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Notice of Meeting

Maidenhead Development Management Committee

Councillors Joshua Reynolds (Chair), Siân Martin (Vice-Chair), Maureen Hunt, Leo Walters, Mandy Brar, Geoff Hill, Helen Taylor, Gary Reeves and Kashmir Singh

Wednesday 19 July 2023 7.00 pm

Council Chamber - Town Hall, Maidenhead & on [RBWM YouTube](#)

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Agenda

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3	MINUTES OF THE PREVIOUS MEETING To approve the minutes of the meeting held on Wednesday 21 June 2023 as a true and accurate record.	7 - 10
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5	22/01540/FULL - Land At Spencers Farm Summerleaze Road Maidenhead PROPOSAL: Full planning application for enabling works comprising the provision of construction access, site preparation and earthworks (in connection with outline planning application for residential development of up to 330 new homes, land for a primary school of up to three forms of entry with associated landscaping, open space, car parking, drainage and earthworks to facilitate surface water drainage; and all ancillary and enabling works). RECOMMENDATION: PERMIT APPLICANT: IM Land 1 Limited Summerleaze Limited	53 - 80

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6	<p>22/03161/FULL - The Arcade High Street Cookham Maidenhead SL6 9TA</p> <p>PROPOSAL: Demolition of an existing shed used for ancillary commercial storage and the formation of a patio for use by coffee shop for ancillary outdoor seating area (Retrospective).</p> <p>RECOMMENDATION: PERMIT</p> <p>APPLICANT: Mr Burgess</p> <p>MEMBER CALL-IN: Cllr Brar</p> <p>EXPIRY DATE: 22 February 2023</p>	81 - 90
7	<p>22/03162/FULL - The Arcade High Street Cookham Maidenhead SL6 9TA</p> <p><i>PROPOSAL: Change of use of the existing building from ancillary commercial use to office space (Retrospective).</i></p> <p>RECOMMENDATION: PERMIT</p> <p>APPLICANT: Mr Burgess</p> <p>MEMBER CALL-IN: Cllr Brar</p> <p>EXPIRY DATE: 22 February 2023</p>	91 - 100
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By attending this meeting, participants are consenting to the audio & visual recording being permitted and acknowledge that this shall remain accessible in the public domain permanently.

Please contact Democratic Services, Democratic.Services@RBWM.gov.uk, with any special requests that you may have when attending this meeting.

Published: Tuesday 11 July 2023



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 Background Papers that have been relied on to a material extent in the formulation of the report and recommendation.

The 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 within the report, 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, The National Planning Policy Framework, National Planning Practice Guidance, National Planning Circulars, 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 within the report.

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:

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

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, or a body included under Other Registerable Interests in Table 2 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 financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in 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 (referred to in the paragraph above) **affects** the 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 JUNE 2023

Present: Councillors Joshua Reynolds (Chair), Siân Martin (Vice-Chair), Maureen Hunt, Mandy Brar, Helen Taylor, Gary Reeves, Kashmir Singh and Suzanne Cross

Officers: Oran Norris-Browne, Claire Pugh, Adrien Waite and Jeffrey Ng

APOLOGIES FOR ABSENCE

Apologies were received from Councillor Walters & Hill. Councillor Cross substituted for the latter.

DECLARATIONS OF INTEREST

The Chair declared that the majority of the committee members had visited the site of agenda item 6 a few days prior to the meeting, but all declared that they came to the meeting with an open mind.

MINUTES

AGREED UNANIMOUSLY: That the minutes of the meeting held on 19 April 2023 were a true and accurate record.

20/03149/OUT - Maidenhead Spiritualist Church York Road Maidenhead SL6 1SH

Councillor Hunt proposed to authorise the Head of Planning to carry out the two points that were listed in section 1.3 of the report including a pre-implementation and late-stage review, which was in line with officer's recommendations. This was seconded by Councillor Brar.

A named vote was taken.

20/03149/OUT - Maidenhead Spiritualist Church York Road Maidenhead SL6 1SH (Motion)	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	For
Councillor Mandy Brar	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	Against
Councillor Suzanne Cross	For
Carried	

AGREED: To authorise the Head of Planning to carry out the two points that were listed in section 1.3 of the report including a pre-implementation and late-stage review.

22/02095/FULL - Horizon Honey Lane Hurley Maidenhead SL6 6RJ

Councillor Taylor proposed to defer the application to a time where the additional documents outlined in the committee update were available. No seconder was received.

Councillor Hunt proposed to refuse planning permission for the reasons that were listed in section 11 of the report, which was in line with officer's recommendations. This was seconded by Councillor K Singh.

A named vote was taken on Councillor Hunt's motion.

22/02095/FULL - Horizon Honey Lane Hurley Maidenhead SL6 6RJ (Motion)	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	For
Councillor Mandy Brar	For
Councillor Helen Taylor	Abstain
Councillor Gary Reeves	Against
Councillor Kashmir Singh	For
Councillor Suzanne Cross	For
Carried	

AGREED: That planning permission was refused for the reasons that were listed in section 11 of the report.

22/03297/FULL - White Waltham Shottesbrooke Social Club Hurst Lane White Waltham Maidenhead SL6 3JJ

Councillor Hunt proposed to delegate authority to the Head of Planning in collaboration with the Chair of the Maidenhead Development Management Committee to grant planning permission subject to the completion of a legal agreement plus any other appropriate conditions that the Head of Planning deems necessary. This was seconded by Councillor Taylor.

This was against officer recommendations due to greater weight being given to the very special circumstances such as the sustainability benefits, the substantial education benefits, the exceptional design, the use of the buildings being used for education and agricultural purposes and it being a bio-dynamic and totally organic farm, 1 of only 4.

A named vote was taken.

22/03297/FULL - White Waltham Shottesbrooke Social Club Hurst Lane White Waltham Maidenhead SL6 3JJ (Motion)	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	For
Councillor Mandy Brar	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Suzanne Cross	For
Carried	

AGREED UNANIMOUSLY: That authority be delegated to the Head of Planning in collaboration with the Chair of the Maidenhead Development Management Committee to grant planning permission subject to the completion of a legal agreement plus any other appropriate conditions that the Head of Planning deems necessary.

The committee were addressed by 2 registered speakers, Andre Tranquilini, Applicant & Councillor Karen Davies.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The committee noted the report.

The meeting, which began at 7.02 pm, finished at 8.45 pm

CHAIR.....

DATE.....

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 July 2023

Item: 1

Application No.:	22/01537/OUT
Location:	Land At Spencers Farm Summerleaze Road Maidenhead
Proposal:	Outline application for access only to be considered at this stage with all other matters to be reserved for residential development of up to 330 new homes, land for a primary school of up to three forms of entry with associated landscaping, open space, car parking, drainage and earthworks to facilitate surface water drainage; and all ancillary and enabling works.
Applicant:	IM Land 1 Limited Summerleaze Limited (Summerleaze)
Agent:	Miss Jane Harrison
Parish/Ward:	Maidenhead Unparished/Riverside
If you have a question about this report, please contact: Sarah Tucker on 01628 796292 or at sarah.tucker@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application site comprises an area of land which has been allocated for development under the adopted Borough Local Plan (BLP). The BLP sets out that Site Allocation AL25 has been allocated for approximately 330 residential units and educational facilities, with associated works, and sets out the expectation of proposals in delivering a scheme at the site. The proposal satisfies the context of the BLP in this regard and the principle of the development is acceptable.
- 1.2 The proposal is an outline planning application, for access only to be considered at this stage, with all other matters to be reserved including layout, for up to 330 new dwellings, together with land for a primary school of up to three forms of entry with associated landscaping, open space, car parking, drainage and earthworks to facilitate surface water drainage; and all ancillary and enabling works. The report sets out the relevant Development Plan and other policy considerations relevant to this planning application as well as the necessary consultation responses that have been submitted during the course of the application. The report also sets out the main material planning considerations and assessment in relation to this planning application.
- 1.3 Of the up to 330 new dwellings proposed, 40% would be affordable and 5% of market housing units would be fully serviced custom and self build plots. The legal agreement would secure this provision, together with an appropriate tenure mix and securing a Registered Provider for the affordable housing in order to ensure that proposal delivers an appropriate mix of housing in line with the requirements of the BLP. The transfer of the land for the primary school would also be secured by the legal agreement. Matters of design and layout within the site would be addressed as part of a future reserved matters application; however, appropriate height, form and design principles are secured through the submitted parameter plan and design code.
- 1.4 It has been demonstrated that the proposed vehicular access from Cookham Road/Gardner Road is acceptable and the development as a whole would not result

in material harm to pedestrian and highway safety in the surrounding area, subject to securing financial contributions for relevant highway work improvements in the required legal agreement/S278 Agreement.

- 1.5 It has also been demonstrated that the outline proposals would not result in material harm to heritage assets, including non-designated non-heritage assets, ecology, trees, landscaping or flood risk and has the potential to introduce sustainability measures to reduce the carbon footprint of the development, subject to the use of appropriate conditions and/or securing this through the legal agreement.

It is recommended the Committee authorises the Head of Planning:	
1.	<p>To grant planning permission on the satisfactory completion of an undertaking to secure the following:</p> <ul style="list-style-type: none"> - On-site policy compliant affordable housing; - On-site policy compliant self- build and custom build units; - Highway works through a S278 Agreement; - Highway works contributions towards pedestrian, cycle and sustainable transport improvements; - Carbon off-set contributions (if required); - Travel plan and associated monitoring fee; and, - Transfer of land for school site; - Public open space provisions, including pro-rata contribution towards the development of green infrastructure; - Contaminated land provisions; and, - Biodiversity provisions (if required). <p>and with the conditions listed in Section 15 of this report.</p>
2.	<p>To refuse planning permission if an undertaking to secure the infrastructure in Section 10 of this report has not been satisfactorily completed for the reason that the proposed development would not be accompanied by affordable housing, required highway infrastructure and other associated infrastructure/contribution provision.</p>

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 is for major development.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises approximately 19.2 hectares of mostly arable agricultural land, with small areas of grassland and woodland, located to the north of Maidenhead town centre. To the north of the site is a wooden copse area, with the single track Marlow railway branch line to the west, Green Belt land (Site Allocation AL28: Land north of Lutman Lane, Spencer's Farm) to the east, including a public footpath and the sports pitch used by Holyport Football Club and to the south, residential properties.
- 3.2 The site is located within Flood Zones 1 and 2, with the eastern part of the site within Flood Zone 3. There is a Public Right of Way along the north-eastern boundary of the site (Route: MAID/20/3). There is currently no vehicular access onto the site.

3.3 The site forms the AL25, Land known as Spencer's Farm, north of Lutman Lane, Site Allocation within the BLP. To the east of the site is the AL28, Land north of Lutman Lane, Spencer's Farm, Maidenhead, a Green Infrastructure site providing sports facilities, public open space, habitat area and flood attenuation.

4. KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- BLP Site Allocation AL25, Land known as Spencer's Farm, north of Lutman Lane;
 - BLP Site Allocation AL28: Land north of Lutman Lane, Spencer's Farm to the east;
- and,
- Site is located within Flood Zones 1, 2 and 3.

4.2 The site is allocated as a development site within the BLP. It is not within the Green Belt.

5. THE PROPOSAL

5.1 The application seeks outline planning permission for access only to be considered at this stage, with all other matters (appearance, landscaping, layout and scale) to be reserved, for the following development at the site:

- erection of up to 330 new dwellings (40% affordable);
- land for a primary school of up to three forms of entry;
- associated landscaping, open space, car parking, drainage and earthwork to facilitate surface water drainage; and,
- all ancillary enabling works, including vehicular access onto Cookham Road/Gardner Road in the south east corner of the site.

5.2 An illustrative plan has been provided with the application which shows how the site could be developed in line with the proposals above. However, this is indicative only and the application relates only to the principle of the development and access, of which the main access is proposed from Cookham Road/Gardner Road in the south east corner of the site to serve the development.

5.3 The proposals are for the creation of a ghost-island junction onto the B4447 Cookham Road, with the existing northern Aldebury Road priority junction closed. Following realignment, Aldebury Road would form a new priority junction with the proposed site access road. A 3m cycleway and separate 2m footway would be provided on the eastern side of the site access carriageway to the north of the new priority junction with the realigned Aldebury Road. In addition, a 3.7m wide pedestrian/cycling/emergency access would be provided at the northern end of Westmead in the south-east corner of the site. Pedestrian and cycling connections would be located in the north-east of the site, to provide a link to the existing network of Public Rights of Way over the Strand Water/Maidenhead Ditch. The resultant internal road layout would be determined as part of a future reserved matters application.

5.4 In response to comments from RBWM Highways during the course of the planning application, an amended site access plan has been submitted which makes the following changes:

- to increase the width of the running lanes on Cookham Road by approximately 0.25m in either direction in order to achieve minimum through lane widths of 3.25m; and,
- to revise the pedestrian/cycle routes to enter/exit the site.

In support of the proposed changes to the access, an updated Arboricultural Impact Assessment was also submitted.

5.5 Subsequent reserved matters applications would determine the exact appearance, landscaping, layout and scale within the site. However, a parameter plan/design code has been submitted. The regulating parameter plan (Figure 3) in the submitted Design Code demonstrates that development across the site would largely take the form of two and two and a half storeys in the form of a mix of detached, semi-detached and terraced dwellings, with two and a half and three storey dwellings/apartment buildings along the main road in the south west corner of the site. The parameter plan also identifies ten opportunities for potential three storey apartment buildings at landmark locations such as the main entrance to the site. Within the Design Code alongside these overarching principles, four key areas are also identified and greater prescriptive detail is provided in order to guide future development of the site.

5.6 The proposal also provides land for a proposed primary school, as set out above. However, all future proposals and the designs for the school site would be managed by RBWM as part of a future planning application. It is proposed that the land would be transferred by the applicant to RBWM through a legal agreement as part of the planning application.

6. RELEVANT PLANNING HISTORY

6.1 Relevant planning history for this site is provided below and relates to the enabling groundworks in order to facilitate the proposed development of the site. This application is also being considered on this agenda. Furthermore, a Stakeholder Masterplan document (SMD) for the site was approved by Cabinet on the 21st July 2022.

Reference	Description	Decision
22/01540/FULL	Full planning application for enabling works comprising the provision of construction access, site preparation and earthworks (in connection with outline planning application for residential development of up to 330 new homes, land for a primary school of up to three forms of entry with associated landscaping, open space, car parking, drainage and earthworks to facilitate surface water drainage; and all ancillary and enabling works).	Awaiting determination. Also on the committee agenda.

7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

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
Building Height and Tall Buildings	QP3a
Housing Development Sites	HO1
Housing Mix and Type	HO2
Affordable Housing	HO3
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Open Space	IF4
Rights of Way and Access to the Countryside	IF5
Utilities	IF7

- 7.2 As noted above the site fall within the wider AL25 Site Allocation and to the east of the site is the AL28, Land north of Lutman Lane, Spencer's Farm, Maidenhead, a Green Infrastructure site providing sports facilities, public open space, habitat area and flood attenuation. As such additional reference is made to Policy HO1 in section 10.4.

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
 Section 16- Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide
- Sustainable Design and Construction SPD

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

RBWM Parking Strategy
 RBWM Interim Sustainability Position Statement
 RBWM Environment and Climate Strategy
 RBWM Corporate Plan

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

113 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 16th June 2022 and the application was advertised in the Local Press on 16th June, 2022.

42 representations were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	This matter has been going on for four years despite residents’ rejection of the plan for the development of the land.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
2.	If the Council is concerned about biodiversity and the preservation of wildlife, why consider building a vast number of homes on this land.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.

3.	Disruption to local residents.	Construction activity would be controlled by Environmental Protection legislation.
4.	The area immediately surrounding the site has a past record of flooding and therefore concerns with flooding on the site and further strain on local flood prevention systems.	See section 10.
5.	Road congestion management must be carefully reviewed. The additional households will place pressure on roads particularly during rush hour periods.	See section 10.
6.	Urban sprawl.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
7.	Nothing has changed since previously rejected proposals.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
8.	No provision of a village hall for communities to get together to enjoy social and cultural activities.	This is not included within the site allocation. However, as part of future reserved matters applications, a CIL payment will be secured.
9.	Extremely dangerous junction on a steep gradient, which is on a bend and with a high volume of traffic.	See section 10.
10.	No need for a fourth primary school in the area which would exacerbate traffic problems.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment which includes the provision of a school.
11.	Proposals would devalue the existing houses in the area as country views will be taken away.	This is not a material planning consideration for the determination of the planning application.
12.	Loss of valuable open space for residents to enjoy and associated greenery and wildlife. Landscaping will not make up for this.	Noted. However, the BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.

13.	Doctors and dentists in the area are already busy. This will place additional pressure on infrastructure.	A CIL payment will be secured as part of future reserved matters applications.
14.	Bringing in material to build up the site causes congestion, damage to roads and will raise pollution levels.	This is covered under application ref. 22/01540/FULL.
15.	The proposals must not be viewed simply in commercial or numerical terms. A longer term strategy and innovative plans which enhance the community both for existing and future residents is required.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
16.	With food shortages, development should not be carried out on existing farmland.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
17.	The new estate should be built with half the number of homes, with anti-flood installation and legally binding assurance to compensate any home that loses its value due to flood risk, flooding or subsidence as a result of the new homes.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment of approximately 330 residential units. See section 10.
18.	Surveys were carried out during the pandemic and therefore do not take into account the reality of the volume of traffic.	The scope of the surveys and the methodology for the subsequent review is set out in detail as part of the submission and is addressed further in section 10. Initial surveys were undertaken in June 2017 and compared with June/July 2021. The traffic flows on the local highway network in 2021 were found to be significantly lower than in 2017. The use of 2017 traffic data in the analyses presented is therefore robust. Furthermore, the application has been reviewed by RBWM Highways who have raised no objection to the principle of the development or the methodology/findings of the submitted reports. The nature of the review is acceptable for the purposes of the assessment of the highways impact of the development.

19.	Emergency service vehicles will be obstructed from accessing Aldebury by congestion. The proposed single access also creates a health and safety issue for residents.	See section 10.
20.	Existing parking problems will only be made worse with more vehicles in the area.	See section 10.
21.	Danger of increased accidents in the area.	See section 10.
22.	Lack of convenience stores in the area mean that more people will need to drive.	See section 10.
23.	If the land needs to be filled with so much earth, why chose the land in the first place.	This is covered under application ref. 22/01540/FULL. The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment.
24.	A brownfield site should be used and the countryside left alone.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
25.	Concerns with disruption to local wildlife on the site.	See section 10.
26.	Existing empty properties should first be looked at to address the housing crisis.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
27.	Existing properties in the area struggle to get insurance and this will only make matters worse.	This is not a material planning consideration for the determination of the planning application. Flood risk is addressed in section 10.
28.	Councillors stated that there were already too many apartments and there was a requirement to build houses for families. So why are apartments planned here.	The exact form and unit mix would be determined under future reserved matters applications.
29.	We have a responsibility to reuse, be more sustainable and not rebuild. The Council's vision goes against the very ethics of this build.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.

30.	Query as to the number of parking spaces per dwelling, the width of streets/pavements and electric vehicle charging.	The exact layout would be secured through future reserved matters applications. The current application relates only to access and principle.
31.	Maidenhead is currently saturated with housing development. Why do we need yet another.	The BLP has been found to be sound and has been formally adopted by the Council. This site is an allocated site for redevelopment as set out in section 10.
32.	The provision of an emergency access through Westmead is not suitable as it would require a road in AL28 which is given over to green infrastructure and is in Flood Zone 3.	See section 10.
33.	Target of 40% affordable housing is admirable, but the level of flood mitigation may allow the developers to reduce this figure on the basis of viability. If permission is given, both the buyer and seller should set the price such that this 40% target can be delivered.	See section 10.
34.	The PDF marked 22_01537_OUT—2616850 says Marnel Park Development Strategy and yet it is supposed to be about Spencers Farm. Marnel Park is in the Basingstoke area. This is suspect.	Noted. However, the content of the report relates to the application site and this would not preclude the determination of the application.
35.	Confusion as to why there are two applications.	This application seeks outline planning permission for the redevelopment of the site. Application ref. 22/01540/FULL relates to enabling works associated with the site preparation.
36.	Residents have multiple cars and it is not realistic that people will give these up. This, in addition to parking for a school is not feasible on this site.	See section 10.
37.	Why is the site not being designed for the future and zero carbon emissions.	See section 10.
38.	The proposed design is bland and unimaginative.	The design would be secured through future reserved matters applications with consideration given. The current application relates only to access and principle.

39.	No attempt is made to acknowledge or satisfy the BLP Proforma requirement for an exception test to be satisfied at application stage. The application should not be accepted without this.	See section 10.
40.	The traffic assessment is incomplete and does not take into account three developments in Cookham, each one adding traffic, as well as making unrealistic expectations on walking.	The application has been reviewed by RBWM Highways who have raised no objection to the principle of the development or the methodology/findings of the submitted reports.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Local Lead Flood Authority	No objection, subject to recommended condition.	Section 10.17-10.20
Environment Agency	No objection subject to recommended condition.	Section 10.20
Natural England	No objection.	Section 10.14-10.16

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objection, subject to recommended condition and legal agreement/S278 Agreement.	Section 10.21-10.30
RBWM Ecology	No objection, subject to recommended condition.	Section 10.50-10.60
RBWM Environmental Protection	No objection, subject to recommended condition.	Section 10.38-10.43
RBWM Housing	No objection, subject to securing appropriate provision, delivery and tenure mix as part of a legal agreement.	Section 10.14-10.16
Berkshire Archaeology	No objection, subject to recommended condition.	Section 10.61-10.63
Trees	No objection, subject to recommended condition.	Section 10.44-10.48
Thames Water	No objection, subject to recommended condition.	Section 10.17-10.20

Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Maidenhead Civic Society	<p>Accepted that this Green Belt site has been identified for residential development in the BLP, but concerns continue in three main areas: the vulnerability to flooding, the unsatisfactory location of the single access to the site and the proposed scale of the development.</p> <p>The sites flood risk is well recognised and the proposed earthworks, attenuating ponds and additional drainage outlined in 22/01540 are evidence of the effort which is required to mitigate against flood issues. The development will be concentrated towards the west of the site on higher ground and the application refers to the provision of surface drainage. However, the eastern section of the site is prone to ground water flooding which will only be exacerbated by the eastwards flow of surface water off the built up areas to the west. We await further assessment of the proposals from the Environment Agency.</p> <p>It is proposed to have only one access point from Gardner Road/Cookham Road, within 100 metres of the hump backed railway bridge to the west. Visibility over the bridge when approaching from the west is very restricted. There is a proposed second access point for emergency vehicles via Westmead. The provision of only one poorly sited access point to service 330 homes and a three form entry primary school will create road safety issues and parking congestion especially during school drop off and pick up times. A development of this magnitude requires a second access - even to the west onto Maidenhead Road - although this is complicated by the railway line. The planning application refers to the site address as Summerleaze Road, but the location is presumably too far removed for an access from the southeast.</p> <p>330 homes is excessive and there are too many flats within the proposal. It is accepted that a number of flats will be required to deliver affordable homes (which we welcome) but with the oversupply of flats in the town centre, the provision of yet more open market flats is undesirable in this location. The choice of this site to provide a three form entry primary school is illogical. It will be situated to the north east extremity of the town, and will be far larger than is required to serve the families of the nearby new homes. There will be many school run journeys by parents living to the south with a great deal additional mileage and parking congestion. This is especially the case during afternoon pick up - which requires parents to park up for longer - rather than just drop off as in the mornings. It is noteworthy that the afternoon school run traffic movements are not recorded</p>	See section 10.

	<p>in the Traffic Analysis submitted with the application because they occur outside "rush hour". It should also be noted that this will be the only three form entry primary school in the Royal Borough with up to 600 pupils and staff in a geographically remote location, with difficult access and parking. Is a school of this size required in NE Maidenhead when another is proposed as part of the SW Maidenhead development.</p> <p>This site is a missing link of the Millenium Walk and consideration should be given to incorporating this footpath in the landscaping and layout of the site.</p> <p>If "Extraordinary Special Circumstances" have been proved to include this Green Belt site within the BLP, then the scale of the residential development including the mix of flats, the provision of a second road access and the size of the primary school should be reviewed.</p>	
<p>Cookham Parish Council (CPC)</p>	<p>These applications, based on flawed arguments, should be rejected due to non-compliance with the NPPF, BLP and Environment Agency.</p> <p>Query the suggestion in paragraph 4.4.4 of the Travel Plan that journeys up to 3.2km are an 'acceptable walking distance where walking is a realistic alternative to car use where some people (circa 31%) are still prepared to walk'. No basis whatsoever for that assumption is provided. It is strongly counter-intuitive: who is going to walk 3.1km back from a shop, laden with shopping, for example? On the contrary, that assumption is flatly contradicted by the Plan's own Image 4.1. This shows clearly that less than 20% of journeys over 1 mile and up to 5 miles (the change of measurement system between the measuring systems is confusing) are likely to be on foot. 3.2km is 2 miles, so is not even marginal to the 1 mile lower end of that range: it is twice the lower limit. It is plain therefore that the Travel Plan is based upon unrealistic assumptions as demonstrated by its own figures. Nor is any basis provided for the assumption about cycle usage. It is further quite clear that no thought has been given to potential use by residents of the new development to facilities in Cookham. Not a single such facility is mentioned in Table 4.3 'Local Facilities'. Thus, for example, retail facilities up to 2300m (i.e. about 1.5 miles) away in Maidenhead are mentioned. Yet the CountryStore in Cookham, almost exactly 2 miles away is not even mentioned, despite being quicker to reach by car since the road access does not pass through the (congested, especially at rush hour) traffic lights as does the route to the Tesco Express (and despite being within the 3.2km wrongly claimed walking access distance, via pleasant country paths).</p>	<p>See section 10.</p>

CPC believes that there will be an impact on Cookham's facilities, especially by road, which has not been factored into the plans in any way.

A substantial proportion of the documents relevant to the applications could not be accessed - the documents were 'unavailable for viewing at this time' - on RBWM's planning portal when this submission came to be prepared. It is most unsatisfactory that the consultation period closes at a time when documents are unavailable. The documents should be available throughout the consultation period; otherwise it is no true consultation period. The documents concerned included traffic documents important to this consultation response. CPC requests its extension accordingly.

CPC primary concerns based on what documents it has been able to consult are:

1. Traffic. As is sufficiently well known and accepted through the BLP consultation and development process hardly to need repetition, Cookham is already a traffic pinch point. The Pound (B4447) is a very narrow, 20mph, dangerous pedestrian/traffic single carriageway road which has to be used, despite its dangers, by pedestrians including parents taking children to school; Cookham High Street (B4447) is similar, running through a Conservation Area with a well-known history of minor vehicular damage; its junction with the A4094 just south of Cookham Bridge is the source of frequent traffic jams through the Conservation Area with resultant noise and pollution for residents; Cookham Bridge itself is the only route north over the Thames in the Borough, is a Listed structure, traffic light controlled, and thus causes further traffic jams in the Conservation Area and south along the A4094. There can be no doubt that a significant Page 3 of 4 proportion of the around 600 cars likely to be generated by this development will head north into or through Cookham and add to all these already serious problems.

2. In doing so, many will use the old Maidenhead Road, a narrow single carriageway road which winds past terraced homes with poor visibility both for road users and residents trying to join the road. This will add significantly to the hazards of this road. The alternative, longer, route is the B4447 which is well known to be hazardous (note recent death there). Both roads use an entry to Cookham under Cannondown Bridge, an already notoriously difficult/dangerous structure, the current subject of discussions between CPC and RBWM which is agreeing to install new measures relating to pedestrian safety, which is frequently damaged (with the road sometimes being closed as a result) by high goods vehicles. CPC considers that the traffic issues raised in these two paragraphs are sufficiently severe to meet the NPPF test

	<p>required to justify refusing this application on traffic grounds.</p> <p>3. The above omits mention of the proposed development on site AL37, Lower Mount Farm, Cannondown Road, Cookham. That development is proposed for 200 homes, and will thus add about 400 new cars to the stressed network described – it is proposed at present by the developer via a single access onto Cannondown Road, south of Cannondown Bridge. In addition, a development of 20 homes is proposed on site AL38, Strande Park, which also enters the wider road network onto Maidenhead Road. The existing problems will therefore be seriously exacerbated by those developments. The above objections are there significant understatements of the problems which will arise from this development.</p> <p>4. In this respect too, CPC notes with particular concern the issues arising from the railway bridge on the Cookham Road immediately to the west of the site. This bridge has obscured sight-lines due to its hump-back construction, is immediately east of the road junction between the Maidenhead Road heading north and Gardner Road heading west, and is right by a corner. It has 13 metric tonne weight restriction, which has led to barriers restricting its width. Yet it is likely to be used; (a) by construction traffic using heavy vehicles and requiring many traffic movements – or else that will all have to go south through residential areas past three primary schools; and (b) permanent resident traffic heading west (including south-west into Maidenhead towards the M4) as well as north towards Cookham, Marlow and Henley. It will be a serious hazard to both traffic and pedestrians, justifying refusal.</p> <p>5. Nor should the traffic and pedestrian inflows into the site to access the new school be forgotten. Added to the issues referred to above, they will significantly worsen already great traffic and pedestrian safety problems.</p> <p>6. CPC repeats its view that all this meets the NPPF test of ‘unacceptable impact on highway safety’ both individually and cumulatively and/or because the ‘residual cumulative impact on the road network would be severe’ (NPPF paragraph 111) and justifies refusing the application.</p> <p>7. The proposal will plainly result in significant pedestrian movement of children both generally, including to local shops, but in particular to schools outside the site at rush hour. This is effectively admitted by the Travel Plan. The traffic issues highlighted above indicate significant danger to such pedestrians including especially such pupils at rush hour. No adequate measure are, or could be in CPC’s view, proposed to prevent this danger.</p>	
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	<p>8. Flooding. As the Rt Hon Theresa May MP has cogently pointed out in her own comment in the proposal, the site is unacceptably exposed to flood risk. CPC does not believe that the proposals made in connection with this development deal properly/adequately with this issue. Cookham is a serious flood risk and anything north of the Jubilee River which Page 4 of 4 increases this risk by greater run off or use of the flood plain is unacceptable. It urges rejection of the proposal for that reason too. CPC does not consider that the proposals meet the test laid down by paragraph 153 of the NPPF by properly dealing with the 'implications for flood risk, ... biodiversity and landscapes'. Without rehearsing all the relevant parts of the NPPF and Environment Agency relating to potential developments at risk of flooding, CPC mentions simply that Sir James Bevan, the head of the Environment Agency, is on record as saying: "Building in the flood plains in England should be avoided if at all possible", and says simply that it does not consider that this development meets those requirements, including the exception test, and hence should be rejected on those grounds.</p> <p>9. CPC understands that the presence of protected wildlife has been reported. Further, the use of this substantial area of countryside for housing will significantly reduce the green and infrastructure north of Maidenhead/south of Cookham, contrary to both national criteria (e.g. NPPF (2021) paragraph 8(c) 'improving biodiversity', 11 (c) 'improve the environment', 174(d) 'minimising impacts on and providing net gains for biodiversity', 180(d) 'if significant harm to biodiversity resulting from a development cannot be avoided ... adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused') and the policies of the BLP which require plans to demonstrate enhancement of green and blue infrastructure. For those reasons too, CPC objects to it.</p>	
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of the redevelopment of the site;
- ii Climate change and sustainability;
- iii Affordable housing;
- v Flooding and Sustainable Drainage;
- vi Highway safety;
- vii Design and character;
- viii Impact on amenity of neighbouring buildings; and,
- ix Other Material Considerations.

Principle of redevelopment

- 10.2 Policy HO1 of the BLP commits to providing at least 14,240 new dwellings in the plan period up to 2033 that will focus on existing urban areas and the allocations listed within the policy and as shown on the Proposals Map.
- 10.3 The application site comprises Site Allocation AL25, Land known as Spencer's Farm, north of Lutman Lane which is allocated for 'approximately 330 residential units and educational facilities'
- 10.4 The BLP identifies the site as appropriate for residential and educational development subject to site specific requirements. This list of requirements is set out within the BLP and their adherence must be demonstrated by any proposed development at the site. The requirements are:
1. Provide a mix of residential, education uses integrating with the adjoining green infrastructure allocation site (AL28);
 2. Provide a primary school with up to three forms of entry;
 3. Provide a clear and defensible Green Belt boundary, making use of the woodland edge to the north, and new features along the eastern boundary of the allocation, such as linear attenuation basins, estate fencing and new landscape planting;
 4. Ensure that the development is well-served by public bus routes/demand responsive transport/other innovative public transport solutions, with appropriate provision for new bus stop infrastructure, such that the bus is an attractive alternative to the private car for local journeys, including to nearby GP surgeries;
 5. Develop and implement robust residential and school travel plans to manage travel to and from the site and reduce instances of single-occupancy car trips;
 6. Provide a network of high quality pedestrian and cycle routes across the site which link into surrounding areas and routes including improving the connectivity to the Public Rights of Way network and the adjoining green infrastructure site (AL28);
 7. Provide a high quality network of green and blue infrastructure across the site, (including on-site public open space) that connects to surrounding Green Infrastructure (GI) networks and pedestrian and cycle access points;
 8. Conserve and enhance local biodiversity;
 9. Identify and adequately mitigate any historic waste material deposited on the site;
 10. Provide appropriate mitigation measures to address the impacts of noise and air quality from the railway line in order to protect residential amenity;
 11. Provide 40% affordable housing;
 12. Provide 5% of market housing units as custom and self-build plots (fully serviced);
 13. Be designed sensitively to consider the impact of long distance views and be sensitive to the scale and heights of existing properties around the site, and the sloping topography;
 14. Retain high/medium quality trees and planting of replacement trees;
 15. Provide waste water drainage infrastructure;
 16. Consider flood risk as part of a Flood Risk Assessment as the site is partially located within Flood Zones 2 and 3 and larger than one hectare. This will need to demonstrate that the exception test can be passed and that a safe evacuation route can be provided;
 17. Address potential risks to groundwater;
 18. Investigate an appropriate Sustainable Drainage Systems (SuDS) for the proposals as part of the surface water drainage strategy. The use of infiltration as a potential option for surface water disposal would require a thorough site investigation and risk assessment to demonstrate that the use of infiltration SuDS would not mobilise contaminants which could then pollute groundwater.
- 10.5 The application relates to Site Allocation AL25 and comprises a residential development of up to 330 new dwellings, of which 40% would be affordable. In addition,

5% of market housing units would be custom and self build plots (fully serviced) which equates to four units. In addition to the residential use, the application also includes land for a primary school with up to three forms of entry and associated areas of landscaping, open space, car parking, drainage and earthwork to facilitate surface water drainage which integrate with the adjoining green infrastructure allocation site (AL28). The current application is at outline stage, with access only and all other matters reserved. As such, the final form, design and layout of the development would be provided at reserved matters stage. However, it has been demonstrated through illustrative layouts that the site can incorporate development of this form.

- 10.6 The falls outside the Green Belt and is an allocated site for development of this form (AL25). The principle of development is therefore acceptable, subject to the proposal satisfactorily achieving compliance with the site-specific requirements set out in the BLP, the parameters of the approved SMD and wider BLP policies, as addressed in detail within this report.
- 10.7 The legal agreement secured as part of this application would secure the policy complaint affordable housing and custom and self build plots. In addition, the legal agreement would also secure required matters relevant to the development, such as highway works as detailed below, in order to demonstrate compliance with wider BLP policies.
- 10.8 The development would be well served by public bus routes and the indicative site layout establishes how a network of pedestrian and cycle routes could be delivered. This would ensure that the development is well connected to the surrounding area, including local Public Rights of Way and the adjoining green infrastructure allocation (AL28) and would be secured as part of a reserved matters application. Since the current application site includes all of AL25 and the majority of AL28 green infrastructure allocation, a pro-rata contribution towards the development of green infrastructure is proposed to ensure conformity with the requirements of the site proforma of AL28 in the BLP. The proposal would retain areas of open space, as well as existing high/medium quality trees and securing additional planting. The final site layout would be secured as part of a reserved matters application.
- 10.9 The planning application includes a proposal for a primary school with up to three forms of entry and this is shown on the indicative layout. The transfer of this land to RBWM for implementation of this element of the development of the site would be secured as part of the legal agreement. Similarly, the layout also shows provision of an area of open space provision. The legal agreement would again secure the transfer of the open space management.

Climate change and sustainability

- 10.11 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.
- 10.12 A Sustainability and Energy Statement has been submitted as part of the planning application. This sets out the energy efficiency, low carbon and renewable energy measure which could be incorporated into the detailed design. The report highlights the use of sustainable materials to reduce environmental impacts of construction, together with measures through construction and operation of the site to reduce pollution, minimise waste and encourage recycling and passive design measures, the

use of photovoltaic panels and the use of energy efficient, low-carbon and renewable technologies and water efficiency measures.

- 10.13 The proposed development would also be designed to minimise pollution, be adaptable to climate change and also consider health and wellbeing. Whilst the application is outline and the proposed sustainable strategy is indicative and sets out what could be achieved, on this basis the proposed development would sufficiently incorporate sustainable design techniques. A condition is recommended which would secure the submission of an updated Energy and Sustainability Statement as part of a future reserved matters application. This would provide further details of sustainable design and construction measures to be incorporated into the development to achieve, as far as possible, a net-zero carbon outcome on site. As it is not clear as to whether the development would be net-zero carbon at this stage, the legal agreement would secure an appropriate carbon off-set contribution at reserved matters stage should the development not be net-zero carbon. This would ensure compliance with the requirements of policy SP2 of the BLP and the Council's Interim Sustainability Statement.

Affordable Housing

- 10.14 Policy HO3 of the BLP states that the Council will require all developments for 10 dwellings gross to provide on-site affordable housing in accordance with the following:
- a. On greenfield sites providing up to 500 dwellings gross - 40% of the total number of units proposed on the site;
 - b. On all other sites, (including those over 500 dwellings) – 30% of the total number of units.

Policy HO3 goes on to set out that affordable housing size and tenure mix shall be provided in accordance with the Berkshire Strategic Housing Market Assessment 2016, or subsequent affordable housing needs evidence. This currently suggests a split of 45% social rent, 35% affordable rent and 20% intermediate tenure overall. The Site Allocation proforma is also relevant and requires the provision of 40% affordable housing provision.

- 10.15 The proposed development would provide 40% affordable housing would equate to up to 132 dwellings. Whilst the unit mix will be fixed as part of a future reserved matters application, the supporting documents set out that it is anticipated that this this would be in the range of flats and houses (1 – 4 bedrooms) to reflect the Berkshire SHMA 2016. The proposal complies with the proforma requirements and BLP policy HO3, with the provision of 40% affordable housing, and this should be in the form of clusters of 10-20 units across the site.
- 10.16 This provision and the associated tenure mix and units sizes, which in this case should be 15% one bedroom apartments, 20% two bedroom apartments, 25% two bedroom houses, 30% three bedroom houses and 10% four bedroom homes in order to comply with the identified need, would be secured as part of the required legal agreement. The legal agreement would also secure a Registered Provider and appropriate delivery mechanisms for constructing, completing and transferring the affordable units.

Flooding and Sustainable Urban Drainage

- 10.17 Policy NR1 of the BLP states that a sequential test for all development in areas at risk of flooding is required except for those allocated in the BLP or a Made Neighbourhood Plan. As the site forms part of the AL25 Site Allocation, there is no requirement for a

Sequential Test to be undertaken. Notwithstanding this, the objectives of Policy NR1 are relevant and development proposals should increase the storage capacity of the flood plain where possible, incorporate SuDS system, reduce flood risk, be constricted with adequate flood resilience and where appropriate to demonstrate safe access and egress. The exception test will need to be applied where applicable.

- 10.18 The application has been submitted alongside a Flood Risk Assessment (FRA) and Drainage Strategy. The site is predominantly located within Flood Zones 1 and 2, with the eastern part of the site within Flood Zone 3. The illustrative layout plan demonstrates that the proposed built form would be accommodated outside of Flood Zone 3 and accordingly, whilst the requirement for this is listed within the Site Allocation, in this case, as more vulnerable development would be sited outside of Flood Zone 3(a), the Exceptions Test does not need to be passed for the development to comply with policy NR1.
- 10.19 A Flood Risk Assessment (FRA) is though required for the assessment of the application in order to demonstrate that there would be no increased flood risk in the surrounding area, that a safe evacuation route would be provided and given that the site is located within a source protection zone and sits upon a primary aquifer, meaning that groundwater is vulnerable to pollution through development, information to demonstrate how this would be addressed as part of the development of the site.
- 10.20 As originally submitted, the Environment Agency (EA) raised an objection to the FRA on the basis that the modelling undertaken by the applicants to determine the extent and depth of flooding at the site was not suitable to inform the FRA. In order to address this, the applicants have updated the FRA and associated modelling of fluvial flood risk and have now accepted that the FRA as being an accurate representation of flood risk. Conditions recommended by the EA have been amalgamated into existing conditions relating to ecology and contamination, apart from the standard condition requiring adherence to the submitted FRA, as well as the requirement for non-infiltration of surface water drainage. The EA requested conditions relating to submission of a remediation strategy; however, the Council's Environmental Protection Officer is satisfied with the submitted remediation strategy and compliance with this has been set out in a recommended condition, alongside the submission of a verification report and a condition relating to unexpected contamination, as required by the EA. Subject to these conditions, the proposals would not result in increased flood risk or contamination in the surrounding area.

Highway safety

- 10.21 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 seeks similar goals in seeking to ensure development proposal maximise and promote opportunities for sustainable transport modes.
- 10.22 The application has been submitted alongside both a Transport Assessment (TA) and a Framework Travel Plan. The site is located to the east of Maidenhead Road and south of Westmead and Aldebury Road, the latter of which are both residential roads which are subject to a 30mph speed limit. The site is located approximately 2.7km north of Maidenhead Station and 1km north of Furze Platt Station, with access to an

infrequent bus service. Furthermore, the site is located within reasonable walking and cycling distance (based on current accepted best practice guidance) to a number of retail, commercial and social amenities. The site has been allocated for residential development and the principle is acceptable, subject to demonstrating that the proposals would not result in material harm to the safe operation of the surrounding highway network.

- 10.23 As set out above, whilst the site is located within proximity to local services, as seen on site and noted by a number of residents objections, there is currently a high demand for on-street parking in Aldebury Road. Whilst future residents parking can be accommodated on site, with the details secured as part of a future reserved matters application, the proposals would introduce a new school and therefore the potential for additional on-street parking demand in the area, particularly during the school drop off/pick up times. It is accepted that the school would be operated by RBWM and would be the subject of a separate application. However, in order to address this, the applicant has provided a Transport Assessment Addendum (TAA). This sets out that the school site, and area of land transferred to RBWM, is sufficient to accommodate both the car parking requirements for staff, which in line with the RBWM Parking Strategy is currently one space per one full time equivalent staff and the drop-off/pick up arrangement for pupils. It is therefore accepted that the site can accommodate the expected parking demand without materially impacting on the surrounding road network. Furthermore, it is noted that the primary school would be supported by a robust School Travel plan. For the purposes of the outline planning application under which access and the principle of the development only is being considered, the applicant has therefore demonstrated that there would be no material harm on the surrounding road network associated with either the residential or the education use. A drop-off/pick up layout and details of parking would be covered in future reserved matters applications.
- 10.24 With regard to the proposed access, the site would be served by a single new vehicular access with a ghost island onto the B4447 Cookham Road. The site would achieve visibility splays of 2.4 x 43m to the right (north), by 43m to the left, commensurate with the existing speed limit on the primary distributor road. The existing priority junction formed by Aldebury Road and the B4447 Cookham Road would be stopped-up, and a new junction formed by realigning and connecting Aldebury Road onto the new site access. The development would also include a pedestrian/cycle facility from the north of Westmead which would also serve as an emergency access.
- 10.25 An independent Stage One Road Safety Audit (S1RSA) of the proposed ghost-island priority junction arrangement via the B4447 Cookham Road has been carried out as part of the planning application. In response to comments raised by RBWM Highways, the running lanes on the B4447 Cookham Road through the proposed ghost island junction have been widened by approximately 0.25m in each direction in order to achieve minimum through lane widths of 3.25m. This would ensure that large vehicles can pass through the junction without encroaching into the right turn lane facility, albeit that there is an existing 13 tonne limit on the road over rail bridge to the north meaning that the extent of large vehicles in the area is limited. The proposed access and associated junction is acceptable. A condition is recommended to secure construction of the access prior to commencement of any other part of the development. The provision of the access would be secured through a S278 Agreement.
- 10.26 The Servicing and Refuse Strategy shows the tracking of a 11.347m refuse vehicle and a 4.71m estate car in association with the proposed new access. The submitted information, including that contained within the TAA identifies that the proposed new access would not prevent collection from properties along Aldebury Road and the

proposals are acceptable without the requirement for the imposition of parking restrictions on the junction.

- 10.27 The submission documents provide details of the expected peak time trip generation for the residential development based on RBWM's Strategic Highway Model (June 2017) and represents a worst case scenario. To ascertain the baseline traffic conditions, a series of classified counts were undertaken on the 20th June 2017 and compared with Automatic Traffic Count surveys undertaken in June and July 2021. Based on the results, traffic flows on the highway network in 2021 were significantly lower than in 2017. The methodology and findings and the use of the 2017 traffic data is therefore acceptable for the purposes of the assessment. The traffic generation forecast anticipates that the development would result in 486 trips (two-way) during the AM peak hour, and 204 trips (two-way) during the PM peak. The expected additional trip generations associated with the development would not result in material harm to the safe operation of the surrounding highway network.
- 10.28 The submission also includes junction capacity assessment of existing key junctions on the surrounding highway network using the 2017 base year, which represents the performance of the existing junctions, plus an assessment of the transport impact for 2027, the potential operational date and 2032 five year post operation. This takes into consideration both the proposed development and a number of other approved developments in the surrounding area. The identified junctions are listed below:
- Site Access/B4447 Cookham Road;
 - Site Access Road/Aldebury Road;
 - B4447 Cookham Road/Harrow Lane mini roundabout;
 - B4447 Cookham Road/Donnington Gardens/Clivemont Road roundabout;
 - B4447 Cookham Road/Ray Mill Road West mini roundabout;
 - B4447 Cookham Road/A4 Sint Cloud Way/Markey Street/A4 Bad Godesberg Way roundabout;
 - A4 Saint Cloud Way/A4 Bridge Road/Forlease Road roundabout;
 - A4 Bad Godesberg Way/A308 Frascati Way/A4 Castle Hill/A308 Marlow Road roundabout;
 - B4447 Garner Road/Switchback Road North mini roundabout;
 - A308 Furze Platt Road/Switch Back Road South signal;
 - A308 Grenfell Place/Grenfell Road signals;
 - A308 King Street/Queen Street signals; and,
 - A308 Braywick Road/Shoppenhangers Road signals
- 10.29 The submitted junction modelling demonstrates that the majority of the junctions would continue to operate within capacity with the additional trip generation associated with the development. However, the performance of the B4447 Cookham Road/Ray Mill Road West mini roundabout and the A308 Furze Platt Road/Switchback Road South junctions should be improved as a result of the proposed development.
- 10.30 In addition, the required S278 agreement would also secure the new accesses (as set out above). Other highway improvements works and funding towards enhancements to the pedestrian and cycle permeability as well as public transport provisions detailed below would satisfy the BLP Site Allocation proforma requirements and would be secured by financial contribution as part of the required legal agreement in order to adequately mitigate the impact of the development on the surrounding road network:
- Local cycling and pedestrian enhancements;
 - Local junction improvement works;
 - Local bus and bus stop enhancement works;

- Car club membership;
- Safeguarding of a section of land across the northern boundary for 15 years for a potential future connection to Millennium Way as identified in the Public Rights of Way Management and Improvement Plan 2016-2026; and,
- A Travel Plan based on the Framework Travel Plan submitted in respect of the planning application to secure opportunities for the effective promotion and delivery of sustainable transport initiatives to reduce the demand for travel by less sustainable modes.

Design and Character

- 10.31 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, ware features enclosure and materials. 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.
- 10.32 Further to the objectives of Policy QP3 and Section 12 of the NPPF the Site Allocation proforma sets out a number of design related criteria against which application proposals are to be assessed including the need to be of a sensitive design which considers the impact of long distance views, the scale of existing properties and the sloping topography, and that also retains high/medium quality trees with planting of replacement trees with a high quality network of green and blue infrastructure across the site and provides a clear and defensible Green Belt boundary and new features along the eastern boundary
- 10.33 The application is for outline planning permission for access only to be considered at this stage, with all other matters (appearance, landscaping, layout and scale) to be reserved. As such, the detailed design, including appearance, landscaping, layout and scale of the development will be the subject of future reserved planning applications. However, the application has been submitted alongside a design code, a parameter plan showing an illustrative layout for the development, and a design and access statement. These set out that to the main entrance gateway through the centre of the site, buildings would predominantly be limited to two to 2.5 storeys, with the potential for three storey buildings at identified key/sensitive locations, with a gradual reduction in height from east to west within the site. To the centre of the site, again, it is envisaged that two to 2.5 storey terraces would be provided, with end of terraces and corner buildings rising to three storeys in order to mark vistas. To the eastern boundary of the site, facing towards the Green Belt (AL28) and the northern boundary facing the woodland, predominantly large semi-detached and detached properties of two and 2.5 storeys are proposed. This design coding and parameter plans would be secured by a recommended condition. This is contextual and reflective of the form of development in the surrounding area and the modest introduction of three storeys in the identified locations would not dominate long distance views from the surrounding area. The level of development would ensure that a strong green belt boundary would be retained with sufficient areas of open space and planting across the site.
- 10.34 The proposed design approach/code will inform future reserved matters applications. The design approach for the built form establishes differing character areas in line with the Site Allocation proforma requirements and would integrate with green ways and areas of open space. The approach is appropriate and would ensure a very high quality

of design for the site that respects the framework of trees and hedgerows in and around the site. The parameter plans for the development and the associated design code would be secured by recommended conditions with future reserved matters applications required to demonstrate compliance with this and the details set out within the approved SMD. Furthermore, a condition is also recommended to secure details of appropriate materials.

Neighbouring Amenity

- 10.35 Policy QP3 of the BLP requires new development to have regard to a number of design principles. Policy QP3 (m) requires development proposals to demonstrate that there would be 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” which 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”.
- 10.36 The application is for outline planning permission with an indicative layout plan provided which demonstrates how the site could be developed in order to accommodate up to 330 residential dwellings and associated works. The final layout and design of the proposed buildings would be determined at reserved matters stage; however, the parameter plans and associated design coding shows that the proposed scale of buildings takes into account existing buildings and land use around the site. To the main entrance gateway through the centre of the site, buildings would take the form of two to 2.5 storeys, with three storey buildings at identified key/sensitive locations, with a gradual reduction in height from east to west within the site. To the centre of the site, again, it is envisaged that two to 2.5 storey terraces would be provided, with end of terraces and corner buildings rising to three storeys in order to mark vistas. To the eastern boundary of the site, facing towards the Green Belt (AL28) and the northern boundary facing the woodland, predominantly large semi-detached and detached properties of two and 2.5 storeys are proposed. This design coding and parameter plans would be secured by a recommended condition.
- 10.37 The submission documents demonstrate to the satisfaction of the Local Planning Authority, that the site can be developed without resulting in material harm to living conditions of occupiers of neighbouring properties in terms of loss of light, privacy or increased sense of enclosure. The detailed design and layout of the site and its buildings, including location and level of openings, would be submitted as part of a future reserved matters application and conditions.
- 10.38 Policy EP2 of the BLP requires development proposals to demonstrate that they do not significantly affect residents within or adjacent to an Air Quality Management Area (AQMA) or to residents being introduced by the development itself. Development proposals which may result in significant increases in air pollution must contain appropriate mitigation measures in order to reduce the likelihood of health problems for residents.
- 10.39 As such, whilst outside of an AQMA, the application has been submitted alongside an Air Quality Assessment in order to address the impact of the proposed works on local air quality both during the construction and operation phase. The report includes a dispersion modelling study of the local air quality conditions and the potential impact from additional vehicle exhaust emissions resulting from the new residential units, concluding that the predicted annual mean nitrogen dioxide concentrations at the

receptors points would be below current relevant air quality objectives. Accordingly, the proposed development of the site both during construction and operation, would have an acceptable impact on air quality in the surrounding area, with the development incorporating measures to reduce potential emissions such as pedestrian and cycle links and reducing car dependency, once constructed in line with the BLP Site Allocation requirements. In addition, the report sets out recommended measures to reduce the risk of dust and exposure to pollutants during construction works and these measures would be secured by a recommended condition.

- 10.40 Policy EP4 of the BLP is also relevant and requires development proposals to consider the noise and quality of life impact on existing nearby properties and also the intended new occupiers, in order to ensure that they would not be subject to unacceptable levels of harm. Development proposals that generate unacceptable levels of noise and affect quality of life would not be permitted and effective mitigation measures will be required where development proposals may generate significant levels of noise (for example from plant and equipment) and may cause or have an adverse impact on neighbouring residents, the rural character of an area or biodiversity. The detailed design of the dwellings and any associated plant would be confirmed at the reserved matters stage; however, the site is located within close proximity to other residential properties in an edge of town location and the proposed introduction of residential units in this location could be accommodated without resulting in material harm to the quality of life of surrounding residents. A condition is recommended to secure further detail of the measures to be taken to address noise mitigation measures for future occupants.
- 10.41 Policy EP5 of the BLP sets out that development proposals will be supported where it can be demonstrated that proposals will not cause unacceptable harm to the quality of groundwater, including Source Protection Zones, and do not have a detrimental effect on the quality of surface water. Development proposals should demonstrate how they will achieve remedial or preventative measures and submit any supporting assessments. Development proposals will also be reviewed under pollutant linkage (source-pathway-receptor) risk assessments in relation to measures that affect surface and groundwater and be required to demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.
- 10.42 The application has been submitted alongside a Land Quality Statement, a Piling Risk Assessment and an Outline Earthworks Specification. These documents demonstrate that the risk to sensitive receptors such as future users of the site and Controlled Waters is generally low with respect to soil contamination including asbestos, with no on-site source of ammonia identified. Furthermore, it has been demonstrated that whilst ground gas is present at the site, it does not present an elevated risk and no further risk assessment or preclusion measures are required.
- 10.43 In addition to the above, a Remediation Specification and verification reporting proposal has been submitted which is satisfactory and should be carried out as detailed within the report. This is secured by recommended conditions to ensure that any unexpected contamination is dealt with appropriately.

Other material considerations

Trees

- 10.44 Policy NR3 of the BLP sets out 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.

- 10.45 The application has been submitted alongside an Arboricultural Implication Assessment which has been updated to reflect the changes to the proposed access during the course of the application. The indicative design and layout of the proposed development, together with the access points, have been structured around the existing form of the site which would ensure that tree removals are kept to a minimum. No Category A trees have been identified as requiring removal to facilitate the development. A condition is recommended to ensure that no further removal is carried out at the site.
- 10.46 The visual impact of the tree losses will be minimal due to the enclosed nature of the southwest corner of the site where all removals are located. All tree removals (except the single Category U) would require mitigation in the form of replanting on site. The level of planting shown on the Illustrative Landscape Masterplan would suitably mitigate the losses of trees and enhance the quality of tree stock on site. Details on the number of trees to be planted and species chosen for planting would be secured as part of a future reserved matters application to ensure that adequate mitigation is guaranteed. Tree species chosen should be appropriate to the site and location, favouring native species where possible, and of suitable provenance to adapt to climate change.
- 10.47 A future reserved matters application would also require the submission of a BS5837-compliant Arboricultural Method Statement and Tree Protection Plan, to include a programme of arboricultural monitoring and supervision.
- 10.48 The single veteran tree within the development area has been correctly identified and designed into the proposed layout of the landscape. The correct buffer zone has been applied and suitable protection set out to ensure that the increased pedestrian traffic post-development would not have a negative impact on the condition of this tree. Tree protection measures for this tree and other retained trees within the site would be secured by a recommended condition. Where pruning work to retained trees has been deemed necessary due to health and safety implications, practical recommendations have been made which would avoid any negative impact to the overall condition of these trees. Furthermore, the woodland management recommendations are sensible and would improve the future condition of these woodlands. Any tree work should be carried out to the standards set in BS3998:2010 and current industry guidelines.

Ecology and biodiversity

- 10.50 Policy NR2 of the BLP requires applications 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.
- 10.51 The application has been submitted alongside an Ecological Assessment which has been prepared by a suitably qualified individual. The Chiltern Beechwoods Special Area of Conservation (SAC) and Aston Rowant SAC both lie within 3km of the proposed development. Given the scale of the proposals and the potential sensitive receptors such as the nearby designated sites, it is possible that the proposed development could have the potential for significant environmental effects on these sites. Natural England have been formally consulted on the application and have raised no objection in this regard.

- 10.52 The Green Corridor Local Wildlife Site (LWS) lies adjacent to the site and a number of other LWS's lie within 2km of the site. LWS's are sites of county importance and are protected under National and local planning policies. Policy NR2(c) of the BLP sets out that development proposals either individually or in combination with other developments, which are likely to have a detrimental impact on sites of local importance, including Local Wildlife Sites and Local Nature Reserves, or compromise the implementation of the national, regional, county and local biodiversity actions plans, will not be permitted unless it can be demonstrated that the benefits clearly outweigh the need to safeguard the nature conservation value of the site.
- 10.53 The proposals would see the retention, protection and enhancement of the ditch, as set out within the submitted Landscape Ecological Management Plan (LEMP). The principle is acceptable and would be secured by a recommended condition, with further information provided as part of a future reserved matters application. Notwithstanding this, it is accepted that the development would have the potential to cause an indirect effect on habitats adjacent to the site such as pollution and in line with the recommendations in the ecology report, a Construction Environmental Management Plan (CEMP) is secured by a recommended condition which would include details of the control of dust and spills and safe storage of materials to ensure that no degradation of the LWS occurs during or following development.
- 10.54 Bat surveys have been undertaken on all trees that were deemed to have moderate and high potential to support roosting bats. No bats were recorded during these surveys and therefore it is concluded that bats are not currently roosting within the trees on site. The ecology report sets out that these trees should be subject to tree climbing assessments ahead of works under the direction of the appointed Ecological Clerk of Works, together with any necessary further survey work/precautionary soft felling techniques. This is secured by a recommended condition.
- 10.55 With regard to badgers, one sett was recorded on site in the north of the proposed development within the woodland and has been assessed as being an outlier sett. No other setts were recorded on site and no evidence of badgers such as latrines or snuffle holes were recorded within the development site. The active badger site would be protected and retained as part of the development and no work would be undertaken within 30m of the sett. This is appropriate. However, there have been other records of badger setts and signs adjacent to the site. As badgers are highly mobile and can excavate setts in a short space of time, it is recommended that precautionary methods are undertaken during development including badger surveys immediately prior to construction, in order to safeguard badgers should they be on site. This would be secured by a recommended condition. Whilst the internal layout would be secured as part of a future reserved matters application, given that the proposals would include the construction of houses and associated roads, which could cause severance of commuting habitat for badgers and prevent badgers accessing other surrounding areas for foraging, mitigation in the form of commuting corridors, traffic calming measures and lighting would be required as part of the CEMP, secured by a recommended condition.
- 10.56 No ponds are located within 500m of the proposed development, suitable terrestrial habitat within the site for amphibians appears to be limited and the development falls within the "green" impact risk zone for great crested newts (GCN). As such, it is highly unlikely that this species would be present on site. No further survey or specific mitigation is required with regards to GCN's. Maidenhead ditch running along the boundary of the site to the north and east has the potential to support otter and water vole, although no evidence of either species was recorded during the ecology surveys at the site. However, given the potential of the surrounding habitats to support these

species, details of the protection of otter and water vole should again be detailed within the CEMP which would be secured by a recommended condition.

- 10.57 A reptile survey was undertaken in 2017 and revealed a low population of slow worm and moderate population of common lizards. Although these surveys are out of date (over four years old), the ecology report details that a reptile capture and relocation exercise was carried out in summer 2022. Further information of this translocation has been submitted as part of the application and the Council's Ecologist is satisfied that this has been carried out appropriately and the receptor site is within the control of the applicant so that it provided for reptiles in perpetuity and controlled by recommended condition.
- 10.58 There is a stand of Japanese knotweed, which is listed on Schedule 9 Part II of the Wildlife and Countryside Act 1981, recorded on the southern boundary of the site. It is an offence to cause to grow in the wild, any plant listed on the schedule. Further detail is therefore secured as part of the recommended CEMP (Biodiversity) condition in order to prevent the spread of invasive species.
- 10.59 Paragraph 175 of the NPPF states that "opportunities to incorporate biodiversity improvements in and around developments should be encouraged". Policy NR2 of the BLP also requires proposals to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance. Where opportunities exist to enhance designated sites or improve the nature conservation value of habitats, for example within Biodiversity Opportunity Areas or a similar designated area, they should be designed into development proposals. Development proposals will demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.
- 10.60 A biodiversity net gain assessment has been undertaken, based on the current masterplan, and concludes the development will result in a 11.74%% net gain in habitat units, which is above the 10% policy requirement. A condition is recommended to secure the submission of an updated biodiversity net gain calculation as part of a future reserved matters application. In addition, a number of enhancements have been recommended. Details of such enhancements, including the locations, specifications and management prescriptions, would be secured by a recommended condition which requires the submission of a LEMP.

Archaeology

- 10.61 Policy HE1 of the BLP requires all applications for works in archeologically sensitive areas to include a desk-top archaeological assessment.
- 10.62 Prior to gravel extraction, the site evidenced prehistoric remains in the north-western area of the application site indicating a possible prehistoric settlement, along with nearby ring ditches, enclosures, ditches and trackways, and a barrow cemetery further south. Further northwest, approximately 575m beyond the site, there was a Bronze age settlement at Switchback Road. Together, these give clear indication of extensive prehistoric activity in the area and, therefore, potential for evidence to remain where gravel extraction has not taken place. The area also has some potential for Roman activity, with a Roman settlement and kiln at Priors Pit approximately 520m north, and an urn and coin found 200m south of the site at Spencers Farm, although nothing is directly known within the site. Spencers Farm itself is a medieval moated manor approximately 150m south of the application boundary and it is possible that associated remains may also survive around its perimeter.

- 10.63 Given that the site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development, a condition is recommended to secure a phased scheme of archaeological work which should be implemented in accordance with a Written Scheme of Investigation, prior to submission of a reserved matters application in order to mitigate the impacts of the proposed development.

Open space provision

- 10.64 Policy IF 4 of the BLP requires new open space and play facilities for children and young people on sites allocated for new housing and this requirement is replicated within the AL21 Site Allocation requirements. Site Allocation AL28 is located to the north and east of the site, and the eastern portion of the site located within the Green Belt would remain without any built form. Access through to the rest of allocation AL28 will be secured by S106 agreement. Furthermore, the illustrative layout demonstrates that a total of 7.7ha of public open space, both can be provided within the site which would include equipped children's play facilities and informal play space for use by existing and future residents in the area. Furthermore, other recreational opportunities such as an adult outdoor gym and running route will also be provided. A pro-rata S106 contribution for the provision of outdoor sports on site allocation AL28 would be secured. This approach is acceptable, and the provision would be secured through the legal agreement.

Other matters

- 10.65 Future reserved matters applications would provide detail of the quality of the residential accommodation provided as part of the development. However, in order to ensure compliance with policy HO2 which seeks to ensure that new homes contribute to meeting the needs of current and projected households, a condition recommended to secure 30% of the dwellings to be delivered as accessible and adaptable dwellings in accordance with Building Regulations M4(2), and 5% of the dwellings to meet the wheelchair accessible standard in Building Regulations M4(3).
- 10.66 In order to secure the provision of land for a primary school of up to three forms of entry as part of the development, the legal agreement would secure appropriate timings and mechanisms for the transfer of the school in order to secure the opportunity for provision as part of the development.
- 10.67 Paragraphs 10 and 11 of the NPPF (2021) set out that there will be a presumption in favour of Sustainable Development which is consistent with the overarching objectives of the BLP. Policy HO1 of the BLP sets out a trajectory for the provision of new housing and the application site, and the wider AL25 Site Allocation, form an integral part of this housing trajectory. The provision of such housing will ensure the Borough is able to maintain its up-to-date five-year housing land supply. Given the scale of the development a condition recommended to secure the submission of a phasing plan for the development, prior to commencement.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is CIL liable. The liability will be calculated at Reserved Matters stage.

12. PLANNING BALANCE

- 12.1 The application site forms part of the AL25 Spencers Farm Site Allocation pursuant to policy H01 of the BLP. The proposed development is acceptable in principle and complies with relevant development plan policies. The site is allocated for residential development within the BLP, together with a three form entry primary school, with the proposal demonstrating that it has the potential (secured through future reserved matters applications) to deliver the relevant site-specific requirements.
- 12.2 The Council has identified the site as suitable for development of this form with the site allocation within the BLP. This and its position within the development plan is afforded significant weight in delivering housing, including affordable housing and self-build/custom homes.
- 12.3 For the reasons set out within this report, the proposed development is acceptable and the recommendation therefore is that planning permission is granted, subject to recommended conditions and the completion of the required legal agreement to secure appropriate provisions as set out in this report.

13 CONCLUSION

- 13.1 The application, would for the reasons set out above, represent an acceptable form of development on an Allocated Site in the BLP that would make for highly efficient use of the site, with an acceptable access to be provided.

14. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Access plan
- Appendix C – Illustrative layout plan
- Appendix D – Parameter plans

15. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 Details of the appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced.
Reason: To accord with the provisions of the Town and Country Planning (General Development Procedure) Order 1995.
- 2 An application for the approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission
Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The Development 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 92 of the Town and Country Planning Act 1990 (as amended).
- 4 The reserved matters applications shall be submitted in accordance with the details set out within the Design Code Rev H dated May 2023 prepared by Stantec.
Reason: In the interests of the visual amenities of the area in accordance with policies HO1 and QP3 of the Borough Local Plan.
- 5 The reserved matters applications shall be submitted in accordance with the details

set out within the parameter plans contained in the Design and Access Statement dated May 2023, prepared by Stantec.

Reason: In the interests of the visual amenities of the area in accordance with policies HO1 and QP3 of the Borough Local Plan.

- 6 Prior to the commencement of the development, a phasing plan shall be submitted to an approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved phasing plan.
Reason: In the interests of the visual amenities of the area in accordance with policies HO1 and QP3 of the Borough Local Plan.
- 7 No development above ground floor slab level shall take place until samples of the materials to be used on the external surfaces of the development hereby approved 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. The development shall only be carried out in accordance with the approved materials or such other details as agreed in writing by the Local Planning Authority.
Reason: In the interests of the visual amenities of the area in accordance with policies HO1 and QP3 of the Borough Local Plan.
- 8 No development shall commence until a completed Section 278 (of the Highways Act 1980) Agreement is submitted to the Local Planning Authority for the construction of a new vehicular access. The development shall not be occupied until the works have been carried out in full.
Reason: In the interests of highway safety and the free flow of traffic in in accordance with policies IF2 and QP3 of the Borough Local Plan.
- 9 No part of the development shall commence until the accesses have been constructed in accordance with the approved drawings. The accesses shall thereafter be retained as approved.
Reason: In the interests of highway safety and the free flow of traffic in in accordance with policies IF2 and QP3 of the Borough Local Plan.
- 10 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on plan number 37-1021.01-N contained within the Arboricultural Impact Assessment prepared by FLAC, dated October 2022, 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 and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing 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.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area in accordance with policy NR3 of the Borough Local Plan.
- 11 No tree or hedgerow shown to be retained in the Arboricultural Impact Assessment prepared by FLAC, dated October 2022, shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or until five years from the date of occupation of the buildings for their permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior

written consent to any variation.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area in accordance with policy NR3 of the Borough Local Plan.

- 12 An updated biodiversity net gain calculation and associated plan for on site delivery and monitoring shall be submitted with any Reserved Matters application to provide details of the biodiversity net gain which will be delivered as part of this development (including a clear demonstration through the use of an appropriate biodiversity calculator such as the Defra Metric 3.0 that a net gain would be achieved). The plans shall be in accordance with the updated biodiversity net gain assessment and shall include (but not limited to) the following:

- a) A habitat management plan;
- b) Long term aims and objectives for habitats and species;
- c) Detailed management prescriptions and operations for newly created habitats, locations, timing, frequency, durations, methods, specialist expertise (if required), specialist tools/ machinery or equipment and personnel as required to meet the stated aims and objectives;
- d) A detailed prescription and specification for the management of the new habitats;
- e) Details of any management requirements for species specific habitat enhancements;
- f) Annual work schedule for at least a 30 year period;
- g) Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives;
- h) Details of proposed reporting to the council and council ecologist and proposed review and remediation mechanism; and,
- i) Proposed costs and resourcing and legal responsibilities.

The measures shall thereafter be implemented/installed in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity, in accordance with the NPPF and policy NR2 of the Borough Local Plan.

- 13 All biodiversity enhancements shall be carried out in accordance with the details included within the Ecological Impact Assessment Ref. 1107, dated May 2022, prepared by Grassroots Ecology.

Reason: To incorporate biodiversity in and around the development in accordance with the NPPF and policy NR2 of the Borough Local Plan.

- 14 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Details of further survey for badger, bats, otter and water vole;
- d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements and should include all mitigation measures outlined in the ecology report prior to commencement of any works to ensure that conditions on the site have not significantly changed since the time of the surveys, reasonable avoidance measures during site clearance works for reptiles, nesting birds, and hedgehog (including measures which would be undertaken should any individuals of these species be

found), removal of the identified PRF under the supervision of a suitably qualified ecologist, protection of the river and any vegetation to be retained, and construction lighting to be directed away from any suitable bat habitat;

- e) The location and timing of sensitive works to avoid harm to biodiversity features, including invasive species method statement ;
- f) Times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and,
- i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the works strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise impacts on biodiversity in accordance with Policy NR2 of the Borough Local Plan and Paragraphs 170 and 175 of the NPPF.

- 15 A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The LEMP shall include details of the following:

- a) Hedge, tree and grassland planting which will provide further habitat for bats;
- b) Details of external lighting levels;
- c) Description and evaluation of features to be managed, as well as biodiversity enhancements including native species planting, installation of bird and bat boxes onto the new buildings and retained trees, provision of hibernacula and the provision of gaps in any boundary fencing for wildlife to travel across the site;
- d) Ecological constraints on site that might influence management;
- e) Aims and objectives of management; and,
- f) Prescriptions for management actions.

The LEMP shall be implemented as approved unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that wildlife is safeguarded, and enhancements provided, in line with policy NR2 of the Borough Local Plan.

- 16 The development shall be carried out in complete accordance with the ecology mitigation measures set out in the Ecological Impact Assessment Ref. 1107, dated May 2022 prepared by Grassroots Ecology.

Reason: To ensure that wildlife is safeguarded, and enhancements provided, in line with policy NR2 of the Borough Local Plan.

- 17 The development shall be carried out in complete accordance with the mitigation measures set out in Section 6 of the Air Quality Assessment, prepared by WSP, dated May 2022.

Reason: To secure an acceptable standard of residential amenity in accordance with policies QP3 and EP2 of the Borough Local Plan.

- 18 No development above slab level shall commence until a noise study has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- a) Details of all the measures to be taken to acoustically insulate all habitable rooms against environmental and operational noise together with details of the methods of providing acoustic ventilation; and,

b) Details of how the proposed development is designed so that cumulative noise from surrounding uses does not impact on residential amenity. 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 in accordance with policies HO5, QP3 and EP1 of the Borough Local Plan.

19 Prior to the submission of a reserved matters application for any part of the site, a phased scheme of archaeological works (which may include more than one phase) shall be implemented in accordance with a Written Scheme of Investigation which has been submitted to, and approved in writing by the local planning authority. The scheme shall include:

1. An assessment of significance and research questions;
2. The programme and methodology of site investigation and recording;
3. The programme for post investigation assessment;
4. Provision to be made for analysis of the site investigation and recording;
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation; and,
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The Development shall take place in accordance with the approved Written Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To protect potential archaeological remains within the site and surrounding area in accordance with policy HE1 of the Borough Local Plan.

20 The works shall be carried out in complete accordance with the Remediation Specification prepared by Campbell Reith dated May 2022 prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority, with the Local Planning Authority given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification/ validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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 in accordance with policy EP5 of the Borough Local Plan.

21 In the event that contamination is found at anytime that was not previously identified, work must stop and it must be reported immediately by telephone and in writing to the Local Planning Authority within two working days. An investigation and risk assessment must then be undertaken and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved

remediation scheme, a verification report shall then be submitted to and approved in writing by the Local Planning Authority.

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 in accordance with policy EP5 of the Borough Local Plan.

- 22 The development shall be carried out in accordance with the flood mitigation measures set out in the Flood Risk Assessment and Outline Drainage Strategy, prepared by WSP Rev. 01, dated 26th May 2022.

Reason: To secure an acceptable standard of residential amenity and to ensure that the proposed development is safe from flooding in accordance with policies QP3 and NR1 of the Borough Local Plan.

- 23 Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

a) Calculations to include development runoff rates, volumes (attenuation and long-term storage) and topographic details, and any consents required from Thames Water;

b) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels long sections and cross section and relevant construction details of all individual components;

c) Water quality discharged from the site should be of sufficient water quality. The applicant is to provide evidence that discharge from the site would be of sufficient water quality that it would not result in detriment to any receiving water course;

d) Details of the proposed maintenance arrangements relating to the surface water drainage system should also be provided, confirming the part that will be responsible.

The surface water drainage system shall be implemented and maintained in accordance with the approved details and retained thereafter.

Reason: To ensure compliance with the National Planning Policy Framework (2021) and the Non-Statutory Technical Standards for Sustainable Drainage Systems and to Royal Borough of Windsor & Maidenhead: Delivering Highways & Transport in partnership with: ensure the proposed development is safe from flooding and does not increase flood risk elsewhere in line with Policy NR1 of the Borough Local Plan.

- 24 An updated Energy and Sustainability Statement shall be submitted with any Reserved Matters application to provide details of sustainable design and construction measures to be incorporated into the development to achieve, as far as possible, a net-zero carbon outcome on site. The approved details shall be implemented in full, entirely in accordance with the approved measures, and thereafter maintained.

Reason: To ensure that the development is designed to incorporate measures to adapt to and mitigate climate change in line with policy SP2 of the Borough Local Plan as informed by the guidance and requirements of the Position Statement on Sustainability and Energy Efficient Design - March 2021.

- 25 Prior to the commencement of above ground floor slab level building works, details regarding the provision of units designed to meet Categories M4(1), M4(2) and M4(3) of Approved Document Part M of Building Regulations 2010 (as amended) shall be submitted to, and approved, in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained

thereafter.

Reason: In order to maximise the practical provision of accessible housing, in accordance with policy HO2 of the Borough Local Plan.

- 26 No buildings hereby approved shall be occupied until a Travel Plan based on the Framework Travel Plan submitted as part of the planning has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented in accordance with the approved Travel Plan.

Reason: In the interests of highway safety and the free flow of traffic in accordance with policies IF2 and QP3 of the Borough Local Plan.

- 27 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and Borough Local Plan policy EP5.

- 28 The reptile translocation shall follow the methodology set out in the Ecological Impact Assessment (Grassroots, May 2022) and the Reptile Translocation report (Grassroots, November 2022) unless otherwise agreed in writing by the Local Planning Authority. A report detailing the reptile translocation results, details of the protection of reptiles during and following development and the management and maintenance of the receptor site in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure that reptiles, a group of protected species, are not adversely affected by the proposals, in line with policy NR2 of the Borough Local Plan.

- 29 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

RG-M-25

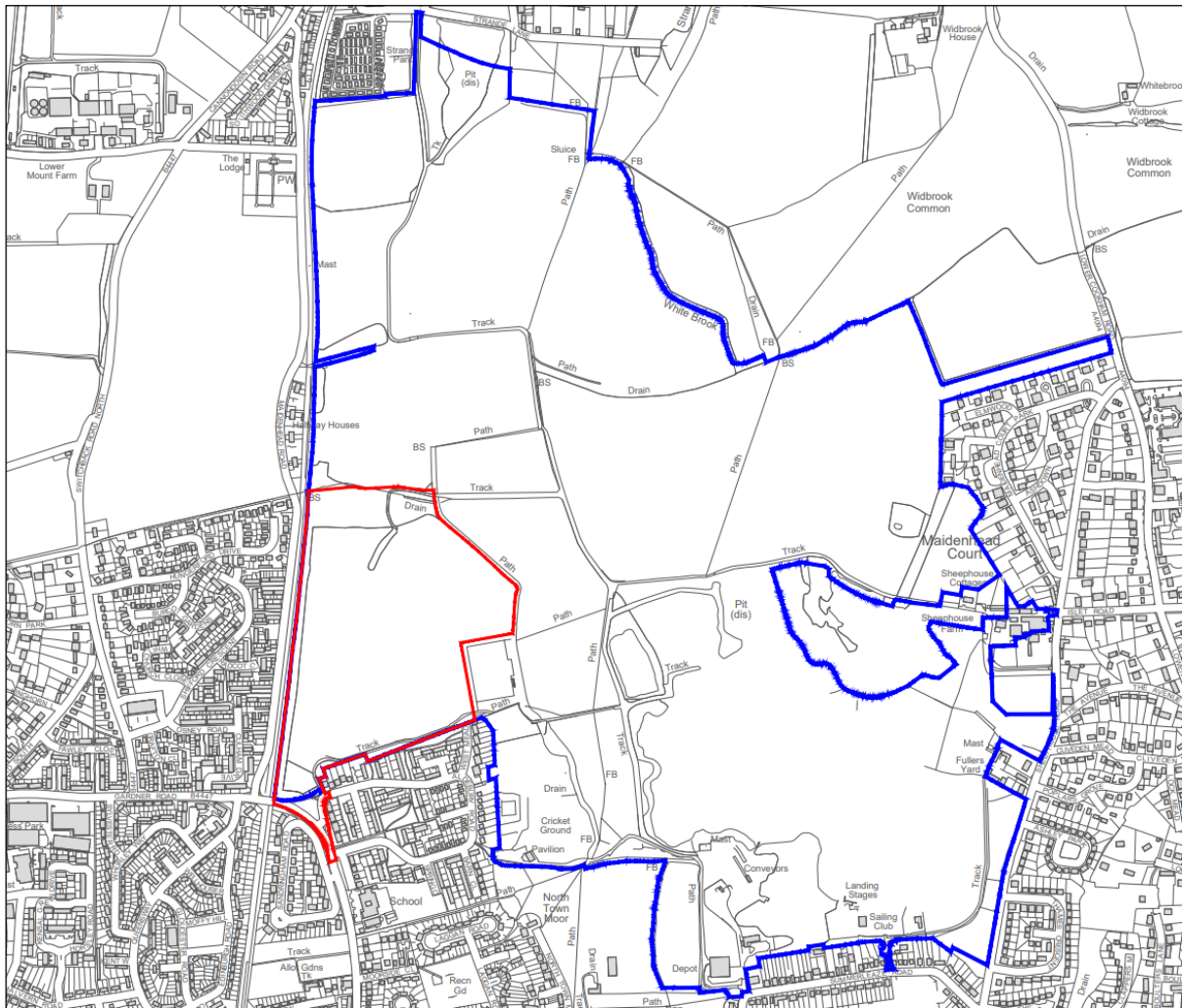
ITB4215-GA-009 Rev. E

ITB4215-GA-042 Rev. A

RG-M-19 Rev. C

APPENDIX A

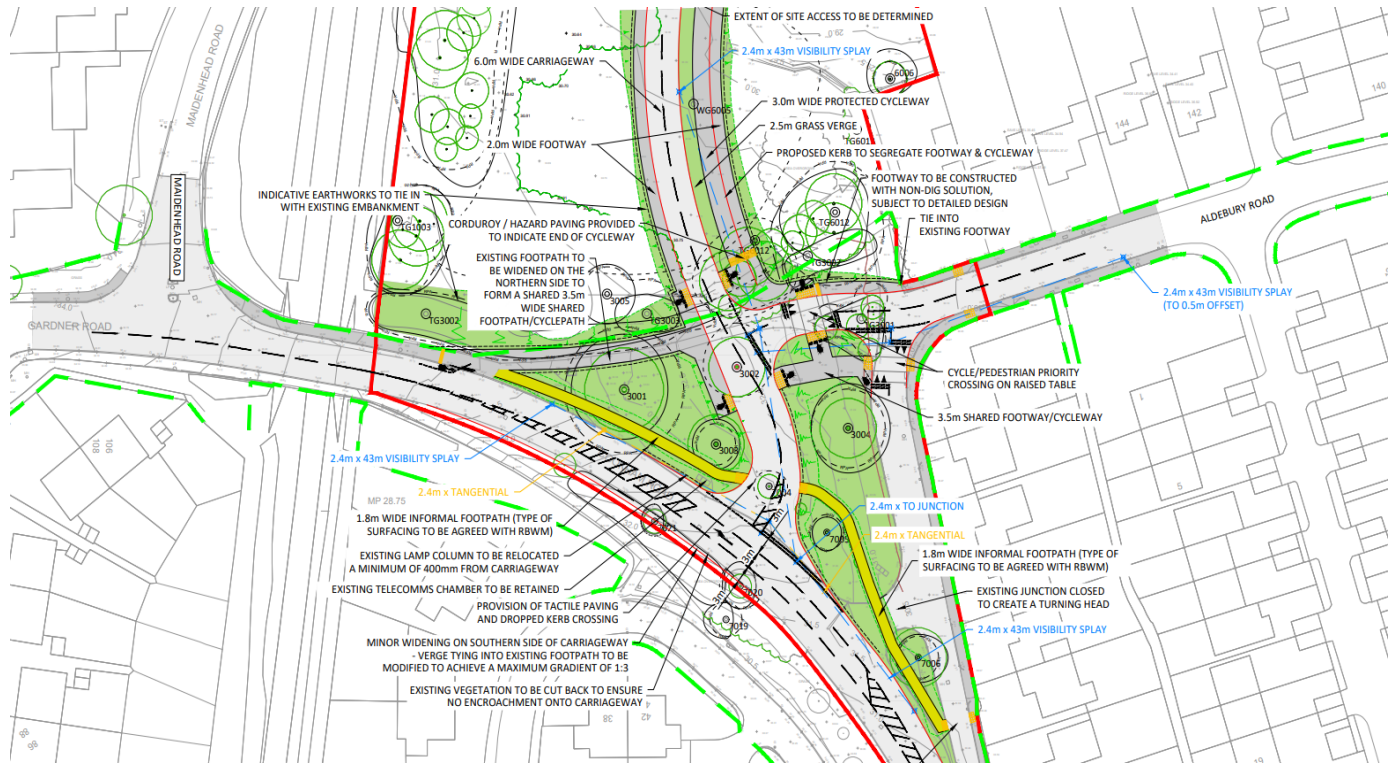
SITE LOCATION PLAN



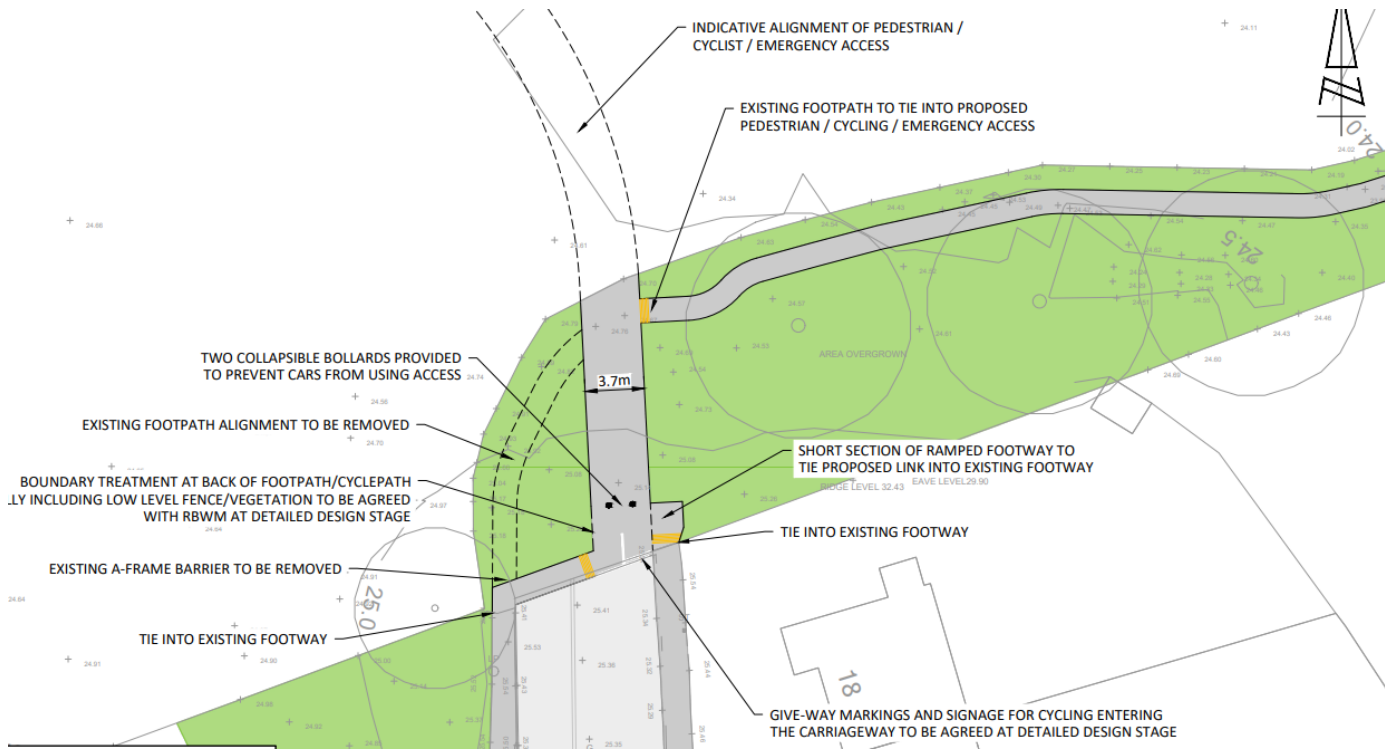
APPENDIX B

ACCESS PLANS

Vehicular access



Pedestrian/cycle/emergency access



APPENDIX C

ILLUSTRATIVE LAYOUT PLAN



APPENDIX D

PARAMETER PLAN

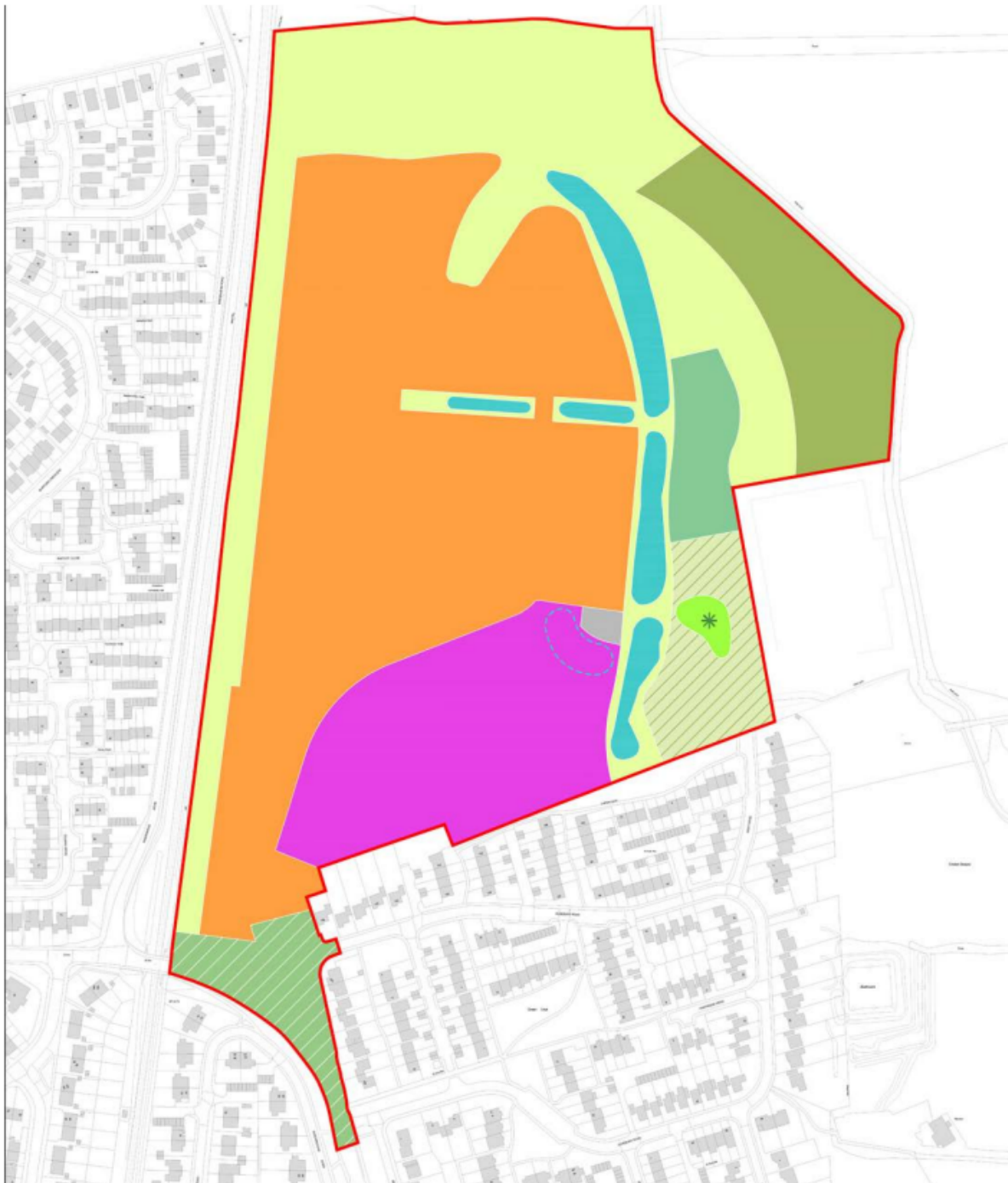


Figure 16. Land Use Principles Plan



MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 July 2023

Item: 2

Application No.:	22/01540/FULL
Location:	Land At Spencers Farm Summerleaze Road Maidenhead
Proposal:	Full planning application for enabling works comprising the provision of construction access, site preparation and earthworks (in connection with outline planning application for residential development of up to 330 new homes, land for a primary school of up to three forms of entry with associated landscaping, open space, car parking, drainage and earthworks to facilitate surface water drainage; and all ancillary and enabling works).
Applicant:	IM Land 1 Limited Summerleaze Limited
Agent:	Miss Jane Harrison
Parish/Ward:	Maidenhead Unparished/Riverside
If you have a question about this report, please contact: Sarah Tucker on 01628 796292 or at sarah.tucker@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application site comprises an area of land which has been allocated for development under the adopted Borough Local Plan (BLP). The BLP sets out that Site Allocation AL25 has been allocated for approximately 330 residential units and educational facilities, with associated works, and sets out the expectation of proposals in delivering a scheme at the site.
- 1.2 This application seeks planning permission for enabling works associated with the proposed redevelopment of the site (proposed under application ref. 22/01537/OUT which is also on the Committee agenda), including site preparation, earthworks and the provision of a construction access to carry out the enabling works via a temporary heavy duty vehicle crossover on the Cookham Road. The report sets out the relevant Development Plan and other policy considerations relevant to this planning application as well as the necessary consultation responses that have been submitted during the course of the application. The report also sets out the main material planning considerations and assessment in relation to this planning application.
- 1.3 It has been demonstrated that the proposed enabling works to facilitate the redevelopment of the site are acceptable. The temporary vehicular access would not result in material harm to pedestrian and highway safety in the surrounding area, nor would the proposed works result in material harm to the appearance of the area, residential amenity, flood risk, ecology, trees or landscaping, subject to the use of appropriate conditions.

It is recommended the Committee grants planning permission with the conditions listed in Section 15 of this report.

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 is for major development.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises approximately 19.2 hectares of mostly arable agricultural land, with small areas of grassland and woodland, located to the north of Maidenhead town centre. To the north of the site is a wooden copse area, with the single track Marlow railway branch line to the west, Green Belt land (Site Allocation AL28: Land north of Lutman Lane, Spencer's Farm) to the east, including a public footpath and the sports pitch used by Holyport Football Club and to the south, residential properties.
- 3.2 The site is located within Flood Zones 1 and 2, with the eastern part of the site within Flood Zone 3. There is a Public Right of Way along the north eastern boundary of the site (Route: MAID/20/3). There is currently no vehicular access onto the site.
- 3.3 The site forms the AL25, Land known as Spencer's Farm, north of Lutman Lane, Site Allocation within the BLP. To the east of the site is the AL28, Land north of Lutman Lane, Spencer's Farm, Maidenhead, a Green Infrastructure site providing sports facilities, public open space, habitat area and flood attenuation.

4. KEY CONSTRAINTS

- 4.1 The key site designations and constraints are listed below:
- BLP Site Allocation AL25, Land known as Spencer's Farm, north of Lutman Lane;
 - BLP Site Allocation AL28: Land north of Lutman Lane, Spencer's Farm to the east;
- and,
- Site is located within Flood Zones 1, 2 and 3.
- 4.2 The site is allocated as a development site within the BLP. It is not within the Green Belt.

5. THE PROPOSAL

- 5.1 The application seeks planning permission for enabling works at the site comprising:
- the provision of a construction access to carry out the enabling works via a temporary heavy duty vehicle crossover on the B4447 Cookham Road, located approximately 30m to the north of the northern Aldebury Road priority junction;
 - site preparation; and,
 - earthworks.
- 5.2 The proposed works are sought in connection with an outline planning application for a residential development on the site for up to 330 new homes, land for a primary school of up to three forms of entry with associated works (application ref. 22/01537/OUT). This application is also on the committee agenda. The proposed access would follow the alignment of the proposed access arrangements to serve the proposed development considered under application ref. 22/01537/OUT.
- 5.3 The works would involve a cut and fill exercise on the site in order to achieve the required levels for the proposed development. The works would raise the level across the majority of the site by between 1.0m and 2.0m, together with excavation of small areas of the north, south west and east of the site of up to 1.0m. The amount of material required to undertake the earthworks is approximately 130,970 cubic metres.

6. RELEVANT PLANNING HISTORY

- 6.1 Relevant planning history for this site is provided below and relates to the proposed development of the site to which the proposed enabling groundworks in this planning application relate. Furthermore, a Stakeholder Masterplan document (SMD) for the site was approved by Cabinet on the 21st July 2022.

Reference	Description	Decision
22/01537/OUT	Outline application for access only to be considered at this stage with all other matters to be reserved for residential development of up to 330 new homes, land for a primary school of up to three forms of entry with associated landscaping, open space, car parking, drainage and earthworks to facilitate surface water drainage; and all ancillary and enabling works.	Awaiting determination. This application is also on the committee agenda.

7 DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

Adopted Borough Local Plan (BLP)

Issue	Policy
Managing Flood Risk and Waterways	NR1
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
Rights of Way and Access to the Countryside	IF5
Character and Design of New Development	QP3
Housing Development Sites	HO1

- 7.2 As noted above, the site fall within the wider AL25 Site Allocation and to the east of the site is the AL28, Land north of Lutman Lane, Spencer's Farm, Maidenhead, a Green Infrastructure site providing sports facilities, public open space, habitat area and flood attenuation. As such additional reference is made to Policy HO1 and the associated Site Proformas below.

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4- Decision-making

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

Section 15 – Conserving and enhancing the natural environment

Other Local Strategies or Publications

RBWM Environment and Climate Strategy

RBWM Corporate Plan

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

113 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 16th June 2022 and the application was advertised in the Local Press on 16th June, 2022.

36 representations were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Surrounding roads are extremely busy. Another school and additional residential units would make the situation much worse.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
2.	The proposed access, on a high gradient/bend/with high traffic flows, would be dangerous and complicate access to the existing residential properties in the area.	See section 10.
3.	Wildlife in the area would be severely disrupted or even obliterated.	See section 10.
4.	Wrong to develop on open space. Better used solely for recreation purposes or to grow food.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
5.	Pollen rich gardens will make things worse for allergy sufferers.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.

6.	Consultation exercise seems to be a waste of time.	The applicant has conducted extensive consultation prior to submission and the Council has carried out formal consultation on the planning application in line with its statutory duties.
7.	School should be on the north side to minimise noise to properties on Aldebury Road and to improve the aspect.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
8.	Existing parking and traffic pressures in the area, with other developments also proposed.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
9.	No need for another primary school increasing demand on secondary schools. Recent census shows an aging population.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
10.	Bringing in material to build up site levels will cause immense traffic disruption, raise pollution levels and damage the highway.	See section 10.
11.	Area immediately surrounding the site has a past record of flooding. Increased flood risk. The evidence must be analysed by the EA. Existing residents have difficulty getting household insurance.	See section 10.
12.	Noise and air pollution during construction works, together with dust and road debris placing financial burden on residents and go against the RBWM eco-friendly ethos.	This would be dealt with under Environmental Health regulations to ensure that the development means relevant criteria/legislation.
13.	Proposals should not be viewed in commercial or numerical terms. Should be a longer-term strategy and truly innovative plans to enhance the community for existing and future residents. This is not the case.	The application is considered on its merits at the time of submission in accordance with relevant development plan policies.
14.	Concerns the proposals would devalue the existing houses in the area, particularly those currently enjoying countryside views.	This is not a material planning consideration in the determination of the application. The application is considered on its merits at the time of submission, in accordance with relevant development plan policies.

15.	Concerns with infrastructure impacts given already busy doctors and dentists.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
16.	Loss of ecological potential for the site. A brownfield site should be used instead.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT. Notwithstanding this, a condition is recommended to secure Biodiversity Net Gain.
17.	No attempt made to acknowledge or satisfy the BLP Proforma requirement for an exception test to be satisfied. Application should not be accepted without this.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
18.	Traffic assessment is incomplete and does not take into account three developments in Cookham, each adding traffic, as well as making unrealistic expectations on walking.	See section 10.
19.	Confusion on access to the two planning applications.	This application relates only to enabling works as set out in section 5. As part of this, a temporary construction access is proposed on the B4447 Cookham Road, located approximately 30m to the north of the northern Aldebury Road priority junction.
20.	Bland and unimaginative design for new dwellings.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
21.	Access for services should not be allowed. The development should have zero impact on the environment.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
22.	Concerns with foul water exit (raised by Thames Water) and increased sewage/water demand.	See section 10.

23.	Flats are a short term fix appealing to the younger generation. Where is the longevity of keeping residents and contributing to taxes.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
24.	Insufficient infrastructure in the area for new homes.	This application relates only to enabling works as set out in section 5. The redevelopment of the site is being considered under application ref. 22/01537/OUT.
25.	Loss of privacy from raised ground levels, plus height of proposed apartments.	See section 10.
26.	Wellbeing and mental health of local residents has not been adequately considered.	The site has been considered appropriate for redevelopment under the BLP and was the subject of extensive consultation and consideration.
27.	The PDF marked 22_01537_OUT—2616850 says Marnel Park Development Strategy and yet it is supposed to be about Spencers Farm. Marnel Park is in the Basingstoke area. This is suspect.	Noted. This document is submitted in connection with application ref. 22/01537/OUT. Notwithstanding this, the content of the document references the correct site.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency (EA)	No objection, subject to recommended condition.	See section 10
Lead Local Flood Agency (LLFA)	No objection, subject to recommended condition.	See section 10.

Consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection, subject to recommended condition.	See section 10.
Highways	No objection, subject to recommended condition.	See section 10.
Ecology	No objection, subject to recommended condition.	See section 10.
Thames Water	The application indicates that surface water will not be discharged to the public network and as such no objections are	See section 10.

	<p>raised, subject to condition and approval from the LLFA.</p> <p>Should the applicant subsequently seek a connection to discharge surface water into the public network in the future, Thames Water would review this position.</p>	
Berkshire Archaeology	No objection, subject to recommended condition.	See section 10.
Trees	No objection, subject to recommended condition.	See section 10.

Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Cookham Parish Council (CPC)	<p>These applications, based on flawed arguments, should be rejected due to non-compliance with the NPPF, BLP and EA.</p> <p>Query the suggestion in paragraph 4.4.4 of the Travel Plan that journeys up to 3.2km are an 'acceptable walking distance where walking is a realistic alternative to car use where some people (circa 31%) are still prepared to walk'. No basis whatsoever for that assumption is provided. It is strongly counter-intuitive: who is going to walk 3.1km back from a shop, laden with shopping, for example? On the contrary, that assumption is flatly contradicted by the Plan's own Image 4.1. This shows clearly that less than 20% of journeys over 1 mile and up to 5 miles (the change of measurement system between the measuring systems is confusing) are likely to be on foot. 3.2km is 2 miles, so is not even marginal to the 1 mile lower end of that range: it is twice the lower limit. It is plain therefore that the Travel Plan is based upon unrealistic assumptions as demonstrated by its own figures. Nor is any basis provided for the assumption about cycle usage. It is further quite clear that no thought has been given to potential use by residents of the new development to facilities in Cookham. Not a single such facility is mentioned in Table 4.3 'Local Facilities'. Thus, for example, retail facilities up to 2300m (i.e. about 1.5 miles) away in Maidenhead are mentioned. Yet</p>	<p>See section 10.</p> <p>All submitted documents in connection with the planning application have been made available on the Council's website for review and remain online. Furthermore, comments are accepted and taken into consideration as part of the application until such time as a determination/resolution is made.</p>

the CountryStore in Cookham, almost exactly two miles away is not even mentioned, despite being quicker to reach by car since the road access does not pass through the (congested, especially at rush hour) traffic lights as does the route to the Tesco Express (and despite being within the 3.2km wrongly claimed walking access distance, via pleasant country paths).

CPC believes that there will be an impact on Cookham's facilities, especially by road, which has not been factored into the plans in any way.

A substantial proportion of the documents relevant to the applications could not be accessed - the documents were 'unavailable for viewing at this time' - on RBWM's planning portal when this submission came to be prepared. It is most unsatisfactory that the consultation period closes at a time when documents are unavailable. The documents should be available throughout the consultation period; otherwise it is no true consultation period. The documents concerned included traffic documents important to this consultation response. CPC requests its extension accordingly.

CPC primary concerns based on what documents it has been able to consult are:

1. Traffic. As is sufficiently well known and accepted through the BLP consultation and development process hardly to need repetition, Cookham is already a traffic pinch point. The Pound (B4447) is a very narrow, 20mph, dangerous pedestrian/traffic single carriageway road which has to be used, despite its dangers, by pedestrians including parents taking children to school; Cookham High Street (B4447) is similar, running through a Conservation Area with a well-known history of minor vehicular damage; its junction with the A4094 just south of Cookham Bridge is the source of frequent traffic jams through the Conservation Area with resultant noise and pollution for residents; Cookham Bridge itself is the only route north over the Thames in the Borough, is a Listed structure, traffic light controlled, and thus causes further traffic

jams in the Conservation Area and south along the A4094. There can be no doubt that a significant Page 3 of 4 proportion of the around 600 cars likely to be generated by this development will head north into or through Cookham and add to all these already serious problems.

2. In doing so, many will use the old Maidenhead Road, a narrow single carriageway road which winds past terraced homes with poor visibility both for road users and residents trying to join the road. This will add significantly to the hazards of this road. The alternative, longer, route is the B4447 which is well known to be hazardous (note recent death there). Both roads use an entry to Cookham under Cannondown Bridge, an already notoriously difficult/dangerous structure, the current subject of discussions between CPC and RBWM which is agreeing to install new measures relating to pedestrian safety, which is frequently damaged (with the road sometimes being closed as a result) by high goods vehicles. CPC considers that the traffic issues raised in these two paragraphs are sufficiently severe to meet the NPPF test required to justify refusing this application on traffic grounds.

3. The above omits mention of the proposed development on site AL37, Lower Mount Farm, Cannondown Road, Cookham. That development is proposed for 200 homes, and will thus add about 400 new cars to the stressed network described – it is proposed at present by the developer via a single access onto Cannondown Road, south of Cannondown Bridge. In addition, a development of 20 homes is proposed on site AL38, Strande Park, which also enters the wider road network onto Maidenhead Road. The existing problems will therefore be seriously exacerbated by those developments. There are significant understatements of the problems which will arise from this development.

CPC wishes to add that the developments planned and being built at Slate Meadow and Hollands Farm in Bourne End, with a total of just under 1,000 homes, will

	<p>obviously also seriously exacerbate these existing issues. Cookham Bridge, Cookham High Street, the Pound and the B4447 will be the major route south to Maidenhead for all the southerly traffic generated by those two large developments. There will be significantly increased pedestrian traffic hazards, queuing and hence noise and air pollution – all especially in the Pound due to its very narrow pavement, a pedestrian route for children attending Holy Trinity Primary School.</p> <p>4. In this respect too, CPC notes with particular concern the issues arising from the railway bridge on the Cookham Road immediately to the west of the site. This bridge has obscured sight-lines due to its hump-back construction, is immediately east of the road junction between the Maidenhead Road heading north and Gardner Road heading west and is right by a corner. It has 13 metric tonne weight restriction, which has led to barriers restricting its width. Yet it is likely to be used; (a) by construction traffic using heavy vehicles and requiring many traffic movements – or else that will all have to go south through residential areas past three primary schools; and (b) permanent resident traffic heading west (including south-west into Maidenhead towards the M4) as well as north towards Cookham, Marlow and Henley. It will be a serious hazard to both traffic and pedestrians, justifying refusal.</p> <p>5. Nor should the traffic and pedestrian inflows into the site to access the new school be forgotten. Added to the issues referred to above, they will significantly worsen already great traffic and pedestrian safety problems.</p> <p>6. CPC repeats its view that all this meets the NPPF test of ‘unacceptable impact on highway safety’ both individually and cumulatively and/or because the ‘residual cumulative impact on the road network would be severe’ (NPPF paragraph 111) and justifies refusing the application.</p> <p>7. The proposal will plainly result in significant pedestrian movement of</p>	
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children both generally, including to local shops, but in particular to schools outside the site at rush hour. This is effectively admitted by the Travel Plan. The traffic issues highlighted above indicate significant danger to such pedestrians including especially such pupils at rush hour. No adequate measure are, or could be in CPC's view, proposed to prevent this danger.

8. Flooding. As the Rt Hon Theresa May MP has cogently pointed out in her own comment in the proposal, the site is unacceptably exposed to flood risk. CPC does not believe that the proposals made in connection with this development deal properly/adequately with this issue. Cookham is a serious flood risk and anything north of the Jubilee River which Page 4 of 4 increases this risk by greater run off or use of the flood plain is unacceptable. It urges rejection of the proposal for that reason too. CPC does not consider that the proposals meet the test laid down by paragraph 153 of the NPPF by properly dealing with the 'implications for flood risk, ... biodiversity and landscapes'. Without rehearsing all the relevant parts of the NPPF and Environment Agency relating to potential developments at risk of flooding, CPC mentions simply that Sir James Bevan, the head of the Environment Agency, is on record as saying: "Building in the flood plains in England should be avoided if at all possible", and says simply that it does not consider that this development meets those requirements, including the exception test, and hence should be rejected on those grounds.

9. CPC understands that the presence of protected wildlife has been reported. Further, the use of this substantial area of countryside for housing will significantly reduce the green and infrastructure north of Maidenhead/south of Cookham, contrary to both national criteria (e.g. NPPF (2021) paragraph 8(c) 'improving biodiversity', 11 (c) 'improve the environment', 174(d) 'minimising impacts on and providing net gains for biodiversity', 180(d) 'if significant harm to biodiversity resulting from a development cannot be

	<p>avoided ... adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused') and the policies of the BLP which require plans to demonstrate enhancement of green and blue infrastructure. For those reasons too, CPC objects to it.</p>	
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of Development;
- ii Flooding and Sustainable Drainage;
- iii Parking and Highways Impacts;
- iv Design and character;
- v Impact on amenity of neighbouring buildings; and,
- vi Other material considerations.

Principle of development

10.2 Policy HO1 of the BLP commits to providing at least 14,240 new dwellings in the plan period up to 2033 that will focus on existing urban areas and the allocations listed within the policy and as shown on the Proposals Map.

10.3 The application site comprises Site Allocation AL25, Land known as Spencer's Farm, north of Lutman Lane, which is allocated for approximately 330 residential units and educational facilities. The Green Belt boundaries have been re-drawn under the current BLP and the application site is no longer within the Green Belt. The BLP identifies the site as appropriate for residential and educational development, subject to site specific requirements.

10.4 The proposed works which form part of this planning application are sought in order to facilitate the delivery of this residential and education use on the site. The levelling/excavation works would have an acceptable impact on the appearance of the site and the access forming the subject of this application is temporary only which would be secured by recommended condition. On this basis, the principle of the works is acceptable.

Flooding and Sustainable Drainage

10.5 Policy NR1 of the BLP states that within designated Flood Zones 2 and 3 (and also in Flood Zone

1 on sites of 1 hectare or more in size and in other circumstances as set out in the NPPF) development proposals will only be supported where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Policy NR1 goes on to state that development should not itself, or cumulatively with other development, materially:

- a. impede the flow of flood water;

- b. reduce the capacity of the floodplain to store water;
 - c. increase the number of people, property or infrastructure at risk of flooding;
 - d. cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere;
 - e. reduce the waterway's viability as an ecological network or habitat for notable species of flora or fauna.
- 10.6 The application has been submitted alongside a Flood Risk Assessment (FRA) and Outline Drainage Strategy which has been the subject of formal consultation with the EA. The site is predominantly located within Flood Zones 1 and 2, with the eastern part of the site within Flood Zone 3 (high probability of flooding). In terms of surface water flood risk, it is set out that parts of the site are at very low, low, medium and high risk of surface water flooding. The EA have confirmed that the submitted modelling is acceptable and that the works proposed within this planning application would take place on land which is outside of Flood Zone 3a with allowances for future flood risk due to climate change. Therefore, there would be no impact on fluvial flood storage capacity as a result of this application.
- 10.7 The Local Lead Flood Authority is satisfied that the FRA and the Outline Drainage Strategy is appropriate and will have acceptable storage on site to accommodate run-off and as such raises no objection to the proposals. A condition is recommended to ensure compliance with the submitted FRA as well as a condition relating to non-infiltration of surface water drainage. The EA requested conditions relating to submission of a remediation strategy; however, the Council's Environmental Protection Officer is satisfied with the submitted remediation strategy and compliance with this has been set out in a recommended condition, alongside the submission of a verification report and a condition relating to unexpected contamination, as required by the EA. A condition is recommended requiring compliance with the full FRA in the event that the residential development is not implemented.

Parking and highways

- 10.8 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 seeks similar goals in seeking to ensure development proposal maximise and promote opportunities for sustainable transport modes.
- 10.9 The application has been submitted alongside a Construction Environmental Management Plan (CEMP) and a Transport Assessment (TA) (Enabling Works) which relates to the proposed works. The proposals relate to the creation of a temporary access which would be used during the enabling works only. The access would be in the form of a temporary heavy-duty vehicle crossover, located off the B4447 Cookham Road, approximately 30m to the north of the northern end of the Aldebury Road priority junction. Cookham Road is a two way single carriageway road with a 30mph speed limit. The proposed access provides the required sight lines (2.4m by 43m) in both directions for vehicles travelling at 30mph, with sufficient space for a large tipper to safely turn right into the site in the event that a similar vehicle was waiting to turn left, therefore ensuring that there would be no requirement for waiting on the main carriageway. The proposed temporary access would not therefore result in material

harm to highway safety in the surrounding area. A condition is recommended to secure the provision of the access prior to commencement of the enabling works.

- 10.10 The proposed enabling works would take ten months to complete and would generate 84 lorry movements (two-way movements) per day from Monday to Friday and 42 movements (two-way movements) on Saturdays. The submitted reports set out that working and delivery hours would be 08:00 to 18:00 from Monday to Friday, and 08:00 to 13:00 on Saturdays. This is acceptable from a highways perspective.
- 10.11 In the absence of a site set-up plan, a condition is recommended which would secure details of parking, loading/unloading, wheel washing, welfare and office and facilities in the form of a revised Construction Management Plan. This would also secure further details for the management of arrival of construction vehicles to minimise disruption from multiple vehicles attending the site at the same time. The existing footpath on the northern side of the B4447 Cookham Road linking to Aldebury Road is shown on the submitted plans to be maintained throughout the enabling works and the level of the haul road is also shown to be made up to footpath levels with pedestrian crossing warning signs to be provided to inform approaching tipper lorry drivers. This would be secured by a recommended condition relating to the approved plans.

Design and Character

- 10.12 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, ware features enclosure and materials. 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.
- 10.13 The proposed heavy duty vehicle crossover is temporary only and is therefore acceptable in order to facilitate the works. A condition is recommended to ensure that the land with regard to the temporary access is returned to its existing state once the enabling works are complete. The proposed levelling and/or excavation across the site is modest and would facilitate the wider redevelopment of the site. In this context, the enabling works are acceptable and would not in themselves harm the appearance of the site.

Amenity

- 10.14 Policy QP3 of the BLP requires new development to have regard to a number of principles. Policy QP3 (m) requires development proposals to demonstrate that there would be 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” which 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”.

- 10.15 The proposed temporary access, which would be removed upon completion of the enabling works, together with the site preparation, would not in itself result in material harm to amenity of occupiers of surrounding properties. The proposed cut and fill across the site to achieve the required levels for the proposed development of the site would raise the level across the majority of the site between 1.0m and 2.0m. In the context of the site and given the relationship with surrounding properties, the actual modest raising of the ground would not result in unacceptable harm to the amenity of neighbouring occupiers in terms of loss of light, privacy or an increased sense of enclosure.
- 10.16 Policy EP2 of the BLP requires development proposals to demonstrate that they do not significantly affect residents within or adjacent to an Air Quality Management Area (AQMA) or to residents being introduced by the development itself. Development proposals which may result in significant increases in air pollution must contain appropriate mitigation measures in order to reduce the likelihood of health problems for residents.
- 10.17 As such, whilst outside of an AQMA, the application has been submitted alongside an Air Quality Assessment in order to address the impact of the proposed works on local air quality both during the construction and operation phase. The report includes a dispersion modelling study of the local air quality conditions and the potential impact from additional vehicle exhaust emissions, concluding that the predicted annual mean nitrogen dioxide concentrations at the receptor points would be below current relevant air quality objectives. Accordingly, the proposed development of the site both during construction and operation, would have an acceptable impact on air quality in the surrounding area in line with the BLP Site Allocation requirements. In addition, the report sets out recommended measures to reduce the risk of dust and exposure to pollutants during works and these measures would be secured by recommended condition.
- 10.18 Policy EP5 of the BLP sets out that development proposals will be supported where it can be demonstrated that proposals will not cause unacceptable harm to the quality of groundwater, including Source Protection Zones, and do not have a detrimental effect on the quality of surface water. Development proposals should demonstrate how they will achieve remedial or preventative measures and submit any supporting assessments. Development proposals will also be reviewed under pollutant linkage (source-pathway-receptor) risk assessments in relation to measures that affect surface and groundwater and be required to demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.
- 10.19 The application has been submitted alongside a Land Quality Statement, a Piling Risk Assessment and an Outline Earthworks Specification. These documents demonstrate that the risk to sensitive receptors such as future users of the site and Controlled Waters is generally low with respect to soil contamination including asbestos, with no on-site source of ammonia identified. Furthermore, it has been demonstrated that whilst ground gas is present at the site, it does not present an elevated risk and no further risk assessment or preclusion measures are required.
- 10.20 In addition to the above, a Remediation Specification and verification reporting proposal has been submitted which is satisfactory and should be carried out as detailed within the report. This is secured by a recommended condition and a condition is also recommended to ensure that any unexpected contamination is dealt with appropriately.

- 10.21 Policy EP4 of the BLP requires development proposals to consider the noise and quality of life impact on recipients in existing nearby properties, ensuring they will not be subject to unacceptable harm, setting out that development proposals that generate unacceptable levels of noise and affect quality of life will not be permitted. Effective mitigation measures will be required where development proposals may generate significant levels of noise (for example from plant and equipment) and may cause or have an adverse impact on neighbouring residents, the rural character of an area or biodiversity.
- 10.22 The application has been submitted alongside a Noise Impact Assessment which confirms that noise levels during construction works would be in line with relevant legislation. This is acceptable and would be covered by Environmental Health legislation during works. The enabling works once completed would not result in a material increase in noise and disturbance in the surrounding area.

Other material considerations

Trees

- 10.23 Policy NR3 of the BLP sets out 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.
- 10.24 The application has been submitted alongside an Arboricultural Implication Assessment. The indicative design and layout of the proposed development, together with the access points, have been structured around the existing form of the site which would ensure that tree removals are kept to a minimum. No Category A trees have been identified as requiring removal to facilitate the development. The visual impact of tree loss would be minimal due to the enclosed nature of the southwest corner of the site where all removals are located. Replanting would be secured under application ref. 22/01357/OUT.
- 10.25 The single veteran tree within the development area has been correctly identified and designed into the proposed layout of the landscape. The correct buffer zone has been applied and suitable protection set out to ensure that the increased pedestrian traffic post-development would not have a negative impact on the condition of this tree. Tree protection measures for this tree and other retained trees within the site would be secured by a recommended condition. Where pruning work to retained trees has been deemed necessary due to health and safety implications, practical recommendations have been made which would avoid any negative impact to the overall condition of these trees. Furthermore, the woodland management recommendations are sensible and would improve the future condition of these woodlands. Any tree work should be carried out to the standards set in BS3998:2010 and current industry guidelines. A condition is recommended to ensure that no further tree works other than that which is shown on the submission are carried out at the site.

Ecology and biodiversity

- 10.26 Policy NR2 of the BLP requires applications 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.

- 10.27 The application has been submitted alongside an Ecological Assessment and a Biodiversity Net Gain Assessment. Whilst there would be impacts on wildlife and habitats, these are assessed fully as part of the concurrent outline planning application also on this committee agenda (ref. 22/01537/OUT) and overall there would be a proposed increase of biodiversity net gain of 11.74%. Whilst there is a full assessment of the impacts of the ecology and biodiversity on site on the concurrent outline planning application, it is important that wildlife and habitats are protected during the engineering works and as such a construction environmental management plan is secured by recommended condition for the current application. A condition is also recommended to ensure compliance with the uplift in biodiversity net gain in the event that the residential development is not implemented on the site.

Archaeology

- 10.28 Policy HE1 of the BLP requires all applications for works in archeologically sensitive areas to include a desk-top archaeological assessment.
- 10.29 Prior to gravel extraction, the site evidenced prehistoric remains in the north-western area of the application site indicating a possible prehistoric settlement, along with nearby ring ditches, enclosures, ditches and trackways, and a barrow cemetery further south. Further northwest, approximately 575m beyond the site, there was a Bronze age settlement at Switchback Road. Together, these give clear indication of extensive prehistoric activity in the area and, therefore, potential for evidence to remain where gravel extraction has not taken place. The area also has some potential for Roman activity, with a Roman settlement and kiln at Priors Pit approximately 520m north, and an urn and coin found 200m south of the site at Spencers Farm, although nothing is directly known within the site. Spencers Farm itself is a medieval moated manor approximately 150m south of the application boundary and it is possible that associated remains may also survive around its perimeter.
- 10.30 Given that the site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development, a condition is recommended to secure a phased scheme of archaeological work which should be implemented in accordance with a Written Scheme of Investigation in order to mitigate the impacts of the proposed development.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is not CIL liable.

12. PLANNING BALANCE

- 12.1 The application site forms part of the AL25 Spencers Farm Site Allocation pursuant to policy H01 of the BLP. The proposed enabling works to facilitate the development of the site are acceptable in principle and complies with relevant development plan policies.
- 12.3 For the reasons set out within this report, the proposed development is acceptable and the recommendation therefore is that planning permission is granted, subject to recommended conditions as set out in this report.

13 CONCLUSION

- 13.1 The application, would for the reasons set out above, represent an acceptable form of development to enable development works to be carried out on an Allocated Site in the BLP.

14. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Site access arrangements
- Appendix C- Proposed contours
- Appendix D- Proposed ground levels

15. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Prior to commencement of the works, the temporary access shall be constructed in complete accordance with the approved plans. Following completion of the enabling works, the site, with regard to the temporary access, shall be restored to its existing condition and the land restored to its former condition.

Reason: in view of the particular circumstances of this application and to ensure that the development is carried out in accordance with the approved particulars and plans and in accordance with policies QP1, QP3 and IF2 of the Borough Local Plan.

- 3 No deliveries in connection with the enabling works shall be taken or dispatched from the site between 08:00 and 09:00 hours and 15:00 and 16:00 hours.

Reason: In the interests of highway safety and the free flow of traffic in accordance with policies IF2 and QP3 of the Borough Local Plan.

- 4 In the event that the reserved matters permission is not granted within five years of the date of this permission, an updated biodiversity net gain calculation and associated plan for on site delivery and monitoring shall be submitted to and approved in writing by the Local Planning Authority to provide details of the biodiversity net gain which will be delivered as part of this development (including a clear demonstration through the use of an appropriate biodiversity calculator such as the Defra Metric 3.0 that a net gain would be achieved). The plans shall be in accordance with the updated biodiversity net gain assessment and shall include (but not limited to) the following:

- a) A habitat management plan;
- b) Long term aims and objectives for habitats and species;
- c) Detailed management prescriptions and operations for newly created habitats, locations, timing, frequency, durations, methods, specialist expertise (if required), specialist tools/ machinery or equipment and personnel as required to meet the stated aims and objectives;
- d) A detailed prescription and specification for the management of the new habitats;
- e) Details of any management requirements for species specific habitat enhancements;
- f) Annual work schedule for at least a 30 year period;
- g) Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives;
- h) Details of proposed reporting to the council and council ecologist and proposed review and remediation mechanism; and,

i) Proposed costs and resourcing and legal responsibilities.

The measures shall thereafter be implemented/installed in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity if the residential development of the site is not implemented, in accordance with the NPPF and policy NR2 of the Borough Local Plan.

5 Prior to commencement of the enabling works, a revised Construction Management Plan (CMP) shall be submitted and approved in writing by the Local Planning Authority. The revised CMP shall include the following:

- a. Waste and Dust mitigation plan for the removal and suppression of waste materials arising from the development;
- b. The location and operation of plant and wheel washing facilities;
- c. Loading and unloading of plant and materials;
- d. Details of the storage of materials;
- e. Programme of works (including measures for traffic management);
- f. Provision of boundary hoarding and visibility zones;
- g. Rationalise travel and traffic routes to and from the site;
- h. Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction relates activity;
- i. Measures to deal with safe pedestrian movement on-site and off-site;
- j. Parking for vehicles for site personnel, operatives, and visitors; and,
- k. Security Management (to minimise risks to unauthorised personnel).

The works shall be carried out in complete accordance with the approved CMP.

Reason: In the interests of highway safety and the free flow of traffic in in accordance with policies IF2 and QP3 of the Borough Local Plan.

6 The works shall be carried out in complete accordance with the Remediation Specification prepared by Campbell Reith dated May 2022 prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority, with the Local Planning Authority given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification/ validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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 in accordance with policy EP5 of the Borough Local Plan.

7 In the event that contamination is found at anytime that was not previously identified, work must stop and it must be reported immediately by telephone and in writing to the Local Planning Authority within two working days. An investigation and risk assessment must then be undertaken and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report shall then be submitted to and approved in writing by the Local Planning Authority.

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 in accordance with policy EP5 of the Borough Local Plan.

- 8 No development shall take place until a phased programme of archaeological works (which may include more than one phase) has been implemented in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a. an assessment of significance and research questions;
- b. The programme and methodology of site investigation and recording;
- c. The programme for post investigation assessment;
- d. Provision to be made for analysis of the site investigation and recording;
- e. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- f. Provision to be made for archive deposition of the analysis and records of the site investigation; and,
- g. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The Development shall take place in accordance with the WSI approved under this condition. The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the WSI approved under this condition and provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To protect potential archaeological remains within the site and surrounding area in accordance with policy HE1 of the Borough Local Plan.

- 9 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on plan number 37-1021.01-N contained within the Arboricultural Impact Assessment prepared by FLAC, dated October 2022, 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 and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing 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.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area in accordance with policy NR3 of the Borough Local Plan

- 10 No tree or hedgerow shown to be retained in the Arboricultural Impact Assessment prepared by FLAC, dated October 2022, shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or until five years from the date of occupation of the buildings for their permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area in accordance with policy NR3 of the Borough Local Plan.

- 11 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities;
 - b) Identification of "biodiversity protection zones";
 - c) Details of further survey for badger, bats, otter and water vole;
 - d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements and should include all mitigation measures outlined in the ecology report prior to commencement of any works to ensure that conditions on the site have not significantly changed since the time of the surveys, reasonable avoidance measures during site clearance works for reptiles, nesting birds, and hedgehog (including measures which would be undertaken should any individuals of these species be found), removal of the identified PRF under the supervision of a suitably qualified ecologist, protection of the river and any vegetation to be retained, and construction lighting to be directed away from any suitable bat habitat;
 - e) The location and timing of sensitive works to avoid harm to biodiversity features, including invasive species method statement ;
 - f) Times during construction when specialist ecologists need to be present on site to oversee works;
 - g) Responsible persons and lines of communication;
 - h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and,
 - i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the works strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise impacts on biodiversity in accordance with Policy NR2 of the Borough Local Plan and Paragraphs 170 and 175 of the NPPF.

- 12 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and Borough Local Plan policy EP5.
- 13 The development shall be carried out in accordance with the flood mitigation measures set out in the Flood Risk Assessment and Outline Drainage Strategy, prepared by WSP, Rev. 01, dated 26th May 2022.
- Reason: To secure an acceptable standard of residential amenity and to ensure that the proposed development is safe from flooding in accordance with policies QP3 and NR1 of the Borough Local Plan.
- 14 The development shall be carried out in complete accordance with the mitigation measures set out in Section 6 of the Air Quality Assessment, prepared by WSP, dated May 2022.
- Reason: To secure an acceptable standard of residential amenity in accordance with policies QP3 and EP2 of the Borough Local Plan.
- 15 The reptile translocation shall follow the methodology set out in the Ecological Impact

Assessment (Grassroots, May 2022) and the Reptile Translocation report (Grassroots, November 2022) unless otherwise agreed in writing by the Local Planning Authority. A report detailing the reptile translocation results, details of the protection of reptiles during and following development and the management and maintenance of the receptor site in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure that reptiles, a group of protected species, are not adversely affected by the proposals, in line with policy NR2 of the Borough Local Plan.

- 16 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.

RG-M-26 Rev. A
RG-M-20 Rev. B
ITB4215-GA-028 Rev. B
ITB4215-GA-031 Rev. A
ITB4215-GA-034

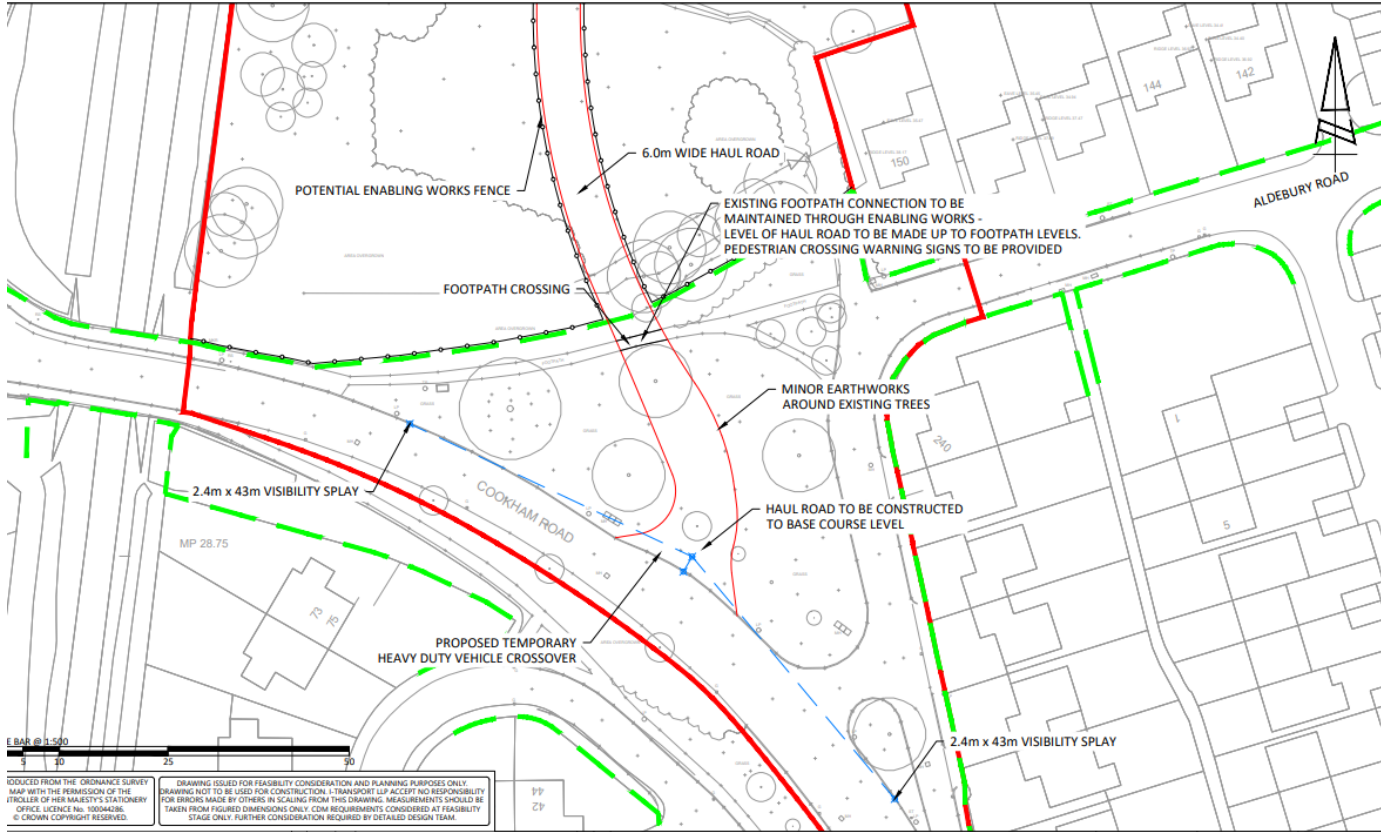
Informatives

- 1 The waste activities associated with this development will require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

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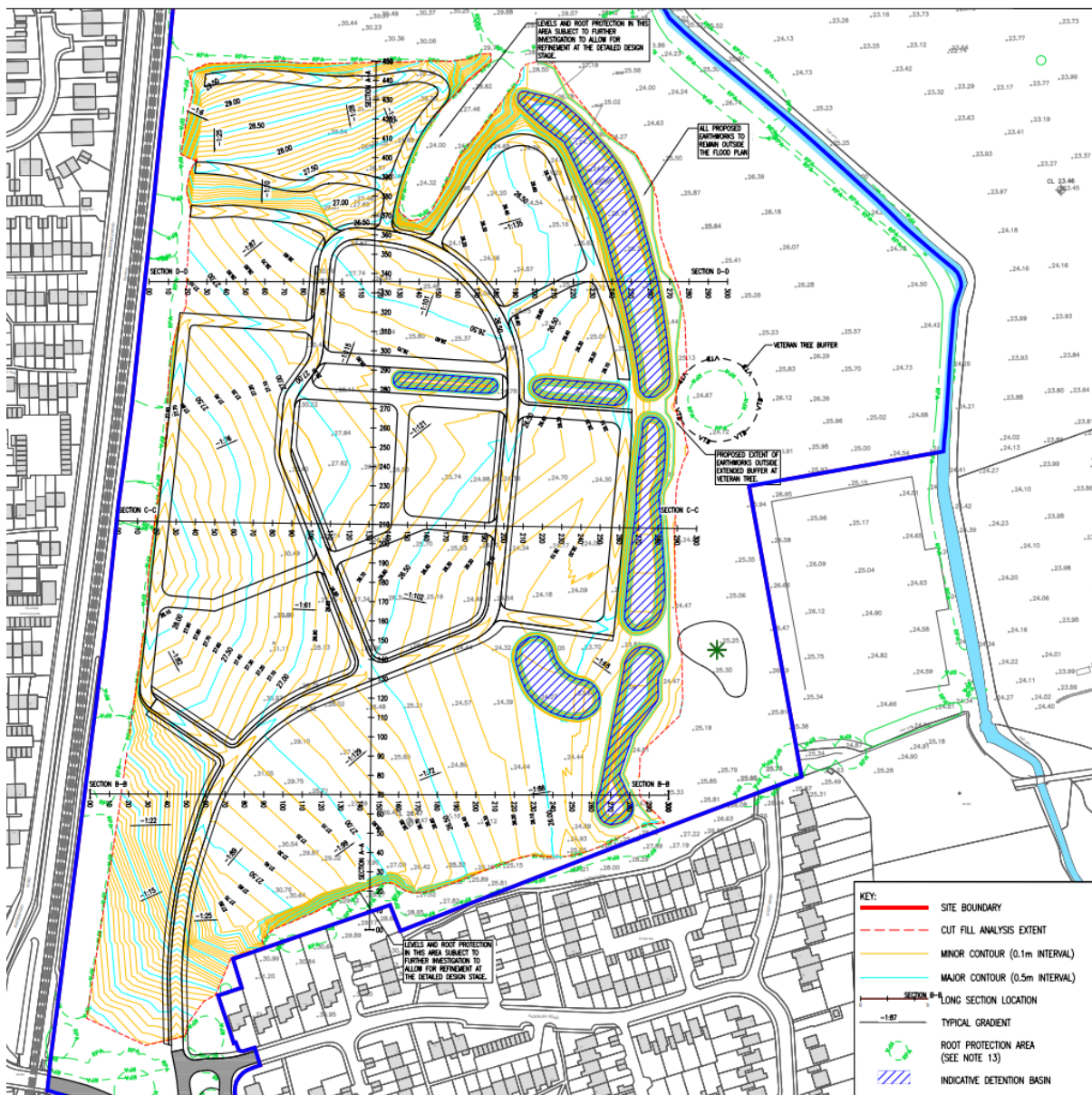
APPENDIX B

SITE ACCESS ARRANGEMENTS



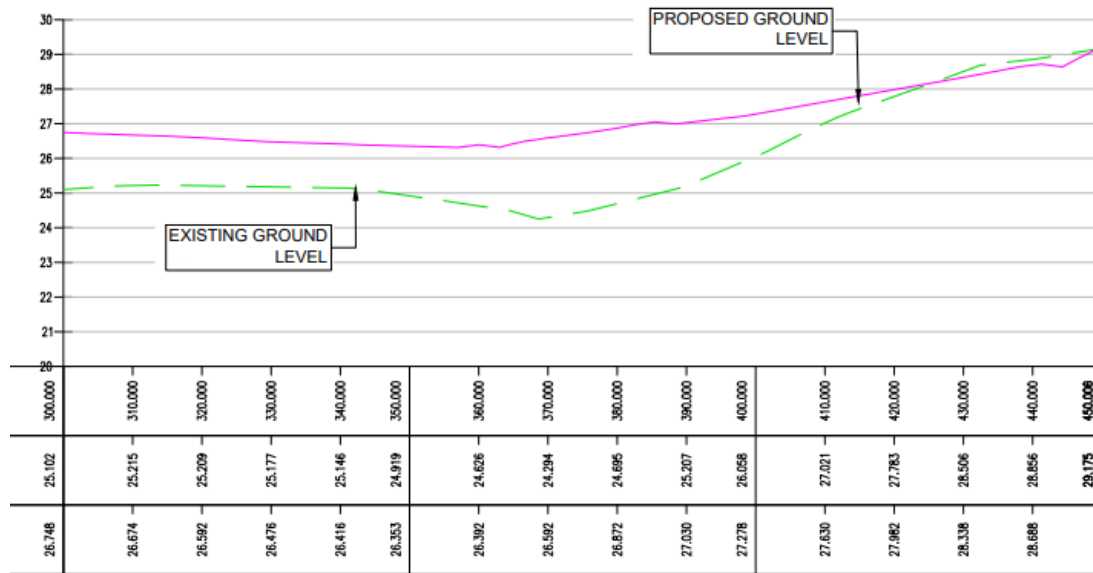
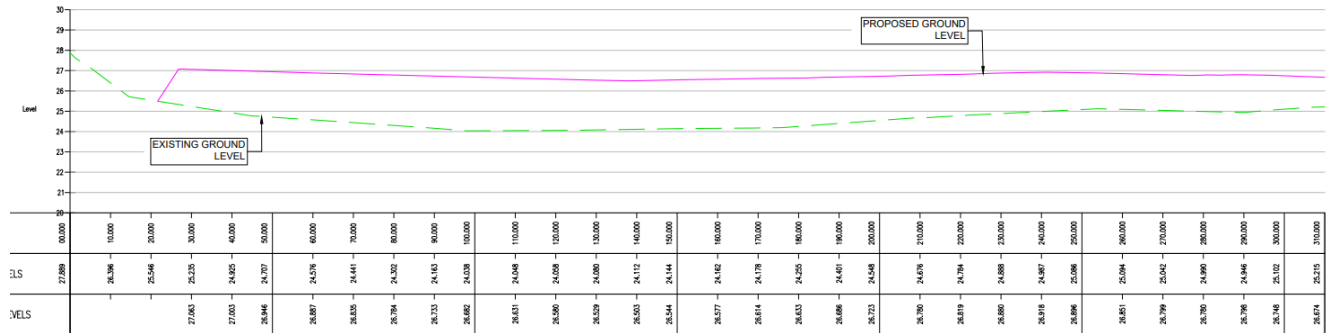
APPENDIX C

PROPOSED CONTOURS



APPENDIX D

PROPOSED GROUND LEVELS



MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 July 2023

Item: 3

Application No.:	22/03161/FULL
Location:	The Arcade High Street Cookham Maidenhead SL6 9TA
Proposal:	Demolition of an existing shed used for ancillary commercial storage and the formation of a patio for use by coffee shop for ancillary outdoor seating area (Retrospective).
Applicant:	Mr Burgess
Agent:	Not Applicable
Parish/Ward:	Cookham Parish/Bisham And Cookham

If you have a question about this report, please contact: Dariusz Kusyk on 01628796812 or at dariusz.kusyk@rbwm.gov.uk

1. SUMMARY

- 1.1 Retrospective planning permission is sought for the demolition of an existing shed used for commercial storage, ancillary to the premises within The Arcade and the formation of a patio area for use by an existing coffee shop located within The Arcade for an ancillary outdoor seating area. The application site (The Arcade) comprises a mix of uses and the proposed change of use would continue this mix of use and the principle of the use is therefore acceptable and would have no unacceptable impact on the function of The Arcade and the wider local centre.
- 1.2 The proposed development, by reason of its design, scale and activity level, preserves the character and appearance of the building and wider conservation area, does not harm the amenities of neighbouring properties and has no material harm on highway safety or flood risk in the surrounding area.

It is recommended the Committee grants planning permission with the conditions listed in Section 14 of this report.

2. REASON FOR COMMITTEE DETERMINATION

- At the request of Cllr Brar if the recommendation is to approve due to the location within Cookham High Street Conservation Area and the increase in noise and disturbance for the residential properties with the additional commercial use, the lack of parking in the centre of the village and lack of compliance with The Cookham Village Plan.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the northern side of the High Street in Cookham and adjoins an important non-listed building within Cookham High Street Conservation Area. The site lies within Flood Zone 2 and 3 and forms part of The Arcade commercial premises. The Arcade includes a mix of commercial units on the ground floor which includes a tailor, café, beauty clinic, hairdresser and toy shop, with a residential unit on the first floor.
- 3.2 The area which is the subject of this application, is located to the rear of The Arcade and abuts existing buildings to the south and west. It covers an area of approximately 22 sqm and incorporates a small number of tables and chairs on a tiled floor, part

covered by a temporary gazebo and is surrounded on its remaining two sides with 1.8m panel fencing.

- 3.2 The area surrounding the application site comprises a mix of design in terms of character and use, with buildings containing mainly commercial premises on the ground floor and residential on the upper levels.

4. KEY CONSTRAINTS

- Cookham High Street Conservation Area;
- Important non-listed building;
- Flood Zone 2 and 3; and,
- Cookham Village Centre.

5. DESCRIPTION OF THE PROPOSAL

- 5.1 Retrospective planning permission is sought for the demolition of an existing shed used for commercial storage, ancillary to the premises within The Arcade and the formation of a patio area for use by an existing coffee shop located within The Arcade for an ancillary outdoor seating area.

6. RELEVANT PLANNING HISTORY

- 6.1 Relevant planning history is provided below:

Reference	Description	Decision
18/01291/TCA	(T1) Yew – fell.	Permitted 5 th June 2018
21/01427/TCA	(T1) Maple tree - fell.	Permitted 16 th June 2021
21/03512/FULL	Change of use of the existing building from ancillary commercial use to office space – retrospective	Withdrawn 25 th July 2022
21/03582/FULL	Demolition of an existing shed used for ancillary commercial storage and the formation of a patio for use by coffee shop for ancillary outdoor seating area – retrospective	Withdrawn 25 th July 2022

- 6.2 Application ref. 21/03512/FULL and 21/03582 were both on the agenda for the Maidenhead Development Management Committee on the 20th April 2022 with a recommendation for approval, subject to recommended conditions. The applications were deferred, with instructions for the applications to be reported to a future Committee meeting having established the lawful use of the site/planning unit. However, both applications were subsequently withdrawn.

7. DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

Adopted Borough Local Plan (BLP)

Issue	Policy
Spatial Strategy for the Borough	SP1
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Sustainable Transport	IF2
Economic Development	ED1
Historic Environment	HE1
Local Centres	TR5
Noise	EP4

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development
 Section 4 – Decision-making
 Section 6 – Building a strong, competitive economy
 Section 7 – Ensuring the vitality of town centres
 Section 9 – Promoting Sustainable Transport
 Section 12 – Achieving well-designed places
 Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Cookham Village Design Statement

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

24 occupiers were notified directly of the application.

Two petitions were received relating to this development:

- a. One supporting the development with 267 signatures; and;
- b. One objecting to the 'commercial development within Roseleigh Garden and The Arcade with 38 signatures.

12 letters were also received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Impact upon the garden and biodiversity within the site.	See section 10.
2.	Conservation area impact.	See section 10.
3.	Overdevelopment of the site.	See section 10.
4.	Noise impact.	See section 10.
5.	Insufficient parking.	See section 10.
6.	Retrospective nature of the development – disregard to planning process.	Retrospective planning applications can be made and must be assessed in the same way against relevant development plan policies.
7.	Applications is different locations.	Noted. Two separate applications have been submitted and an assessment made. Application ref. 22/03162 is also on this agenda for consideration.
8.	Potential future risk of unauthorised development on the application site and adjacent properties.	Any future application would be considered on their merits at the time of submission, in accordance with relevant development plan policies. This would not preclude the determination of the current application.
9.	Potential alcohol licensing.	Noted. However, this process is separate from the planning application. This would not preclude the determination of the current application.
10.	Never witnessed the sheds being used commercially. The submitted information does not confirm use and there is no evidence of the garden being used for commercial use.	See section 10.
11.	Duplication of previous applications.	Noted. However, each application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
12.	Other premises have had refusals for use of gardens.	Noted. However, each application is considered on its merits at the time of submission, in accordance with relevant development plan policies.

13.	Reduction in green space in conservation area.	See section 10.
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Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No comment. Reference to standing advice.	See section 10.

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Conservation Officer	No objection.	See section 10.
RBWM Environmental Protection	No objection.	See section 10.
RBWM Highways	No objection.	See section 10.

Others

Group	Comment	Where in the report this is considered
Cookham Parish Council	<p>Objection in principle to development of the site on basis of:</p> <ol style="list-style-type: none"> 1 noise; 2 overdevelopment in a conservation area; and, 3 insufficient parking. <p>Requirement in terms of toilet facilities and fire precautions are met.</p>	See section 10.

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of the proposed use;
- ii. Whether the proposals preserve or enhance the character or appearance of the building and wider conservation area;
- iii. Impact on amenity of surrounding residential occupiers;
- iv. Impact on parking and highway safety;
- v. Impact on landscaping and biodiversity; and,
- vi. Flooding.

Principle

10.2 As set out above, application ref. 21/03512/FULL was deferred following a Maidenhead Development Management Committee in April 2022 in order to establish the lawful use of the site/planning unit. The application was subsequently withdrawn.

In support of this current planning application, the applicant has provided the following additional information:

- Signed affidavit by the applicant who purchased the property in May 2018 confirming that the commercial storage was converted to an office in June/July 2020 with a second dilapidated shed demolished and replaced with a patio area, with associated photographs;
- Two letters from Mr Michael Savage (one of the Cookham Arcade tenants) who rented a unit between 1987 and 1990, returning in 2010 and purchased the shed from an occupant of The Arcade, noting use of the garden area and shed;
- Letter from Mr Norman Kent (Kent's Tailoring owner) stating that the rear shed and surrounding garden was used for commercial purposes; and,
- Historical lease agreement for unit 6 at the Cookham Arcade showing a map of The Arcade unit.

- 10.3 It is clear that the application site (The Arcade) comprises a mix of uses. Considering the totality of the information before the Local Planning Authority, it is considered that the proposed formation of a patio area for use by an existing coffee shop located within The Arcade for an ancillary outdoor seating area continues this mix of use within the application site and the principle of the use is acceptable.
- 10.4 The proposal relates to the formation of a patio for use by an existing coffee shop for an ancillary outdoor seating area (preceded by the demolition of an existing shed which it is stated was used for ancillary commercial storage). At approximately 22sqm, given the small area of the seating area and the consequent low-key use, together with the location of the area to the rear of the premises and the context of the mix of uses within The Arcade (the application site), this use would have little to no impact on the function of The Arcade and the wider local centre. Furthermore, given that the proposed ancillary café use would fall within the same class of use (Class E) as a café, clinic, tailor, toy shop or hairdresser, it is an appropriate use within The Arcades mix of uses as a whole.

Conservation area

- 10.5 The Council has had regard to Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990. The timber shed which was demolished appeared to be a temporary structure in poor condition, and therefore no harm to the conservation area has been identified following this loss. The fencing surrounding the seating area has replaced the dilapidated storeroom which previously existed on this site, and it serves to contain the use and screen it visually from its surrounds. In the context of the mix of uses within The Arcade and taking account of its siting to the rear of the premises, overall, any limited impact resulting from the fencing to the character and appearance of the conservation area is outweighed by the public benefits of visual and acoustic containment. The existing gazebo is a temporary structure that does not comprise operational development. Overall the proposals are modest and preserve the character and appearance of the building and wider conservation area, in accordance with BLP policies HE1 and QP3. Furthermore, as a result of the diminutive scale and nature of this use it is not considered to be contrary to any of the guidance contained in Section 6 of the Cookham Village Design Statement (Cookham's Built Areas).

Amenities

- 10.6 The patio seating area is sited approximately 2.4m from the boundaries shared with the properties to the west. This separation distance, together with the retention of the approximately 2.5-3.0m high screening in the form of landscaping and a boundary fence, is sufficient to ensure that there is no unacceptable harm to the amenities of neighbouring properties. The proposal does not result in any unacceptable overlooking of the habitable spaces of the adjacent properties.
- 10.7 For the reasons detailed above, this existing area could have been utilised for commercial purposes in connection with an existing commercial occupant of The Arcade without requiring planning permission. As such, in this context, its use would not have any unacceptable impact on amenities of surrounding properties over and above an ancillary use.
- 10.8 The proposed development does not result in any unacceptable impact in terms of noise, due to its location within a mix of uses context, scale and sufficient separation distances from neighbouring properties. The outdoor area measures approximately 22 sqm. Given this modest size and the barriers in the form of the immediate fencing surrounding the area and subsequent boundary landscaping, the proposals do not result in any unacceptable noise impact within the locality. Furthermore, the application form states that the opening hours for the outdoor seating area would be limited to the hours of 09:00 and 16:00 Monday to Saturday and 10:00 and 16:00 on Sunday/Bank holidays. This is acceptable in the context of the mixed use site that currently existing with The Arcade and would be secured by recommended condition.

Parking and highway safety

- 10.9 The proposals have no harmful impact on parking or highway safety. The additional outdoor cafe space is located within The Arcade site and is used by existing visitors to The Arcade and the café. Other Class E premises already exist within the premises as a whole, and due to its small scale, when considered in this context, the highways impact is considered de-minimus and acceptable in this instance.

Landscaping and biodiversity

- 10.10 The nature and form of the proposed development is such that it does not result in any unacceptable harm upon the landscaping on site and it is considered acceptable in terms of biodiversity impact.

Flooding

- 10.11 The application relates to the formation of a patio area for use by an existing coffee shop located within The Arcade for an ancillary outdoor seating area only. Notwithstanding this, a Flood Risk Assessment has been submitted with the application. The proposal does not increase flood risk in the surrounding area.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is not CIL liable.

12. PLANNING BALANCE AND CONCLUSION

- 12.1 The use of this area as a patio linked with an existing café is limited by its diminutive size such that, when considered in the context of the other mix of uses within The Arcade as a whole, its overall impact is considered to be acceptable. When considered in the context of the previously existing dilapidated building which has been demolished to make way for the proposed development, the construction of the fencing and laying of the tiled floor are considered to preserve the character and appearance of the conservation area. A condition on hours of use of the patio, together with the modest area, would ensure that there would be no unacceptable noise disturbance and there is no material harm to parking and highway safety in the surrounding area over and above that of the existing situation. It is therefore recommended that planning permission is granted subject to the conditions listed below.

13. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Existing floorplan

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The patio for use by the coffee shop for ancillary outdoor seating area hereby permitted shall only operate between 09:00 and 16:00 hours Monday to Saturday and 10:00 and 16:00 on Sundays and Bank Holidays.

Reason: To protect the amenities of adjoining occupiers. Relevant Policies - Borough Local Plan QP3, EP1, EP4.

- 2 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.

Site location plan

01

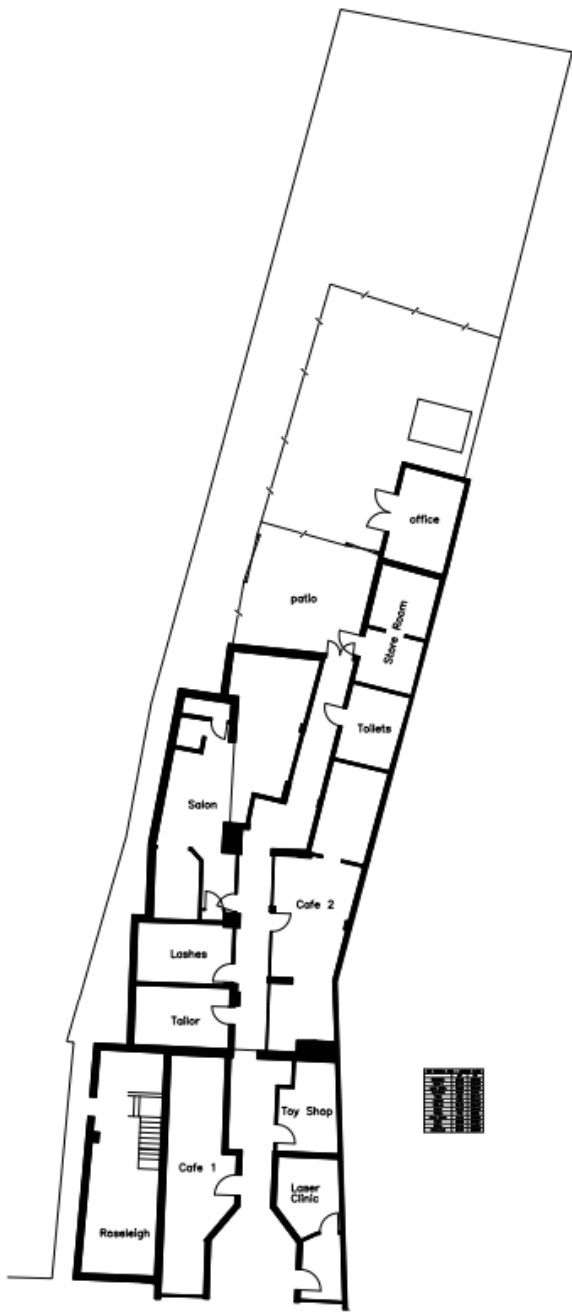
Appendix A

Cookham Arcade and Roseleigh Flat, High Street, Cookham, SL6 9TA



Plan Produced for: Jolyon Burgess
Date Produced: 07 Jun 2022
Plan Reference Number: TQRQM22158113302035
Scale: 1:1250 @ A4

Appendix B



Ground Floor



First Floor

SURVEYED BY
Compass Surveys Limited
land & engineering surveyors
12 Golden Ball Lane, Maidenhead

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 July 2023

Item: 4

Application No.:	22/03162/FULL
Location:	The Arcade High Street Cookham Maidenhead SL6 9TA
Proposal:	Change of use of the existing building from ancillary commercial use to office space (Retrospective).
Applicant:	Mr Burgess
Agent:	Not Applicable
Parish/Ward:	Cookham Parish/Bisham And Cookham

If you have a question about this report, please contact: Dariusz Kusyk on 01628796812 or at dariusz.kusyk@rbwm.gov.uk

1. SUMMARY

- 1.1 Retrospective planning permission is sought for the change of use of the existing building from a commercial storage use, ancillary to the premises within The Arcade, to use as a separate office space. The application site (The Arcade) comprises a mix of uses and the proposed change of use would continue this mix of use and the principle of the use is therefore acceptable and would have no unacceptable impact on the function of The Arcade and the wider local centre.
- 1.2 The proposed development, by reason of its design, scale and activity level, preserves the character and appearance of the building and wider conservation area, does not harm the amenities of neighbouring properties and has no material harm on highway safety or flood risk in the surrounding area.

It is recommended the Committee grants planning permission with the conditions listed in Section 14 of this report.

2. REASON FOR COMMITTEE DETERMINATION

- At the request of Cllr Brar if the recommendation is to approve due to the location within Cookham High Street Conservation Area and the increase in noise and disturbance for the residential properties with the additional commercial use, the lack of parking in the centre of the village and lack of compliance with The Cookham Village Plan.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the northern side of the High Street in Cookham and adjoins an important non-listed building within Cookham High Street Conservation Area. The site lies within Flood Zone 2 and 3 and forms part of the Cookham Arcade commercial premises. The Arcade includes a mix of commercial units on the ground floor which includes a tailor, café, beauty clinic, hairdresser and toy shop, with a residential unit on the first floor.
- 3.2 The building, which is the subject of this application, is located to the rear of The Arcade and was previously used as a storage shed, ancillary to the commercial tenants of The Arcade. The building has a gross floor area of just under 12 sqm.

3.2 The area surrounding the application site comprises a mixed design in terms of character and use, with buildings containing mainly commercial premises on the ground floor and residential on the upper levels.

4. KEY CONSTRAINTS

- Cookham High Street Conservation Area;
- Important non-listed building;
- Flood Zone 2 and 3; and,
- Cookham Village Centre.

5. DESCRIPTION OF THE PROPOSAL

5.1 Retrospective planning permission is sought for the change of use of the existing building from a commercial storage use, ancillary to the premises within The Arcade, to use as a separate office space. In order to facilitate the change of use, the asbestos roof of the building has been replaced with a flat rubberised roof and double-glazed doors have been fitted, together with new flooring, electrics and plumbing.

6. RELEVANT PLANNING HISTORY

6.1 Relevant planning history is provided below:

Reference	Description	Decision
18/01291/TCA	(T1) Yew – fell.	Permitted 5 th June 2018
21/01427/TCA	(T1) Maple tree - fell.	Permitted 16 th June 2021
21/03512/FULL	Change of use of the existing building from ancillary commercial use to office space – retrospective.	Withdrawn 25 th July 2022
21/03582/FULL	Demolition of an existing shed used for ancillary commercial storage and the formation of a patio for use by coffee shop for ancillary outdoor seating area – retrospective.	Withdrawn 25 th July 2022

6.2 Application ref. 21/03512/FULL and 21/03582 were both on the agenda for the Maidenhead Development Management Committee on the 20th April 2022 with a recommendation for approval, subject to recommended conditions. The applications were deferred, with instructions for the applications to be reported to a future Committee meeting having established the lawful use of the site/planning unit. However, both applications were subsequently withdrawn.

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan (BLP)

Issue	Policy
Spatial Strategy for the Borough	SP1
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Sustainable Transport	IF2
Economic Development	ED1
Historic Environment	HE1
Local Centres	TR5
Noise	EP4

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development
 Section 4 – Decision-making
 Section 6 – Building a strong, competitive economy
 Section 7 – Ensuring the vitality of town centres
 Section 9 – Promoting Sustainable Transport
 Section 12 – Achieving well-designed places
 Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Cookham Village Design Statement

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

24 occupiers were notified directly of the application.

The Council received a signed petition with 38 signatures objecting to the ‘commercial development within Roseleigh Garden and the Arcade’ (the development within Roseleigh Garden is the subject of a separate application ref. 22/03161/FULL, reported elsewhere on this agenda).

Seven letters were also received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Retrospective nature of the development – disregard to planning process.	Retrospective planning applications can be made and must be assessed in the same way against relevant development plan policies.
2.	Insufficient parking.	See section 10.
3.	Noise impact.	See section 10.
4.	Overdevelopment of the site.	See section 10.
5.	Impact on the garden and biodiversity of the site.	See section 10.
6.	Potential future risk of unauthorised development on the application site and adjacent properties.	Any future application would be considered on their merits at the time of submission, in accordance with relevant development plan policies. This would not preclude the determination of the current application.
7.	Potential alcohol licensing issues.	The application relates to the change of use of the existing building from a commercial storage use, ancillary to the premises within The Arcade, to use as a separate office space.
8.	Duplication of previous applications.	Noted. However, each application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
9.	Other premises have had refusals for use of gardens.	Noted. However, each application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
10.	Reduction in green space in conservation area.	See section 10.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No comment. Reference to standing advice.	See section 10.

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objection.	See section 10.
RBWM Conservation Officer	No objection.	See section 10.

Others

Group	Comment	Where in the report this is considered
Cookham Parish Council	<p>Not satisfied there is existing valid permission for this building in which case one needs to be sought; unless there is one, we object to this application.</p> <p>If a permitted application exists, we would also object unless the normal requirements for parking, noise, toilet facilities and fire precautions are met.</p>	See section 10.

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of the proposed use;
- ii. Whether the proposals preserve or enhance the character or appearance of the building and wider conservation area;
- iii. Impact on amenity of surrounding residential occupiers;
- iv. Impact on parking and highway safety;
- v. Impact on landscaping and biodiversity; and,
- vi. Flooding.

Principle

10.2 As set out above, application ref. 21/03512/FULL was deferred following a Maidenhead Development Management Committee in April 2022 in order to establish the lawful use of the site/planning unit. This application was subsequently withdrawn. In support of this current planning application, the applicant has provided the following additional information:

- Signed affidavit by the applicant who purchased the property in May 2018 confirming that the commercial storage was converted to an office in June/July 2020, with a second dilapidated shed demolished and replaced with a patio area, with associated photographs;
- Two letters from Mr Michael Savage (one of the Cookham Arcade tenants) who rented a unit between 1987 and 1990, returning in 2010 and purchased the shed from an occupant of The Arcade, noting use of the garden area and shed;
- Letter from Mr Norman Kent (Kent's Tailoring owner) stating that the rear shed and surrounding garden was used for commercial purposes; and,

- Historical lease agreement for unit 6 at the Cookham Arcade showing a map of The Arcade unit.

10.3 It is clear that the application site (The Arcade) comprises a mix of uses. Considering the totality of the information before the Local Planning Authority, it is considered that the proposed change of use from a commercial storage use, ancillary to the premises within The Arcade to a separate office continues this mix of use and the principle of the use is acceptable.

10.4 The proposal relates to the change of use of an existing single storey outbuilding which it is stated was previously used as ancillary storage to the existing units in the Arcade. The outbuilding has been refurbished and is currently used as an independent office unit with a gross internal area of approximately 12 sqm. Given the modest scale of the outbuilding and the context of the mix of uses within The Arcade (the application site) this office use would have little to no impact on the function of The Arcade and the wider local centre. Furthermore, given that the office use would fall within the same use class (Class E) as a café, clinic, tailor, toy shop or hairdresser, it is an appropriate use within The Arcade's mix of uses as a whole.

Conservation area

10.5 The Council has had regard to Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990. The external alterations associated with the change of use of the building to a separate office space comprise a replacement roof and double glazed doors. The proposals are modest and preserve the character and appearance of the building and wider conservation area, in accordance with BLP policies HE1 and QP3. Furthermore, as a result of the diminutive scale and nature of this use it is not considered to be contrary to any of the guidance contained in Section 6 of the Cookham Village Design Statement (Cookham's Built Areas).

Amenities

10.6 The outbuilding is located approximately 7.5m from the boundaries shared with the properties to the west. This separation distance, together with the retention of the approximately 2.5-3.0m high screening in the form of landscaping and a boundary fence, is sufficient to ensure that there is no unacceptable harm to the amenities of neighbouring properties. The proposal does not result in any unacceptable overlooking of the habitable spaces of the adjacent properties.

10.7 For the reasons detailed above, this existing ancillary building could have been utilised for office purposes in connection with an existing commercial occupant of The Arcade without requiring planning permission. As such, in this context, its independent use would not have any unacceptable impact on amenities of surrounding properties over and above an ancillary use.

10.8 The proposed development, when considered in the context of The Arcade as a whole which has a mix of commercial uses, does not result in any unacceptable impact in terms of noise due to its low-key use, small scale, and maintenance of sufficient separation distances from its neighbouring properties.

Parking and highway safety

10.9 The proposals have no harmful impact on parking or highway safety. The office space measures approximately 12sqm. In line with the RBWM Parking Strategy, an office use of this size attracts a maximum parking demand for 0.34 parking spaces (1 space

per 35m²). Given that the office unit would be located within The Arcade site, where Class E premises already exist and due to its small scale, the highways impact is considered de-minimus and acceptable in this instance.

Landscaping and biodiversity

- 10.10 The proposed development does not involve any operational development outside the envelope of the existing building and therefore would not result in any loss of existing landscaping on site and it is considered acceptable in terms of biodiversity impact.

Flooding

- 10.11 The application relates to the change of use of an existing building and does not result in any increase in built form or numbers of occupants in terms of flood risk. Notwithstanding this, a Flood Risk Assessment has been submitted with the application. The proposal does not increase flood risk in the surrounding area.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is not CIL liable.

12. PLANNING BALANCE AND CONCLUSION

- 12.1 The use of this existing building as separate commercial office space is limited by its diminutive size such that, when considered in the context of the other mix of uses within The Arcade as a whole, its overall impact is considered to be acceptable. The proposals preserve the character and appearance of the conservation area and given the modest area, there is no unacceptable noise disturbance or no material harm to parking and highway safety in the surrounding area over and above that of the existing situation. It is therefore recommended that planning permission is granted subject to the condition listed below.

13. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Existing floorplan

14. CONDITION RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

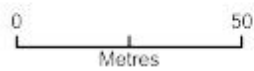
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Site location plan
01

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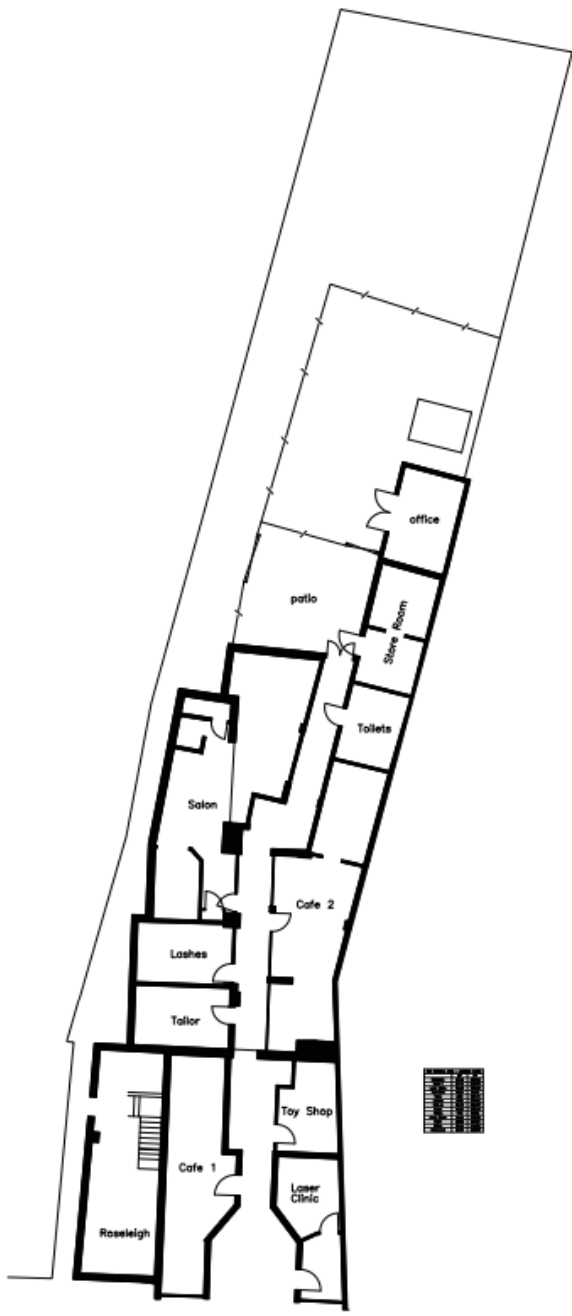
Appendix A

Cookham Arcade and Roseleigh Flat, High Street, Cookham, SL6 9TA



Plan Produced for: Jolyon Burgess
Date Produced: 07 Jun 2022
Plan Reference Number: TQRQM22158113302035
Scale: 1:1250 @ A4

Appendix B



Ground Floor



First Floor

SURVEYED BY
Compass Surveys Limited
land & engineering surveyors
12 Golden Ball Lane, Maidenhead

Appeal Decision Report

6 April 2023 - 7 July 2023

Maidenhead

Appeal Ref.: 22/60077/REF **Planning Ref.:** 22/00754/OUT **Plns Ref.:** APP/T0355/W/22/3305525

Appellant: Natalie Guest **c/o Agent:** Mr. Jack Clegg The Old Dairy Hyde Farm Maidenhead Berkshire SL6 6PQ

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

Description: Outline application for access and scale only to be considered at this stage with all other matters to be reserved for a Clubhouse Pavilion.

Location: **Zacara Polo Ground Martins Lane Shurlock Row Reading RG10 0PP**

Appeal Decision: Dismissed **Decision Date:** 6 June 2023

Main Issue:

Appeal Ref.: 22/60078/REF **Planning Ref.:** 21/03573/OUT **Plns Ref.:** APP/T0355/W/22/3309281

Appellant: Ms Janet Meads-Mitchell **c/o Agent:** Ms. Kate Pryse Land Adjacent Pond View Sturt Green Holyport Maidenhead Maidenhead SL6 2JF

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

Description: Outline application for access only to be considered at this stage for x4 serviced plots for Self-Build and Custom Housebuilding.

Location: **Land Adjacent Pond View Sturt Green Holyport Maidenhead**

Appeal Decision: Allowed **Decision Date:** 17 April 2023

Main Issue: The Inspector concluded that the development was inappropriate development within the Green Belt, which they afforded substantial weight to. The Inspector considered that the benefits in respect of additional housing, economic activity and highway safety would each attract limited weight given the scale of the development proposed. However, they were of the view that the provision of four self build custom home dwellings in the face of a substantial shortfall in delivery of such housing against statutory requirements was a matter of overriding weight. As such they concluded that Very Special Circumstances existed which outweighed the harm to the Green Belt.

Appeal Ref.: 23/60013/REF **Planning Ref.:** 22/01171/FULL **Plns Ref.:** APP/T0355/W/22/3307484

Appellant: Mr Daniel Torrance **c/o Agent:** Mr Matthew Corcoran CDS Planning And Development Consultants Pure Offices Midshires House Smeaton Close Aylesbury HP19 8HL

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

Description: Development of the site to provide 2no. detached dwellings with revised access, hardstanding and landscaping.

Location: **Land Rear Between 1 And 5 The Fieldings Holyport Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 7 June 2023

Main Issue:

Appeal Ref.: 23/60017/REF **Planning Ref.:** 22/02789/OUT **Plns Ref.:** APP/T0355/W/23/3314990

Appellant: Ms Janet Meads-Mitchell **c/o Agent:** Ms Rosie Dinnen Tetlow King Planning Ltd, Unit 2, Eclipse Office Park High Street, Staple Hill BRISTOL BS16 5EL

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

Description: Outline application for access only to be considered at this stage for x4 serviced plots for Self-Build and Custom Housebuilding.

Location: **Land Adjacent Pond View Sturt Green Holyport Maidenhead**

Appeal Decision: Allowed **Decision Date:** 17 April 2023

Main Issue: The Inspector concluded that the development was inappropriate development within the Green Belt, which they afforded substantial weight to. The Inspector considered that the benefits in respect of additional housing, economic activity and highway safety and the provision of an affordable home would each attract limited weight given the scale of the development proposed. However, they were of the view that the provision of four self build custom home dwellings in the face of a substantial shortfall in delivery of such housing against statutory requirements was a matter of overriding weight. As such they concluded that Very Special Circumstances existed which outweighed the harm to the Green Belt.

Appeal Ref.: 23/60018/NOND ET **Planning Ref.:** 22/01391/FULL **Plns Ref.:** APP/T0355/W/22/3309308

Appellant: C/o Agent **c/o Agent:** Mr Ben Thomas Savills 33 Margaret Street London W1G 0JD

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

Description: Construction of x91 residential units together with associated landscaping, car parking and infrastructure works, following demolition of the existing building.

Location: **Mattel UK Mattel House Vanwall Road Maidenhead SL6 4UB**

Appeal Decision: Allowed **Decision Date:** 6 June 2023

Main Issue: The inspector concluded that the proposal would conflict with the no nil loss of employment floorspace principle set out at policy ED2 part 6. However, the proposal would accord with the exceptional case tests outlined at policy ED2 part. The benefits arising from the proposed development would be substantial. The inspector have concluded that the benefits of housing delivery and affordable housing should all individually carry substantial weight. The inspector has attributed only limited weight to the economic benefits the proposal. The inspector has also attached substantial weight to the fall back position which was considered to present a very real and credible fall back position.

Appeal Ref.: 23/60019/COND **Planning Ref.:** 22/02242/VAR **Plns Ref.:** APP/T0355/W/22/3310262

Appellant: Mr & Ms Oliver/Murphy **c/o Agent:** Mr Chris Palomba JSA Architects Ltd Middle Shop Waltham Road Maidenhead SL6 3NH

Decision Type: Delegated **Officer Recommendation:** Application Permitted

Description: Variation (under Section 73A) of approved plans to substitute those plans approved under 04/41928/FULL for the construction of two storey side extension with front and rear dormers and further two dormers to front and one to rear of existing roof and new porch canopy amendment to approved planning permission 03/41093 with amended plans.

Location: **Dawn Chorus Poundfield Lane Cookham Maidenhead SL6 9RY**

Appeal Decision: Allowed **Decision Date:** 5 July 2023

Main Issue: Condition 3 removing permitted development rights was found to be not reasonable or necessary.

Appeal Ref.: 23/60020/REF **Planning Ref.:** 22/02528/FULL **Plns Ref.:** TBA
Appellant: Mr Anthony c/o **Agent:** Mr Joshua Harrison Cohanim Architecture 207 Regent Street 3rd Floor London W1B 3HH
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Two storey front/side extension and alterations to fenestration.
Location: **11 Mallow Park Maidenhead SL6 6SQ**
Appeal Decision: Dismissed **Decision Date:** 19 April 2023
Main Issue: The Inspector found that the development would almost double the width of the principal elevation and would maintain the existing ridge height, and would fail to appear subservient in form to the host dwelling. It would fail to respond positively to the visual amenities of the locality, and would be harmful to the character and appearance of the area.

Appeal Ref.: 23/60021/REF **Planning Ref.:** 22/02514/FULL **Plns Ref.:** APP/T0355/D/22/3312635
Appellant: Mrs Butt c/o **Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: x1 first floor rear dormer.
Location: **18 Gloucester Road Maidenhead SL6 7SN**
Appeal Decision: Dismissed **Decision Date:** 19 April 2023
Main Issue: Together with the previously permitted extensions the scheme would appear as an incongruous and alien feature that would not be sympathetic to the design and scale of the existing house. The development would cause harm to the character and appearance of the host dwelling and the wider area.

Appeal Ref.: 23/60027/REF **Planning Ref.:** 22/01806/FULL **Plns Ref.:** APP/T0355/D/22/3308994
Appellant: Mr Burton Hill Grove Farm Bradcutts Lane Cookham Dean Maidenhead SL6 9AA
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: New dual pitched roof above the existing single storey element on the South East elevation with accommodation in the roof space and alterations to fenestration and to external finishes/materials, following demolition of the existing single storey element on the South West elevation and part demolition of the existing single storey element on the South East elevation.
Location: **Hill Grove Farm Bradcutts Lane Cookham Dean Maidenhead SL6 9AA**
Appeal Decision: Allowed **Decision Date:** 11 April 2023
Main Issue: The proposed new pitched roof would remove what is currently a highly negative feature. The new roof would be in keeping with the building and main dwelling. The timber boarding would unify the building. This outweighs the harm to the Green Belt caused by inappropriateness and harm to the openness, so very special circumstances exist which justify approving the proposal.

Appeal Ref.: 23/60028/REF **Planning Ref.:** 22/00549/OUT **Plns Ref.:** APP/T0355/W/22/3305641

Appellant: Mr Stephen Innes 13 Mill Mead Wendover Aylesbury HP22 6BY

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

Description: Outline application with all matters reserved for new front entrance canopies, single storey wrap-around extensions (front, side and rear), new first floors to numbers 39 and 41 and construction of x2 dwellings.

Location: **Land At 39 To 41 And 39 To 41 North Town Road Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 4 July 2023

Main Issue:

Appeal Ref.: 23/60039/REF **Planning Ref.:** 22/02811/FULL **Plns Ref.:** APP/T0355/D/23/3317148

Appellant: Mr M S Mureed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

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

Description: Part single part two storey front/side/rear extension and new dropped kerb following demolition of existing shed.

Location: **41 Holmanleaze Maidenhead SL6 8AW**

Appeal Decision: Dismissed **Decision Date:** 28 June 2023

Main Issue: The inspector found that the overly large crown roof extension would dominate and significantly increase the overall bulk of the dwelling. It would have a contrived and incongruous design at both first floor and roof level. It would not appear subservient and would unacceptable undermine the symmetry of the pair of dwellings. It would harm the character and appearance of the host dwelling and the area.

Appeal Ref.: 23/60042/REF **Planning Ref.:** 22/03235/FULL **Plns Ref.:** APP/T0355/D/23/3319379

Appellant: Mr James Holmden **c/o Agent:** Mr Allen Watson Berry House 78 Altwood Road Maidenhead Berkshire SL6 4PZ

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

Description: Part single part two storey wraparound extension (front/side/rear) with Juliet balcony to rear, alterations to existing front canopy and steps following demolition of existing store and garage.

Location: **11 Wavell Road Maidenhead SL6 5AB**

Appeal Decision: Allowed **Decision Date:** 29 June 2023

Main Issue:



Planning Appeals Received

6 April 2023 - 7 July 2023

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: Maidenhead Unparished
Appeal Ref.: 23/60039/REF **Planning Ref.:** 22/02811/FULL **PIns Ref.:** APP/T0355/D/23/3317148

Date Received: 19 April 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** Householder Appeal
Description: Part single part two storey front/side/rear extension and new dropped kerb following demolition of existing shed.

Location: **41 Holmanleaze Maidenhead SL6 8AW**
Appellant: Mr M S Mureed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 23/60042/REF **Planning Ref.:** 22/03235/FULL **PIns Ref.:** APP/T0355/D/23/3319379

Date Received: 20 April 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** Householder Appeal
Description: Part single part two storey wraparound extension (front/side/rear) with Juliet balcony to rear, alterations to existing front canopy and steps following demolition of existing store and garage.

Location: **11 Wavell Road Maidenhead SL6 5AB**
Appellant: Mr James Holmden **c/o Agent:** Mr Allen Watson Berry House 78 Altwood Road Maidenhead Berkshire SL6 4PZ

Ward:
Parish: Cookham Parish
Appeal Ref.: 23/60040/REF **Planning Ref.:** 22/02245/FULL **PIns Ref.:** APP/T0355/D/23/3315038

Date Received: 28 April 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** Householder Appeal
Description: First floor front/side extension.

Location: **Rose Cottage Kings Lane Cookham Maidenhead SL6 9TZ**
Appellant: Tim Wilson **c/o Agent:** Miss Katie Hogendoorn Bourne House Bourne End SL8 5AR

Ward:
Parish: Hurley Parish
Appeal Ref.: 23/60041/ENF **Enforcement Ref.:** 22/50301/ENF **PIns Ref.:** APP/T0355/C/23/3319664

Date Received: 3 May 2023 **Comments Due:** 30 June 2023

Type: Enforcement Appeal **Appeal Type:** Public Inquiry
Description: Appeal against the Enforcement Notice for THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL: Without planning permission: Erection of close boarded timber fencing and gates adjacent to Black Boys Lane (western boundary) and identified in the images marked AJH1, Erection of decking with associated paraphernalia identified on the appended plans BB-R00-EX-102 and BB-R00-EX-103 and further identified in the attached images marked AJH2, Erection of a timber pergola identified in the appended images marked AJH3 and Formation of a hardsurface identified in the images marked AJH4.

Location: **The Black Boys Inn Henley Road Hurley Maidenhead SL6 5NQ**
Appellant: Nicole Eve Gregor The Black Boys Inn Henley Road Hurley Maidenhead SL6 5NQ

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 23/60047/REF **Planning Ref.:** 22/00270/FULL **Plns Ref.:** APP/T0355/W/22/3313566

Date Received: 25 May 2023 **Comments Due:** 29 June 2023
Type: Refusal **Appeal Type:** Hearing
Description: Erection of 12no. dwellings with associated parking and landscaping and the retention of the existing access road following the demolition of the existing buildings, warehouse, external storage areas and hardstanding.

Location: **Bellman Hanger Shurlock Row Reading RG10 0PL**
Appellant: Shanly Homes c/o Agent: Rosalind Graham Cheyenne House, West Street, Farnham, Surrey, GU9 7EQ

Ward:
Parish: Bray Parish
Appeal Ref.: 23/60048/REF **Planning Ref.:** 22/02386/FULL **Plns Ref.:** APP/T0355/D/23/3316727

Date Received: 26 May 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** HouseHolder Appeal
Description: Single storey rear extension and first floor side extension following demolition of existing conservatory.

Location: **Cleeve Brayfield Road Bray Maidenhead SL6 2BW**
Appellant: Harry Bowden c/o Agent: Other ET Planning Office 200 Dukes Ride CROWTHORNE RG45 6DS

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 23/60049/REF **Planning Ref.:** 22/01134/FULL **Plns Ref.:** APP/T0355/D/22/3305862

Date Received: 6 June 2023 **Comments Due:** N/A
Type: Refusal **Appeal Type:** HouseHolder Appeal
Description: Single storey side/rear extension, alterations to the roof to include; x1 side rooflight and x1 rear dormer, detached rear annexe and alterations to fenestration.

Location: **80 Westborough Road Maidenhead SL6 4AS**
Appellant: Mr Waqas 80 Westborough Road Maidenhead SL6 4AS

Ward:
Parish: Waltham St Lawrence Parish
Appeal Ref.: 23/60051/REF **Planning Ref.:** 22/03027/FULL **Plns Ref.:** APP/T0355/W/23/3321489

Date Received: 14 June 2023 **Comments Due:** 19 July 2023
Type: Refusal **Appeal Type:** Written Representation
Description: Detached outbuilding with machinery/vehicle store and stables following demolition of existing stables.

Location: **Glebe House Darvills Lane Shurlock Row Reading RG10 0PF**
Appellant: Mr & Mrs Sambhi c/o Agent: Mr Justin Packman Southern Planning Practise Youngs Yard, Churchfields Youngs Yard Winchester, Hants SO21 1NN

Ward:
Parish: Bray Parish
Appeal Ref.: 23/60052/REF **Planning Ref.:** 22/02582/FULL **Plns Ref.:** APP/T0355/D/23/3317564

Date Received: 14 June 2023
Type: Refusal
Description: Raising of the ridge and alterations to the existing 3 rear dormers.
Location: **Hazeldene Ascot Road Holyport Maidenhead SL6 2HY**
Appellant: Ms Elenora Lovato **c/o Agent:** Mr Neil Davis 19 Woodlands Avenue Winnersh Wokingham
Berkshire RG41 3HL

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