

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT  
MANAGEMENT COMMITTEE**

will meet on

**WEDNESDAY, 15TH DECEMBER, 2021**

**At 7.00 pm**

by

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

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

COUNCILLORS PHIL HASELER (CHAIRMAN), ROSS MCWILLIAMS (VICE-CHAIRMAN), JOHN BALDWIN, GURPREET BHANGRA, MANDY BRAR, GERRY CLARK, GEOFF HILL, JOSHUA REYNOLDS AND LEO WALTERS

SUBSTITUTE MEMBERS

COUNCILLORS CLIVE BASKERVILLE, STUART CARROLL, CATHERINE DEL CAMPO, ANDREW JOHNSON, GREG JONES, GURCH SINGH, DONNA STIMSON, CHRIS TARGOWSKI AND HELEN TAYLOR

Karen Shepherd – Head of Governance - Issued: 7 December 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](http://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 - 8
3.	<u>MINUTES OF THE MEETING HELD ON 17 NOVEMBER 2021</u>  To approve the minutes of the meeting held on 17 November 2021 as a true and accurate record.	9 - 12
4.	<u>21/00502/FULL - MAGNET LEISURE CENTRE AND MAGNET LEISURE COMPLEX CAR PARK, HOLMANLEAZE, MAIDENHEAD</u>  <i><b>PROPOSAL: Construction of x5 buildings to create x439 homes (use class C3) with car and cycle parking, pedestrian and vehicular access alterations, landscaping works and boundary treatments, following demolition of all existing buildings and structures.</b></i>  <b>RECOMMENDATION: Defer &amp; Delegate</b>  <b>APPLICANT: N/A</b>  <b>MEMBER CALL IN: N/A</b>  <b>EXPIRY DATE: 19 May 2021</b>	13 - 58
5.	<u>21/02024/VAR - DAVID HUNT TOOL MERCHANT, BATH ROAD, KNOWL HILL, READING, RG10 9UR</u>  <i><b>PROPOSAL: Variation (under Section 73A) of planning permission 418365 to remove condition 5.</b></i>  <b>RECOMMENDATION: Permit</b>  <b>APPLICANT: Mr Hunt</b>  <b>MEMBER CALL IN: N/A</b>  <b>EXPIRY DATE: 26 August 2021</b>	59 - 66
6.	<u>21/02329/FULL - 33 CANNON COURT ROAD, MAIDENHEAD</u>  <i><b>PROPOSAL: x3 new dwellings with associated access, parking and landscaping following demolition of existing dwelling and outbuildings.</b></i>  <b>RECOMMENDATION: Permit</b>	67 - 86

**APPLICANT: King Charles Homes**

**MEMBER CALL IN: N/A**

**EXPIRY DATE: 20 September 2021**

7. PLANNING APPEALS RECEIVED AND PLANNING DECISION  
REPORT

Committee Members to note report.

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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 AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

### Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

*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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
  - a) that body has a place of business or land in the area of the council, 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.

### Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive

interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

*Other Registerable Interests (relating to the Member or their partner):*

*You have an interest in any business of your authority where it relates to or is likely to affect:*

- a) *any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) *any body*
  - (i) exercising functions of a public nature*
  - (ii) directed to charitable purposes or*

*one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)*

### **Disclosure of Non- Registerable Interests**

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

**You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

### **Other declarations**

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

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# Agenda Item 3

## MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 17 NOVEMBER 2021

PRESENT: Councillors Phil Haseler (Chairman), Ross McWilliams (Vice-Chairman), John Baldwin, Gurpreet Bhangra, Mandy Brar, Gerry Clark, Geoff Hill, Joshua Reynolds and Leo Walters

Also in attendance: Councillor Gurch Singh, Councillor Donna Stimson and Councillor Maureen Hunt

Officers: Shilpa Manek, Adrien Waite and Emma Duncan

### APOLOGIES FOR ABSENCE

No apologies of absence were received.

### DECLARATIONS OF INTEREST

Councillor Baldwin informed all for transparency that he had checked with the Monitoring Officer if he had a declaration of interest and had been advised that he could participate in the meeting. He was attending with an open mind.

### MINUTES OF THE MEETINGS HELD ON 20 OCTOBER 2021 AND 8 NOVEMBER 2021

**RESOLVED UNANIMOUSLY: that the minutes of the 20 October 2021 and 8 November 2021 were a true and accurate record.**

The 20 October 2021 meeting minutes were proposed by Councillor Walters and seconded by Councillor Bhangra.

The 8 November 2021 meeting minutes were proposed by Councillor Brar and seconded by Councillor Hill.

### 20/00714/FULL - LAND TO THE SOUTH WEST OF HOWE LANE FARM, HOWE LANE, PALEY STREET, MAIDENHEAD

A motion was put forward by Councillor Hill to defer the application. This was not seconded.

A second motion was put forward by Councillor Walters to refuse the application, as per Officers recommendation. This was seconded by Councillor Reynolds.

A named vote was taken.

<b>20/00714/FULL - LAND TO THE SOUTH WEST OF HOWE LANE FARM, HOWE LANE, PALEY STREET, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor Ross McWilliams	For
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED UNANIMOUSLY: that the application be refused as per Officers recommendation.**

The Panel was addressed by Parish Councillor Des Warren and the applicant Andrew Troup.

**20/00715/FULL - LAND TO THE SOUTH WEST OF HOWE LANE FARM, HOWE LANE, PALEY STREET, MAIDENHEAD**

A motion was put forward by Councillor Hill to defer the application. This was not seconded.

A second motion was put forward by Councillor Walters to refuse the application, as per Officers recommendation. This was seconded by Councillor Reynolds.

A named vote was taken.

<b>20/00715/FULL - LAND TO THE SOUTH WEST OF HOWE LANE FARM, HOWE LANE, PALEY STREET, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor Ross McWilliams	For
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor Gerry Clark	For
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor Leo Walters	For
<b>Carried</b>	

**RESOLVED UNANIMOUSLY: that the application be refused as per Officers recommendation.**

The Panel was addressed by Parish Councillor Des Warren and the applicant Andrew Troup.

**21/02866/FULL - LAND TO THE SOUTH OF 18 TO 20 AND OPEN SPACE TO THE SOUTH OF RAY MILL ROAD EAST, MAIDENHEAD**

A motion was put forward by Councillor McWilliams to approve the application, contrary to the Officers recommendation. In putting forward the motion Cllr McWilliams acknowledged the concerns regarding flooding and that there were two different professional opinions before the panel, however he recognised that the Council had a very full housing register and that the emerging local plan would not meet or full objectively assessed need of affordable housing. Cllr McWilliams considered that greater weight should be put on the provision of affordable

housing. It was suggested to defer and delegate to Head of Planning in consultation, subject to referral to the Secretary of State, to approve the application subject to completion of the legal agreement and to secure refusal matters 2, 3 and 4 and carbon offset contribution and list of conditions to be agreed in consultation with the Head of Planning and the Chairman.

A second motion was put forward by Councillor Reynolds to refuse the application as per Officers recommendation. This was seconded by Councillor Hill.

Councillor Clark asked a few questions of the Head of Planning and then seconded Councillor McWilliams motion.

Two named votes were taken.

The first proposed and seconded motion was to refuse the application, as per Officers recommendation so this was voted on first.

<b>21/02866/FULL - LAND TO THE SOUTH OF 18 TO 20 AND OPEN SPACE TO THE SOUTH OF RAY MILL ROAD EAST, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	Against
Councillor Ross McWilliams	Against
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	Against
Councillor Mandy Brar	For
Councillor Gerry Clark	Against
Councillor Geoffrey Hill	For
Councillor Joshua Reynolds	For
Councillor Leo Walters	Abstain
<b>Drawn</b>	

The Chairman had the casting vote and voted against so this motion fell.

The second proposal was voted on to defer and delegate to Head of Planning, as above. This had been proposed by Councillor McWilliams and seconded by Councillor Clark.

<b>21/02866/FULL - LAND TO THE SOUTH OF 18 TO 20 AND OPEN SPACE TO THE SOUTH OF RAY MILL ROAD EAST, MAIDENHEAD (Motion)</b>	
Councillor Phil Haseler	For
Councillor Ross McWilliams	For
Councillor John Baldwin	Against
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	Against
Councillor Gerry Clark	For
Councillor Geoffrey Hill	Against
Councillor Joshua Reynolds	Against
Councillor Leo Walters	Abstain
<b>Drawn</b>	

The Chairman had the casting vote and voted for so this motion was passed.

**RESOLVED: that the application be deferred and delegated to Head of Planning as above.**

The Committee was addressed by Debbie McCullough, objector and John Richards, applicant.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The Committee noted the reports.

The meeting, which began at 7.00 pm, finished at 9.00 pm

CHAIRMAN.....

DATE.....

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

### MAIDENHEAD DEVELOPMENT CONTROL PANEL

15 December 2021

Item: 1

<b>Application No.:</b>	21/00502/FULL
<b>Location:</b>	Magnet Leisure Centre And Magnet Leisure Complex Car Park Holmanleaze Maidenhead
<b>Proposal:</b>	Construction of x5 buildings to create x439 homes (use class C3) with car and cycle parking, pedestrian and vehicular access alterations, landscaping works and boundary treatments, following demolition of all existing buildings and structures.
<b>Applicant:</b>	
<b>Agent:</b>	Mr Bob McCurry
<b>Parish/Ward:</b>	Maidenhead Unparished/St Marys
<b>If you have a question about this report, please contact:</b> Tim Chapman on or at <a href="mailto:tim.chapman@rbwm.gov.uk">tim.chapman@rbwm.gov.uk</a>	

#### 1. SUMMARY

- 1.1 The application seeks detailed planning permission for 434 residential units on the former Magnet Leisure Centre site, just north of Maidenhead town centre on St Clouds Way (A4).
- 1.2 The scale, height and massing of the proposal is considered acceptable. While the proposed development has a negative impact on the setting of a listed buildings and on strategic views, that harm is not considered substantial.
- 1.3 The proposal represents a substantial benefit in terms of the provision of housing (including affordable housing) in line with the Emerging Borough Local Plan AL9 allocation. There are significant improvements to walking and cycling infrastructure.
- 1.4 Overall the application is considered acceptable.

<b>It is recommended the Committee authorises the Head of Planning:</b>	
1.	To grant planning permission with the conditions listed in Section 13 of this report and on the satisfactory completion of a legal undertaking to secure the infrastructure in Section 10 covering the following: <ul style="list-style-type: none"> <li>£263,872 towards improvements to community facilities.</li> <li>£833k towards A4 at-grade crossing*</li> <li>Travel Plan, including 3 on-site car club spaces</li> <li>Provision of affordable housing</li> <li>Improvements to the existing subway</li> <li>Review mechanism of scheme viability</li> </ul>
2.	In the event the above undertaking is not completed the Committee authorises the Head of Planning to refuse planning permission on the basis that the scheme would not be securing the above listed infrastructure and affordable housing provision contrary to the relevant Local Plan polices,.

## 2. REASON FOR PANEL DETERMINATION

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

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

- 3.1 The Application Site lies within the Urban Area of Maidenhead, to the north of the Town Centre within the St Mary's ward, and comprises an area of some 2.057 hectares ("ha").
- 3.2 The Application Site is occupied by the former Magnet Leisure Centre, which was closed in Autumn 2020 and already has a separate consent to be demolished. The leisure centre building is a typical 'big box' commercial building between two and three storeys in height with materials comprising brick, exposed concrete, metal cladding and glass frontages. The open site is largely used for car parking with 53 trees and other planting.
- 3.2 A 'Tenpin' bowling alley was located towards the north of the Application Site, but this was demolished in Autumn 2018. The bowling alley was of a similar appearance to the existing leisure centre, between two and three storeys high and constructed of materials including brick, exposed concrete, metal cladding and glass frontages. This part of the Application Site is now being used as a temporary car park, as detailed within the planning history section below. In addition, other elements of the existing site comprise a surface level car park with 382 spaces, circulation roads, soft landscaping and trees.
- 3.3 The area north of the Application Site comprises a predominantly suburban residential neighbourhood, with a mixture of Victorian, Edwardian and Late 20th Century dwellings. Further to the north of the Application Site, beyond the streets of 2 and 3 storey housing along Coln Close, Windrush Way and Cherwell Close, is the Evenlode housing estate. This dates to the 1960s and comprises a total of 100 dwellings arranged within 4 storey maisonette blocks.
- 3.4 Two community facilities in the form of the Maidenhead Central Mosque and the Maidenhead Ivy Leaf Social Club are located to the east of the Application Site, on the east side of Holmanleaze. The "Moor" is a large green space located further to the east of the Application Site and running along Strand Water into the town centre.
- 3.5 Directly to the south and west, the site is bounded by key routes in and out of the town centre in the form of the Saint Cloud Way (A4) (running east-west) and Cookham Road (B4447) (running north-south). Beyond the highway to the south is a large Sainsbury's supermarket and multi-storey car park, of circa. 7 commercial storeys in height, with residential units above. This marks the northern edge of the town centre bounded by the ring road of Saint Cloud Way.
- 3.7 Adjacent to the western edge of the site is an existing office building complex, known as Saint Cloud Gate, and next to this is The Wilderness, a Grade II Listed Building, which currently operates as a medical centre.
- 3.8 The site is bounded by Saint Cloud Way, a busy 4 lane road, to the south; by Cookham Road to the west; Holmanleaze, a street with a more residential scale and character to the east; and Kennet Way, which acts as a natural divide between the large modern leisure buildings on the site and the residential area to the north. The site includes a modern sports centre, separate bowling alley and surface car park. It is linked to the town centre via a bridge to the recent Sainsburys building to the south; and an underpass leading to the plaza in front of Sainsburys, which in turn leads to established routes to the High Street. The townscape context to the site is quite varied with modern buildings up to 7 storeys in height to the south along St Clouds Way; lower mainly 2 storey residential buildings to the north; and a grade II listed building, The

Wilderness, that comprises of 2-3 residential storeys, to the west. The recently approved St Cloud Gate development would be 8 office storeys in height and is located to the west of the site.

3.9 There are gentle level changes across the site, however, there is a very noticeable drop between the site and Kennet Road to the north.

#### 4. KEY CONSTRAINTS

4.1 The following are the main constraints associated with the site:

- Adjacent to Grade II Listed Buildings
- Partly in flood zones 2 and 3 (eastern part of the site)
- Source Protection Zone
- Access from an A Class Road

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

5.1 The original application comprised 439 new homes, comprising 130 shared ownership flats (the affordable housing element) and 309 flats for market sale, in five buildings.

- Raised podium courtyard amenity spaces for use by residents of each block;
- 350 car parking spaces, including 5% blue badge bays and 20% electric vehicle charging points;
- 439 long stay (internal) cycle parking spaces and 32 short stay (external) cycle parking spaces;
- A new 'green link' through the Application Site, east-west, providing access for pedestrians and cyclists between Kidwells Park, the Strand and the Moor, via Kennet Road, as well as north-south connections through the Application Site to the town centre;
- public realm including landscaping improvements, additional tree planting and the provision of children's playspace.

5.2 The proposal was subject to amendments submitted in October 2021 which are as follows:

<b>COMPARISON BETWEEN ORIGINAL AND AMENDED PROPOSALS</b>		
<b>Metric</b>	<b>Original Submission</b>	<b>Amended Submission</b>
Site area	<b>2.057 hectares</b>	
Total number of homes	<b>439</b>	<b>434 (-5)</b>
Total number of affordable homes	<b>130</b>	<b>87 (-43)</b>
<b>Housing mix</b>		
1 bedroom apartment	<b>166 (37.8%)</b>	<b>165 (38%) (+0.2%)</b>
2 bedroom apartment	<b>255 (58.1%)</b>	<b>252 (58.1%) (n/a)</b>
3 bedroom apartment	<b>18 (4.1%)</b>	<b>17 (3.9%) (-0.2%)</b>
<b>Housing tenure mix</b>		
Market housing	<b>309</b>	<b>347 (+38)</b>
Affordable Rent homes	<b>0</b>	<b>33 (+33)</b>
Shared Ownership homes	<b>130</b>	<b>54 (-76)</b>
<b>Building height changes</b>		
Block C2	<b>8 storeys</b>	<b>7 storeys</b>
<b>Car and cycle parking</b>		
Disabled car parking bays	<b>22</b>	<b>22</b>
Car parking total (inc. disabled parking)	<b>350</b>	<b>346 (-4)</b>

bays)			
Long-stay cycle parking spaces	439		439
Short-stay cycle parking spaces	16		16

5.3 The main changes in the amendments when compared with the original scheme were:

- A reduction in the number of units from 439 to 434;
- A reduction in the amount of affordable housing from 130 to 87 units;
- A change in the proportion of affordable housing from 100% shared ownership to 38% social rented housing and 62% shared ownership housing;
- A change in the proposed route of the Missing Links cycle route through the site;
- A reduction in height of part of Block C adjoining Holmanleaze from 8 to 7 storeys
- 5 Car parking spaces are to be designated for use by the Mosque located on Holmanleaze.

#### Residential

5.4 The proposal includes the delivery of 434 new homes, both affordable and private market dwellings, provided in five blocks. Blocks A1 and A2 is located to the north west, Block B to the north east, Block C to the south east and Block D to the south west. The detailed proposals for each block are set out below.

5.5 All ground floor dwellings have individual front doors onto the street, with communal lobbies serving the upper floors overlooking the public spaces. Private amenity space is provided within balconies, with further amenity space provided in courtyards to the rear of each block, which are provided at first floor level in most cases, with parking provided underneath at ground floor level.

#### Elevational treatment

5.6 The elevational treatment of the proposal is almost entirely brick, with occasional use of other material to provide contrast for key features such as entrances. Projecting and contrasting brickwork and metal balustrades provides variety.

#### Design Process

5.7 The design has been the subject of extensive pre-application discussions, including the input of an independent Design Review Panel. Detail of the Panel's comments is provided in Paragraph 9.12.

#### Block A

5.8 Blocks A1 and A2 are located to the north of the site and are two buildings, separated by an access road and car parking bays. The smaller of the two blocks (Block A2), to the east, measures up to four storeys in height, with a smaller two storey element located closest to adjoining neighbouring properties in the residential cul-de-sac, Holmanleaze. The larger of the two blocks (Block A1), to the west, is up to eight storeys in height.

5.9 Block A1 uses grey brick with a darker grey bricks for the first two storeys with a lighter grey brick sitting on top. For Block A2, a darker grey brick, used as the plinth brick on Block A1, is used for the whole of the building. Light grey metalwork, rainwater goods and windows accompany the grey brick tones.



- 5.10 Car parking: 20 car parking spaces are provided within the courtyard to Block A1 with 16 spaces provided on the street between the blocks. In addition, each residential core is provided with access to secure covered cycle storage, with a total of 82 cycle spaces provided.

#### Block B

- 5.11 Block B is located in the north east corner of the Application Site and closest to the adjoining existing properties located in the residential cul-de-sac, Holmanleaze, to the north. Block B comprises a linear structure running at an east-west orientation, with the majority of the block at three storeys in height and stepping up to five storeys at the western end of the block, forming a corner to the central plaza, in the centre of the site.
- 5.12 The corner uses contrasting projecting brick headers on the lower floors. The Block B town houses form a terraced street along the north side of the main east-west route running through the site.
- 5.13 Car parking for Block B is provided with 10 on-street car parking spaces provided to the North of the block, adjoining the gardens of the southern Holmanleaze houses. 20 cycle spaces are provided in a secure core

#### Block C

- 5.14 Block C is located in the south east corner of the site, with Saint Cloud Way running adjacent to the south, and Holmanleaze to the east. This block is arranged around a central courtyard area and varies in height between two and four storeys at the northern and southern parts, up to six, seven and eleven storeys to the east and west of the block. The eleven storey element of the block is the tallest building on the site and is located in closest proximity to Saint Cloud Way.
- 5.15 The elevation of Block C along the north-south link is separated into a base which is formed with darker brickwork and projecting brickwork linking the ground and first floor windows into bays. The northern link between the two taller elements to the north of Block C houses a number of duplexes that are accessed via the green link that runs through the site, east to west and have darker brick of the plinth and recessed brickwork panels.
- 5.16 A basement is provided beneath Blocks C and D providing 171 car parking spaces, which is accessed from Holmanleaze. Additional car parking for Block C is provided within the podium, with 39 car parking spaces. In addition, each residential core is provided with access to secure covered cycle storage, with a total of 166 cycle spaces provided within Block C.

#### Block D

- 5.17 Block D is located in the south west corner of the site, with Saint Cloud Way running adjacent to the south, and the existing Saint Cloud Gate office development and Wilderness Grade II Listed Building located to the west, the latter located approximately 47m away at its closest point. This block is also arranged around a central courtyard area and varies in height between four and six storeys at the lower levels, stepping up to seven and eight storeys, and then a larger eleven storey block as the tallest element of the block.
- 5.18 Using the level difference across the site a basement is provided beneath Blocks C and D providing 171 car parking spaces, which is accessed from Holmanleaze. Additional car parking for Block D is provided within the podium, with 33 spaces and 53 on street parking spaces to the west. Each residential core is provided with access to secure covered cycle storage, with a total of 171 cycle spaces provided within Block D.

## Access

- 5.19 The Proposed Development includes new north/south and east/west links that provide largely pedestrian/cycle only routes to connect Saint Cloud Way, Kennet Road, Cookham Road and Holmanleaze. An East/West cycle route is provided from Holmanleaze through the site to Cookham Road. the width varies from 3.50m to 4.0m. Textured concrete paving defines the route, whilst the building entrances and ground floor terraces are defined by grey banding block paving.
- 5.20 The proposal removed the pedestrian bridge over Saint Cloud Way and puts forward improvements to the existing subway running beneath Saint Cloud Way.
- 5.21 Vehicle access to the Site will be via three points. The existing entrance from Saint Cloud Way will be retained along with the egress onto Cookham Way. It is proposed that a new access point will be created on Kennet Road to gain access to Block A as well as provide a new north-south route through the Application Site.
- 5.22 Four access points will be created on Holmanleaze, replacing the four existing. Two will provide access to Block B and Block C parking areas respectively. The remaining two will form a one-way loop for refuse and emergency access. Block C parking will be accessed from this route, directly to the west of Holmanleaze.

## Transport

### Car Parking

- 5.23 The proposal includes the provision of 346 car parking spaces at a ratio of 0.8 spaces per dwelling, including 5% blue badge bays, and 20% electric vehicle charging bays with the remaining 80% having 'passive' provision to increase the number of charging points in the future.
- 5.24 Car parking is spread across the site, with Blocks A, C and D providing a concealed podium car park with the residential accommodation itself effectively hiding the spaces from view. Communal amenity space is provided on top of the podium car parks. On-street car parking is provided to the east of Block A, to the north of Block B and to the west of Block D.

### Wilderness Surgery Car parking

- 5.25 The medical centre has a private 17 space car park and drop-off/collection area which is available for patients, staff and emergency vehicles. A separate adjoining 20 space car park is reserved for the medical centre during the hours 8.00am–7.00pm Monday to Friday which is owned and maintained by the Council. This car park is outside the development area of the proposal and it is understood will remain in place by virtue of a long lease. These 20 spaces are made available for pay and display parking after 7.00pm each weekday and then on weekends. In addition to the above, one hour's parking is available in The Magnet car park for patients visiting the medical centre, with parking slips issued at the medical centre reception for this purpose.

### Cycle Parking

- 5.26 A total of 439 long stay cycle parking spaces would be provided across the Application Site. Each residential core is provided with separate secure covered cycle storage. A new cycle link between Kidwells Park and the Moor has been incorporated into the scheme. A total of 32 short stay visitor cycle secure parking spaces are also provided within the public realm.

### Servicing arrangements

- 5.27 Loading/waiting bays are provided to the south of Block C and to the west of Block D to facilitate deliveries and access to the proposal. Limited access routes (Bollard controlled) are proposed, which prioritise the use of shared spaces for pedestrians, run through the centre of the site provide controlled access for refuse collection and emergency access. Each residential lobby is linked with a refuse store for household and bulky waste and recycling.

### Community Facilities

- 5.28 The submitted material makes reference to the existing community facilities, including schools, community halls, religious establishments, parks and leisure facilities, doctors and dentists. The proposal makes no provision for the additional needs that the residents of the new development creates apart from the provision public amenity space within the development including play areas for younger children.

### Environmental Sustainability

- 5.29 The original Sustainability Assessment provision was revised and the updated version was submitted in October 2021. These revisions seek to meet all the requirements of the Council's Interim Sustainability Policy.

### Landscaping and trees

- 5.30 The proposal involves the creation of new public realm, including paving and seating areas, a new east-west shared cycle route, as well as private terraces, balconies, gardens and communal open space. A new north- south route through the site is also proposed.
- 5.31 The proposal puts forward the removal of most of the trees on site in order to facilitate the development. 64 trees are proposed to be planted to compensate for the loss of 58 existing trees. There are no trees of high quality (Category A) on site.

*Table 4: Summary of trees retained and removed from within the site boundary*

Status of trees	High quality trees (Category A of BS5837)	Moderate quality trees (Category B of BS5837)	Low quality trees (Category C of BS5837)	Trees unsuited to retention (Category U of BS5837)
Existing trees	0	15	28	4
Retained trees	0	1	3	0
Removed trees	0	14	25	4

In summary, the proposals remove the vast majority of existing trees and replace with a greater number of semi-mature specimens.

### Flooding and drainage

- 5.32 The North East corner of the site, adjoining Holmanleaze, is within Flood Zone 2 and 3. Following extensive input from the Environment Agency and the LLFA, the proposal has been designed to limit flooding, and to provide appropriate foul water drainage.

#### Ecology

- 5.33 The proposed development is approximately 6km from Chiltern Beechwoods Special Area of Protection (SAC). The site is within 2km of several locally designated sites, the closest of which is the Green Way, 74m away.
- 5.34 A bat scoping survey was undertaken in 2018 and concluded the building on site had low potential to support roosting bats. Further survey was undertaken and no bat roosts were recorded within the building and the survey only recorded a single pass of a common pipistrelle bat.
- 5.35 As part of the development proposals, the applicant's ecologist has provided a DEFRA 2 biodiversity metric calculation in order to establish the losses and gains in biodiversity at the site following development. The report concludes that with the proposed landscaping (native tree, hedge and shrub planting and the creation of brown roofs) the site will provide a net gain of 2.60 habitat units and a net gain of 1.07 hedgerow units. In addition, the proposal provides other biodiversity enhancements including the provision of a number of bird and bat boxes.

#### **Relevant planning history**

- 5.36 There is recent and relevant planning history relating to the site, albeit relating to the demolition of existing buildings rather than any proposed re-development schemes. In June 2018, two applications were submitted for the demolition of the Tenpin Bowling Centre (ref no. 18/01795/DEM) and the subsequent change of use of the land for a surface car park, with associated re-surfacing works and the erection of hoardings (ref no. 18/01796/FULL).
- 5.37 A formal decision for the prior notification application at the demolition of the Tenpin Bowling Centre was issued June 2018, confirming that prior approval was not required. The building has now been demolished. The proposals to change the use of the land were approved in August 2018 and following the discharge of relevant planning conditions attached to the planning permission, this change of use has been implemented and this part of the site is now being used as a temporary car park.
- 5.38 Subsequently, a prior notification application (ref no. 19/00932/DEM) was submitted in April 2019 for the demolition of the Magnet Leisure Centre. The Council issued a formal decision in May 2019, confirming that prior approval was not required. However, the leisure centre building has not yet been demolished.
- 5.39 The adjacent site to the south west, Saint Cloud Gate, has recent and relevant planning history in relation to the current proposals at the Application Site. A full planning application (ref no. 19/01660/FULL) for the demolition of existing office building and erection of a new office building with associated cafe, communal roof terrace and car parking was refused planning permission in December 2019. This refusal was based on the scale and appearance of the proposals and the harm to setting of the adjacent Grade II Listed Building.
- 5.40 Following this refusal, an alternative proposal was submitted in June 2020 (ref no. 20/01463/FULL) and received a resolution to grant planning permission at the Royal Borough Development Management Panel on 18th November 2020, albeit the formal decision notice has yet to be issued. The proposals comprise a 7no. storey office building, ground floor cafe, with an enclosed roof terrace above, with improved car parking and pedestrian access along with enhanced landscaping being provided as well as improvements to the pedestrian subway access points.

5.41 In addition, the adjacent site to the west at Queensgate House, which is directly adjacent to Block A of the Proposed Development, also has recent and relevant planning history. A full planning application (ref no. 18/02186/FULL) for the erection of 3 x 2 mews style houses with undercroft parking was initially refused planning permission in October 2018. A planning appeal was lodged against this decision (ref no. APP/T0355/W/19/3219904), with the appeal being allowed by the Planning Inspectorate and planning permission granted in June 2019.

## 6. DEVELOPMENT PLAN

### Adopted Royal Borough Local Plan (2003)

6.1 The Borough's current adopted Local Plan comprises of the saved policies from the Local Plan (Incorporating Alterations Adopted June 2003). The policies which are considered relevant to this site and planning application are as follows

<b>Issue</b>	<b>Adopted Local Plan Policy</b>
Design Guidelines	DG1
Trees and development	N6
Guidelines on Development affecting Conservation Areas	CA2
Proposals affecting Listed Buildings or their settings	LB2
Sites of Archaeological Importance and Development Proposals	ARCH2, 3, 4
Pollution: groundwater	NAP3, NAP4
Public Open Space Provision in New Developments	R3,R4
Children's playspace	R5
Protection of existing community facilities	CF1
Provision of new community facilities	CF2
Design in keeping with character and appearance of area	DG1, H10,H11
Design and Development Guidelines	E10
Affordable Housing	H3
Town Centre Housing	H6
Size, type and design of housing	H8,H9
Housing layout and design	H10
Housing density	H11
New Developments and Highway Design	T5
Funding of Improvements	T6
Cycling	T7
Pedestrian Environment	T8
Public transport	T10
Parking within Development	P4
Implementation	IMP1

## 7. MATERIAL PLANNING CONSIDERATIONS

### 7.1 National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making  
 Section 5. Delivering a sufficient supply of homes  
 Section 6. Building a strong, competitive economy  
 Section 7. Ensuring the vitality of town centres

Section 8. Promoting healthy and safe communities  
 Section 9- Promoting Sustainable Transport  
 Section 11. Making effective use of land  
 Section 12- Achieving well-designed places  
 Section 14- Meeting the challenge of climate change, flooding and coastal change  
 Section 15- Conserving and enhancing the natural environment  
 Section 16- Conserving and enhancing the historic environment

## 7.2 Emerging Borough Local Plan

Borough	Local Plan:	Proposed	Changes	Submission	Version
Submission	Version	Issue	(2019)	(2017)	
		Spatial strategy	SP1	SP1	
		Climate Change	SP2		
		Sustainability and Placemaking	QP1	SP2	
Maidenhead	Town Centre	Strategic Placemaking Area	QP1a		
		Green and Blue Infrastructure	QP2		
		Character and Design of New Development	QP3	SP3	
		Building Height and Tall Buildings	QP3a		
		Housing Development Sites	HO1		
		Housing mix and type	HO2	HO2	
		Affordable housing	HO3	HO3	
		Housing density		HO5	
		Economic Development	ED1	ED1	
		Maidenhead Retail Centre	TR3		
		Historic Environment	HE1	HE1	
		Flood risk	NR1	NR1	
		Nature Conservation and Biodiversity	NR2		
		Trees, Woodlands and Hedgerows	NR3		
		Renewable Energy	NR5		
		Pollution (Noise, Air, Light, Water)	EP1, EP2, EP3, EP4, EP5	EP1, EP2, EP3, EP4, EP5	
		Infrastructure and Developer Contributions	IF1	IF1	
		Sustainable Transport	IF2	IF2	
		Green and Blue Infrastructure		IF3	
		Open Space	IF4	IF4	
		Community Facilities	IF6	IF7	
		Utilities	IF7	IF8	
		Site Allocation	AL9		

## 7.3 Emerging Local Plan Site Allocation AL9: Saint-Cloud Way, Maidenhead is for “a mixed-use scheme incorporating approximately 550 residential units, community centre and retail”

*“Development of the site will be required to:*

- *Facilitate comprehensive re-development and effective place making in the town centre. This will include playing an important visual and connectivity role in the Town Centre linking ring and fringe areas with the Town Centre Core.*

- *Provide a small amount of non-residential uses at ground floor level, including a small community centre to accommodate community groups and small scale retail/cafe units.*
- *Support delivery of the Maidenhead Missing Links scheme with high quality pedestrian and cycle routes through the site and into the town, and with an improved access across St Cloud Way (A4)*
- *Ensure that the development is well served by public bus routes/demand responsive transport/other innovative public transport solutions, with appropriate provision for new bus stop infrastructure, such that the bus is an attractive alternative to the private car for local journeys.*
- *Develop and implement a robust residential travel plan to manage travel to and from the site and reduce instances of single-occupancy car trips, including a car club for residents.*
- *Provide generous amounts of green infrastructure linking to existing open space to the west (Kidwells Park) and to the waterway (York Stream) to the east.*
- *Conserve and enhance biodiversity, especially in the proximity of the York Stream Local Wildlife Site*
- *Consist of a very high-quality design which supports the character of the area and is sensitively designed to consider the privacy and amenity of neighbouring residential properties*
- *Develop the site in phases, with the Magnet Leisure Centre retained until the new facilities at Braywick Park are open*
- *Integrates well in terms of design, layout, function and connectivity with the adjoining St Cloud Gate allocation site.*
- *Have residential development of an appropriate scale fronting onto Kennet Road, Holmanlease and the waterway, with active frontages onto St Cloud Way, with buildings stepped back from the road, potentially with green walls*
- *Address topographical issues across the site*
- *Be designed sensitively to conserve and enhance the setting of the listed building (The Wilderness)*
- *Provide at least 30% affordable housing and opportunities for custom build housing.*
- *Retain high/medium quality trees and planting of replacement trees*
- *Provide strategic waste water drainage infrastructure*
- *Direct development away from areas at highest risk of flooding on eastern part of site*
- *Address surface water flooding and groundwater source protection zone issues*
- *Consider flood risk as part of a Flood Risk Assessment as the site is partially located within Flood Zone 2 and 3 and bigger than one hectare*
- *Demonstrate the sustainable management of surface water runoff through the use of SuDS in line with policy and best practice; any proposed surface water discharge should be limited to greenfield runoff rates where feasible*
- *Provide appropriate mitigation measures to address the impacts of noise and air quality from St Cloud Way in order to protect residential amenity”*

A summary of the assessment of the proposal in relation to the above objectives is provided in section xii.

7.4 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).*

7.5 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 consultation on the main modification to the BLPSV ran from 19 July to 5 September 2021.

7.6 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. This assessment is set out in detail, where relevant, in Section 11 of this report.

7.7 These documents can be found at:

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

#### 7.8 **Supplementary Planning Documents**

- Planning Obligation and Developer Contributions SPD
- Planning for an Ageing Population SPD
- Sustainable Design and Construction SPD
- Borough Wide Design Guide SPD

#### 7.9 **Supplementary Planning Guidance**

- Affordable Housing Planning Guidance
- Interpretation of Policy F1
- Interpretation of Policies R2, R3, R4, R5 and R6
- Interpretation of Policy NAP4
- 

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

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Placemaking and Maidenhead Town Centre Area Action Plan
- RBWM Environment and Climate Strategy
- RBWM Corporate Plan
- RBWM Community Infrastructure Levy Charging Schedule 2020.
- RBWM Tall Building's strategy
  - D1: Avoid stark contrast in height
  - D2: Landmark buildings should be mixed use
  - D3: Landmarks should be prominent and visible
  - D5: Comprehensive Development
  - D8: A human scale street experience
  - D9: Active street frontages
  - D10: High quality public realm
  - D18: Tall buildings clusters

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

511 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site and the application was advertised in the Local Press. A revised proposal was received in October 2021 and further public consultation was undertaken on 14<sup>th</sup> October, which put forward a 14 day deadline for responses. However, all comments received to date have been reported. Representations received regarding both the revised and original proposals are summarised below.

Comment	Response	Section where this topic is covered in the report
Not in character with the area	Officers consider that the design of the proposal is acceptable	ii,x
Adverse impact on the listed Wilderness centre	It is accepted that the proposal causes limited harm the Wilderness centre in terms of adversely affecting the setting of a listed building	ii
Poor pedestrian access over St Clouds Way, with the removal of the footbridge	The provision of an at-grade pedestrian and cycle crossing on the A4 will improve access across St Clouds Way	iii
Resulting lack of parking for patients visiting the doctors' surgery	The proposal does not cause unacceptable harm to car parking for the surgery. However, separate from the planning process it is understood that additional parking is being provided for use by the surgery outside of the development site.	iii, 9.33
Block C is in the flood zone	Flood risk and mitigation been addressed in the revisions to the scheme	vi
Reduced parking and access to the mosque	Additional exclusive parking has been provided to the mosque and improved access to the Hinds Meadow carpark provided via the new at-grade A4 crossing. The access to the mosque itself is unchanged.	iii, 9.32

Destroy local area	The likely impact of the proposal is analysed within this report which concludes that the development is on balance acceptable	ii
Loss of privacy, including to community uses on Holmanleaze	While it is accepted that there are some negative impacts upon the amenity of existing properties which are assessed further below, overall the proposal is considered acceptable.	x
Amount of traffic	The proposal is acceptable in terms of the amount of traffic generated considering the current use as a public car park.	iii
Lack of amenity space	It is not considered that the proposal provides insufficient amenity space. All new residential units have adequate private amenity space in the form of balconies, gardens or terraces. The amount of communal outdoor space, including play areas and public realm, is over 4000m <sup>2</sup>	ii, viii
Density, bulk and mass of the scheme is excessive, up to 11 storeys on Holmanleaze	Whilst the size of the proposed buildings is substantial, overall the design of the proposal is considered to be acceptable.	ii
4 additional access points onto adjoining roads will increase traffic flow and congestion	The proposal is acceptable in terms of the amount of traffic generated considering the current use as a public car park. The access points have been assessed in terms of highways safety and considered acceptable.	iii

<p>The development will block light, cause loss of privacy and overshadowing of existing buildings, including Queensgate House</p>	<p>While it is accepted that there are some negative impacts upon the amenity of existing properties, although not specifically in relation to Queensgate House. Overall the proposal is considered acceptable.</p>	<p>x</p>
<p>Inadequate car parking / Loss of car park</p>	<p>The amount of car parking for the proposed residential use is considered adequate. The loss of the public car park is in line with the emerging BLP AL9 site allocation and other public car parking in the form of Hines Meadow car park is available nearby. Specific provisions have been made for the Mosque. There is no unacceptable harm to parking for the Wilderness Surgery. Provision of additional parking outside of planning is being discussed.</p>	<p>iii</p>
<p>Site should provide recreational use for children and teenagers; Site should be used for recreation for children. Kidwell's park skate park is over used.</p>	<p>The proposal provides play areas on site, and a 4000m<sup>2</sup> public realm.</p>	<p>ii, iv, viii</p>
<p>Impact on local services, such as schools</p>	<p>The impact on community services is addressed with a contribution to improvements to Maidenhead Library. An increase in demand for school places would be accommodated by existing services.</p>	<p>iv</p>
<p>Low rise housing would be in keeping with the character of the area.</p>	<p>The AL9 allocation indicates that the site can accommodate the quantum of development proposed. The impact of the height proposed is fully considered and is acceptable.</p>	<p>i, ii, xi</p>

Reduction in amount of affordable housing	The amount of affordable housing proposed has reduced from 130 units of shared ownership accommodation to 87 units comprising: 54 shared ownership units and 33 affordable rented units. This revised provision is preferred given the large unmet need for rented affordable housing in the Borough. The overall amount of affordable housing is justified by the Financial Viability Assessment.	v.
Too many flats, want family homes	The proposed development provides a small number of houses but the level of flats provided is considered acceptable to ensure efficient use of the site and is in line with the emerging BLP Allocation AL9.	ii, v
Negative effect on property values	Not a material consideration	
Consultation period for revised scheme too short	14 days was given for the deadline for comments on the revised scheme. All comments received to date have been reported.	All representations received following consultation to the revised scheme on 13 <sup>th</sup> October have been accepted and assessed.
Noise and disturbance	It is not considered that the proposal would cause significant disruption. Demolition and construction would be subject to a Construction and Environmental Management Plan (CEMP) to minimise any adverse impacts	x
Paving improvements to Holmanleaze pavements required.	Such improvements would be carried out where required as part of highways works.	iii

### Petition

A petition was received containing 1,713 signatures which objected to the proposal on the following grounds:

MAIDENHEAD DEVELOPMENT CONTROL PANEL

- Not being in keeping with the character of the area.
- Proximity to the road and height of buildings negatively impacting residents and community groups on Holmanleaze,
- With 2 Additional vehicle accesses points from Holmanleaze & 1 from Kennet Road, negatively impacting on traffic in the area and these small roads.
- Removal of overhead footbridge from Hines Meadows car park across St Cloud Way which reduces access to town centre and local parking.

Responses to these points are provided in sections ii, iii and x.

#### Consultee Responses

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	No objection subject to condition	vi
Thames Water - Waste	No objection. Development within Source Protection Zone and may be at particular risk from polluting activities – condition suggested	
Environment Agency	No objection subject to conditions	vi
Natural England	No comment	
Ecology	No objection subject to conditions	ix
Landscape Officer	No objection subject to conditions	viii
Highways	No objection to highways safety and capacity. Financial contribution for at-grade pedestrian and cycle crossing sought.	iii
Highways England	No objection	iii
Housing	The revised provision of affordable housing is preferred given the large unmet need for rented affordable housing in the Borough. No objection to the amount of affordable housing being proposed on the basis of the Financial Viability Appraisal	v
Viability consultants (BPS)	The submitted revised Financial Viability Appraisal is accepted.	v
Conservation and Urban Design	Comments that: <u>Form and Massing</u> The proposal is too tall and bulky, specifically: <ul style="list-style-type: none"> <li>• The southern element of Block A1, appears overly tall when seen in the context of the remainder of the block and block A2 to the right. Ideally, A1 should be reduced by 1-3 storeys at this point.</li> <li>• The north west part of Block C is considered too tall in comparison with Block B opposite and should step down towards the corner. The south eastern part of Block C would also appear overly</li> </ul>	ii

	<p>dominant on St Cloud Way and along Holmanleaze, where the existing buildings, including the modern blocks to the south of St Cloud Way are of a lower height. The part reduction in height of Block C is welcomed, but is it still considered that overall, the block needs to be lowered in height.</p> <ul style="list-style-type: none"> <li>• The south eastern corner of Block D would also be very dominant on St Cloud Way and should be reduced in height. Again, there is a dramatic drop in scale between the elements that form the St Cloud frontage of this block. A graduation in height would appear more comfortable across all of this frontage. This block would also form part of the backdrop to the listed Wilderness building.</li> <li>• There are still concerns re the rear of the north western wing of Block B and Block A2 and their height and bulk in comparison with the much smaller existing houses to the rear</li> <li>• Given the height and massing of Blocks C and D, the north south route between these blocks would appear highly enclosed and rather urban in character. As the principal route through and main link to the town centre this space would benefit from being wider.</li> <li>• The revised streetscape elevation along St Cloud Way shows the relationship of the proposed blocks in terms of height with the approved gateway building at St Cloud Gate. Whilst the proposed “towers” are slimmer than the office building, their additional height would mean that they would compete with it within the streetscape, and when viewed from the approaches to the town centre</li> </ul> <p><u>Spaces</u></p> <ul style="list-style-type: none"> <li>• The creation of new “local” public spaces is welcomed, as are private amenity spaces on the podium decks and defensible spaces at ground level.</li> <li>• The amenity areas created at podium and at roof level appear to offer useable space and include suitable planting and features that are easily maintained. These spaces will provide a variety of areas for different uses to cater for all ages and abilities</li> <li>• The loss of the footbridge is accepted but the</li> </ul>	
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provision of an at-grade crossing at the southern end of Holmanleaze should be considered.

Amenity

- significant number of proposed flats (circa 28-30%) do not appear to meet daylight standards, which appears to be caused by the shadowing of recessed balconies.
- Microclimate and potential wind tunnel issues have been addressed and appear to be at acceptable levels.
- Supporting information advises that sunlight/daylight levels within the areas would be acceptable.

Views and impact on historic assets

- Views from Cliveden and Taplow Court will be affected but will need to be seen in the context of recent approvals for other tall buildings within Maidenhead town centre. This would be considered as unfortunate, as these buildings were designed to take best advantage of the panoramic views across the river valley but given the changing skyline of Maidenhead and its distance from the historic asset, the harm would be considered as less than substantial.
- There will be glimpsed views of the site from the Maidenhead Town Centre Conservation Area, but these are unlikely to negatively impact on its wider setting or its significance.
- Block D is lower to the rear of the Wilderness listed building, and as such from street level views they are unlikely to impinge on its setting. The taller elements of the block will, however, appear to the north of the building across the car park, and also above it in intermediate views from the west, especially from Kidwells Park creating a wall of development to the rear of the listed building. This will have a negative impact on the setting of the historic building, although this could be judged as less than substantial harm and the relevant NPPF tests engaged.

Architecture:

- Roof line could be more varied;
- The use of red and stock brick cladding is welcomed. The use of darker colours for the “base of the buildings” and decorative brickwork

	<p>are also supported.</p> <ul style="list-style-type: none"> <li>The design and form of the entrance to the car park on the south elevation of Block C still appears unresolved</li> <li>Whilst the architecture of the proposed scheme is not considered to be “exceptional”, it is nevertheless considered to be of a stylish and restrained design, not dissimilar in appearance to a number of other recent developments already approved within the Town Centre</li> </ul>	
Emergency Planning	No objection but note that a flood response plan and effective business continuity plan should be included	vi
Fire Authority	No objection	-
Sustainability	No objections. The revised proposal meets Interim Sustainability Statement requirements	vii
Arboricultural Officer	Concerns regarding loss of existing trees.	viii
Archaeology Officer	No objection. No archaeological mitigation is required	-
Transformation Officer (Community Facilities)	Seeks a contribution to adapt Maidenhead Central Library to improve the delivery of community facilities.	iv
Education	No specific requirements are necessary in terms of school places	iv
Historic England	No objection	ii
Designing out crime officer (police)	Made a series of detailed design suggestions	ii
Environmental Protection	No objection subject to conditions	x
Bracknell Forest Council	No objection	-
Surrey Heath	No objection	-
Wokingham	No objection	-
Bucks CC	No objection	-

## Others

Group	Comment	Where in the report this is considered
Islamic Trust (Maidenhead Mosque)	<p>Objects to:</p> <ul style="list-style-type: none"> <li>Increase in traffic flows;</li> <li>Loss of existing car park and parking for the Mosque</li> <li>Towering building blocking light and overpowering the areas</li> <li>Loss of footbridge which will particularly impact worshippers at the mosque.</li> </ul>	ii, iii



Local Access Forum and Windsor & Maidenhead Cycling Action Group	<ul style="list-style-type: none"> <li>• Detailed design comments regarding the design of the Missing Links cycle route through the site.</li> <li>• Support the removal of the footbridge</li> <li>• A new A4 at grade crossing,(ideally a toucan crossing) should be implemented prior to full occupation of the development</li> </ul>	iii, viii,
Maidenhead Forum	<p>Objects on the basis of</p> <ul style="list-style-type: none"> <li>• Reduction in amount of affordable housing</li> <li>• The density, mass and height is excessive.</li> <li>• The visual impact of the high rise blocks on St Cloud Way is overbearing.</li> <li>• poorly designed with unattractive elevations.</li> <li>• Too many flats and should be more variety of housing type with low/mid rise dwellings.</li> <li>• lack of amenity space within the development.</li> <li>• inadequate Parking provision, with none for visitors to doctors' surgeries.</li> <li>• adversely impacts the setting of the listed Wilderness Centre.</li> <li>• poor pedestrian accessibility to the town centre</li> <li>• gas central heating.</li> </ul>	ii, iii, iv. vii
Patient Participation Group (PPG) Claremont and Holyport Surgery	<p>Objects to:</p> <ul style="list-style-type: none"> <li>• Inadequate parking for existing surgery and for proposed housing;</li> <li>• Design, height, massing, impact on listed Wilderness building;</li> <li>• Construction impacts on staff and patients</li> </ul>	ii, iii, x

## 9. Analysis

- i. Principle of development
  - Loss of Leisure Centre
  - Housing use
- ii. Design and Conservation
- iii. Transport
- iv. Social and Community Infrastructure
- v. Affordable Housing, viability, housing mix and custom build
- vi. Flooding and drainage
- vii. Environmental Sustainability
- viii. Landscape and trees
- ix. Ecology
- x. Amenity

xi. Assessment of proposal against DLP Policy AL9

i. Principle of development

#### Loss of Leisure Centre

9.1 Following the closure of the Magnet Leisure Centre in 2018, the Braywick Centre has been opened, which provides Maidenhead with a replacement facility. As a consequence the loss of the Magnet Centre is accepted. The proposal is therefore considered to conform to Policy CF1.

#### Housing

9.2 The Emerging Borough Local Plan allocation for the site proposes housing as the predominant use of the site. Site Allocation AL9: Saint-Cloud Way, Maidenhead is for “a mixed-use scheme incorporating approximately 550 residential units, community centre and retail”. It should be noted that the allocation includes the Ivy Leaf Club on the east side of Holmanleaze, on the Junction with St Clouds Way, which is outside the red line of development for the proposal. The proposal is entirely residential in character of which and the non-residential uses included with the AL9 allocation do not form part. However those uses could form an element of the adjoining Ivy Leaf Club site which is currently used as a social club. The residential development of the site would provide significant additional housing within Maidenhead Town Centre in line with Local Plan policy H6. Given that the site sits on the edge of the Town Centre and abuts the residential areas to the north of the site, residential use of the site is not out of character with the surrounding area. On this basis it is accepted that an entirely residential use is acceptable.

ii Design and Conservation

#### Layout

9.3 Considerable time has been given at the pre-application stage to developing the layout of the blocks. It is considered that the current layout largely incorporates the points discussed, including comments made by the Design Review Panel. It would work well in terms of links with the existing townscape and the creation of new routes through the site providing a good level of permeability and linkage with the surrounding areas, including Kidwells Park and The Moor.

9.4 There are a number of proposed individual front doors to the ground level units and shared lobbies positioned in locations that are adjacent to the larger or busier public spaces creating active frontages, this is welcomed.

9.5 It is noted that ground floor flats have buffer areas (with planting) to maintain privacy to principal rooms, with some flats also having enclosed private space at ground level, others have shared amenity space on the podium and most have balconies, which is supported.

9.6 Ideally more space should be provided along the St Cloud Way frontage to provide a greater level of screening along this very busy road and also the substation. It is noted, however, that the design of this external space has been revised and improved following previous comments regarding this matter.

9.7 Considerations from the Police (Designing Out Crime Officer) have been addressed through a series of detailed change regarding the following:

- Provision of a series of cages within each cycle parking area to increase security;
- relocation of several car parking spaces to provide improve road safety and avoid potential conflicts with cycles and the movement of bins.
- Change to the depth of some entrances to minimize unsurveilled areas.

- 9.8 One point of access (in and out) to the parking area under Blocks C and D, removing the southern access through what ideally should be an entirely pedestrian area, but overall this element is considered acceptable.
- 9.9 As a consequence the revised proposed is considered to be acceptable in terms of design layout

#### Height and massing

- 9.10 The Conservation and Design officer has concerns regarding the proposed height of some buildings particularly along St Cloud Way and Holmanleaze. As proposed some of these blocks are up to 11 storeys in height..
- 9.11 The proposed development sits within a mixed context which includes taller buildings. It is recognised that in certain streetscapes the scale of the buildings would be greater than surrounding context
- 9.12 Prior to the submission of the application, the proposal was subject to extensive pre-application advice including a formal Design Review, carried out by independent experts and managed by Design South East. The Design Panel provided the following comments on the proposal at that stage:
- *“We support many of the proposed design principles and consider the scheme’s strategic response to the varied contextual conditions to be generally robust. The mix and arrangement of building types across the site is sensible and is a great improvement from what is existing”.*
  - *“This site must be considered as part of an overall expansion strategy for Maidenhead. The ambition for dense development which breaches the A4 shows a commitment for ambitious town centre growth. The links back to the existing urban core is fundamental to the success of this site and future sites across this northern belt and must form the basis for any development”*
- 9.13 Taken as a whole, the design is considered to be an attractive contemporary design with a restrained palette of largely brick materials. However given the height of some of the buildings mentioned above it is considered that the proposed does not conform with the Tall Buildings policy. While the development does represent a denser and taller design than the majority of adjoining buildings, this should be balanced against the benefits that the scheme provides including the need to provide high quality housing in a sustainable location. In this context the scale, massing and height of the proposal is considered acceptable.

#### Spaces

- 9.14 The creation of new “local” public spaces is welcomed, as are private amenity spaces on the podium decks and defensible spaces at ground level.
- 9.15 The amenity areas created at podium and at roof level offer useable space and include suitable planting and features that are easily maintained. These spaces will provide a variety of areas for different uses to cater for all ages and abilities such as doorstep play, quiet seating areas and allotment/ planters. These spaces will need to be maintained long term. Supporting information advises that sunlight/daylight levels within the areas would be acceptable.

While the entrance to the pedestrian subway is improved and opened up and improved lighting is proposed it is considered that perceptions of insecurity will largely remain, particularly for vulnerable pedestrians.

- 9.16 There is no objection to the removal of the pedestrian bridge if accessibility to the town centre is improved. The requirement of an “at grade” pedestrian and cycle crossing across the A4 to the town centre at the southern end of Holmanleaze is supported and will provide a more secure and convenient alternative to the existing subway which reflects an existing desire line as a path has

been worn in the grass verge by people crossing the road at this location. It would also provide cycle access unlike the footbridge or subway.

#### Views and impact on historic assets

- 9.17 It is noted that Block D is lower to the rear of the listed building, and as such from street level views they are unlikely to impinge on its setting. The taller elements of the block will, however, appear to the north of the building across the car park, and also above it in intermediate views from the west, especially from Kidwells Park providing a backdrop to the rear of the listed building. This has a negative impact on the setting of the historic building, although this is judged as less than substantial harm and the relevant NPPF tests engaged. The St Clouds Gate development, closer to the Wilderness, has a greater impact but was on balance considered to be acceptable.
- 9.18 There will be glimpsed views of the site from the Maidenhead Town Centre Conservation Area, but these are unlikely to negatively impact on its wider setting or its significance.
- 9.19 Views from Cliveden and Taplow Court will be affected but will need to be seen in the context of recent approvals for other tall buildings within Maidenhead town centre. Any harm to these views is considered to be less than substantial.

#### Architecture

- 9.20 The architecture creates an identity for this site, with a series of character areas that are considered to reflect elements of the character of the locality and provide wayfinding and legibility. Materials that are appropriate in construction and visual terms, and that are long lasting and minimise maintenance issues. The careful use of colour throughout the site will be an important consideration- for example, to mark entrances.
- 9.21 One of the characteristic features of Maidenhead is its varied roofscape and skyline. Some of the blocks incorporate interesting roof forms, and these are considered to provide a similar variety, providing a distinctive roof line, particularly along the St Cloud frontage, which currently is rather dreary and featureless thoroughfare at present.
- 9.22 The materials of the buildings including the use of red, grey and stock brick cladding is welcomed. The use of darker colours for the “base of the buildings” and decorative brickwork are also supported.
- 9.23 Whilst the architecture of the proposed scheme is not considered to be “exceptional”, it is nevertheless considered to be of a stylish and restrained design, not dissimilar in appearance to a number of other recent developments already approved within the Town Centre,

#### Design Conclusion

- 9.24 The requirement for an at-grade crossing for pedestrians and cyclists is supported and will provide an important link to the town centre, as well as a significant improvement to sustainable transport.
- 9.25 It is considered that the proposed development will have a negative impact on the setting of the grade 2 Wilderness building and on long views from Cliveden and Taplow Court.
- 9.26 While harm is accepted, this harm would be considered as less than substantial and as such, will need to be considered within the guidance contained in para 202 of the NPPF. Overall the height and massing of the proposals are considered to be acceptable. The balance of planning issues is considered later in this report.

#### iii Transport

##### Vehicle Access

9.27 The development would be served by two new accesses off Kennet Road, new accesses off Holmanleaze. The development will be served by the existing entry access from Saint Cloud Way, and the egress only access onto Cookham Road.

- Parking Provision

9.28 The development provides a total of 346 car parking spaces; 22 accessible spaces, plus 5 spaces allocated to Maidenhead Central Mosque. Effectively, the 434 residential units have access to 341 spaces, which equates to 0.78 spaces per dwelling.

9.29 The level of parking is considered appropriate for the development, having regard to the site's location, the existing car parking restrictions in the surrounding area, and complies with local and national aims to promote and encourage sustainable modes of travel. It is noted in paragraph 2.3.5 of the latest Transport Assessment Addendum that 20% of the car parking spaces will be active electric charging points, with the remaining 80% provided with the appropriate infrastructure to allow the conversion to electric charging points. This is welcomed..

9.30 The development also proposes 3 car club spaces. The location of these bays is not identified and should be secured as part of the any legal agreement.

9.31 Five car parking spaces are proposed for the exclusive use of the Mosque located on Holmanleaze. These are to be located on private land and are considered an acceptable improvement for those visiting the Mosque.

9.32 In terms of the parking for the Wilderness Surgery, it is not considered that there is any planning need to address this issue, given the existing car parking associated with the existing use and the close proximity of the Hines Meadow car park. As a consequence it is considered that the proposal is acceptable in this regard. Outside of the formal planning process, it is understood that arrangements to provide exclusive access to an existing car park outside of the development site are being discussed. While these discussion are not yet concluded, and implementation is outside the scope of this application, this proposed solution would represent an equivalent provision to the existing parking situation. However it should be noted that such an arrangement, while welcome, is not relevant to the Committee's decision and that the proposal does not cause harm to parking for the Wilderness centre.

#### Cycle Parking Provision

9.33 In line with the Borough's Parking Strategy (2004), the development attracts a demand for 434 cycle parking spaces; 1 space per dwelling. The development provides 439 spaces, plus 16 short-term spaces provided across the development.

#### Missing Links

9.34 The proposal includes the Missing Links cycle route which has been designed to run east to west, from Holmanleaze through to Cookham Road and has been subject to a Stage 1 / 2 Road Safety Audit. The alignment of the route changes through the central plaza which will reduce cycling speeds. This coupled with the proposed signage and surface treatments will create an environment where cyclists are aware of pedestrians and behave accordingly. The landscaping strategy has been used to soften the route and encourage lower cycling speeds. A condition is suggested to ensure the design discourages cyclist speeding along straight sections across the development

#### Estate Access

9.35 The applicant asserts that the route will be segregated from vehicular traffic, with the exception of refuse collection and occasional maintenance vehicles. This is achieved by

installing retractable bollards to the south of the new internal road that is accessed off Kennet Road, and to the east of the existing internal road that has to Cookham Road.

- 9.36 The installation, maintenance and operation of the bollards would be the subject of a planning condition controlling maintenance of the entire site. If the roads are to be adopted by the Borough's Highway Authority then that appropriate standard needs to be achieved.

#### Saint Clouds Way Crossing

- 9.37 An agreement has been reached that the developer will make a financial contribution towards the delivery of an at-grade new crossing facility for pedestrians and cyclists on the A4, to be located at the Southern end of Homlanleaze.
- 9.38 This crossing is welcomed as a significant improvement in accessibility from North Maidenhead to the Town Centre. It incrementally adds to the town's cycle infrastructure, complementing the Missing Links initiative and providing shared cycle/pedestrian routes east west along the A4.
- 9.39 The proposed improvements to the existing Saint Cloud Way pedestrian underpass are welcomed. In the context of the above improvements the proposal is considered to meet its obligations to improve connectivity into the town centre under draft Policy AL9.

#### Travel Plan

- 9.40 The travel plan satisfies the Borough's requirement in most respects. However, the following changes are required before it can be approved:
- Clearly set out the processes and timescales for review in the case that targets are not achieved and acknowledge the potential for sanctions in the event of non-compliance with implementation of the travel plan and failure to achieve targets;
  - The applicant must commit to submitting an annual monitoring report to the Council for a period of 5 years and with the first report being submitted within 3 months of occupation of the site.
  - The location of the three car club parking spaces and specifics of the terms of membership for new and existing residents including any complementary membership periods.
- 9.41 These details would be resolved as part of the legal agreement should the Committee resolve to grant consent.

#### Transport conclusion

- 9.42 The impact of the proposal in terms of highways congestion is considered acceptable given the current use of the site as a 382 space surface car park;
- 9.43 It is acceptable in terms of access arrangement and road safety. The amount of car and cycle parking is accepted as are arrangement for waste and emergency access. The proposed improvements to accessibility for pedestrians and cyclists is welcomed.

#### iv Social and Community Infrastructure

- 9.44 The submitted Socio-economic study submitted with the application has been revised on two occasions. As submitted the proposal fails to adequately address the likely impact of the proposal upon existing facilities. In order to address this impact comprehensive improvements in the form of works to Maidenhead Library have been suggested and are included within Section 10 of this report. These improvements could provide space for a variety of social infrastructures including health and other community facilities.

- 9.45 The development as originally submitted put forward 130 affordable flats (30% of the total numbers of units) in the form of entirely shared ownership units. This was considered to be unacceptable on the basis that it did not provide any social and affordable rented property, thus not meeting the housing needs of those unable to buy.
- 9.46 The revised proposal puts forward 87 affordable units, with 53 as shared ownership and 34 for affordable rent. This represents approximately 20% of the total.
- 9.47 The submitted Financial Viability Assessment (FVA) has been subject to review by the Council's independent assessors, BPS. Following extensive examination BPS have concluded that the proposal is unable to afford to meet the requirements of the affordable housing policy. BPS conclude that the proposed 87 affordable units (62% shared ownership and 38% affordable rent) is the maximum that the scheme can effectively afford to provide given agreed assumptions about costs and revenues. These costs include the planning obligations package of £1,097,500.
- 9.48 BPS recommend that a late-stage review is required in order to provide the opportunity to capture any improvements to viability over the duration of the development that could be used deliver additional affordable housing to bring the development closer to affordable housing need and policy aspirations.
- 9.49 As a consequence of the assessment of the FVA, the proposed affordable housing is considered acceptable and compliant with Policy H3 and DLP HO3.
- 9.50 The housing mix is shown below.

<b>: Tenure</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>Total</b>
Private	<b>129</b>	<b>201</b>	<b>17</b>	<b>347</b>
Shared Ownership	<b>21</b>	<b>33</b>	<b>0</b>	<b>54</b>
Affordable Rent	<b>15</b>	<b>18</b>	<b>0</b>	<b>33</b>
<b>Total</b>	<b>165</b>	<b>252</b>	<b>17</b>	<b>434</b>

- 9.51 Given the requirement for the necessary housing numbers and resulting density and the highly accessible location a largely flatted development is considered acceptable. The proposal is considered to meet the requirements of H2.
- 9.52 The proposal does not include any custom build plots, and thus does not conform to emerging BLP AL9 site allocation and emerging BLP Policy HO2. However it is considered that this is acceptable given that this policy is not yet part of the development plan.

vi Flooding and drainage

- 9.53 This topic has been the subject of detailed assessment and consideration by the Environment Agency and the Lead Local Flood Authority. Revisions have included the raising of the ground floor of Block B to avoid flooding of residential units and an increase in the flood containment area of Block C. These changes are satisfactory and the proposal meets the requirements for flooding and drainage.

vii Environmental Sustainability

- 9.54 The environmental impacts of the proposal were revised in October 2021. The revisions fully meet the requirements of the Interim Statement of Sustainability

<b>Topic</b>	<b>Original Submission</b>	<b>Interim Policy requirement</b>	<b>Revised submission</b>
Energy	committed to provide 10.43% of	12% of the total energy demand will be met by on-site	PV provision has been increased to

	energy demand from on-site renewables achieved through a 218kWp solar photovoltaic system	renewables	254.3kWp to meet the requirements of the 2021 Interim policy. This resulted in a 12.08% improvement in CO2 emissions through renewables which exceeds the requirements of the Interim policy.
EV car parking	20% of car parking spaces will have active EV charging points along with 20% enabled for future provision.	20% of new car parking spaces will be provided with active EV charging facilities – and passive provision (the ducting, cabling, and capacity within the Mechanical and Engineering Services) for the remaining 80% of spaces will be provided.	A total of 350 car parking spaces will be provided, 20% of which will feature active electric charging points whilst the remaining 80% will be passive for future provision. This will be achieved through ducting, cabling, and capacity within the on-site mechanical and engineering Services, offsite load upgrades are not proposed
Car Club	A Car club will be developed to reduce the impacts of private car travel – 2 spaces proposed		To reduce the impacts of private car travel, 3 car club spaces are now provided in response to the feedback from the Local Highway Authority.
Water Commitment	Commitment to 110 litres per person per day.	105 litres or less per head per day	The proposed development is now expected to achieve 105 litres per person per day by incorporating water efficient fixtures and fittings. This exceeds the



			requirements of the RBWM Sustainable Design and Construction SPD.
High Speed Internet	Not specifically referred to	New build homes will be supplied with high speed internet connection to facilitate home working.	A 1GB Hyper Optic broadband will be delivered to every home in order to promote sustainable way of living to all future occupants. This is expected to assist with greater home ability and reducing dependency on travel due to low internet connectivity.

9.55 As a consequence the proposal is acceptable in terms of environmental sustainability.

viii Landscape and trees

9.56 The public realm proposed is considered to be high quality, with landscape and planting a central theme in the development of the proposal. A central piazza provides a focus for the new permeable routes through the site and will act as a meeting place. Children’s play is adequately catered for. The design of ground floor areas, providing planting as screening and public facing windows and individual front doors will provide security and privacy whilst enhancing the scope for incidental encounters and good neighbourliness. The streets and spaces created will provide an attractive environment with sufficient public and private outdoor space to meet the appropriate requirements. The greening of St Clouds Way is welcomed and is in accordance with the requirements of the Place Making Study. External lighting proposals will need to be submitted and will need to respond to their location in terms of design and lighting levels

9.57 The design of paving and hard landscaping would be subject to condition to ensure that the east - west shared cycle route minimized safety concerns.

9.58 The proposal involves the loss of 14 trees of moderate quality. Overall 54 trees are to be lost, with 63 new trees being provided. While the loss of these trees is regrettable, it is accepted for the following reasons:

- The replacement trees and planting provide sufficient compensation
- The ecological benefits (see below section ix)
- The constraints that would be caused by the retention of those existing trees would mean that achieving the appropriate number of residential units would be unlikely.
- The removal of existing trees from the site boundary on Kennet Road to the north of Block A1 (off the site) is considered acceptable given the overall improvement in the number of trees on the site as a whole and the need to provide a public facing street within the development running south from Kennet Road.

- There are no objections in principle to the approach to soft landscaping as included in the document, which appears well considered. This will be an integral part of the success of this development.

9.59 As a consequence the proposal is considered acceptable in terms of landscaping and arboriculture.

#### ix Ecology

- 9.60 An ecological survey was undertaken in 2018 and then an update was carried out in 2020 (LUC, February 2021). The majority of the site comprised buildings and hard standing, which is of low ecological value. There were a number of scattered trees and an area of scrub, the majority of which will be lost as part of the development.
- 9.61 The proposed development is approximately 6km from Chiltern Beechwoods Special Area of Protection (SAC). Natural England were consulted on the application and had no comments to make on this site given the distance of the proposed development and the SAC. The site is within 2km of several locally designated sites, the closest of which is the Green Way, 74m away. Given the distance to these sites from the application site, there could be indirect effects on the closest sites from the development including pollution. A Construction Environmental Management Plan is recommended to minimise the risks of pollution to these sites
- 9.62 A bat scoping survey was undertaken in 2018 and concluded the building on site had low potential to support roosting bats, as did subsequent surveys. In any event all bats and their roosts are protected under the Conservation of Habitats and Species Regulations 2010, as amended, the Countryside of Rights and Way Act 2000 and the Wildlife and Countryside Act 1981, as amended. Lighting and demolition should be conditioned to minimise any impact on bats.
- 9.63 The report concludes that with the proposed landscaping (native tree, hedge and shrub planting and the creation of brown roofs) the site will provide a net gain of 2.60 habitat units and a net gain of 1.07 hedgerow units. In addition, there are a number of other biodiversity enhancements including the provision of a number of bird and bat boxes. Taken in total, these improvements are considered to be in accordance with paragraph 175 of the NPPF, which states that “opportunities to incorporate biodiversity in and around developments should be encouraged”. Overall it is considered that the proposal is acceptable on ecological grounds.

#### x Amenity

##### Privacy

- 9.64 The proposal is a dense urban scheme which attempts to integrate with its existing and approved neighbours.
- 9.65 In terms of the approved St Clouds Gate office building, Block D is approximately 14 metres away at its closest point. Privacy issues have been minimized with the use of dual aspect units and the staggering of units and window to avoid direct overlooking. While the space between the 2 buildings is constrained, any impacts on overlooking, sunlighting, daylighting and privacy have been minimized and are considered acceptable given the urban nature of the proposal and the requirement to provide sufficient housing numbers.
- 9.66 Elsewhere within the site and in relation to existing properties such as those on Holmanlease, an 18 metre window-to- window distance has been generally adhered to. The provision of inset balconies and proposed boundary planting lessens any sense of overlooking.

##### Sunlighting, Daylighting and Overshadowing

- 9.67 A number of existing surrounding properties lose light as a consequence of the proposal.

In terms of the effect on the existing buildings many of the rooms that fall short of the criteria set out by the BRE guidelines do so because of balconies and walkways to their own buildings that heavily restrict the visible sky and potential for light to enter the rooms.

- 9.68 The BRE guidelines should be interpreted flexibly in these cases, in line with the NPPF's July 2021 recommendations. The Vertical Sky Component (VSC) has been assessed and the results show that 372 of the 471 windows (79%) will meet the BRE guidelines requirements for daylight by either obtaining 27% VSC or retaining at least 0.8 times their former values.
- 9.69 This represents a slight improvement in VSC levels when the proposed scheme is compared to the original one, bringing the windows meeting the BRE guidance up from 78% to 79%. In real terms the effect of the revised scheme is that 19, 25 and 27 Holmanleaze all meet the BRE guidance for VSC with the proposed development in place. Of the 21% of windows experiencing adverse impacts, 31 (6.5%) are considered to suffer a minor loss, 50 (10.6%) a moderate loss and 18 (3.8%) a substantial loss. The ones suffering substantial loss include one window at 31 Holmanleaze, one at Lea House and 16 at Providence Place.
- 9.70 In terms of Direct Daylight, 93% of the existing surrounding properties met the BRE standard. In terms of Sunlight, 80%.
- 9.71 A significant number of proposed flats (circa 28-30%) do not appear to meet daylight standards as noted in the revised supporting document. With the majority of cases it is the provision of recessed balconies that causes this deficiency. Overall, these results are commensurate with a high density urban scheme. Whilst there are some deviations from guidance, that deficiency is considered to have a minor adverse impact and this should be balanced against the need for an attractive design and adequately sized balconies. As a consequence it is considered that the proposal is acceptable in terms of its impact on residential amenity.
- 9.72 Microclimate and potential wind tunnel issues have been addressed and are considered acceptable as are the assessments of noise and air quality.
- 9.73 A Construction and Environmental Management Plan is suggested in order to minimise construction impacts upon neighbours. This would be covered by condition.
- 9.74 Overall the proposal is considered to be acceptable in terms of its impact on the amenity, including existing neighbours including residential properties.

xi Economic Impacts

- 9.75 It is anticipated that the Development will produce employment for an average of 213 (FTE) workers per month over the 66-month construction period (February 2022 to August 2027).
- 9.76 In addition to jobs created as a direct effect of the construction and management of the Development, further indirect employment and economic benefit will be experienced as a result of the spin-off and multiplier effects. It is calculated that there will be a further 207 indirect jobs created during the construction phase (=213 direct jobs x 0.97 ONS Type 1 multiplier).
- 9.77 The Development will provide 434 new homes. The 434 homes will introduce 434 new households. The new households will provide an increase in consumer spending as the new households use local shops and services to meet their day-to-day needs. It is calculated that that the 434 new households created by the Development could generate £13.4m in commercial expenditure per annum.
- 9.78 Overall the proposal is considered to provide a positive impact upon the local economy and job creation.

xii Assessment of proposal against emerging BLP Site Allocation AL9

Site Allocation AL9: Saint-Cloud Way, Maidenhead is for	Summary of conclusion
"a mixed-use scheme incorporating approximately 550 residential units, community centre and retail"	The proposal is considered to deliver the required density of development (434 units) given site constraints, and the exclusion of the Ivy Leaf element of the allocation
<ul style="list-style-type: none"> <li>• <i>“Development of the site will be required to:</i></li> </ul>	
<ul style="list-style-type: none"> <li>• <i>Facilitate comprehensive re-development and effective place making in the town centre. This will include playing an important visual and connectivity role in the Town Centre linking ring and fringe areas with the Town Centre Core.</i></li> </ul>	The proposal is considered to achieve this, providing new routes to the town centre and connecting to visually.
<ul style="list-style-type: none"> <li>• <i>Provide a small amount of non-residential uses at ground floor level, including a small community centre to accommodate community groups and small scale retail/cafe units.</i></li> </ul>	Non-residential uses are not included but could be provided on the Ivy Leaf Club site
<ul style="list-style-type: none"> <li>• <i>Support delivery of the Maidenhead Missing Links scheme with high quality pedestrian and cycle routes through the site and into the town, and with an improved access across St Cloud Way (A4)</i></li> </ul>	Provides East West cycle route in line with Missing Links scheme; Planning Obligation to provide new at-grade crossing for pedestrians and cyclists across St Clouds Way
<ul style="list-style-type: none"> <li>• <i>Ensure that the development is well served by public bus routes/demand responsive transport/other innovative public transport solutions, with appropriate provision for new bus stop infrastructure, such that the bus is an attractive alternative to the private car for local journeys.</i></li> </ul>	New bus stop is provided, along with three car club spaces and travel plan in order to promote non-car use
<ul style="list-style-type: none"> <li>• <i>Develop and implement a robust residential travel plan to manage travel to and from the site and reduce instances of single-occupancy car trips, including a car club for residents.</i></li> </ul>	Car club and travel plan provided
<ul style="list-style-type: none"> <li>• <i>Provide generous amounts of green infrastructure linking to existing open space to the west (Kidwells Park) and to the waterway (York Stream) to the east.</i></li> </ul>	Extensive public realm including enhanced green infrastructure, planting and trees provided in east-west route through the site
<ul style="list-style-type: none"> <li>• <i>Conserve and enhance biodiversity, especially in the proximity of the York Stream Local Wildlife Site</i></li> </ul>	Biodiversity is considered to be enhanced. The site does not extend to York Stream
<ul style="list-style-type: none"> <li>• <i>Consist of a very high-quality design which supports the character of the area and is sensitively designed to consider the privacy and amenity of neighbouring residential properties</i></li> </ul>	Design is considered to be high quality. The impacts upon daylighting, privacy and amenity, have been assessed and are, on balance, considered to be acceptable.
<ul style="list-style-type: none"> <li>• <i>Develop the site in phases, with the Magnet Leisure Centre retained until the new facilities at Braywick Park are open</i></li> </ul>	The Braywick Park Centre is open and operating.
<ul style="list-style-type: none"> <li>• <i>Integrates well in terms of design,</i></li> </ul>	The relationship with St Clouds Gate is

<i>layout, function and connectivity with the adjoining St Cloud Gate allocation site.</i>	problematic but there is limited scope to improve that given the location of the St Clouds Gate building. Within those parameters the proposal is considered to be acceptable.
<ul style="list-style-type: none"> <li><i>Have residential development of an appropriate scale fronting onto Kennet Road, Holmanleaze and the waterway, with active frontages onto St Cloud Way, with buildings stepped back from the road, potentially with green walls</i></li> </ul>	The need to achieve the necessary density and housing numbers has meant that the scale of the development is substantial. An active frontage on St Clouds Way is proposed.
<i>Address topographical issues across the site</i>	Addressed
<i>Be designed sensitively to conserve and enhance the setting of the listed building (The Wilderness)</i>	The impact is considered to be harmful to the setting of the Wilderness but that that harm is considered to be less than substantial. This is analysed in the planning balance.
<i>Provide at least 30% affordable housing and opportunities for custom build housing.</i>	The proposal provides just over 20% affordable housing which is considered acceptable in the light of the submitted financial viability assessment. Custom build housing is not proposed.
<i>Retain high/medium quality trees and planting of replacement trees</i>	The majority of existing trees on site are to be lost but a larger number of replacements are provided.
<i>Provide strategic waste water drainage infrastructure</i>	Necessary drainage infrastructure is provided.
<i>Direct development away from areas at highest risk of flooding on eastern part of site</i>	The proposal adequately addresses the flood risk on the eastern part of the site
<i>Address surface water flooding and groundwater source protection zone issues</i>	The proposal addresses these issues which are proposed to be covered by condition where appropriate
<i>Consider flood risk as part of a Flood Risk Assessment as the site is partially located within Flood Zone 2 and 3 and bigger than one hectare</i>	A Flood Risk Assessment has been submitted and is accepted.
<i>Demonstrate the sustainable management of surface water runoff through the use of SuDS in line with policy and best practice; any proposed surface water discharge should be limited to greenfield runoff rates where feasible</i>	SuDs has been provided and assessed as part of the proposal and is considered acceptable.
<i>Provide appropriate mitigation measures to address the impacts of noise and air quality from St Cloud Way in order to protect residential amenity”</i>	The impacts of noise and air quality have been adequately mitigated.

## 10. Section 106

1. £263,872 towards improvements to community facilities.
2. £833k towards A4 at-grade crossing\*
- 3 Travel Plan, including 3 on-site car club spaces. No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan has been submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Council. Fees for approving and monitoring the Travel Plan are applicable, as well as a surety to ensure implementation of the Travel Plan.
- 4 Provision of affordable housing
- 5 Provision of improvements to the St Clouds Way subway
- 6 Review mechanism of scheme viability

\*If necessary part of this funding could be used to provide additional cycle route provision to join up the on-site cycle route with the Missing Links cycle route on either side.

## 11. Conclusion

11.1 In terms of the planning balance the harms and benefits of the proposal should be compared. At the present time the Council is unable to demonstrate a 5 year housing land supply and therefore in line with Paragraph 11 of the NPPF, the “tilted balance” is engaged.

<b>Benefits</b>	<b>Weight</b>
• Provision of 434 new homes including 87 affordable homes.	Significant
• Provision of at-grade crossing, Missing Links link and improvements to the subway considered to be benefits to sustainable travel and the Climate Emergency generally	Significant
• Contribution to Maidenhead Library	Moderate
• Construction jobs and economic benefits	Significant
• Improvements to biodiversity.	Moderate
<b>Harms</b>	<b>Weight</b>
• to the setting of the Wilderness listed buildings and strategic views	Moderate (Less than substantial)
• Exceeds the parameters of the Tall Buildings policy.	Moderate

11.2 In line with paragraph 11 of the NPPF, there are no policies in the NPPF which provide a clear reason for refusal and the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as whole. In conclusion the benefits outlined above clearly outweigh the harms and the proposal is recommended for approval.

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 development hereby permitted shall be carried out in accordance with the approved plans listed below [to be added]  
Reason: To ensure that the development is carried out in accordance with the approved particulars

3 Prior to the commencement of development, a phasing plan shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: in the interests of good planning.

4 Prior to their installation, samples and details of the materials to be used on the external surfaces including hard landscaping within the development shall have been submitted to and approved in writing by the local planning authority. Development shall accord with the approved details.

Reason: in order to ensure a satisfactory external appearance and ensure that the shared cycle route is safe.

5 Prior to the demolition of the existing pedestrian footbridge over Saint Cloud Way, a Demolition Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of how the existing opening with the Hines Meadow

Car Park shall be made good. The development shall be carried out in accordance with the agreed details.

Reason: in the interests of amenity and public safety.

- 6 No development shall take place until a site-specific Construction Environmental 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 reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to: Noise a) Procedures for maintaining good public relations including complaint management, public consultation and liaison b) Arrangements for liaison with the Environmental Protection Team c) 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. d) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above. e) 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. f) Procedures for emergency deviation of the agreed working hours. g) Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants. h) Measures for controlling the use of site lighting whether required for safe working or for security purposes. Biodiversity a) Risk assessment of potentially ecologically damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. The development shall be carried out in accordance with the agreed details. Reason: In order to protect public amenity and to minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.

- 7 Prior to the commencement of the development a dust management plan detailing mitigation measures to control dust emission arising from site remediation, construction, and demolition work shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in full and in accordance with the approved dust management plan.

Reason: To protect the amenities of the area and prevent dust nuisance.

- 8 Demolition works shall be undertaken under the supervision of an appropriately qualified ecologist [full member of CIEEM and or a Natural England Bat licence holder with experience of supervising demolitions where there is a risk of bats being present]. Works are to follow a method statement agreed between the ecologist and the contractor detailing techniques and the procedure to follow should bats or signs of bats be found. A closing-out report including details of the methods used, and any bats or signs of bats found, is to be issued to the council. If works do not commence before April 2022, an updated bat survey is to be undertaken and a report detailing the findings submitted to and approved in writing by the Council.

Reason: in the interests of biodiversity.

- 9 No development shall commence until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices: a) A layout plan with beam orientation b) A schedule of equipment c) Measures to avoid glare d) 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 bird and bat boxes. The approved lighting plan shall thereafter be implemented as agreed.

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

- 10 Prior to the commencement of each phase of the development above slab level, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks on the new

buildings, details of brown roofs and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.

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

- 11 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained 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 approved tree work 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 in accordance with Local Plan Policies DG1 and N6.

- 12 Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: Piling can cause pollutant pathways when undertaken in areas of contaminated land leading groundwater pollution in the source protection zone.

- 13 Prior to commencement (excluding demolition, piling works and bulk excavations) a surface water drainage scheme for the development, based on sustainable drainage principles shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: a) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details. b) Details of the maintenance arrangements relating to the proposed surface water drainage system confirming who will be responsible for its maintenance and the maintenance regime to be implemented. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

- 14 Prior to any excavation works within five metres of the existing electrical sub-station, details of the ground investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in order to minimise land contamination.

- 15 Prior to the occupation of the development, a Verification/Validation Report shall be submitted to and agreed in writing with the Local Planning Authority. The Verification/Validation Report shall set out details of verification sampling carried out at the base of the excavation beneath the existing electrical sub-station and any other excavated areas to demonstrate all contamination has been removed from the site and disposed of appropriately or re-used as part of a Materials Management Plan.

Reason: in order to minimise land contamination

16 No part of the development shall be occupied until vehicle parking space has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority, including details of charging facilities for electric cars (fast charge and rapid charge points). The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities to reduce the likelihood of roadside parking which would be detrimental to the free flow of traffic and to highway safety and ensure that the development encourages sustainable travel. Relevant Policies - Local Plan P4, DG1 and complies with Section 9 of the National Planning Policy Framework (2019).

- 17 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 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 parking facilities to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

18 Prior to occupation a Car Parking Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall be implemented as approved.

Reason: in order to ensure the provision of car parking in a timely fashion and to ensure it meets the needs created by the development.

19 Prior to occupation a Travel Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall be implemented as approved.

Reason: in the interests of sustainable transport and the Council's Interim Sustainability Policy

20 No part of the development shall be occupied until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The applicant shall enter into a legal agreement with the Council under Section 278 of the Highways Act 1980 to cover the construction of the accesses and associated highway works on Kennet Road and Holmanlease.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.

21 The development shall be carried out in accordance with the submitted Flood Risk Assessment Addendum (reference 070244-CUR-XX-XX-RP-C-92003, revision P01, dated 1 October 2021 and prepared by Curtins), including appendices, and the following mitigation measures it details:a) Finished floor levels shall be set no lower than 25.04m above Ordnance Datum (AOD) for Block C and ground floor flats in Block B, and no lower than 24.89m AOD for the rest of Block B, in accordance with section 4.3 and drawing number 1810 P 101 002 P7 (titled Site Wide Lower Ground Floor Plan and dated 30 September 2021) in Appendix Fb) Level for level compensatory storage shall be provided as described in sections 4.4 to 4.6 of the FRA addendum and as shown in the drawings within Appendices J and Kc) Land levels shall be set in accordance with drawing number 11036-LD-PLN-206 (titled Levels Intent, issue P04, dated 30 September 2021) in Appendix I These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. 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, as well as to prevent an increase in flood risk elsewhere by ensuring that compensatory storage of flood water is provided, in accordance with paragraphs 164 and 167 of the NPPF, 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.

22 Any walls or fencing constructed within the 1% annual exceedance probability (AEP) plus an appropriate allowance for climate change flood extent shall be designed and constructed to be permeable to flood water and maintained as such for the lifetime of the development, and the areas beneath them shall be kept free of obstructions at all times, other than with the written consent of the local planning authority.

Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity in accordance with paragraph 167 of the National Planning Policy Framework, 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.

23 Prior to occupation a Public Realm Maintenance Plan shall be submitted to and approved by the Local Planning Authority. The plan shall be implemented as approved. This plan will provide details of maintenance, cleaning and access, such as the operation of moveable bollards, should it not be adopted by the Highways Authority.

Reason: in the interests of good management, public amenity and road safety.

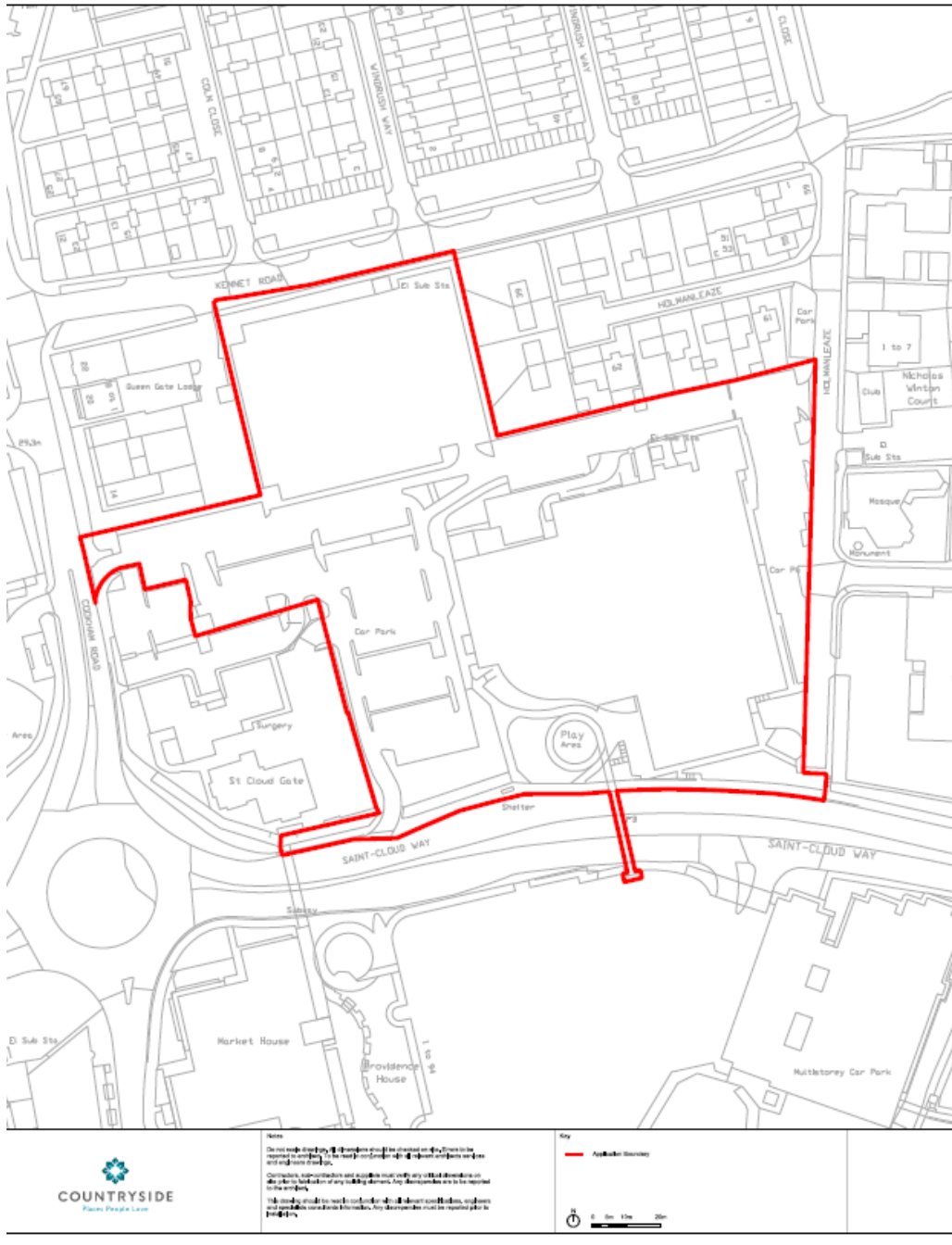
## **Informatives**

- 1 All birds, their nests and eggs, are protected by law. It is a criminal offence (with certain exemptions) to deliberately or recklessly take, damage or destroy the nest of any wild bird whilst it is in use or being built. The buildings and vegetation on the site could be used by nesting birds and any clearance should take place outside the bird nesting season (March - August inclusive) or areas to be cleared should first be checked for bird nests by an appropriately qualified person. If bird nests are found works that could disturb it must stop until any young have fledged the nest. If there is any doubt whether or not birds are nesting in the buildings or vegetation, expert ecological advice should be sought and or clearance work should not be undertaken until after the end of the nesting season
- 2 The chalk in parts of Maidenhead is known to be susceptible to the development of dissolution features and the risk of such features should be assessed and taken into account in the design of any infiltration features and building foundations.
- 3 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 68 3830 and follow good practice.

## 12. APPENDICES TO THIS REPORT

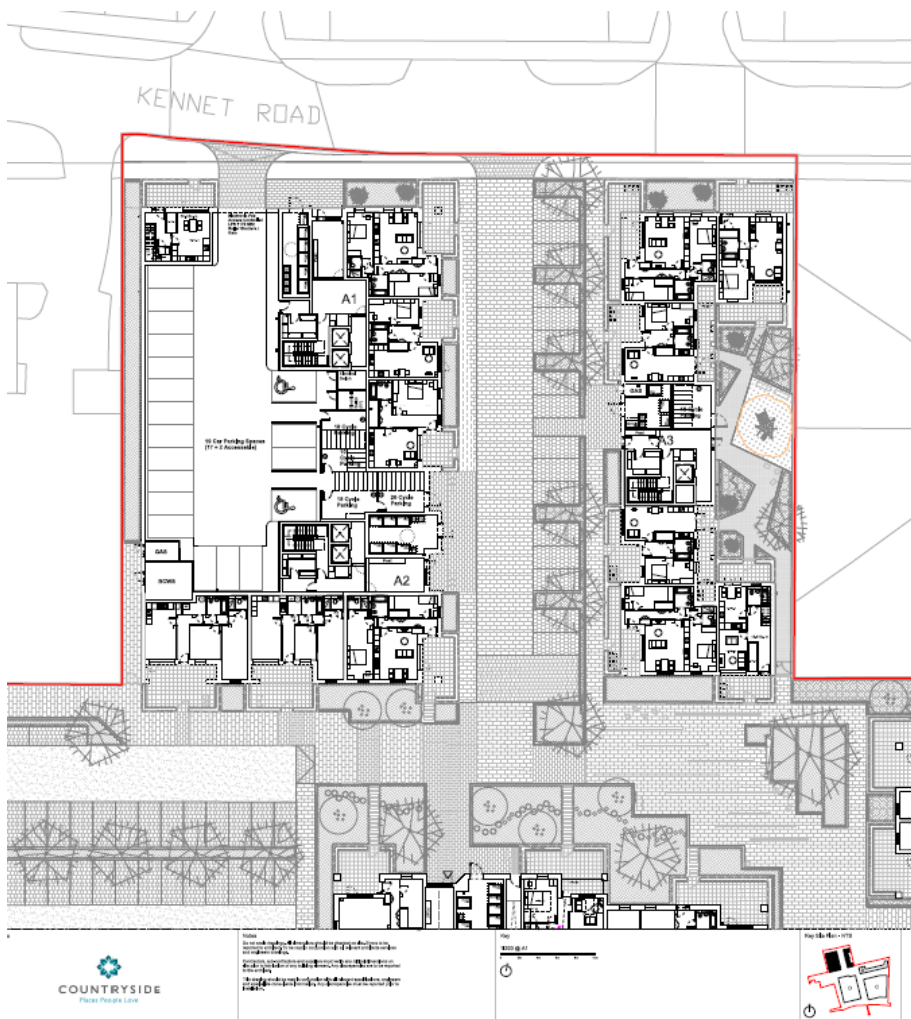
- Appendix A – Site location plan
- Appendix B – Proposed plans
- Appendix C – Proposed elevations

### Appendix A – Site location plan





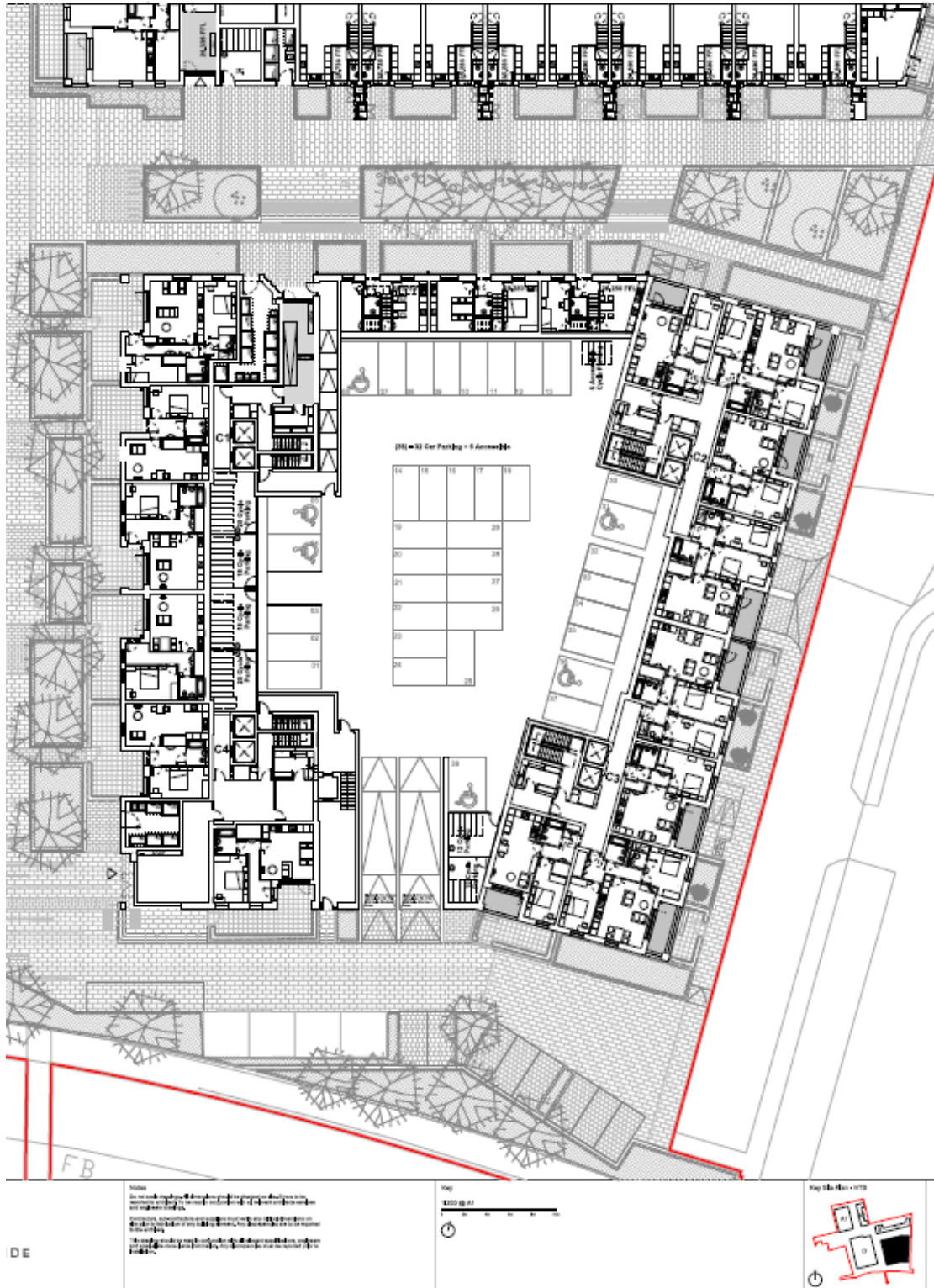
### Block A – Ground Floor Plan



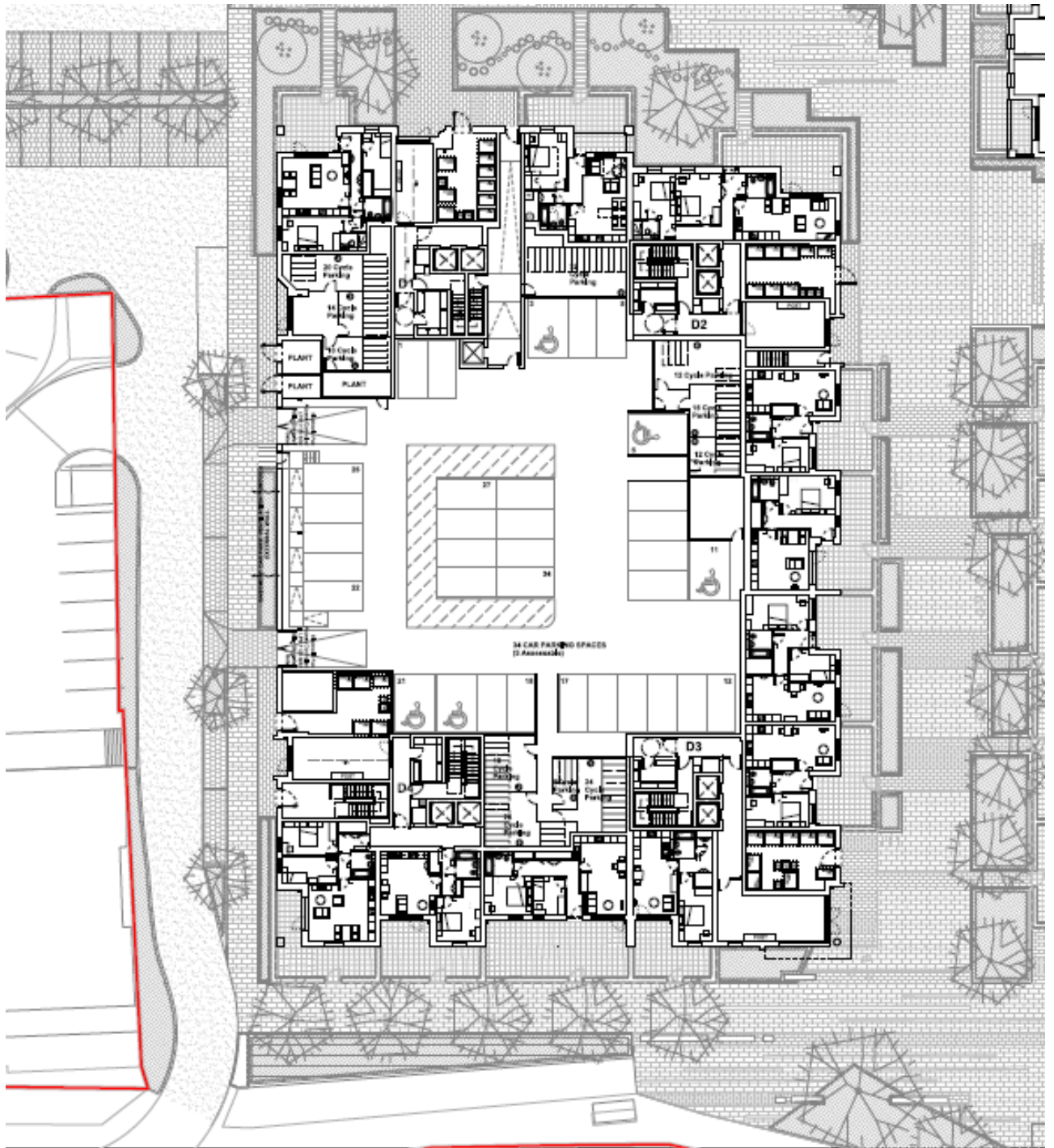
### Block B – Ground Floor



# Block C – Ground Floor



# Block D – Ground Floor



**Notes**  
 1. All work shall be in accordance with the relevant building regulations and standards.  
 2. The contractor shall be responsible for obtaining all necessary permissions and consents.  
 3. The contractor shall be responsible for the safety and security of the site throughout the duration of the works.



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 London, EC7A 0ES  
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[www.metworkshop.com](http://www.metworkshop.com)

**Proposed Elevation – Looking East and West from the centre of the site**

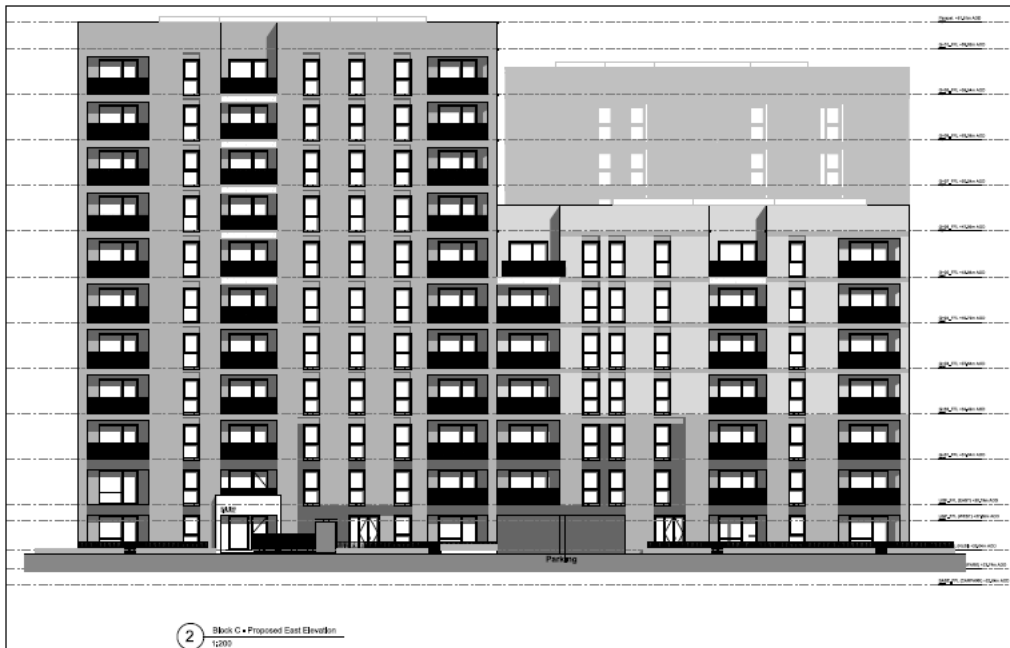


**Proposed Elevation – Looking North and South from the centre of the site**





**Block C – View from East (Holmanleaze)**



**Block C – View from South (St Clouds Way)**



**Block D – From South (Saint Clouds Way)**



**Block D – From West**



## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

### MAIDENHEAD DEVELOPMENT CONTROL PANEL

15 December 2021

Item: 2

<b>Application No.:</b>	21/02024/VAR
<b>Location:</b>	David Hunt Tool Merchant Bath Road Knowl Hill Reading RG10 9UR
<b>Proposal:</b>	Variation (under Section 73A) of planning permission 418365 to remove condition 5.
<b>Applicant:</b>	MR Hunt
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Hurley Parish/Hurley And Walthams
<b>If you have a question about this report, please contact:</b> Carlos Chikwamba on 01628796745 or at <a href="mailto:carlos.chikwamba@rbwm.gov.uk">carlos.chikwamba@rbwm.gov.uk</a>	

#### 1. SUMMARY

The proposed removal of the condition the subject of this application is deemed to be acceptable. The condition does not pass the tests outlined in paragraph 56 of the NPPF (2021) and is therefore considered to be neither necessary nor reasonable. The condition does not comply with the relevant guidance in the NPPG and its removal would not result in any material planning harm.

**It is recommended the Committee grants planning permission with the condition listed in Section 11 of this report.**

#### 2. REASON FOR PANEL DETERMINATION;

- The application was made by Mr David Hunt, the husband of Cllr Maureen Hunt. Several objections were received in relation the proposal. Section 5 of Part 7 under Article B of the council's constitution, states that; if one or more objections are received within a development proposed by any close relative of a member, the application will be considered by the appropriate Development Management Panel and not by officers under delegated powers. Cllr Hunt is a Member and therefore the application has to be determined by the Maidenhead Planning Committee.

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

- The premises of David Hunts Tools are located at the western end of a linear form of development fronting onto a service road setback from the carriageway of the A4 Bath Road at Knowle Hill. The tool shop comprises of a ground floor retail unit with ancillary offices and staff facilities at first floor level. The premises also comprise of a two-storey dwelling (The Firs) and a detached building, which is used for storage for the tool shop, and it is also used as commercial office space. The area is characterised by other businesses and residential properties.
- The site is located within the Green Belt and an area of special landscape importance.

#### 4. KEY CONSTRAINTS

- Green Belt.

4.2 In proximity to listed buildings

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

5.1 The proposal seeks permission for a variation (under Section 73A) of planning permission 418365 to remove condition 5.

5.2 418365 – Change of use of first floor to ancillary offices and staff accommodation, rear extension to shop and erection of tool store – Approved and dated 22.05.1986. Condition 5 stated: -

### 5. The offices indicated on the approved plan shall only be used for ancillary purposes in connection with the predominant retail use of the site.

The other planning history relating to this site is as follows: -

98/33478 – Change of use of part of tool storage building to form two studio units – Approved and dated 05.02.1998

04/41795 - Change of Use of part tool storage building to form B1 office unit – Approved and dated 11.06.2004

08/01972 - The installation of a metal stairway at the rear of Endfield – Approved and dated 28.10.2008

20/01241- Certificate of lawfulness to determine whether the use of the existing x2 offices used as offices not ancillary to David Hunt Tool Merchant is lawful. – Refused and dated 11.05.2020

## 6. DEVELOPMENT PLAN

### Adopted Royal Borough Local Plan (2003)

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

Issue	Local Plan Policy
Sufficient parking space available and Highway safety.	P4 and T5
Appropriate development in the Green Belt	GB1, GB2 and GB3
Proposals affecting listed buildings or their settings	LB2

## 7. MATERIAL PLANNING CONSIDERATIONS

### 7.1 National Planning Policy Framework Sections (NPPF) (2021)

Chapter 4. Decision-making  
Chapter 6. Building a strong, competitive economy  
Chapter 13. Protecting Green Belt land

### 7.2 Borough Local Plan: Submission Version and Proposed Changes

Issue	BLPSV	BLPSVPC Policy
Appropriate development in Green Belt and acceptable impact on Green Belt	SP1, SP5	SP1, QP5
Economy	ED1, ED3	ED1, ED3
Acceptable impact on neighbouring amenity	SP3	QP3
Proposals affecting listed buildings or their settings	HE1	HE1

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).

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 consultation on the main modification to the BLPSV ran from 19 July to 5 September 2021.

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.

### 7.3 Supplementary Planning Documents

There are none relevant to the consideration of this application.

### 7.4 Other Strategies or Publications

- RBWM Parking Strategy

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

5 letters objecting to the application and 3 in support of the application were received from the 6 neighbouring properties directly notified, summarised below;

Comment	Where in the report this is considered
<p><i>Objections;</i></p> <ul style="list-style-type: none"> <li>-Reference to previous application relating to the rear staircase.</li> <li>-Application should be refused based on negative planning history.</li> <li>-Overlooking due more frequent use of building and by virtue of the unobscured windows and rear staircase.</li> <li>-Proposed office space not required.</li> <li>-Area now more residential, therefore, conversion would harm character of area and impact residential amenity.</li> <li>-Inadequate parking and associated highway safety issues.</li> <li>-Proposal within close proximity of listed buildings</li> <li>- Detrimental impact on the Green Belt</li> </ul>	9.5 – 9.6
<p><i>In support;</i></p> <ul style="list-style-type: none"> <li>-No parking issues</li> <li>-Small business offices beneficial to area's local economy</li> </ul>	9.5 – 9.6

### Consultees

Comment	Officer Response
<p><i>Parish Council;</i></p> <p>No objection.</p>	Noted.
<p><i>Environmental Protection;</i></p> <p>No objection.</p>	Noted.

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i. Reason for Condition
- ii. Other material considerations
- iii. Conclusion

### Reason for Condition

9.2 This application relates to a variation (under Section 73A) of planning permission 418365 to remove condition 5. Application 418365 comprised of a change of use of the first-floor above the existing tool shop to ancillary offices and staff accommodation, rear extension to shop and erection of tool store. Condition 5 under that permission states; '*The offices indicated on the approval plan shall only be used for ancillary purposes in connection with the predominant retail use of the site*', the reason for its imposition was '*to retain effective planning control*'. The condition was not associated with a specific policy or material planning consideration.

9.3 Paragraph 55 of the NPPF (2021) states that *Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions*

and paragraph 56 states that *planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects*. The National Planning Policy Guidance (NPPG) (2014) further adds that it is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary control.

- 9.4 In this case, and particularly when considered in the light of contemporary national and local planning policy and the amendments to the Use Classes Order which introduced the new Class E which allows a flexible interchange between multiple use classes (Classes A1, A2, A3 and B1) without the need for planning permission, this condition is considered to no longer serve a planning purpose. In light of the foregoing, the condition does not perform a planning function, it does not pass the tests outlined in paragraph 56 of the NPPF and is therefore considered to be neither necessary nor reasonable.

### **Other material considerations**

- 9.5 The removal of the condition would not, in itself, lead to a greater intensity in the use of the first floor and would not therefore result in any greater use of the external staircase or result in any additional overlooking of neighbouring properties. Neither would it lead to a need for an increase in parking provision at the site or in any increased use of the existing vehicular access resulting in any highway safety issues.
- 9.6 There are also no Green Belt policy implications in removing the condition and neither would it impact on employment space or the borough's business needs/demands. The site is near to listed buildings; however, the proposed removal of the condition would not have any impact on the setting of these listed buildings.

### **Conclusion**

- 9.7 Overall, the condition is no longer deemed to serve a planning purpose and should therefore be removed to enable the first floor of the premises to be occupied without being encumbered by having to be associated with the ground floor retail use.

## **10. APPENDICES TO THIS REPORT**

Appendix A – Site Location Plan

Appendix B – Tool shop's first floor plan as approved in original permission

Documents associated with the application can be viewed at <https://www.rbwm.gov.uk/home/planning/find-planning-application> by entering the application number shown at the top of this report without the suffix letters.

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

1. 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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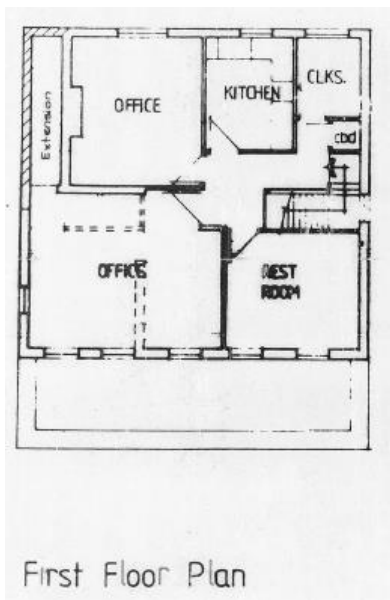


Appendices

Appendix A – Site Location Plan



Appendix B – Tool shop’s first floor plan as approved in original permission





## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

### MAIDENHEAD DEVELOPMENT CONTROL PANEL

15 December 2021

Item: 3

<b>Application No.:</b>	21/02329/FULL
<b>Location:</b>	33 Cannon Court Road Maidenhead
<b>Proposal:</b>	x3 new dwellings with associated access, parking and landscaping following demolition of existing dwelling and outbuildings.
<b>Applicant:</b>	King Charles Homes
<b>Agent:</b>	Mrs Emily Temple
<b>Parish/Ward:</b>	Maidenhead Unparished/Furze Platt
<b>If you have a question about this report, please contact:</b> Dariusz Kusyk on 01628796812 or at <a href="mailto:dariusz.kusyk@rbwm.gov.uk">dariusz.kusyk@rbwm.gov.uk</a>	

#### 1. SUMMARY

1. The proposed development, by virtue of its design, scale and mass, would respect the character and appearance of the area and the streetscene. The proposed development would not impact on the residential amenities of the occupants of the neighbouring properties in terms of appearing overbearing, and it would not result in any unacceptable overshadowing or overlooking. Furthermore, the proposed development would provide for an acceptable level of parking provision, and it would be acceptable with regard to its impact on landscaping and biodiversity.
2. The applicant has agreed in principle to meet the requirements of the Council's Interim Sustainability Position Statement or to provide any necessary carbon off-set contribution.

<b>It is recommended the Committee authorises the Head of Planning:</b>	
1	To grant planning permission with the conditions listed in Section 13 of this report following on submission of information demonstrating that the proposal will meet the Council's Interim Sustainability Position Statement or the completion of a legal agreement securing any necessary carbon off-set contribution.
2	In the event the above information is not submitted nor legal agreement completed to refuse planning permission.

#### 2. REASON FOR PANEL DETERMINATION

- At the request of Cllr Del Campo due to concerns the development would result in an unacceptable impact on the character of the area, overdevelopment and inadequate parking provision.

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

- 3.1 The application site is located on the western side of Cannon Court Road and consists of a two-storey detached dwelling with a single detached garage located to the side and other outbuildings to the rear. There is a substantial parking area to the front of the site with soft landscaping along the side boundaries.

3.2 The area surrounding the site is predominantly residential in character with mainly semi-detached houses on the western side of the road and a mix of detached and semi-detached houses along the eastern side of the road. The properties are positioned on a consistent building line and are of a relatively unified design, materials and roof form. The application site differs from the prevailing character in terms of plot size.

#### 4. KEY CONSTRAINTS

4.1 Victorian Village townscape character and Local Wildlife Site.

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

5.1 This application seeks consent for the demolition of the existing dwelling and the erection of 3 terraced dwellinghouses with associated parking to the front. The total site area is circa 0.17ha. The footprint of the existing main building totals to circa 132m<sup>2</sup> and including the detached garage and rear outbuildings it is approximately 200m<sup>2</sup>. Driveway parking is proposed for six cars, perpendicular to and accessed directly from Cannon Court Road.

5.2 Relevant planning history:

Reference	Description	Decision
16/00321/FULL	Construction of 6 x apartments and 4 x dwellings following demolition of existing dwelling.	Withdrawn - 27.10.2016
21/02330/FULL	x5 new dwellings with associated access, parking and landscaping following demolition of existing dwelling and outbuildings.	Not decided yet at the time of writing.

#### 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

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

#### 7. MATERIAL PLANNING CONSIDERATIONS

##### National Planning Policy Framework Sections (NPPF) (2021)

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 9 - Promoting Sustainable Transport

Section 12 - Achieving well-designed places

##### Borough Local Plan: Submission Version

<b>Issue</b>	<b>Local Plan Policy</b>
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Housing mix and type	HO2
Housing Density	HO5

### **Borough Local Plan: Submission Version Proposed Changes (2019)**

<b>Issue</b>	<b>Local Plan Policy</b>
Design in keeping with character and appearance of area	QP1, QP3
Sustainable Transport	IF2
Housing mix and type	HO2

- 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 consultation on the main modification to the BLPSV ran from 19 July to 5 September 2021.
- 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.

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

- 7.5 Other Strategies or publications material to the proposal are:
- RBWM Townscape Assessment
  - RBWM Parking Strategy
  - RBWM Design Guide
  - RBWM Interim Sustainability Position Statement

## **8. CONSULTATIONS CARRIED OUT**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

## Comments from interested parties

17no. occupiers were notified directly of the application.

14no. letters were received objecting to this application, summarised as:

Comment		Where in the report this is considered
1.	Unacceptable impact upon the streetscene and character of the area	See section 9 of the report.
2.	Adverse impact upon amenity of the occupiers of adjacent dwellings in terms of proposed development appearing overbearing, loss of light and privacy	
3.	Excessive scale and overdevelopment of the plot	
4.	Unacceptable impact on existing trees	
5.	Detrimental impact upon biodiversity	
6.	Adverse impact upon refuse collection, highways and access arrangements	
7.	Negative impact due to excessive hardstanding	
8.	Loss of light and loss of privacy	
9.	Comments with regards to backland development	Not relevant for this application (Relate to: 21/02330/FULL)

## Consultees

Consultee	Comment	Where in the report this is considered
Highways Officer	No objections, subject to conditions.	See section 9 of the report.
Environmental Protection Officer	No objections, subject to conditions.	
Ecology Officer	No objections, subject to conditions.	

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- Principle of redevelopment;
- Impact on the character and appearance of the area;
- Impact on amenity of surrounding residential occupiers;
- Impact on highways conditions and parking;
- Impact on landscaping and biodiversity;
- Other material considerations.

### Issue I. Principle of redevelopment

9.2 The site at present is occupied by a single detached dwelling and located in a wholly residential area. Given the character of the surrounding area and the appearance of the existing property within the streetscene, no objection is raised to the redevelopment of the site for housing. Redevelopment with a higher density is considered appropriate in the context of the site, subject to compliance with other relevant development plan policies and all material considerations.

## Issue II. Impact on the character and appearance of the area

- 9.3 The NPPF (2021) and Council's adopted policies DG1, H10 and H11 seek to promote standards of design which will result in a high quality, varied and stimulating townscape and environment. The design guidelines set out in Policy DG1 advise that when assessing new development proposals, regard will be had to ensuring harm is not caused to the character of the surrounding area through development which is cramped, or which results in the loss of important features that contribute to that character. Policy H10 further advises that "new residential development schemes will be required to display high standards of design" and Policy H11 adds that "in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area".
- 9.4 The surrounding area is predominantly residential in character and consists of large detached and semi-detached two storey properties set within relatively regular plots. There is a distinct linear layout and pattern of development within this part of Cannon Court Road which is of two storey dwellinghouses, consistent in terms of their design, building line and roofscape.
- 9.5 The proposed 3no. terraced dwellings would be of a regular rectangular shape with a generous separation distance from the neighbouring properties. The proposed building would provide circa 2.2m separation distance from no. 31 and around 2.0m from no. 35. In general, the proposal is considered to present an appropriately spacious layout, compliant with the Local Plan Policy H11, which emphasises that "*In established residential areas, planning permission shall not be granted for schemes which introduce a scale or density of new development which could be incompatible with or cause damage to the character and amenity of the area.*". The explanation of Policy H11 (at para 5.7.9) clarifies that development can "*damage the character of an area through producing cramped development out of keeping with the area, loss of spaciousness, the loss of important features such as trees, the failure to respect building lines or the rhythm or the style of built form, the intrusion of buildings or features of alien form or scale(...)*". This proposed new terrace of three dwellings would not appear cramped but would respect the rhythm of development in the vicinity and be considered to result in an appropriate form of development in this area.
- 9.6 The proposed development would comprise of a circa 17.6m wide and 11.6m deep building, which would be acceptable within its plot. The proposed dwellings would have a sympathetic appearance, compliant in relation to the adjacent properties and the wider streetscene, incorporating an 8.8m high ridge and 6.0m high eaves level. From the streetscene perspective, this would be approximately 1.4m higher than the adjacent dwelling no.35 to the right and of a similar height to no.31 to the left. The proposal would be characterised by red brickwork on the front and side elevations with white fenestration, which would be considered sympathetic to the vernacular of the locality. The proposal, by virtue of its traditional design, would be considered to accord with the advice contained within the RBWM Design Guide, which states in Principle 7.9 that "*Designers should use architectural detailing to create attractive buildings that positively contribute to the character and quality of an area*" or "*Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted*".
- 9.7 The proposed development, owing to the scale, spacing and design of the dwellings proposed, would result in an acceptable form of development in this area, which would be in-keeping with the visual appearance of the streetscene and the overall character of the area. In general, the scheme would be considered to comply with policies DG1, H10 and H11 of the adopted Local Plan and advice contained in the RBWM Design Guide.

- 9.8 The proposed development would incorporate an appropriate amount of outdoor amenity space, with a the depth of around 43.0m and widths between 8.0m and 11.0m. The gardens would therefore have an area of around 344.0m<sup>2</sup> - 473.0m<sup>2</sup>, in accordance with the RBWM Design Guide, which requires a minimum of 65.0m<sup>2</sup> for a 3-bed dwelling. Furthermore, the proposed internal amenity standards are equally acceptable with habitable rooms designed to receive a sufficient amount of light and the internal floorspace of each room and the dwellings as a whole in accordance with Technical Housing Standards.

### **Issue III. Impact on the amenities of the surrounding occupiers**

- 9.9 The proposed development would be sited between 2.0m-2.2m from the existing neighbouring properties, which in combination with retention of the existing landscaped screening is considered appropriate. The south and north facing, upper-level windows would be fitted with obscure glass and given that they may be conditioned to be non-opening up to 1.7m above the finished floor level, would not result in any unacceptable overlooking of the habitable areas of the adjacent houses (condition 7). The proposed rear elevation first floor windows would not change the established arrangement in terms of overlooking. There would therefore be no impact in terms of loss of privacy that would result from the proposed development.
- 9.10 It is considered that the proposed development would not have any detrimental impact upon the amenities of the neighbouring occupiers in terms of overshadowing/loss of light or appearing obtrusive or overbearing, as it would only project by around 1.0m-1.5m beyond the rear elevations of the adjacent dwellinghouses.

### **Issue IV. Impact on highways conditions and parking**

- 9.11 At present the existing single dwelling has two vehicular access points and these are located at the northern and southern ends of the site. It is proposed to remove the existing hedge which will provide adequate visibility in accordance with the guidance set out in Manual for Streets. A 1.2m wide footway across the application site would be retained to enable a continuous pedestrian route to be provided from the site in a southerly direction to the junction with Switchback Road South, which is considered acceptable.
- 9.12 Car parking provision of 2no. spaces per dwelling is considered acceptable and meets the existing car parking standards.
- 9.13 Secure and covered cycle parking is not indicated on the submitted plan, however this can be adequately conditioned in the decision notice.
- 9.14 The applicants have not detailed the servicing and refuse arrangement of the site, however there is sufficient space for refuse bins within the front garden or sides of the properties, which will be serviced by the Councils refuse vehicle at the front of the property similar to the other properties on Cannon Court Road.

### **Issue V. Impact on landscaping and biodiversity**

- 9.15 It is considered that the proposed development would not result in any unacceptable impact upon the landscaping on site. Despite the removal of existing trees within the rear garden and removal of landscaping at the front in order to provide parking spaces, the proposal would be considered and not out of character with the locality. There are a number of examples of similar driveway arrangements in the vicinity of the site. It is therefore considered that the proposal would not have a detrimental impact upon the streetscene. In addition, soft landscaping would be proposed along the side and to the rear of the proposed dwellings, which is considered acceptable, subject to a condition to secure a landscaping plan and its implementation prior to occupation (condition 6).



- 9.16 The applicant has submitted an updated bat survey report (AA Environmental, July 2021) which has been undertaken to an appropriate standard. As such, the report concludes that the buildings and trees are unlikely to host roosting bats. Furthermore, as recommended in the report, and in accordance with paragraph 175 of the NPPF, which states that “opportunities to incorporate biodiversity in and around developments should be encouraged” a condition is recommended to ensure that enhancements for wildlife are provided within the new development (condition 12).

## **Issue VI. Other Material Considerations**

### Housing Land Supply

- 9.17 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.*

- 9.18 Footnote 7 of the NPPF (2021) 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..).’*

- 9.19 The BLPSV is not yet adopted planning policy and the Council’s adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hr HLS) is the ‘standard method’ as set out in the NPPF (2021).

- 9.20 At the time of writing and for the purpose of this planning application the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

- 9.21 The LPA therefore accepts, for the purpose of this application and in the context of paragraph 11 of the NPPF (2021), including footnote 7, the so-called ‘tilted balance’ is engaged. The LPA further acknowledge 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 (2021). The assessment of this and the wider balancing exercise is set out below in the conclusion.

### Sustainability

- 9.22 The applicant has submitted some initial information with the application outlining sustainability measures that will be included within the development. However, the current measures do not meet the requirements of the Council’s Interim Sustainability Position Statement. The applicant has agreed in principle to either meet the requirements of this statement or to make any necessary carbon off-set contribution. This is welcomed and the recommendation requires this to be finalised before planning permission is granted.

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

- 10.1 The development is CIL liable.

## **11. PLANNING BALANCE AND CONCLUSION**

MAIDENHEAD DEVELOPMENT CONTROL PANEL

- 11.1 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development and with regard to section 9 of this report it is considered that the 'tilted balance' should be applied. This sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 11.2 It is not considered that the proposal would result in harm to the streetscene when viewed from Cannon Court Road or character of the area when viewed from the wider locality. The scheme would have an acceptable impact on neighbouring residential amenity. It is considered that there would be no harm in terms of highway safety and the local highway infrastructure. An adequate level of on-site parking is proposed and also given its sustainable location, there are no objections in this respect.
- 11.3 Weighing in favour of the proposal is the provision of housing on previously developed land. Paragraph 120 of the NPPF goes on to state that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. Furthermore, paragraph 69 of the NPPF states that local planning authorities should support the development of windfall sites through policies and decisions and give great weight to the benefits of using suitable sites within existing settlements for homes. The site is considered to be a windfall site (sites not specifically identified in the development plan) and brownfield land within the boundaries of an existing settlement. The site is considered to be suitable for redevelopment to provide additional housing, and the NPPF promotes development of such sites for housing. It is acknowledged that small and medium sized sites can make an important contribution to meeting the housing requirements of an area.
- 11.4 On the basis of the above, and due to compliance with the Local Plan policies, the proposal is recommended for approval.

## 12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site plan
- Appendix C - Existing floorplans
- Appendix D - Existing elevations
- Appendix E – Proposed site layout
- Appendix F – Proposed floorplans
- Appendix G – Proposed elevations
- Appendix H – Proposed streetscene

## 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 on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

- Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
- 4 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
- 5 No other part of the development shall commence until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained as approved.
- Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 6 The development shall not be occupied until the hard and soft landscaping scheme has been implemented within the first planting season following the substantial completion of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The development shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.
- Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 7 The first floor windows in the flank elevations of the proposed development shall be fitted with obscure glass and shall be of a high level type with a cill level that is a minimum of 1.7m above the finished internal floor level and the window type shall not be altered.
- Reason: To prevent overlooking and loss of privacy to neighbouring occupiers Relevant Policies - Local Plan H11.
- 8 No further windows shall be inserted at first floor level in the side elevation(s) of the proposed development.
- Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H10.
- 9 The development shall to be carried out in accordance with the details given in Appendix B of the ecology survey report (AA Environmental Ltd - dated July 2021 - ref: 213239) unless otherwise agreed in writing by the council.
- Reason: To ensure that reptiles, a group of protected species, are not adversely affected by the proposals, in accordance with the paragraph 174 of the NPPF.
- 10 Any deep excavation shall either not be left open overnight or an escape ramp in the form of a scaffold plank shall be placed at a shallow angle to allow any trapped wildlife to exit the excavation.
- Reason: To prevent the incidental trapping of wildlife during construction work in accordance with paragraph 174 of the NPPF
- 11 No development above slab level shall commence until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the LPA. The report (if external lighting is to be installed) 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 bird and bat boxes. The approved lighting plan shall thereafter be implemented and maintained as agreed.
- Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with paragraph 180 of the NPPF.

- 12 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks on the new buildings (including at least one sparrow terrace and one swift brick) and native and wildlife friendly landscaping (including pollen-rich planting and gaps at the bases of fences to allow hedgehogs to traverse through the gardens), shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved.  
Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF.
- 13 Demolition works shall be undertaken under the supervision of an appropriately qualified ecologist (full member of CIEEM and or a Natural England bat licence holder with experience of supervising demolitions where there is a risk of bats being present). Works are to follow a method statement agreed between the ecologist and the contractor detailing techniques, including the careful removal of tiles by hand, and the procedure to follow should bats or signs of bats be found. A closing out report including details of the methods used, and any bats or signs of bats found, is to be issued to the Council.  
Reason: To ensure that bats, a group of protected species, are not adversely affected by the proposals.
- 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 Due to the close proximity of the site to existing residential properties, the applicant's attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicle parking at the site or making deliveries, and general disruption caused by the works. By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at [www.ccscheme.org.uk](http://www.ccscheme.org.uk)

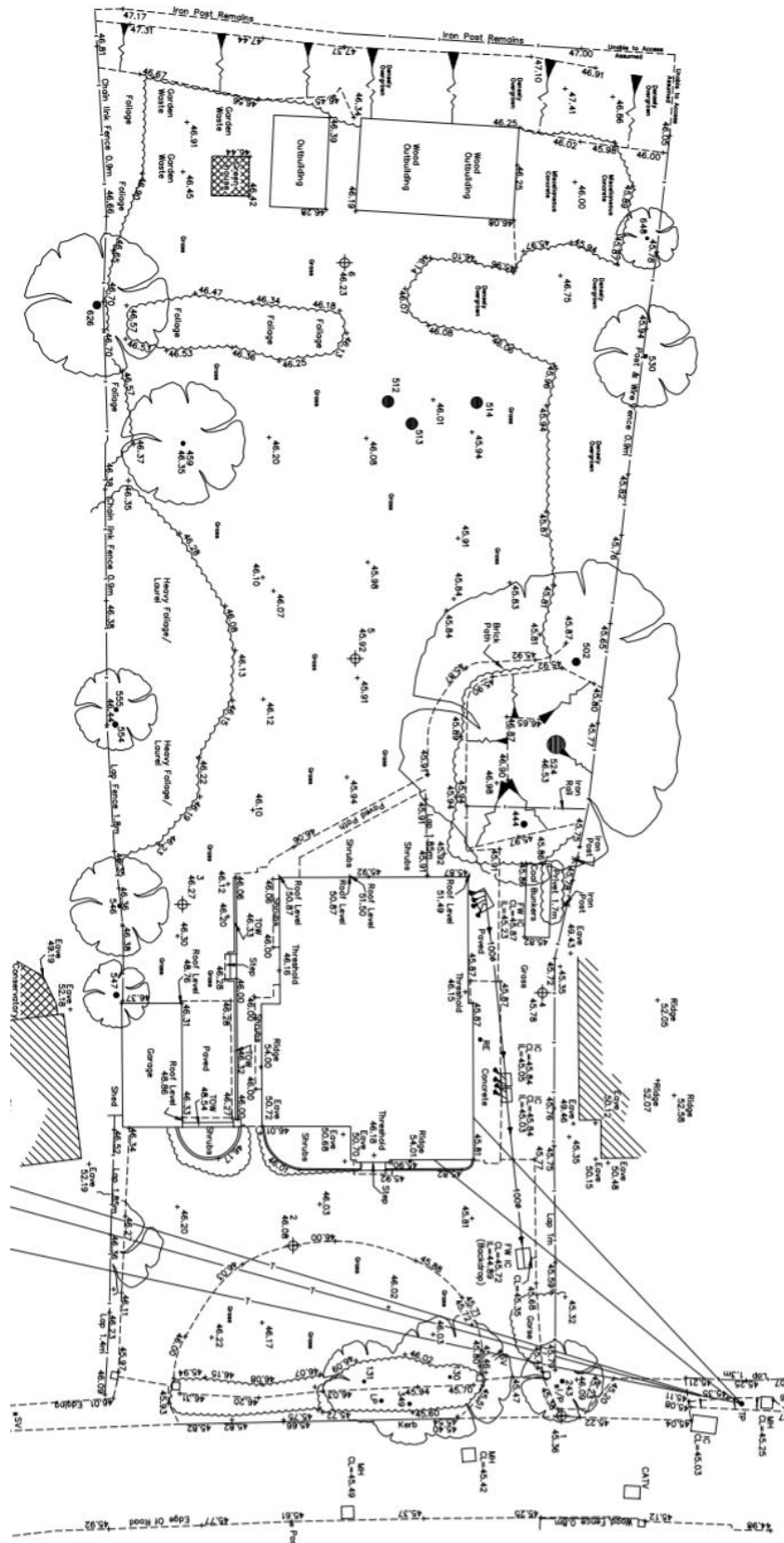
## 12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
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- Appendix H – Proposed streetscene

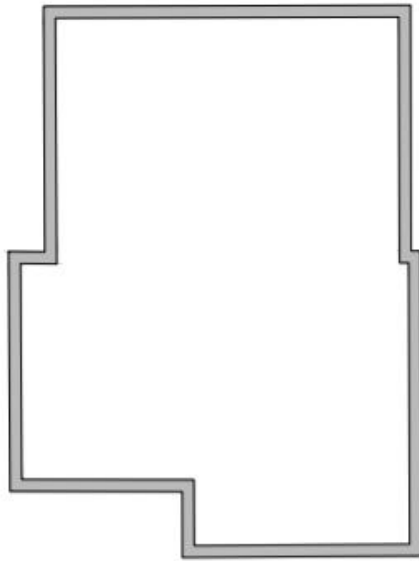
### Appendix A – Site location plan



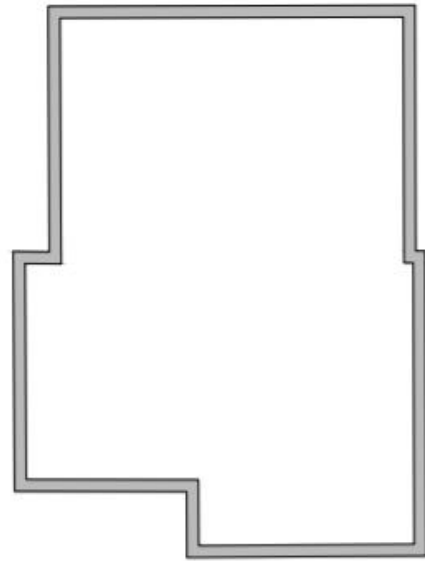
# Appendix B – Site plan



## Appendix C - Existing floorplans



EXISTING  
GROUND FLOOR PLAN  
(BUILDING 1)  
G.I.A - 117 m<sup>2</sup> (1259 ft<sup>2</sup>)  
TOTAL G.I.A - 234 m<sup>2</sup> (2518 ft<sup>2</sup>)



EXISTING  
FIRST FLOOR PLAN  
(BUILDING 1)  
G.I.A - 117 m<sup>2</sup> (1259 ft<sup>2</sup>)



EXISTING FLOOR PLAN  
(BUILDING 2)  
G.I.A - 15 m<sup>2</sup> (161 ft<sup>2</sup>)

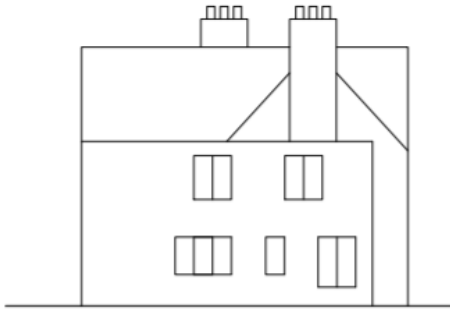


EXISTING FLOOR PLAN  
(BUILDING 3)  
G.I.A - 28 m<sup>2</sup> (301 ft<sup>2</sup>)



EXISTING FLOOR PLAN  
(BUILDING 4)  
G.I.A - 10 m<sup>2</sup> (107 ft<sup>2</sup>)

**Appendix D - Existing elevations**



REAR ELEVATION  
(BUILDING 1)



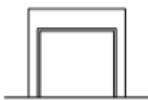
SIDE ELEVATION  
(BUILDING 1)



FRONT ELEVATION  
(BUILDING 1)



SIDE ELEVATION  
(BUILDING 1)



FRONT ELEVATION  
(BUILDING 2)



SIDE ELEVATION  
(BUILDING 2)



REAR ELEVATION  
(BUILDING 2)



SIDE ELEVATION  
(BUILDING 2)



FRONT ELEVATION  
(BUILDING 3)



SIDE ELEVATION  
(BUILDING 3)



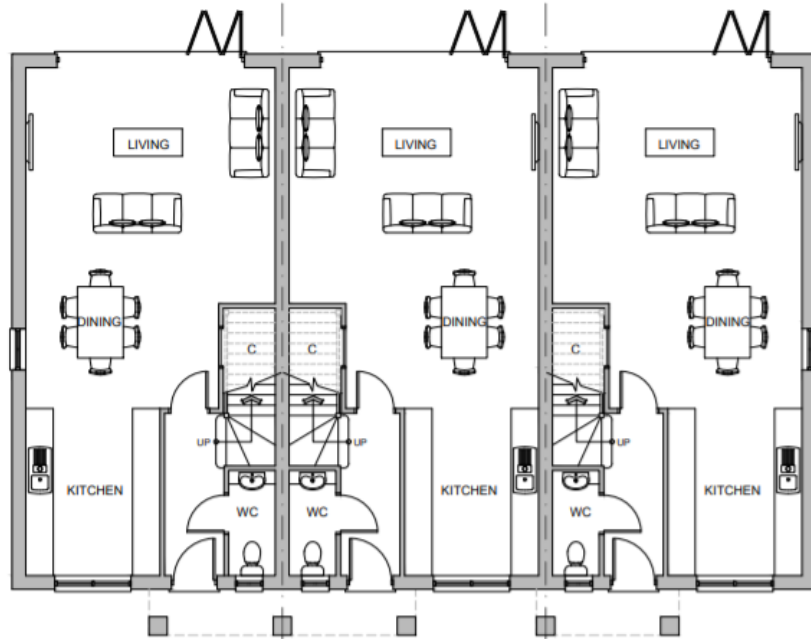
REAR ELEVATION  
(BUILDING 3)



Appendix E – Proposed site layout



## Appendix F – Proposed floorplans



GROUND FLOOR PLAN

**PLOT 1**

G.I.A - 60.6 m<sup>2</sup> (652 ft<sup>2</sup>)

Total G.I.A - 152.7 m<sup>2</sup> (1643 ft<sup>2</sup>)

**PLOT 2**

G.I.A - 60.6 m<sup>2</sup> (652 ft<sup>2</sup>)

Total G.I.A - 160.5 m<sup>2</sup> (1727 ft<sup>2</sup>)

**PLOT 3**

G.I.A - 60.6 m<sup>2</sup> (652 ft<sup>2</sup>)

Total G.I.A - 152.7 m<sup>2</sup> (1643 ft<sup>2</sup>)



FIRST FLOOR PLAN

**PLOT 1**

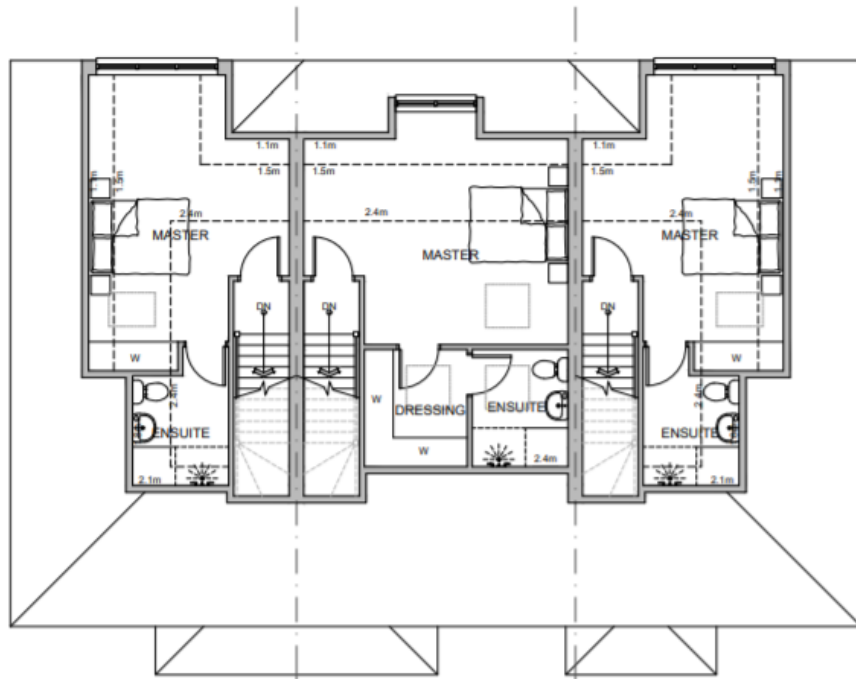
G.I.A - 60.6 m<sup>2</sup> 652 ft<sup>2</sup>)

**PLOT 2**

G.I.A - 60.6 m<sup>2</sup> 652 ft<sup>2</sup>)

**PLOT 3**

G.I.A - 60.6 m<sup>2</sup> 652 ft<sup>2</sup>)



SECOND FLOOR PLAN

PLOT 1  
G.I.A - 31.5 m<sup>2</sup> 339 ft<sup>2</sup>)

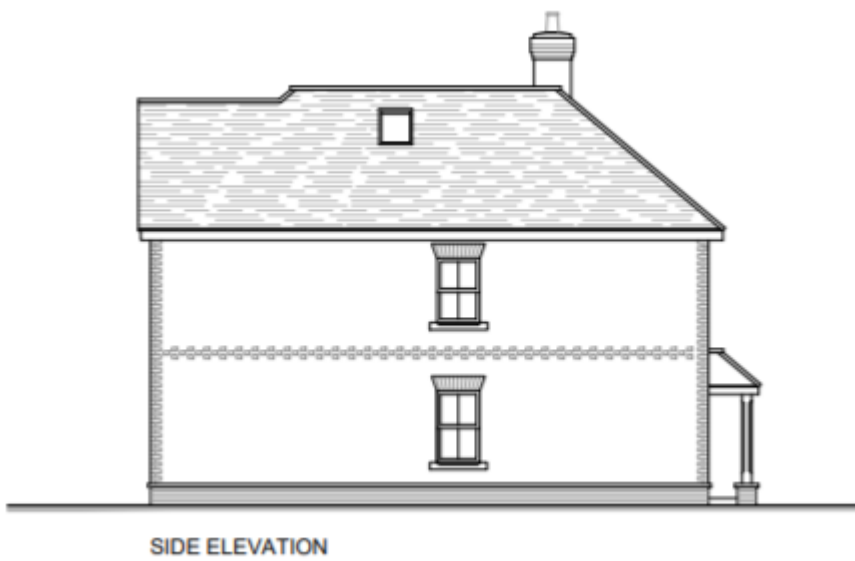
PLOT 2  
G.I.A - 39.3 m<sup>2</sup> 423 ft<sup>2</sup>)

PLOT 3  
G.I.A - 31.5 m<sup>2</sup> 339 ft<sup>2</sup>)

Appendix G – Proposed elevations



FRONT ELEVATION



## Appendix H – Proposed streetscene



PROPOSED STREET SCENE A-A - (1:200)

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