

NOTICE
OF
MEETING

**MAIDENHEAD DEVELOPMENT
MANAGEMENT COMMITTEE**

will meet on

WEDNESDAY, 19TH OCTOBER, 2022

At 7.00 pm

In the

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

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

COUNCILLORS MAUREEN HUNT (CHAIRMAN), LEO WALTERS (VICE-CHAIRMAN),
JOHN BALDWIN, GURPREET BHANGRA, MANDY BRAR, GERRY CLARK,
GEOFF HILL, JOSHUA REYNOLDS AND DAVID COPPINGER

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: 11 October 2022

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

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 PREVIOUS MEETING</u> To approve the minutes of the meeting held on 21 September 2022 as a true and accurate record.	9 - 10
4.	<u>20/01409/OUT - STATESMAN HOUSE STAFFERTON WAY AND BRAYWICK GATE BRAYWICK MAIDENHEAD</u> PROPOSAL: Hybrid planning application (part-outline, part-full) for mixed-use redevelopment of the site including: Outline planning application (with all matters reserved) for the demolition of existing building (Braywick Gate) and erection of two buildings to provide for office floorspace and residential floorspace in addition to flexible commercial floorspace, car and cycle parking, landscaping, public realm, new access and associated works. Full planning application for the demolition of existing building (Statesman House) and erection of an office building, including car and cycle parking, landscaping, public realm, new access and associated works including access works to Braywick Gate prior to its demolition and temporary landscaping and car parking. RECOMMENDATION: Permit APPLICANT: Royal London Mutual Insurance Society Ltd EXPIRY DATE: 23 August 2021	11 - 56
5.	<u>22/01452/FULL - BRIAR COTTAGE AND HOLMWOOD BRIAR GLEN COOKHAM MAIDENHEAD</u> PROPOSAL: x3 dwellings with associated parking and landscaping, following demolition of the existing dwellings. RECOMMENDATION: Permit APPLICANT: Germain Homes Ltd EXPIRY DATE: 31 October 2022	57 - 76
6.	<u>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT</u>	77 - 78

To note the contents of the 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, 21 SEPTEMBER 2022

PRESENT: Councillors Maureen Hunt (Chairman), John Baldwin, Gurpreet Bhangra, Mandy Brar, David Coppinger, Geoff Hill, Gurch Singh and Andrew Johnson

Also in attendance: Councillor Donna Stimson

Officers: Oran Norris-Browne, Laurence Ellis, Tony Franklin, Sian Saadeh and Sean O'Connor

APOLOGIES FOR ABSENCE

Apologies were received from Councillor Reynolds, Councillor Clark and the Vice-Chairman Councillor Walters. Councillor Singh and Councillor Johnson acted as substitutes respectively.

DECLARATIONS OF INTEREST

No declarations of interest were made.

MINUTES OF THE PREVIOUS MEETING

AGREED UNANIMOUSLY: That the minutes of the meeting held 17 August 2022 be a true and accurate record.

22/01324/FULL - 38 OLDACRES MAIDENHEAD SL6 1XJ

A motion was proposed by Councillor Baldwin to grant planning permission with the conditions listed in section 15 of the report, which was in line with officer's recommendation. This was seconded by Councillor Brar.

A motion was also put forward by Councillor Hill to refuse planning permission, which was against officer's recommendations. This was seconded by Councillor Coppinger.

The first motion that a named vote was carried out on was Councillor Baldwin's as this was seconded first.

A named vote was taken.

22/01324/FULL - 38 Oldacres Maidenhead SL6 1XJ (Motion)	
Councillor Maureen Hunt	Abstain
Councillor John Baldwin	For
Councillor Gurpreet Bhangra	For
Councillor Mandy Brar	For
Councillor David Coppinger	Against
Councillor Geoffrey Hill	Against
Councillor Gurch Singh	For
Councillor Andrew Johnson	For
Carried	

AGREED: That planning permission be granted with the conditions listed within section 15 of the report.

As the first motion was passed, a named vote was not carried out for Councillor Hill's motion.

The committee were addressed by 3 speakers, Vickie Morgan (objector), Hassam Akhtar (applicant), and Councillor Stimson.

22/01452/FULL - BRIAR COTTAGE AND HOLMWOOD BRIAR GLEN COOKHAM MAIDENHEAD

This item was withdrawn from the agenda upon legal advice having been received.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORTS

Councillor Baldwin asked for information on the Pinkneys Green application. It was agreed that this would be dealt with offline.

The meeting, which began at 7.00 pm, finished at 7.50 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 October 2022

Item: 1

Application No.:	20/01409/OUT
Location:	Statesman House Stafferton Way And Braywick Gate Braywick Road Maidenhead
Proposal:	Hybrid planning application (part-outline, part-full) for mixed-use redevelopment of the site including: Outline planning application (with all matters reserved) for the demolition of existing building (Braywick Gate) and erection of two buildings to provide for office floorspace and residential floorspace in addition to flexible commercial floorspace, car and cycle parking, landscaping, public realm, new access and associated works. Full planning application for the demolition of existing building (Statesman House) and erection of an office building, including car and cycle parking, landscaping, public realm, new access and associated works including access works to Braywick Gate prior to its demolition and temporary landscaping and car parking.
Applicant:	Royal London Mutual Insurance Society Ltd
Agent:	Mr Tony Gallagher
Parish/Ward:	Maidenhead Unparished/Oldfield
If you have a question about this report, please contact: Tony Franklin on 01628 796155 or at tony.franklin@rbwm.gov.uk	

1. SUMMARY

- 1.1 Planning permission is sought, via a hybrid application, for the redevelopment of this site with a 14,799 sqm office building in place of the existing Statesman House, which comprises the Full element of the application, together with a further office building of 9,631 sqm and a block of 125 flats in place of Braywick Gate, which comprises the outline element of the application. Both existing buildings are in office use with Statesman House being vacant. Vehicular access is provided off of Stafferton Way via an existing priority-controlled T-junction. A mini-roundabout junction arrangement has been designed for this location and demonstrated to operate with substantial capacity and could be implemented if required when Office Building B and Residential Building C are delivered with the need for such improvements to be determined as part of the proposed legal agreement.
- 1.2 The north-eastern portion of the site includes Allocated Site AL12 – Land to east of Braywick Gate, Braywick Road.
- 1.3 The proposed redevelopment of the site is considered to comply with policies ED1 and ED2 of the Borough Local Plan (BLP) and the residential element proposed in building C is considered to accord with the majority of the requirements of Allocated Site AL12 as listed in the BLP. Consequently, the principle of the proposed redevelopment is considered to be acceptable.
- 1.4 The design, scale, height and massing of the proposed development is considered acceptable in this instance having regard to the development plan and emerging evidence-based documents and in paying particular attention to the site's location as a gateway into the town centre from the south. The evolving nature of Maidenhead Town Centre, which is seeing a greater number of tall buildings and larger scale development, is also a material consideration in this regard.
- 1.5 Connectivity will be enhanced by improving the route along the northern boundary, creating a route through the development that works with the complex site levels to provide step-free access; and, enhancing the existing pavement routes along Braywick Road, and providing an 'arrival space' in the southwest corner of the site to relate both to the entrance to Building 'A' and to the east-west route connecting through the site.

- 1.6 It is considered that the proposed development would significantly improve the public realm on the site, providing an active relationship with the adjacent public realm and active frontages at key visual anchor points within the site, encouraging movement through the site and use of the areas with public access.
- 1.7 The neighbouring residential properties to the site are all located across busy roads. Despite the height and scale of the development, it has been concluded that there would be limited impact on neighbouring occupiers as a result of distances to habitable windows. A daylight and sunlight assessment has been submitted with the application which indicates that most windows in nearby residential properties meet the BRE criteria. Those rooms that fail to meet the guidelines are not living rooms (which are important habitable areas). In addition, this is a Town Centre Fringe location and so it is considered reasonable to apply the BRE guidelines more flexibly for such an environment in accordance with the guidance in the NPPF.
- 1.8 A majority of the residential units in building C will be single aspect. Whilst this is recognised as not being ideal, the Development Specification commits to the residential units achieving appropriate light levels and following BRE guidelines and British Standards. Private amenity space will be provided to dwellings either through the use of recessed balconies, semi-recessed balconies, projecting balconies, roof gardens and/or extra net internal areas to homes with Juliette balconies. The Development Specification commits to the provision of a roof terrace for building B and building A is proposed to incorporate a roof terrace and also includes a number of other terraces and a front garden. This, along with the other public realm provisions, is considered to provide a suitable environment for future occupants of the site.
- 1.9 The proposed development complies with the objectives of Policy SP2 of the BLP and the Council's adopted Sustainable Design and Construction SPD (2009). The application was submitted prior to the publication of the Position Statement on Sustainability and Energy Efficient Design – March 2021 and is therefore not subject to its requirements.
- 1.10 The parking ratios for both the commercial and residential development are considered appropriate in this town centre fringe location, with occupants of the site being within easy walking distance from Maidenhead train station, which offers excellent rail links into London, and within close proximity to shops, restaurants and other amenities. The parking ratios are very similar to other recently approved Town Centre developments. No objections have been raised regarding impact on the highway network, access or traffic implications. The development will be subject to a Travel Plan, a S278 agreement and cycle/pedestrian and bus service route contributions to be secured by a Section 106 Agreement.
- 1.11 The application proposes the provision of on-site policy compliant affordable housing, to be secured by a S106 agreement.
- 1.12 The application has been accompanied by a robust landscaping scheme. The management and maintenance of these areas of public realm are subject to a maintenance scheme to be secured under the S106 agreement, along with their long-term management. The proposal would also secure biodiversity enhancements in the form of native species planting and installation of bird and bat boxes.
- 1.13 There are no outstanding issues with regard to air quality, noise or drainage.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of a S106 agreement to secure the following: - <ol style="list-style-type: none"> 1. On-site policy compliant affordable housing. 2. S278/38 agreement works. 3. Bus service route contribution. 4. Cycle and pedestrian contribution. 5. Travel Plans and monitoring fees. 6. Public access over non-adopted highways. 7. Waste collection contribution.

	8. Phasing scheme, delivery and management of public access and public realm.
2.	To refuse planning permission if an undertaking to secure the above has not been satisfactorily completed for the reason that the proposed development would not be accompanied by associated affordable housing and/or infrastructure improvements.

2. REASON FOR COMMITTEE DETERMINATION

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

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to two office buildings known as Statesman House (located in the southern portion of the site) and Braywick Gate (located in the western portion of the site). The site is 1.59 hectares and is bound by Stafferton Way to the South and Braywick Road to the west. To the north of the site is a well-used pedestrian/ cycle link with the railway line beyond. To the east is a large substation and Stafferton Way Multi Storey Car Park. The boundaries of the southern section of the site are bordered by a mix of trees including a group of poplars, willow and Monterey Cypress these trees provide some screening and softening of the existing buildings. Statesman House is vacant, and Braywick Gate is partly occupied.
- 3.2 The site is situated within a Town Centre Fringe location, as designated within the adopted Borough Local Plan (BLP). The BLP states, inter-alia, that *within the Town Centre Fringe proposals shall bring about a widespread series of small improvements which cumulatively improve the sustainability of the area by improving legibility and reinforcing existing sense of place and by realising opportunities to integrate better with the town centre.*
- 3.3 The north-eastern portion of the site comprises the Allocated Site AL12 – Land to east of Braywick Gate, Braywick Road. It comprises 0.47ha of the overall site area and the pro-forma has allocated it for approximately 50 residential units.
- 3.4 The railway line is located within close proximity, to the north of the application site. The site is situated within an Air Quality Management Area.
- 3.5 The levels across the site vary. Statesman House sits at a lower level than Stafferton Way. Braywick Gate sits fairly level with Braywick Road.
- 3.6 The two existing office buildings on site are 3 and 4 storeys in height. 342 car parking spaces are provided in the form of surface level parking and basement level parking.

4. KEY CONSTRAINTS

- 4.1 The key site designations and constraints are listed below:

Air Quality Management Area

Proximity to railway line

BLP Site Allocation AL12 – Land to east of Braywick Gate, Braywick Road

Settlement Area

Town Centre Fringe

5. THE PROPOSAL

- 5.1 The application is a hybrid application (part detailed, part outline) for a mixed-use development. The submitted planning statement sets out that the existing Braywick Gate building is part occupied and will not be vacated until 2026. As a result, the proposed redevelopment of Braywick Gate and the adjacent surface car park is submitted in outline to provide the necessary flexibility for the detailed design of this element of the scheme to come forward at a later date.

Detailed application

- 5.2 The detailed application is for a new office building on the southern part of the application site, following the demolition of the office building (Statesman House). The building would be 8 storeys in height, including a lower ground and ground floor and would provide 14,368 square metres of internal floorspace. The building would have a maximum height of 33.8m when measured from (the lowest) ground level to the east of the building and 30.2m when measured from (the highest) ground level to the west of the building. Car parking would be provided at lower ground floor level. 141 car parking spaces would be provided for this building including 7 disabled spaces.
- 5.3 Trees along the southern boundary of the site would be removed to accommodate this new building. Drawing 1242-202 Revision P4 shows new landscaping/trees to be planted on this southern boundary.
- 5.4 The building would be finished in bricks of a grey colour, with a patterned design. Pages 107-113 of the Design and Access Statement provides more details regarding the proposed materials for building A.

Outline application

- 5.5 The outline application relates to the northern part of the site, where two new buildings would be constructed following the demolition of Braywick Gate. The outline application is submitted with all matters reserved (this includes scale, appearance, layout, access, and landscaping). However, parameter plans, and a development specification have been submitted which would inform future reserved matters application(s). Between buildings B and C is an area known as 'the Street', which would link the south-eastern part of the site to the footway to the north.
- 5.6 Office building B (in the western part of the site) would provide primarily office space and building C in the eastern part of the site would provide primarily residential floorspace. A flexible commercial use (use classes A1-A5, D1 and D2) would be provided across the lower and ground floor levels of both of these buildings. Generally, for any applications, the use classes in effect when the application was submitted will be used to determine it and the application was submitted prior to the introduction of Class E in 2020. The maximum floorspace to accommodate these uses would be 710 square metres (gross external area).
- 5.7 Building B would provide up to 9,000 square metres of office floorspace and building C would have up to 13,000 square metres of residential floorspace and would provide up to 125 residential units.
- 5.8 Parameter plans 3 and 10 set out the proposed maximum heights for these buildings. These buildings would have a height of up to 34 metres. The development specification sets out that office building B would be the equivalent of 7 storeys, plus plant level, and that building C (residential) would be equivalent to around 9 storeys plus plant level. Building C would be around the same height as office building A.
- 5.9 Two ground levels are referred to on the Parameter Plans which respond to the site's existing varied levels. The lower ground floor level refers to the internal street level of the site which connects to the northern footpath and the vehicular entrance at Stafferton Way. The upper ground floor level corresponds with Braywick Road. Undercroft car parking is to be provided at lower ground floor level accessed from the internal street. Parameter Plan 09 identifies that for Office Building B this access point would be to the south-east corner of the building. The plan also identifies that the access point to the undercroft parking to Residential Building C will be on

the south elevation. Within the proposed street, Parameter Plan 09 identifies an area for surface car parking. It is proposed that the number of car parking spaces for buildings B and C is determined at the Reserved Matters application stage in accordance with adopted parking standards at the time the reserved matters application is submitted. Parameter Plans 1 and 2 set minimum distances at lower ground level between buildings B and C of 18.0m, buildings B and A of 13.5m (16.5m at upper ground level and above) and between buildings C and A of 16.5m.

- 5.10 The applicants have advised that vacant possession of Braywick Gate is not achievable until 2026. As such, it has been agreed that a five year period for submission of Reserved Matters Applications will be provided should permission be forthcoming for this application, in line with Section 92(4) of the 1990 Act. This is reflected in proposed condition 2.

6. Planning history:

421594 - Office development. Approved 14.10.88

00/36249/FULL – Erection of four storey office block with 120 No. car parking spaces. – Braywick Gate. Approved 10.12.01.

20/00516/EIASCR - Request for Screening Opinion from the Council in accordance with Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (The 'EIA Regulations') (as amended) for a hybrid application for full detailed planning application for the demolition of existing building (Statesman House) and erection of an office (Class B1) building (Office A), including car and cycle parking, landscaping, public realm and associated works. Office A would provide 116,000sqft office (B1 use) floorspace; and outline planning application for the demolition of existing building (Braywick Gate) and erection of two buildings to provide for 73,000sqft office (Class B1) and 94,000sqft residential floorspace (Class C3) in addition to 5,500sqft flexible commercial floorspace (Class B1, A1 - A5, D1, D2), car and cycle parking, landscaping, public realm and associated works.- **Concluded an EIA was not required on the 3.03.20**

7 DEVELOPMENT PLAN

Borough Local Plan

- 7.1 The Borough's current adopted Local Plan comprises the Borough Local Plan adopted February 2022. The relevant policies are set out below:

Issue	Policy
Spatial Strategy	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and design of new development	QP3
Building height and tall buildings	QP3(a)
Housing development Sites	HO1
Housing Mix and Type	HO2
Affordable Housing	HO3
Manging Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2

Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP3
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Utilities	IF7

7.2 As noted above, part of the site falls within the BLP Site Allocation AL12 – Land to east of Braywick Gate, Braywick Road and reference is made to the associated Site Proforma below.

8. **MATERIAL PLANNING CONSIDERATIONS**

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

Section 2- Achieving Sustainable Development
 Section 4- Decision-making
 Section 5- Delivering a sufficient supply of homes
 Section 6- Building a strong competitive economy
 Section 7- Ensuring 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 the Natural Environment

8.2 Supplementary Planning Documents

- Borough Wide Design Guide SPD
- Sustainable Design and Construction SPD

More information on these documents can be found at:
[Planning guidance | Royal Borough of Windsor and Maidenhead \(rbwm.gov.uk\)](https://www.rbwm.gov.uk/planning-guidance)

Other Local Strategies or Publications

8.3 Other Strategies or publications material to the proposal are:

- RBWM Parking Strategy
- RBWM Corporate Plan
- RBWM Environment and Climate Strategy

9. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

65 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 6th July 2020, and the application was advertised in the Local Press on the 9th July 2020.

1 letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Future residents of the proposed development would have a poor outlook.	10.56
2.	The noise from the nearby railway line, and the electricity substation would cause unacceptable disturbance to future residents of this site.	10.75 – 10.77
3.	Residential use is unsuitable for this site, and an alternative use such as car parking would be preferable.	10.2 – 10.4

An ePetition has been submitted containing 57 signatures specifically raising perceived safety issues regarding the pedestrian crossing across Stafferton Way, just east of Greenfields. The petition references incidents involving vehicles and pedestrians on the crossing and seeks an upgrade to a traffic signal led crossing or to a raised table crossing with Belisha beacons and lighting to improve visibility. The petition also references a requirement to raise the crossing, introduce speed bumps on Stafferton Way and railings on the corners of Greenfields to protect pedestrians.

The impact of the proposed development on traffic generation around the site has been thoroughly assessed in the Transport Assessment submitted in support of the application, which in turn, has been interrogated by the Highway Authority and reported at 10.81 – 10.82 of this report below. As part of agreed off-site works

Consultees

Consultee	Comment	Where in the report this is considered
Highways	Project Centre has considered the proposed access, the traffic and transport information submitted in respect of the above proposal and is satisfied that the access arrangements identified in the TA have been designed in accordance with the Borough's current design standards and have been robustly evaluated in terms of highway capacity. Recommends the imposition of conditions.	10.78 – 10.92
Environment Agency	Initially objected to the application on the basis that it did not include adequate information to demonstrate that the risks of pollution posed to the water environment could be safely managed. On reviewing additional documentation submitted EA confirmed that it satisfactorily addressed earlier concerns. Confirmed no objection subject to the imposition of conditions.	10.95
Lead Local Flood Authority	Outline application may be granted permission. As for the Full application, planning permission may be granted subject to a suitably worded condition.	10.95
Tree Officer	This application would benefit from an increase in landscaping and tree planting on the frontage of the site and the retention of trees on the western boundary and in the north-western corner of the Braywick Gate Site. If this application is approved, recommend conditions to ensure suitable tree protection and landscaping.	10.59 – 10.62
Landscape officer	There are a large number of trees to be taken down for the development so the replacement tree	10.59 – 10.62

	<p>planting standard would need to account for this loss. Detailed hard and soft landscaping plans, schedules and specifications should be submitted. Sections of all hard and soft planting areas would need to be submitted prior to commencement. Tree specification details, tree pit details, root soil volumes required. Irrigation and maintenance details for landscaped areas would be required. A detailed 25-year landscape management plan would be required. Details of all the street furniture installation and maintenance should be submitted. All hard landscaping material samples should be submitted for approval. Details of all external lighting should be submitted for approval.</p>	
Environmental Protection	<p>Air Quality Based on the methodology used and the results of the assessment showing predicted NO₂, PM₁₀ and PM_{2.5} concentrations at all relevant receptors below the Air Quality Objectives, the conclusion of the assessment that the air quality impacts of the development proposal are considered to be not significant is acceptable. Details of measures to reduce the risk of dust complaints and exposure to elevated PM₁₀ concentrations during construction and demolition work have been included in Appendix A5 of the assessment. These measures shall be implemented in full during the construction phase. (Need to condition construction to be in accordance with appendix A5). Recommends a condition for a construction environment management plan.</p> <ul style="list-style-type: none"> ☐ The majority of the noise recorded during the unattended and attended sessions were from road traffic from Braywick Road. Road traffic noise from Stafferton Way was recorded lower than that of Braywick Road but included a greater number of HGVs. ☐ Detailed prediction of noise is dependent on the precise facade makeup such as that of glazed areas, ventilation systems etc and the acoustic characteristics of the proposed internal spaces. ☐ A specific calculated assessment is needed during the detailed design stage of the sound insulation of the building envelope to review whether the proposed solution is suitable to meet the guidelines for internal noise levels. A more detailed assessment is therefore needed as the design progresses. ☐ A building services & commercial unit plant has not been finalised and will need to be assessed. 	10.71 – 10.74
Council's Ecologist	Raises no objections subject to the imposition of appropriate conditions.	10.75 – 10.77
Conservation Officer	I have considered the above application and do not believe the proposals would harm the significance or	10.22

	setting of any local heritage assets.	
Network Rail	No objections, subject to the detailed design of the buildings in outline being acceptable, and subject to the imposition of conditions.	
Berkshire Archaeology	<p>The results of this study clearly laid out how past development has been significant and widespread across the proposal area, which will have had a severely negative impact on any archaeological material that may have been present at the site.</p> <p>Berkshire Archaeology is in agreement with the findings of this study and is therefore satisfied that there should be no further requirement for archaeological mitigation in regard to these development proposals.</p>	
Housing Enabling Officer	No objection, subject to the following tenure split. Social and affordable rent 20% 1-bed and 60% 2-bed, Shared ownership, 10% 1-bed and 10% 2-bed.	10.93 – 10.94

Others

Group	Comment	Where in the report this is considered
Maidenhead Civic Society	This is a landmark site on the main approach road from the M4 and the south. The existing office buildings are distinctive and relatively modern. It is assumed that the reconfiguration of the site and the demolition and rebuilding of the two existing offices is to increase the total office space and facilitate office parking (largely underground) within the new office structures. It is not clear that this is ecologically desirable in carbon footprint terms - but of course it does free up the existing surface parking lot as a site for development.	10.69 – 10.70
	In terms of height of the proposed offices the prevailing seven storeys is acceptable for the landmark location. In terms of bulk and mass the visual impact of the detailed schematic elevations of Statesman House (Building A) is more satisfactory and varied than the outline treatment indicated for Braywick Gate (Building B). The elevations indicated for Building B are uniform and blocklike and lacking in variety and indentation. The Residential Block C at 9 storeys is of similar height to the offices and the elevations are heavily balconied - which adds interest to the facades.	10.13 – 10.22
	Adequate parking provision is a key letting requirement for offices in Maidenhead - in spite of proximity to the railway station. Existing parking spaces for the two offices number 342, many of which are on the surface car park which is proposed as the site for the new residential block. The detailed application for Block A provides 141 spaces which are largely underground. This would appear to be satisfactory even for the increased office space. However, the outline proposal for office Block B - 49 spaces and residential Block C - 56 spaces is grossly inadequate. The Transport Statement indicates a RBWM requirement of 100 spaces for Block B and 70 spaces for Block C. In overall terms the total parking provision over the entire site has been reduced from 342 existing spaces to 310 - which is a	10.83 – 10.90

	<p>significant reduction considering the much greater intensity of development. However many parking spaces are provided the proportion of electric vehicle charging points should be greater than the proposed 10% if the switch away from fossil fuels is to be delivered.</p> <p>Whatever the landscaping, public realm and amenity space proposals have for planting, it is regrettable that 41 trees are to be lost across a site that does not have that many. More effort should be made to retain existing trees.</p> <p>It has to be queried whether Building C is a suitable location for a new residential block of 125 flats. In the Design and Access Statement it is referred to as being in danger of being a "left out space" in the Masterplan. It will be surrounded by office blocks to the south and west, the railway embankment to the north and an electricity substation and a multi storey car park to the east. Strategically RBWM needs to increase public parking capacity in the Stafferton Way area. The defunct Nene Overland site on Vicus Way is scheduled as a multi storey car park - which is largely unpopular with the residents of The Loftings. We would support a land swap or similar arrangement which we believe would be a better solution for the community by extending the existing MSCP westwards onto the site of Building C. The Vicus Way site could then be developed residentially. Furthermore, a pedestrian bridge link could then be constructed between the MSCP and Platform 1 of Maidenhead Station. We have long supported the idea of this safe and secure commuter facility.</p> <p>As it stands, we object to the proposal because of the inadequate parking provision across the scheme and the unsuitable location of Building C for residential development.</p>	<p>10.60</p> <p>10.45 – 10.58</p>
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of the development
- ii Design Considerations
- iii Impact on Neighbouring Amenity
- iv Provision of a Suitable Residential/Commercial Environment
- v Trees and Landscaping
- vi Ecology and Biodiversity Gains
- vii Sustainability and Energy
- viii Air Quality
- ix Noise

- x Transport
- xi Affordable Housing
- xii Drainage

Issue i- Principle of development

10.2 The Borough Local Plan allocates the north-eastern part of the application site (0.47 hectares) for approximately 50 residential units, under AL12 (Land to east of Braywick Gate, Braywick Road). The site-specific requirements for development in this allocation are:

- *Facilitate comprehensive re-development and effective place making in the town centre. This will include playing a key role in enhancing the attractiveness and safety of the environment in the Braywick Gate area*
- *Provide pedestrian/cycle connections to the external networks at all site boundaries*
- *Provision of vehicular access from Stafferton Way*
- *Create effective and attractive permeability through the site*
- *Provide a permeable layout with a mix of pedestrian and cycle linkages.*
- *Include high quality green and blue infrastructure in the form of internal courtyards, roof gardens and green walls and roofs*
- *Contribute to the enhancement of the existing footpath to the north of the site, through the provision of green boundary treatment, lighting active frontages and human scale high quality building design to enable sun and light access to the connection route*
- *Provide improvements to the quality of the public realm.*
- *Provide a high-quality design to enable the effective integration of the residential uses with the surrounding non-residential buildings. Buildings of inappropriate height, scale or mass that do not respect their surroundings and contextual scale will not be acceptable.*
- *Be designed sensitively to mitigate air and noise pollution*
- *Mitigate the loss of the car park facility through sustainable transport measures, including improving public transport links to educational facilities*
- *Provide 30% affordable housing*
- *Address surface water flooding issues and potential risks to groundwater*
- *Demonstrate the sustainable management of surface water runoff through the use of Sustainable Drainage Systems (SuDS) in line with policy and best practice; any proposed surface water discharge should be limited to greenfield runoff rates where feasible.*

10.3 Site allocation AL12 in the BLP includes the electricity sub-station located between the multi-storey car park and the surface-level car park which currently serves Braywick Gate; this is excluded from the application site area. Apart from the sub-station, AL12 is wholly included within the 'outline' application site area and also includes part of the proposed access to the north of proposed building A. The principle of residential development on this site has clearly been established via its allocation in the BLP; however, the number of dwelling units proposed is more than double the 50 units referenced in the pro-forma. The design, scale, massing and character implications of this are dealt with in the following sections of this report within the context of the Parameter Plans and written Development Specification.

10.4 With regard to the site-specific requirements, the following can be stated (bearing in mind that this element of the scheme has been submitted in outline, with all matters reserved, and informed by Parameter Plans and a Development Specification).

- The application is facilitating the comprehensive redevelopment of this site and would introduce 'The Street' with 24-hour occupation and natural surveillance. Parameter Plan 04 illustrates a commitment to active frontages at pavement level along the north and west boundaries of building C and Parameter Plan 07 shows publicly accessible areas to the north and west of building C.
- Access for pedestrians and cyclists will be gained from the shared vehicular access, as well as the site frontage on Braywick Road and Stafferton Way. Access will be via the shared footpath/ cycle

path (incorporating National Cycle Route 4) which passes immediately to the north and east of the site. The proposals include the widening of the footway/cycleway on the site boundary to 4.2m.

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The access off Braywick Road will be stopped-up to vehicular traffic and used solely for pedestrian access to the site.

- Cyclists and pedestrians are currently directed along the northern and eastern perimeters of the site along an unattractive footway/cycleway. The proposed scheme would improve this route and incorporate a new street with trees and groundcover planting linking the south-eastern entrance with an improved northern footway.
- The site will be permeable with the provision of the publicly accessible areas and footway/cycleway as described above.
- It is proposed that building C be provided with a podium level amenity space along the eastern flank of the building, with 'the street' running down its western flank.
- It is proposed that the northern footpath would be enhanced through planting and lighting and would provide a quality frontage to building C (and building B) and the podium level will incorporate a gradient down to the existing footpath.
- Public realm, amenity spaces and entrances would be overlooked, active, visible, safe and well lit.
- This part of the application is in outline form; however, the Parameter Plans and Design Framework provide a blueprint for the design/appearance of future reserved matters submissions.
- Permission is sought for car parking in-principle but the number of spaces to be provided is to be determined at the reserved matters stage in accordance with adopted standards at the time.
- The applicants have agreed to provide 30% affordable housing based on a tenure split of 45% social rent, 35% affordable rent and 20% shared ownership. The exact split of tenure across the unit mix would be determined as part of a reserved matters application.
- Matters relating to surface water drainage and SuDS are dealt with within this report below.

It is considered that the residential redevelopment of the outline element of this application would accord with the majority of the site-specific requirements of AL12 and would deliver the objectives of the policy.

- 10.5 The remainder of the application site is allocated as a Protected Employment Site and defined as part of a Business Area known as Stafferton Way. Policy ED2 of the BLP sets out that there should be nil net loss of commercial floorspace, and within business areas intensification of employment activity will be encouraged subject to the provision of appropriate infrastructure and safe access. It goes on to state that within Business Areas, development proposals that improve and upgrade the facilities available to support businesses will be supported.
- 10.6 The principle of office redevelopment is considered to be acceptable. The proposed scheme would provide 23,368 square metres of office floorspace compared to the 9,351 square metres that is currently provided on site. This would accord with policy ED1 of the BLP which encourages, amongst other things, appropriate intensification, redevelopment and upgrading of existing sites and premises in order to help meet the forecast demand for employment space over the plan period and to respond to modern business needs. Such redevelopment and intensification results in a more efficient use of this existing site, thereby supporting the desire in the BLP to meet the majority of the need for additional floorspace with only a small number of new allocations.
- 10.7 The office redevelopment element of these proposals is also in accord with the principles of section 6 of the NPPF (Building a strong, competitive economy). Paragraph 81 states, inter-alia, that *planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.* This proposal also makes as much use as possible of previously developed or 'brownfield' land, in accordance with section 11 of the NPPF (Making effective use of land).

- 10.8 The site as a whole is also located within the Maidenhead Town Centre Strategic Placemaking Area and is subject to policy QP1a of the BLP. Policy QP1a states that Maidenhead Town Centre will be renewed and enhanced through a combination of new developments, proactive management of change and support for community-led initiatives. This will deliver a modern, high quality, vibrant, accessible and adaptable centre. This will be achieved through making sure that development and change contains a mix of uses that contribute towards the creation of a high quality, successful and sustainable place, and promoting sustainable ways of living, working and overall activity. Development will be guided by a Town Centre Placemaking Supplementary Planning Document focused on the concept of the three distinct areas defined as the Town Centre Core, the Town Centre ring and the Town Centre Fringe. It then goes on to list what all new development will need to achieve. The site is located within the Town Centre Fringe wherein the policy states that proposals should bring about a widespread series of small improvements which cumulatively improve the sustainability of the area by improving legibility and reinforcing existing sense of place and by realising opportunities to integrate better with the town centre.
- 10.9 It is proposed that buildings B and C include up to 710 sq.m. GEA of flexible commercial uses across their lower ground and upper ground floors with the location of the same controlled by Parameter Plans 04 and 05. The planning statement asserts that this flexible floorspace would ensure that the development can adapt to market forces and provide ground floor space that supports the development, and that having these uses at this level will provide active frontages.
- 10.10 Policy TR6 of the BLP seeks to strengthen the role of Town Centres and states, inter-alia, at (6) that *outside the defined centres, retail development (including subdivision of existing retail units or widening the range of goods allowed to be sold) will be resisted unless: a. the proposal passes the sequential test, or b. is intended to meet a particular local need that occurs only in a specific location.*
- 10.11 The NPPF at paragraph 87 sets out that *'Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.* The planning statement sets out that the applicants are willing to accept a condition limiting the size of the units to ensure that none of them are anchor units, so that they serve the locality only, as opposed to directing trade away from the Primary Shopping Area. It is considered necessary to condition the size of the units for the commercial uses, so that they are small units that support the office and residential uses on site and would not compete with the main town centre uses within the town centre (condition 3). It is considered that these smaller units are required in connection with the main office and residential units proposed, rather than uses that would come forward in isolation on the site. As such it is considered the town centre Sequential Test is passed.
- 10.12 The proposals for Building C would accord with the majority of the site-specific requirements of Site Allocation AL12 and the office redevelopment would accord with policies ED1 and ED2 of the BLP. With regard to Policy QP1a of the BLP, it is considered that the proposals would achieve the objectives of improving the sustainability of the area by improving legibility and reinforcing the existing sense of place and the proposals would realise opportunities to integrate better with the town centre. As such, the principle of this proposed redevelopment is considered to be acceptable.

Issue ii- Design Considerations

Height

- 10.13 With regard to the proposed height of the buildings on site, the pro-forma for Allocated Site AL12, which covers residential building C, states that any proposed development should *provide a high-quality design to enable the effective integration of the residential uses with the surrounding non-residential buildings. Buildings of inappropriate height, scale or mass that do not respect their surroundings and contextual scale will not be acceptable.*

- 10.14 The overall policy context for the assessment of the appropriateness of the height of proposed development is provided by policy QP3a of the BLP. Local building heights or the context height on Braywick Road are around 4 to 5 (residential) storeys. The definition of a tall building in clause 4 of policy QP3a is *a building of more than 1.5 times the context height of the surrounding area or a minimum of 4 storeys in a 2 storey area.*
- 10.15 From the illustrative material, Building B (office) is proposed as 7 commercial storeys onto Braywick Road and Building C (residential) as up to 9 residential storeys. Building 'A' is up to 7 commercial storeys tall. All three buildings are therefore broadly up to 9 residential storeys in height, and 1.8 times the context height for the area. All three buildings are therefore defined as 'tall'.
- 10.16 QP3a goes on to state at (5) that *tall buildings are exceptional forms of development and will only be appropriate in a limited number of locations and circumstances. Large parts of the Royal Borough are unsuitable for tall buildings due to heritage, landscape and townscape character sensitivities. Other than in Maidenhead Town Centre, building heights of above 2.5 times the context height will not generally be appropriate.*
- 10.17 Policy QP3a goes on to state the following: -
- (7). In general, tall buildings will only be considered appropriate in areas with high public transport accessibility, a mix of uses and an existing or emerging urban character that can successfully assimilate the scale, height and level of activities of the proposed development.*
- (8). To be acceptable tall building proposals will need to be part of a comprehensive approach to development and placemaking and have a clear purpose. Proposals should demonstrate how as a landmark building (or cumulatively as part of a cluster of buildings) they will significantly enhance legibility and deliver significant regeneration benefits for the locality.*
- (9). Proposals for tall buildings must be of the highest quality of design and demonstrate how they will: a. be of a height, scale, mass and volume that are proportionate to the role, function and importance of the location in the wider context of the locality and the Royal Borough. b. enhance the character and distinctiveness of the area and respond appropriately to the local townscape character. c. not adversely affect sensitive townscapes and landscapes, detract from important landmarks, strategic and locally important views or key characteristics of the skyline. d. mitigate against and avoid harm to the significance of heritage assets and their settings. e. not prejudice future development potential of adjacent/neighbouring buildings or plots. f. avoid an overbearing impact or canyon effect on the street space and present a human scale of development at street level with active uses at ground floor level g. maintain adequate distance between buildings to protect the amenity of existing and future residents (including consideration of privacy, day and sun-lighting and outlook). h. provide high quality private and communal open space, play areas and public realm for occupants of the building. i. ensure the development does not adversely impact on the microclimate of the application site and the surrounding area. j. achieve innovative and sustainable building design, including maximising opportunities for biodiversity gain. (10). Further details and guidance on the application of this policy will be set out in a Building Height and Tall Buildings SPD.*
- 10.18 The precursor to the Tall Buildings SPD was the Tall Buildings Study which was published in October 2019. The Tall Buildings Study (2019) was an evidence-based document for the Borough Local Plan and comprised two documents: The Tall Buildings Strategy and the Tall Buildings Technical and Baseline Study. The aims of the Tall Buildings Study were to identify where tall buildings should be located within the Borough. The Study is still the most up-to-date townscape and character study specific to the Borough and is based on the NPPF and Historic England's Tall Buildings Advice Note. The public consultation on the emerging Tall Buildings SPD has been approved by Cabinet and this document is not yet formally adopted to be afforded full weight in decision making. no. This document does however indicate that the application site area, identified as site LM6, can accommodate an increased context height of 5 storeys with a 'Lower' Local Landmark Building of up to 25.0m in height (equivalent of 8 residential storeys). It is stated in the draft SPD that *'The role of this landmark is to enhance legibility of the gateway, to*

mark the potential urban expansion area of the town and increase density in a highly sustainable location near the station.'

10.19 This report has already established that from the illustrative material, Building B (office) is proposed as 7 commercial storeys onto Braywick Road and Building C (residential) as up to 9 residential storeys. Building 'A' is up to 7 commercial storeys tall. All three buildings are therefore broadly up to 9 residential storeys in height, 1.8 times the context height for the area and taller than the 8 residential storeys identified on site LM6 of the Tall Buildings SPD.

10.20 It is considered that the acceptability or otherwise of the height of the proposed development should primarily be assessed under adopted development plan policy, i.e., policy QP3a of the BLP and specifically Clauses 4-9 of that policy. The draft Tall Buildings SPD is a material consideration in this assessment. The site is located in the Town Centre South area of the SPD, which states the following: -

This area offers a longer-term opportunity for intensification with mixed use town centre uses in close proximity to the station and the town centre. It lends itself for the establishment of a new urban quarter with town centre scale street blocks.

Height can increase to 5 storeys to support the intensification of the town centre. To the south of Stafferton Way heights should step down to 4 storeys.

In this area is an opportunity for a local landmark (LM6) to mark the southern gateway into the town centre on Braywick Road. The role of this landmark is to enhance legibility of the gateway, to mark this potential urban expansion area of the town and increase density in a highly sustainable location near the station.

The tall building height to be up to 25m (equivalent of 8 residential storeys) and to address gateway.

All three proposed buildings would be taller than the maximum height recommended for the local landmark building with Building A measuring between 30.2m and 33.8m.

10.21 With regard to QP3a, the buildings would be below 2.5 times the context height (clause 5) and the location, being in close proximity to Maidenhead Station, is in an area with high public transport accessibility (clause 7). The illustrative material shows the three buildings working well together to create a coherent 'campus' – i.e., a development with its own identifiable character. The massing of the office buildings, with steps down and setbacks, introduces complexity to the built form that moderates their scale and bulk and acknowledges the prominent south-west corner (clause 8).

10.22 Building A is the only building subject to detailed permission. Blocks B and C are subject to outline planning permission. Parameter plans and a Development Specification have been submitted and would guide the detailed design of buildings B and C for the future reserved matters applications. A condition would need to be imposed to ensure any future reserved matters application follows the parameter plans and development specification (condition 53). The Conservation Officer has confirmed that the proposals would not harm the significance or setting of any local heritage assets (clause 9). Other elements of clause 9 are picked up below. It is considered that the proposals would perform the role of providing a local landmark to mark the southern gateway into the town centre on Braywick Road. A similar scheme for a landmark development on the eastern gateway into the town centre at Moorbridge Court was recently granted permission. This landmark building extends up to 10 residential storeys in height (31m). The proposals would successfully enhance the legibility of this southern gateway and consequently the height of the development is considered, on balance, to be acceptable.

Layout and Connectivity

10.23 Policy QP1a of the BLP states, inter-alia, that within each of these three distinct areas (of which this is Town Centre Fringe) all new development will need to: (d) *improve gateways, arrival points and key transport routes and facilitate easier movement in and around the Town Centre for all modes of transport, including reconnecting the Town Centre with its neighbouring areas.* It also

states that development should (g) *create a safe, accessible and attractive environment for the community and visitors alike*. Policy QP3 of the BLP states that development should, inter-alia, (d) *deliver easy and safe access and movement for pedestrians, cyclists, cars and service vehicles, maximising the use of sustainable modes of transport where possible*; and at (g) *create safe, accessible places where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Well connected, attractive, legible places with strong active frontages will be expected*.

10.24 The application site is not currently easily accessed by pedestrians or cyclists. There is an east-west public route running along the northern boundary of the site, which is used by pedestrians and cyclists despite its uninviting appearance and lack of overlooking. This turns southwards outside of the application site area, running between the sub-station and multi-storey car park to connect with the road access to Stafferton Way. There is an opportunity to improve pedestrian and cycle connections through the redevelopment of the site. The proposals respond positively to this opportunity by:

- Improving the route along the northern boundary,
- Creating a route through the development that works with the complex site levels to provide step-free access; and,
- Enhancing the existing pavement routes along Braywick Road and providing an 'arrival space' in the southwest corner of the site to relate both to the entrance to Building 'A' and to the east-west route connecting through the site.

10.25 Much of the public realm is submitted in outline, and so only the principles of the location of these routes are embedded within the application itself. Illustrations in the Design and Access statement give an indication of the potential character and quality of the connections, which would accord with the requirements of policies QP1a and QP3.

10.26 The proposed layout of the buildings not only improves connectivity, but it also responds positively to requirements for a 'gateway' to the town centre. The existing buildings are set back from the adjacent roads, and the south-west corner is particularly weak as a somewhat 'left over' space of little value to occupants of the existing buildings as it is exposed to the adjacent roads. The proposed buildings are brought forward to better define the adjacent roads and the south-west corner in particular via the siting of building A. This approach encloses and defines a new network of public realm away from the major roads.

Quality of Public Realm

10.27 Policy QP1a (g) states that new development will need to *support the delivery of a coordinated programme of investment in the public realm and local infrastructure and structured environmental improvements* and one of the site-specific requirements of AL12 is to *provide improvements to the quality of the public realm*.

10.28 The quality of the public realm is dependent on three aspects working positively together:

- Daylight and sunlight to the space,
- The interaction of the building edges defining and enclosing the space, especially in terms of active or blank edges; and
- The quality of the landscape and detailing.

10.29 It is proposed to improve the public realm along Braywick Road and Stafferton Way with new planting, including the planting of large-scale street trees and hard surfacing. A new street with associated street trees and groundcover planting is proposed through the Site linking the south-eastern entrance with an improved northern footway.

10.30 An approximate level of 28-29m AOD runs along the west boundary on Braywick Road and forms the ground floor level to the existing buildings. The levels around the site fall towards the east along the site's northern and southern boundaries to an approximate level of 26m AOD at the

eastern boundary of the site. This level forms the lower ground floor parking to Statesman House and to Braywick Gate. The open parking area in the north-east part of the site also has a level of around 26m AOD. The sub-station and MSCP further east of the site are slightly lower at around 26-25m AOD. The proposals seek to respond to these changing ground levels to provide level access points to the site and to provide undercroft parking so that ground floor public realm is car free for the enjoyment of its users. It is proposed that seating and rest points be provided within the public realm.

- 10.31 The Development Specification Addendum and Parameter Plans set out the design guidelines which provide a framework of principles that will inform and guide the Reserved Matters applications. This includes principles for public realm. Parameter Plans 04 and 05 show a commitment to active frontages across the north elevation of building B and the north-west and much of the west elevation of building C on the lower ground floor, and the north elevation and the south-west corner of building B at upper ground floor level. This is intended to provide activity through pedestrian movement to entry/exit points of building uses and/or with views into ground floor uses that animate the public realm. The active frontage on the southwest corner of building B will create activity at a key visual anchor point on approach to the site from Braywick Road and will create an active relationship with the adjacent public realm. Likewise, the active frontage across the north of building B on the same level as the north pedestrian route will create activity at a key visual anchor point on approach from the station and from the north-west. This active frontage will have a relationship with the adjacent public realm on the north pedestrian route and will relate to the placement of the active frontage on the northwest corner of building C. The public realm along the western frontage of Office Building B shall create a protected route with places to sit and relax and provide a green outlook for the office space.
- 10.32 The Development Specification also states that public realm, amenity spaces and entrances are to be overlooked, active, visible, safe and well lit. All ground level frontages shall be of high visual quality material and sensitively incorporate required servicing and plant. Wayfinding strategies shall ensure visitors can adequately understand the space and navigate their way through the public realm to their chosen destination.
- 10.33 Office building A is proposed to incorporate a number of terraces and a frontage garden on its south elevation together with a roof terrace on its western end. These would contribute to the public realm in views from Stafferton Way and Braywick Road. Building A would also incorporate an 'arrival square' on its southwest corner, which is proposed to form the main arrival space for the office buildings. It will incorporate a circular natural stone feature, providing a place to meet and integrating the site with the wider public realm.
- 10.34 It is considered that the proposed development would significantly improve the public realm on and in the vicinity of the site, providing an active relationship with the adjacent public realm and active frontages at key visual anchor points within the site, encouraging movement through the site and use of the areas with public access.

Architectural Design and Detailing

- 10.35 Policy QP3 of the BLP (Character and Design of New Development) states that development should: -
- b. Respect and enhance the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features, enclosure and materials.*
- e. Respect and retain existing high quality townscapes and landscapes and help create attractive new townscapes and landscapes.*
- h. Incorporate interesting frontages and design details to provide visual interest, particularly at pedestrian level.*

- 10.36 The architectural approach to Building 'A' results in a low-key, high-quality level of architecture using robust materials and detailing that are likely to age well. The articulation of the façade to provide strong recesses for the glazing from the brick frame is welcome, as this gives depth to the elevation. Building 'A' provides a strongly articulated main entrance onto the south-west corner of the site, and positive edges (albeit above an undercroft car park) around most of the perimeter, with views into and out of the buildings.
- 10.37 Buildings B and C are the subject of the outline element of this submission with all matters reserved for later approval. The appearance of these buildings is the subject of a set of design guidelines contained within the submitted Development Specification and informed by the Parameter Plans, which seek to establish design principles to be applied at the reserved matters stage. It is intended that the Parameter Plans and Design Specification provides appropriate design guidance to assist in both the design of the Reserved Matter(s) applications and their assessment by planning officers.

Issue iii- Impact on Neighbouring Amenity

- 10.38 There are no residential properties adjoining the application site. However, the scheme is for large scale buildings and so the impact on residential properties on the opposite side of Stafferton Way and Braywick Road needs to be considered.
- 10.39 Policy QP3 (Character and Design of New Development) of the BLP states at: -
- (m) that development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.*
- 10.40 The NPPF (2021) advocates at paragraph 125 (c) a flexible application of the daylight and sunlight targets in urban environments. The majority of residential neighbouring properties assessed will fully meet the BRE criteria for daylight Vertical Sky Component (VSC) and No sky line (NSL) and all properties will meet the BRE criteria for sunlight Annual Probable Hours of Sunlight (APSH).
- 10.41 Of the buildings that do not meet the BRE criteria, Dorset and Hampshire Lodge (to the west of the site on the opposite side of Braywick Road) fall marginally short of the BRE criteria for VSC in terms of both relative reductions and retained levels. For NSL, the only rooms that do not meet the BRE criteria are 'less sensitive' bedrooms or small kitchens whereas the main living rooms away from the site all meet the criteria.
- 10.42 A handful of bedrooms within 132-134 Greenfields experience some reductions that slightly exceed the BRE criteria for the NSL form of daylight assessment. However, each of the main living rooms will meet the BRE criteria and so an overall good standard of accommodation will be maintained.
- 10.43 The remaining property is 7 Braywick Road. Two heavily overhung windows do not meet the BRE criteria for VSC. Given these windows are already heavily obstructed, relatively small reductions in VSC cause relative reductions to exceed the BRE criteria. The assessment sets out that the existing overhang to number 7 is the main factor in the relative loss of light, rather than the scale of the development. Furthermore, all rooms meet the BRE criteria for NSL even when considering the effect of the overhang.
- 10.44 Overall, the majority of windows in nearby residential properties meet the BRE criteria. Those rooms that fail to meet the guidelines are not living rooms (which are important habitable areas). In addition, this is a Town Centre Fringe location and so it is considered reasonable to apply the BRE guidelines more flexibly for such an environment in accordance with the guidance in the NPPF.

Issue iv- Provision of a Suitable Residential/Commercial Environment

10.45 Policy QP3 of the BLP requires development to achieve the following principles: -

(g) Create safe, accessible places where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Well connected, attractive, legible places with strong active frontages will be expected.

(l) Provide sufficient levels of high quality private and public amenity space.

10.46 Paragraph 130 (f) of the NPPF sets out that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10.47 The Development Specification for the outline element of the proposal's states that *public realm, amenity spaces and entrances are to be overlooked, active, visible, safe and well lit. All ground level frontages should be of high visual quality material and sensitively incorporate required servicing and plant.* Building A, the subject of the Full application, includes an active frontage onto Stafferton Way with a number of terraces and frontage gardens providing natural surveillance. It also incorporates the 'arrival square' on its southwest corner.

10.48 Section 8 of the Borough Wide Design Guide SPD is a material consideration to the determination of the application.

10.49 Principle 8.2 of the Design guide sets out that all habitable rooms in new residential development should *maintain at least one main window with an adequate outlook to external spaces. In order to maintain visual interest and light the outlook should be attractive and not dominated by overbearing or visually intrusive man-made features such as blank walls, fences or parked cars.*

10.50 Principle 8.3 of the Design guide sets out that:

1. The occupants of new dwellings should be provided with good quality daylight and sun access levels to habitable internal rooms and external spaces.

2. Dual aspect dwellings are strongly encouraged. Where single aspect dwellings are proposed, developers should demonstrate how good levels of ventilation, daylight and sun access will be provided to habitable spaces. Single aspect residential units that are north facing should be avoided.

3. New public realm social focal point spaces should be provided with direct sunlight for a good part of the day in the period between 1st April and 30th September.

4. Developments should not result in occupants of neighbouring dwellings or nearby public realm social spaces suffering from a material loss of daylight and sun access.

10.51 Principle 8.5 of the Borough Wide Design Guide sets out that flatted developments will be expected to provide high quality private outdoor amenity space for each unit. The SPD further states that unless conservation, privacy or heritage issues negate against the use of balconies, all flats above ground floor should be provided with balconies which:

a. Are a minimum of 2m deep and are wider than their depth;

b. Provide a minimum floor area of 5 sqm metres for 1-2 person homes and an extra 1 sqm for each additional occupant;

c. Provide for privacy;

d. Are not overshadowed and have good access to sunlight;

e. Have a good outlook;

f. Are well related to internal accommodation;

g. Be well related to the architecture of the building on which they are placed.

10.52 Principle 8.6 of the Design guide sets out standards for the amount of communal outdoor space to be provided for flats. It states that *a minimum of 10 sqm of communal outdoor amenity space per flat must be provided*. It goes on to state that:

Communal outdoor amenity space will be expected to be:

- a. Connected to the building;*
- b. Easily accessible to all residents;*
- c. Screened from public view;*
- d. Quiet and free of vehicles;*
- e. Located to receive sunlight for a substantial part of the day and to have a good microclimate;*
- f. Actively overlooked to provide surveillance and security;*
- g. Dominated by planting; and*
- h. Allow for sustainable tree planting.*

10.53 With regard to the amenity space for future occupiers of the residential block, as set out previously this is subject to outline permission with all matters reserved; however, the Development Specification provides more detail surrounding the quality of environment that future occupiers of the flats would have.

The development specification states:

'Private amenity space will be provided to dwellings either through the use of recessed balconies, semi-recessed balconies, projecting balconies, roof gardens and/or extra net internal area to homes with Juliette balconies; the design rationale being addressed through Reserved Matters.'

10.54 A private residential amenity garden is proposed at upper ground level (or podium level) over undercroft parking as illustrated on Parameter Plan 07 with an area of approximately 1,100 sqm. The Development Specification also commits to the provision of a roof terrace on block C (residential).

10.55 With regard to an assessment on the adequacy of daylight provision, as the proposed residential block is part of the outline submission, with all matters reserved, the internal layout of the flats within the building is not known. However, owing to the length and depth of block C, a majority of residential units would be single aspect. Principle 8.3 of the Adopted Borough Wide Design Guide sets out that 'dual aspect dwellings are strongly encouraged. Where single aspect dwellings are proposed, developers should demonstrate how good levels of ventilation, daylight and sun access will be provided to habitable spaces. Single aspect residential units that are north facing should be avoided.'

10.56 Single aspect units are not ideal. However, the Development Specification commits to the residential units achieving appropriate light levels and following BRE guidelines and British Standards. A future reserved matters application will need to demonstrate how the BRE guidelines and British standards will be met. The applicants have produced an illustrative layout, including façade design, window size and balcony positions which demonstrates that good daylight levels could be achieved from the Vertical Sky Component (VSC) levels applied. It has therefore been established that a flatted development could be provided within building C, in accordance with the Parameter Plans and the Development Specification, that would provide good daylight levels and result in an acceptable residential environment. Compliance with the Parameter Plans and Development Specification would form the subject of a suitably worded condition should permission be forthcoming for the proposed development (condition 53).

10.57 Principle 8.7 of the Borough Wide Design Guide relates to outdoor amenity space for new employment development, and it sets out that high quality amenity space should be provided for all office space over 1000 square metres. This report has already described the proposed public realm elements of this scheme and in addition, the Development Specification commits to provide a roof terrace on building B covering the full width of the building and a minimum 3m deep at the southern end of the top accommodation level. Building A incorporates a similar roof terrace and also includes a number of terraces and a frontage garden.

10.58 Overall it is concluded that the proposals would accord with policy QP3 of the BLP and would provide a suitable residential and commercial environment for future occupants of the site.

Issue V Trees & Landscaping

10.59 Policy QP1a of the BLP states, inter-alia, that new development will need to:

e. Contribute towards establishing a strong green infrastructure network, including improved access to current open spaces, introducing new public spaces, and maximising opportunities to green the urban environment.

Policy QP3 of the BLP states that a development proposal will be considered high quality design and acceptable where it achieves the following design principles:

j. Protects trees and vegetation worthy of retention and includes comprehensive green and blue infrastructure schemes that are integrated into proposals; and,

k. Provides high quality soft and hard landscaping where appropriate.

10.60 The boundaries of the southern section of the site adjacent to Statesman House are bordered by a mix of trees including a group of poplars, willow and Monterey Cypress. These trees provide some screening and softening of the existing buildings and act to provide a green corridor leading into Maidenhead; however, they have structural defects, have been reduced in the past and are in a relatively poor condition. Due to the species and condition of these trees they are not considered a constraint on development. The existing car parking area to the north of the site is bordered by Norway maples with a few ash, sycamore and elder. These trees are also generally of poor form and could be replaced as part of any landscaping on this site. Overall, 41 out of 79 existing trees are proposed to be removed as a result of the development or for reasons of health and safety, and they are proposed to be replaced by 63 new trees.

10.61 A significant level of detail has been provided for the proposed landscaping associated with the detailed element of the scheme relating to building A. Parameter Plan 07 shows the areas in the outline portion of the site, around buildings B and C as 'zones for soft landscaping' and the Development Specification indicates an intention to provide street trees and ground cover planting through 'The Street'.

10.62 Subject to the imposition of appropriate conditions both the Landscape and Tree Officers are content for planning permission to be recommended and it is considered that the proposals are compliant with policies QP1a and QP3 of the BLP in this regard (conditions 5 – 8 inclusive).

Issue VI Ecology and Biodiversity

10.63 Policy NR2 of the BLP, amongst other things, expects development proposals to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value. Developments will be required to apply the mitigation hierarchy to avoid, mitigate or as a last resort compensate for any adverse biodiversity impacts, where unavoidable adverse impacts on habitats and biodiversity arise.

10.64 The application site currently comprises the two buildings, large areas of hard standing, scattered trees, amenity grassland and introduced scrub. The application is supported by a number of ecological reports which are referenced below.

10.65 The site is located within 2km of Chiltern Beechwoods Special Area of Conservation (SAC). There are no hydrological links to this site and given the nature of the development with ready access to alternative recreation sites in closer proximity, no recreational pressures are considered likely. The site also lies in proximity to Bray Meadows Site of Special Scientific Interest (SSSI), a number of Local Nature Reserves and Local Wildlife Sites. It is considered that as long as appropriate pollution prevention measures are put in place to avoid the risks of affecting the sites during construction, no impact would result from the development. This can be provided in the form of a Construction Environmental Management Plan (CEMP: Biodiversity) to

be secured via planning conditions (which is referenced in the Preliminary Ecological Appraisal by WYG, February 2020 submitted in support of the application) (conditions 26-28).

- 10.66 Both buildings on site were assessed for their potential to support roosting bats in two Bat Surveys submitted in support of the application. No bats were recorded, and it was concluded that the buildings did not host roosting bats and that no further surveys were required. The trees and vegetation on site were recorded as having the potential to support foraging and commuting bats. The proposals have the potential to result in an increase in light pollution at the site and given that some bat activity was discovered during the surveys any new external lighting can be controlled by condition to ensure that it would not adversely affect bats or other wildlife.
- 10.67 The preliminary ecological appraisal report states that the application site contains two species of cotoneaster, which are an invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 and are easily spread. To prevent further spread of these plants as a result of construction works an informative is recommended to be added to any decision notice to advise its eradication from the site in line with the invasive species method statement submitted in support of the application (WYG, March 2020) (Informative 3).
- 10.68 In line with paragraph 180 of the NPPF (2021) and policy NR2 of the Borough Local Plan, opportunities for wildlife should be incorporated into the development in order to ensure a net gain in biodiversity at the site. The Ecology Report (WYG 2020) submitted in support of the application includes biodiversity net gain assessments for both the outline and full elements of the application. These assessments conclude that as long as the development is undertaken in line with the landscape masterplan and planting plan, the development will provide a net gain in habitat units. This includes tree planting, wildflower planting and a biodiverse green roof. In addition, the submitted Ecology Report has recommended additional biodiversity enhancements such as the installation of bird boxes (for swifts, sparrows and starlings) and bat boxes/bricks. These biodiversity enhancements can be further detailed in a biodiversity management plan and secured by conditions (conditions 39 - 41).

Issue vii Sustainability and Energy

- 10.69 New development is expected to demonstrate how it has incorporated sustainable principles into the development including, construction techniques, renewable energy, green infrastructure and carbon reduction technologies as set out in Policy SP2 of the BLP that requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. An energy and Sustainability Statement prepared by Burohappold Engineering dated March 2020 has been submitted in support of the planning application. This sets out an energy and sustainability strategy to be incorporated into the proposed development. It sets out the sustainable techniques incorporated into the proposed development, which includes passive design, insulation and natural ventilation to improve the efficiency of the proposed buildings. The Statement proposes a 10% carbon reduction over current building regulations based on the fabric performance of the proposed buildings and the provision of photo voltaic panels on parts of the roof of all buildings and heat pumps.
- 10.70 The proposed development is also designed to minimise pollution, be adaptable to climate change and also consider health and wellbeing as part of the development. On this basis the overall scheme is considered to sufficiently incorporate sustainable design techniques into the proposed development and complies with the objectives of Policy SP2 of the BLP and the Council's adopted Sustainable Design and Construction SPD (2009). The application was submitted prior to the publication of the Position Statement on Sustainability and Energy Efficient Design – March 2021 and is therefore not subject to its requirements.

Issue VIII Air Quality

- 10.71 The site is within the Maidenhead Air Quality Management Area. Paragraph 186 of the NPPF sets out that planning decisions should ensure that any new development in Air Quality Management Areas (AQMA) and Clean Air Zones is consistent with the local air quality action plan.

- 10.72 Based on the methodology used and the results of the air quality assessment (by Air Quality Consultants March 2020) showing predicted NO₂, PM₁₀ and PM_{2.5} concentrations at all relevant receptors below the Air Quality Objectives, the conclusions of the assessment are that the air quality impacts of the development proposals are considered to be not significant.
- 10.73 Details of measures to reduce the risk of dust complaints and exposure to elevated PM₁₀ concentrations during construction and demolition work have been included in Appendix A5 of the assessment. These measures must be implemented in full during the construction phase and will be subject of an appropriately worded condition (conditions 23 to 28 inclusive).
- 10.74 The proposals are therefore considered to accord with policy EP2 of the Borough Local Plan by satisfactorily demonstrating that they would not significantly affect residents within of adjacent to an AQMA or to residents being introduced by the development itself.

Issue ix Noise

- 10.75 Policy EP4 of the BLP makes it clear that development proposals should not be the recipients of unacceptable existing levels of noise. The site is located just to the south of the main railway line and is to the north-east of the busy junction of Braywick Road with Stafferton Way and, as such, is particularly sensitive to environmental noise from road and rail. Policy EP4 goes on to state that development proposals should consider the noise and quality of life impact on new occupiers ensuring that they will not be subject to unacceptable harm, and that, development proposals in areas significantly affected by aircraft, road or rail noise will be supported if the applicant can demonstrate via a noise impact assessment, effective mitigation measures. Policy EP4 also sets internal noise standards for noise sensitive developments.
- 10.76 The Site Specific Requirements for AL12, which includes residential building C, states that (10) the development will be required to be designed sensitively to mitigate air and noise pollution.
- 10.77 The conclusion of the Noise and Vibration Impact Assessment by Temple (April 2020) states that the noise assessments undertaken indicate that proposed internal noise levels in accordance with BS 8233 can be achieved through a practical design approach across all facades of all three buildings. Consequently, it can be concluded that subject to the imposition of appropriate conditions requiring the submission of details of sound insulation, double glazing and mechanical ventilation where required, the proposed development would accord with policy EP4 of the BLP (condition 29).

Issue x Transport

- 10.78 The site is located within a sustainable location, in close proximity to Maidenhead train station. Paragraph 110 of the NPPF sets out that:

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflect current national guidance, including the National Design Guide and the National Model Design Code, and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 10.79 Policy IF2 of the BLP requires new development to be located close to offices and employment, shops and local services and facilities and provide safe, convenient and sustainable modes of

transport as well as development proposals demonstrating how they have met a range of criteria including being designed to improve accessibility to public transport, to be located so as to reduce the need for vehicular movements and to provide cycle parking in accordance with the Parking Strategy. A Transport Assessment (TA) and Framework Travel Plan have been submitted by Stantec in support of the application (May 2020).

- 10.80 The overarching aim of policy IF2 is to maximise opportunities for and give priority to sustainable transport modes and the application site is in one of the most sustainable locations in the Borough. The application site is located within Maidenhead Town Centre, in walking distance of all local services and amenities. Pedestrian and cycle links run through the site and on into the town centre, and then continue to the south to Braywick Leisure Centre and beyond. Maidenhead Train Station is also within very close walking/ cycling distance from the site (approximately 250m to the north) providing direct links to London and Reading. CrossRail/The Elizabeth Line will improve the train times to London and strengthen the public transport links to Maidenhead Town Centre further still. The nearest bus stops are located on Braywick Road and Stafferton Way, approximately 160m from the site and provide access to regular bus services to Windsor, Binfield and Bracknell. Overall, it is considered that the highly accessible location will, in itself, reduce the need to travel and any such travel could be undertaken by sustainable modes of transport.
- 10.81 Indeed, the TA confirms that when compared to the extant use of the site the proposals will result in a net reduction of 29 and 25 two-way vehicle trips in the AM and PM peak hours respectively. The impact of the proposals on the local highway network has also been assessed and it has been determined and agreed by the Highways Authority that the proposals will not have a material impact on the operation of junctions within the vicinity of the site. As such the proposal accords with the NPPF (para 111), as it will not result in a severe impact on the road network.
- 10.82 The proposals will improve local infrastructure for existing and new pedestrians and cyclists by widening the footway/cycleway along the site's boundary on Braywick Road and Stafferton Way. Routes for cyclists and pedestrians will be provided through the site.

Car Parking

- 10.83 With regard to car parking provision, the Parking Strategy 2004 would place the site within an area of good accessibility due to its proximity to Maidenhead Railway Station. Consequently, the maximum parking standard for the office elements of the scheme would be 1 space per 100sqm and the residential 0.5 spaces per one-bed unit and 1 space per 2 to 3-bed unit. However, whilst the starting point for parking provision may be the Council's parking strategy, given that it was adopted in 2004, it needs to be determined how much weight should be attributed to this strategy. Furthermore, there will be other material considerations which the Council must take into consideration in this part of the assessment of the application.
- 10.84 Building A, for which full planning permission is sought, would comprise 14,799 sqm GFA of office accommodation, and in order to accord with the Parking Strategy would need to provide 148 parking spaces. The TA states that building A would be provided with 141 parking bays. The Parameter Plans for building B indicate a building of 9,631 sqm GFA and building C would provide up to 125 dwellings but with no indication of the number of bedrooms for each of the units. The TA states that 49 parking spaces would be provided for building B and 56 spaces for building C. This equates to a parking ratio for the development as a whole of approximately 1 space per 130sqm of office accommodation and 0.45 spaces per dwelling. Electric charging points will be provided on the basis of 10% active spaces and 10% passive spaces for Building A. The provision will be reviewed for Buildings B and C to account for adopted standards at the time.
- 10.85 In seeking to justify an under-provision of parking for the office accommodation as a whole when considered in the light of the Parking Strategy the applicants have referenced the example of The Landing development in the town centre, which proposed 1 space per 170 sqm. It goes on to state that the developer is seeking to balance practical provision, commercial demand and the Council's sustainable aspirations. Building A, which would be completed first, is intended to be provided with parking virtually up to standard. The TA then states that the increases in public

transport (including the Elizabeth Line), better integration of walking and cycling across the town and the change to town-centre apartment living will all be key drivers in dictating a reduction in the future use of the car, and that this would justify a reduction in car parking provision for building B.

10.86 With regard to residential building C the TA states that it has been established that the use of between 0.4 to 0.5 spaces per unit is appropriate and in line with the other recent residential town centre consents and the location of the development in relation to the railway station and town centre. An example of a recent previous permission is 20/01129/FULL for residential redevelopment at Moorbridge Court, where a provision of 0.5 spaces per unit was accepted for a site further from the railway station (beyond 800m). Other examples include York Road (18/0160/FULL) at approximately 0.41 spaces per unit (95 no. off-street parking spaces for 229 no. units) and The Landing (18/01756/FULL) with approximately 0.43 spaces per residential unit (the ratio is an average based on the range of units achievable through the outline permission). Furthermore, Census data for town centre areas with similar access to Maidenhead railway station show between 45 and 60% of households with access to a car with a similar trend towards reduced levels of car ownership in the town centre. This census data is a clear indication that the Council's 2004 parking standards are out of date.

10.87 In addition, since the Council's Parking standards were published, paragraph 108 of the NPPF (2021) now clarifies that:

'Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.'

10.88 In accordance with the NPPF, less weight can therefore be attributed to the 2004 Parking Strategy as it does not form part of the development Plan and is not wholly consistent with the NPPF (2021). Furthermore, the site is within a highly sustainable location and the Highway Authority have confirmed that the proposed parking provision is acceptable.

10.89 A submission of both a residential and commercial travel plan is an agreed requirement of the S106 Agreement. These would include a number of actions to support the applicant's initiatives to promote sustainable modes of transport. The implementation of the travel plans is supported by the Highway Authority.

10.90 In light of the foregoing, namely the limited weight to be placed on current car parking standards due to their date and inconsistency with the NPPF; the precedents set within the Town Centre by other developments with a similar or lower ratio of car parking, and the support of the scheme and the proposed car parking ratio by the Highways Authority, it is considered that the proposals are acceptable from a car parking perspective.

Cycling Provision

10.91 Facilities for cycling will be improved through the provision of improved and additional cycle paths through and around the site. The Highway Authority are not content with the design of the cycle parking for building A; however, suitable facilities can be secured via the imposition of an appropriately worded planning condition.

Refuse and Recycling

10.92 The proposed refuse collection and servicing will take place within the site curtilage. The overall refuse and servicing strategy for building A accords with Manual for Streets and is therefore considered acceptable. Buildings B and C will require a similar strategy as part of any subsequent reserved matters application.

Issue xi Affordable Housing

- 10.93 The applicants have confirmed that they intend to provide a policy compliant affordable housing offer on this site. This would comprise 30% of the total number of units with a tenure split of 45% social rent, 35% affordable rent and 20% shared ownership. As the housing element of this proposal is in outline the exact split of tenure across the unit mix would have to be determined as part of a reserved matters application and would be subject to the comments of the Housing Enabling Officer at that time. In total the development would provide 38 affordable housing units.
- 10.94 This offer is entirely in accordance with policy HO3 of the BLP.

Issue xii Drainage

- 10.95 The Environment Agency initially objected to this application because the applicant had not supplied adequate information to demonstrate that the risks of pollution posed to the water environment could be safely managed, contrary to paragraph 174 of the NPPF (2021). On reviewing additional documentation submitted the EA confirmed that it satisfactorily addressed earlier concerns and confirmed that they had no objection to the proposals subject to the imposition of an appropriate condition (condition 43). The Local Lead Flood Authority has also confirmed that they have no objection to the drainage elements of the application, subject to the imposition of an appropriate condition (condition 42).

11. PLANNING BALANCE AND CONCLUSION

- 11.1 The office element of the proposed development is considered to comply with policy ED1 of the BLP which encourages, amongst other things, appropriate intensification, redevelopment and upgrading of existing sites and premises in order to help meet the forecast demand for employment space over the plan period and to respond to modern business needs. This also accords with the principles of section 6 of the NPPF (Building a strong, competitive economy). The residential element of the proposals is considered to comply with the majority of the site-specific requirements of AL12.
- 11.2 A further significant benefit of the application is the provision of on-site policy-compliant affordable housing, which comprises 38 units, meeting a priority housing need in a central and accessible location in Maidenhead.
- 11.3 In design terms, it is considered that the proposals would perform the role of providing a local landmark to mark the southern gateway into the town centre on Braywick Road. The proposals would successfully enhance the legibility of this gateway and consequently the height of the development is considered to be acceptable.
- 11.4 The proposals would also improve connectivity both through and around the site by both pedestrians and cyclists and would significantly improve the public realm on and in the vicinity of the site, providing an active relationship with the adjacent public realm and active frontages at key visual anchor points within the site, encouraging movement through the site and use of the areas with public access.
- 11.5 There would be some limited impact in terms of loss of daylight to some non-living rooms of residential properties adjoining the application site; however, it is considered reasonable to apply the BRE guidelines more flexibly in a town centre fringe location.
- 11.6 Whilst the residential element of the scheme is in outline, it is clear that owing to the length and depth of block C, a majority of the residential units would be single aspect. It is recognised that this is not ideal; however, it has been established that a flatted development could be provided that would provide good daylight levels and result in an acceptable residential environment. Furthermore, the Parameter Plans and Development Specification indicate that good levels of private and communal amenity space can be provided in association with the residential development.
- 11.7 Overall it is considered that the limited impacts of granting planning permission, as described above, would be more than outweighed by the substantial benefits of providing additional housing, including policy compliant affordable housing, together with

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Block Plan
- Appendix C - North Elevation Office Building A
- Appendix D – South Elevation Office Building A

1 The development permitted in detail (as shown on the approved plans) shall be commenced within three years from the date of this permission.

The development permitted in outline (as shown on the approved plans) shall commence within two years from the date of approval of the last of the reserved matters.

Reason: In accordance with the requirements of Section 91 and 92 of the Town and Country Planning Act 1990 (as amended).

2 Reserved Matters Application(s) for the approval of the access, layout, scale, appearance and landscapings relating to the development permitted in outline, shall be made to the Local Planning Authority within five years of the date of this permission. These shall accord with the parameter plans as set out below in condition 53 and the Development Specification Addendum (September 2021).

Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

3 All lower ground and upper ground floor areas in Office Building B and Residential Building C to be used for purposes identified as 'flexible commercial uses' in Parameter Plans 04 and 05 shall only be occupied as either A1, A2, A3, A4, A5, or D1 or D2 uses as defined in The Town and Country Planning (Use Classes) Order 1987 (as amended) and each individual unit shall be no greater than 150sqm in gross floor area.

Notwithstanding the above, the authorised D2 use excludes the use of the 'commercial' units for the purposes of music and concert halls, bingo and dance halls, swimming baths and skating rinks without first having written permission from the Local Planning Authority.

Reason: To ensure that the use of these areas serve the locality only, as opposed to directing trade away from the Primary Shopping Area and to ensure that such uses would not impact on the residential amenity of existing and future occupiers. Policies TR6 and EP4 of the Borough Local Plan (2022) refer.

4 No development above the Ground Finish Floor Level of Office Building A hereby permitted in detail shall commence until details of the materials to be used on the external surfaces of that building have first been submitted to and approved in writing by the Local Planning Authority.

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

Reason: In the interests of the visual amenities of the area. Relevant Policies - Borough Local Plan Policy QP3.

5 No development above upper ground floor level of Office Building A hereby permitted in detail shall take place until details of hard and soft landscaping works (including walls, gates, street furniture and fences) have been first submitted to and approved in writing by the Local Planning Authority. This shall include a schedule of undertaking the proposed works including the new pedestrian and cycle routes and samples of all hard surfacing.

If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written permission to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies: Borough Local Plan Policies QP2, QP3 and NR3.

6 No tree shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any work be carried out to any retained tree other than in accordance with the approved

plans and particulars or without the written approval of the Local Planning Authority, until five years from the date of the final Reserved Matters permission. 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 same size and species, and shall be planted at such time as specified by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area. Relevant Policies: Borough Local Plan Policy NR3.

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

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policy: Borough Local Plan Policy NR3.

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

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policy: Borough Local Plan Policy NR3.

- 9 Prior to the commencement of any works of demolition or construction to facilitate the construction of Office Building A, a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period for the construction of Building A shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Borough Local Plan Policies EP1 and IF2.

- 10 Prior to the commencement of any works of demolition or construction to facilitate the construction of Office Building B, a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period for the construction of Building B shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Borough Local Plan Policies EP1 and IF2.

- 11 Prior to the commencement of any works of demolition or construction to facilitate the construction of Residential Building C, a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period for the construction of Building C shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies -

- Borough Local Plan Policies EP1 and IF2.
- 12 Prior to the commencement of any works to facilitate the construction of Office Building A, a management plan showing how construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period for the construction of Building A shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Borough Local Plan Policies EP1 and IF2.
- 13 Prior to the commencement of any works to facilitate the construction of Office Building B, a management plan showing how construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period for the construction of Building B shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Borough Local Plan Policies EP1 and IF2.
- 14 Prior to the commencement of any works to facilitate the construction of Residential Building C, a management plan showing how construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period for the construction of Building C shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Borough Local Plan Policies EP1 and IF2.
- 15 Prior to the commencement of the development hereby permitted in detail the applicant shall enter into a legal agreement with the Council under Section 38/278 of the Highways Act 1980 to provide for the construction of the highway improvement works on Braywick Road/Stafferton Way. The works shall thereafter be retained as approved.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Borough Local Plan Policies IF1 and IF2.
- 16 The existing accesses to the site of the development shall be cease to be used and abandoned immediately upon the new accesses for Office Building B being first brought into use. The footways and verge shall be reinstated before Building B is first occupied in accordance with the approved details.
Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies - Borough Local Plan Policy IF2.
- 17 No part of building Office A shall be occupied until vehicle parking and turning space to be used by the occupants of building A has been provided, surfaced and marked out in accordance with the approved drawings. This shall include the provision of 10% active and 10% passive charging spaces. The spaces approved shall be kept permanently available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies: Borough Local Plan Policies QP3 and IF2.
- 18 No part of Office Building B shall be occupied until vehicle parking and turning space to be used by the occupants of building B has been provided, surfaced and marked out in accordance with the details submitted under condition 2 of this planning permission. This shall include details of charging facilities for electric cars. The spaces approved shall be kept permanently available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies: Borough Local Plan Policies QP3 and IF2.
- 19 No part of Residential Building C shall be occupied until vehicle parking and turning space to be used by the occupants of building C has been provided, surfaced and marked out in accordance with the details submitted under condition 2 of this planning permission. This shall include details of charging facilities for electric cars. The spaces approved shall be kept permanently available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies: Borough Local Plan Policies QP3 and IF2.

20 No part of Office Building A shall be occupied until covered and secure cycle parking facilities have been provided for use by the occupants of Building A 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 Building A at all times.

Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Borough Local Plan Policy IF2.

21 No part of Office Building B shall be occupied until covered and secure cycle parking facilities have been provided for use by the occupants of Building B 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 Building B at all times.

Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Borough Local Plan Policy IF2.

22 No part of Residential Building C shall be occupied until covered and secure cycle parking facilities have been provided for use by the occupants of Building C 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 Building C at all times.

Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Borough Local Plan Policy IF2.

23 Prior to the commencement of any works or demolition to facilitate the construction of Office Building A, a Demolition Environmental Management Plan (phase specific or otherwise) shall be submitted to and 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. Thereafter the demolition shall be undertaken entirely in accordance with the approved plan.

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, wildlife and water quality), amenity of the area and for highway safety and convenience. Relevant Policies - Borough Local Plan Policies EP1, EP2, EP3.

24 Prior to the commencement of any works or demolition to facilitate the construction of Office Building B, a Demolition Environmental Management Plan (phase specific or otherwise) shall be submitted to and 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. Thereafter the demolition shall be undertaken entirely in accordance with the approved plan.

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, wildlife and water quality), amenity of the area and for highway safety and convenience. Relevant Policies - Borough Local Plan Policies EP1, EP2, EP3.

25 Prior to the commencement of any works or demolition to facilitate the construction of Residential Building C, a Demolition Environmental Management Plan (phase specific or otherwise) shall be submitted to and 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. Thereafter the demolition shall be undertaken entirely in accordance with the approved plan.

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, wildlife and water quality), amenity of the area and for highway safety and convenience. Relevant Policies - Borough Local Plan Policies EP1, EP2, EP3.

26 Prior to the construction of Building A a Construction Environmental Management Plan (a phase specific plan or otherwise), to facilitate the construction of Building A shall be submitted to and 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, site lighting and nearby habitats during construction. Thereafter the development shall be undertaken entirely in

accordance with the approved plan.

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, wildlife, water quality), amenity of the area and for highway safety and convenience. Relevant Policies - Borough Local Plan Policies EP1, EP2, EP3

- 27 Prior to the construction of Office Building B a Construction Environmental Management Plan (a phase specific plan or otherwise), to facilitate the construction of Building B shall be submitted to and 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, site lighting and nearby habitats during construction. Thereafter the development shall be undertaken entirely in accordance with the approved plan.

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, wildlife, water quality), amenity of the area and for highway safety and convenience. Relevant Policies - Borough Local Plan Policies EP1, EP2, EP3

- 28 Prior to the construction of Residential Building C a Construction Environmental Management Plan (a phase specific plan or otherwise), to facilitate the construction of Building C shall be submitted to and 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, site lighting and nearby habitats during construction. Thereafter the development shall be undertaken entirely in accordance with the approved plan.

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, wildlife, water quality), amenity of the area and for highway safety and convenience. Relevant Policies - Borough Local Plan Policies EP1, EP2, EP3

- 29 Prior to any works to the facade of Residential Building C hereby permitted, details of acoustic and noise attenuation measures for the relevant residential units shall be submitted to and approved in writing by the Local Planning Authority. This shall include any appropriate mitigation measures.

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

Reason: In the interests of the mutual amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies: Borough Local Plan Policy EP4.

- 30 Unless otherwise agreed by the Local Planning Authority, prior to the commencement of development on a phased basis of Buildings A, B and C, other than demolition to ground level (i.e. excluding the removal of floor slabs and below ground foundations), the applicant shall ensure compliance with conditions 1 to 4 below. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- as assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, adjoining land, groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments:
- an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme .A detailed remediation scheme to bring the site to a

condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting Unexpected Contamination In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of (x) years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Groundwater is particularly sensitive beneath the proposed development site as it is within a Source Protection Zone 2 and a principal aquifer. It must therefore be ensured that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution. Relevant Policy: paragraph 174 of the NPPF (2021) and Borough Local Plan Policy EP5.

31 Prior to the first occupation of Office Building A an external lighting scheme for that relevant building shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall accord with the recommendations contained in the Bat Survey Report by WYG, shall be implemented before the occupation of the relevant building and thereafter the lighting shall be operated in accordance with the approved scheme and maintained as operational.

The schemes shall include the following:

- i. The proposed design level of maintained average horizontal illuminance for the site.
- ii. The proposed vertical illumination that will be caused by lighting when measured at

windows of any properties in the vicinity

iii. The proposals to minimise or eliminate glare from the use of the lighting installation.

iv. The proposed hours of operation of the lighting.

Reason: To ensure the development contributes to the visual amenities of the area and in the interests of the amenity of future, and adjoining, occupiers of land and buildings and, to protect foraging and roosting bats. Relevant Policies - Borough Local Plan Policies EP3 and NR2.

- 32 Prior to the first occupation of Office Building B an external lighting scheme for that building shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall accord with the recommendations contained in the Bat Survey Report by WYG, shall be implemented before the occupation of the relevant building and thereafter the lighting shall be operated in accordance with the approved scheme and maintained as operational.

The schemes shall include the following:

i. The proposed design level of maintained average horizontal illuminance for the site.

ii. The proposed vertical illumination that will be caused by lighting when measured at windows of any properties in the vicinity

iii. The proposals to minimise or eliminate glare from the use of the lighting installation.

iv. The proposed hours of operation of the lighting.

Reason: To ensure the development contributes to the visual amenities of the area and in the interests of the amenity of future, and adjoining, occupiers of land and buildings and, to protect foraging and roosting bats. Relevant Policies - Borough Local Plan Policies EP3 and NR2.

- 33 Prior to the first occupation of Residential Building C an external lighting scheme for that building shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall accord with the recommendations contained in the Bat Survey Report by WYG, shall be implemented before the occupation of the relevant building and thereafter the lighting shall be operated in accordance with the approved scheme and maintained as operational.

The schemes shall include the following:

i. The proposed design level of maintained average horizontal illuminance for the site.

ii. The proposed vertical illumination that will be caused by lighting when measured at windows of any properties in the vicinity

iii. The proposals to minimise or eliminate glare from the use of the lighting installation.

iv. The proposed hours of operation of the lighting.

Reason: To ensure the development contributes to the visual amenities of the area and in the interests of the amenity of future, and adjoining, occupiers of land and buildings and, to protect foraging and roosting bats. Relevant Policies - Borough Local Plan Policies EP3 and NR2.

- 34 Prior to any works to the facade of Office Building A hereby permitted full details of measures to incorporate sustainable design and construction measures for Building A shall be submitted to and approved by the Local Planning Authority in writing. This should be based on the Energy Statement prepared by Burohappold Engineering dated 31st March 2020 as clarified by the additional comments received on 31st August 2022 or such other details as agreed in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: The aforementioned documents provide an indicative assessment of what measures will be incorporated into the proposal and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009), along with the National Planning Policy Framework . Relevant Policy - Borough Local Plan Policy SP2.

- 35 Prior to any works to the facade of Buildings B and C hereby permitted full details of measures to incorporate sustainable design and construction measures for Buildings B and C shall be submitted to and approved by the Local Planning Authority in writing. This should be based on the Energy Statement prepared by Burohappold Engineering dated 31st March 2020 as clarified by the additional comments received on 31st August 2022 or such other details as agreed in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

Reason: The aforementioned documents provide an indicative assessment of what measures will be incorporated into the proposal and to comply with Requirement 1 of the Royal Borough of

Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009), along with the National Planning Policy Framework . Relevant Policy - Borough Local Plan Policy SP2.

36 No part of Office Building A shall be occupied until the refuse strategy, refuse bin storage area, collection area and dedicated service parking area for the Borough refuse vehicle have been provided in accordance with the approved details. These facilities shall be kept available for use in association with Building A at all times.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Borough Local Plan Policy IF2.

37 No part of Building Office B shall be occupied until a refuse strategy, refuse bin storage area, collection area and dedicated service parking area for the Borough refuse vehicle have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with Building B at all times.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Borough Local Plan Policy IF2.

38 No part of Residential Building C shall be occupied until a refuse strategy, refuse bin storage area, collection area and dedicated service parking area for the Borough refuse vehicle have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with Building C at all times.

Reason: o ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Borough Local Plan Policy IF2.

39 The development of Office Building A shall be undertaken based on the measures set out in the Biodiversity Net Gain Assessment Reports for both the detailed and outline elements of the proposed development by WYG and dated May 2020 and in line with the approved Landscape Masterplan and Planting Plans. A schedule of undertaking showing when and how the proposed works and maintenance and management of these areas shall be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of Building. A

Reason: To ensure that wildlife is safeguarded and enhancements provided, and to incorporate biodiversity in and around the development. Relevant policy - Borough Local Plan Policy NR2.

40 The development of Office Building B shall be undertaken based on the measures set out in the Biodiversity Net Gain Assessment Reports for both the detailed and outline elements of the proposed development by WYG and dated May 2020 and in line with the approved Landscape Masterplan and Planting Plans. A schedule of undertaking showing when and how the proposed works and maintenance and management of these areas shall be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of Building B.

Reason: To ensure that wildlife is safeguarded and enhancements provided, and to incorporate biodiversity in and around the development. Relevant policy - Borough Local Plan Policy NR2.

41 The development of Residential Building C shall be undertaken based on the measures set out in the Biodiversity Net Gain Assessment Reports for both the detailed and outline elements of the proposed development by WYG and dated May 2020 and in line with the approved Landscape Masterplan and Planting Plans. A schedule of undertaking showing when and how the proposed works and maintenance and management of these areas shall be carried out shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of Building C.

Reason: To ensure that wildlife is safeguarded and enhancements provided, and to incorporate biodiversity in and around the development. Relevant policy - Borough Local Plan Policy NR2.

42 Prior to the commencement of development permitted in detail (other than demolition to ground level, ground works and enabling works including remediation) a surface water drainage scheme based on the principles set out in the Flood Risk Assessment and Drainage Strategy parts 1 to 13 by Hayne Tillett Steel dated 5th June 2020, shall be first submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.

- Supporting calculations confirming compliance with, the Non-statutory Standards for Sustainable Drainage, and the agreed discharge rate and the attenuation volumes to be provided. This should include the complete network model with time area diagrams and structures to be implemented for attenuation as part of the Surface water system.
- Detailed layout of how exceedance flows will be managed on site.
 - 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 (2021), its associated guidance 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. Borough Local Plan Policy IF7.

43 Prior to the occupation of Office Building A hereby permitted, information shall be submitted to and approved in writing by the Local Planning Authority that demonstrates that either:-

- All wastewater network upgrades required to accommodate the additional foul flows from the development have been completed; or,
- A infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. The infrastructure phasing plan will be implemented as agreed and no occupation of the relevant building shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The sewage treatment works and infrastructure have been identified in the RBWM Water Quality Impact Assessment (dated May 2019) as requiring upgrades between 2020 and 2030. In this instance network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional foul flows anticipated from the new development. Any necessary reinforcement works will be required in order to avoid sewer flooding and/or potential pollution incidents, to ensure the environment is not adversely affected by water pollution in accordance with paragraph 174 of the National Planning Policy Framework (2021) and Policy IF7 of the Borough Local Plan.

44 No development shall commence (excluding works of demolition) on Office Building A until details of all finished slab levels in relation to ground level (against OD Newlyn) for Building A have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of the visual amenities of the area. Relevant Policy: Borough Local Plan Policies QP3 and QP3a.

45 No development shall commence (excluding works of demolition) on Office Building B until details of all finished slab levels in relation to ground level (against OD Newlyn) for Building B have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of the visual amenities of the area. Relevant Policy: Borough Local Plan Policies QP3 and QP3a.

46 No development shall commence (excluding works of demolition) on Residential Building C until details of all finished slab levels in relation to ground level (against OD Newlyn) for Building C have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interest of the visual amenities of the area. Relevant Policy: Borough Local Plan Policies QP3 and QP3a.

47 No part of Office Building A shall be occupied until a detailed car parking management plan has been provided to set out how the car parking provision for Building A will be managed into the future. Additionally, it should set out how the car parking will remain secure to ensure the car parks are only utilised by the residents, occupants and visitors of the site.

Reason: To ensure that the car park is actively managed and provides adequate parking for only the residents of the site. Relevant Policies - Borough Local Plan Policy IF2.

48 No part of Office Building B shall be occupied until a detailed car parking management plan has been provided to set out how the car parking provision for Building B will be managed into the future. Additionally, it should set out how the car parking will remain secure to ensure the car parks are only utilised by the residents, occupants and visitors of the site.

Reason: To ensure that the car park is actively managed and provides adequate parking for only

the residents of the site. Relevant Policies - Borough Local Plan Policy IF2.

49 No part of Residential Building C shall be occupied until a detailed car parking management plan has been provided to set out how the car parking provision for Building C will be managed into the future. Additionally, it should set out how the car parking will remain secure to ensure the car parks are only utilised by the residents, occupants and visitors of the site.

Reason: To ensure that the car park is actively managed and provides adequate parking for only the residents of the site. Relevant Policies - Borough Local Plan Policy IF2.

50 Prior to any works to the facade of Office Building A, a strategy for the installation of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation or plant and machinery of a like kind in association with Building A shall be submitted to and approved by the Local Planning Authority in writing for the commercial floor space. The strategy shall ensure that any flue or ducting shall be fully integrated into the buildings hereby approved.

Prior to the installation of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation or plant and machinery of a like kind which shall accord with this approved strategy, details shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policy - Borough Local Plan Policies EP1 and EP4.

51 Prior to any works to the facade of Office Building B, a strategy for the installation of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation or plant and machinery of a like kind in association with Building B shall be submitted to and approved by the Local Planning Authority in writing for the commercial floor space. The strategy shall ensure that any flue or ducting shall be fully integrated into the buildings hereby approved.

Prior to the installation of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation or plant and machinery of a like kind which shall accord with this approved strategy, details shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policy - Borough Local Plan Policies EP1 and EP4.

52 Prior to any works to the facade of Residential Building C, a strategy for the installation of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation or plant and machinery of a like kind in association with Building C shall be submitted to and approved by the Local Planning Authority in writing for the commercial floor space. The strategy shall ensure that any flue or ducting shall be fully integrated into the buildings hereby approved.

Prior to the installation of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation or plant and machinery of a like kind which shall accord with this approved strategy, details shall first be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policy - Borough Local Plan Policies EP1 and EP4.

53 The applications for reserved matters of the outline application hereby approved (as set out by condition 2) shall accord with the following approved parameter plans, or such other plans as agreed in writing by the Local Planning Authority:

Plan 01-21611-AUK-22-XX-DR-A-07350-REV 2 received by the LPA on 25.06.2020

Plan 02-21611-AUK-22-XX-DR-A-07351-REV 2 received by the LPA on 25.06.2020

Plan 03-21611-AUK-22-XX-DR-A-07352-REV 3 received by the LPA on 13.08.2021

Plan 04-21611-AUK-22-XX-DR-A-07353-REV 3 received by the LPA on 13.08.2021

Plan 05-21611-AUK-22-XX-DR-A-07354-REV 3 received by the LPA on 13.08.2021

Plan 06-21611-AUK-22-XX-DR-A-07355-REV 2 received by the LPA on 25.06.2020

Plan 07-21611-AUK-22-XX-DR-A-07356-REV 2 received by the LPA on 25.06.2020

Plan 08-21611-AUK-22-XX-DR-A-07357-REV 2 received by the LPA on 25.06.2020

Plan 09-21611-AUK-22-XX-DR-A-07358-REV 2 received by the LPA on 25.06.2020

Plan 10-21611-AUK-22-XX-DR-A-07359-REV 4 received by the LPA on 13.08.2021

Reason: To accord with the requirements of Section 91 and 92 of the Town and Country Planning Act 1990 (as amended) and to reflect the development considered.

54 Deliveries by any vehicle used for commercial purposes shall only be made to or from Office Building A between the hours of 07:00 and 19:00 hours Monday to Fridays and between 07:00 and 13:00 hours Saturdays and at no time on Sundays or Bank or Public Holidays.

Reason: To protect the residential amenities of the area. Borough Local Plan Policies EP1 and EP3.

55 Details of phasing of demolition, ground or enabling works shall be submitted to the local planning authority and approved in writing, prior to the commencement of any demolition, ground or enabling works. The phasing of demolition, ground or enabling works shall proceed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the amenity of occupiers of adjoining land and buildings. Relevant Policy - Borough Local Plan Policies EP1 and EP4.

56 The development (excluding works of demolition, ground or enabling works) shall not commence before details of the phasing programme for the construction and completion of each phase and their related land, e.g. parking and amenity spaces have been submitted to and approved in writing by the local planning authority. The phasing of the development shall thereafter be carried out in accordance with the details thereby approved before occupation or use of any building or land within each phase unless a revised phasing programme is otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of adjoining land and buildings. Relevant Policy - Borough Local Plan Policies EP1 and EP4.

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

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

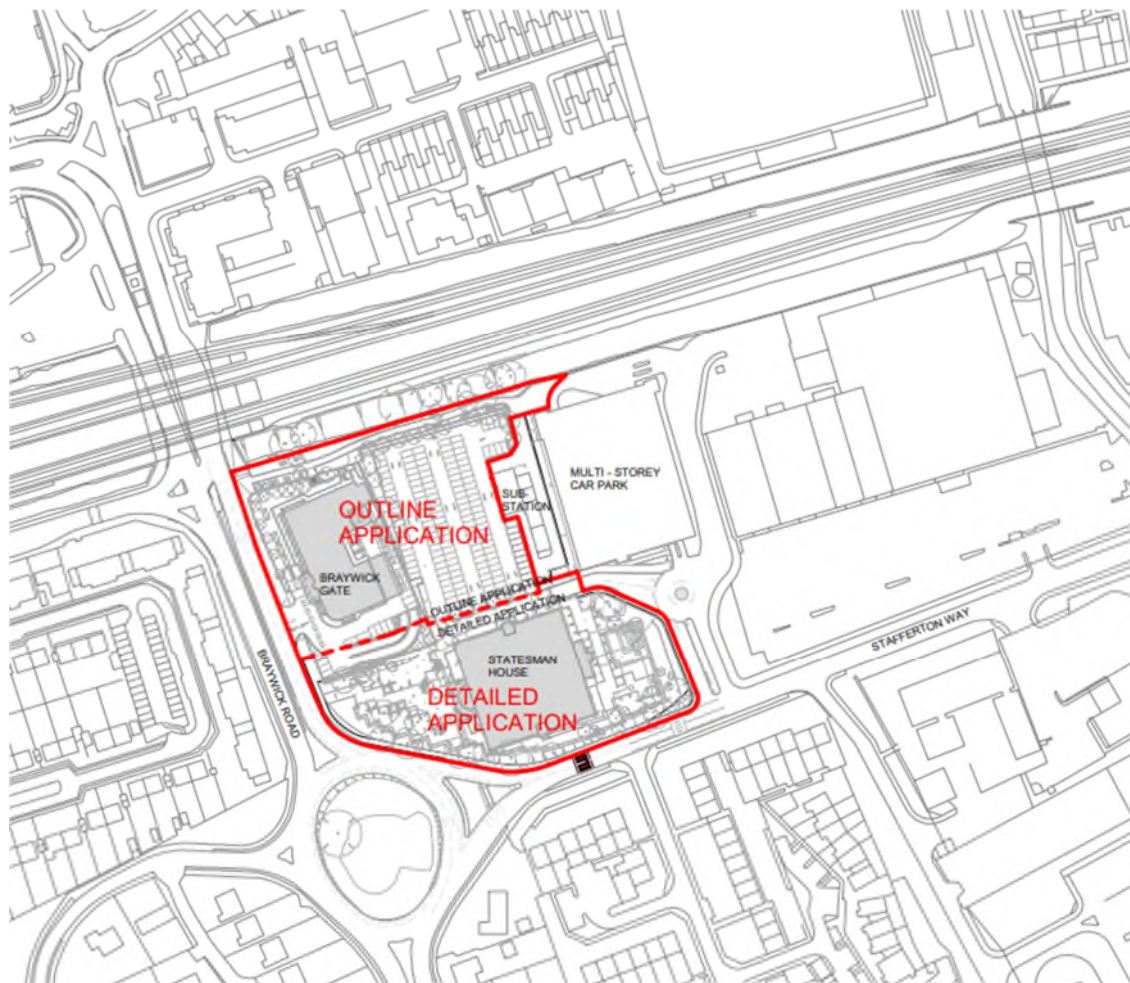
Informatives

- 1 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended, it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.
- 2 To minimise the risk of disturbing foraging and commuting bats using the site, specific working practices / mitigation methods are recommended during the construction and operational phases of the development, to include: Works should take place during daylight hours; and If security lighting is necessary, lights triggered by motion sensors should be used and their coverage should be kept to a minimum to avoid illumination of adjacent trees and vegetation.
- 3 In order to prevent further spread of the two species of Cotoneaster as a result of construction works, all Cotoneaster plants should be eradicated from the site prior to the commencement of any works in line with the Invasive Species Method Statement prepared by WYG and dated March 2020.
- 4 With reference to conditions 20, 21, 22 and 23 regarding the respective Demolition and Construction Environmental Management Plan) the plan should include, but not be limited to:
 - Procedures for maintaining good public relations including complaint management, public consultation and liaison
 - Arrangements for liaison with the Environmental Protection Team
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

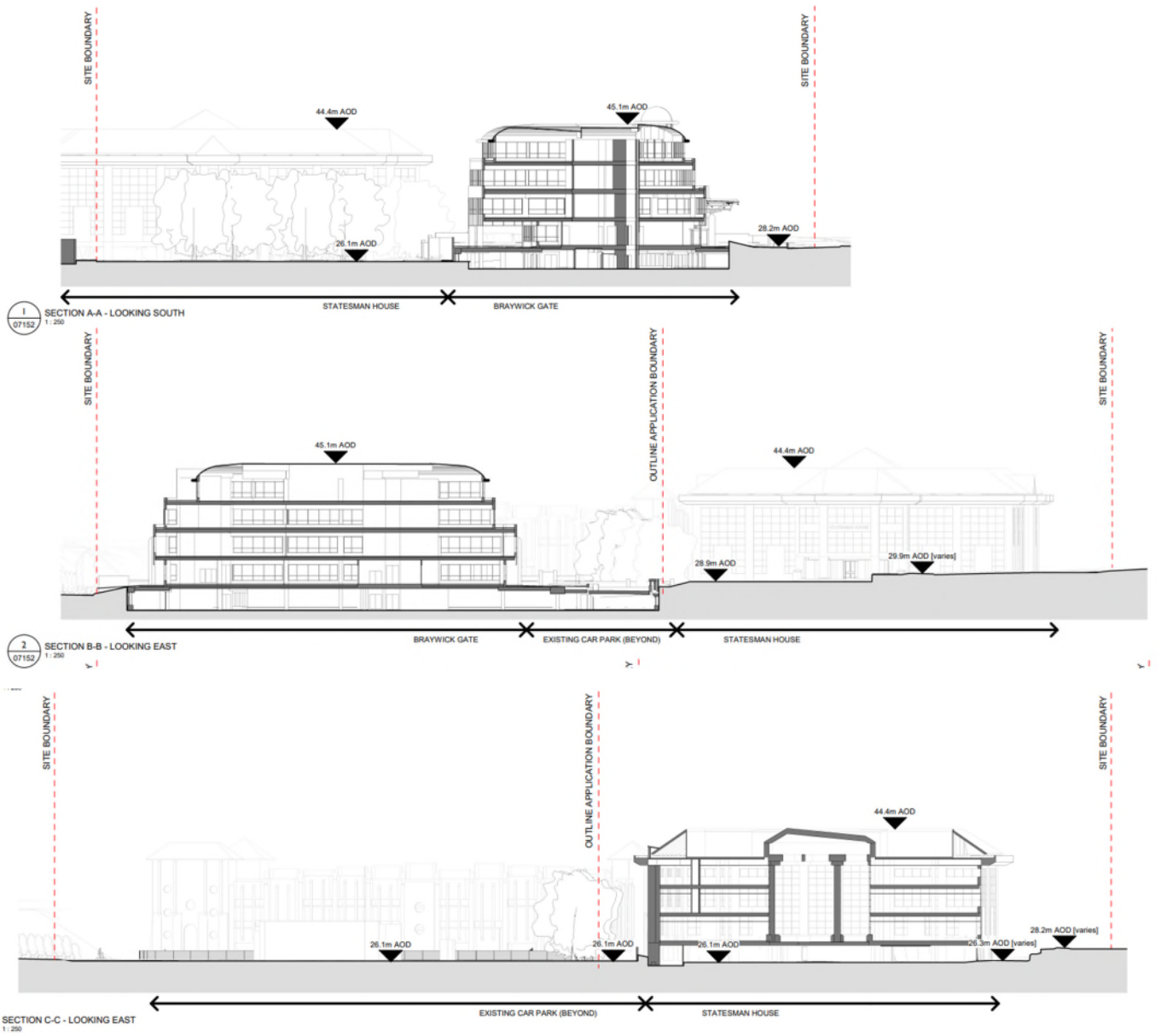
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Risk assessment of potentially damaging construction activities.
- Identification of "biodiversity protection zones".
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including precautionary measures for nesting birds, otter and water vole.
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- Use of protective fences, exclusion barriers and warning signs.

- 5 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties.
- The applicant is advised to follow guidance with respect to dust control:
 - London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities.
- 6 The development agreed in 'detail' and 'outline' relates to the development and/or area as shown on the approved site plan.
- 7 The Council 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. Furthermore, 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.

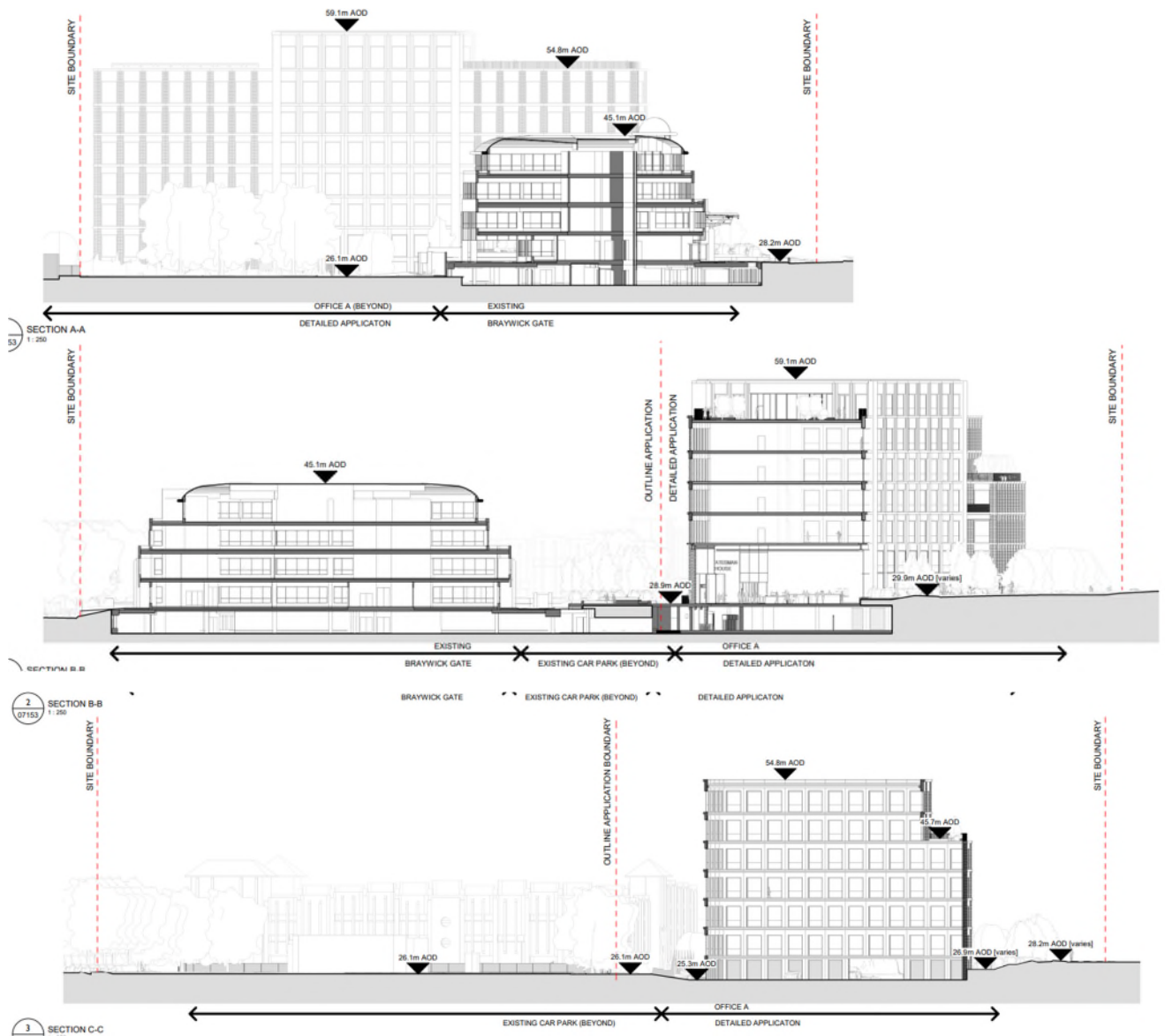
APPENDIX A – LOCATION PLAN



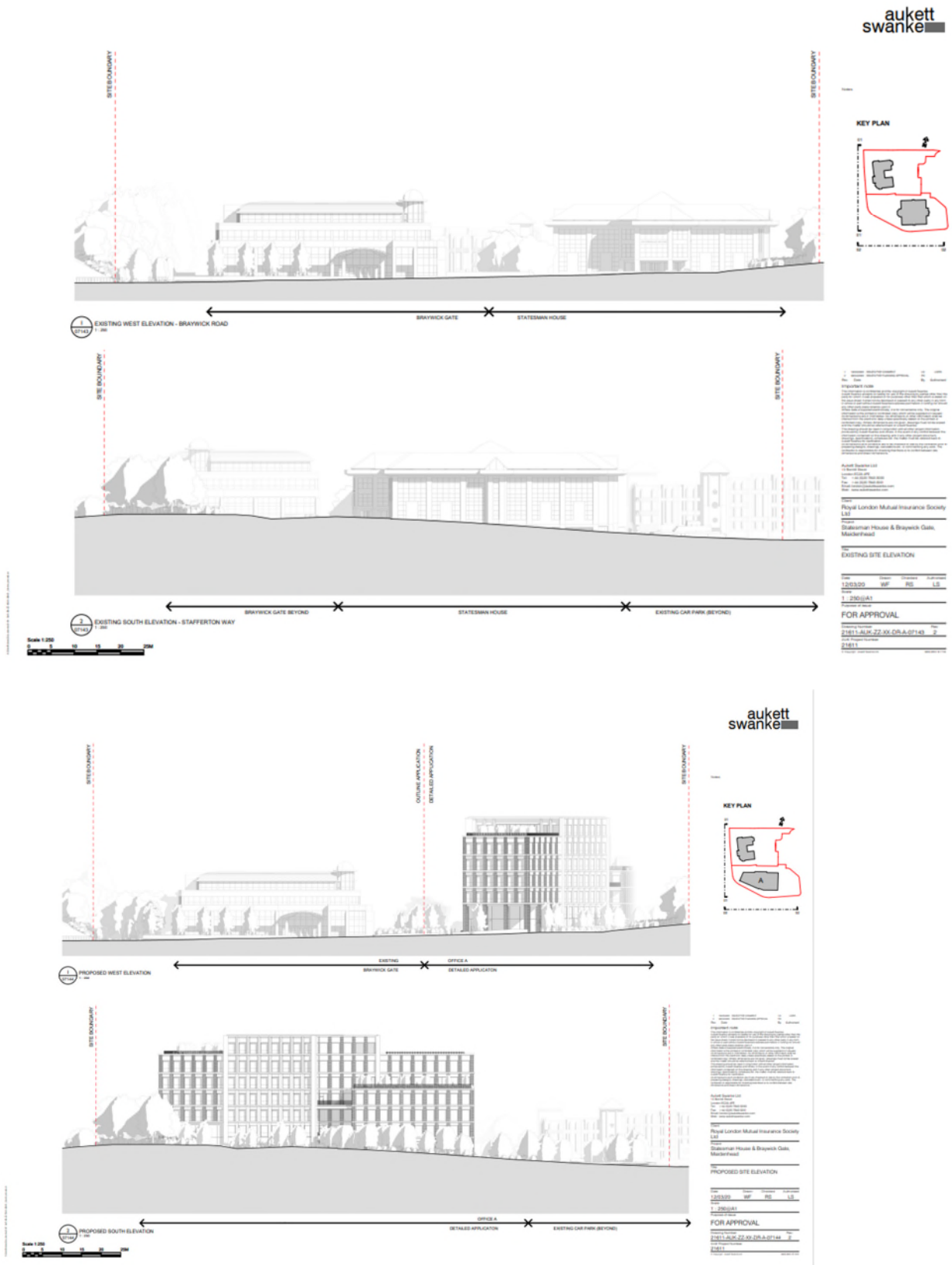
APPENDIX F – EXISTING SITE SECTIONS



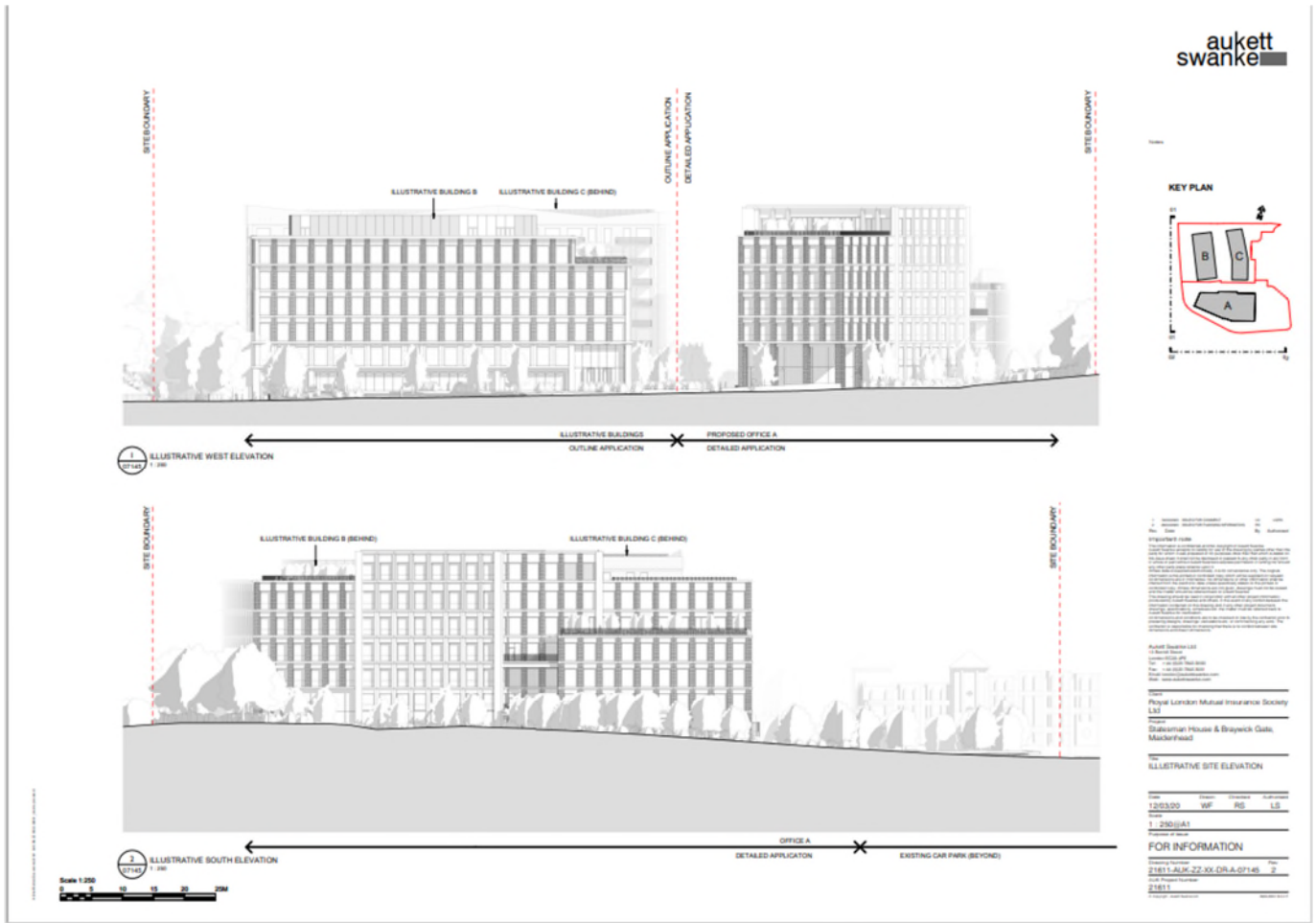
APPENDIX G – PROPOSED SITE SECTIONS FULL



APPENDIX I – EXISTING AND PROPOSED SITE ELEVATIONS



APPENDIX J – ILLUSTRATIVE SITE ELEVATIONS



19 October 2022

Item: 2

Application No.:	22/01452/FULL
Location:	Briar Cottage And Holmwood Briar Glen Cookham Maidenhead
Proposal:	x3 dwellings with associated parking and landscaping, following demolition of the existing dwellings.
Applicant:	Germain Homes Ltd
Agent:	Mr Richard Clark
Parish/Ward:	Cookham Parish/Bisham And Cookham
If you have a question about this report, please contact: Alison Long on 01628 796070 or at alison.long@rbwm.gov.uk	

1. SUMMARY

- 1.1 This item was withdrawn from the committee agenda on the 21st September in order to erect site notices to provide notification of the application, with particular regard to owners/occupants of the parking spaces/garages to the east and west of the site. The site notices were put up on the 22nd September and in addition to the original neighbour notification carried out (set out in section 9), the Council has properly discharged its duties under the Procedure Order and no interested party has been prejudiced through a lack of neighbour notification. The original report is repeated below, with any amendments in bold.
- 1.2 The proposals would provide three dwellings on the site, all of which would represent an acceptable standard of residential accommodation. Subject to recommended conditions, the proposals would be in keeping with the appearance of the surrounding area, would not result in material harm to residential amenity for occupiers of surrounding properties and would not result in harm to local wildlife or parking and highway safety in the surrounding area. Furthermore, subject to the completion of the legal agreement, the development would contribute towards mitigating against climate change. Overall, the proposals comply with relevant development plan policies.

It is recommended the Committee authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure a shortfall carbon off-set financial contribution and with the conditions listed in Section 14 of this report.
2.	To refuse planning permission if an undertaking to secure a shortfall carbon off-set financial contribution clause has not been satisfactorily completed for the reason that the proposed development would not be accompanied by associated sustainability measures.

2. REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application has been called in by Cllr Clark if the recommendation is for approval and by Cllr Brar irrespective of the recommendation.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located at the southern end of Briar Glen, an unadopted residential road accessed from High Road, Cookham. The site comprises two single storey residential dwellings and associated outbuildings, accessed via a single width, gravelled driveway at the end of Briar Glen. Whilst the two dwellings share an access road, for the purposes of the consideration of the planning application, they are two independent, self-contained residential dwellings which could lawfully be occupied separately.

3.2 To the north of the site is a single storey residential dwelling known as Carradale, to the south are two storey residential properties located on Gorse Road, with garages and a road (Payton Gardens) to the east and west respectively.

3.3 There is a change of land levels across the site, with the land sloping east to west, with the western end of the site set approximately 1.7m lower. At the lower western end of the site, the land to the south sits approximately 2.5m higher than the application site.

4. KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- Settlement Area (Cookham); and,
- Flood Zone 1

5. THE PROPOSAL

5.1 The application seeks planning permission for the construction of three residential dwellings with associated driveway/parking and landscaping following the demolition of the two existing dwellings and associated structures on the site.

5.2 To the eastern part of the site, a detached two bedroom property (Plot 1) is proposed. The building would have a ridge height of approximately 6.8m, with a cat slide roof to the rear which drops to an eaves height of approximately 2.3m. Two off-street parking spaces would be provided along the eastern boundary of the site.

5.3 West of plot one, a semi-detached building is proposed which would provide 2 x 3 bedroom dwellings. The building would take the form of chalet bungalows, with a ridge height of approximately 6.7m and an eaves height of approximately 3.3m. A dormer window is proposed to both the north and south facing elevations. Two off-street parking spaces would be provided for each of the two dwellings along the southern boundary of the site.

5.4 The proposed buildings would be brick built, with render or tile hanging to the elevations, and tiled roofs.

6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
20/02193/FULL	Construction of 2no. three bedroom and 1no. two bedroom dwellings with associated parking and landscaping following the demolition of the existing dwellings.	Withdrawn

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan (BLP)

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3

Housing Mix and Type	HO2
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Noise	EP4
Contaminated Land and Water	EP5
Sustainable Transport	IF2

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 5 – Delivering a sufficient supply of homes

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

Supplementary Planning Documents

- Cookham Village Design Statement
- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

28 occupiers were notified directly of the application.

1 letter was received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Due to the lay of the land, the proposed development seems favourable as it is in a slight dip. The structures are unlikely to encroach onto any neighbours privacy.	Section 10.
2.	The current buildings are in need of restoration or	Section 10.

	removal. This development can only enhance the plot.	
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15 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	The only occupied property is Holmwood. The derelict Briar Cottage does not have its own access and is an annex. The application form is incorrect.	Whilst the two dwellings share an access road, for the purposes of the consideration of the planning application, they are two independent, self-contained residential dwellings.
2.	Existing properties are bungalows and the proposed houses are two storeys resulting in a loss of privacy.	Section 10.
3.	Whilst a reduction from the previous proposal, the density of the houses is far greater than existing and will spoil the character of the area.	Noted. The scale of Plots 2 and 3 have been reduced from planning application ref. 20/02193/FULL. The impact of the development is considered in section 10.
4.	Briar Glen is an unadopted highway which struggles to cope with the existing traffic levels and has increasingly large potholes. Any extra traffic is unthinkable in this current state. The only way forward is to access from another direction or to improve the access along the length of Briar Glen.	The additional residential unit is acceptable in highway terms for the reasons set out in section 10.
5.	Narrow access will not allow for emergency vehicles.	Means of escape provision will have to satisfy Building Regulation requirement. These matters are administered by the Local Authority Building Control or approved inspectors. Furthermore, highways have raised no objection to the access to the site.
6.	The covering letter states that plot 1 is acceptable. This is not agreed.	Noted. Section 10 below provides a consideration of the proposals in accordance with relevant development plan policies.
7.	Plot 1 is closer to the southern boundary than the existing building. The separation distance, removal of a tree and height would result in poor living conditions and an oppressive/enclosing outlook.	Section 10.
8.	If occupants of Plot 1 later add solar panels, the appearance and potential reflected light would be unacceptable.	Section 10.
11.	Loss of mature trees and habitat for wildlife which has been seen in the area. Mature trees to the western boundary are proposed to be retained but this is unrealistic for future occupants.	Section 10.

12.	The site outline is not accurate and does not align with all submitted plans. Land ownership to the east is contested and has not been declared on the application form.	Amended plans have been provided to ensure that all submitted plans align with the site location plan. The applicants have confirmed that the land shown in the application falls within the ownership of Briar Glen and Holmwood, with title plans provided for both properties. Accordingly, notice is not required to be served on any third party land owner.
13.	Noise and disturbance from additional occupiers, and movement of vehicles in the proposed development.	Section 10.
14.	Inadequate parking facilities for the new dwellings, particularly when considering visitors.	Section 10.
15.	Inadequate bin storage areas within an already restricted access point. Query on whether this land belongs to the applicants. Existing refuse collection in the street is problematic due to access.	Section 10.
16.	Inadequate access width to the site during and after construction, with the associated noise and disruption.	The impact of construction works in the surrounding area would be covered by other relevant legislation outside of the scope of planning control.
17.	Concerns with asbestos during demolition. This should be clearly detailed within a Construction Management Plan.	Noted. This would be dealt with through Environmental Health legislation.
18.	Poor design, out of keeping with the area and contrary to relevant development plan policies and the Cookham Village Design Statement.	Section 10.
19.	Previous applications were the subject of considerable local objection. The new proposal is of a similar nature with the same issues.	Noted. Section 10 below provides a consideration of the proposals in accordance with relevant development plan policies.
20.	Lack of consultation prior to submission.	The Council has carried out formal consultation on the application in line with its statutory duties (Section 9).
21.	Loss of light from plot 2 to single aspect rooms to properties along Gorse Road (e.g. kitchen, bathroom and bedroom).	Section 10.
22.	Concerns with privacy and noise disturbance from first floor side facing openings. The use of obscure glazing would not stop these concerns.	Section 10.
23.	The letter of support appears to be from someone who does not live near the site and not directly affected by it.	Noted.

24.	Inaccuracies on the application form e.g. there are currently two, not three parking spaces.	For the purposes of the determination of the application, the details provided are acceptable.
25.	Not clear from the location plans that the garden plots of the maisonettes on Gorse Road are split into two separate gardens and gives the illusion and false impression of a larger garden that extends from the property.	The location plan is acceptable for the purposes of the planning application. A consideration of the impact on amenities is given in section 10.
26.	Concerns with maintenance of proposed new fences and hedges.	This is a private matter and is not a material planning consideration for the determination of the planning application.
27.	Concerns with additional pressure on utilities provisions e.g. water pressure.	This is not a material planning consideration for the determination of the planning application.
28.	Whilst properties with a postal address on Briar Glen, Gorse Road and Payton Gardens have been notified, freehold owners and leasehold owners of garages and land to the east and west have not been notified.	The Council has carried out formal consultation on the application in line with its statutory duties (Section 9).
29.	The land is not flat and as such additional sections should be provided to understand the levels proposed. There is therefore a lack of clarity in describing the nature of the development.	For the purposes of the determination of the application, the section plans provided are acceptable. Condition 7 is recommended to ensure that the ground levels and heights are adhered to.
30.	Lack of meaningful native and wildlife friendly planting to replace that which is lost. Gardens will have little planting space as the site would be dominated by buildings and hardstanding.	Condition 5 is recommended to secure an acceptable hard and soft landscaping plan prior to occupation.
31.	The submission does not adequately address gradients to the communal entrance or the internal road leading to the west. If the existing levels are retained, the gradient would be too steep with a retaining wall reducing visibility.	For the purposes of the determination of the application, the section plans provided are acceptable.
32.	If the adjoining owner (Carradale) wished to plant hedges to 2m to maintain soft landscaping, future occupants would not have forward visibility on the exit of the communal driveway.	Planting at a neighbouring property would not constitute development for which planning permission would be required. As such, this should not preclude the determination of the planning application.
33.	Lack of forward visibility on the corner opposite plot 1 and the corner in front of plots 2 and 3.	This is internal within the development and would not have a material harm on highway safety.

34.	The siting of plots 1 and 3 would be overbearing to outlook to the property to the north, together with overshadowing, loss of light and loss of privacy to the front and rear garden.	Section 10.
35.	Poor quality of living accommodation for future residents of the proposed development.	Section 10.
36.	Future pressure from residents of plots 2 and 3 to remove surrounding mature trees.	Section 10.
37.	In order to be consistent in decision making, a bat emergence survey should be submitted.	Section 10.
38.	Agree with the need to provide a minimum of 10% biodiversity net gain. The baseline should be prior to the removal of vegetation from the application site.	Section 10.
39.	Reiterate concerns summarised in section 9 of the report.	Noted. These have been addressed in sections 9 and 10.
40.	Neighbour notification has not been carried out correctly and consequently there has been a breach of planning law. In particular, the council has not served notice on the owners of the garages to the east of the site in Gorse Road or the freeholders/leaseholders of parking spaces adjacent the site in Payton Gardens. This also contravenes the Council's own Statement of Community Involvement.	This matter is covered in section 9 (20) of the officer report. All residential properties surrounding the site have been properly notified and in addition, site notices have been put up to the east and west of the site to address the garages and parking spaces. The council has properly discharged its duties under the Procedure Order and no interested party has been prejudiced through a lack of neighbour notification.
41.	The continuing reference in the officer report to the site being occupied by two dwellings is incorrect and the council has no evidence to support this statement.	Council tax records have been provided by the applicant that indicate two separate dwellings on the site. Furthermore, separate Land Registry deeds exist for both individual properties. Notwithstanding the foregoing, this is largely a moot point, as officers consider that, on the face of it, the site can accommodate three separate dwellings.
42.	Reiterate previous objections with regard to emergency service access and states that the officer report is incorrect in stating that this is a Building Control matter.	Section 10. Highways have raised no objection to the proposals.
43.	The report has failed to adequately deal with the matter of refuse storage and collection.	The Highway Authority are satisfied that the proposed bin collection point at the site entrance is satisfactory subject to the submission of details (recommended condition 10).

44.	Reiterate view that the living conditions of existing occupiers of neighbouring properties would be compromised and those of future occupiers would be poor. Also questions the accuracy of the report at paragraph 10.25 (now 10.26).	These matters are largely subjective and are covered in section 10 of the officer report. The distances given of the proposed development from both the south and north boundaries of the site in section 10 are accurate.
45.	Critical of officer report with regard to the character and appearance of the area.	These matters are largely subjective and are covered in section 10.
46.	Question need for a 'shortfall contribution' if scheme will achieve net zero.	This is required to ensure that a contribution can still be sought if the resultant buildings do not perform to the expected standard.
47.	Plans do not show that the garden for 13 and 14 Gorse Road, which are maisonettes, is split into two. Gardens are therefore modest in size and proximity of proposed semi-detached dwellings would result in imposing development and perception of being overlooked	The proposed semi-detached dwellings would be set in from the southern boundary by 3.5m at their closest point and the difference in land levels of 2.5m means that when viewed from 13 and 14 Gorse Road the eaves height of the building would appear as 0.8m and the ridge height at 4.2m. As such, there would be no material loss of light or sense of enclosure as a result of the development. Recommended condition 3 would ensure that the side-facing dormer window would be obscure glazed with an opening toplight only that would be a minimum of 1.7m above internal floor level. As such, there would be no material loss of privacy.

Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection, subject to recommended conditions.	Section 10.
Ecology	No objection to the findings of the report. However, in order to provide a measurable net gain in biodiversity post development, a biodiversity net gain document should be provided demonstrating at least 10%.	Section 10.
Royal Berkshire Fire and Rescue Service	At this stage there is no duty placed upon the Fire Authority under the Town and Country Planning Acts to make any comment. Any structural fire precautions and all means of escape provision will have to satisfy Building Regulation requirement. These matters are administered by the local authority Building Control or approved inspectors. Please note that the weight limits for RBFRS fire appliances is 16 tonnes for fire engines and 26 tonnes for three axle aerial appliance. Access and water supplies requirements must meet or exceed The Building Regulations 2010 Approved Document B- B5 standards. Please consider sprinkler protection to residential buildings.	Informative recommended.

Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Cookham Parish Council	<p>Objection.</p> <p>The site is not “accessible” under RBWM’s parking and highways policies because the train service, contrary to the comments by Highways, is actually only 1 per hour.</p> <p>Proposal is an overdevelopment of site and at two storeys, will dominate and be out of keeping with the surrounding single storey housing.</p> <p>The proposed houses will overlook neighbouring properties, especially from the dormer windows which are now much closer to the boundary than in application ref. 20/02193, and on the same level as the ground floor windows in adjoining properties.</p> <p>Proposals are contrary to VDS guidance in section 6.9 which is opposed to ‘garden grabbing’ (see page 26: “It is important that new developments involving several dwellings should be well spaced ...”et seq., and box 24 on page 46) 5. It is contrary, specifically, to VDS policies: 6.6 (not ‘adequately spaced’ and designs (especially but not limited to height) which do not ‘relate in a vernacular manner to the neighbouring’ area); 6.7 (not ‘modest scale and discreet design’); 6.8 (‘spacing [not] following] the pattern of building in the immediate and nearby area’ 6.16 (‘avoid .. visually dominant hardstandings in front of houses’); 6.19a (‘Existing hedgerows forming residential boundaries should not in general be uprooted’); and 6.21 (‘Except in exceptional circumstances, front ... gardens should be included within new developments. To each side of a house space for greenery should be characteristic of the neighbourhood and proportionate to the building frontage’).</p> <p>The junction of Briar Glen with High Road is dangerous and use should not be increased. Also, serious concerns about emergency services access.</p> <p>Finally, there will be damage to trees.</p>	Section 10.
Cookham Society	<p>The access drive from Briar Glen into this site is very narrow and has a tight bend with very restricted visibility. This is not adequate or safe to service the residents, visitors, and deliveries for three new houses. The application should be refused unless the access can be improved.</p> <p>Concerned about the increase in vehicle movements at the junction of Briar Glen and High Road. This is an inadequate junction onto a road without a pavement and significant pedestrian traffic. The</p>	Section 10.

	sightlines are often obstructed by parked cars. The application should be refused unless this junction can be improved	
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Housing Provision and Quality;
- ii Climate Change and Sustainability;
- iii Design and Character;
- iv Parking and Highways Impacts;
- v Impact on amenity of neighbouring buildings; and,
- vi Other Material Considerations.

Housing provision and quality

10.2 Policy HO5 of the BLP seeks to ensure that all new residential units provide for a satisfactory standard of accommodation, including adequate living space and both a quality internal and external environment. The Borough Wide Design Guide SPD sets out a number of criteria in order to secure this.

10.3 Whilst the unit to the west of the site is not currently occupied, for the purposes of the assessment of the planning application, there are currently two residential units on the site which could be occupied entirely independently.

10.4 The site is located in an established residential area and the principle of a continued residential use in the form of 1 x 2 bedroom dwelling and 2 x 3 bedroom dwellings is acceptable in housing terms and would cater for families, which is characteristic of the surrounding area. The proposed units at 113.8 sqm (Plot 1), 115.4 sqm (Plot 2) and 114.8 sqm (Plot 3) would all meet the required internal space standards, would benefit from natural light and ventilation, and have access to adequate gardens in excess of 55sqm, in line with the details set out in the Borough Wide Design SPD. The proposals therefore represent an acceptable standard of residential accommodation.

Climate change and sustainability

10.5 Policy SP2 of the BLP seeks to ensure that new development is adaptable to and mitigates against climate change that together with the Sustainability Position Statement seeks to ensure that new development is, ideally, net zero or at least 20% more efficient than that required by the current Building Regulations.

10.6 The application has been submitted alongside an Energy Statement which sets out a number of sustainability measures as part of the construction, as well as measures to minimise energy efficiency and improve water resource management. Furthermore, the application includes sustainability calculations in order to demonstrate how the requirements of the Interim Sustainability Position Statement can be met.

10.7 The submission sets out that the scheme will achieve net zero carbon and therefore in line with the Council's Interim Sustainability Statement, neither a buildings emissions contribution nor a lifestyle contribution is sought for this application. However, a shortfall contribution clause is required which sets out that if the resultant buildings do not perform to the expected standard, a contribution can still be sought. Subject to completion of a legal agreement to secure this, the proposals are acceptable and would also be in line with principles 7.1 and 7.4 of the Borough Wide Design Guide. In addition, condition 8 is recommended which would ensure that new hardsurfacing across the site is permeable.

Design and character

- 10.8 The appearance of the development is a material planning consideration. Policy QP3 of the BLP seeks to ensure that new development will be of a high quality and sustainable design that respects and enhances the local, natural or historic character of the area paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features enclosure and materials.
- 10.9 Policy QP3 is consistent with the objectives of Section 12 of the NPPF (2021) which states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF further states at paragraph 126 that good design is a key aspect of sustainable development. The Cookham Village Design Statement (VDS) and the Borough Wide Design Guide are also relevant to this application and are consistent with national and local policy in relation to the character and appearance of a development.
- 10.10 As referenced above, the application site is located within an established residential area where there is a clear mix of housing forms and styles. To the north along Briar Glen, there are predominantly bungalows and chalet bungalows, with two storey properties in the form of detached, semi-detached, terraces and maisonettes to the south, east and west along Gorse Road and new properties on Payton Gardens. The application site itself comprises two single storey dwellings, with associated outbuildings located to the far end of Briar Glen, accessed by a single width driveway. In this context and given the mix of form of dwellings in the surrounding established residential area, the principle of modest two storey properties in this location is acceptable, would sit well within the surroundings and would not be out of keeping with the form and character of the area, in line with the overall guidance contained in the Borough Wide Design Guide and the Cookham VDS.
- 10.11 The existing buildings on the site, whilst sitting comfortably in their surroundings, are set apart from the rest of Briar Glen and in their current form offer little in terms of design quality to the surrounding area. The proposed replacement buildings have been sensitively designed with modest ridge heights and accommodation at roof level and have been sited within the plots to ensure that sufficient separation space is retained, thereby ensuring that the development would not appear cramped in line with principle 5.1, 6.5, 6.11 and 7.6 of the Borough Wide Design Guide.
- 10.12 Plot 1 would sit on the higher part of the site, but with a ridge height of 6.8m, would not dominate the form and scale of buildings in the surrounding area, with the cat slide roof to the rear again reducing the bulk of the building to ensure that it remains in keeping with the local area in line with principle 6.11 of the Borough Wide Design Guide. Furthermore, the use of brickwork and tiling for the construction of the building would be an appropriate and contextual design response to the surrounding housing stock. Condition 2 is recommended to secure further details of materials prior to their use in the construction of the dwelling.
- 10.12 To the western side of the plot on the land which sits lower than that to the east, a semi-detached building is proposed which would take the form of chalet bungalows, with a ridge height of approximately 6.7m and an eaves height of approximately 3.3m. This form of development is characteristic of the local area and would also sit comfortably with surrounding properties in line with principle 6.11 of the Borough Wide Design Guide. As with Plot 1, the use of brickwork and tiling would be an appropriate and contextual design response to the surrounding housing stock in line with the guidance contained in the Cookham VDS. The building with its lower height and more modest form, would also appear subordinate to that which is proposed at plot 1, which is an appropriate design response in this location. Recommended condition 2 would also secure further details of materials prior to their use in the construction of this building.

- 10.13 Whilst substantial front gardens are found to properties along Briar Glen, in this location, where the units are set back from Briar Glen, accessed by a private driveway, the lack of this feature to these properties would not result in harm to the immediate local character. The Cookham VDS sets out that new development should sit comfortably in their surroundings and in this enclosed location, given the scale, form and separation distances, the proposed dwellings would achieve this.
- 10.14 Parking and the associated access driveway to the northern boundary has been sensitively designed within the enclosed site to serve the proposed dwellings in line with principle 6.7 and 6.8 of the Borough Wide Design Guide, with additional planting proposed across the site secured by recommended condition 5. Furthermore, albeit that the development would require the extension of the existing driveway and the removal of a number of trees (addressed below), the development would retain private garden areas of an acceptable form, together with the retention of many of the trees and providing additional planting providing space for local ecology (also addressed below). This would secure the semi-rural verdant character of the surrounding area and aligns with principles 5.1 and 6.2 of the Borough Wide Design Guide.

Parking and Highways

- 10.15 Policy IF2 of the BLP requires new development to be located close to offices and employment, shops and local services and facilities and provide safe, convenient and sustainable modes of transport as well as development proposals demonstrating how they have met a range of criteria including being designed to improve accessibility to public transport, to be located so as to reduce the need for vehicular movements and to provide cycle parking in accordance with the Parking Strategy. Policy IF2 is consistent with the overarching objectives of Section 9 of the NPPF which has similar goals in seeking to ensure development proposals maximise and promote opportunities for sustainable transport modes.
- 10.16 The site is located approximately five to ten minutes walk from local bus stops and Cookham railway station respectively. The railway and bus services provide regular services to Maidenhead, Bourne End, Furze Plat and High Wycombe. Furthermore, there are a range of local services and facilities within close proximity. Accordingly, the site is appropriate for accommodating an additional residential unit.
- 10.17 The NPPF (2021) states at paragraph 109 that:
- Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
- 10.18 There are currently 2 x 2 bedroom dwellings on the site and the proposal seeks to replace this with three units in the form of 1 x 2 bedroom and 2 x 3-bedroom dwellings, a net increase of one dwelling. The additional traffic generated by one additional residential dwelling would be unlikely to lead to an appreciable increase in vehicular activity into the area or result in a severe impact on road safety as referenced in the NPPF (2021) above. Furthermore, whilst it is acknowledged that the existing junction with High Road has poor visibility, records show that since 1999 there have not been any reported incidents. As such, once again, the provision of an additional residential unit in this location would not result in an unacceptable impact on highway safety in the surrounding area to warrant refusal of the planning application.
- 10.19 Each of the three dwellings would be served by two off-street car parking spaces, in accordance with the Borough's Parking Strategy (2004). This provision would be secured prior to occupation by recommended condition 11. Each dwelling would also require one off-street cycle parking space within a secure and enclosed storage facility. This is not shown on the submitted plans and condition 9 is therefore recommended to secure provision prior to occupation. With regard to refuse provision, a bin collection point is proposed at the site entrance. This is acceptable in principle; however, in order to ensure that the collection point is designed to prohibit waste bins migrating onto the adjoining highway, condition 10 is recommended to secure further detail prior to occupation. The impact of construction works in the surrounding area would be covered by other relevant legislation.

10.20 With regard to access for a refuse vehicle or fire tender, the proposed layout of the site is such that there would be sufficient room to enter, manoeuvre and exit the site in a forward manner, in compliance with Building Regulation B5 (2000)10, Section 17 (Vehicle Access), and the Association of Chief Fire Officers requirement that a pump appliance must be within 45m of every dwelling. There would therefore be no material harm to highway safety in the surrounding area in this regard and the site would be adequately serviced.

Neighbouring Amenity

10.21 Policy QP3 of the BLP requires new development to have regard to a number of design principles, with QP3(m) setting out that development will be considered of a high quality design and be acceptable where it “has no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight”. This echoes the objectives of paragraph 130(f) of the NPPF (2021) a consideration to be given significant weight, and states developments should:

“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.

Consideration is also given to the guidance provided in the Borough Wide Design Guide.

10.22 There are two existing dwellings on the site and the site is located within an established residential setting where there are surrounding dwellings. The additional dwelling and associated noise and vehicular movements (comings and goings) associated with the development in this setting would not result in an unacceptable effect on the amenities enjoyed by the occupants of adjoining properties over and above that of the existing situation.

10.23 To the north of the site is a single storey dwelling (Carradale), with two storey properties to the south along Gorse Road and garages/parking to the east and west of the site. Accordingly, there would be no material harm to amenity of occupiers to the east and west of the site. However, consideration is given below to the impact of the proposals on properties to the north and south. The proposed replacement buildings would both be two storeys in form; however, they have been designed and sited in order to respect the setting and relationship with surrounding properties.

10.24 Plot 1 is located to the east of the site and takes the form of a traditional two storey dwelling to the front elevation, with a sloping cat slide roof to the rear. Accordingly, whilst the ridge height is approximately 6.8m, the rear elevation drops to an eaves height of approximately 2.3m. Whilst the building would be located closer to the southern boundary than the existing structure and it is accepted that existing tree screening would be removed from this southern boundary as part of the development, a distance of approximately 3m would be retained to the boundary, with the rear elevations of properties along Gorse Road a further 9m to the south. The design of the building with a cat slide roof, together with a total separation distance of 12m, would ensure that there would be no material loss of light or increased sense of enclosure to occupiers of neighbouring properties. With regard to privacy, there are no openings proposed to the rear elevation of the property. As such, whilst the 12m separation distance is below the Council's generally accepted guidance for the rear of two storey buildings directly facing each other (i.e. a back to back relationship) as set out in the Borough Wide Design Guide, the design of the building with the cat slide roof and the lack of openings in this roof slope, would ensure that there would be no material loss of privacy over and above that of the existing situation. Condition 4 is recommended to ensure that openings would not be inserted into this roof slope without planning permission. The siting of the property and relationship with surrounding structures would ensure that there would be no material harm to living conditions of other properties in the surrounding area.

10.25 Concerns have been raised by objectors regarding the potential for solar panels on this south facing roof slope and the resultant impact on amenity. However, this is not an uncommon feature on residential properties and the removal of permitted development rights on these grounds would not meet the relevant tests for the imposition of such a condition.

- 10.26 Plots 2 and 3 to the western part of the site have been designed to take the form of a semi-detached chalet bungalow, with a ridge height of approximately 6.7m and an eaves height of approximately 3.3m. The building would be set in approximately 2.3m from the northern boundary and approximately 3.5m to the southern boundary, with both measurements taken from the closest points.
- 10.27 With regard to the impact on Carradale to the north, the buildings would be located behind the rear elevation of this single storey residential dwelling. Whilst higher than the existing structure on the site, in this context, the location and size of the building would ensure that there would be no material loss of light or increased sense of enclosure to occupiers of this property. To the side elevation, the ground floor window would not result in a material loss of privacy given the boundary treatments and a dormer window only is proposed above which would serve a bathroom. Subject to recommended condition 3, which would secure this opening as obscurely glazed with an opening toplight only that is a minimum of 1.7m above the finished internal floor level, there would be no material loss of privacy as a result of the development. Condition 4 is also recommended to ensure that no additional openings would not be inserted into this roof slope without planning permission
- 10.28 To the south of the site, the land slopes upwards to Gorse Road and as such, the buildings would sit approximately 2.5m below the floor level of these properties. The building heights would therefore appear reduced when seen from these properties, with the eaves height at 0.8m and the ridge height at 4.2m. This, together with the design of the buildings and separation distance of 12m to the rear elevations of these properties, would ensure that there would be no material loss of light or an increased sense of enclosure. Again, to the side elevation, the ground floor door would not result in a material loss of privacy given the boundary treatments and height difference and a dormer window only is proposed above which would serve a bathroom. Subject to recommended condition 3, which would secure this opening as obscurely glazed with an opening toplight only that is a minimum of 1.7m above the finished internal floor level, there would be no material loss of privacy as a result of the development. Condition 4 is also recommended to ensure that no additional openings would not be inserted into this roof slope without planning permission

Other material considerations

- 10.29 Policy NR2 of the BLP states that proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites, avoid impacts, both individually or cumulatively, on species and habitats of principal importance.
- 10.30 The application has been submitted alongside an Ecology Report, prepared by a suitably qualified individual. The report includes a site survey carried out in May 2022, further to the surveys carried out in 2020 under application ref. 20/02193/FULL. The report identifies, as did the 2020 report, that during these surveys there was no evidence of bats roosting in the buildings or wider site, with trees in the garden having a negligible to low bat roosting potential due to their ages and lack of potential roosting features. Nor was there any evidence of badgers or their setts or amphibians, reptiles and other wildlife. The application has therefore demonstrated as it did under application ref. 20/02193/FULL where no objections were received from the Council's Ecology Officer, that the site is of low ecological value, unlikely to be used by protected species. Notwithstanding this, a number of mitigation measures are included within the report to secure the protection of any potential wildlife on the site. These are secured by recommended condition 12.
- 10.31 Both Paragraph 174 of the NPPF and Policy NR2 of the Borough Local Plan 2013-2033 set out that development proposals should demonstrate a net gain in biodiversity. Some biodiversity enhancement measures, such as the installation of bat and bird boxes and boundary treatment designed to promote permeability of the site are recommended in the ecology report. In order to demonstrate that the site provides for a biodiversity net gain of at least 10%, condition 13 is recommended to secure further details of biodiversity compensation and enhancement measures prior to commencement of the construction works above slab level and implementation on site as part of the development.

- 10.32 Policy NR3 of the BLP states that development proposals should carefully consider the individual and cumulative impact of proposed development on existing trees, woodlands and hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness. There are a number of trees within and adjacent to the application site and it is important that a semi-rural verdant character is maintained for the site to ensure that the development respects the defined townscape character.
- 10.33 There are no trees on the site or adjoining properties which are the subject of a tree protection order and accordingly, the applicants could remove the trees and planting within the site without the need for consent from the Council. This would be the case with both the existing buildings on the site and with the proposed development. Notwithstanding this, the application has been submitted alongside an arboricultural impact assessment and tree protection plan which addresses the impact of the development on trees in the surrounding area. In order to accommodate the new structures and associated access driveway, the development would result in the loss of eight trees which have been assessed as Category C trees. In accordance with the BS 5837 grading, such trees should not act as a limitation on the effective use of the site or impose any significant constraints on the layout. In this context, the removal of these trees and associated pruning work is acceptable. Replacement planting is proposed to retain the character of the area and this would be secured by recommended condition 5.
- 10.34 With regard to the retained trees on the site, the proposed new buildings would be located outside of the assessed Root Protection Areas. Furthermore, the submitted report and protection plan demonstrates to the satisfaction of the Local Planning Authority that through the use of protective fencing and associated mitigation measures, including identified areas requiring ground protection during works to ensure that soil erosion or excessive compaction does not occur and no dig construction methods for the new driveway, these trees would be suitably protected during the course of the works. The methodology set out in section 8 of the report and the associated tree protection plan would be secured by recommended condition 6.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is CIL liable. The proposed net additional gross internal area following development is 171 square metres. The CIL Charging Schedule sets a rate of £295.11 per sq.m. This would be chargeable for the additional increase in GIA floorspace over and above the existing area.

12 CONCLUSION

- 12.1 On the basis of the information provided, the applicant has demonstrated to the satisfaction of the Local Planning Authority that subject to recommended conditions and the completion of the legal agreement, the proposals comply with relevant development plan policies, as well as guidance contained in the NPPF, the Cookham VDS and the Borough Wide Design Guide. As such, the recommendation is for approval of the application, subject to completion of the legal agreement.

13. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Site layout plan, including sections
- Appendix C – Plot 1 plan and elevation
- Appendix D – Plots 2 and 3 plan and elevation
-

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance

with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy - Borough Local Plan QP3.

- 3 The first floor windows in the north east and south west facing elevations of the semi-detached building shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the windows shall not be altered.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policy - Borough Local Plan QP3.

- 4 Unless otherwise agreed in writing by the Local Planning Authority, no further windows or rooflights shall be inserted at first floor level in the north east and south west facing elevations of the semi-detached building and the south west facing elevation of the detached building (Plot 1).

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Borough Local Plan QP3.

- 5 Prior to the substantial completion of the development, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented within the first planting season following the substantial completion of the development in accordance with the approved details. 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 - Borough Local Plan QP3, NR3.

- 6 The erection of fencing for the protection of any retained trees as shown on Tree Protection Plan Rev. C and any other protection measures set out in the Arboricultural and Planning Integration Report, prepared by GHA trees, dated 8th June 2022, shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Borough Local Plan NR3 and QP2.

- 7 Unless otherwise agreed in writing, the proposed buildings shall be built on the ground levels and heights shown on the approved drawing number 1924-SP1.

Reason: In the interests of the visual amenities of the area and the street scene and to ensure that the residential amenities of surrounding properties are preserved. Relevant Policy - Borough Local Plan QP3.

- 8 New hard surfaces at the site shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To increase the level of sustainability of the development. Relevant policy - Borough Local Plan Policy NR1.

- 9 No part of the development shall be occupied until 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.

Reason: To ensure that the development is provided with adequate parking facilities to encourage the use of alternative modes of transport. Relevant Policy - Borough Local Plan IF2.

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

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policy - Borough Local Plan IF2.

- 11 No part of the development shall be occupied until vehicle parking spaces have been provided in

accordance with the approved drawing. The spaces 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 could be detrimental to the free flow of traffic and to highway safety. Relevant Policy - Borough Local Plan IF2.

12 The development shall be carried out entirely in accordance with the measures set out in the Technical Note: Ecology, prepared by AA Environmental Limited, Ref. 223180.

Reason: To ensure that wildlife is safeguarded, and enhancements provided. Relevant policy - Borough Local Plan NR2.

13 No development above slab level shall take place until details of biodiversity enhancements on the site in the form of a biodiversity net gain calculation showing that a net gain would be achieved using an appropriate biodiversity calculator such as the Defra Metric 3.0, including plans, specifications and timing details, based on the habitats on site prior to clearance of the site detailed within the ecology report , dated February 2022, has been submitted to and approved in writing by the council. The agreed biodiversity enhancements and net gain measures shall thereafter be installed as approved and retained thereafter.

Reason: To incorporate biodiversity in and around the development. Relevant policy - Borough Local Plan NR2.

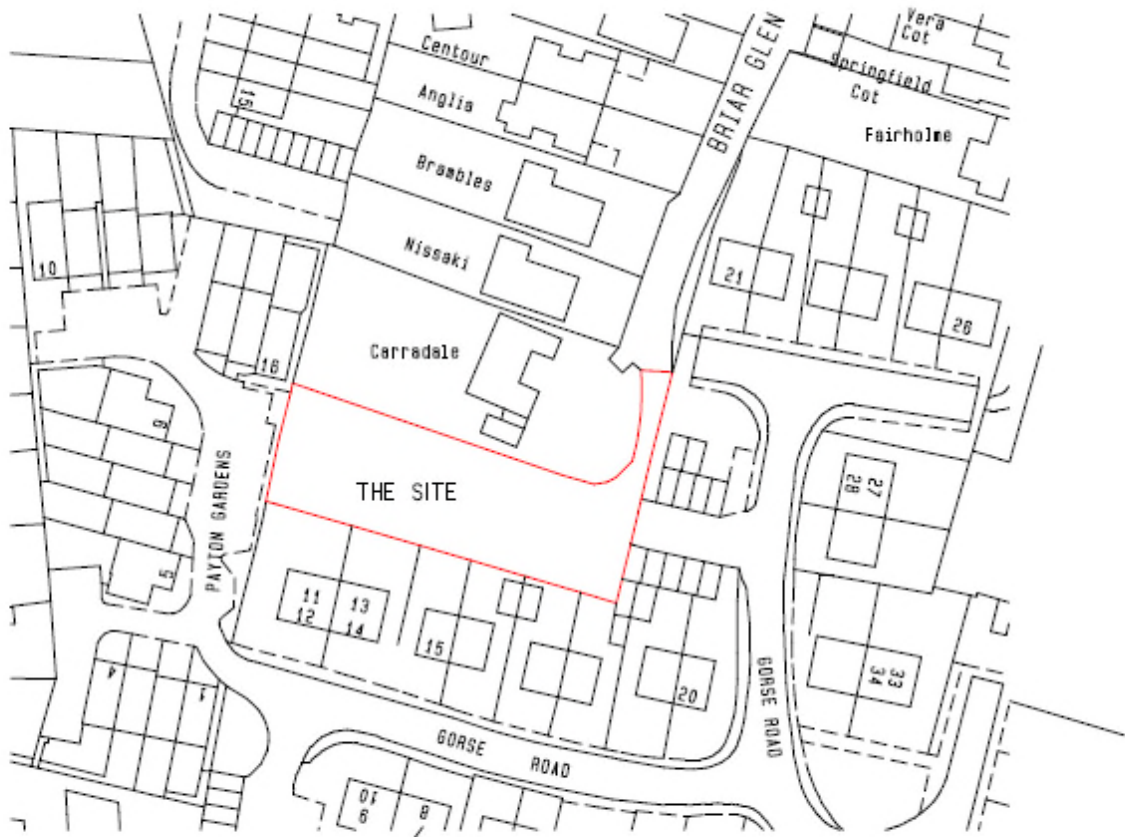
14 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

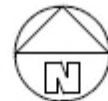
Appendices

22/01452/FULL - Briar Cottage And Holmwood, Briar Glen, Cookham

Appendix A - Site Location Plan



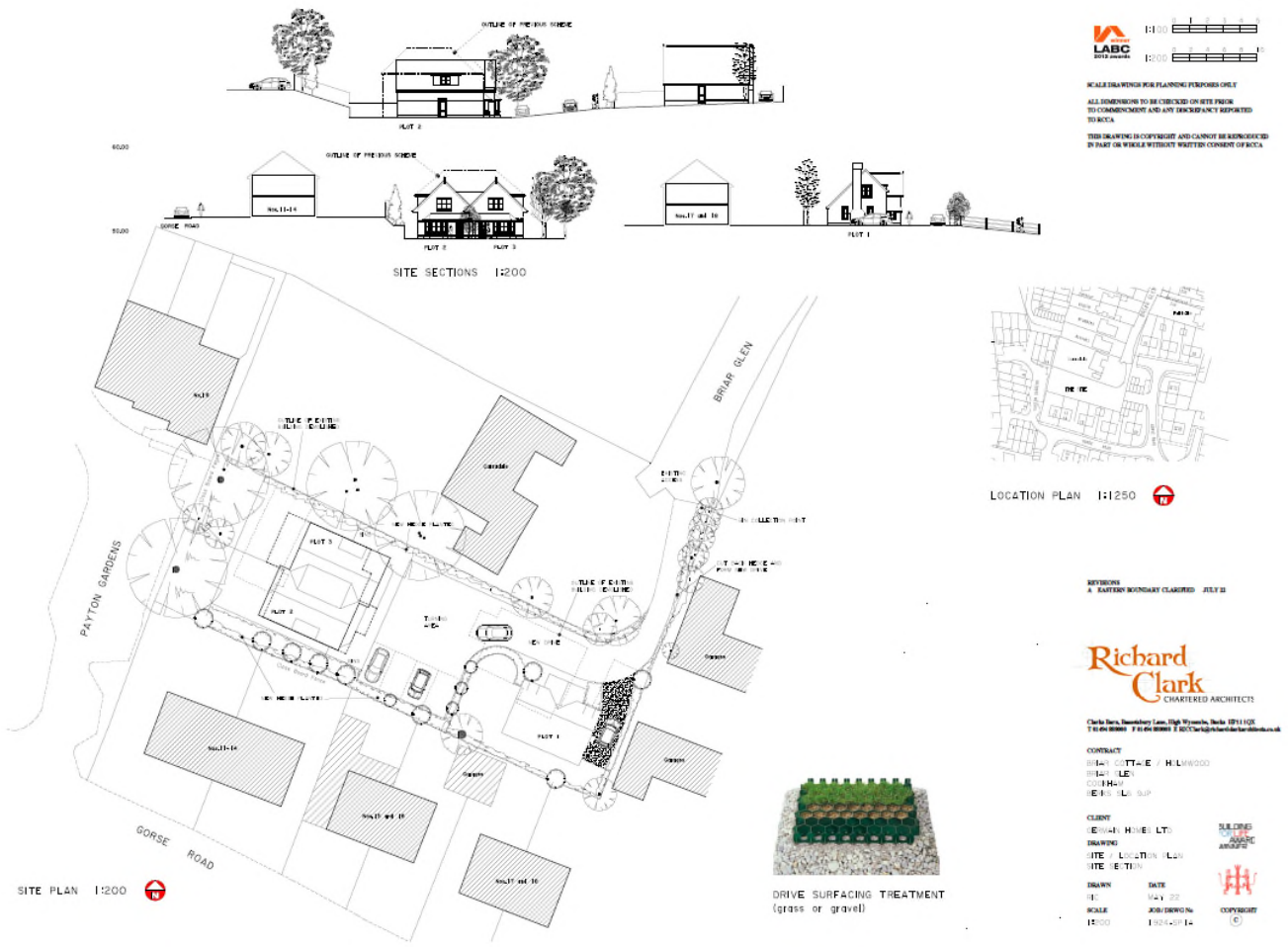
LOCATION PLAN 1:1250



LICENCE 1000 46674



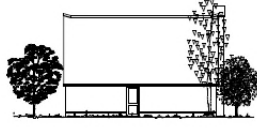
Appendix B – Site Layout Plan, including sections



Appendix C – Plot 1 plan and elevations



L. H. SIDE ELEVATION



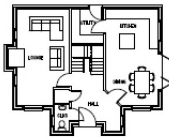
REAR ELEVATION



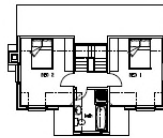
FRONT ELEVATION



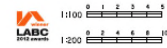
R. H. SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



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 TO COMMENCEMENT AND ANY DISCREPANCY REPORTED
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PLANNING NOTES

Refer to drawing 1924-P1 for site details

MATERIALS

Walls - Facing and finish to be checked and approved
 render - (Subject to observation where indicated)

Roof - Cloned eaves with gutters and
 as indicated to be approved

Finishes - 175C as indicated

Roof - Tiles to be approved at
 plot indicated



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 BRAR COTTAGE / HOLMWOOD
 BRAR GLEN
 COODHAM
 BEKES SL6 9JP

CLIENT
 GERMAN HOMES LTD

DRAWING
 PLANNING DRAWING

PLOT 1

DRAWN DATE

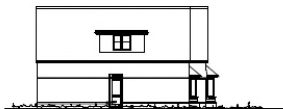
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SCALE JOB/DRWG No.

1:100 1924-P1



Appendix D – Plots 2 and 3 plan and elevations



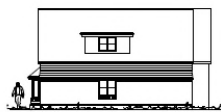
L. H. SIDE ELEVATION



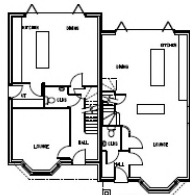
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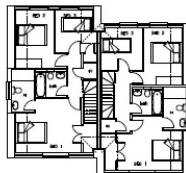
FRONT ELEVATION



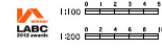
R. H. SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



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PLANNING NOTES

Refer to drawing 1924-P1 for site details

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Roof - Cloned eaves with gutters and
 as indicated to be approved

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Roof - Tiles to be approved at
 plot indicated



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 BRAR GLEN
 COODHAM
 BEKES SL6 9JP

CLIENT
 GERMAN HOMES LTD

DRAWING
 PLANNING DRAWING

PLOT 2 and 3

DRAWN DATE

RIC MAY 22

SCALE JOB/DRWG No.

1:100 1924-P2



Appeal Decision Report

09 September 2022 - 10 October 2022

Maidenhead

Appeal Ref.: 22/60012/REF **Planning Ref.:** 21/01712/FULL **Plns Ref.:** APP/T0355/W/21/3283434
Appellant: Mr And Mrs Jason And Kara Haigh-Ellery And Lane **c/o Agent:** Mr Neil Davis Davis
Planning Ltd 19 Woodlands Avenue Winnersh Wokingham Berkshire RG41 3HL
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Single storey side extension with roof terrace and alterations to fenestration.
Location: **Chalkpit Farm Burchetts Green Road Maidenhead SL6 6RR**
Appeal Decision: Dismissed **Decision Date:** 30 September 2022

Main Issue:

Appeal Ref.: 22/60013/REF **Planning Ref.:** 21/01816/LBC **Plns Ref.:** APP/T0355/Y/21/328762
Appellant: Mr And Mrs Jason And Kara Haigh-Ellery And Lane **c/o Agent:** Mr Neil Davis Davis
Planning Ltd 19 Woodlands Avenue Winnersh Wokingham Berkshire RG41 3HL
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Consent for a single storey side extension with roof terrace and alterations to fenestration.
Location: **Chalkpit Farm Burchetts Green Road Maidenhead SL6 6RR**
Appeal Decision: Dismissed **Decision Date:** 30 September 2022

Main Issue:

Appeal Ref.: 22/60039/REF **Planning Ref.:** 21/01865/FULL **Plns Ref.:** APP/T0355/W/21/3288266
Appellant: Mr P Mereacre **c/o Agent:** Mr Teymour Ali Maplin Engineering Limited F21 Waterfront
Business Centre 1 Dock Road London E16 1AH
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Construction of x1 detached dwelling with detached carport.
Location: **Land South of Weycock Cottage Milley Road Waltham St Lawrence Reading**
Appeal Decision: Dismissed **Decision Date:** 7 October 2022

Main Issue:

Planning Appeals Received

09 September - 10 October 2022

Maidenhead

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

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

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

Ward:

Parish: Bray Parish

Appeal Ref.: 22/60066/NONDET **Planning Ref.:** 21/02723/FULL **PIns Ref.:** APP/T0355/W/22/3299837

Date Received: 13 September 2022

Comments Due: 18 October 2022

Type: Non-determination

Appeal Type: Written Representation

Description: x4 new dwellings.

Location: **Land West of Braywick Corner Ascot Road Maidenhead**

Appellant: Mark Dodds **c/o Agent:** Mr Mark Dodds MDE 5 Devon Terrace Berwick Upon Tweed TD15 1JE

Ward:

Parish: Hurley Parish

Appeal Ref.: 22/60068/REF **Planning Ref.:** 21/02961/FULL **PIns Ref.:** APP/T0355/D/22/3305437

Date Received: 26 September 2022

Comments Due: N/A

Type: Refusal

Appeal Type: Fast Track Appeal

Description: Replacement garage with office above.

Location: **Frogmore Farm Bath Road Littlewick Green Maidenhead SL6 3RX**

Appellant: Mr Westacott **c/o Agent:** Ms Willow Mercer Catherine's Court Berkeley Place Bristol BS8 1BQ