegetation removal should be undertaken outside of the bird nesting season or, if that is not practical, areas to be cleared should be checked immediately prior to clearance by a suitably qualified ecologist.

Biodiversity enhancements

- 8.12 In line with paragraph 175 of the NPPF and considering the site's connection to habitat of good ecological value, the development should incorporate opportunities for wildlife. It is recommended that a biodiversity enhancement scheme is designed. As per the ecology report, such a scheme should include bat and bird boxes and wildlife-friendly landscaping. The provision and implementation of an appropriate biodiversity enhancement scheme should be secured via a planning condition, once the above issues have been resolved (condition 2).

- 8.13 Overall, subject to the conditions to secure a CEMP and biodiversity enhancements, the proposal complies with paragraph 175 of the NPPF, as a material consideration and policy N9 of the RBWM Local Plan, which should be given greatest weight.

iii. Flooding

- 8.14 The application site lies within Flood Zone 3a. Local Plan policy F1 advises that development will not be permitted within such areas unless it can be demonstrated that it would not in itself or cumulatively in conjunction with other development impede the flow of flood water; reduce the capacity of the flood plain to store flood water; or increase the number of people or properties at risk from flooding. Policy F1 broadly reflects the more recent advice contained in paragraph 155 of the NPPF which seeks to step development away from areas at highest risk and where development is necessary in such areas that the development is safe for its lifetime without increasing flood risk elsewhere. BLPSV policy NR1 states that within designated flood zones development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. However, given the extent of unresolved objections BLPSV policy NR1 is given limited weight.
- 8.15 Paragraph 053 of the NPPG states that layout should be designed so that the most vulnerable uses are restricted to higher ground at lower risk of flooding, with development which has a lower vulnerability (parking, open space etc) in the highest risk areas, unless there are overriding reasons to prefer a different location. The use proposed by the scheme is classed as “less vulnerable” which are considered by the NPPG to be appropriate in Flood Zone 3. Table 3 of the NPPG defines appropriate land uses for each flood zone and helps guide development to areas of lower flood risk. The proposed car park is considered appropriate as the site is located in Flood Zone 3a and is less vulnerable.

Sequential Test

- 8.16 The aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding. In order to pass the Sequential Test, it is necessary for the application to demonstrate that there are no alternative reasonably available sites at a lower risk of flooding (i.e. outside of the flood zone) that could accommodate this scheme.
- 8.17 The car park extension is to serve specific existing and future local residents and visitors to the riverside. In this instance, Officers therefore agree that there are specific site circumstances to allow the scope of the search area to be reduced to consider suitable sites within a walking distance of the existing car park. A 1km radius from the application site was applied as a catchment area for the proposed car park. This is considered appropriate in this instance as it is within walking distance from the existing car park and Ray Mill Island.
- 8.18 There is only one site within the established geographical scope which is at Riverside Gardens Car Park, Ray Mead Road. This site is within Flood Zone 3 also and significantly smaller than the proposed development. It has therefore been discounted. Vicus Way car park on Stafferton Way was suggested to the applicant and considered by them as part of the assessment. However as the site is a significant distance from the catchment area, it is not sustainable or suitable for the development
- 8.19 Overall, it is considered that the sequential test has been passed.

Exception Test

- 8.20 The car park is classified as a less vulnerable use in Flood Zone 3a, and therefore, in accordance with the PPG, the development is not required to satisfy the Exception Test.
- 8.21 When determining applications, local planning authorities should ensure that flood risk is not increased elsewhere. A Flood Risk Assessment (FRA) has been received for this application which outlines the measures proposed to ensure the development is flood resistant and resilient and incorporates sustainable drainage systems.

- 8.22 The site is not shown to be at risk of flooding from groundwater, surface water or reservoirs. The scheme proposes a permeable surface within the car park extension which increases flood storage within the site and operators propose to close the car park when a flood warning from the Environment Agency is received.
- 8.23 The scheme is thereby considered acceptable in flood risk terms and to comply with the relevant sections of the NPPF and policy F1 of the RBWM Local Plan.

iv. Impact on character and appearance of the area, including impact on trees

- 8.24 Policy DG1 seeks to ensure that development will be of a high standard of design and landscaping, compatible with the area and street scene.
- 8.25 Section 12 of the NPPF, which is a material consideration of significant weight to this application, deals with achieving well designed places and delivery of development that will function and contribute to the overall quality of the area in the long term.
- 8.26 Policies SP1 and SP2 of the BLPSV, which are a material consideration in the assessment of this application, state that new development should positively contribute to the places in which they are located and that larger developments should provide a harmonious, integrated mix of uses, where appropriate, that foster a sense of community, vibrancy and activity, along with contributing to the provision of social, natural, transport and utility infrastructure to support communities.

Impact on trees

- 8.27 There are a number of trees on this site, most of which are poor quality. The proposal involves the removal of 5 individual trees including an Oak and Sycamore, and groups of Lawson Cypress located along the southern and western boundaries of the site. Two Robinia trees (T2 and T3) in the north-west corner of the site are proposed to be retained as part of the development. The plans have been amended during the course of the application to delete one of the spaces proposed adjacent to the Robinia (T2), which will help to ensure that this is not damaged or lost as a result of the proposed works. These are considered to provide an attractive focal point in the north-west corner.
- 8.28 At present, the existing car park has narrow strips of soft ground around the car park perimeter. Such an approach has been extended around the perimeter of the proposed site, with some additional planting proposed. There are concerns raised from the Councils Arboricultural Officer over the expanse of hardstanding and lack of shade/vertical breaks that more trees would provide. In this instance, the amount of hardstanding and soft landscaping proposed, presents a similar scenario to the existing car park and it is not considered that a refusal of this application on the basis of any lack of mitigation for tree loss or subsequent enhancement could be substantiated. Trees/shrubs exist within the neighbouring properties, which helps to preserve the verdant character of the wider area.

Impact on character and appearance of the surrounding area

- 8.29 The site is designated as 'Leafy Residential Suburbs' within the Councils Townscape Assessment. Such areas are characterised by their low to medium density with characteristic 'leafy' streets. The character of the car park is significantly different to this, and consists of a large area of hardstanding with small strips of soft landscaping around the perimeter of the site.
- 8.30 The site is an extension to an existing car park and is therefore viewed within the context of this. Concerns have been raised that the site would be dominated by hardstanding, however, it is considered that the layout and design of the car park is appropriate for the nature of the proposed use.

v. Impact on the living conditions of surrounding occupiers

- 8.31 There are a number of residential properties surrounding the application site. The new car parking spaces would abut the rear boundaries of the dwellings in Boulters Lane, Lock Avenue and Horsham Reach. At present, access to this western end of the car park is controlled manually by a barrier which restricts access to the car park Monday-Thursday 0800 – 1800 and Friday-Sunday 0800-2000.
- 8.32 The plans have been amended to detail that this barrier will remain at the site, and restricted for the same hours. Given the hours of use of these spaces, length of the gardens and boundary treatment, the scheme is not considered to impact the amenity of the surrounding residents to an unacceptable degree.
- 8.33 It is noted that a number of lights are proposed. It is anticipated that these will be low level/bollard style lighting, however further details of the lighting proposed is recommended to be included as a condition on any planning permission, to ensure that this is appropriate (condition 5).

vi. Highways and parking considerations

- 8.34 The existing car park currently provides 89 parking bays including 2 blue badge holder spaces and derives an access off the A4094 Lower Cookham Road.
- 8.35 The plans submitted detail that the requisite manoeuvring spaces and dimension of the parking bays comply with the current standards identified within the Boroughs Design Guide and in the Parking Strategy (2004). The plans indicate an intention to provide an additional 2 disabled car parking spaces which would be located towards the entrance of the existing car park. No objection is raised to the additional spaces proposed, which are considered to address the additional demand for visitor parking in the area.
- 8.36 Cycle parking is indicated to be provided near to the entrance of the existing car park, for 16 cycles. The Highways Officer considers this acceptable and no objection is raised to its siting (condition 6).

vii. Archaeology

- 8.37 The site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance. A condition is recommended to secure a programme of archaeological work, to mitigate the impacts of development (condition 8).

9. CONCLUSION

- 9.1 The change of use of this area to form 39 additional spaces for the car park is considered acceptable and to not have an unacceptable ecological impact, nor is it considered to harm the character and appearance of the area or amenities of surrounding neighbouring occupiers to an unacceptable degree. The proposal is considered to comply with the relevant national and local planning policies.

10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site Layout

11 CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to the occupation of the development, details of biodiversity enhancements, to include bird and bat boxes, and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed and maintained as approved.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 170 and 175 of the NPPF.

- 3 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following. a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF

- 4 The development shall not be occupied until the hard and soft landscaping scheme has been implemented within the first planting season following the substantial completion of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The development shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

- 5 No part of the development shall be occupied until an external lighting scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented and operated in accordance with the approved scheme and maintained as operational thereafter.

The scheme shall include the following: .

- i. The proposed vertical illumination that will be caused by lighting when measured at windows of any properties in the vicinity
- ii. The proposals to minimise or eliminate glare from the use of the lighting installation.
- iii. The proposed hours of operation of the lighting, and any mechanism to control timing.

Reason: To ensure the development contributes to the visual amenities of the area and in the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Paragraph 127 of the National Planning Policy Framework (2019)

- 6 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 7 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

- 8 No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a Written Scheme of Investigation (WSI), which has been submitted to and approved by the Local Planning Authority.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric remains. The potential impacts of the development can be mitigated through a programme of archaeological work in accordance with national and local planning policy.

Relevant Policies - Local Plan ARCH2, ARCH3, ARCH4 and the National Planning Policy Framework.

- 9 The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment prepared by Soledad Berbel Roman reference 1000005154 dated December 2018 and there shall be no raising of existing ground levels on the site.

Reason: To prevent flooding elsewhere by ensuring that the flow of flood water is not impeded and the proposed development does not cause a loss of flood plain storage. Policy - Paragraph 163 of the National Planning Policy Framework (2019) and F1 of the RBWM Local Plan.

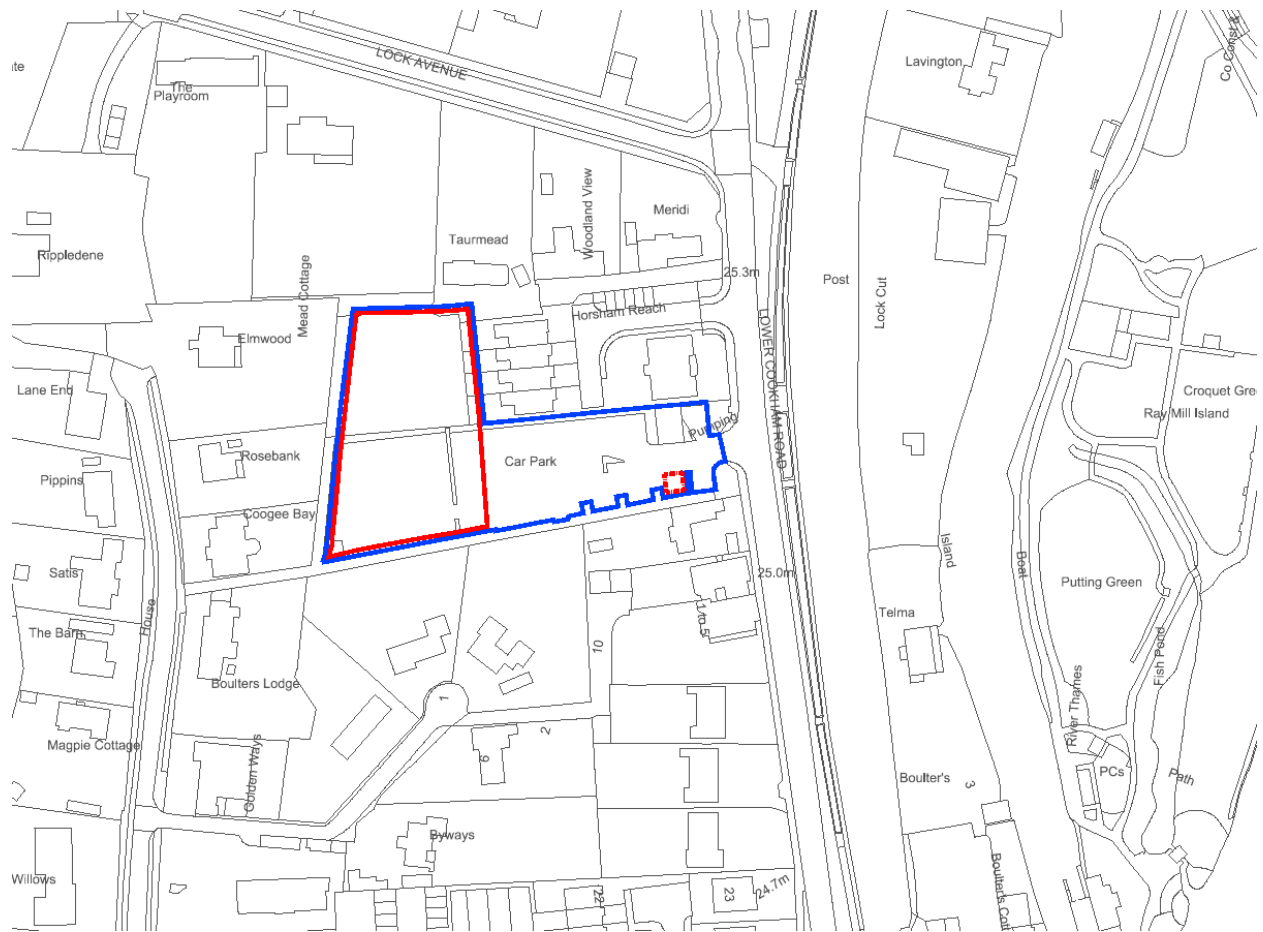
- 10 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

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

Informatives

- 1 Due to the close proximity of the site to existing residential properties, the applicant's attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicle parking at the site or making deliveries, and general disruption caused by the works. By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk

Appendix A – Site Location Plan



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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

Agenda Item 7

MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 August 2019

Item: 4

Application No.:	19/00051/FULL
Location:	Tudor House And Half Acre Waltham Road White Waltham Maidenhead
Proposal:	Demolition of the existing buildings and the construction of 12 residential units comprising a mix of 6 flats (4 x 2-bed and 2 x bed sits) in one building and 6 x4-bed houses. [amendment to description to reduce No. of units and alterations to design and scale of buildings]
Applicant:	Mr And Mrs And Mr F. Mason
Agent:	Mr Paul Butt
Parish/Ward:	White Waltham Parish/Hurley And Walthams Ward

If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk

1. SUMMARY

- 1.1 Permission is sought for the redevelopment of this site with a residential scheme comprising of 12 units in total, 6 flats (4x2 bed and 2x1 bedsit) and 6 x 4 bed dwellinghouses. Whilst the principle of a form of redevelopment of this site, located within a settlement outside of the Green Belt, is considered to be acceptable, any proposed development must reflect the prevailing character of development in the locality and be policy compliant in all other respects.
- 1.2 Overall it is considered that the proposed development, by reason of its siting, scale and design would introduce a form of development that would be contrary to the prevailing pattern, design and form of development in this part of Waltham Road and would result in an incongruous, cramped, overdevelopment of the site.
- 1.3 The proposal, by reason of its density, insensitive siting and layout of development proposed; the loss of the remaining trees within the site and limited scope to introduce a quality and sustainable landscaping scheme, would result in a development that would not protect the character and distinctiveness of the area.
- 1.4 The buildings have been used by roosting bats in the past, and further surveys would need to be undertaken to confirm the status of the roosts and how they would be affected by the proposals. In this case, since 1) the extent to which protected species will be affected has not been established, and 2) there appear to be no "exceptional circumstances", the application would not be in accordance with relevant planning policy.
- 1.5 The Non Statutory Technical Standards for Sustainable Drainage Systems (2015) requires applications to demonstrate compliance with its requirements. A drainage statement which includes calculations and drawings is required to be submitted for consideration with the application. This information has not been received and in the absence of such, the scheme fails to consider or investigate the surface water flood risk of the site, and whether it will exacerbate the risk of surface water flooding on or off the site.

It is recommended the Panel REFUSES planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):

- | | |
|----|---|
| 1. | The proposed development would result in an incongruous, cramped over-development of the site that would harm the prevailing character and appearance of the area. |
|----|---|

2.	The proposal, by reason of the density, insensitive siting and layout of development proposed, the loss of the remaining trees within the site and limited scope to introduce a quality and sustainable landscaping scheme, would result in a development that would not protect the character and distinctiveness of the area.
3.	In the absence of surveys to establish the status of bat roosts, the Local Planning Authority has insufficient evidence to determine the likely impact of the proposals upon bats.
4.	In the absence of a drainage statement, calculations and drawings, the scheme fails to consider or investigate the surface water flood risk of the site, and whether it will exacerbate the risk of surface water flooding on or off the site. The scheme thereby fails to demonstrate and ensure that flooding will not occur on any part of the site or outside of the site

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises the land and buildings associated with Tudor House and Half Acre. Tudor House is a large detached two storey building located on the east side of Waltham Road, facing the airfield. It is understood that the building is currently used as a HMO although it has previously been used as a nursing home. Half Acre is a chalet style dwelling house with accommodation in the roof space. Both Tudor House and Half Acre are set some 25 metres from the public highway and have large front gardens. This is characteristic of the development along Waltham Road. Waltham Road is characterised by large detached houses of varying designs set in large plots with generous set-backs from the public highway.
- 3.2 Waltham Road is identified as a 'Leafy Residential Suburb' in the Townscape Assessment, and many of the dwellings on the eastern side are large, detached properties with considerable front and rear gardens. To the west of the application site is White Waltham Airfield, which is designated Green Belt Land. Residential properties adjoin the eastern rear boundaries of the site.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This application seeks consent for the demolition of the existing two detached buildings and erection of a residential development comprising 12 units in total, 6 flats (4x2 bed and 2x1 bedsit) and 6 x 4 bed dwellinghouses. The existing vehicular accesses out onto Waltham Road would be altered to provide access to separate parking courts for the flats and houses proposed at the front of the site. A new access road would continue on from the northern-most access to provide access to the dwellings at the rear, which would have driveway parking.
- 5.2 There have been a number of planning applications associated with Tudor House, which are summarised below:

Reference	Description	Decision
8980/70	Change of use to rest home for the elderly	A 30.12.1970
401098	Conversion of garage to s/c staff flat	A 02.01.1975
408129	Ground and first floor extension to provide lounge, bedrooms and additional fire escape	A 21.11.1978
410629	Second driveway access to be used as entrance or exit	A 10.03.1980
416970	Utility room extension	A 12.04.1985
421029	Extension to form 22 bedrooms and ancillary accommodation	R 10.11.1988 Appeal 18.09.1989 Allowed

420949	Change of Use of Half Acre to residential home and 2 storey extension to provide 14 additional bedrooms	A 12.07.1995
98/33504	Side and rear extensions	A 15.02.1999
01/36916	Two storey side extension to Nursing Home	WDN 21.06.2001
02/38176/	Erection of a single storey rear extension	WDN 29.01.2002
11/00379	Change of use of a nursing home to a house of multiple occupation (HMO)	WDN 10.02.2011
12/00925	Change of use of care home to a house of multiple occupation (HMO) (Retrospective)	A 12.11.2012

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

5.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H10, H11
Highways	P4 AND T5
Trees	N6 and N7

Adopted Hurley and the Waltham's Neighbourhood Plan (2015-2030)

Issue	Neighbourhood Plan Policy
Quality Design	Gen 2
Accessibility and Highway Safety	T1

These policies can be found at https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

6. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making
Section 9- Promoting Sustainable Transport
Section 12- Achieving well-designed places

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Spatial Strategy	SP1
Housing Mix & Type	HO2
Housing Density	HO5
Affordable Housing	HO3
Infrastructure	IF1
Community Facilities	IF7
Managing Flood Risk and Waterways	NR1
Trees, Woodlands & Hedgerows	NR2
Nature Conservation	NR3

6.1 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations

and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

- 6.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

- 6.3 Other Strategies or publications relevant to the proposal are:
- RBWM Townscape Assessment
 - RBWM Parking Strategy

More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

8 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site and the application was advertised in the Local Press on 24.01.2019

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

Comment		Where in the report this is considered
1.	Overdevelopment of the site	8.4 – 8.14
2.	Loss of privacy	8.15 – 8.18
3.	Loss of light	8.15 – 8.18
4.	Flatted developments are out of keeping in the area	8.2 – 8.3
5.	Inadequate parking proposed for number of dwellings	8.28 – 8.32
6.	Building line doesn't respect adjacent properties	8.4 – 8.14
7.	Concern over overspill traffic from visitors onto highway	8.25 – 8.27

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection. Conditions recommended	8.25 – 8.32

Consultees

Consultee	Comment	Where in the report this is considered
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Ecology	Further bat surveys are required to be undertaken to establish the status of roosts, and these need to be provided prior to determination of the application. In the absence of these surveys, the application should be recommended for refusal.	8.33 – 8.36
Trees	<p>The applicant has not submitted a tree survey. Several trees were felled and removed from the site and the loss of these will have had a detrimental impact on the visual amenity of the area. Given the size of the development proposed, there is little opportunity to introduce a quality and sustainable landscaping scheme. The planting indicated would dominate and cause extensive shading to gardens, meaning it would likely be removed.</p> <p>There is also insufficient space between plots 1-4 and 5-12 so there won't be an effective softening/buffering between these rows.</p> <p>Refusal is recommended as scheme fails to display high standards of landscaping and enhance existing landscaping.</p>	<p>The scheme has been amended to reduce the scale of the buildings and try and enhance the landscaping around the site. The drawings received on the 5th July have been sent to the Tree officer for review and their comments will be reported in the panel update.</p>
Lead Local Flood Authority	Drainage statement required to be submitted with calculations and drawings demonstrating that this development complies with the requirement of the Non-statutory Technical Standards for Sustainable Drainage Systems (DEFRA, 2015). Recommend refusal in the absence of this information.	8.37
White Waltham Parish Council	<ul style="list-style-type: none"> i. Overdevelopment of the site ii. No plans for a footway along the eastern side of the Waltham Road. This is essential to allow safe access to the village. Highway safety concerns as very busy road; iii. Contrary to policy T1 of the Hurley and Walthams Neighbourhood Plan. 	

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i Principle of development
- ii Impact on the character and appearance of the area
- iii Amenity of Neighbouring Occupiers;
- iv Quality of the residential accommodation proposed;
- v Trees and Landscaping;
- vi Highway safety and parking;
- vii Ecology;
- viii Drainage;
- ix Other material considerations.

OFFICER ASSESSMENT

- **Principle of Development**

- 8.2 The NPPF seeks to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of a high environmental value. The site consists of some previously developed land and private residential gardens, which are not considered previously developed land. However, whilst the NPPF states that the effective re-use of previously developed land should be encouraged, it does not explicitly reject the principle of redeveloping residential gardens and this can be appropriate in some circumstances.
- 8.3 The principle of redeveloping the site for a more intensive residential use is considered acceptable, provided the scheme reflects the prevailing character of development in the locality and is policy compliant in all other respects. The remainder of this report will elaborate in more detail on this, however, in brief, there are concerns with the overall scale, density, and layout of the scheme proposed within this application, the implications of this and the impact this has on the character and appearance of the surrounding area.

- **Impact on the Character and Appearance of the area**

- 8.4 The NPPF (2019), Councils adopted policies DG1, H10 and H11 of the RBWM Local Plan, and Gen 2 of the Hurley and Walthams Neighbourhood Plan (2015), seek to promote standards of design which endorse high quality, varied and stimulating townscape and environment. The design guidelines set out in the Policy advise that when assessing new development proposals, regard will be had to ensuring harm is not caused to the character of the surrounding area, through development which is cramped, or which results in the loss of important features that contribute to that character. Policy H10 further advises that “new residential development schemes will be required to display high standards of design” and Policy H11 adds that “in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of development which would be incompatible with or cause damage to the character and amenity of the area”. Policy SP3 of the Borough Local Plan Submission Version, reiterates these expectations.
- 8.5 The Councils Townscape Assessment (SPG) identifies the application site and surrounding area as an area type of “Leafy Residential Suburbs”. Amongst the SPG key characteristics identified for this area, are:
- low to medium density residential suburbs with characteristic ‘leafy’ streets;
 - built form defined by suburban style detached two storey houses, on medium to large plots;
 - variety of architectural styles and a broad consistency of built form, spacing between buildings and lack of on street parking;
 - well established private gardens, bounded by tall beech/laurel hedges which provide a strong sense of enclosure and privacy to the dwellings;
 - large scale ornamental trees such as cedar and conifers contribute to the leafy character;
 - views framed along leafy streets – street tree planting and/or trees and shrubs within front gardens allow only occasional glimpses to dwellings.

Siting and scale

- 8.6 It is evident from visiting the site that this description largely holds true. Waltham Road is characterised by detached dwellings, situated on moderate to large plots. Dwellings are mixed in their design, but for the most part, are no larger than two storeys in height and finished in brick/render. Each property is set back from the street allowing for a substantial front garden and off road parking. There is a wide visual separation between each property and most properties are set away from both of their side boundaries. Mature trees and hedging exist among most front/side and rear boundaries giving the area its verdant semi-rural character.
- 8.7 Whilst the development has been designed to try and maintain the established spacious character from the front, given the overall siting, scale and design of the development, the site would appear dominated by built form/parking to the detriment of its appearance within the street

scene. At present, views between these buildings are of soft landscaping rather than built form, which contributes to the established leafy character. Given the width of the access road, siting of the frontage development much further forward on the site than the existing, and siting and scale of the development to the rear, the site would appear significantly more built up with more units crammed into the plot compared to the surrounding area. Given the spacious and verdant character of the surrounding area, this would cause harm to the overall character of the area.

- 8.8 The proposed development would also increase the density of development on much smaller plots and result in significant expanses of hard surfaces such as driveways, access roads, and means of enclosure, in an area characterised, in the main, by properties with medium and large sized front and rear gardens. The subdivision of the site for a flatted development of 6 units and 6 dwellings would result in short, small gardens. Added to this the associated fencing between each garden, and any other garden paraphernalia, would result in a cramped, overdeveloped and contrived development.
- 8.9 In terms of plot size, whilst it is noted that smaller plots are evident to the north-east of the application site, these sit within a different defined townscape and are very different in character to the application site. The scheme needs to be viewed and assessed in the context of the immediate area and townscape and none of the plot sizes are comparable with the prevailing plot sizes within the vicinity of the site, which emphasises the cramped nature of the development.
- 8.10 The scheme would be tight and cramped within the plot, and as a result, there would be minimal opportunities for meaningful planting. With the position of fencing and flank walls of the houses and flats, it would be unlikely that any meaningful planting comparable to the standard found in the area could be provided. As a result, there would be insufficient space for landscaping that would be capable to soften the scheme or green the appearance to ensure it would fit into its verdant surroundings.

Design

- 8.11 The adjacent properties are varied in their detailed design and architectural detailing, incorporating render, brick and mock Tudor styles. The broad design approach of the development would reflect that of the surrounding area, through the detailing, form and materials proposed.
- 8.12 The houses in the area are predominantly two storey with simple pitched and hipped roofs. Notwithstanding the concerns with the quantum of development proposed, when considered on their own merits, the scale and design of the dwellings (plots 1-6), would be considered to respect the surrounding development.
- 8.13 There are concerns with the detailed design and form of the flatted development (plots 7-12). This development is three storeys, with multiple roof forms, ridge heights and lack of uniformity to the elevations. The detailed design approach and scale of this building, serves to highlight the incongruous nature of the development in the context and appearance of the surrounding development.
- 8.14 Overall, the proposed development by reason of its siting, scale and design would introduce a form of development that is contrary to the prevailing pattern, design and form of development in this part of Waltham Road. It would result in an incongruous, cramped, overdevelopment of the site, by reason of excessive site coverage with building and associated hard landscaping. The scheme would harm the prevailing character and appearance of the area and designated townscape to an unacceptable degree. The proposal is therefore contrary to saved Policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan, Adopted 1999 (including Adopted Alterations 2003), Policy SP2 of the Borough Local Plan Submission Version 2018 and paragraphs 127 and 130 of the National Planning Policy Framework.

• **Amenity of Neighbouring Occupiers**

- 8.15 There are residential properties located to the north, south and east of the application site. To the north, is Nilgiri, a modest two storey property. At present, although Tudor House is much larger in

scale, the front and rear building lines are similar and therefore the bulk and scale of building does not affect this property to an unacceptable degree. Plots 7-12 would be set further from the boundary with this property and moved further towards Waltham Road. To the rear, the introduction of Plot 1, would result in development near to the boundary. Having considered the siting of these plots, by reason of their orientation, siting and scale, they are not considered to appear unduly overbearing or visually intrusive to this occupier. With regards to loss of light, given the orientation of the site, and siting of the developments, the scheme is not considered to give rise to unacceptable loss of light or overshadowing to this neighbour. Windows are proposed in the side elevation of plots 7-12, however by virtue of the orientation of the buildings these look onto the driveway of Nilgiri, and the privacy of this occupant is not considered to be affected to an unacceptable degree.

8.16 Nos. 70-74 Foliejohn Way adjoin the site with their rear gardens. At their closest point, there will be approximately 20m between the rear walls of the proposed houses and rear elevations of the Foliejohn Way dwellings. This is considered a sufficient distance to ensure the proposal would not appear unduly overbearing or visually obtrusive. Furthermore, given the scale and siting of the dwellings both existing and proposed, the scheme is not considered to cause unacceptable overshadowing or loss of light. Concern has been raised in respect to loss of privacy, however, the orientation of the Foliejohn properties and location of main habitable room windows is such that there would not be direct overlooking to these occupants.

8.18 Fircroft to the south of the site, is a large single storey building running along the southern boundary. Given the siting and distances between the proposed dwellings and this property, the scheme is not considered to have a detrimental impact on the amenity of this occupier.

- **Quality of the Residential Accommodation Proposed**

8.19 Section 12 of the NPPF (2019) strives to achieve well designed places that offer a high standard of amenity for existing and future users.

8.20 Whilst the internal space proposed is considered acceptable, the dwellings are provided with small areas of private rear gardens areas, which are likely to be reduced further by landscaping, domestic shed/storage space and other domestic paraphernalia. This is contrary to section 12 of the NPPF which seeks to secure a good standard of amenity for future occupiers.

- **Trees and Landscaping;**

8.21 Policies H10 and H11 seek to achieve a high standard of design and landscaping to create attractive, safe and diverse residential areas, and where possible to enhance the existing environment. Policy N6 requires the submission of detailed tree surveys and the inclusion of an appropriate tree planting and landscaping scheme

8.22 A significant number of trees within the site were removed prior to the submission of this application. Although a BS5837 tree survey has not been submitted with this application, it would appear from the plans submitted that remaining trees are also proposed to be removed as they are not shown to be retained. Whilst some of the remaining trees to be removed are poor specimens individually, they are considered important because of the contribution they make to the local sylvan environment. Their loss would diminish the positive contribution the trees on this site make to the verdant and mature local landscape.

8.23 Given the extent of the proposed built form and associated driveways and car parking, there is limited scope to introduce a quality and sustainable landscaping scheme. In particular, there is insufficient space to the front of plots 7-12, between the building and road for much in the way of tree planting. The planting indicated in the rear gardens of Plots 1 – 4 is more likely to be shrubs than trees, given the small gardens and their orientation, which would mean any trees here would over-dominate, cause extensive shading and thus be prone to removal. Similarly, for the plants indicated in the front gardens of these plots there would be a physical proximity issue with buildings both on and adjacent to the site. There is also insufficient space for planting between plots 1-4 and 5-12, so there can be no effective softening/buffering between these development rows.

8.24 Overall, the proposal, by reason of the density, insensitive siting and layout of development proposed, loss of the remaining trees within the site and limited scope to introduce a quality and sustainable landscaping scheme, would result in a development that would not protect the character and distinctiveness of the area. The scheme is contrary to policies H10, H11, DG1 and N6 of the RBWM Local Plan.

- **Highway Safety and Parking**

8.25 The site combined has 3 existing accesses from Waltham Road. Drawing number PL-102I appears to show the existing central access will be retained and improved to serve plots 1 to 4 and 7 to 12. Additionally, a new access will be provided 6.0m south to serve plots 5 and 6.

8.26 With regards to the visibility splays the drawing shows that each access will be able to achieve visibility splays of 2.4m x 57.5m to the left and right. This exceeds the Local Authority's current requirements which are set at 2.4m x 43m. It should be noted the areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.

8.27 The site will provide 14 new residential properties which will accommodate families with children. Although Waltham Road has a footpath on the opposite side directly adjacent to the site there is no footpath and only a grass verge.

The Highway Authority previously requested the following improvements;

- 1) A 2.0m wide footpath with a pedestrian crossing facility (two informal crossings) should be provided north of the main access. This can be secured by a section 278 agreement.
- 2) A pedestrian footpath and gate should be provided within the site to link plots 4 & 5 with the main site. This will enable the residents of plots 4 & 5 to access the footpath and crossing facility. This would prevent the need to provide an additional footway to the front of the site.

Drawing number PL-102I shows that the applicant has acknowledged our comments and has provided both facilities. This is accepted and had the scheme been found acceptable, would have been secured through a section 278 agreement.

Parking Provision/requirement

8.28 The site will now provide 6x 4-bedroom dwellings, 4x2-bedroom flats and 2x1-bedroom flats.

8.29 To comply with the Local Authority's current Parking Strategy 28 car parking spaces will be required. The spaces should be allocated as follows;

- 4-bedroom dwelling requires 3 spaces
- 2-bedroom flat requires 2 spaces
- 1-bedroom flat requires 1 space

8.30 The drawings show that each 4-bedroom dwelling will be provided with 3 car parking spaces and each 1 and 2-bedroom flat will be provided with 1 car parking space. An additional 4 unallocated spaces will also be provided on site to total 28 spaces. This level of parking complies with the Local Authority's current Parking Strategy.

8.31 Each dwelling is provided with a side access to the rear garden where cycle storage can be provided. A semi vertical bike store accommodating 6 bicycles will be provided for the 6 flats to comply with the Local Authority's current standards.

8.32 The size of the refuse store for the flats will need to be approved by the waste team at the Royal Borough of Windsor and Maidenhead. The proposed collection facilities are deemed acceptable.

The plans also accompany a swept path analysis to demonstrate that a borough refuse vehicle can enter and exit the site in a forward gear.

- **Ecology**

- 8.33 The application site comprises two detached dwellings where it is proposed to demolish the buildings and erect 12 new units of flats and houses. It is surrounded by habitat of good suitability for use by wildlife – the site is neighboured by residential dwellings with connected gardens to the north, south and west, fields 50m west and 140m south, and an allotment plot 330m north. As such, there is a risk that the works would impact upon protected wildlife such as bats, and an ecological assessment has been undertaken.
- 8.34 The ecology survey report concludes that the site is not likely to be of any importance to reptiles or great crested newts. However, evidence of breeding birds was observed. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended. The applicant's ecologist has provided information with regards to timing of vegetation and building removal to avoid the breeding bird season and protective measures with regards to breeding birds.
- 8.35 Evidence of roosting bats was observed in both properties. The report states that further surveys would need to be undertaken to establish the status of the roosts. The results of such surveys would need to be provided prior to the determination of the application to determine the likely impact of the proposals upon bats, which are a protected species and material consideration in the planning process.
- 8.36 The buildings have been used by roosting bats in the past, and further surveys would need to be undertaken to confirm the status of the roosts and how they would be affected by the proposals. In this case, since 1) the extent to which protected species will be affected has not been established, and 2) there appear to be no "exceptional circumstances", the application would not be in accordance with the above planning policy. The scheme is thereby contrary to Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System and paragraph 175 of the NPPF (2019).

- **Drainage**

- 8.37 The Non Statutory Technical Standards for Sustainable Drainage Systems (2015) requires applications to demonstrate compliance with its requirements. A drainage statement which includes calculations and drawings is required to be submitted for consideration with the application. This information has not been received and in the absence of such, the scheme fails to consider or investigate the surface water flood risk of the site, and whether it will exacerbate the risk of surface water flooding on or off the site. In the absence of such information, the scheme fails to demonstrate and ensure that flooding will not occur on any part of the site or outside of the site, and fails to meet the requirements of the Non Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and paragraph 165 of the NPPF.

9. Other Material Considerations

Housing Land Supply

- 9.1 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

9.2 Footnote 7 of the NPPF (2019) clarifies that:

‘out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).’

9.3 The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hyr hls) is the 'standard method' as set out in the NPPF (2019).

9.4 At the time of writing, the Council is able to demonstrate approximately 4.7 years of housing land supply. Therefore, for the purpose of this planning application the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

9.5 However, section d(i) of paragraph 11 of the NPPF (2019) and footnote 6 then further clarify that under the circumstances where policies are considered to be out-of-date, where *‘policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed’* the 'tilted balance' should not apply. This includes **habitats sites**, and in the context of this site, bats. For the reasons set out in paragraphs 8.35 and 8.36, it has not been demonstrated that the proposed development would not have an unacceptable impact on bats. Plainly, where there are such restrictive policies in play, and their requirements are not satisfied by the development proposed, it is clear that the "tilted balance" does not apply, and the planning balance is to be carried out in the ordinary way, having regard to the statutory test in section 38(6) of the 2004 Act. This is set out below in the conclusion.

10. PLANNING BALANCE AND CONCLUSION

10.1 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. As set out in paragraph 9.5 it is considered that in this instance the tilted balance should not be applied

10.2 Whilst there would be limited benefits arising from the proposal such as the small increase in housing numbers, which in turn would provide limited social and economic benefits, in this case, policies relating to the preservation of protected species and impact on the character and appearance of the surrounding area, provide clear reasons for refusal which would not be outweighed by such limited benefits.

11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site Layout Plan
- Appendix C – Elevation Plots 1-4
- Appendix D – Floor Plans Plots 1-4
- Appendix E – Elevations Plots 5 and 6
- Appendix F Floor plans Plots 5 and 6
- Appendix G – Elevations plots 7-12
- Appendix H – Floor plans Plots 7-12
- Appendix I – Street Scene

12. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed development by reason of its siting, scale and design would introduce a form of development that is contrary to the prevailing pattern, design and form of development in this part of Waltham Road. It would result in an incongruous, cramped, overdevelopment of the site, by reason of excessive site coverage with building and associated hard landscaping. The scheme would harm the prevailing character and appearance of the area and designated townscape to an unacceptable degree. The proposal is therefore contrary to paragraphs 127 and 130 of the National Planning Policy Framework (2019), saved Policies DG1, H10 and H11 of the Royal

Borough of Windsor and Maidenhead Local Plan, Adopted 1999 (including Adopted Alterations 2003) and Policy Gen 2 of the Hurley and Walthams Neighbourhood Plan (2017).

- 2 The proposal, by reason of the density, insensitive siting and layout of development proposed, the loss of the remaining trees within the site and limited scope to introduce a quality and sustainable landscaping scheme, would result in a development that would not protect the character and distinctiveness of the area. The scheme is contrary to policies H10, H11, DG1 and N6 of the RBWM Local Plan (2003).
- 3 In the absence of surveys to establish the status of bat roosts, the Local Planning Authority has insufficient evidence to determine the likely impact of the proposals upon bats. The proposal is contrary to Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System and paragraph 175 of the NPPF (2019).
- 4 In the absence of a drainage statement, calculations and drawings, the scheme fails to consider or investigate the surface water flood risk of the site, and whether it will exacerbate the risk of surface water flooding on or off the site. The scheme thereby fails to demonstrate and ensure that flooding will not occur on any part of the site or outside of the site, and fails to meet the requirements of the Non Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and paragraph 165 of the NPPF.

Appendix A – Site Location Plan



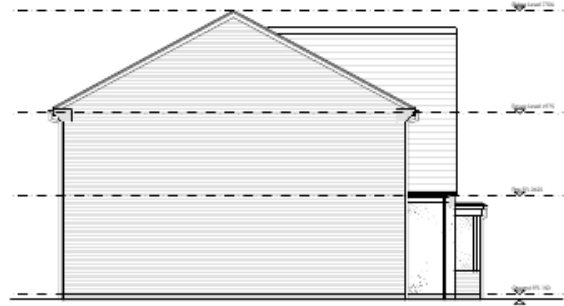
Appendix B – Site Layout



Appendix C – Elevation Plots 1-4



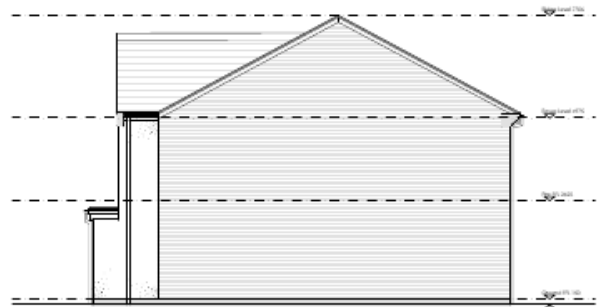
Elevation A



Elevation B



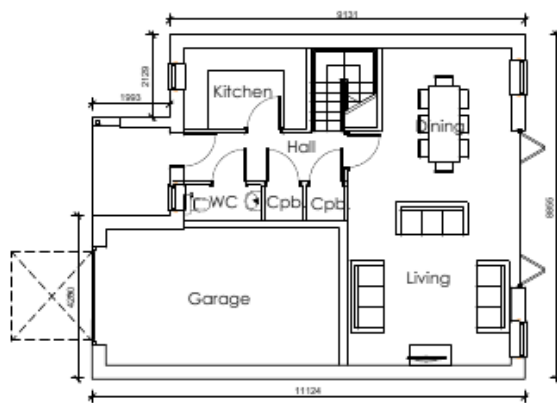
Elevation C



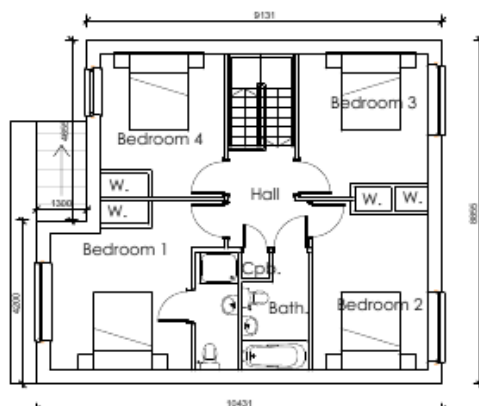
Elevation D

Plots 1-4

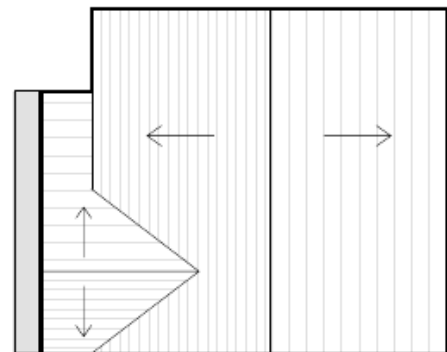
Appendix D – Floor Plans Plots 1-4



Ground Floor



First Floor



Roof Plan

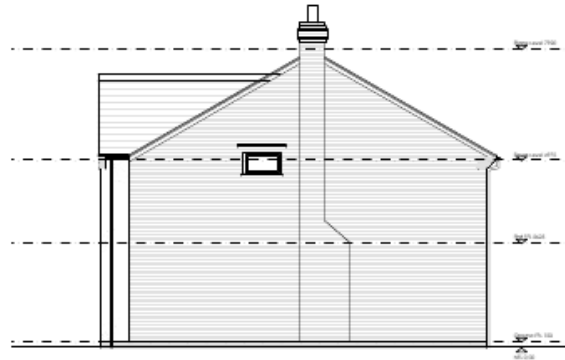
Note: Plot 4 Mirrored

1:1

Appendix E – Elevations Plots 5 and 6



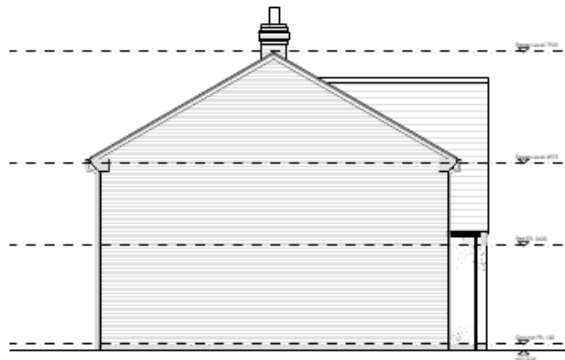
Elevation E



Elevation F



Elevation G

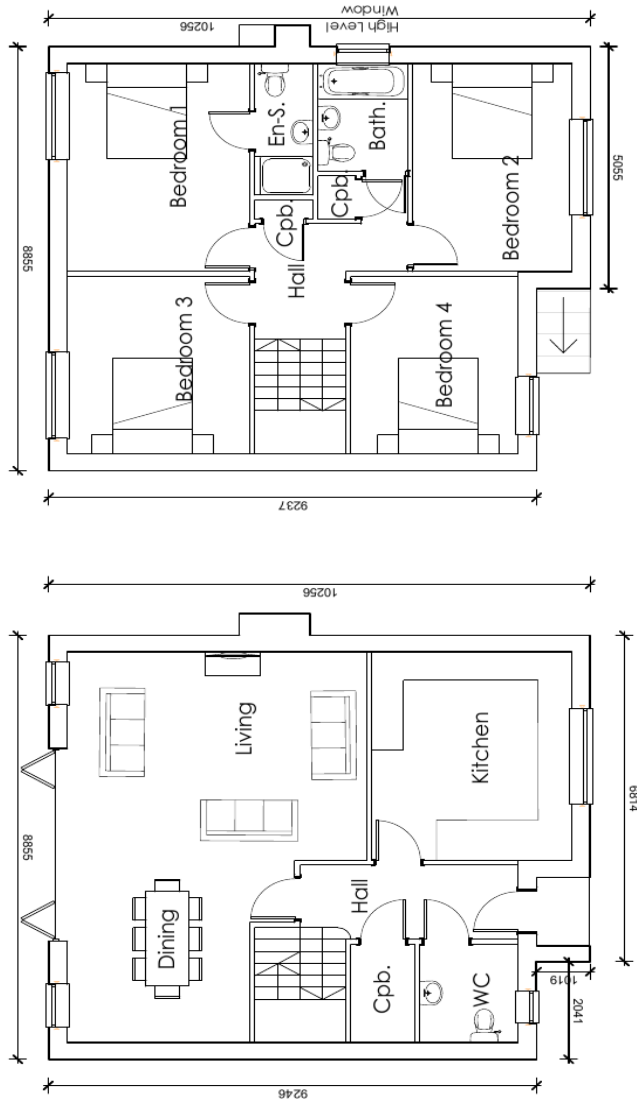


Elevation H

Plots 5 and 6

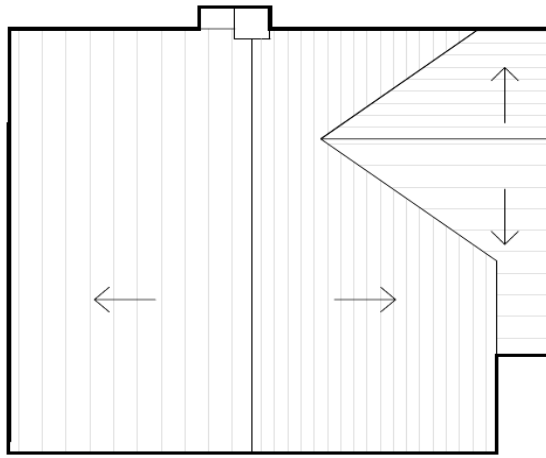
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1:100

Appendix F – Floor Plans Plots 5 and 6

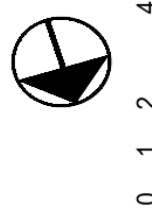


Ground Floor
Plot 5 (Plot 6 mirrored)

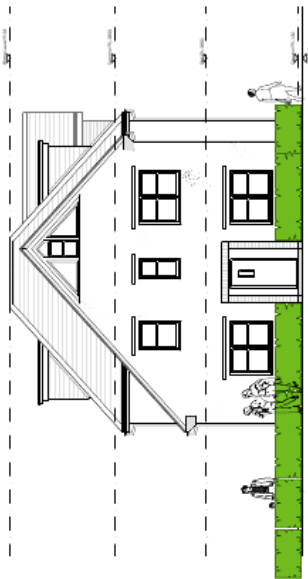
First Floor
Plot 5 (Plot 6 mirrored)



Roof Plan
Plot 5 (Plot 6 mirrored)



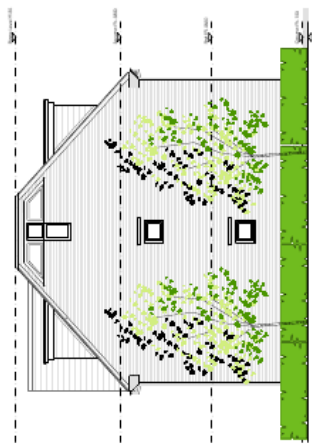
Appendix G – Elevations Plots 7-12



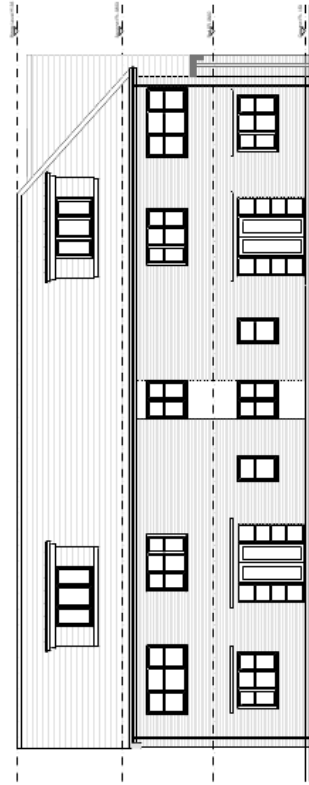
Elevation A



Elevation B

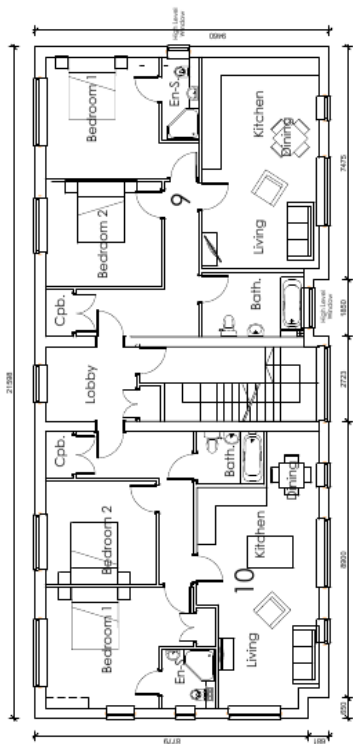


Elevation C

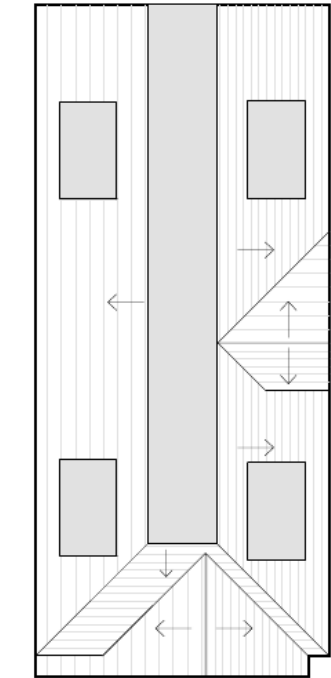


Elevation D

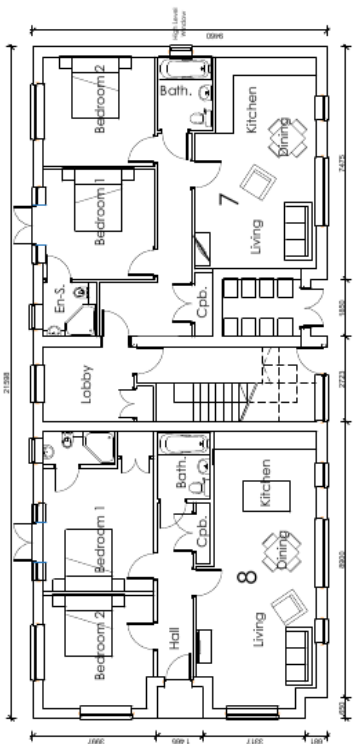
Appendix H – Floor Plans Plots 7-12



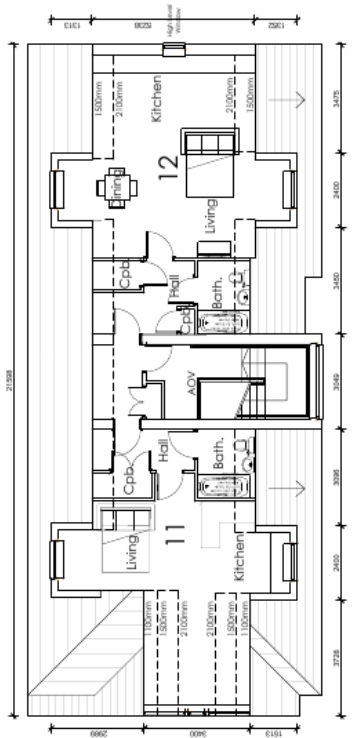
Proposed First Floor



Proposed Roof Plan



Proposed Ground Floor



Proposed Second Floor

Appendix I – Street Scene



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Appeal Decision Report

11 June 2019 - 8 July 2019

MAIDENHEAD

Appeal Ref.:	18/60139/REF	Planning Ref.:	18/02411/FULL	Plns Ref.:	APP/T0355/D/18/ 3216517
Appellant:	Mr Fotios Tsompanidis 12 Raven Drive Maidenhead SL6 8FA				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Part garage conversion.				
Location:	12 Raven Drive Maidenhead SL6 8FA				
Appeal Decision:	Dismissed	Decision Date:	19 June 2019		
Main Issue:	The Inspector concluded that the proposed development would be detrimental to the safety of other highway users and, as such, it would conflict with the parking requirements of LP Policies DG1 and P4.				

Appeal Ref.:	19/60004/REF	Planning Ref.:	18/02186/FULL	Plns Ref.:	APP/T0355/W/19/ 3219904
Appellant:	Wycrest Limited c/o Agent: Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Three x 2 bedroom town houses with undercroft parking.				
Location:	Land At Rear of Queensgate House 14 To 18 Cookham Road Maidenhead				
Appeal Decision:	Allowed	Decision Date:	26 June 2019		
Main Issue:	The main issues for the appeal were the effect on the character and appearance of the area, highway safety, refuse storage facilities and whether approval would be prejudicial to the emerging Borough Local Plan. The Inspector considered that there was no clear rhythm to the positioning of buildings seen within the vicinity of the appeal site, and therefore did not consider the proposed residential building to be isolated or disjointed in this context. On this basis, the Inspector did not consider the proposed development would be harmful to the character and appearance of the area. The Inspector considered that any shortfall in parking on the site was small and the location of the site to public car parks and the town centre was good, and that overall the proposal would not harm highway safety or be detrimental to the efficient operation of the highway network within the vicinity of the appeal site. The location (distance from the highway) of the waste and recycling storage area was considered acceptable. In regard to the prejudicial issue, paragraph 49 of the NPPF advises that arguments that an application is premature are unlikely to justify refusal of planning permission. The proposal is minor and it had not been demonstrated how allowing the proposal would prejudice the outcome of the plan-making process.				

Appeal Ref.:	19/60005/REF	Planning Ref.:	18/02187/OUT	Plns Ref.:	APP/T0355/W/19/3219902
Appellant:	Wycrest Limited c/o Agent: Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Outline application for the erection of a four storey block of 6 x 1 bedroom flats and undercroft parking with access to be considered and all other matters reserved.				
Location:	Land At Rear of Queensgate House 14 To 18 Cookham Road Maidenhead				
Appeal Decision:	Allowed	Decision Date:	26 June 2019		
Main Issue:	<p>The main issues for consideration of the appeal were the effect of the proposal on the character and appearance of the area, the effect on highway safety and the efficient operation of the highway network in the vicinity of the appeal site, whether there was adequate provision for cycle and refuse storage, and whether the proposal would prejudice redevelopment proposals for the wider area. The Planning Inspector considered that there was no clear rhythm to the positioning of buildings within the vicinity of the appeal site and therefore the new building would not appear isolated or disjointed in this context. Accordingly, the Inspector did not consider the proposal would harm the character or appearance of the area. The shortfall in parking on site would be minor and the site is close to Maidenhead Town Centre. As such, the Inspector found there to be no issues with highway safety and the proposal would not severely affect the efficient operation of the highway network. The Inspector considered the cycle and refuse storage locations acceptable and there was no evidence to demonstrate the development would prejudice redevelopment proposals for the wider area. The appeal for outline permission was allowed.</p>				

Appeal Ref.:	19/60016/REF	Planning Ref.:	18/02818/FULL	Plns Ref.:	APP/T0355/W/19/3220424
Appellant:	Mr L Quinn c/o Agent: Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Erection of a new dwellinghouse and detached garage				
Location:	Kimbers Farm Oakley Green Road Oakley Green Windsor SL4 4QF				
Appeal Decision:	Dismissed	Decision Date:	11 June 2019		
Main Issue:	<p>The proposed development would be inappropriate development in the Green Belt and would therefore cause harm to the Green Belt. The proposal would also cause harm to the openness of the Green Belt. The harm identified is attributed substantial weight. The substantial weight identified is not clearly outweighed by the other identified considerations sufficient to demonstrate very special circumstances. The proposal is therefore contrary to paragraphs 144 and 145 of the NPPF, Policy GB2(A) of the Local Plan and Policies SP1 and SP5 of the BLPSV, which each seek to protect the Green Belt from inappropriate development as defined in the Framework.</p>				

Appeal Ref.: 19/60035/REF **Planning Ref.:** 18/01779/FULL **Plns Ref.:** APP/T0355/W/19/3224360

Appellant: Mr Y Kalomar **c/o Agent:** Mr Mumtaz Alam MZM Associates 29 Gordon Road Maidenhead SL6 6BR

Decision Type: Committee **Officer Recommendation:** Refuse

Description: Extension to the second floor and construction of a three-storey extension to create 3 x 2 and 3 x 1 bedroom flats.

Location: **L'Leno 14 Market Street Maidenhead SL6 8AB**

Appeal Decision: Dismissed **Decision Date:** 2 July 2019

Main Issue: The Proposal would appear as an incongruous and insensitive addition that would fail to relate to the existing building and nearby built form, and would dominate its surroundings. The imposition of planning conditions covering materials and detailing would be insufficient to overcome this harm. The roof extension would affect views into and out of the CA, and would bring tall built form closer to the foreground in views than the existing situation. The development's discordant appearance and dominating height would harm the character and appearance of the surrounding area and erode its architectural and historic importance. The development would also harm the character and appearance of the CA and therefore neither preserve nor enhance its character or appearance. The harm identified would be localised and would therefore constitute less than substantial harm to the significance of the CA as a whole. In such circumstances, the less than substantial harm should be weighed against the public benefits. Any such benefits would be modest and would not outweigh the harm. The development's significant height, width and mass would result in an unacceptable reduction in the level of light reaching adjacent residential units, thereby harming the amenities of the occupants of the units. Refuse provision would not be sufficient, with particular regard to refuse collection.

Appeal Ref.: 19/60040/REF **Planning Ref.:** 18/03015/FULL **Plns Ref.:** APP/T0355/D/19/3225099

Appellant: Mr & Mrs P Yates **c/o Agent:** Mr Peter Nicholson Developments In Design 24 Rectory Road Wokingham RG40 1DH

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

Description: Partial raising of main roof including front and side dormers

Location: **126 Braywick Road Maidenhead SL6 1DJ**

Appeal Decision: Allowed **Decision Date:** 25 June 2019

Main Issue: The Inspector found that the resultant roof shape and the degree of variation would not be significantly detrimental to the overall balance and appearance of the dwelling. Similarly, to the rear, albeit where there is not this symmetry, the addition of the partially raised mansard style roof would not be considered detrimental to the host or surrounding area due to limited views into the site. The Inspector concluded that the proposed development would not harm the character and appearance of the dwelling or the surrounding area.

Appeal Ref.:	19/60043/REF	Planning Ref.:	18/03630/FULL	Plns Ref.:	APP/T0355/D/19/ 3224950
Appellant:	Mr J Sembi c/o Agent: Mr Simon Hamilton Hamilton Design And Surveying 18 Barkestone Close Emerson Valley Milton Keynes MK4 2AT				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Part single part two storey side/rear extension.				
Location:	Homelands 5 Waltham Road Maidenhead SL6 3NH				
Appeal Decision:	Allowed	Decision Date:	27 June 2019		

Main Issue: The Inspector denotes the main issue to be the effect of the development on the character and appearance of the surrounding area. Having regard to neighbouring residential properties, many of which have been extended, it is noted there are a variety of scales, designs and roof forms in the area. Whilst relatively large, the extension would be set back behind the front wall and lower than the main ridge height, with the main mass projecting to the rear. Hence, from the public realm, the Inspector suggests it would appear subservient and as obvious distinguishable addition to the original property. Its scale would be in keeping with other nearby extended properties. Although the Council's design guidance advises against flat roofs, the Inspector considers there would only be limited views of this section and its bulk would not be noticeable. The variety of roof forms in the area, including crown roofs, is also referenced. The concerns raised by a neighbour regarding overlooking and using the flat roof as a balcony are acknowledged but disregarded. It is concluded that the proposal complies with the relevant planning policies concerning design, which themselves are broadly consistent with the NPPF.

Planning Appeals Received

12 June 2019 - 8 July 2019

MAIDENHEAD

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Enforcement appeals: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Other appeals: The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60052/REF **Planning Ref.:** 17/02538/FULL **PIns Ref.:** APP/T0355/W/18/3211327
Date Received: 13 June 2019 **Comments Due:** 18 July 2019
Type: Refusal **Appeal Type:** Hearing
Description: Construction of 101 apartments comprising of x8 three bed, x60 two bed and x33 one bed with lower ground floor parking and alterations to the existing site entrance
Location: **Site of Clivemont House Clivemont Road Maidenhead**
Appellant: Mr Edward Goodwin **c/o Agent:** Mr D Bond Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60053/REF **Planning Ref.:** 18/02849/FULL **PIns Ref.:** APP/T0355/W/19/3223196
Date Received: 26 June 2019 **Comments Due:** 31 July 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Alterations and extensions to the existing garage to form a new detached three bedroom dwelling with alterations to access, landscaping and associated parking.
Location: **Land At Mead House Pinkneys Drive Maidenhead**
Appellant: Mr Vince Millen 84 Malvern Way Croxley Green Rickmansworth WD3 3QD

Ward:
Parish: Shottesbrooke Parish
Appeal Ref.: 19/60054/REF **Planning Ref.:** 19/00356/FULL **PIns Ref.:** APP/T0355/W/19/3229741
Date Received: 26 June 2019 **Comments Due:** 31 July 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Retention of existing cabin for ancillary residential use for a period of three years.
Location: **Pondwood Farm Pondwood Lane White Waltham Maidenhead SL6 3SS**
Appellant: Mr Mick Holdaway **c/o Agent:** Mr John Hunt Pike Smith & Kemp Rural & Commercial Ltd The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60056/NONDET **Planning Ref.:** 17/03857/OUT **Plns Ref.:** APP/T0355/W/19/3225689
Date Received: 4 July 2019 **Comments Due:** 8 August 2019
Type: Non-determination **Appeal Type:** Public Inquiry
Description: Outline application for 150 dwellings off with new access off Holyport Road with emergency access only onto Ascot Road. Provision of a 667sq.m. Doctors Surgery with 25 parking spaces. Change of use of agricultural land to community park, open space, two grass football pitches, allotments and the change of use of an existing farm building to a community building. Ancillary landscaping and parking. All matters reserved except for access.
Location: **Lodge Farm And Water Tower Ascot Road Holyport Maidenhead SL6 2HX**
Appellant: Mr Craig Killoran **c/o Agent:** Mrs Elizabeth Alexander Bell Cornwell LLP Unit 2 Meridian Office Park Osborn Way HOOK RG27 9HY

Appeal Decision Report

9 July 2019 - 12 August 2019

MAIDENHEAD

Appeal Ref.: 19/60038/REF **Planning Ref.:** 18/01687/FULL **Plns Ref.:** APP/T0355/W/19/3222082

Appellant: L Trevellyan **c/o Agent:** Mr Tim Farley Copesticks 39 Tudor Hill Sutton Coldfield West Midlands B73 6BE

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

Description: Demolition of the existing site structures and removal of existing underground tanks and redevelopment of the site to include a 4 pump petrol filling station with associated retail store and associated facilities, extended parking provision and electric vehicle charging points.

Location: **BP Queens Head Filling Station Windsor Road Water Oakley Windsor SL4 5UJ**

Appeal Decision: Dismissed **Decision Date:** 23 July 2019

Main Issue: The proposal amounts to inappropriate development in the Green Belt as the car park, cycle storage, EV charging points, air and water machine, and lighting would have a greater physical and visual impact on openness than the existing development. Balanced against this, the economic benefits of improved shopping facilities and introduction of EV charging points attract some weight, but would not clearly outweigh the identified harm to the Green Belt which is given substantial weight against the development. Inspector disagreed that the proposal would improve the visual appearance of the site, and that parking convenience for customers should be given additional weight. Very Special Circumstances has not been demonstrated to justify the development in the Green Belt. Fall-back position of the recent grant of permission by the Council for the petrol filling station at the site is afforded little weight.

Appeal Ref.: 19/60039/REF **Planning Ref.:** 18/03002/FULL **Plns Ref.:** APP/T0355/W/18/3219292

Appellant: Mr Roger Wilson **c/o Agent:** Mr Roger Wilson The Dial House Fortingall Aberfeldy Perthshire PH15 2LL

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

Description: Erection of a 30m Radio Mast, antennae and shelter cabin

Location: **Land At South Hornbuckle Farm And 400 Metres East To The East of Lordlands Farm Hawthorn Hill Bracknell**

Appeal Decision: Dismissed **Decision Date:** 17 July 2019

Main Issue: The proposal amounts to inappropriate development in the Green Belt and would cause harm to openness due to its 30m height and horizontal antennae measuring 21.6m x 9.8m. Camouflage and screening would not overcome harm to character of the area. In the absence of sufficient information the proposal fails to demonstrate that the development would not cause harm to trees and protected species (bats). The Inspector did not consider it appropriate to use a condition to safeguard trees and protected species as there would be uncertainty over necessity, effectiveness and suitability of such conditions. Economic benefit and lack of alternative sites did not amount to Very Special Circumstances that would outweigh harm to the Green Belt and any other harm.

Appeal Ref.: 19/60046/REF **Planning Ref.:** 18/03594/FULL **Plns Ref.:** APP/T0355/D/19/3226482

Appellant: Ms Anoushka Healy **c/o Agent:** Mr Richard Simpson RJS Planning 132 Brunswick Road London W5 1AW

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

Description: Single storey front/side extension to the garage, x4 rooflight to the garage, single storey side infill extension to connect the garage to the dwelling and alterations to fenestration.

Location: **Shepherds Cottage Jubilee Road Littlewick Green Maidenhead SL6 3QU**

Appeal Decision: Dismissed **Decision Date:** 29 July 2019

Main Issue: The Inspector concluded that the new extension would be inappropriate development in the Green Belt. Further harm would be caused as a result of loss of openness. Harm would also be caused because the proposal would not sustain and enhance the significance of the appeal property and the locality as heritage assets. The Inspector gave limited weight to the material considerations cited in support of the proposal and concluded that, taken together, they do not outweigh the harm the proposed development would cause to the Green Belt and the other harm that the Inspector has identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. The proposal conflicts with paragraph 145 of the Framework, Policies GB1 and GB2(A) of the LP and emerging Policies SP1 and SP5 of the LPSV which collectively seek to protect the Green Belt from inappropriate development and safeguarding the open and rural character of the Borough's countryside.

Appeal Ref.: 19/60048/REF **Planning Ref.:** 18/02370/FULL **Plns Ref.:** APP/T0355/W/19/3228199

Appellant: Mr William Newman **c/o Agent:** Mr Alan Bloor Reading Agricultural Consultants Ltd Beechwood Court Long Toll Reading RG8 0RR

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

Description: Siting of a temporary agricultural worker's dwelling (static caravan) and associated parking

Location: **Warren Wood Farm Warren Row Road Knowl Hill Reading RG10 9YJ**

Appeal Decision: Withdrawn **Decision Date:** 25 July 2019

Appeal Ref.: 19/60052/REF **Planning Ref.:** 17/02538/FULL **Plns Ref.:** APP/T0355/W/18/3211327

Appellant: Mr Edward Goodwin **c/o Agent:** Mr D Bond Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

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

Description: Construction of 101 apartments comprising of x8 three bed, x60 two bed and x33 one bed with lower ground floor parking and alterations to the existing site entrance

Location: **Site of Clivemont House Clivemont Road Maidenhead**

Appeal Decision: Withdrawn **Decision Date:** 25 July 2019

Planning Appeals Received

9 July 2019 - 12 August 2019

MAIDENHEAD

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Other appeals: The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60059/REF **Planning Ref.:** 18/02163/FULL **Plns Ref.:** APP/TO355/W/19/3231286
Date Received: 9 July 2019 **Comments Due:** 13 August 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x6 dwellings with associated access, parking and amenity space.
Location: 31 - 33 Belmont Road Maidenhead
Appellant: Mr Leon Tusz **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

Ward:
Parish: Bray Parish
Appeal Ref.: 19/60061/REF **Planning Ref.:** 19/00362/FULL **Plns Ref.:** APP/T0355/W/19/3231492
Date Received: 16 July 2019 **Comments Due:** 20 August 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Change of use from agricultural to (D1) education with associated parking and boundary treatment.
Location: Land South of Holyport Allotments Gays Lane Maidenhead
Appellant: Mrs Victoria Egarr **c/o Agent:** Mr Mark Borthwick Borthwick DBM 6 Rushmere Cottages Colemans Moor Road Woodley Reading RG5 4BZ

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60062/REF **Planning Ref.:** 19/00276/PIP **Plns Ref.:** APP/T0355/W/19/3230780
Date Received: 16 July 2019 **Comments Due:** 20 August 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 2 houses.
Location: Land Rear of 20 Ray Street Maidenhead
Appellant: Mr T Dhunay **c/o Agent:** Mr David Holmes Progress Planning Burkes Court Burkes Road Beaconsfield HP9 1NZ

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60066/REF **Planning Ref.:** 19/00275/FULL **Plns Ref.:** APP/T0355/D/19/3230522
Date Received: 24 July 2019 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Single storey rear extension and alterations to fenestration.
Location: **20 Fullbrook Close Maidenhead SL6 8UE**
Appellant: Mr & Mrs Hall **c/o Agent:** Mr Richard Simpson RJS Planning 132 Brunswick Road London W5 1AW

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 19/60067/ENF **Enforcement Ref.:** 17/50209/ENF **Plns Ref.:** APP/T0355/F/18/3219317
Date Received: 24 July 2019 **Comments Due:** 4 September 2019
Type: Enforcement Appeal **Appeal Type:** Hearing
Description: Appeal against Listed Building Enforcement Notice: Without Listed Building Consent: 1. Removal of a chimney stack and fireplace from the dining room. 2. The creation of new openings and fitting of windows in the west elevation in what is known as bedroom 3. 3. The reconfiguration of the projecting roof on the ground floor covering the dining room.
Location: **Blaizes Twyford Road Waltham St Lawrence Reading RG10 0HE**
Appellant: Mr Leroy Nicholas Bangs **c/o Agent:** Mr Tom Brooks Icen Projects Ltd Da Vinci House 44 Saffron Hill London EC1N 8FH

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 19/60068/ENF **Enforcement Ref.:** 17/50209/ENF **Plns Ref.:** APP/TO355/F/18/3219318
Date Received: 24 July 2019 **Comments Due:** 4 September 2019
Type: Enforcement Appeal **Appeal Type:** Hearing
Description: Appeal against Listed Building Enforcement Notice: Without Listed Building Consent: 1. The removal of internal walls. 2. Plastering of Walls, ceilings and fireplaces. 3. Removal of the external wall on the first floor on the north elevation of the bathroom.
Location: **Blaizes Twyford Road Waltham St Lawrence Reading RG10 0HE**
Appellant: Mr Leroy Nicholas Bangs **c/o Agent:** Mr Tom Brooks Icen Projects Ltd Da Vinci House 44 Saffron Hill London EC1N 8FH

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 19/60069/ENF **Enforcement Ref.:** 17/50209/ENF **Plns Ref.:** APP/T0355/F/18/3219319
Date Received: 24 July 2019 **Comments Due:** 4 September 2019
Type: Enforcement Appeal **Appeal Type:** Hearing
Description: Appeal against Listed Building Enforcement Notice: Without listed building consent new windows and removal of a window.
Location: **Blaizes Twyford Road Waltham St Lawrence Reading RG10 0HE**
Appellant: Mr Leroy Nicholas Bangs **c/o Agent:** Mr Tom Brooks Icen Projects Ltd Da Vinci House 44 Saffron Hill London EC1N 8FH

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 19/60070/REF **Planning Ref.:** 18/02588/FULL **Plns Ref.:** APP/T0355/W/19/3225817
Date Received: 5 August 2019 **Comments Due:** 9 September 2019
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x7 four-bedroom dwellings including associated landscaping, amenity space and parking following demolition of the existing building.
Location: **The Crooked Billet Westborough Road Maidenhead SL6 4AS**
Appellant: Clearview Residential Limited **c/o Agent:** Mrs Sarah Ballantyne-Way HGH Consulting 45 Wellbeck Street London W1G 8DZ

Ward:	Bisham Parish		
Parish:	19/60071/REF	Planning Ref.:	18/03459/FULL
Appeal Ref.:		Plns Ref.:	APP/T0355/W/19/ 3233483
Date Received:	6 August 2019	Comments Due:	10 September 2019
Type:	Refusal	Appeal Type:	Written Representation
Description:	Single storey front extension with replacement second floor front gable. First and second floor rear extensions and raising of part of the main ridge.		
Location:	White Lodge Bisham Road Bisham Marlow SL7 1RP		
Appellant:	Mr Roderick Ting c/o Agent: Mrs Anjali Gupta AG Architecture Studio 8 Suffolk House 54 - 55 The Green Wooburn Green High Wycombe Bucks HP10 0EU		

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