

NOTICE
OF
MEETING

**ROYAL BOROUGH DEVELOPMENT
MANAGEMENT PANEL**

will meet on

WEDNESDAY, 21ST JULY, 2021

At 7.00 pm

by

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD, ON [RBWM YOUTUBE](#)

TO: MEMBERS OF THE ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS PHIL HASELER (CHAIRMAN), DAVID CANNON (VICE-CHAIRMAN),
JOHN BOWDEN, GEOFF HILL, DAVID HILTON, NEIL KNOWLES,
JOSHUA REYNOLDS, AMY TISI AND LEO WALTERS

SUBSTITUTE MEMBERS

COUNCILLORS GURPREET BHANGRA, MANDY BRAR, KAREN DAVIES,
ANDREW JOHNSON, GREG JONES, JULIAN SHARPE, SHAMSUL SHELIM,
HELEN TAYLOR AND JON DAVEY

Karen Shepherd – Head of Governance - Issued: 13 July 2021

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

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain. If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	5 - 6
3.	<u>MINUTES OF THE MEETING HELD ON 16 JUNE 2021</u> To approve the minutes of the meeting held on 16 June 2021 as a true and accurate record.	7 - 10
4.	<u>21/00477/FULL - MANOR LODGE PROBATION HOSTEL - 8 STRAIGHT ROAD - OLD WINDSOR - SL4 2RL</u> PROPOSAL: Demolition of the existing garages and replacement with a single storey front extension to provide 3 no. bedrooms, new enclosed covered walkway, solar panels, alterations to fenestration, cycle storage and associated works. RECOMMENDATION: PERMIT APPLICANT: Ministry of Justice MEMBER CALL-IN: N/A EXPIRY DATE: 26 July 2021	11 - 30
5.	<u>21/00686/FULL - LAND NORTH OF CAMPERDOWN HOUSE - ALMA ROAD - WINDSOR</u> PROPOSAL: Erection of 4 semi detached dwellings with associated parking, landscaping and vehicular access. RECOMMENDATION: PERMIT APPLICANT: HALLMANOR LIMITED MEMBER CALL-IN: N/A EXPIRY DATE: 30 April 2021	31 - 52
6.	<u>21/00940/FULL - CHARNWOOD 12 AND LAND AT CHARNWOOD 12 - LIME WALK - MAIDENHEAD</u> PROPOSAL: Construction of x2 dwellings with associated access,	53 - 78

	<p>following demolition of the existing part single part two storey side element of the existing dwelling.</p> <p>RECOMMENDATION: PERMIT</p> <p>APPLICANT: Mr Booker</p> <p>MEMBER CALL-IN: N/A</p> <p>EXPIRY DATE: 10 June 2021</p>	
7.	<p><u>21/01419/FULL - STAR HOUSE - GRENFELL ROAD - MAIDENHEAD - SL6 1EH</u></p> <p>PROPOSAL: Extension, alterations and refurbishment of existing building (Use Class E).</p> <p>RECOMMENDATION: DEFER AND DELEGATE</p> <p>APPLICANT: Legal & General Assurance (Pensions Management) Ltd</p> <p>MEMBER CALL-IN: N/A</p> <p>EXPIRY DATE: 9 August 2021</p>	79 - 96
8.	<p><u>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT</u></p> <p>To note the contents of the report.</p>	97 - 100

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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

ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 16 JUNE 2021

PRESENT: Councillors Phil Haseler (Chairman), David Cannon (Vice-Chairman), Geoff Hill, David Hilton, Neil Knowles, Joshua Reynolds, Amy Tisi, Leo Walters and Julian Sharpe

Officers: Andy Carswell, Lyndsay Jennings, Antonia Liu, Claire Pugh and Sian Saadeh

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bowden. Councillor Sharpe was attending as a substitute.

DECLARATIONS OF INTEREST

Councillor Hill declared a personal interest in Item 4, in that he had assisted the applicant's representative in helping the application come to Panel. He said he had not made any comment either for or against the application and stated he was attending Panel with an open mind. Councillor Hill declared a prejudicial interest in Item 5 and stated he would leave the room for that item.

MINUTES OF THE MEETING HELD ON 19 MAY 2021

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 19 May 2021 be approved as a true and accurate record.

The motion was proposed by Councillor Hilton and seconded by Councillor Hill.

16/03056/FULL - STORAGE LAND FORMERLY KNOWN AS WASTE TRANSFER STATION - KIMBERS LANE - MAIDENHEAD

A motion was put forward by Councillor Walters to refuse the application, contrary to the Officer recommendation, on the grounds that there would be substantial harm to the openness of the Green Belt due to inappropriate development and that the weight to be given to the Very Special Circumstances would not outweigh this harm; and additionally due to significant concerns over highway safety. The motion was seconded by Councillor Knowles.

A named vote was taken.

16/03056/FULL – STORAGE LAND FORMERLY KNOWN AS WASTE TRANSFER STATION – KIMBERS LANE - MAIDENHEAD (Motion)	
Councillor David Cannon	For
Councillor Phil Haseler	Against
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	Against
Councillor Julian Sharpe	For
Councillor Amy Tisi	Against
Councillor Leo Walters	For
Carried	

RESOLVED: That the application be refused, contrary to the Officer recommendation.

19/02966/REM - DEVELOPMENT AT KING STREET AND QUEEN STREET AND BROADWAY - MAIDENHEAD

A motion was put forward by Councillor Hilton to approve the application, as per the Officer recommendation, subject to the conditions listed in Section 12 of the main report and those in the update report. The motion was seconded by Councillor Cannon.

A named vote was carried out. Councillor Hill did not take part in the discussion or vote.

19/02966/REM DEVELOPMENT AT KING STREET AND QUEEN STREET AND BROADWAY - MAIDENHEAD (Motion)	
Councillor David Cannon	For
Councillor Phil Haseler	For
Councillor Geoffrey Hill	N/A
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	Against
Councillor Julian Sharpe	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Carried	

RESOLVED: That the application be approved, as per the Officer recommendation.

20/03514/FULL - BOOTS - 17-18 PEASCOD STREET - WINDSOR - SL4 1DU

A motion was put forward by Councillor Knowles to defer and delegate to the Head of Planning to approve the application, subject to the conditions listed in Section 13 of the main report and section 3 of the update report, and subject to the satisfactory completion of a S106 agreement to secure a travel plan, as per the Officer recommendation. The motion was seconded by Councillor Tisi.

A named vote was carried out.

20/03514/FULL – BOOTS – 17-18 PEASCOD STREET – WINDSOR – SL4 1DU (Motion)	
Councillor David Cannon	For
Councillor Phil Haseler	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	For
Councillor Julian Sharpe	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Carried	

RESOLVED UNANIMOUSLY: That the application be delegated to the Head of Planning to approve, as per the Officer recommendation and amended in the update report.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The Panel noted the contents of the reports. Councillor Walters drew Members' attention to the dismissal of the appeal for the Squires Garden Centre site.

The meeting, which began at 7.00 pm, finished at 9.18 pm

CHAIRMAN.....

DATE.....

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Agenda Item 4

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

DEVELOPMENT CONTROL PANEL

21 July 2021

Item: 1

Application No.:	21/00477/FULL
Location:	Manor Lodge Probation Hostel 8 Straight Road Old Windsor Windsor SL4 2RL
Proposal:	Demolition of the existing garages and replacement with a single storey front extension to provide 3 no. bedrooms, new enclosed covered walkway, solar panels, alterations to fenestration, cycle storage and associated works.
Applicant:	Ministry Of Justice
Agent:	Miss Claire Pegg
Parish/Ward:	Old Windsor Parish/Old Windsor
If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk	

1 SUMMARY:

- 1.1 This application proposes an extension to Manor Lodge Probation Hostel, to provide 3 additional bedrooms, a glazed link extension, new cycle store and air source heat pump. The extension would replace the existing flat roofed garages at the front of the main building and provide solar panels on its roof.
- 1.2 It is considered that the proposed extension has a satisfactory appearance in the context of the design and appearance of the existing building and is acceptable in terms of its impact on the character and appearance of the surrounding area.
- 1.3 As an extension to an existing building, the 3 new bedrooms are not considered to lead to a material intensification of the existing use of the site or lead to any significant additional impact on the amenities of neighbouring properties. The proposal is considered acceptable.

It is recommended the Panel grants planning permission with the conditions listed in Section 13 of this report.
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2. REASON FOR PANEL DETERMINATION

- 1.1 This application has been called into Panel (if the recommendation is for approval) by Cllr Lynne Jones because of community concerns regarding:
 - expansion of a facility that they believe is in an unsuitable location;
 - an increase in the negative impact on the community;
 - an increase in the 'fear of crime' undermining quality of life.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site lies on the southwest side of Straight Road. The building is set back from the road frontage. There is a grass area with trees on the site frontage and carparking spaces to the front of the building. The site is directly opposite the Tapestries, a recently listed building.
- 3.2 The site lies in a suburban, predominantly residential area, but the vicinity also comprises other uses including a pub, community hall and a parade of shops some 100m to the south of the application site.

4. KEY CONSTRAINTS

- 4.1 The site is not in the Green Belt but is in an area liable to flood (Flood Zone 3 – high risk).

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 This proposal involves demolishing the existing flat roof garages and replacing them with a new single storey extension to provide 3 additional bedrooms with solar panels on the roof. A glazed covered link to the proposed extension and a new cycle store are also proposed.
- 5.2 The applicant has submitted amended plans (20201-WA-SDA 3397- M-004 Rev T1, 2021-WA-004 Rev B and 2021-WA-003 Rev B) to show the Air Source Heat Pump (ASHP) sited on the front elevation of the main building, next to an existing flue and vented doors. (The originally submitted drawings proposed siting the ASHP right next to the side boundary wall with No. 6)

5.3

Reference	Description	Decision
136/65	Use for Probation Hostel	Permission 1965
23/67	New Probation Hostel	Permission 1967
258/67	Amendment to elevational treatment	
40/72	Erection of timber workshop for residents	Approved 6/3/1972
95/01325/FULL	Erection of 3.65m high fence around all weather playing surface.	Refused 13/12/1995
19/03447/FULL	Single storey front extension with replacement store, new covered walkway, alterations to fenestration and associated works to provide 3 no. bedrooms following the demolition of the store and garages.	Withdrawn 18/2/2020

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 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
Setting of Listed Building	LB2

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

Adopted Old Windsor Local Plan

Issue	Neighbourhood Plan Policy
Drainage and flooding	OW5, OW6, OW7
Townscape	OW8
Heritage Assets	OW9
Highways, parking	OW11, OW12
Ecology	OW14

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy>

7. 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 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Housing mix and type	HO2
Housing Density	HO5
Flood risk	NR1
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4
Heritage	HE1

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1,QP3
Sustainable Transport	IF2
Housing mix and type	HO2
Flood risk	NR1
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4
Heritage	HE1

- 7.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

- 7.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.
- 7.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 9 of this report.
- 7.4 These documents can be found at:
<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

7.5 Supplementary Planning Documents

- RBWM Interpretation of Policy F1
- Borough Wide Design Guide

7.6 Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement

More information on these documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

14 occupiers were notified directly of the application.

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

Comment		Where in the report this is considered
1.	Objection to Solar array on the roof extension – size impact and serious loss of daylight to No. 6. Intrusive and badly positioned. No objection to the slight raising of the roofline as this allows disabled access but height increase from the panels is not acceptable.	See paragraphs 9.16-9.25 below.
2.	Location of the Air Source Heat Pump would cause noise and disturbance.	The Environmental Protection officer has recommended a condition to limit noise. The applicants have submitted amended plans to show the ASHP sited on the front elevation of the existing building, well away from the side boundary. See paragraphs 9.16-9.25 below and Condition 4 in Section 13.
3.	Boundary wall at the northern side of Manor Lodge belongs to No. 6 and permission would not be given for anything to be built onto it. The current development was completed many years ago. The wall is fragile and of historical interest.	The applicants have submitted amended plans to show the ASHP sited on the front elevation of the existing building, well away from the side boundary. See paragraph 9.21 below.
4.	Area between the extension and No 6's wall needs to be covered by CCTV to ensure no blind spots	Noted. This is a matter for the applicant to consider.
5.	Alarmed by lack of supervision of residents. There are no constraints on the type of offender housed at Manor Lodge. Concern about danger to the public. Police records	This is an established existing use. The way residents are supervised, and the management of the

	will indicate their regular visits to the site – it is trouble. The management of Manor Lodge is poor and there are numerous complaints. There has never been any consultation of the increase in residents and the higher category of ex-offenders	establishment is not considered to be planning matter.
6.	Concerns about increasing anti-social behaviour (including bad language, loud music, residents congregating and drinking alcohol and urinating in hedges) with more potentially dangerous young men brought into Old Windsor. Residents of Old Windsor should feel safe where they live, be able to enjoy their properties and feel safe to go out at night – safety of local residents should be a priority. There are schools in the vicinity – children will be out at risk. There is no justification for the proposed development. There is a fear of crime and this is a material planning consideration (para 91 of the NPPF).	This is an existing establishment and the extension is not introducing a new use. The addition of 3 extra bedspaces is not considered to represent a significant intensification of the existing use. See paragraphs 9.7 -9.8 below.
7.	Concern about increased overlooking and noise disturbance to The Tapestries	The LPA does not consider that the proposal will lead to significant additional overlooking or noise disturbance to nearby residential properties. See paragraphs 9.16 -9.25 below.
8.	Extension will not look attractive.	The proposed extension will replace existing garages. The design is considered to be satisfactory. See paragraphs 9.11-9.15 below.
9.	House prices in the area will decrease.	This is not a planning consideration.
10.	Formally object to the proposal under paragraphs 91(b) and in particular 127(f) of the NPPF in relation to crime and disorder and fear of crime, do not undermine the quality of life of community cohesion and resilience.	This proposal is for an extension to an existing use. The addition of 3 extra bed spaces is not considered to significantly increase the size of the establishment or intensity of the existing use. The premises is managed and supervised in accordance with guidance from the Ministry of Justice and National Probation Service. See paragraphs 9.7-9.8 and 9.16-9.25 below.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if a condition is included to ensure that finished floor levels are set no lower than 18.28m Ordnance Datum (AOD), in accordance with paragraph 5.9.	The LPA will include a condition regarding finished floor levels. See Condition 7 in Section 13. The Council's Emergency Planner has been consulted and raises no objection in principle, advising that a suitable Flood Evacuation Plan

	<p>The EA involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by the EA flood warning network. In all circumstances where warning and emergency response is fundamental to managing flood risk, the LPA is advised to formally consider emergency planning and rescue implications of new development in making their decisions.</p> <p>As such, it is recommended that the LPA consults with the emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG.</p>	<p>(FEP) could be secured via a pre-occupation condition.</p> <p>See paragraphs 9.26-9.37</p>
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Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	<p>Ref 1.5: The enhanced supervision stated does not apply when the occupants are outside of the confines of the facility.</p> <p>Ref 1.9: It only applies for 7 hours, whilst in the facility leaving the majority of the day unsupervised in the community.</p> <p>Ref 1.9: No evidence has been provided to back up the statement that there is 'structured method of protecting the public' particularly when outside of the facility.</p> <p>Ref 2.2: How does this facility provide an enhanced level of residential supervision in the community when the residents are completely unsupervised when outside of the facility.</p> <p>Ref 5.5: These are irrelevant as they are not in the community. One of them was not even in the village and it was only one individual.</p> <p>Paragraph 69 of the NPPF states planning policies and decisions should aim to achieve places which promote safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion. Fear of crime is a material planning consideration.</p> <p>We do not believe that it would be of any benefit the local community to allow this extension and it should be village</p>	<p>It is not considered that an increase in 3 bedspaces will lead to any significant intensification of use at this site.</p> <p>Regarding crime and safety, new occupants would be bound by the same restrictions as existing occupants of the Probation Hostel.</p> <p>It is considered that the proposed extension (which replaces existing garages) is acceptable.</p> <p>See paragraphs 9.2-9.25 below.</p>

	<p>residents that take priority in these situations. We do not believe this facility should be in such close proximity to schools, nurseries, housing for the elderly, our local shopping area and recreation ground. It should by no means be expanded to house more potentially dangerous individuals and should be moved to a more suitable location.</p> <p>Increasing the numbers of residents can only increase the probability of incidences, of which there have been a number. There would be no benefit to the local community to allow this extension, and it should be residents that take priority in these situations. Village residents have a right to feel safe moving around the village especially after dark. Expansion of this facility just increases the fear of crime.</p> <p>There have been numerous complaints about the noise coming from this facility and increasing the fear of crime. Increasing the number of residents is only going to increase this nuisance.</p> <p>Making the facility even more visually prominent and out of keeping than it already is will have a further negative impact on the neighbouring listed properties and the character of the area.</p> <p>The premises started as a home for boys with issues and has changed by stealth into this halfway house for serious, and not serious, criminals. It is in a completely unsuitable location and should not be in a rural village.</p>	
Thames Valley Police	Having reviewed the submitted planning application and consulted with colleagues responsible for policing the area, we have no further comments to add at this time.	Noted
Emergency Planner	No objection in principle to the proposal. Suggests that a suitable Flood Evacuation Plan could be secure by a pre-occupation condition. Whilst this condition could only relate to the new development (extension) it is strongly recommended that the whole site should be included in the flood emergency plan in order to protect all those who live and work on the site.	<p>A pre-occupation condition will be included to secure a satisfactory FEP.</p> <p>See Condition 6 in Section 13.</p> <p>See paragraphs 9.26-9.37 below.</p>
Council's Ecologist	As previously ascertained through photos provided for application 19/03447 (which was withdrawn), the buildings are	Noted.

	considered unlikely to host roosting bats and, as such, there are no objections to this application on ecological grounds.	See paragraphs 9.41-9.42 below.
Conservation Officer	No objections to the application	See paragraphs 9.11-9.15
Highways	No objection – condition suggested to ensure cycle parking is provided in accordance with the approved drawing.	See paragraphs 9.38 -9.40. See Condition 5 in Section 13.
Environmental Protection	<p>No objection raised, conditions suggested to secure:</p> <ul style="list-style-type: none"> -Insulation against aircraft noise -Site specific Construction Environmental Management Plan (CEMP) -Limitation on noise emissions beyond the site boundary from fixed plant and stationary equipment. <p>Standard informatives also suggested regarding smoke and dust control.</p>	<p>It is considered that a site specific CEMP is not necessary for an extension to provide 3 bedrooms. Any noise and disturbance caused as a result of demolition and construction works can be investigated under separate Environmental Protection Legislation - as a Statutory Nuisance.</p> <p>Information on matters such as delivery times, construction hours, dust and smoke control can all be covered by informatives.</p> <p>The sound insulation and noise limitation conditions will be included. See Conditions 3 and 4 in Section 13.</p> <p>See paragraph 9.20- 9.21 below.</p>

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on the character and appearance of the area.
- iii Impact on neighbours
- iv Flooding
- v Highways and parking
- vi Ecology
- vii Climate Change and Sustainability
- viii Housing Land Supply

Principle of proposed development

- 9.2 This proposal involves demolishing the existing flat roof garages and replacing them with a new single storey extension to provide 3 additional bedrooms with solar panels on the roof, a glazed covered link and a new cycle store. The applicant has submitted amended plans to show the proposed Air Source Heat Pump (ASHP) sited on the front elevation by an existing flue and vented doors. (The originally submitted drawings proposed the siting for the ASHP was next to the side boundary wall with No. 6)
- 9.3 Manor Lodge is an 'Approved Premises' (AP) to provide accommodation in the community for convicted prisoners upon release under licence. It is understood from the Planning Statement that the current network of 101 AP units provides c2000 bedspaces managed by the National Probation Service (NPS). The APs are under the control of the Ministry of Justice and their role is to manage the reintroduction of offenders into the community, reducing re-offending and managing risk. It is understood that each property provides enhanced supervision, working closely with NPS offender managers. The residents of APs have an overnight curfew of 11pm until 6am.
- 9.4 The Planning Statement advises that the government has identified a need to increase the total number of bedspaces in the AP estate by over 200 rooms (10%) to reduce the number of individuals placed into hotel accommodation and to increase the care and management of released prisoners.
- 9.5 Manor Lodge was originally granted permission as a probation hostel in 1967. There appear to have been no planning applications for extensions to the building since the original planning permission.
- 9.6 The applicant has confirmed that all existing rooms are single occupancy. There are currently 25 existing rooms (25 residents) which would increase to 28 with the proposed development - representing an increase in bedspace capacity of just over 10%. There are also 10 staff at the site.
- 9.7 It is noted that paragraph 91 of the NPPF states: Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas;
- 9.8 At paragraph 127 of the NPPF it states: Planning policies and decisions should ensure that developments:
- f) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.9 The concerns of local residents (about antisocial behaviour, crime and disorder) are noted; however, it is considered that the modest expansion to enable 3 more residents at Manor Lodge, would not represent a significant increase in occupants over and above the existing capacity. As the existing use as a probation hostel is long established, it would be difficult to argue that there would be material intensification of the use at this site as a result of an extension to provide 3 additional bedspaces (3 additional residents), or to justify refusal of planning permission on the basis that the use of the extension would significantly undermine the quality of life of local residents. The residents are managed and supervised in line with the National Probation Service guidelines/regulations. Enabling offenders to be housed in such facilities, properly manages their transition back into the community. The Planning Statement advises that the probation hostels/Approved Premises offer a necessary and valuable service with the aim of protecting the public and rehabilitating and resettling offenders.
- 9.10 As this is not considered to be 'community facility', there is no specific support for this proposal under Local Plan policy CF2 or emerging Borough Local Plan policy IF6. However, it is also noted there is no policy in the adopted local plan and emerging Borough Local Plan that that would specifically resist modest extension of the use of this kind of establishment.

Impact on the character and appearance of the area.

- 9.11 The proposed extension would replace existing flat roofed garages which although not particularly aesthetically pleasing, have a neutral impact on the street scene. The new extension would not be significantly larger than the existing garages and would not appear significantly more intrusive than the existing building, in terms of the street scene or in the context of the main building. The existing garage to be demolished is approximately 45.6 sq metres and the proposed new extension (and glazed link) would amount to approximately 63. sq metres.
- 9.12 The Conservation Officer has commented on the proposal as follows: The proposal to demolish the existing garages and replace with a single storey extension to the probation hostel impacts upon the setting of a number of designated and non-designated heritage assets, including The Tapestries, 2 & 4 Straight Road, 10 & 12 Straight Road - all Grade II listed buildings as well as the non-designated heritage asset of Manor Lodge Cottage (6 & 8 Straight Road).
- 9.13 Whilst the applicant has now provided a heritage statement as to assess the impact of the proposals upon the Tapestries (which it must be advised were only added to the List after the application was submitted), the applicant has failed to identify the significance of the neighbouring non-designated heritage asset of Manor Lodge Cottage, the former Royal Windsor Stained Glass Manufactory. To quote the Old Windsor Neighbourhood Plan: *“Established shortly after the Tapestry Works in 1878 by Prince Leopold the glass works produced a number of significant pieces of work. Among them a large rose window in the Beaumont Chapel, windows for the Royal Chapel in Windsor, St Edwards Roman Catholic Church, Windsor and in St. Agnes Church in Spital. When the Tapestry Works closed in 1890 the Stained Glass works was sold and moved to Windsor. The building remained and is now a private dwelling.”*
- 9.14 The existing Manor Lodge Probation Hostel is very much a building of its time, distinct with the sharp raised half gables and presented in traditional pallet of stock brick and slate. It presents a neutral to negative contribution to the setting of the various heritage assets through the modernist architectural form. The impact to the setting of the heritage assets as well as of the character of the area is mitigated to a degree due to the setting back of the building from the highway as well as the extant vegetation/trees. To the north/north-west of the site and attached to the host building is a single storey garage block. These garages are flat roofed and constructed of a similar stock brick to Old Manor Lodge Cottage and the dividing boundary wall to which they abut.
- 9.15 Although larger in footprint, as the proposed extension is to be of a similar size, form and appearance to the extant garages, it is fair to conclude that there would not be a fundamental alteration to the character and appearance of the building and the extant setting of the various assets. The form, material usage and principle would be appropriate for the extant building. The Conservation Officer has raised no objection to the revised siting for the ASHP (on the front elevation next to an existing flue and white vented doors). Following the advice of the Council's Conservation Officer the applicant is proposing that the ASHP would be covered with a slatted/louver style cover, painted white to match the adjacent louvered doors (see Condition 9 in Section 13). The proposed new cycle store would not be readily visible in the street scene. As such, the Conservation officer has no objections to the application.

Impact on neighbours

- 9.16 The concerns about antisocial behaviour and fear of crime are noted. However, the Manor Lodge Probation Hostel is an existing and long-established use. It is not considered that 3 additional bedspaces would materially intensify the existing use so as warrant refusal of planning permission. This matter is covered under paragraphs 9.2-9.10 above.
- 9.20 The proposal includes an Air Source Heat Pump (ASHP). The Environmental Protection Officer has recommended a condition to ensure that there is no nuisance caused through noise of plant or equipment (condition 4).

- 9.21 In response to the neighbour's concerns about the original siting of the ASHP (next to the boundary wall with no. 6), the applicant has revised the siting of the ASHP and it is now proposed this would be in a central position on the front elevation of the main building at a distance of 9.5m away from the side boundary with no. 6/6A and 23m from the boundary with no. 10. The applicant has confirmed that the ASHP has dimensions of 1100mm x 450mm x 765mm (h); the ASHP itself will have a white powder coated galvanised steel casing, with a galvanised steel tube guarding. It is considered that in the revised siting, the ASHP would not adversely affect the neighbouring properties through noise subject to condition 4.
- 9.22 The height of the solar panels above the flat roof extension would be approximately 1.0m. The height measured from ground level to the top of the solar panels measures approximately 4.3m. The bedroom extension is in the order of 3 metres from the side (north) boundary. The solar panels would be in the order of 3.5m from the side boundary. There is a gap of approximately 5 metres between the boundary wall and the side wall of the adjacent houses 6 and 6A.
- 9.23 It is acknowledged that there are windows in the side (south facing) elevation of 6 and 6A; however given the separation distance, it is not considered that there would be any significant loss of daylight or sunlight to ground floor habitable windows in the side elevation of 6 and 6A – as a result of the proposed extension and glazed link. Furthermore, it is not considered that there would be such an unacceptable impact in terms of loss of outlook or over-dominating impact on 6 or 6A to warrant refusal, on those grounds. The existing boundary wall would prevent overlooking from the glazed link extension to 6 and 6A.
- 9.24 Being single storey, it is not considered that the new extension would result in any unacceptable overlooking or loss of privacy to adjacent properties on either side or across the road.
- 9.25 The new cycle store would be located alongside the southern (side) boundary adjacent to a (joinery) workshop building. The siting of the cycle store is considered acceptable and would not cause any loss of residential amenity.

Flooding.

- 9.26 The Environment Agency has commented on the application. The site lies within Flood Zone 3 defined by the National Planning Policy Framework (NPPF) and associated Flood risk and coastal change Planning Policy Guidance (PPG) as having a high probability of flooding. Regarding the requirements of the NPPF paragraphs 157 -161, the proposed development is considered to have passed the Sequential Test because it is an extension that is required in connection with the existing use of this 'Approved Premises' – the planning agent has confirmed that there are no other 'Approved Premises' within the Borough. It would replace existing garages and there are not considered to be other sequentially preferable locations for the extension. The Exception Test is also considered to have been passed. The proposed development would provide wider sustainability benefits to the community as it would provide specialist, supervised accommodation for convicted prisoners upon release under licence and would help to reduce the numbers of such persons (both nationally and locally) in hotel accommodation. In terms of flood risk the proposed development is considered to be safe for its life-time (with raised proposed flood levels). Furthermore, with a Flood Evacuation Plan to be secured via condition, the flood risk to the whole establishment would be reduced. (This is expanded upon in the following paragraphs).
- 9.27 The existing garage (to be removed) has a footprint of approximately 45.6 sq metres. The proposed extension including glazed link will have a total footprint of approximately 63 sq metres. This is a 17.4 sq. metre increase in footprint. As there have been no extensions to the building since 1978, the whole 30 sq metre allowance under Local Plan Policy F1 is available and would not be breached by the extension and glazed link.
- 9.28 The proposed cycle store (approximately 18 sq metres) is considered to be a floodable structure and as such would not be considered against the F1 allowance. The cycle store replaces an existing cycle store on the opposite side of the application site.
- 9.29 In terms of the Environment Agency (EA) position, the EA advises that the proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if a

condition ensuring that the development is carried out in accordance with the submitted FRA and floor levels are now lower than 18.28 AOD. (See Condition 7 in Section 13)

- 9.30 Regarding Flood warning and emergency response, the EA has advised the LPA: *'We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.'*
- 9.31 The planning practice guidance (PPG) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, the EA advises local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, the EA recommends that the LPA consults with emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG.
- 9.32 This area benefits from flood defences. The proposed floor levels are set above the flood level for the 1 in 100 year event plus climate change, in both the defended and undefended scenarios. In the defended scenario the latest modelling from the EA shows that the flooding stays on the eastern side of the A308, this would mean that there is safe dry access and egress from the site in the defended scenario.
- 9.33 In the defended scenario the floodwater level is lower than the floor level of the existing garage (and the mapping shows that the flooding stays on the eastern side of the A308). The depth of flooding for the undefended scenario is considered to be approximately 30mm above the existing floor level of the garage, for the 1 in 100 year event plus climate change event, and the floor level is proposed to be raised by 150mm (to 18.28m AOD), so the building would be above the flood level in the event of a breach (and remain dry) in both the defended and undefended situations.
- 9.34 It is understood that the undefended scenario would only occur as a result of a breach of the flood defences, which is considered to be an unlikely event, as the defences are generally well maintained by the EA, however in the unlikely event that there was a breach, a Flood Evacuation Plan (FEP) has been proposed to enable the evacuation of the site in advance of any flooding.
- 9.35 It is understood that the Flood Evacuation Plan (FEP) would likely only be needed if a more significant event was to occur i.e. when there was a breach in the defences. The defences are generally well maintained by the EA and therefore the risk of a breach is considered to be low, also there would be advance warning so people could evacuate safely in advance of the flooding. Additionally, in the undefended scenario the applicants have identified that there is an area approximately 50m to the north of the site along the A308 which is outside of the 1 in 100 year plus climate change event, once at this point there is a safe dry route up Albert Road.
- 9.36 In the case of this application which relates to the extension of a supervised residential hostel where there is a management body to oversee the running of the establishment, it is considered that it would be appropriate (and desirable) to secure a Flood Evacuation Plan to cover an extreme flood event when flood defences breached. It is understood that occupants could be evacuated from the site and rehoused in other approved premises. The FEP can be implemented, monitored and updated by a nominated site manager/ flood coordinator.
- 9.37 The LPA has consulted the Council's Emergency Planner for comments on the proposal. In principle the Emergency Planner has no objection to the proposal and considers that a satisfactory FEP could be secured via a pre-occupation condition. The FEP needs to be revised to have clear triggers, it needs to identify who is responsible for what, such that any evacuation is done at the correct time, before actual flooding and to ensure that there is no extra impact on the Council or other responders. The FEP also needs to include details of where residents would be re-housed

during a time of flooding. Whilst this condition could only relate to the new development (extension), it is strongly recommended that the whole site should be included in the flood emergency plan in order to protect all those who live and work on the site. (See Condition 6 in Section 13)

Highways and parking

- 9.38 A308 Straight Road is a classified, numbered road, categorised as a primary distributor road. The road is subject to a 30-mph speed limit. The site is situated at approximately 2.6 km distance from the closest train station, thus, it is considered to be in a poor accessible area. The surroundings show mixed land use, characterised by a majority of residential development as well as some commercial activity. The establishment has been functioning as a probation hostel, offering accommodation in the community for convicted prisoners upon release under licence.
- 9.39 The existing access arrangements are to be retained. The proposal aims for the replacement of two garages used as stores with three additional bedrooms. Based on the Borough's Parking Strategy (2004), a C2 use (hostel) attracts a parking of 1 space per 3 residents. Presently, the site provides 25 bedrooms which the applicant proposes to increase to 28. The development generates a demand for 9 spaces which can be accommodated within the site.
- 9.40 The submitted cycle store details submitted are accepted. The Highway Authority offers no objection to the proposal. A condition is required to ensure cycle storage is provided in accordance with the approved drawings. See Condition 5 in Section 13.

Ecology

- 9.41 As previously ascertained through photos provided for application 19/03447 (which was withdrawn), the buildings are considered unlikely to host roosting bats and, as such, there are no objections to this application on ecological grounds.

Impact on the Special Areas of Conservation (SAC)

- 9.42 The nearest Special Area of Conservation is the Windsor Forest and Great Park Special Area of Conservation. It is not considered that the proposed development (for 3 additional bedrooms) would have any significant effects on the conservation objectives of the SAC such that an Appropriate Assessment would be required.

Climate Change and Sustainability

- 9.43 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraphs 148 and 150 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimise vulnerability and improve resistance, and support renewable and low carbon energy and associated infrastructure. In June 2019 RBWM declared an environment and climate emergency with aims to ensure the Borough will achieve net zero carbon emissions by 2050. In December 2020 the Council approved the Borough's Environment and Climate Strategy. These are material considerations in determining this application.
- 9.44 Although the *Council's Interim Sustainability Position Statement*: does not apply to householder residential extensions and non-residential extensions of under 100 sqm, it is noted that the applicant's planning statement advises on a number of sustainability measures. The proposed development includes a series of solar panels on the roof and an Air Source Heat Pump (ASHP). Twin flush cisterns, basins and sink taps will have spray nozzles and thermostatic blending valves. Showers will be thermostatically controlled for safety and economy. New timbers will be from a sustainable source. A bicycle store is proposed.
- 9.45 It is considered that the proposed measures comply with the aims and objectives of the Council's Interim Sustainability Position Statement.

Other Material Considerations

Housing Land Supply

- 9.46 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:

- i. 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*
- ii. 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.*

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..).'

- 9.47 At the time of writing, the Council is unable to demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).
- 9.48 The LPA therefore accepts, for the purpose of this application and in the context of paragraph 11 of the NPPF (2019), including footnote 7, the so-called 'tilted balance' is engaged. The LPA further acknowledges that there is no conflict with any 'restrictive' policies relevant to the consideration of this planning application which would engage section d(i) of paragraph 11 of the NPPF (2019). The assessment of this and the wider balancing exercise is set out below in the conclusion.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The proposed development is not CIL liable.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 It is considered that there is no direct conflict with policies in the adopted local plan or the emerging borough local plan that that requires this development to be refused. This weighs in favour of the proposal. Furthermore, the proposal is not considered to conflict with the NPPF- this is a material consideration. The proposal also provides a specialist form of housing accommodation which takes pressure off the existing housing stock. This weighs moderately in favour of the proposal. There are also other economic benefits namely providing employment during construction and additional customers for local shops and services – these carry limited weight.
- 11.2 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. As set out in paragraph 9.48 it is considered that in this instance the tilted balance should be applied. However, such an assessment is considered to be academic. This is because for the reasons set out above, Officers are of the view that if this application is determined in accordance with the normal test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

12. APPENDICES TO THIS REPORT

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

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used in any exterior work on the proposed extension must be of a similar appearance to those used in the construction of the exterior of the existing building, unless otherwise agreed in writing beforehand with the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1
- 3 Details of the measures to be taken to acoustically insulate all habitable rooms of the development hereby permitted against aircraft noise, together with details of the methods of providing ventilation to habitable rooms shall be submitted to the Local Planning Authority and approved in writing before development commences on the construction of the extension above slab level.
Reason: To ensure an acceptable living environment for future occupiers. Relevant Policies Local Plan NAP2, H10.
- 4 The rating level of the noise emitted from fixed plant and stationary equipment shall be lower than existing background level (to be measured over the period of operation of the proposed plant and equipment and over a minimum reference time interval of 1 hour in the daytime and 15 minutes at night) by at least 5dB(A). The noise levels shall be determined 1m from the nearest noise-sensitive premises. The measurement and assessment shall be made in accordance with BS 4142: 2014.
Reason: To protect the residential amenities of the area. Relevant Policy - Local Plan NAP3.
- 5 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall always thereafter be kept available for the parking of cycles in association with the development.
Reason: To ensure that the development is provided with adequate cycle parking facilities to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 6 Prior to initial occupation of the extension hereby permitted, a detailed Flood Emergency Plan (FEP) shall be submitted to and approved by the Planning Authority. The FEP must include full details of the risks, triggers and actions to be undertaken and by whom before, during and after a flood event and without putting additional pressure on the emergency services. This plan should be reviewed regularly and at least on an annual basis. It is strongly recommended that the whole site should be included in the flood emergency plan in order to provide a consistent approach to protect all those who live and work on the site.
Reason: To ensure that the additional people are not put at risk of flooding. Relevant Policies - Local Plan F1 and NPPF (Feb 2019) paragraph 163.
- 7 The development shall be carried out in accordance with the submitted flood risk assessment (Issue Final D, dated 24 August 2020 and prepared by Motion) and the following mitigation measures it details:
Finished floor levels shall be set no lower than 18.28 metres above Ordnance Datum (AOD), in accordance with paragraph 5.9.
These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with adopted policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations, adopted June 2003) and emerging policy NR1 of the Borough Local Plan 2013-2033.
- 8 In order to protect mature trees on the site frontage, BS5837 compliant protective fencing shall be erected along the edges of the soft ground on the site frontage, before any equipment, machinery or materials are brought on to the site. Thereafter, the protective fencing shall be maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those fenced areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 9 The Air Source Heat Pump (ASHP) shall be provided with the a cover in accordance with the

details on the amended plans 20201-WA-003 Rev B and 20201-WA-004 Rev B , i.e. louvered/slatted screening cover painted white, unless otherwise agreed in writing by the Local Planning Authority. .

Reason: In the interests of the visual amenity of the area. Relevant policy - DG1.

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

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

Informatives

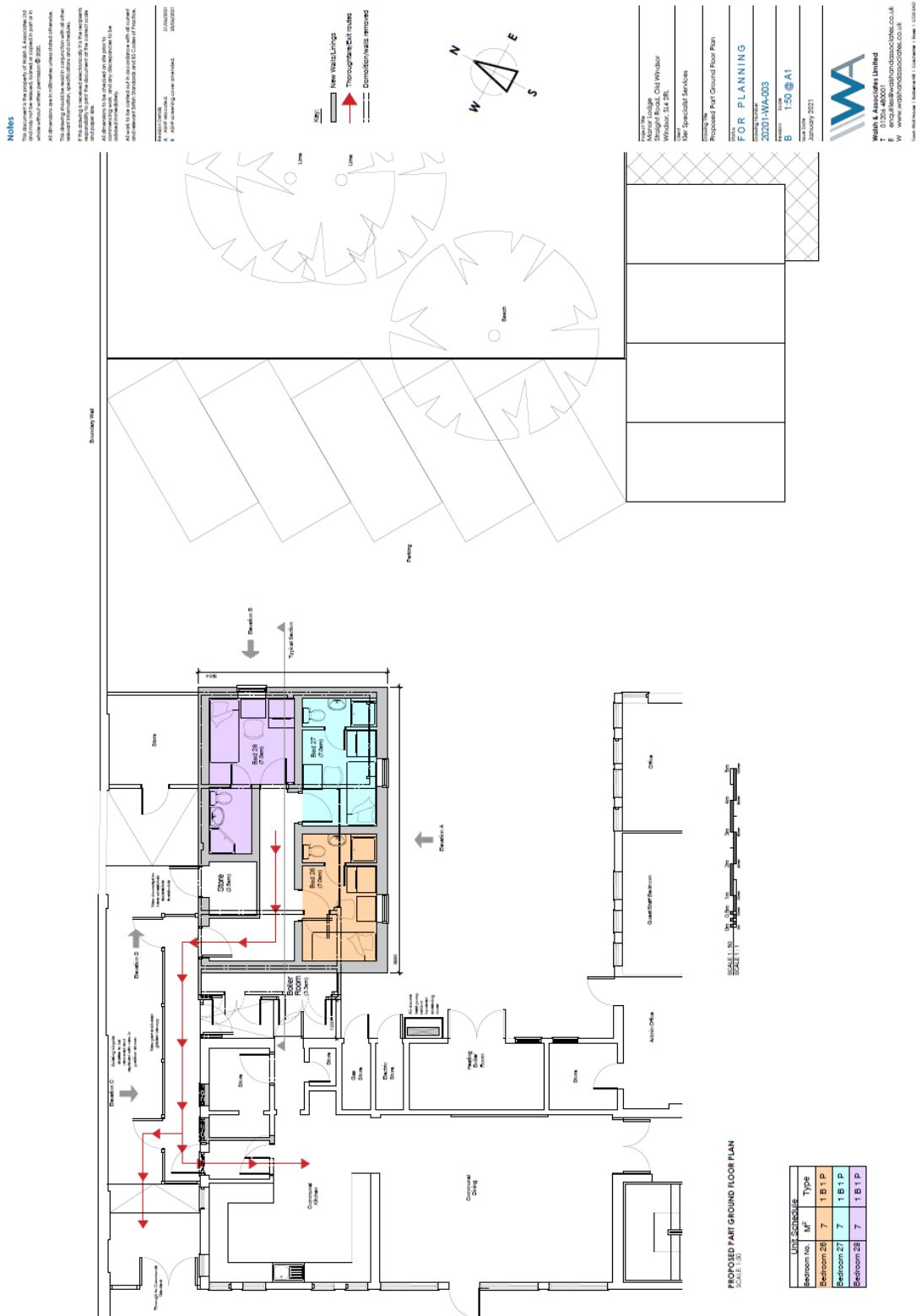
- 1 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning.
- 2 The applicant and their contractor should take all practicable steps to minimise dust deposition outside the site boundaries which is a major cause of nuisance to residents living near to construction and demolition sites. All loose materials should be covered up or damped down by a suitable water device, all cutting/breaking is appropriately damped down, the haul route is paved or tarmac before works commence and is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance: the London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities.
- 3 All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- 4 Mitigation measures as defined in BS 5228-1:2009+A1:2014 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- 5 The applicant must ensure procedures are in place for maintaining good public relations including complaint management, public consultation and liaison. Control measures must be put in place for dust and other air-borne pollutants and should take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants. Measures should also be put in place for controlling the use of site lighting whether required for safe working or for security purposes, so as not to cause nuisance and disturbance to neighbours.

APPENDIX A

21/00477/FULL – Manor Lodge Probation Hostel



21/00477/FULL – Manor Lodge Probation Hostel

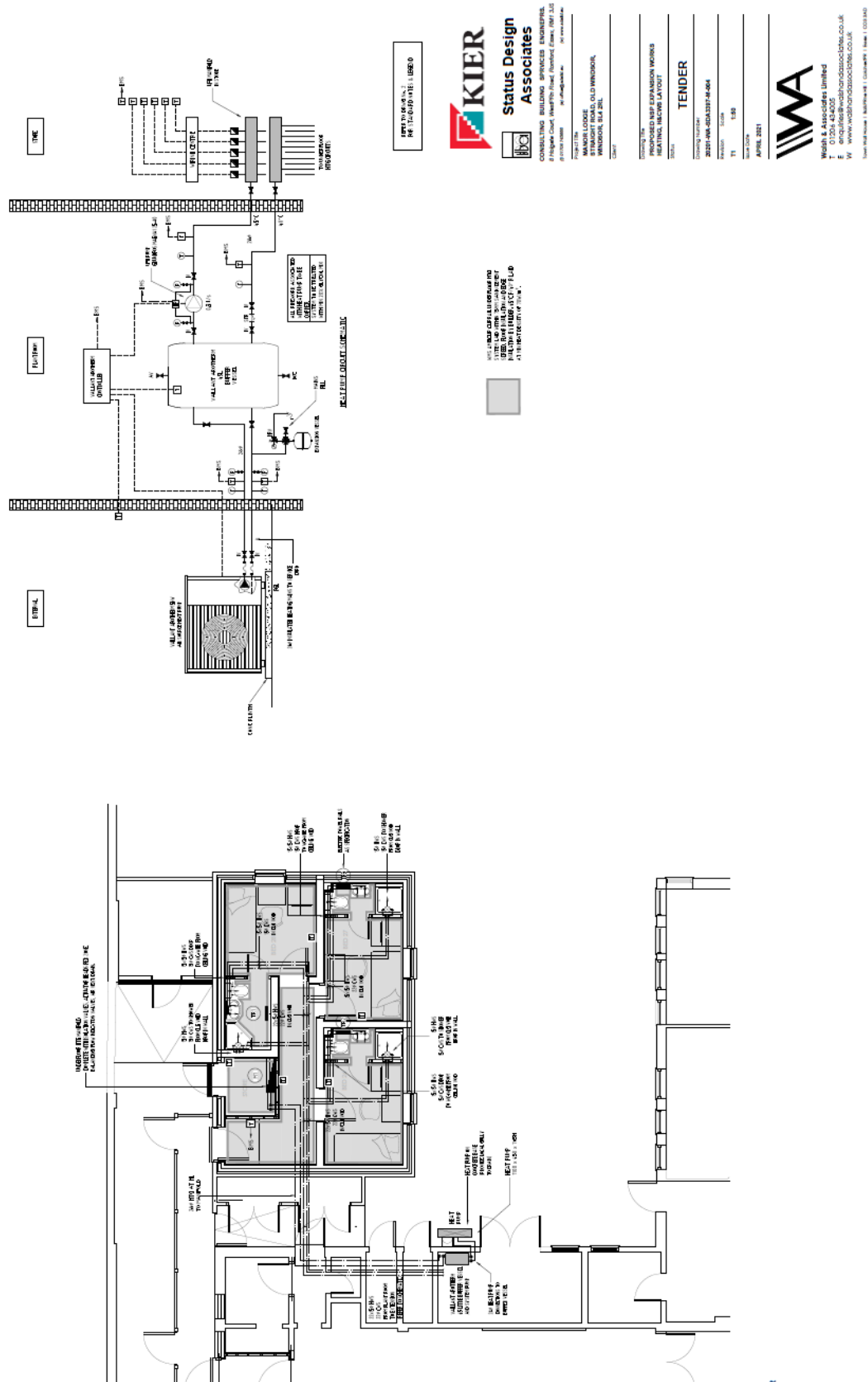


21/00477/FULL – Manor Lodge Probation Hostel



APPENDIX B

21/00477/FULL – Manor Lodge Probation Hostel



Agenda Item 5

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

21 July 2021

Item: 2

Application No.:	21/00686/FULL
Location:	Land North Of Camperdown House Alma Road Windsor
Proposal:	Erection of 4 semi detached dwellings with associated parking, landscaping and vehicular access.
Applicant:	Hallmanor Limited
Agent:	Mr Mark Carter
Parish/Ward:	Windsor Unparished/Eton And Castle
If you have a question about this report, please contact: Harmeet Minhas on or at harmmeet.minhas@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application relates to a car park located to the west of and accessed via Alma Road. The site is laid to hard-surfacing and sits adjacent to Trinity Place and Clarence Crescent Conservation Area.
- 1.2 This is a full planning application for the erection of 2 x 2 bedroom dwellings and 2 x 3 bedrooms dwellings with 8 associated parking spaces. Plans have been revised since the initial submission to reduce the scale of the development and have been the subject to a full consultation exercise.
- 1.3 The report sets out the relevant Development Plan and other policy considerations. The report also sets out the main material planning considerations and assessment in relation to this planning application, which includes reference to the refused planning applications on this site.
- 1.4 The proposed development looks to make use of previously developed land in a highly sustainable location in Windsor. The submitted information and comments from Conservation Area officers are that the proposed development would not prejudice the setting of the adjacent heritage assets.
- 1.5 The proposal by virtue of its improved design and reduced scale would overcome the objections raised within application 18/01323/FULL and subsequent pre-application discussions between officers and the applicant.
- 1.6 Concerns were raised by tree officers during the course of the application with regard to tree impact and landscaping capacity at the site. The applicant has provided additional arboricultural information to justify the location of the proposed development in relation to existing trees and which demonstrates the capacity of the site to successfully integrate new trees/planting.
- 1.7 The proposed development is not considered to raise any issues in terms of highway safety or capacity, nor raises any issues in terms of ecological or environmental matters.
- 1.8 The proposal is considered to comply with the relevant development plan policies and the NPPF, and would result in the supply of 4 new homes within a sustainable location.

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

2. REASON FOR PANEL DETERMINATION

- The application has been called in to panel by Cllr Bowden for the following reasons:
 - Inappropriate development of land in use as a car park

- Insufficient safe access to site from a private road across a legal footway and dedicated cycle path, splay lines not available. Vehicle, refuse lorry delivery danger

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises an existing car park of 50 spaces and access road off Alma Road. The site lies to the north-west of Camperdown House and west of 63 Alma Road, Windsor. The car park is roughly rectangular and is currently accessed via the site to the south across an existing public footpath.
- 3.2 The character of the area is mixed. Immediately to the north is Viscount Court, a two-storey residential care home and Clarence Medical Centre. To the east are residential properties, predominantly three-storey Victorian houses. The former Imperial House site is to the south. A public footpath runs along the south of the car park connecting Alma Road to Vansittart Road.
- 3.3 The land to the east of the site (including Camperdown House and 63 Alma Road) is within the Trinity Place and Clarence Crescent Conservation Area. The majority of the site is within Flood Zone 2 and the eastern part of the site is in Flood Zone 1.

4. KEY CONSTRAINTS

- 4.1 Setting of designated Heritage assets (Conservation Area and Listed Buildings).
Flood Zone 2

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The scheme is for the construction of four dwellings (2 x pair of semi-detached dwellings) with associated parking, landscaping and vehicular access. The dwellings to the east of the site comprise 2-bedrooms with the pair of dwellings to the west comprising 3 bedrooms.
- 5.2 The proposed 3-bedroom dwellings would have a ridge height of 9m with the 2-bedroom dwellings having a height of 9.5m. The materials for both pairings include facing brickwork, slate tiles with stone surrounds. With regard to materials for the elevations including windows and doors, the application form states that the applicant would provide further information on the exact material type as part of a condition.
- 5.3 8 parking spaces are shown within the development, with provision made for electric charging points within the site. This would amount to on average two spaces per unit, with further provision for cycle stores within the private gardens of each unit.
- 5.4 A planting plan was submitted to the LPA during the course of the application which demonstrates the planting of new trees and landscaping features within the site. In addition, a tree survey and supporting report was submitted to address the implications of the proposal on adjacent trees located outside the application site.

Reference	Description	Decision
18/01323/FULL	5 x 2 bedroom houses with access, parking and landscaping	Refused- Reasons for refusal are highlighted in Section 9 of the report

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 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
Heritage	CA2

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

Windsor Neighbourhood Plan (2011-2026)

Issue	Neighbourhood Plan Policy
Design in keeping with character and appearance of area	DES.01
Heritage	HER.01
Highways/Parking	PAR.01
Residential Amenity	RES.01

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making
Section 9- Promoting Sustainable Transport
Section 11- Making effective use of land
Section 12- Achieving well-designed places
Section 15- Conserving and enhancing the natural environment
Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Housing mix and type	HO2
Housing Density	HO5
Flood risk	NR1
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3
Sustainable Transport	IF2
Nature, Conservation and Biodiversity	NR2
Heritage Assets	HE1
Trees	NR3
Climate Change	SP2

- 7.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

*b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

7.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.

7.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 9 of this report.

7.4 These documents can be found at:
<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

7.5 **Supplementary Planning Documents**

- Borough Wide Design Guide

7.6 **Other Local Strategies or Publications**

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Landscape Assessment
- Interim Sustainability Position Statement
- RBWM Parking Strategy

More information on these documents can be found at:
<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

8. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

31 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 13th March 2021. The application was publicised in the local paper.

8 letters were received objecting to the application. A number of the objections raise similar concerns and they have all been summarised as:

Comment		Where in the report this is considered
1.	Over-crowded with no street parking and large buildings. Would cause overlooking and congestion	Section 9.15-9.19
2.	Cramped form of development. Likely to cause increase in noise. Existing landscaping would be at threat from the development.	Section 9.4-9.19 and 9.25-9.31
3.	Would not conform to building regulations with parking spaces restricting better access arrangements. Design does not follow the grain of the area with limited detailing.	Section 9.4-9.14
4.	Not in keeping with the character of the area. Would increase traffic and noise.	Section 9.4-9.14

Consultees

Consultee	Comment	Where in the report this is considered
Trees	Concerns raised relating to incursion in RPAs from development and utilities. The proposal may lead to post development pruning pressures. There is little space along the southern boundary of the site to implement any structural planting and therefore the scheme cannot be adequately softened from this aspect.	Additional Arboricultural Information received to address Tree Officer's initial comments. Section 9.25-9.31
Highways	The Highway Authority offers no objection to the proposal. If the planning authority is minded to approve the application then the conditions should be included.	Section 9.15-9.19 (A condition relating to a CMP is not considered reasonably necessary for a development of this scale)
Conservation	Whilst there is no longer an objection to the scheme, Conservation must stress the importance of the material selection and detailing. The specification of sympathetic materials (such as handmade bricks laid in a Flemish Bond with coarse mortar pointing) and detail design of elements such as the windows should be given great care as to ensure the character of the appearance of the area be maintained/enhanced. Conditions recommended.	Section 9.4-9.19

Other local groups/Interested parties

Consultee	Comment	Where in the report this is considered
Windsor and Eton Society	Insensitive design when compared to neighbouring dwellings. Loss of parking spaces is of concern. Concerns raised over the impact on All Saints Church.	Section 9.4-9.19
Windsor Neighbourhood Plan Group	Houses will appear cramped and do not integrate with the existing grain of the surrounding area. Impact the character of the area and detrimental to the Conservation Area.	Section 9.4-9.19

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Design considerations including the impact on heritage assets
- iii Highway Considerations and Parking Provision
- iv Impact on neighbouring amenity
- v Trees and Ecology
- vi Flooding
- vii Sustainability and Climate Change

Issue I - Principle of Development

9.1 The application site comprises a carpark located on land between Camperdown House and 63 Amla Road, Windsor. To the east of the site is Trinity Place and Clarence Crescent Conservation Area.

9.2 Paragraph 118 (d) of the NPPF (2019) states that planning policies and decisions should:

'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railing infrastructure)'

9.3 The site and its current use is considered to have limited value and its re-development would not be contrary to the NPPF (2019) or the development plan. No objection was raised to the principle of the re-development of the site under the previous refused application (18/01323/FULL), and it would now be unreasonable to raise any concern in this regard given there have been no material changes to planning policy or to the site itself since that decision.

Issue ii- Design considerations including the impact on Heritage assets

9.4 Refusal reason 1 of the previous planning application 18/01323/FULL states:

- *'By reason of its cramped layout, failure to integrate with the existing grain of the area, and unsympathetic design when compared with neighbouring properties, the proposed development is considered to form an uncharacteristic and incongruous development which would be harmful to the area as well as views from Trinity Place and Clarence Crescent Conservation Area. As such, the proposal is contrary to policies DG1, H10 and H11 of the Local Plan, policies SP3 and HE1 of the Borough Local Plan Submission Version as well as design guidance contained within the NPPF which seeks to sympathetically integrate new development into existing environments and Section 12 of the NPPF which seeks to preserve or enhance the setting of heritage assets.'*

9.5 Policies DG1 and H10 of the adopted Local Plan seek to ensure that residential development will be of a high standard of design and landscaping, compatible with the area and street scene. Policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area.

- 9.6 The application site is located within a developed part of Alma Road. To the north of the site is Viscount Court which is a two-storey building with significant ridge height owing to its architectural design and dominant gable features. The prevailing design of the building enhances its vertical emphasis and standing within the setting.
- 9.7 To the east of the site, within Alma Road, are a grouping of three-storey traditional town houses. Their architectural composition also maintains a similar vertical emphasis within the setting due to their elevated eaves height and ridge heights.
- 9.8 It is considered the appeal site is set within an envelope of buildings which have high ridge heights with dominant gable features and high-level dormer windows.
- 9.9 The scale and footprint of the dwellinghouses has been reduced such that the development now sits more comfortably within the site, with adequate space around the proposed buildings. Furthermore, the proposed design of the dwellings has been revised as part of the current proposal and overcomes the concerns raised by officers under the 2018 scheme. The elevations propose a more traditional appearance through the use of sash windows, stonework and architectural detailing which harmonises with the vernacular of the area, and adjacent Conservation Area. The proposal has made every effort to integrate the properties with the traditional Edwardian and Victorian buildings surrounding the site.
- 9.10 Under previously refused application 18/01323/FULL concern was raised that the proposed development, by virtue of its attributes would create a development that would, in itself, appear cramped, but would also appear cramped when viewed from the pedestrian footpath that connects the site to the Trinity Place and Clarence Crescent Conservation Area.
- 9.11 Conservation have withdrawn their objection to the proposal following the receipt of amended plans. They have recommended the use of specific materials to maintain/enhance the character and appearance of the area. This would be the subject to a planning condition to achieve a satisfactory development in relation to Policy DG1 and CA2 of the Local Plan (2003).
- 9.12 The reduction of the number of units within the site reduces the density and cramped appearance of the scheme when compared to the previously refused application. The proposal, by virtue of its reduced density and massing, would now satisfactorily sit within the setting of the adjoining dwellings and the established character of Alma Road.
- 9.13 It is noted that residents have raised objections to the design of the dwellings, notably the specific concern they appear out of keeping with other dwellings within the vicinity. Notwithstanding the clarity on officers position with relation to design above, it is important to note that replication is not within itself good design. Policy DG1 specifically **‘seeks development to be compatible with the established street facades having regard to the scale, height and building lines of adjacent properties...’**. The proposed design, after careful consideration and engagement with officers, would appear compatible within the setting.
- 9.14 To conclude, it is considered that the revised proposal has overcome reason for refusal 1 of application 18/01323/FULL by virtue of its reduced scale and massing and improvements to the design.

Issue iii- Highway considerations and parking provision

- 9.15 Council’s adopted parking standards in Appendix 7 of the Local Plan (as amended) seeks dwellings of this size to provide 2 off-street parking spaces. The proposed site plans indicate that each dwelling would benefit from 2 off-street parking spaces, with highways commenting that safe turning circles can be achieved within the site.
- 9.16 Concern has been raised by residents as to the impact the proposal may have on the highway network, and surrounding parking provision. The proposal would see the loss of 50 car parking spaces. Section 1.2 of the supporting planning statement states the car park was used in association with the Windsor College Campus but is no longer required for that purpose, and subsequently from April 2018 it has been used informally for public parking. The application site is

in a sustainable location owing to its accessibility to local transport choices including bus and rail links. Notwithstanding this, students/employees, visitors and tourists to the local area benefit from a number of public car parks and controlled on-street parking provision. Given the car park is no longer required in connection with Windsor College Campus and has only been available to the public since 2018, the loss of the car park is not objected to. Indeed no objection was raised to the loss of the car park under previous application ref: 18/01323/FULL.

- 9.17 As part of the assessment of this application, the Council's highways team were consulted. They raised no concerns to the proposal or the use of the existing access into the site, subject to appropriate conditions.
- 9.18 Concern has been raised relating to danger for pedestrians and cyclists using the public footpath. Given the former use of the site as a car park for 50 vehicles, the use of the site for 4 residential dwellings would significantly reduce vehicular movements over the public footpath such that no objection could be raised on this ground. Furthermore, the access into the site is acceptable with regard to visibility.
- 9.19 Therefore, it is considered that the loss of parking provision within the site would not likely impact the safety of highway users or pedestrians through further pressure for on-street parking provision within the area. The proposed development is acceptable with regard to parking provision and impact on the highway.

Issue iv- Impact on neighbouring amenity

- 9.20 There is no specific policy in the Development Plan regarding impact on neighbouring amenity, in relation to new development. However, Para 127 (f) of the NPPF (2019) is explicit that developments should seek to create places that are safe with a high standard of amenity for existing and future users.
- 9.21 Policy QP3 of the BLPSV (2019) states that development will be expected to have an acceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.
- 9.22 During the assessment of application 18/01323/FULL no concerns were raised by officers with relation to the impact the proposal could have on adjoining properties. It was assessed that the proposed development would be sited a considerable distance from neighbouring properties, and there would be no significant harm to the properties on Alma Road or Vansittart Road.
- 9.23 The scheme before us would maintain similar separation distances to the nearest neighbouring properties, and it is considered there would not be any significant harm to the nearest dwellings. Given the previous position of the Council in the assessment of the 2018 application, and the fact the scheme has been reduced in number of units, footprint and mass, it would be challenging for the Council to sustain or defend any refusal on these grounds at appeal.
- 9.24 Notwithstanding the above, the dwellings have been designed so that each pairing faces one another. Whilst this would give rise to some degree of oblique overlooking between the dwellings, it would not be to a degree which is uncommon within the immediate area.

Issue v- Trees and Ecology

- 9.25 Local Plan Policy N6 suggests that new developments should protect and conserve trees important to the amenity of the area; ample space should also be provided for the future growth of these trees. Any loss or harm to such trees can in some circumstances be mitigated by replanting but should always be justified by the applicant. The policy also states that where the contribution of the trees to local amenity outweighs the justification for development, planning permission may be refused. The site contains one protected tree on the boundary with 63 Alma Road. There are also mature off-site trees along the south boundary.

- 9.26 The applicant submitted as part of the application a detailed arboricultural method statement. This followed the refusal of planning permission in 2018 for 5 dwellings at the site, owing to concerns of the loss of trees as a result of root incursion by the development.
- 9.27 In addition to the tree survey and tree protection plan, the applicant submitted a shadow diagram at the request of tree officers to support the proposal.
- 9.28 Tree officers have raised concerns specifically in relation to the incursion into the RPA of a non-protected off-site tree, placement of underground utilities, future post-development pressures that may arise, as well as concerns over the capacity of the site to introduce soft landscaping along the southern boundary of the site.
- 9.29 In response to these concerns the applicant provided an Arboricultural Impact Assessment which justifies the siting of the proposed development in relation to trees; and planting and landscaping plans which demonstrate the capacity of the site to facilitate further soft landscaping, not only along the southern boundary but within key parts of the site. It is considered that this additional information serves to overcome the tree officers' initial concerns but in addition a condition could form part of any subsequent approval, which requests a detailed and comprehensive landscaping scheme for the consideration of officers (condition 9). Details of utilities can also be requested via condition (condition 15).
- 9.30 In the event that post-development pressure results in the need to remove trees within the site, it would not be unreasonable for the authority to seek their replacement to ensure the development maintains its design with the character of the area, where landscaping features play a key role to the attractiveness of the setting. It is recommended that this is maintained through appropriate use of conditions that would seek appropriate replacements for trees which are to be removed. Therefore, on balance, it is considered that the development can achieve compliance with Policy DG1 of the Local Plan by ensuring appropriate landscaping features are introduced and existing landscaping features retained which collectively and cumulatively contribute to the setting.
- 9.31 The site has limited ecological value given it comprises a hard-surfaced car park. The new development however has potential to provide ecological enhancements. This can be covered by condition (condition 16).

Issue vii- Flooding

- 9.32 The proposal is sited in within Flood Zone 2, which has a medium probability of flooding. The land specifically is identified as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding.
- 9.33 Local Plan Policy F1 suggests that development will not be permitted for new residential and non-residential development, unless it can be demonstrated to the councils satisfaction that the proposal would not of 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 are risk from flooding. The NPPF requires the following tests be applied for new development in high risk flood areas.

Sequential Test

- 9.34 As part of the 2018 application for 5 residential units, the applicants carried out a sequential test which included a borough wide search of alternative sites which could accommodate 3-7 houses, under 0.25h in size and are located in Flood Zone 1.
- 9.35 22 sites of comparable size, for residential use were identified when utilising the councils HELAA (2016) as a source for sites. 7 are at greater risk of flooding. 5 are in the green belt and would constitute inappropriate development contrary to planning policy. 4 of the remaining 10 sites have planning permission and the 6 remaining sites are accepted as inappropriate for their differing reasons (set out in paragraph 7.5.4 of the Lanmor Consulting FRA dated May 2018).

- 9.36 Since this assessment was carried out in 2018, the HELAA was updated (2019) and the proposed sequential test re-established against the updated document as part of the updated FRA submitted with the current application. No other sites have been identified by the applicant through land searches. As such, the proposal would still pass the sequential test.

Exceptions Test

- 9.37 Paragraph 159 of the NPPF states that if it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test should be applied if appropriate. Table 2 of the NPPG classifies new dwelling houses as 'More vulnerable development'. Table 3 of the NPPG indicates that more vulnerable development in Flood Zone 2 is appropriate development and the exceptions test is not required.
- 9.38 Paragraph 163 requires that 'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:
- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
 - development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
- 9.39 The bedrooms of each property would be located at first floor, ensuring that sleeping occupiers would be less likely to be harmed by flooding during the night. The siting of the rooms would also give occupiers more time, which could allow for emergency services to be alerted and for the property to be evacuated. Furthermore the property is in Flood Zone 2, to the west of the site is flood zone 3 and immediately to the east is Flood Zone 1. This being the case the applicants have identified a very low hazard egress and access route utilising the Claremont road footpath on to Alma Road. The route is shown between Drawing 181025/FRA/03 – Flood Hazard Rating for 1% AEP + 35% CC and section 5.4 of the of the Lanmor Consulting FRA dated May 2018. It is therefore considered that safe access can be provided at all times to and from the site,
- 9.40 It has not been demonstrated that the finished floor levels of the properties would be 300mm above the 1 in 100 year flood level plus a 25% allowance for climate change (20.93). However the north western boundary of the site is the lowest part of the site at 20.91 AOD. Taking into consideration that most of the site is already above 1 in 100 + CC, that the proposed properties include a 250mm step up on entry, it is likely that the finished floor levels would be above this figure. Further to this, it is likely that a 300mm internal floor level could be accommodated within the existing envelope and scale of development without compromising its design. As such the floor levels could be conditioned and are not considered to form a reason for the refusal of this application.
- 9.41 New drainage networks will be provided for both surface water and foul water. Micro Drainage calculations have been provided to determine an approximate size for an attenuation tank, which would be needed to attenuate the rate of runoff from the proposed development before discharging to the public sewer. The attenuation facility has been designed to cater for a 1 in 100 year +40% CC to prevent flooding on and around the site.
- 9.42 For the reasons mentioned above the proposal is considered to be flood resilient, resistant and in compliance with the flooding guidance set out within the NPPF and Local Plan Policy F1.

Issue vii – Climate Change and Sustainability

- 9.43 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraphs 148 and 150 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimise

vulnerability and improve resistance, and support renewable and low carbon energy and associated infrastructure. In June 2019 RBWM declared an environment and climate emergency with aims to ensure the Borough will achieve net zero carbon emissions by 2050. In December 2020 the Council approved the Borough's Environment and Climate Strategy. These are material considerations in determining this application.

- 9.44 The *Council's Interim Sustainability Position Statement* applies to developments of this scale and the applicant has submitted an Energy and Sustainability statement in support of the application. The buildings will achieve at least a 20% reduction of the dwelling emission rate against the target emission rate based on Part L of the Buildings Regulations 2016. To achieve this the Energy Statement sets out various design measures. In terms of renewables, the development will incorporate Air Source Heat Pumps. Additionally 20% of parking spaces will be provided with active EV charging facilities and detailed design will incorporate mains water saving measures and equipment to keep water usage below 180L per day. It is considered that the sustainability measures incorporated within the development meet the Council's aims and objectives in delivering sustainable development and reducing the impact on the climate.

Issue viii – Other Material Considerations

Housing Land Supply

- 9.45 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.

- 9.46 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:

- i. 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*
- ii. 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.*

- 9.47 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..).'

- 9.48 At the time of writing, the Council cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

- 9.49 Footnote 6 of the NPPF (2019) clarifies that section d(i) of paragraph 11 of the NPPF (2019) is not applied where *'policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed'*. This includes **sites within an area at risk of flooding**. For the reasons set out in paragraphs 9.32-9.42 the proposed development is considered to be acceptable in terms of flood risk. As such, and whilst the proposed development falls within a *'protect area(s) or assets of particular importance'* there is no clear reason for refusing the proposed development on this basis. Accordingly, the so-called 'tilted balance' is engaged. The assessment of this and the wider balancing exercise is set out below in the conclusion.

- 9.50 The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is CIL liable. The proposed floorspace of the dwellings is 490 sq.m.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 The proposed development is consistent with the NPPF (2019) in so far as it would make efficient use of previously development land in a highly sustainable location, achieving well-designed, quality housing. The proposed development would also contribute to the Council's five year housing land supply at a time when the Council cannot demonstrate a 5 year housing land supply.
- 11.2 The proposed development has sought to address a number of design comments made in relation to the previously refused scheme (18/01323/FUL) and subsequent pre-application discussions. The reduction in the density of the scheme as well as its general design, appearance and layout would ensure the proposal respects its immediate setting, as well as that of the adjoining Heritage asset.
- 11.3 Sufficient information has been provided as part of this application to demonstrate how the proposed scheme would satisfactorily integrate with existing landscape features, as well as enhancing the setting with further soft landscaping provision. The proposed development is not considered to raise any further environmental issues.
- 11.4 It is considered that this proposal would not raise any significant issues in terms of highway safety or capacity.
- 11.5 It is considered that this proposed development is an improvement on the previous refused application on this site. The proposals make efficient use of the previously developed land, in a sustainable location and the additional information submitted during the course of the application are considered to weigh in favour of this scheme. For the reasons set out above, Officers are of the view that if this application is determined in accordance with the normal test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

12. APPENDICES TO THIS REPORT

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

13. 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 commencement of works, further details as to include sample brick panels (for each of the different brick types) of approx. 1m x 1m showing brick, bond, mortar mix and jointing as well as samples of the proposed roofing and cladding materials and finishes, shall be prepared on site and approved in writing by the Local Planning Authority. The external surface of the building shall thereafter be finished in accordance with these approved details.
Reason: To preserve or enhance the setting of the Conservation Area. Relevant Policy CA2.
- 3 Prior to their installation, horizontal and vertical sections and elevations of all proposed external windows and doors including surrounding frames, as well as full specifications shall be provided to the Local Planning Authority at a minimum scale of 1:10 with typical moulding details at a scale of 1:1. The works shall thereafter be carried out in accordance with the approved details.
Reason: To preserve or enhance the setting of the Conservation Area. Relevant Policy CA2.
- 4 No part of the development shall be occupied until vehicle parking and turning space has been

provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

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

- 5 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

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

- 6 No part of the development shall be occupied until a refuse/recycling bin storage area and collection area with sufficient turning facilities for the refuse vehicle have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.

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

- 7 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any tree work approved shall be carried out in accordance with British Standard 3998 Tree Work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.

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

- 8 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees growing within and adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing and ground protection in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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

- 9 No development shall take place until full details of both hard and soft landscaping works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.

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

- 10 No further window(s) shall be inserted at first floor level in the flank elevation(s) of the dwellings approved.

Reason: To prevent overlooking and loss of privacy to occupiers of the development and neighbouring occupiers. Relevant Policies - Local Plan H11.

- 11 The first floor window(s) in the northern and southern elevation(s) of the dwellings shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall

not be altered.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.

- 12 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.

- 13 The proposed development shall be carried out in strict accordance with the information laid out in the supporting Flood Risk Assessment (Report 201317/FRA/JR/RS/01).

Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. Relevant Policy - Local Plan F1.

- 14 There shall be no raising of existing ground levels on the site.

Reason: To prevent the increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. Relevant Policies - Local Plan F1.

- 15 No development shall take place until full details of all underground services and utilities have been submitted and approved in writing by the Local Planning Authority.

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

- 16 No development hereby permitted shall commence until details of biodiversity enhancements, to include bird and bat boxes, tiles or bricks on and around the new buildings and native and wildlife friendly landscaping has been submitted and approved in writing by the LPA.

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

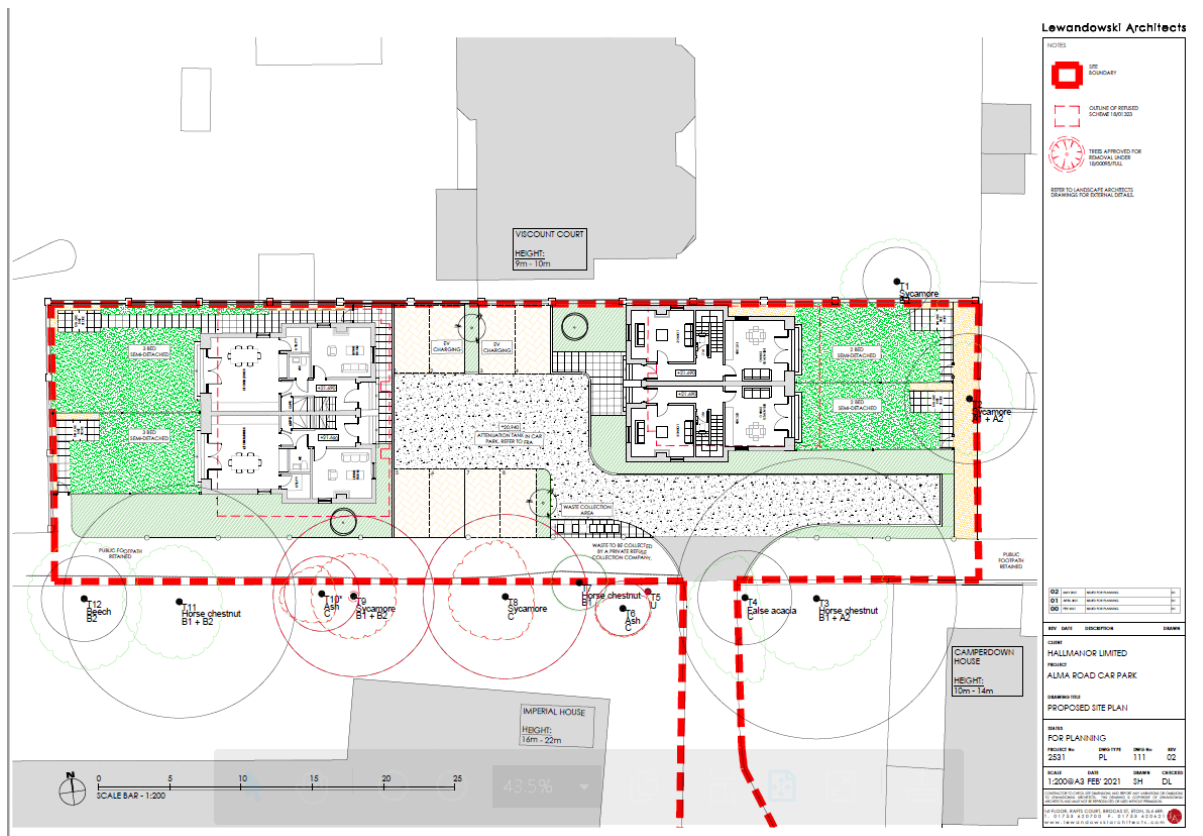
- 17 The development shall be carried out in accordance with the submitted Energy and Sustainability Statement

Reason: To ensure an energy efficient and sustainable development in line with the Council's Interim Sustainability Position Statement and the NPPF.

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

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

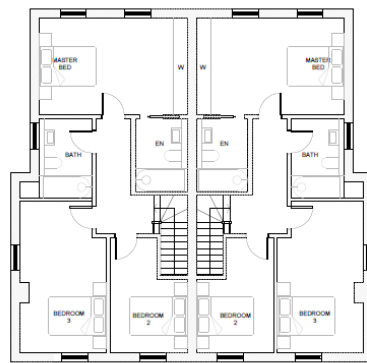
Appendix A – Proposed Site Plan



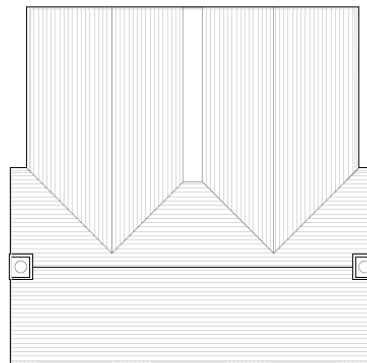
Appendix B – Proposed Street Scene



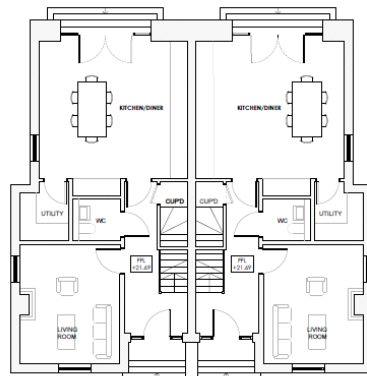
Appendix C – Proposed 3-Bed Floorplans



3 BED SEM-DETACHED - FIRST FLOOR



3 BED SEM-DETACHED - ROOF PLAN



3 BED SEM-DETACHED - GROUND FLOOR

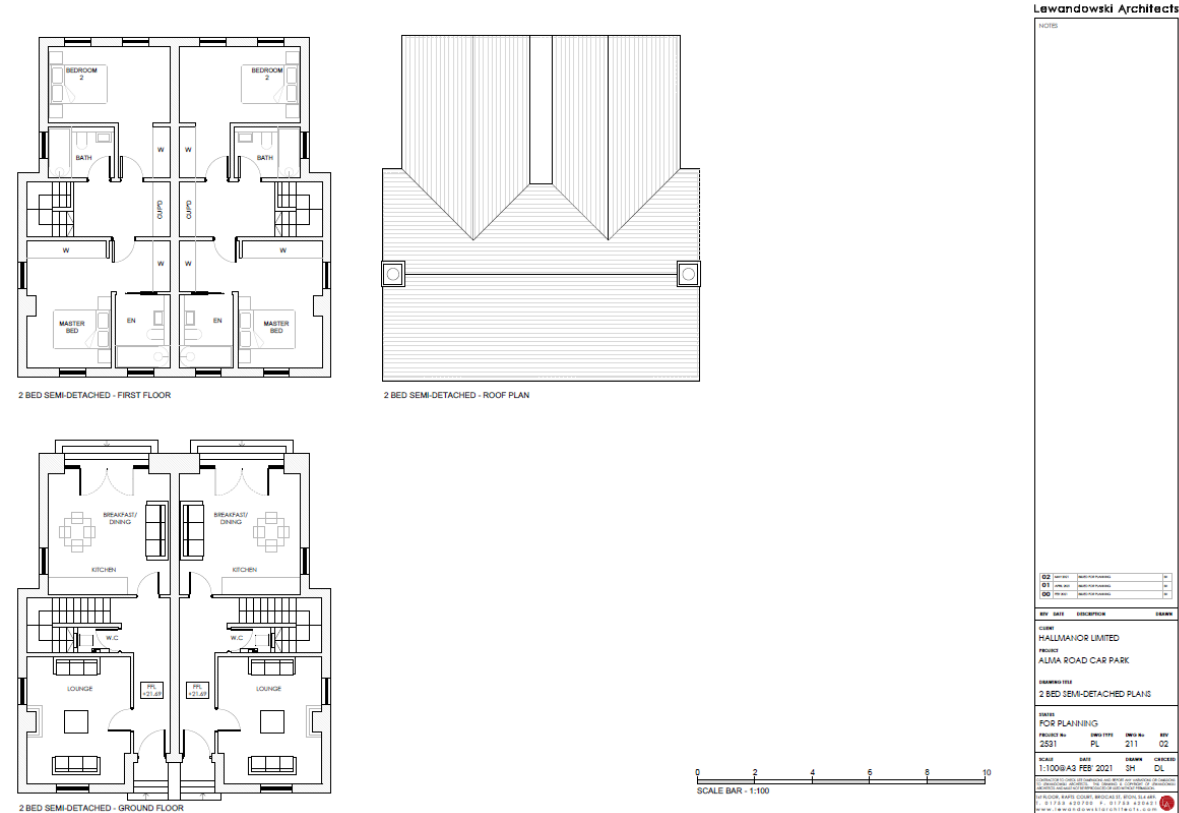


Lawandowski Architects

NOTES			
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<div> <div>SCALE</div> <div>DATE</div> <div>DESIGNER</div> <div>CHECKED</div> </div>			
<div> <div>PROJECT NO.</div> <div>DATE/TIME</div> <div>REV</div> </div>			
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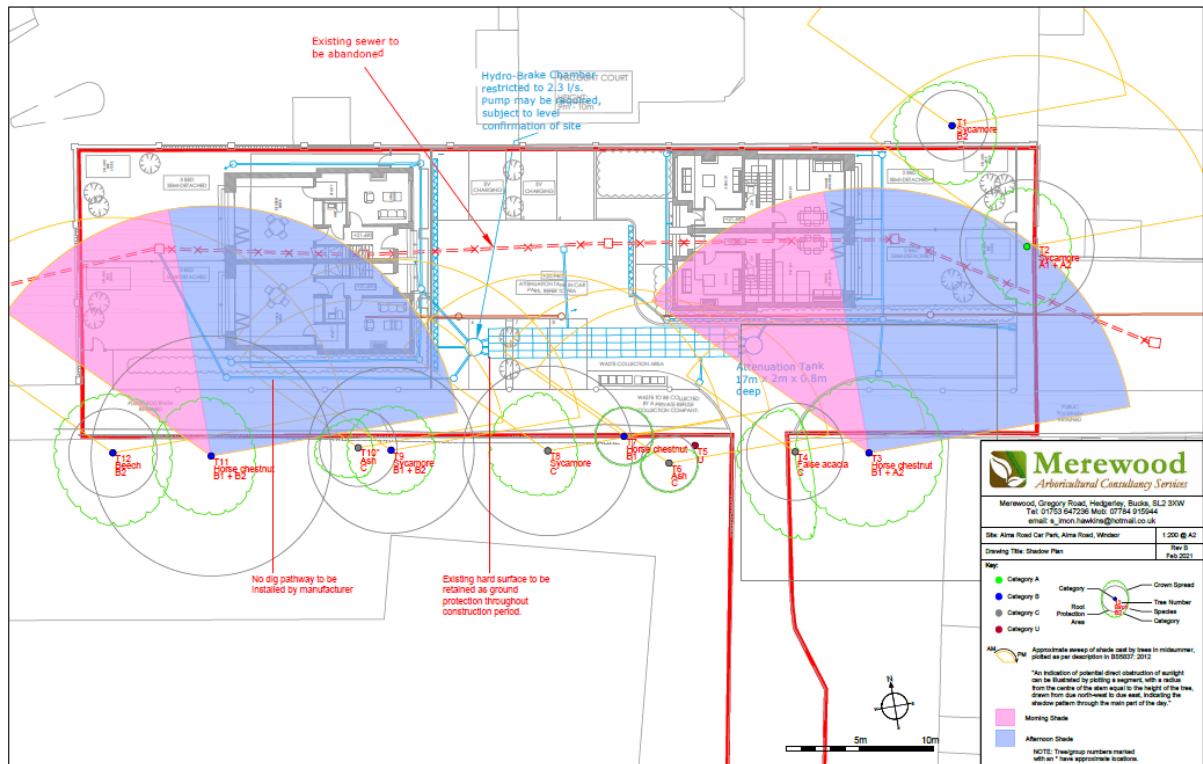
Appendix E – Proposed 2-Bed Floorplans



Appendix F – Proposed 2-Bed Elevations



Appendix G – Shadow Plan



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Agenda Item 6

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

DEVELOPMENT CONTROL PANEL

21 July 2021

Item: 3

Application No.:	21/00940/FULL
Location:	Charnwood 12 And Land At Charnwood 12 Lime Walk Maidenhead
Proposal:	Construction of x2 dwellings with associated access, following demolition of the existing part single part two storey side element of the existing dwelling.
Applicant:	Mr Booker
Agent:	Mr Lee Norris
Parish/Ward:	Maidenhead Unparished/Pinkneys Green
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application site relates to 12 Lime Walk and a large garden associated with the site. The site falls within the residential area of Pinkney's Green and is adjacent to Pinkneys Green Conservation Area, a Grade II listed building and other important non-listed buildings.
- 1.2 The report sets out the relevant Development Plan and other policy considerations as well the extent of statutory consultations undertaken by the Council. The report also sets out the main material planning considerations and assessment in relation to this planning application.
- 1.3 The proposed development has been reduced in size and scale to overcome previous concerns raised by officer's in relation to its impact on the setting of the area, as described within the Council's Townscape Assessment.
- 1.4 Concerns have been raised by the Conservation Officer with regards to the impact the proposals have on the setting of heritage assets adjacent to the application site. These matters are addressed within the report in further detail, as well as the public benefit which is considered to outweigh any harm that may arise.
- 1.5 The proposed development is not considered to raise any issues in terms of highway safety.
- 1.6 Berkshire Archaeology raise no objections to the proposal as a result of the findings of the evaluation undertaken at the site under the previously withdrawn application.
- 1.7 No objections have been raised by tree officers or the council ecologist, subject to appropriate conditions, should planning permission be forthcoming.
- 1.8 On balance, it is considered that the benefits weigh in favour of this scheme and therefore the proposal is recommended for approval, subject to matters set out below.

It is recommended the Panel grants planning permission with the conditions listed in Section 13 of this report.
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2. REASON FOR PANEL DETERMINATION

- The application has been called in by Cllr Baskerville, only where the recommendation of the Head of Planning is to approve the proposal.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises a large garden area associated with number 12 Lime Walk. The site is situated at the end of the cul-de-sac. The dwellings in the area comprise large, detached dwellings situated in spacious plots. According to the Council's Townscape Assessment, the area is classed as 'Leafy Residential Suburbs', the key characteristics of which are low to medium density, built form is defined by suburban style detached two storey houses on medium to large plots, and the leafy suburban character is reinforced by well-established private gardens (including mature trees/shrubs) that are often bounded by tall beech or laurel hedges.
- 3.2 The Pinkneys Green Conservation Area adjoins the site to the north and west. Within the adjacent Conservation Area is a Grade II Listed Building and important non-Listed Buildings.
- 3.3 There are trees on the boundaries of the site.

4. KEY CONSTRAINTS

- 4.1 Setting of designated and non-designated heritage assets.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The scheme is for the construction of two detached dwellings, with associated access. The existing dwelling on site would have a part single storey, part 2 storey side element of the dwelling demolished to make way for the new access.
- 5.2 The application site area measures circa 0.32 hectares.
- 5.3 The proposed dwellings would have a height of 7.9 metres. The eaves heights vary across both buildings. Both dwellings have dormer windows set within the eaves of the buildings. The materials proposed for the dwellings include facing brickwork, tile hanging and black timber cladding. With regard to materials for window frames, these are indicated to be upvc or timber. The application form states that roof tiles are to be approved.
- 5.4 The proposed dwellings would have 5 bedrooms. The existing dwelling would be left with 4 bedrooms.
- 5.5 Each of the dwellings are shown to have parking areas to accommodate 3 cars each. A turning area is shown in front of the dwelling on plot 1.
- 5.6 New tree planting on the boundaries is shown on the proposed site plan, with details of the species to be approved by the LPA.

Reference	Description	Decision
20/02562/FULL	Construction of x2 dwellings with associated access, following demolition of the existing part single part two storey side element of the existing dwelling.	Withdrawn on the 30 th November 2020.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 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
Setting of Heritage assets	CA2, LB2

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 5- Delivering a sufficient supply of homes

Section 9- Promoting Sustainable Transport

Section 11- Making effective use of land

Section 12- Achieving well-designed places

Section 15- Conserving and enhancing the natural environment

Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1,QP3
Sustainable Transport	IF2
Heritage Assets	HE1
Trees	NR3
Nature Conservation and Biodiversity	NR2
Climate change	SP2

- 7.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

- 7.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.
- 7.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 9 of this report.

- 7.5 **Supplementary Planning Documents**

- Borough Wide Design Guide

7.6 Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

16 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application as development affecting the setting of a Conservation Area at the site on the 9th April 2021 and the application was advertised in the Local Press as development affecting the setting of a Conservation Area on 8th April 2021. A site notice was posted advertising the development as affecting the setting of a Listed Building on the 7th June, and it was advertised in the Local Press as such on the 10th June.

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

Comment	Where in the report this is considered
1. The scheme seeks to replace a significant open garden space that adjoins the Conservation Area with bricks and mortar, and a new roadway extension of Lime Walk. This would have a major impact on the rural character of the whole village, and clearly undermines the principles behind the creation of the Conservation Area.	Section 9
2. The scale of the proposed development is inconsistent with the properties and their gardens in this part of the village.	Section 9
3. The proposed houses would overlook the gardens and houses in the immediate neighbourhood, denying their owners much of the peace and privacy that they have paid a premium to enjoy.	Section 9
4. Although the arboricultural impact assessment states that no mature trees will need to be felled to allow the proposed development, this is only after the felling of several mature trees in the garden of 12 Lime Walk immediately after the purchase of the property by its current owner in 2020.	Section 9
5. The development would significantly increase the traffic flow along Lime Walk, and then the access on to Pinkneys Drive. These are rural roads with no pavements and low lighting levels, containing family housing. There is almost no visibility of traffic approaching from the left at the junction with Pinkneys Drive.	Section 9

6	The development proposed requires vehicle access to the two new houses through a road extension from the end of the cul-de-sac Lime Walk. This in turn requires part of 12 Lime Walk to be demolished, and also requires a significant reduction in the space between numbers 11 and 12. This would clearly be damaging rather than an enhancement to the local area.	Section 9
7	The setting of the only listed building in Pinkneys Green – Mead House, Pinkneys Drive – adjoins the proposed development site. The new houses proposed would have a major impact on the garden setting of Mead House. Other houses of significant local interest also adjoin the development site, in particular The Walnuts. These would also be severely affected by noise and visual intrusion coming from the proposed development.	Section 9
8	Whilst additional screening has been added in the plans, there has been very limited screening along the border with our property. Any development on this site will need to include significant screening to minimise the impact on the adjoining Pinkneys Green Conservation Area (PGCA) including The Pyghtle	Section 9
	The Pyghtle will experience a serious loss of privacy. Plot 1 will look directly over our property, at present Charnwood does not directly overlook our property (our gardens adjoin).	Section 9
	Concerns over the density of the development.	Section 9
	Due to the proximity of the proposed two new 5 bedroom dwellings to our property, there will be a detrimental impact on our property as a result of the increased noise and disturbance.	Section 9
	The creation of additional parking spaces for each proposed plot is another example of over development and will add to the cramped nature of the proposed development.	Section 9
	The plans are totally insensitive to the surrounding properties, in particular our property, Mead House and The Walnuts which are all within the PGCA.	Section 9
	Additional traffic will cause a danger to pedestrian safety, as there is no pavement along Lime walk.	Section 9
	After the development of No.7 Lime Walk by the applicants we are very worried about another out of character and totally different build type of house to the rest of Lime Walk.	Section 9
	There are a number of restrictive covenants on the area specific to no.12, the two additional properties would breach these covenants	This is not relevant to the planning consideration.
	There has been no consultation with the existing residents of Lime Walk and this application must be declined	Site notices and newspaper adverts were posted, and neighbour letters were sent.

	Two large, five-bedroom detached houses result in a cramped development, despite the original proposal being amended following pre-application advice provided by the Council and the subsequent revision.	Noted, see section 9
	<p>The Borough Wide Design Guidance SPD adopted in June 2020 is a material consideration. This highlights the importance of the Council's four strategic design themes underpinning a proposal and a design checklist.</p> <p>i) Does the development respond positively to the size, shape and rhythm of the surrounding plot layout? the resulting plots are a lot smaller than any of the remaining plots on Lime Walk and hence not in keeping with Lime Walk.</p> <p>ii) As the proposal is effectively "backland" development, is it subordinate and does it maintain the existing character and amenity? Although the proposal has tried to be carefully and sensitively designed the proposed two properties do not appear to be subservient to the existing Charnwood property, especially as it is proposed to lose a side extension to allow for the proposed two new dwellings.</p>	Section 9.
	Very concerned about the proximity of one of the proposed dwellings (Plot 2) to the boundary and western elevation of property (11 Lime Walk). The Design Guide provides rule of thumb separation distances for two storey residential development – which does not appear to be followed. Whilst this understandably focusses on rear to rear and rear to side elevations, it appears from the proposed plans that the eastern elevation of Plot 2 will be close to the western elevation of 11 Lime Walk, although I appreciate that the windows at ground and first floor of Plot 2 face north and south and so do not directly overlook the western elevation of 11 Lime Walk	See section 9
	Proximity will have an adverse impact on residential amenity and in particular noise and disturbance from Plot 2. The proposed property will cause a loss of privacy and light from the downstairs rooms and will materially change the privacy of 11 Lime Walk.	See section 9.
	I think it's a little surprising that the applicant did not submit more photographs of the application site and the surrounding area, although they may have done this at the pre-application stage and did not feel it was necessary to do this with the application. The reasons why I feel this may have been helpful is to compare photographs of the existing neighbouring properties with the plans of their proposed development and how this demonstrates there would be no undue detrimental impact on, say, loss of privacy or potential overlooking. In this case I would ask that before the Planning Committee takes any decision on the application, if they can visit the site and the area (if they can do so safely in the light of Covid-19), they should do to get a full appreciation of the issues involved. This will also allow the planning committee to appreciate the impact of the size of the developments and also the significant impact on noise and disturbance if the properties are built and hence is not in keeping with the current character of Lime Walk.	Noted.

	<p>Due to the proximity of proposed Plot 2 in particular, there will be a loss of daylight, sunlight and overshadowing as a result of the proposal. I have noted that such an assessment was not provided as part of the application. Due to the proximity of Plot 2 any trees/hedges will have a limited impact at night time when light from a five bedroom house so close to my boundary will be evident. To the Western end of 11 Lime Walk there are two windows from an upstairs room above my garage. The revised plans show trees/hedgerows but there is no statement on the screening, meaning that I will still be overlooking the front elevation of Plot 2 and in sight of the significant number of downstairs windows with the impact of light from the proposed development at night time.</p>	<p>See section 9 of the report. The proposed dwelling on plot 2 will be visible when viewed from number 11, however, it is not considered to have adverse impact that would warrant refusal.</p> <p>The impact from any lights being turned on at night is not considered to be harmful to the neighbouring amenity of number 11.</p>
	<p>Currently there is only one property either side of 11 Lime Walk but with the proposal of two additional five bedroom houses, the noise and disturbance (from additional cars and neighbours so close to my boundary) will be significant and hence a reason for my objection to the proposed development.</p>	<p>This is a residential area and it is not considered that 2 additional dwellings would result in an unacceptable level of noise and disturbance.</p>
	<p>In 60 years of the street's existence each of the original houses has maintained not only the space for human habitation but space for trees, birds, invertebrates and wildlife by balancing the size of the plot with the size of the houses and allowing space for plants and trees.</p> <p>In a global climate emergency where species diversity is plummeting and extinction rates skyrocketing, it is beholden on every one of us to do our part to protect the environment for the animals and plants that surround us. That is why we have legislation to protect trees and bats, both of which have been disregarded by these proposals.</p>	<p>See section 9.</p>
	<p>The scheme would result in the loss of bat roosts, which is unacceptable.</p>	<p>See section 9.</p>
	<p>Adverse impact on hedgehogs</p>	<p>See section 9, and recommended condition on biodiversity enhancements.</p>
	<p>In another example of dishonestly the planning notice was hidden from view. The photo below shows that the notice was (on private property) when it should have been displayed where members of the public could see it.</p> <p>Also the existence of the planning application was not distributed to all residents of Lime Walk. The 'neighbour notification list' included in the application shows that the application was not given to residents of Lime Walk, only the residents who immediately side-on to the proposed development. Houses are listed on the neighbour notification list that are nowhere near the development.</p> <p>Residents at the top of the street only found out about the application too late to object to the first application which was withdrawn. Another example of dishonestly and trying to manipulate and subvert the proper channels for planning applications.</p>	<p>Site notices were placed on the gate fronting the application site. This is considered a reasonable place to display the site notices.</p> <p>With regard to letters sent, it is only a requirement to send letters to neighbours that adjoin the application site. Some properties that were notified (that to not adjoin the application site) were sent letters, as they had objected on the previous application.</p>

	To even access the area for two new houses, the existing beautiful house, 'Charnwood' that is one of the original dwellings made from reclaimed local bricks and timber and clay tiles, would have to be semi demolished.	Noted.
	The proposed new dwellings don't have adequate space for parking or manoeuvring vehicles. There are bottlenecks from the lot of 12 Lime Walk onto the small lane of Lime Walk as well another bottleneck to the side of Charnwood (even after demolition of part of the house) to the two new proposed houses. The plans state three cars for each house could park side by side but in reality the cars could not manoeuvre in and out of those positions. The plans propose that 9 cars can park in the 3 developments but this is not physically possible unless you drop the cars in with a crane.	Highways raise no objection to the development.
	The proposed development also doesn't have provision for bins and waste removal. Residents are required to put their bins out on the street for collection. The design as it currently stands has a refuse area which is not on the street, it's inside the property away from the collection point.	A bin collection point is shown on the site layout plan. A condition is recommended to secure details of this.
	Many vehicles visiting Lime Walk have to use the turning circle, even small delivery vans and the post van have to go to the end of the street to turn in the turning circle where the proposed new development meets the street. Street parking in the turning circle directly outside the development would mean no vehicles could turn in the street. Any street parking by new residents or visitors or deliveries to the residents who parked on the street would block the road, meaning all the other residents of the street wouldn't be able to turn or have bigger sized vehicles come down the lane.	Turning areas within the application site for the proposed development are shown.
	The turning from Lime Walk onto Pinkneys Drive is already a dangerous intersection. There's limited visibility as you turn out of Lime Walk which is near the cricket pitch and cars speed along Pinkneys Drive. Increasing the number of houses and this traffic flow will further increase the likelihood of an accident. More traffic control measures would be required such as traffic lights, a pedestrian crossing or a mini roundabout.	The addition of 2 dwellings is not considered to create severe traffic issues or highway safety concerns.
	The land at the end of Lime Walk was sold subject to a number of restrictive covenants of which some are specific to number 12 and others that extend to the five properties on that land (10, 11, 12, 13 and 14) that states that "nothing shall at any time be done permitted or suffered upon the property which may be or become a nuisance or source of damage or annoyance to the vendor or his successors or the owners or occupiers of any neighbouring property". The construction of the two additional proposed properties and the consequences arising from the development would indeed breach this covenant which we certainly relied on when purchasing the property at No.10.	Noted, however, restrictive covenants are not a material planning consideration.

	If every property/plot on Lime Walk followed this same pattern of development there would not be a single tree, bush, flower or creature on the street that is currently bursting with life. This planning application sets the precedent for the next 60 years of the life of this street and the animals and plants that inhabit it. Approving this application would be a blow to the future biodiversity of this conservation area.	Each application is determined on its merits, and this plot is larger than others on Lime Walk.
	The two new buildings are not specified to be constructed with materials in keeping with the street (reclaimed bricks and timber, clay roofs).	A condition would secure details of the materials.
	The loss of open space through major development of a residential garden which we believe is contrary to the intent of planning rules & regulations.	This is not major development, and in principle development on a residential garden is not unacceptable.
	The real, adverse, impact on the form and character of land abutting the Pinkneys Green Conservation Area arising from this residential garden infill, and the resultant loss of open space, diminishing the sense of openness of the Conservation Area which includes a listed building, Mead House.	See assessment.
	The road in cul-de-sac is in a poor state of repair as the Council has not maintained it.	Noted, this is not relevant to the consideration of this application.
	Construction traffic will damage the road further, making it dangerous	See section 9.
	Adverse impacts upon heritage assets.	See section 9.
	The noise and pollution created by additional traffic would be detrimental to an area that is adjacent to the Pinkney's Green Conservation Area.	See section 9.

Consultees

Consultee	Comment	Where in the report this is considered
Ecology	'Subject to the conditions, there are no objections to this application on ecology grounds'	Section 9
Environmental Protection	No objection subject to conditions	Section 9
Highways	No objection to the proposal- conditions recommended	Section 9
Berkshire Archaeology	'An archaeological investigation was undertaken at the site ahead of a previous development application in 2020. This evaluation revealed no archaeological material or features. Therefore' in the view of Berkshire Archaeological, should permission be granted, development should be allowed to proceed with no further requirement for archaeological mitigation.'	Section 9
Trees	No objection to the proposal- subject to conditions	Section 9

Conservation	<p>The proposals presented within this application would cause less than substantial harm to the significance of the Pinkney's Green Conservation Area through the erosion of the setting and rural characteristics that contribute to the identified character and appearance. The development would also erode the setting of The Meads (Grade II listed) and other non-designated heritage assets by the increased suburbanisation of the area. No public benefit has been identified which would outweigh this harm. As outlined above, the proposal is considered to be contrary to the adopted RBWM Local Plan Policies CA2 (which: <i>require(s) that any development will enhance or preserve the character or appearance of the area</i>) and LB2 (which: <i>ensure(s) that development proposals do not adversely affect the grounds and/or setting of listed buildings.</i>”), along with the requirements outlined within paragraphs 192 and 196 of the National Planning Policy Framework (NPPF) 2019. Furthermore, the proposal is also contrary to Policy HE1 of the Borough Local Plan (Submission Version) through the identified harm arising.</p>	Section 9
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Others

Group	Comment	Where in the report this is considered
Maidenhead Civic Society	<p>The host dwelling sits on a very substantial plot, largely to the rear of No 10 Lime Walk. It is proposed to infill with 2 substantial 5 bed detached houses, with access achieved by demolishing a substantial element of Charnwood. The two new houses are overlarge for their plots, with limited garden amenity space for dwellings of such size. Likewise, the residue amenity space for the host dwelling is significantly reduced. Parking arrangements have been changed from the earlier application where the unsatisfactory proposal was for 4 spaces in a tandem arrangement. The new scheme has three spaces side by side for each property - including Charnwood. The drawings for the new dwellings show these spaces very close together and it is unlikely that the illustrated dimensions for parking spaces are up to standard.</p> <p>The 5 bedroom houses are too large for the setting, amenity space is restricted and parking arrangements are inadequate. Infilling with two houses detracts from the</p>	Section 9

	character of the neighbourhood and is detrimental to the adjacent surroundings and dwellings in the Conservation Area. To retain the scale and proportions of the residential setting of Lime Walk the infilling should be restricted to one new dwelling. The planning guidelines regarding back garden infilling require that such development should not be detrimental to the neighbourhood.	
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9. EXPLANATION OF RECOMMENDATION

The key issues for consideration are:

- i Principle of Development
- ii Design considerations including the impact on heritage assets
- iii Highway Considerations and Parking Provision
- iiii Impact on neighbouring amenity
- v Ecology
- vi Trees
- vii Archaeology
- ix Environmental Considerations
- xi Other material considerations

Issue i- Principle of Development

- 9.1 The application site is located with the residential area of Pinkneys Green. The site sits adjacent to the Pinkneys Green Conservation Area, to the north.
- 9.2 The vicinity of the site is described within the Council's Townscape Assessment, as being classed as 'Leafy Residential Suburbs', the key characteristics of which are low to medium density, built form is defined by suburban style detached two storey houses on medium to large plots, and the leafy suburban character is reinforced by well-established private gardens (including mature trees/shrubs) that are often bounded by tall beech or laurel hedges.
- 9.3 Neither the planning designations, nor the Council's Townscape Assessment resist the re-development of sites to include residential dwellings if they have regard for development plan policies, and other material considerations. As such, the principle of the erection of two detached dwellings would not conflict with the Local Plan.

Issue ii- Design considerations including the impact on heritage assets

- 9.4 Policies DG1 and H10 of the adopted Local Plan seek to ensure that residential development will be of a high standard of design and landscaping, compatible with the area and street scene. Policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause

damage to the character and amenity of the area. The Borough Wide Design Guide provides further guidance for the design of new developments.

- 9.5 The application site has been the subject of a pre-application submission and subsequent application which was withdrawn by the applicant following discussions with the case officer. The dwellings which form part of the current application have been reduced in size and scale with revisions to the access road and the introduction of screen planting along all boundaries.
- 9.6 The land around 12 Lime Walk is comparatively extensive. The Council's Townscape Assessment classes the area as 'Leafy Residential Suburbs', the key characteristics of which are low to medium density with the built form being defined by suburban style detached two-storey homes on medium to large plots. This character is reinforced by well-established private gardens that are often bounded by tall beech or laurel hedges.
- 9.7 The proposed dwellings by virtue of their size, scale and appearance are considered to have overcome previous concerns raised during discussions on the 2020 application. The proposed dwellings would now conform to the character identified within the Council's Townscape Assessment. This has been achieved through the reduction of the massing at roof level and revisions to the scheme as a whole which includes the access road.
- 9.8 The proposed dwellings would retain and respect the identified suburban character through their layout and plot sizes with significant landscaping features to be introduced (subject to a detailed landscaping condition). Plot 2 would measure circa 900 square metres, plot 1 would measure around 950 square metres, and the plot for the existing dwelling would be circa 959 square metres. These plots would be smaller than some plots in the road, which are in the region of 1068 square metres to 2,140 square metres; however, The Coach House, and number 7 have plots sizes of around 650 – 893 square metres. As such, whilst the resultant plots would be smaller than some other plots on the road, they would also be larger than other plots. It is therefore not considered the resultant plot sizes would result in any detrimental impact on the character of the area.

Heritage

- 9.9 Regard has been had to sections 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990. As previously identified the site lies adjacent to the Pinkney's Green Conservation Area, as well as statutorily listed buildings (The Meads).
- 9.10 The Council's Conservation Team have raised concerns over the impact the proposal may have on the setting of the Conservation Area, as well as that of 'The Meads', a Grade II listed building.
- 9.11 Para 193 of the NPPF (National Planning Policy Framework) requires that great weight should be given to the conservation of assets, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.12 Paragraph 196 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 9.13 Part of the character, as identified in the Pinkney's Green Conservation Area Appraisal, is that of a *"rich, peaceful rural landscape with historic rural settlements set in a wooded context"*. It is this context, or setting to use another term, which contributes to the special character of the Conservation Area, and therefore the value in its designation. To increase the suburban density of the setting of the Conservation Area, and that of the surrounding buildings would, undoubtedly, alter this identified rural characteristic.
- 9.14 As noted in the Conservation Area Appraisal *"As part of a large urban area, Pinkney's Green is an area **sensitive to change**. Urban expansion has already created a coalescence of settlements in the area with infill eroding traditional settlement boundaries. Currently, Pinkney's Green **does retain** a traditional **rural feel** and Green Belt designation presently limits new development around the settlement.*

- 9.15 Whilst the site does not lie directly in the Pinkneys Green Conservation Area, the proposals impact upon the *setting* of this designated heritage asset and that of The Meads (Grade II listed), as well as a number of non-designated heritage assets, such as the Walnuts. As Historic England's *The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)* advises: "Setting is the surroundings in which an asset is experienced and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not." And that: "The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."
- 9.16 Whilst the visual aspect plays a part in the character of the setting, it is the encompassing environment which truly defines how the assets are experienced. In the case of this proposal, the construction of two new dwellings within the undeveloped garden of Charnwood - the setting of the identified assets - would alter this setting to a limited negative extent. However, given the scale and appearance of the proposed dwellings, and the way in which the site is perceived from the adjacent Conservation Area and Listed Building, the level of harm to both the setting of the adjacent Conservation Area and Listed Building is itself considered to be limited. When assessed against the NPPF, the level of harm is considered to be less than substantial.
- 9.17 The public benefits arising from this scheme are discussed in the planning balance.

Issue iii- Highways Considerations and Parking

- 9.18 Policy T5 of the adopted Local Plan states that all development proposals will be expected to comply with the Council's adopted highway design standards. The NPPF (2019) states that developments should promote opportunities for sustainable transport modes, provide safe and suitable access to the site for all users, and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 9.19 The NPPF (2019) states at para 109 that:
- 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'***
- 9.20 An access road is proposed along the western boundary of the site, which would involve the demolition of an existing single storey addition to No.12 Lime Walk. The access road would serve both proposed dwellings, with the supporting plans indicating 3 off-street parking spaces available to both dwellings.
- 9.21 As part of the application process RBWM highways were consulted on the proposal. Highways noted that the existing access would serve all 3 dwellings and raised no objection to this arrangement, subject to pre-commencement conditions which are laid out later within this report under section 13.
- 9.22 In terms of giving priority to sustainable transport modes, the application site is located on the periphery of Maidenhead and is not considered to be in a sustainable location with relation to transport options. In such instances it is likely that future owners/occupants will rely on car ownership, however there is ample space on the site for secure cycle storage.

Parking

- 9.23 The Council's adopted parking standards in Appendix 7 of the Local Plan (as amended) requires dwellings of this size to provide 3 off-street parking spaces. The proposed site plans indicate that each dwelling would be capable of accommodating 3 off-street parking spaces, with highways commenting that safe turning circles can be achieved within each space.

Refuse

- 9.24 The proposed plans indicate the siting of refuse bin collection within the site. Whilst no comprehensive layouts have been provided, it is considered that the site is capable of providing satisfactory bin stores and collection points.
- 9.25 To ensure compliance with the Borough's Waste Management Planning Advice note, highways have recommended the imposition of a condition should permission be forthcoming which requires the applicant to provide details of the type of bin stores to be provided, as well as their location.
- 9.27 Mindful of the above, and the conditions proposed for highway and parking matters, it is considered that the proposed development would not cause significant issues in terms of capacity on the highway network cumulatively or individually. In addition, the proposed parking arrangement would satisfy the Council's parking standards within the Local Plan (2003).

Issue iii- Impact on neighbouring amenity

- 9.28 There is no specific policy in the Local Plan regarding impact on neighbouring amenity arising from new development, other than in the case of residential extensions considered under Local Plan policy H14.
- 9.29 Para 127 (f) of the NPPF (2019) is a material planning consideration to be given significant weight and states developments should:

'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.'

- 9.30 The Borough Design Guide (SPD) provides guidance on residential amenity.
- 9.31 Plot 2 is proposed to be sited to the west of No.11 Lime Walk. Plot 2 would be sited a reasonable distance (5 metres from the side elevation) from No.11. The 45 degree angle from habitable room windows in the rear elevation of this dwelling would not be breached by the proposed development. The proposed dwelling on plot 2 is not sited directly next to the side elevation of this dwelling, and there would be a sufficient gap so as not to cause a significant loss of light to windows in the side elevation. It is not considered that the proposed dwelling on plot 2 would be overbearing or result in a loss of privacy to this dwelling or its rear garden. It is worth highlighting that no windows are proposed in the eastern elevation of plot 2.
- 9.32 Similarly, the proposed dwelling on Plot 1 would be sited a substantial distance from the properties on Pinkneys Drive so as not to warrant any concern with regard to overlooking, loss of light or being overbearing.
- 9.33 The rear elevation of the dwelling on plot 2 is around 20 metres from the rear boundaries on Compton Drive, so the scheme would not adversely affect the amenity of these dwellings.
- 9.34 Consideration has been given to the arrangement between the existing dwelling (number 12) and the proposed development. Owing to the juxtaposition of the dwellings as well as their scale, layout and appearance they would not impact the amenities of the existing dwelling No.12.

Issue v- Biodiversity

- 9.35 Paragraph 170 of the NPPF (2018) states that planning decisions should contribute to and enhance the natural and local environment. The emphasis is on minimising impacts on and providing net gains for biodiversity. Paragraph 175 of the NPPF (2018) states that: ***"When determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused... Development whose primary objective is to conserve or enhance biodiversity should be supported; while***

opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

- 9.36 Emerging Policy NR2 of the BLPPSVC requires proposals to protect and enhance biodiversity. A bat report, undertaken in 2020 was submitted as part of this application with relation to this site. The report concluded that the garage and shed would unlikely host roosting bats. The main house on site was found to contain multiple features suitable for roosting with droppings found in the loft. Whilst the dwelling itself is not to be demolished, other parts of the house/site are which have been identified as possibly affecting the roost.
- 9.37 The LPA has a statutory duty under The Habitat Regulations to be satisfied that a licence for development works affecting bats is likely to be granted by Natural England. The three tests under the Habitats Regulations are:
- (a) Preserving public health or public safety or other imperative reasons of overriding public interest;
 - (b) There is no satisfactory alternative; and
 - (c) The action will not be detrimental to maintaining the population of the species concerned at a favourable conservation status in its natural range.
- 9.38 In so far as the first test is concerned, the public interest generated by the proposal can be of a social, environmental or economic interest. It considered that there is an imperative reason of overriding public interest of an economic nature as the development will provide economic benefits from the provision of housing.
- 9.39 With regard to the second test, it is not considered that there is a satisfactory alternative, as if the existing dwelling is not part demolished, then the access road required to serve the new dwellings cannot be provided.
- 9.40 With regard to the third test, appropriate mitigation can be provided which will ensure that there will not be a detrimental impact to the favourable conservation status of the bat species concerned.
- 9.41 In accordance with Para 175 of the NPPF, which states that ‘opportunities to incorporate biodiversity in and around developments should be encouraged’, planning conditions are proposed which would secure biodiversity enhancements.

Issue vi- Trees

- 9.42 Local Plan policies N6 and DG1 provide general design policies on the importance of high-quality landscaping in delivering successful schemes. Policy N6 of the adopted Local Plan states that plans for new development should, wherever practicable, allow for the retention of existing suitable trees and include appropriate tree planting and landscaping schemes.
- 9.43 The Council’s tree officer was consulted on the application and noted the removal of trees along the western boundary of the site. Whilst their loss is regrettable, they were not the subject of a TPO or within a Conservation Area and therefore not afforded protection.
- 9.44 The loss of the trees and their amenity value to the setting can be compensated for through a detailed landscaping scheme, subject to a planning condition.

Issue vii- Archaeology

- 9.45 An archaeological evaluation was undertaken at the site as part of a previous application in 2020, (20/02562/FULL). This evaluation revealed no archaeological material or features within the site. As such, Berkshire Archaeological do not consider the development has the potential to impact any as yet unknown heritage assets.

Other considerations

- 9.46 The Council published the position statement on sustainability and energy efficient design in March 2021. This application was received during March, and as such the position statement is given limited weight to the determination of this application.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is CIL liable.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 It is acknowledged that there would be some limited harm to the setting of adjacent designated heritage assts (the Conservation Area and Listed Building), as per the NPPF, the harm is considered to be less than substantial harm. When applying paragraph 196 of the NPPF, it is considered that the provision of 2 dwellings which would make a contribution to the Council's 5 year housing land supply, would amount to public benefits that would outweigh the harm that would be caused to the setting of the adjacent heritage assets.
- 11.2 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. It is considered that there are no 'restrictive' policies relevant to the consideration of this planning application which would engage section d(i) of paragraph 11 of the NPPF (2019). While the proposed site is adjacent to designated heritage assets, there are no clear reasons for refusing the proposed development on this basis.
- 11.3 Section 9 of this report sets out clearly the aspects of the proposal which comply with the development plan and NPPF.
- 11.4 Having due regard for the titled balance, it is considered that the identified harm would be demonstrably outweighed by the benefits of the development, which include the provision of 2 new houses which would make a contribution to the Council's 5 year housing land supply. In addition, economic benefits would arise from the creation of jobs associated with the construction of the dwellings.

12. APPENDICES TO THIS REPORT

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

13. 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 commencement of construction of the dwellings hereby approved, details of the materials to be used on the external surfaces of the dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1
- 3 Prior to the commencement of any works or demolition a construction management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 4 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available

for parking and turning in association with the development.

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

- 5 No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.

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

- 6 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any tree work approved shall be carried out in accordance with British Standard 3998 Tree Work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.

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

- 7 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees growing within and adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing and ground protection in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

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

- 8 Prior to the commencement of construction of the dwellings hereby approved, full details of both hard and soft landscaping works, shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved within the first planting season following substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.

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

- 9 No works hereby permitted (including demolition works) that could affect the bat roost shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England). Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and / or the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the LPA detailing the reasons for this assessment and this report is to be approved in writing by the LPA prior to commencement of works.

Reason: The house hosts a bat roost which could be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely affected by the proposed development.

- 10 Prior to the first occupation of the dwellings hereby approved, a report detailing any new external lighting scheme, and how this will not adversely impact upon wildlife, shall have been submitted to and approved in writing by the LPA. The report (if external lighting is proposed) shall include the following figures and appendices:

- A layout plan with beam orientation
- A schedule of equipment
- Measures to avoid glare

-An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and locations of bat and bird boxes.

The approved lighting plan shall thereafter be implemented as agreed. No other external lighting shall be installed.

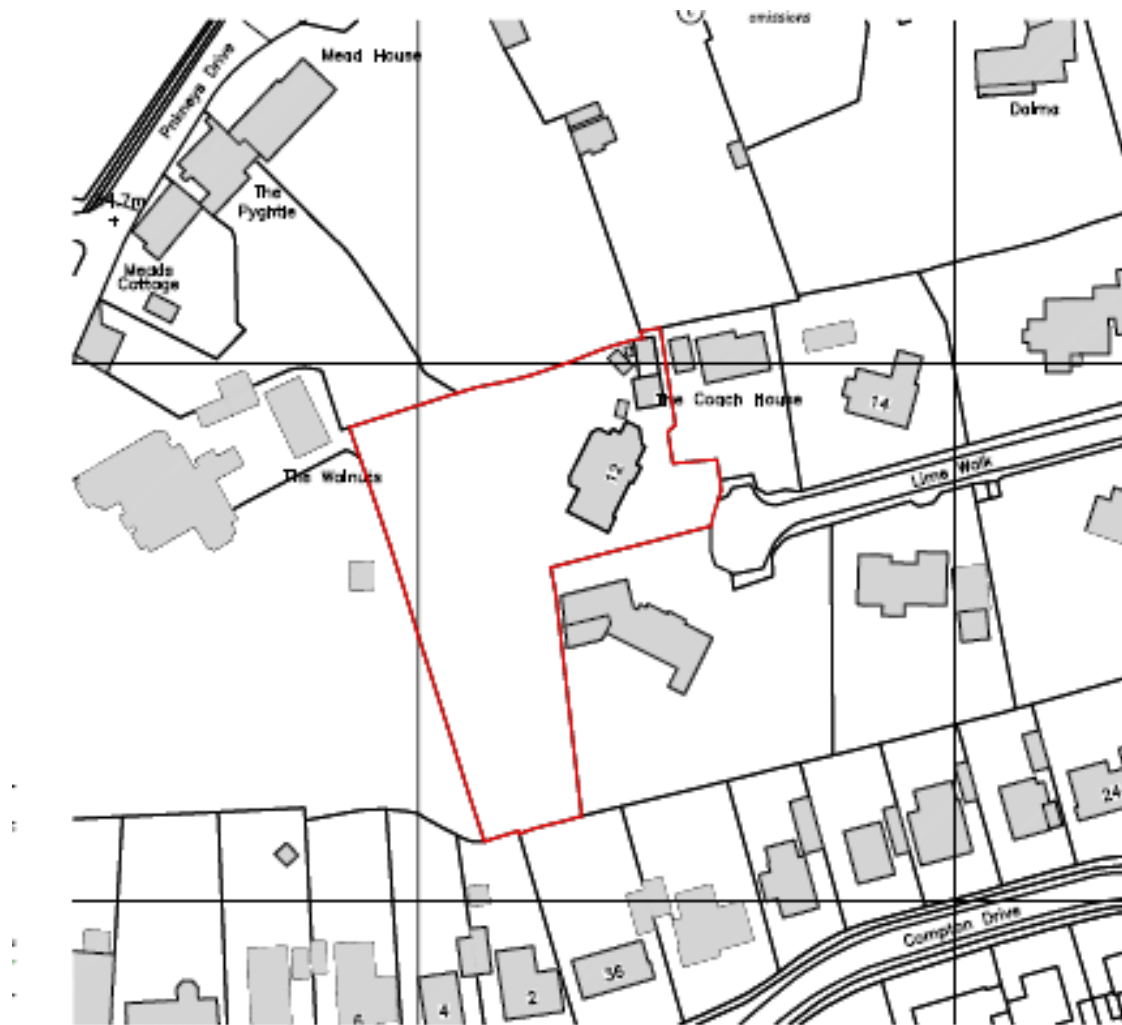
Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.

- 11 Prior to the commencement of construction of the dwellings hereby approved, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks on the new buildings (in addition to those required by the bat licence) and native and wildlife friendly landscaping (including mixed native hedgerows and gaps at the bases of any fences (or other boundary features) to allow hedgehogs to traverse through the gardens), shall be submitted to and approved in writing by the LPA. The biodiversity enhancements shall thereafter be installed as approved prior to the first occupation of the dwellings hereby approved, and shall be retained in perpetuity. Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF.
- 12 No windows shall be inserted at first floor level in the flank elevation(s) of the eastern elevation of the dwelling on plot 2.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers.
- 13 The first floor window(s) in the western elevation(s) of the dwelling on plot 2, and the side (northern) elevation of the dwelling on plot 1 shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers.
- 14 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

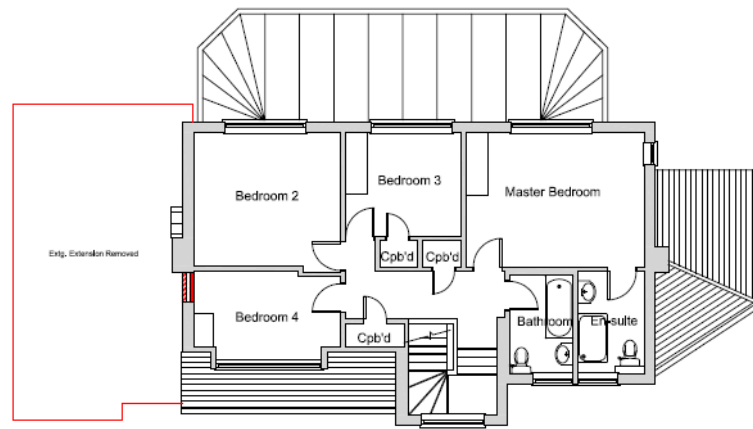
- 1 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 2 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 3 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

Appendix A- Site location plan and proposed layout

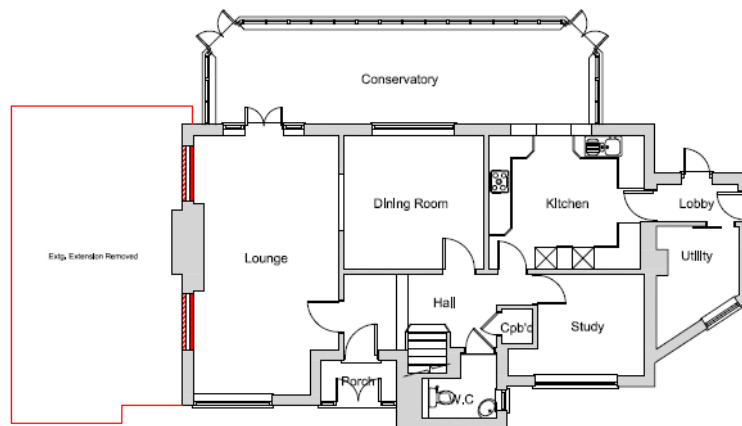




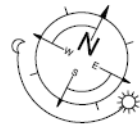
Appendix B- Elevations and floor plans



First Floor Plan



Ground Floor Plan



Scale 1:100

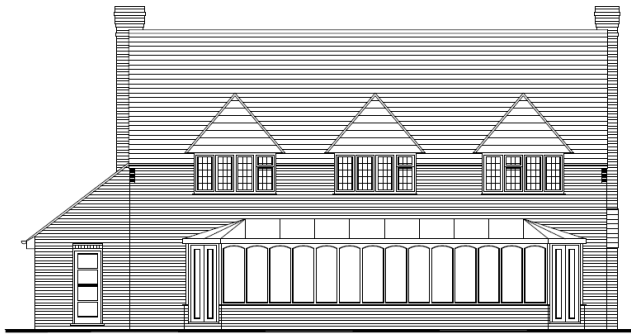
Dwelling on-site after proposed partial demolition



Front Elevation



Side Elevation



Rear Elevation



Side Elevation

Plot 1



Front Elevation



Side Elevation

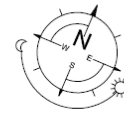
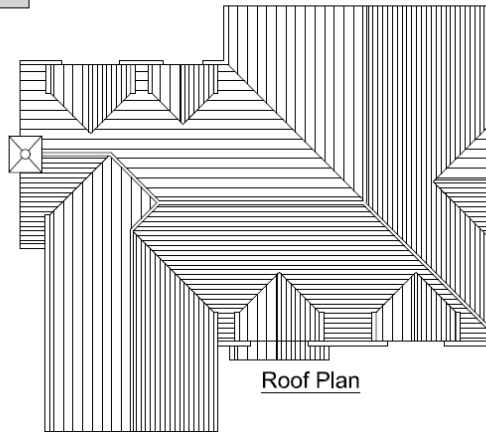
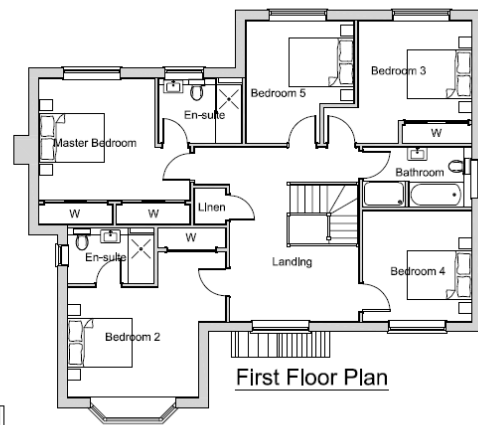
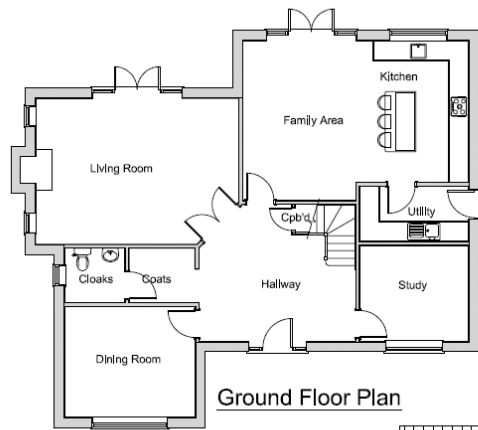


Rear Elevation



Side Elevation





Area = 240.38m²/2586sq.ft

Scale 1:100

Potential development of
12 Linne Walk
Maldenhead SL6 6QB
Project
Proposed Floor Plan
Plot 1
Mr M. Booker & Ms, N
Low Nettle Design
27 Glen View, Wotton
Bucks, Bucks HP18 9JQ
Tel: 01494 444444
Email: info@lownettle.co.uk
Website: www.lownettle.co.uk
Planning and building regulations drawings
and all other documents for planning,
conservation and conservation projects.

Plot 2



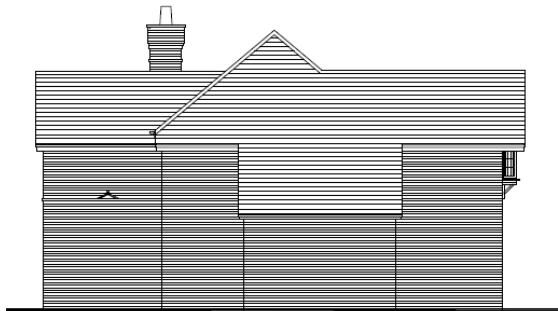
Front Elevation



Side Elevation

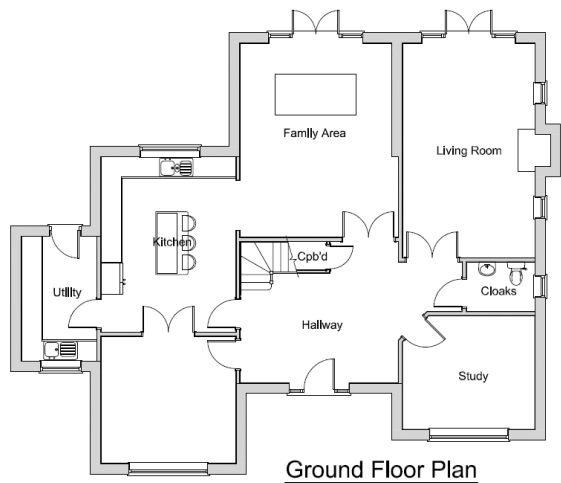


Rear Elevation



Side Elevation

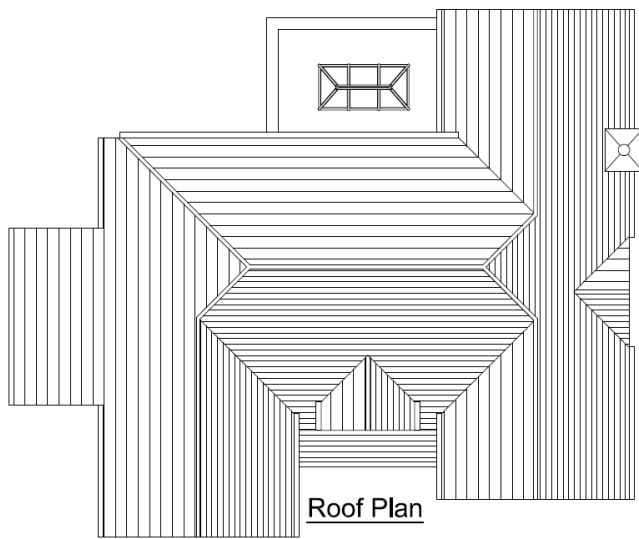
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Ground Floor Plan



First Floor Plan



Agenda Item 7

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

DEVELOPMENT CONTROL PANEL

21 July 2021

Item: 4

Application No.:	21/01419/FULL
Location:	Star House 20 Grenfell Road Maidenhead SL6 1EH
Proposal:	Extension, alterations and refurbishment of existing building (Use Class E).
Applicant:	Legal & General Assurance (Pensions Management) Ltd
Agent:	Mr Gary Stevens
Parish/Ward:	Maidenhead Unparished/St Marys
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 The application site is located within the Maidenhead Town Centre boundary and as such is in a location where the adopted development plan indicates additional and improved employment generating floorspace should be situated. In addition, Policy ED1 of the emerging Borough Local Plan encourages the delivery of a flexible supply of high quality employment floorspace by utilising existing employment areas and promoting a more intensive use of these sites through the recycling, refurbishment and regeneration of existing older or vacant stock. The principle of the proposed development is therefore acceptable.
- 1.2 The proposal will result in significant improvements in the architecture and immediate surroundings of the office building, particularly on its southern frontage, enhancing the quality of a key gateway into Maidenhead Town Centre. The Council's Conservation Officer has advised that the proposed alterations to the existing office building would not harm the significance of the grade II listed Clock Tower positioned to the south of the site but would change its setting, acknowledging however that this has already been heavily altered in recent years and will change further in the future as it includes recently approved schemes such as The Landing.
- 1.3 There are no objections from the Highway Authority, Lead Local Flood Authority or Environmental Protection and the development will not result in any loss of amenity to neighbouring residential properties.
- 1.4 The proposed development would achieve a 39% reduction in carbon emissions through a combination of passive design and energy efficiency measures and the implementation of low and zero carbon technologies. In addition, the development will incorporate photovoltaic (PV) panels and Air Source Heat Pump (ASHP) technology, which will collectively support approximately 39% of expected total energy demand of the building.
- 1.5 Overall, the proposal is considered to be a good example of sustainable development that is supported by development plan policies, policies in the emerging Borough Local Plan and by the NPPF.

It is recommended the Panel grants planning permission with the conditions listed in Section 11 of this report.
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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 Star Place is a modern 4 storey (with basement parking) office building located at one of the gateways into the town centre (fig 4 AAP) and on an important route from the station. It sits on a site known as 'Grenfell Island' that slopes down towards the south east and is positioned on a prominent corner in Maidenhead Town Centre, located opposite the railway station and in view of the grade II listed clock tower. Until recently the site was occupied by Hutchinson 3G UK Ltd.
- 3.2 The building has a rectangular footprint, with distinctive curved corners, a top floor that is set back behind a partial sloping roof with deep eaves, and a cupola type feature that acts as a focal point on its south eastern corner. This acts as a marker when approaching from the station and terminates the view south east along Queen Street. The main entrance to the building is set back under a glazed canopy, it is located on the southern elevation and is fronted with mirror glazing. The ground floor is clad in light coloured stone, whilst the upper floors are faced in cream coloured cladding with cream metal brise soleil and grey tinted glazing. The soffits, windows and door frames are in grey painted metal. The building is not unattractive, although slightly outdated in appearance, it forms one of a group of similarly designed commercial buildings in this location. To the front is a raised turning circle and drop off area. There is little planting within this space, although there is some greenery in raised planters along the flank elevations of the building.
- 3.3 To the north of the site is the Odeon cinema/ David Lloyd gym, and access to the application site's basement parking is via this adjoining building. The site is bounded by the A308 dual carriageway to the south and west and King Street to the east. The site is adjacent to the Broadway Opportunities Area (known locally as The Landing).

4. KEY CONSTRAINTS

- 4.1 The site is not a designated employment area and has no other site-specific allocation in the adopted Local Plan. This is also the case in respect of the emerging Borough Local Plan.
- 4.2 The main planning constraints for the site are its proximity to a listed building (The Clock Tower) and Maidenhead Town Centre AAP Opportunity Areas. The site is also within an Air Quality Management Area.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for the extension, alterations and refurbishment of the existing building (Use Class E) involving:
- a. Removal of the entrance canopy and its replacement with a glazed, two-storey foyer extension;
 - b. Removal of the vehicle turning circle and repositioning of the approach lane;
 - c. Alterations to the fenestration, to include a stronger horizontal subdivision of the windows, lowering of the ground floor sill levels, the inclusion of box type projecting windows that rise to roof level and the "pushing out" of the recessed corner windows;
 - d. Installation of three rooftop pavilions and roof terraces;
 - e. New areas of plant and plant enclosure above main roof level;
 - f. The inclusion of photovoltaic panels at roof level
 - g. Green roof areas;
 - h. Creation of a cafe at ground level on the south-eastern corner of the building ; and
 - i. Inclusion of ramped and stepped access to the main entrance and provision of an open space (public realm) adjacent to the new entrance and cafe areas.
- 5.2 The proposed extensions to the building would add 1,457sqm of floorspace to the existing building.
- 5.3 Vehicular access to the application site will continue to take place from Keys Place via the undercroft route running beneath the Odeon cinema and David Lloyd gym complex that leads onto

Kings Street. To accommodate the proposed alterations to the public realm and prioritise pedestrian usability of the space on the southern side of the building, the extent and geometry of the internal circulation routes have been revised.

- 5.4 The existing building benefits from access to 199 car parking spaces. Due to the non-compliant nature of several of the existing car parking spaces, it is proposed to rationalise the existing parking spaces and reduce the parking layout to 176 parking bays. Of these 10% (18 spaces) will benefit from electric charging points and 5% (9 spaces) will be designed as wheelchair user spaces. There is currently no cycle parking available on the application site and so a total of 153 new secure cycle parking spaces, with associated showers and changing rooms, are proposed within the basement area of the building.
- 5.5 There is no planning history relevant to the consideration of the application proposal. However, consideration should be given to the emerging context of nearby sites at The Landing and Nicholsons, in particular in relation to public realm.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 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, E10
Location of employment uses	E1, E6
Highways	P4 AND T5

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

Maidenhead Town Centre Area Action Plan (Adopted 2011) MTCAAP

- 6.2 The main strategic planning policies applying to the site are:

Issue	MTCAAP Policy
Streets and Spaces	MTC1
Greening	MTC2
Design	MTC4
Gateways	MTC5

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/development-plan/maidenhead-town-centre-area-action-plan>

MATERIAL PLANNING CONSIDERATIONS

- 6.3 **National Planning Policy Framework Sections (NPPF) (2019)**

Section 4- Decision-making
 Section 6 – Building a strong, competitive economy
 Section 9- Promoting Sustainable Transport
 Section 12- Achieving well-designed places
 Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version & Proposed Changes

Issue	Submission Version	Proposed Changes
Maidenhead Town Centre Strategic Placemaking Area	•	QP1a
Character & Design of new buildings	SP3	QP3
Economic development	ED1	ED1

- 6.4 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

- 6.5 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon.
- 6.6 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF.

These documents can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

6.7 **Supplementary Planning Documents**

- RBWM Borough Wide Design Guide

Other Local Strategies or Publications

- 6.8 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://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

7. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

26 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 19.06.2021 and the application was advertised in the Local Press on 27.05.2021.

No letters were received either supporting or objecting to the application.

Consultee responses

Consultee	Comment	Where in the report this is considered
Conservation	Some elements require further details to be submitted (via conditions), but no objections in principle to these proposals in design or conservation terms.	8.11
Highways	No highway concerns. Recommends conditions in relation to construction management and details of cycle parking arrangements.	8.17 – 8.22
Lead Local Flood Authority	No objections.	8.25
Environmental Protection	The application site is located in an Air Quality Management Area. An air quality impact assessment has been submitted with the application, the assessment considered the potential impact of the road traffic generated by the proposed development with a net increase of daily trip generation of 14 vehicles. The conclusion of the assessment that the air quality impact is considered to be 'not significant' is acceptable. No objections subject to conditions relating to plant noise and conditions (repairs and maintenance), a construction environmental management plan and delivery/collection times.	8.23 – 8.24

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i The principle of development;
- ii Impact on character and appearance of the area (including the setting of the nearby listed building);
- iii Impact on neighbouring amenity;
- iv Highway considerations and parking provision;
- v Environmental considerations;
- vi Surface water drainage; and
- vii Sustainability and climate change considerations.

The principle of development

8.2 The application site is located within the Maidenhead Town Centre boundary and as such is a location where the adopted development plan indicates additional and improved employment generating floorspace should be situated. In addition, paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt and that significant weight should be placed on the need to support economic growth and productivity.

8.3 Policy ED1 of the emerging Borough Local Plan encourages the delivery of a flexible supply of high quality employment floorspace by utilising existing employment areas and promoting a more intensive use of these sites through the recycling, refurbishment and regeneration of existing older

or vacant stock. The policy adds that new office space will be focused in the town centres of Maidenhead, Windsor and Ascot.

- 8.4 Accordingly, the principle of the proposed development is acceptable. It should also be noted that the inclusion of a cafe would not constitute a material change of use from the building's lawful Class E use.

Impact on character and appearance of the area (including the setting of the nearby listed building)

- 8.5 Policy MTC4 (Quality Design) of the AAP outlines that proposals will be required to be of high quality, contributing to an overall improvement in terms of urban design and architecture. A specific focus should be the creation of a mixed-use town centre environment that is welcoming, safe and secure, durable and stimulating and which is also highly accessible and easy to move around. Buildings, streets and spaces should have a clear image and be easy to understand.
- 8.6 Policy MTC5 (Gateways) of the AAP sets out that within the five gateway locations identified, there will be an emphasis on creating high quality entrances that will enhance the town centre's image and identity. The application site is located on the northern edge of the Maidenhead railway station gateway location identified in the AAP and is on an important route from the station to the town centre. The supporting text for policy MTC5 outlines that the main entrance points into the town centre lack any distinctive quality, sense of arrival or help to direct people to their chosen destination, and making the most of opportunities available to improve the gateways will help the town centre's identity and image and enable people to find their way round.
- 8.7 In terms of overall scale and form, the proposed development is sympathetic to its surrounding context with the overall bulk and mass remaining largely unchanged from the existing building. The proposed enlargements have been carefully positioned and scaled to reflect the proportions of the existing building whilst enhancing its architectural quality. The stepped corners of the building will create a focus in the street scene and the hanging winter gardens will also add interest to the west and east elevations. The creation of an obvious glazed entrance will provide a focal point to the building and is welcomed.
- 8.8 The dropping of the windowsills at ground level is supported in order to create a more open and active frontage to the building. The treatment of the windows will add interest and movement to the elevations and also create a "castellated" feature in part at high level. The extent of the proposed glazing, particularly on the upper floors, will generally open up and lighten the appearance of the building. The retention of the stone cladding is supported in terms of sustainability and also to retain links with the materials of the adjacent buildings, which are stone clad or coloured. The use of a cream coloured cladding for the spandrel panels is also supported for these reasons. The window frames will be bronze finished which will contrast well with the stonework.
- 8.9 The creation of a pedestrian focused open space is considered to be a positive benefit in terms of the streetscape of what is currently a very busy road junction. The new steps and ramp are also an important design feature. The provision of a cafe at ground level is welcomed and would add activity to the street frontage. Further details of the open space area (including hard surfacing, lighting, street furniture and soft landscaping) will be required via planning conditions.
- 8.10 The use of photovoltaic (PVs) panels and the green roofs are supported, although further details of the PVs are required to ensure they do not detract from the overall appearance of the building. There are no objections to the use of roof level terraces as these will provide a positive benefit for occupiers of the building. The use of simple glazed and metal balustrades is supported for the balconies and terraces. All roof level services will need to be suitably screened, the details of which can be conditioned.
- 8.11 The Clock Tower, to the south and within view of the application site, is grade II listed and has both architectural and historic interest in accordance with the definition of Heritage Significance contained on page 71 of the NPPF and as explained in the Planning Policy Guidance under "Historic Environment". The Council's Conservation Officer has advised that the proposed alterations to the existing office building would not harm the significance of the listed building but

would change its setting, acknowledging however that this has already be heavily altered in recent years and will change further in the future as it includes recently approved schemes such as The Landing.

- 8.12 The proposal complies with adopted development plan policies and, subject to further details outlined above (to be conditioned), will result in significant improvements in the architecture and immediate surroundings of the office building, particularly on its southern frontage, enhancing the quality of a key gateway into Maidenhead Town Centre.

Impact on Neighbouring Amenity

- 8.13 The proposed development will not alter the separation distances between the existing building and neighbouring premises. In any event the neighbouring properties are set well away from the building meaning that any mutual overlooking would be over a considerable distance.
- 8.14 The new roof terraces have been positioned along the southern and eastern sides of the roof area, so as to be positioned away from the residential properties to the west. Adequate separation, which includes the intervening road, would also be maintained with the neighbouring Landings development site. In any event, a degree of mutual overlooking is not uncommon in a denser town centre environment.
- 8.15 Overall, the outlook and privacy of occupiers of neighbouring buildings surrounding the application site would be maintained and ensure people can feel comfortable in their own homes, in accordance with the Borough Wide Design Guide SPD.
- 8.16 The proposed development would result in a modest enlargement to the existing building form but would also involve the removal of the existing roof, thereby reducing bulk across parts of the building. As a result, there would be a negligible impact on daylight and sunlight levels experienced by neighbouring occupiers.

Highway considerations and parking provision

- 8.17 The development proposes the removal of the existing drop-off and car parking area fronting the building, and the introduction of a drop-off area for taxis, parallel to Kings Street. The submitted Transport Statement confirms that the drop-off zone would be enforced by the building management to prevent indiscriminate parking which is welcomed.
- 8.18 The existing Class E building currently benefits from 199 car parking spaces, which is proposed to be reduced to 176 spaces post development. The Borough's Parking Strategy requires commercial units to provide a maximum parking ratio of 1 space per 100 sqm, which equates to a parking provision of 214 spaces. However, the Parking Strategy also reports that commercial developments in the town centre well served by public transport can sustain lower levels of parking. Therefore, the provision of 176 parking spaces at a parking ratio of 1 space per 122 sqm is considered acceptable. The proposed number of electric charging points and accessible parking bays accords with the Borough's standards.
- 8.19 The Transport Statement proposes a provision of 153 secure cycle parking spaces. A detailed plan of the cycle parking arrangement will need to be provided which can be covered by condition.
- 8.20 The development proposes no change to the existing access arrangement. The service and delivery access would continue to be provided via the service delivery bay located adjacent to the car park access on Key Place.
- 8.21 Having regard to section 5 (Development Trips & Impacts) of the Transport Statement, it is concluded that the trips generated by the proposal are unlikely to have an adverse impact on the surrounding local highway network.
- 8.22 The Highway Authority has advised that the proposal raises no highway concerns subject to conditions relating to a construction management plan and details of the cycle parking arrangements to be provided.

Environmental considerations

- 8.23 The application site is located within an Air Quality Management Area (AQMA). The applicant has submitted an appropriate air quality impact assessment, which has assessed the potential impact of the road traffic generated, (a net increase of 14 daily trips), by the proposed development. The assessment concludes that the air quality impact would be 'not significant', which Environmental Protection has advised is acceptable.
- 8.24 Environmental Protection has raised no objections to the proposal subject to conditions relating to plant noise and conditions (repairs and maintenance), a construction environmental management plan and delivery/collection times.

Surface water drainage

- 8.25 The Lead Local Flood Authority (LLFA) has advised that the proposal will lead to a reduction in the impermeable area of the site by 72 sqm, and that the proposed green roof will also aid in reducing surface water discharge compared to the existing situation. Accordingly, the LLFA has advised that, within the scope of the proposed development, the proposal satisfactorily addresses flood risk and raises no objection.

Sustainability and climate change considerations

- 8.26 Policy MTC4 of the AAP sets out that development proposals will be expected to be sustainable in their design, construction and operation and this is reinforced by the Council's recently issued Interim Sustainability Position Statement. Sustainable development is at the heart of the NPPF and paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development, focusing on the environmental objective including mitigating and adapting to climate change.
- 8.27 The submitted Energy and Sustainability Statement confirms that the proposed development would achieve a 39% reduction in carbon emissions when compared to the Part L 2013 Building Regulations gas boiler baseline, through a combination of passive design and energy efficiency measures and the implementation of low and zero carbon technologies. In addition, the development will incorporate photovoltaic (PV) panels and Air Source Heat Pump (ASHP) technology, which will collectively support approximately 39% of expected total (regulated and unregulated) energy demand of the building.
- 8.28 The proposal makes more effective use of a previously developed site, reducing the pressure to build on greenfield sites, and will be of a high quality design that will enhance the overall character, appearance and townscape setting of this part of Maidenhead. Overall, it is considered that the proposal is a good example of sustainable development that would benefit the ongoing regeneration of Maidenhead town centre.

9. PLANNING BALANCE AND CONCLUSION

- 9.1 The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development, (paragraph 7). Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy; b) a social objective – to support strong, vibrant and healthy communities; and c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment. So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development.

- 9.2 Paragraph 11 of the NPPF explains how the presumption in favour of sustainable development applies. For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) 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.
- 9.3 Having regard to the three dimensions of sustainable development, from an environmental perspective the proposal would make effective use of previously developed land and would improve the appearance of the existing building, thus enhancing this part of Maidenhead in which it is located. In addition, the proposal would deliver a new landscaped civic space and incorporates renewable energy technologies and biodiverse roof, which would help reduce carbon emissions and energy requirements. From a social perspective, the proposal would provide a new cafe, supported by a new outdoor civic space that will provide a place for the community to meet and socialise, and would improve accessibility within the application site. In terms of economic benefits, the applicant has advised that the proposal would create 315 construction jobs over the 1 – 2 year construction period, (including 123 of these being filled by local residents of RBWM); will generate £22.1 million in construction gross value added; support for up to 1178 jobs in the re-developed Star House, representing an employment uplift of up to 138 new FTE jobs, plus a further 52 jobs within the national supply chain; will generate up to £10.3 million in gross value added from employment at the redeveloped Star House, together with £90,000 expenditure in the local economy from on-site employment at Star House and additional jobs within RBWM supported through the supply chain.
- 9.4 Although the development plan is out-of-date, the proposal is considered acceptable when assessed against development plan policy, and other material planning considerations do not indicate that an alternative recommendation should be reached. Consequently, the proposal should be assessed in the normal way and the 'tilted balance' is not applied in this case.
- 9.5 Overall, the proposal is considered to be a good example of sustainable development that is supported by development plan policies, policies in the emerging Borough Local Plan and by the NPPF. Accordingly, it is recommended the Panel grants planning permission subject to the conditions set out in Section 11 below.

10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed south and east elevations
- Appendix C – Proposed north and west elevations
- Appendix D – Proposed ground floor plan
- Appendix E – Proposed roof plan

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 installation, details of the materials to be used in the hard landscaping and external hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Development Plan Policies - DG1, E10, MTC4.
- 3 Prior to installation, details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Development Plan Policies - DG1, E10, MTC4.

- 4 Prior to installation, details of the street furniture within the open space area to the south-east of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Development Plan Policies - DG1, E10, MTC4.
- 5 Prior to installation, details of the external steps and ramp, showing how they will be fully accessible and integrate with the existing pavement area, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Development Plan Policies - DG1, E10, MTC4.
- 6 Prior to installation, details of the windows, including the glass type and colour, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Development Plan Policies - DG1, E10, MTC4.
- 7 Prior to installation, details of the screening to the roof level mechanical and electrical services shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Development Plan Policies - DG1, E10, MTC4.
- 8 Details of a soft landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within the first available planting season following the practical completion of the development. 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 in the first available planting season.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Development Plan Policies - DG1, E10, MTC4.
- 9 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.
- 10 No development shall take place until a site specific Construction Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The Plan must demonstrate the adoption and use of the best practicable means to ensure highway safety and the free flow of traffic and to reduce the effects of noise, vibration, dust and site lighting. The Plan should include:
- i) Details of how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period;
 - ii) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
 - iii) Arrangements for liaison with the Environmental Protection Team;
 - iv) All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays, unless in case of business critical plant maintenance/replacement;
 - v) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
 - vi) Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
 - vii) Procedures for emergency deviation of the agreed working hours;
 - viii) Control measures for dust and other air-borne pollutants; and

ix) Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of highway safety, the free flow of traffic and the amenities of surrounding occupiers during the construction of the development. Relevant Development Plan Policies T5, NAP3.

- 11 The rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at least 1m from the closest window of the nearest noise-sensitive property to the building. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15minute period).

Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.

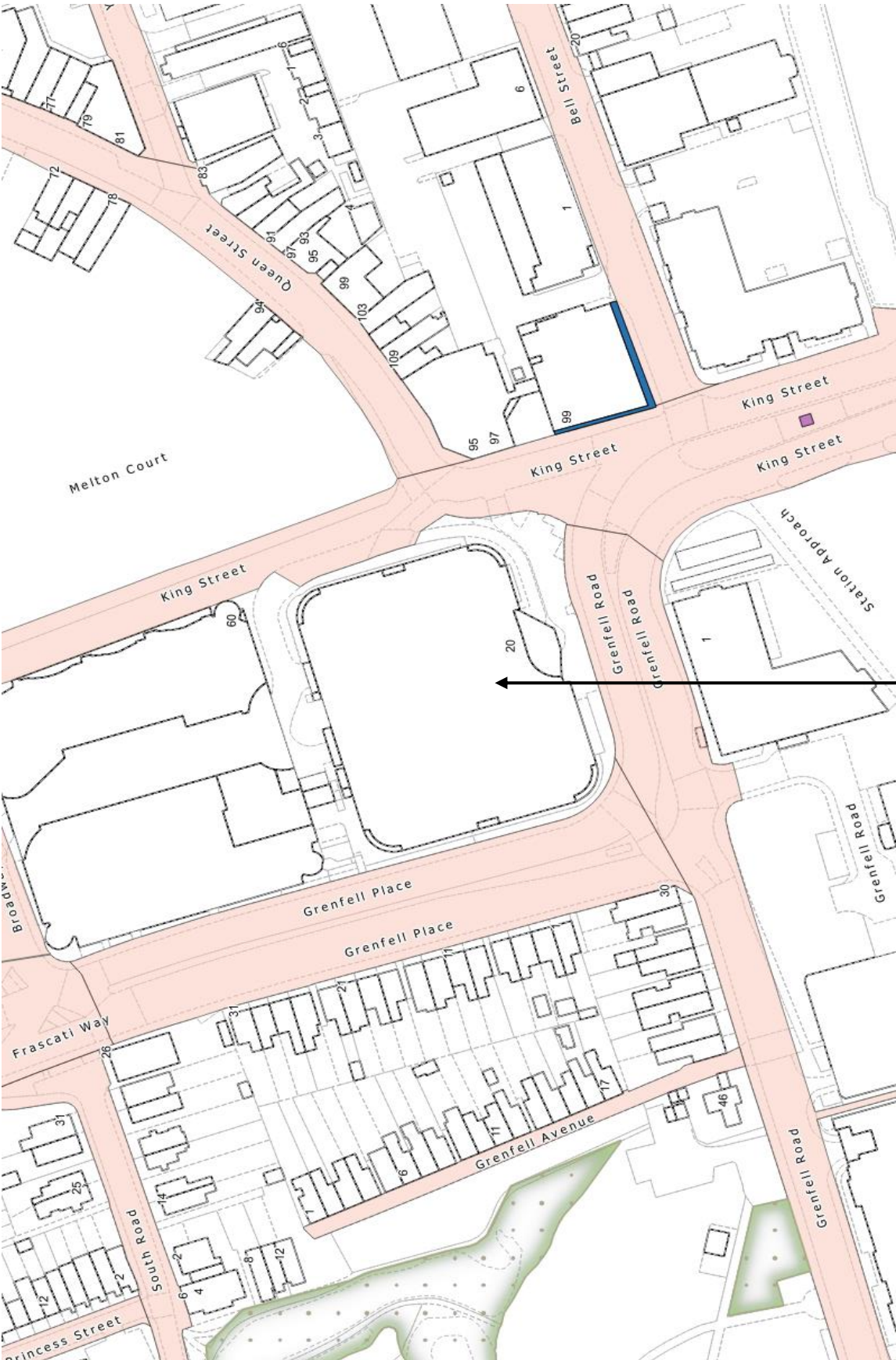
- 12 Works of repair or maintenance of plant, machinery or equipment shall only be carried out at the site between 08:00 and 18:00 hours Mondays to Fridays, 08:00 and 13:00 on Saturdays and at no time on Sundays, or Bank Holidays or Public Holidays, without the prior written consent of the Local Planning Authority, unless in case of business critical plant maintenance/replacement).

Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.

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

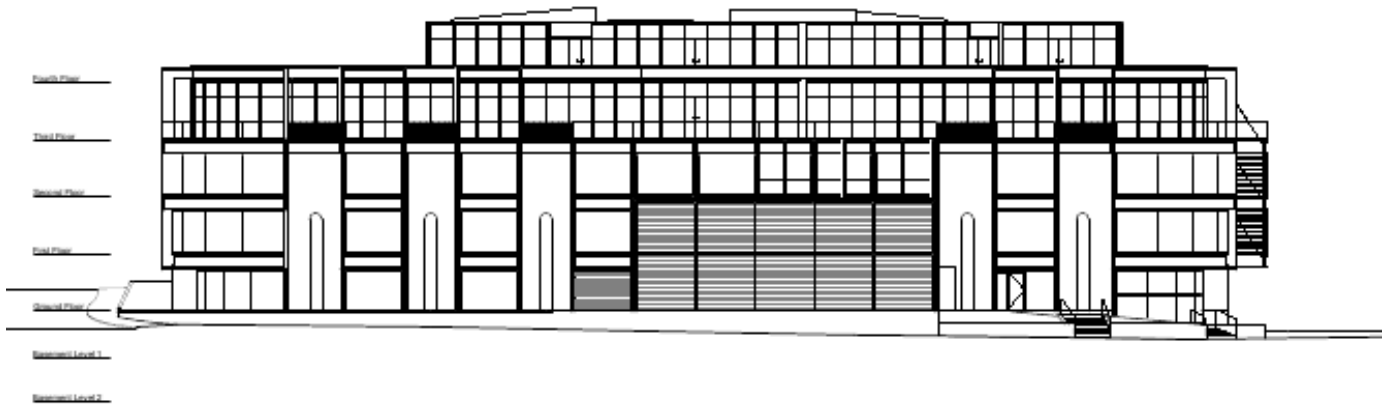
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

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Application Site

Proposed south and east elevations



Proposed south (front) elevation facing Grenfell Road

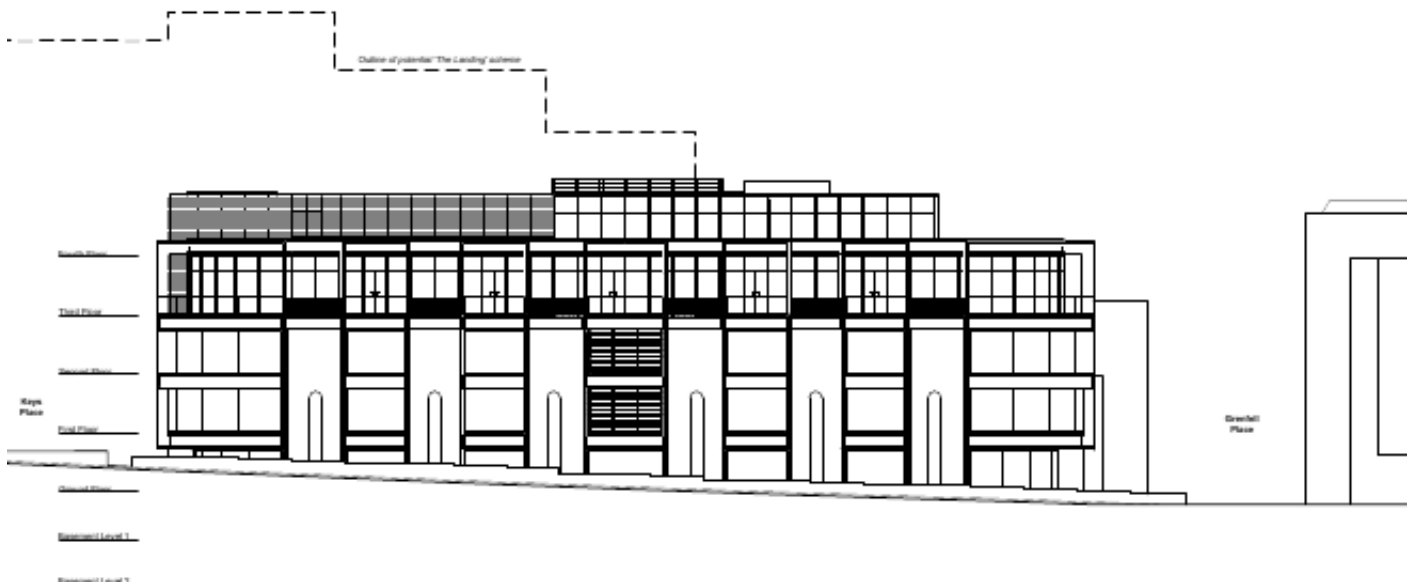


Proposed east (side) elevation facing Kings Street

Proposed north and west elevations

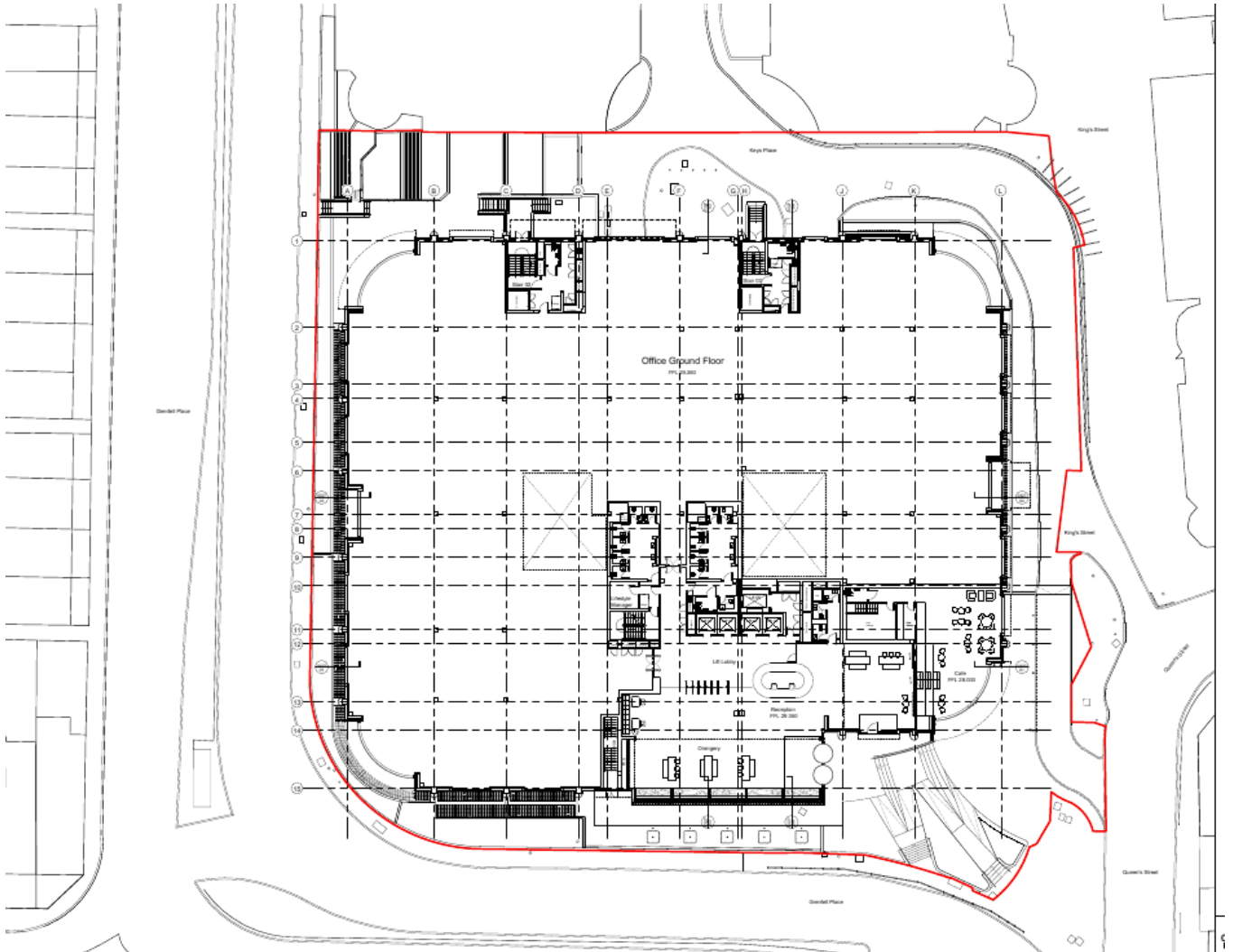


Proposed north (rear) elevation facing Keys Place



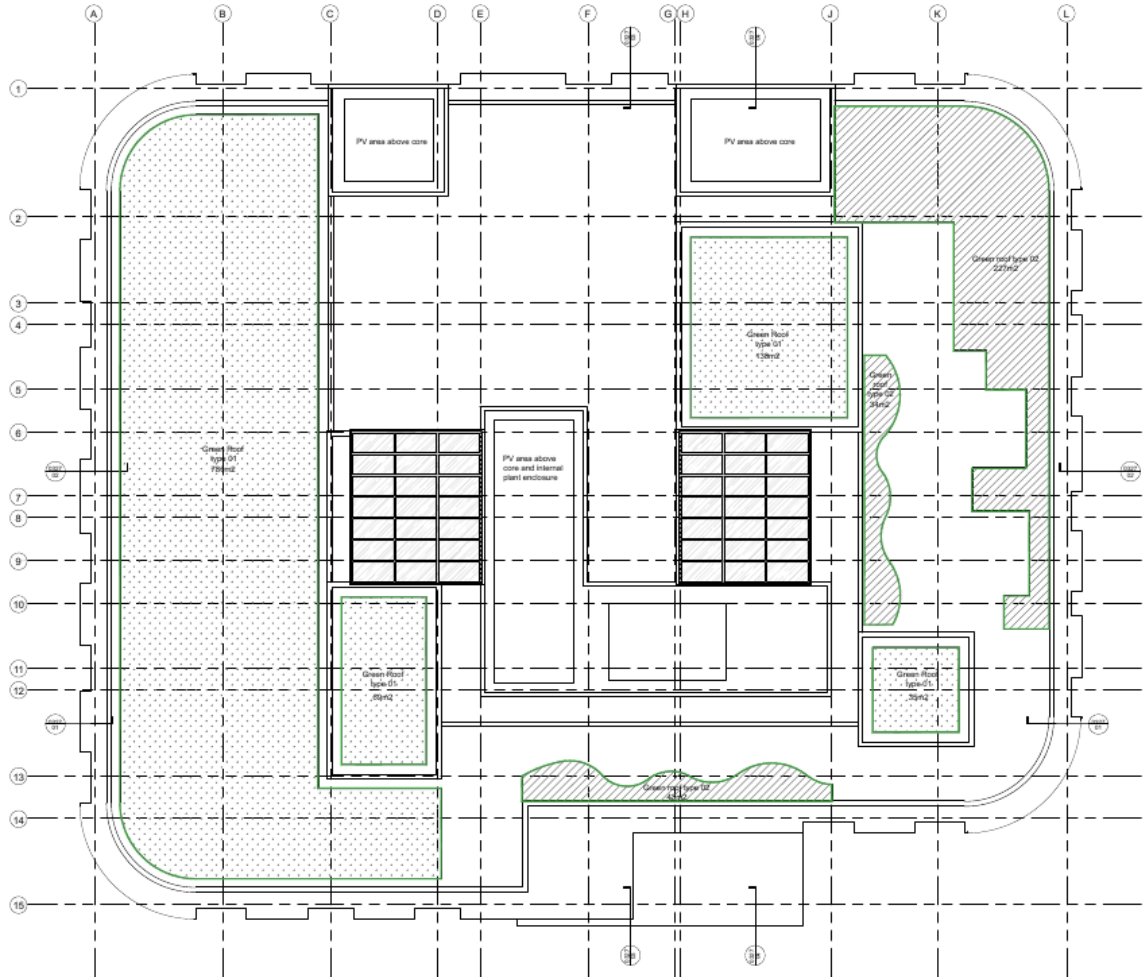
Proposed west (side) elevation facing Grenfell Place

Proposed ground floor plan



Proposed ground floor plan

Proposed roof plan



Proposed roof plan

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Agenda Item 8

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

Planning Appeals Received

5 June 2021 - 9 July 2021

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk/> please use the PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

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:	Windsor Unparished		
Appeal Ref.:	21/60046/REF	Planning Ref.:	21/00468/FULL
		PIns Ref.:	APP/T0355/D/21/ 3277854
Date Received:	2 July 2021	Comments Due:	Not Applicable
Type:	Refusal	Appeal Type:	Householder Appeal
Description:	Raising of the main ridge, x1 front rooflight and x1 rear dormer.		
Location:	14 Clewer Fields Windsor SL4 5BW		
Appellant:	Mr Alper Aslan c/o Agent: Miss Michaela Mercer Mercer Planning Consultants Ltd Castle Hill House 12 Castle Hill Windsor Berkshire SL4 1PD		

Planning Appeal Decisions

5 June 2021 - 9 July 2021

Appeal Ref.: 21/60009/REF **Planning Ref.:** 20/00575/FULL **Plns Ref.:** APP/T0355/W/20/3263870

Appellant: Ms Paula Aldridge 15 Breadcroft Road Maidenhead SL6 3PA

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

Description: Part change of use of the first floor from Residential (C3) to Hair and Beauty treatment (A1) (Retrospective).

Location: **15 Breadcroft Road Maidenhead SL6 3PA**

Appeal Decision: Dismissed **Decision Date:** 15 June 2021

Main Issue: The Inspector concluded that the development would harm the living conditions of future occupants with regard to general disturbance and would conflict with saved policy DG1 of the RBWM Local Plan (Incorporating Alterations Adopted in June 2003) and paragraph 127 of the National Planning Policy Framework which require separate access to residential accommodation within mixed use schemes and that development should provide a high standard of amenity for existing and future users. The Inspector took into consideration the representations in support of the appeal and concerns regarding alleged breaches of planning consent, noise, parking, and loss of privacy.

Appeal Ref.: 21/60015/REF **Planning Ref.:** 19/01513/FULL **Plns Ref.:** APP/T0355/W/20/3253114

Appellant: Dr C Marsden-Huggins **c/o Agent:** Mr Andrew Ransome ADP Ltd Hophouse West Bergholt Colchester CO6 3TJ

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

Description: Construction of 50 bedroom hotel.

Location: **S G Autopoint 437 - 441 St Leonards Road Windsor SL4 3DT**

Appeal Decision: Allowed **Decision Date:** 15 June 2021

Main Issue: The Inspector concluded that the proposed building would not appear cramped or the site overdeveloped as the sides of the building would be set in from the plot boundary, the gap between buildings would be significant, the width to height ratio is well proportioned and would follow the building line of properties along this stretch of road, and buildings in the immediate surrounds (including the Victorian houses, Littleacre and Imperial Court) have limited landscaped curtilages. Whilst the roof height would exceed that of its neighbour, the distance between buildings and the stepped profile and insets that break up the form of the proposed building would moderate the perceived scale of the building, and the roofscape on this side of the road is not uniform. Harm to the most prominent tree affected by the proposed development can be protected by careful excavation during construction and pruning to reduce further root expansion. Although the use of proposed raised beds and need for significant pruning to prevent encroachment onto adjacent land would somewhat limit the effectiveness of proposed planting, overall more trees are proposed in the landscaping scheme than would be removed. Furthermore, it was noted that scheme reflects low level planting at the Imperial Court flats opposite, and houses further along St Leonards Road towards Windsor Town Centre.

Appeal Ref.:	21/60016/REF	Planning Ref.:	20/00932/FULL	Plns Ref.:	APP/T0355/W/20/ 3265485
Appellant:	N Dearman c/o Agent: Mr Krzys Lipinski 39 Roundwood Road High Wycombe Buckinghamshire HP12 4HD				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	Construction of a new crossover and access with a vehicular entrance gate.				
Location:	Oakley Green Nurseries Oakley Green Road Oakley Green Windsor SL4 4PZ				
Appeal Decision:	Dismissed	Decision Date:	15 June 2021		
Main Issue:	<p>The RBWM Highway Design Guide and Parking Strategy (2004) (August 2010) (DGPS) seeks to control new accesses onto primary and district distributor roads to ensure the free flow of traffic. It notes that the number, position and types of junctions can affect the efficiency and safety of those roads and sets a minimum junction spacing of 30 metres to an adjacent access and 15 metres where a proposed access is opposite an existing access. The proposed development does not comply with these minimum requirements. The Inspector took into consideration the appellants wish to separate delivery vehicles from customer parking, but no evidence had been provided that the existing service road leading to the rear storage area is unsuitable or could not be improved to achieve this. The Inspector found no justification for an additional access that would outweigh the harm to highway safety. The proposed development would therefore conflict with saved policy T5 of the RBWM Local Plan (Incorporating Alterations Adopted in June 2003) which requires development to comply with the DGPS and paragraph 108(b) of the National Planning Policy Framework which requires safe and suitable access for development.</p>				

Appeal Ref.:	21/60035/REF	Planning Ref.:	20/01735/TPO	Plns Ref.:	APP/TPO/T0355 /8101
Appellant:	Mr Ajay Khindria 6 Foxborough Court Maidenhead SL6 2PX				
Decision Type:	Delegated	Officer Recommendation:	Refuse		
Description:	(T1) - 2x Oak - Crown reduction to a height of 12m and a crown spread of 10m. TPO 57 of 1998				
Location:	6 Foxborough Court Maidenhead SL6 2PX				
Appeal Decision:	Dismissed	Decision Date:	23 June 2021		
Main Issue:	<p>The Inspector concluded that the need for the work applied for must be weighed against the resultant loss to the amenity of the area. In this case, no substantial evidence had been put forward to show the trees require the work proposed, or that it will provide any tangible benefits. On his site visit he observed nothing to make him think otherwise. On the evidence available, the work would result in harm to the character and appearance of the area through the pruning of these trees. The Inspector was not satisfied that there is sufficient justification for the work.</p>				

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