

# Public Document Pack

## 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 15 November 2023 7.00 pm

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

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### Agenda

Item	Description	Page
1	<b>Apologies for Absence</b> To receive any apologies for absence.	
2	<b>Declarations of Interest</b> To receive any declarations of interest.	3 - 6
3	<b>Minutes</b> To approve the minutes of the meeting held on the 18 <sup>th</sup> of October 2023. as a true and accurate record.	7 - 10
4	<b>23/01068/FULL John West House Unit 5 The Quadrant Howarth Road Maidenhead SL6 1AP</b>  <b>PROPOSAL:</b> Construction of a mezzanine floor, alterations to fenestration, ventilation cowls to the existing roof, new glazed roof to courtyard area, replacement roof to detached outbuilding, rear terrace, rear boundary treatment and a covered cycle shelter to facilitate the change of use to temporary shelter facilities (Use Class C2), and a learning and training centre (Use Class F1).  <b>RECOMMENDATION:</b> PERM  <b>APPLICANT:</b> Royal Borough of Windsor And Maidenhead  <b>MEMBER CALL-IN:</b> Not applicable  <b>EXPIRY DATE:</b> 24 November 2023	11 - 28
5	<b>Planning appeals received and planning decision report</b> Committee Members to note the report.	29 - 32

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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 Will Ward, [Will.Ward@RBWM.gov.uk](mailto:Will.Ward@RBWM.gov.uk), with any special requests that you may have when attending this meeting.

Published: Tuesday 7 November 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 18 OCTOBER 2023

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

Also in attendance: Councillor Gurch Singh and Councillor Jack Douglas

Officers: Will Ward, Oran Norris-Browne, Claire Pugh, Adrien Waite, Sarah Tucker and Anthony Lenaghan

### Apologies for Absence

Councillor Taylor sent apologies for absence, Councillor Carpenter attended as substituted.

### Declarations of Interest

Councillor Hill declared that he would leave the meeting for item 23/00511/FULL Land South And East of Badgers Wood Kimbers Lane Maidenhead.

### Minutes

**AGREED UNANIMOUSLY: That the minutes of the meeting held 20 September 2023 were a true and accurate record.**

### 22/02820/FULL Land To The South of Valentines The Straight Mile Shurlock Row Reading

Councillor Reeves proposed a motion to grant planning permission in accordance with section 2 of the report along with the additional conditions listed in section 3 of the committee update and with the added condition of the colour of the substation being agreed too, by the planning authority. This was seconded by Councillor Hill.

Councillor Walters also proposed a motion, but this was instead to refuse planning permission. This was seconded by Councillor Hunt. However, a seconder was received after Councillor Reeves's proposal was seconded, therefore a named vote was taken on Councillor Reeves's motion first.

A named vote was taken.

<b>22/02820/FULL Land To The South of Valentines The Straight Mile Shurlock Row Reading (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	Against
Councillor Leo Walters	Against
Councillor Mandy Brar	For
Councillor Geoff Hill	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Alison Carpenter	For
<b>Carried</b>	

The result was seven for and two against, therefore the motion passed. A named vote was therefore not taken on Councillor Walter's motion.

**AGREED: To grant planning permission in accordance with section 2 of the report along with the additional conditions listed in section 3 of the committee update and with the added condition of the colour of the substation being agreed too, by the planning authority.**

The Committee heard from three registered speakers, Clive Scott Hopkins, Objector, Sarah Goodchild, Parish Council and Antonia Wyatt, Applicant.

23/00511/FULL Land South And East of Badgers Wood Kimbers Lane Maidenhead

Councillor Hill left the room for the duration of the item and took no part in the vote.

A motion was proposed by Councillor Carpenter to go against officer recommendations and defer the application until the applicant had provided all the relevant documentation, relating to the impact on a scheduled ancient monument and its setting and a consultation response from Thames Water. This was seconded by Councillor Hunt.

A second motion was proposed by Councillor Martin. The motion was to go with officer recommendations, which was to grant planning permission upon the satisfactory completion of an undertaking to secure the section 106 obligations, as detailed in section 12 of the report, in addition to the conditions listed in section 15 of the report. This included the added condition of greater vehicular access to the site for bin lorries after the site was complete. This was seconded by Councillor Reeves.

A named vote was taken on Councillor Carpenter's motion as it received a seconder first.

<b>23/00511/FULL Land South And East of Badgers Wood Kimbers Lane Maidenhead Motion 1 (Motion)</b>	
Councillor Joshua Reynolds	Against
Councillor Siân Martin	Against
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Mandy Brar	Against
Councillor Geoff Hill	Conflict Of Interests
Councillor Gary Reeves	Against
Councillor Kashmir Singh	For
Councillor Alison Carpenter	For
<b>Drawn</b>	

The result was four for and four against, therefore it was the Chair's casting vote which was against, therefore the motion fell.

A named vote was then taken on the second motion, proposed by Councillor Martin.



<b>23/00511/FULL Land South And East of Badgers Wood Kimbers Lane Maidenhead Motion 2 (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	Against
Councillor Leo Walters	Abstain
Councillor Mandy Brar	For
Councillor Geoff Hill	Conflict Of Interests
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Alison Carpenter	Against
<b>Carried</b>	

The result was five for, two against and one abstention, therefor the motion passed.

**AGREED: That planning permission be granted upon the satisfactory completion of an undertaking to secure the section 106 obligations, as detailed in section 12 of the report, in addition to the conditions listed in section 15 of the report.**

The Committee heard from three registered speakers, Andrew Hill, Objector, Louvaine Kneen, Parish Council and Jo Unsworth, Applicant.

#### 23/00814/FULL Zaman House And Awan House Church Road Maidenhead

Councillor Hill re-entered the room for this item.

A motion was put forward by Councillor K Singh which was in line with officer recommendations to refuse planning permission for the reasons that were listed in section 15 of the report.

A second motion was proposed by Councillor Reeves to go against officer recommendations and defer and delegate the application to the Assistant Director of Planning to grant planning permission subject to the serving of a S106 agreement and with appropriate conditions. This was seconded by Councillor Hill.

Councillor K Singh motion was seconded by Councillor Walters, after Councillor Reeves motion was seconded by Councillor Hill.

A named vote was taken on Councillor Reeves' motion as it received a seconder first.

<b>23/00814/FULL Zaman House And Awan House Church Road Maidenhead (Motion)</b>	
Councillor Joshua Reynolds	For
Councillor Siân Martin	For
Councillor Maureen Hunt	Against
Councillor Leo Walters	Against
Councillor Mandy Brar	For
Councillor Geoff Hill	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	Against
Councillor Alison Carpenter	For
<b>Carried</b>	

The result was six for and three against, therefore the motion passed and there was no need to take a vote on Councillor K Singh's motion.

**AGREED: Defer and delegate the application to the Assistant Director of Planning to grant planning permission subject to the serving of a S106 agreement and with appropriate conditions.**

The Committee heard from one registered speaker Matt Taylor, Applicant.

Planning appeals received and planning decision report

The committee noted the report

The meeting, which began at 7.00 pm, finished at 9.54 pm

CHAIR.....

DATE.....

Agenda Item 4

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

15 November 2023

Item: 1

<b>Application No.:</b>	23/01068/FULL
<b>Location:</b>	John West House Unit 5 The Quadrant Howarth Road Maidenhead SL6 1AP
<b>Proposal:</b>	Construction of a mezzanine floor, alterations to fenestration, ventilation cowels to the existing roof, new glazed roof to courtyard area, replacement roof to detached outbuilding, rear terrace, rear boundary treatment and a covered cycle shelter to facilitate the change of use to temporary shelter facilities (Use Class C2), and a learning and training centre (Use Class F1).
<b>Applicant:</b>	Royal Borough of Windsor And Maidenhead
<b>Agent:</b>	Miss Eleanor Cannon
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield
<b>If you have a question about this report, please contact:</b> Dariusz Kusyk on 01628 796812 or at <a href="mailto:dariusz.kusyk@rbwm.gov.uk">dariusz.kusyk@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The application seeks planning permission for the change of use of the building to temporary shelter facilities (Use Class C2) and a learning and training centre (Use Class F1), with associated internal and external alterations.
- 1.2 The site is located on Howarth Road, Maidenhead, within an area which is identified as a Protected Employment Site, in the form of an Industrial Area in policy ED2 of the Borough Local Plan (BLP). The proposal would result in the loss of the existing commercial use within this protected employment site. However, the information submitted as part of the application demonstrates that there is an established and identified need for the provision of temporary shelter facilities within the Borough, with the proposals also providing the necessary facilities and support to ensure residents are in a position to sustain permanent accommodation and employment. Furthermore, the facility has been the subject of a previous five year temporary permission and has proven to be an asset in supporting the RBWM's Rough Sleeper Pathway. This represents significant social benefits associated with the proposal. In this context, and given that prior to the implementation of the temporary permission the site was vacant and underutilised and has been vacant since June 2022, on balance, the identified benefits of the proposal would outweigh the loss of the existing use.
- 1.3 It has also been demonstrated that the proposal is acceptable with regard to the overall quality, scale, type of use and activity level and it would result in a development that has an acceptable impact on the appearance of the building and surrounding area. The site is located within an industrial estate where there are a number of commercial uses. The proposed accommodation is temporary in nature and has been designed to minimize the impact of development in the surrounding area. All bed spaces incorporate natural light and ventilation, with access to an amenity space to the rear, and would represent an acceptable standard of accommodation. The level of parking proposed is considered acceptable for the scale of development in this sustainable location and given the proposed use, with safe access to local facilities in the surrounding area for residents by walking or cycling. Furthermore, the proposals would not result in unacceptable harm to residential amenities or flooding 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 through the legal agreement.

<b>It is recommended the Committee authorises the Assistant Director of Planning:</b>	
<b>1.</b>	<b>To grant planning permission subject to the following:</b> <ul style="list-style-type: none"> <li>• <b>Completion of a Section 106 legal Agreement to secure:</b> <ul style="list-style-type: none"> <li>• <b>Carbon Offset Contribution and a mechanism to secure compliance testing and any resulting shortfall payments, pursuant to the Interim Sustainability Position Statement.</b></li> </ul> </li> <li>• <b>The conditions as listed in Section 14 of this report.</b></li> </ul>
<b>2.</b>	<b>To refuse planning permission if an undertaking to secure the above has not been satisfactorily completed for the reason that the proposed development would not be accompanied by carbon offset contribution provision.</b>

## **2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee. The Council is the applicant and in line with the Council's Constitution, the application is to be determined by the Maidenhead Development Management Committee.

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

- 3.1 The application site is located in a group of light industrial units on the edge of an industrial/retail and residential area which is sited approximately 1.5km south of Maidenhead town centre. The site benefits from close proximity to main roads and public transport links, retail and leisure facilities. The unit has allocated parking spaces within a larger car parking facility for the area known as The Quadrant.
- 3.2 The site has been vacant since June 2022 following the cessation of the five year permission for the temporary use of the building as an emergency homeless shelter and training centre (see section 6).

## **4. KEY CONSTRAINTS**

- 4.1 The key site designations and constraints are listed below:
- Howarth Road, Off Stafferton Way, Maidenhead Industrial Area - Protected Employment Site; and,
  - Flood Zone 3.

## **5. DESCRIPTION OF THE PROPOSAL**

- 5.1 The application seeks planning permission for the following works:
- construction of a mezzanine floor;
  - alterations to fenestration;
  - ventilation cowels to the existing roof;
  - new glazed roof to courtyard area;
  - replacement roof to detached outbuilding;
  - rear terrace;
  - rear boundary treatment; and,
  - a covered cycle shelter.

- 5.2 The proposed works are sought in connection with planning permission to facilitate the change of use of the building to temporary shelter facilities (Use Class C2) together with a learning and training centre (Use Class F1). The building would have capacity for 22 residents. To the newly created mezzanine floor (see above works), the proposals would provide 14 self-contained studio units for longer term placements. At ground floor level, two self-contained studio units are proposed, in addition to a medical room which could be converted into a self-contained unit, if required, and five dormitory-style beds for shorter term placements.
- 5.3 Ancillary living facilities, including communal living areas and kitchen spaces would be provided within the building to support the use, with associated facilities within the site grounds such as a laundry room, plant storage and a yard and kennels, alongside a reconfigured communal amenity space.
- 5.4 The proposed training facilities would offer learning and training opportunities to support users transition back into permanent housing and also employment. Office space and a consultation room to support these facilities would be delivered on site, as well as a reception area, both a medical and a consulting room for residents, and associated facilities for staff to provide the necessary training facilities on site.
- 5.5 Amended plans were provided during the course of the application which revised the internal layout to the residential rooms, alongside associated alterations to the fenestration.

## 6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
16/02659/FULL	Temporary change of use from Class B1 and B8 (office) to a mixed use of C2, D1 and B8 (emergency shelter, furniture repair workshop and food bank storage).	Approved 30.09.2016
17/00717/VAR	Variation of Condition 2 (Seasonal Restriction) of planning permission 16/02659/FULL to allow year round opening.	Approved 12.05.2017

- 6.1 In September 2016, planning permission for a temporary period of five years was granted under application ref. 16/02659 for the change of use of a vacant industrial building to an emergency homeless shelter and training centre. As set out in the Officers Report for this application, the temporary loss of part of this building for employment purposes weighs against the development; however the fact that the site is vacant, that the loss would only be temporary as well as the social and economic benefits of assisting these vulnerable people results in a set of material considerations which clearly outweigh the policy objection (to the loss of the existing office/industrial/warehousing use). This permission was implemented at the site.

## 7. DEVELOPMENT PLAN

### Borough Local Plan (BLP)

<b>Issue</b>	<b>Policy</b>
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Sustainable Transport	IF2
Community Facilities	IF6
Employment Sites	ED2
Other Sites and Loss of Employment Floorspace	ED3
Flooding	NR1

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 6 – Building a strong, competitive economy

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting Sustainable Transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

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

Section 15 – Conserving and enhancing the natural environment

### **Supplementary Planning Documents**

- Borough Wide Design Guide (BWDG)

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

Other Strategies or publications material to the proposal are:

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

## **9. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

Five occupiers were notified directly of the application.

No comments have been received in connection with the application.

## Consultees

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objections, subject to condition and informative.	See section 10.
RBWM Environmental Protection	No objections, subject to condition.	
RBWM Housing Enabling	Approval recommended.	
RBWM Housing Options	Approval recommended.	

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of the proposed development;
- ii. Impact on the appearance of the area;
- iii. Impact on residential amenity;
- iv. Parking and highway safety;
- v. Flooding; and,
- vi. Sustainability.

### Principle of the development

- 10.2 Policy ED1 of the BLP sets out that a range of different types and sizes of employment land and premises will be encouraged to maintain a portfolio of sites to meet the diverse needs of the local economy. Appropriate intensification, redevelopment and upgrading of existing sites and premises will be encouraged and supported to make their use more efficient and to help meet the forecast demand over the plan period and to respond to modern business needs. Policy ED1 then continues, stating that the Council will ensure that there is a flexible supply of high quality employment floorspace making some new allocations, utilising existing employment areas and promoting a more intensive use of these sites through the recycling, refurbishment and regeneration of existing older or vacant stock and promotion of flexible working practices.
- 10.3 The application is located on Howarth Road, Maidenhead, within an area which is identified as a Protected Employment Site, in the form of an Industrial Area in policy ED2 of the BLP. Policy ED2(2) states that within industrial areas such as this, there will be a strong presumption in favour of retaining premises suitable for industrial, warehousing and similar types of uses, (including premises, suitable for medium, smaller and start-up businesses). Proposals for new premises suitable for these types of uses will be supported. Other uses will only be permitted if they are ancillary to industrial or warehousing uses, do not result in the loss of industrial or warehousing premises or demonstrate a sufficient benefit for the economy of the Borough.
- 10.4 It continues at policy ED2(4) that within industrial, business and mixed use areas, development proposals that improve and upgrade the facilities available to support businesses will be supported and at policy ED2(6) that for all Protected Employment Sites, a sites a 'nil net loss' of commercial floorspace will apply.
- 10.5 Policy ED2(7) goes on to state that in exceptional circumstances where redevelopment does not provide full replacement space the Council will require market evidence to justify this loss, using policy ED3 and Appendix D as a guide. This should consider both the reuse of the buildings on site and feasibility/viability of replacement space offered freehold or leasehold. Justification should also be provided as to why the release is needed in advance of the plan review of the allocation in question.

- 10.6 The application seeks planning permission for the change of use of the building from a Class E and B8 use, to temporary shelter facilities (Use Class C2) together with a learning and training centre (Use Class F1). The proposal would comprise a mix of living, medical, consultation, educational and office facilities. These spaces would serve as a professional support service for residents, alongside providing for learning and training opportunities to support residents to get back into permanent housing.
- 10.7 The proposed development would result in the loss of the existing use on the site, within an identified Protected Employment Site. Accordingly, in support of the application, the applicant has provided the following detail with regard to justifying the need for the proposed use within the Borough.
- 10.8 As set out in section 6, temporary planning permission has previously been granted at the application site for a change of use to a mixed use of C2, D1 (now Class E) and B8 (emergency shelter, furniture repair workshop and food bank storage). Although this permission was only for a temporary period of five years (approved on 30.09.2016), the use of the site for temporary emergency accommodation and training facilities has established the principle of the proposed use on the site. As set out in the Officers Report for application ref. 16/02659/FULL, the 'temporary loss of part of this building for employment purposes weighs against the development; however the fact that the site is vacant, that the loss would only be temporary as well as the social and economic benefits of assisting these vulnerable people results in a set of material considerations which clearly outweigh the policy objection.'
- 10.9 Furthermore, it is noted that prior to the implementation of the temporary use referenced above, the site was vacant and underutilised, with no commercial occupier, and has been vacant since June 2022 following cessation of the temporary permission. Whilst no formal marketing information has been submitted with the application, this is a material planning consideration in the determination of the current application.
- 10.10 With regard to the specific use which is proposed under the planning application, Part VII of the Housing Act 1996 requires housing authorities to provide temporary accommodation to households who are eligible for assistance, homeless and who have a priority need. This temporary accommodation must be suitable and there is a duty to provide such facilities. There is currently no supported accommodation provision for single homeless people in the borough. This application would provide provision for a maximum capacity of 22 residents. All bed spaces incorporate natural light and ventilation and would represent an acceptable standard of temporary accommodation. The application site is centrally located within Maidenhead town centre and provides ease of access to vital facilities for residents and would assist the Council in meeting its statutory obligation to provide accommodation to homeless people who require support, with no alternative premises available to the Council to provide such provision.
- 10.11 In addition to temporary accommodation, the proposal would also include on-site provision of support, including life skills, medical care, assistance with managing money, support with education and employment opportunities, substance misuse, mental health, meal planning. The proposal would therefore accord with BLP Policy IF6 which states that "Proposals for new or improved community facilities which meet the needs or aspirations of local residents and visitors will be supported. Where an assessment identifies specific needs in the local area, proposals to meet that local need will be supported when they are located in areas that are accessible by walking, cycling or public transport" and "Where a new community facility is proposed (including stand-alone new facilities, facilities provided as part of a mixed-use development or conversions), it should be in an accessible location and designed to maximise use by local communities. Proposals for new community facilities should demonstrate that there is a specific need for the facility in the local area. This is an important factor, because in combating homelessness, Local Authorities not only have a duty to provide shelter, but also to offer training in life skills to assist in rehabilitation once rehousing has taken place.
- 10.12 It has been identified that there is an established need within the borough to provide such facilities, with the Council's Housing department confirming that the proposals would provide the necessary facilities and support to ensure residents could sustain a tenancy moving forward with the vital aid and assistance of the proposed accommodation and associated facilities. This represents



significant social benefits for residents within the Borough. Furthermore, the facility has been operating on site since the temporary permission was implemented, without any complaints from local residents or businesses, and has proven to be an asset in supporting the RBWM's Rough Sleeper Pathway. In this context, and given that prior to the implementation of the use, the site was vacant and underutilised, overall, the identified benefits of the proposal would outweigh the loss of the existing use.

### **Design and Character**

- 10.13 The appearance of the development is a material planning consideration. Policy QP3 of the BLP seeks to ensure that new development will be of a high quality and sustainable design that respects and enhances the local, natural or historic character of the area paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features enclosure and materials.
- 10.14 Policy QP3 is consistent with the objectives of Section 12 of the NPPF (2021) which states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF further states at paragraph 126 that good design is a key aspect of sustainable development. The Borough Wide Design Guide is also relevant and is consistent with national and local policy in relation to the character and appearance of a development.
- 10.15 Externally, the proposal would include changes to the fenestration of the building. The proposed scheme would incorporate additional windows, infilling glazed panels and a side door and roof ventilation cowls would be installed within the roof of the main building. In addition, the existing brick outbuilding would be refurbished with polycarbonate canopy to the covered courtyard area and bike storage would be erected. Overall, the proposed external alterations would be in keeping with the main building and adjacent industrial properties. The proposals would be of a design in keeping with the building and surrounding area and would respect the character of the area, incorporating enhancements in the form of improved landscaping. The proposals comply with policy QP3.
- 10.16 The existing ground floor area would be rearranged to facilitate the use, with an increase in internal usable area resulting from the creation of additional first floor space which would infill the existing void. The residential areas would be mixed with offices and communal space on the ground floor, with a shared rear garden, which would be significantly enhanced by replacement trees, alongside an outdoor social space, raised planting bed, native shrub planting and replacement hard/soft surfacing. This hard and soft landscaping would be secured by recommended condition.

### **Amenity**

- 10.17 Additional windows would be created to the ground and upper levels of the building, alongside alterations to the existing outbuilding. Given the siting of the application site and the separation distances from adjacent buildings, the proposals would not have an unacceptable impact on overlooking. There would be no additional built form to the building and as such, the proposal would not result in unacceptable loss of light or sense of enclosure over and above that of the existing situation.
- 10.18 The proposal would not result in a use which would cause an unacceptable level of noise or disturbance that would harm the amenities of the neighbouring occupiers. The site is located within an industrial estate where there are a number of commercial uses in the surrounding area. The orientation of the building is such that the accommodation to the rear of the site would back onto the reconfigured amenity space and the watercourse beyond. Furthermore, the units to the front would have an open aspect onto the forecourt in front and beyond. Whilst the location would mean that the premises would be the subject of some noise and disturbance from the commercial uses, the proposed accommodation is temporary in nature and has been designed to minimize the impact. Furthermore, all habitable rooms have access to natural light and ventilation with access to communal amenity space and it is noted that the site has previously been in use for such accommodation. Overall, in this context, the proposals would represent an acceptable standard of accommodation.

10.19 Environmental Protection have recommended a number of conditions with regard to the construction period (working hours and deliveries). However, these matters are covered by other legislation and such conditions would not meet the relevant tests for their imposition.

### **Parking and highway safety**

10.20 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 proposals maximise and promote opportunities for sustainable transport modes.

10.21 The site is located in a sustainable location, in close proximity to Maidenhead town centre and public transport facilities. The site benefits from excellent connectivity and has good access to a range of services and amenities. It is within a 10-minute walk (700m) along public footpaths from Maidenhead Train station, with local services provided along Stafferton Way within a four minute walk (300m) of the site. There is also cycle infrastructure in the locality with cycle paths running along Stafferton Way and The Cut. As such, the principle of the use is acceptable and would provide pedestrian links to facilities in the surrounding area.

10.22 The proposals would retain the nine existing car parking spaces for residents and staff. It is acknowledged that future tenants would be without permanent accommodation and are therefore unlikely to have access to a private vehicle. In this context and given the sustainable location, the proposed arrangement is acceptable in this instance.

10.23 The proposals would provide facilities for the safe and secure storage of 20 cycle parking spaces. This is in with the Council's parking strategy and provision would be secured by recommended condition, prior to occupation of the development.

### **Flooding**

10.24 The proposal is for a change of use and is not therefore subject to either the sequential or exception tests. Notwithstanding this, BLP Policy NR1 sets out 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 (FRA) 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.

10.25 The application site is offered protection from the Maidenhead, Windsor and Eton Flood Alleviation Scheme consisting predominantly of the Jubilee River and the North Maidenhead Bund. However, the presence of the defences does not remove the site from Flood Zone 3. Accordingly, the application has been submitted alongside an FRA. The FRA confirms that the levels around the building are between 23.6mAOD to 23.8mAOD, with levels to the west of the building within the car park falling to around 23.5mAOD. The lowest finished floor level (FFL) for the proposed ground floor is 23.86mAOD, resulting in 30mm of flooding when compared with the 1% annual probability+35% climate change flood event and 300mm of flooding in the extreme 0.1% annual probability flood event.

10.26 The existing floor level would be retained and the proposals would not increase the existing footprint of the building; however, additional hardstanding and an outbuilding is proposed. As set out in the FRA, a number of mitigation measures are proposed for the buildings with regard to floor/material finishes and location of sockets, in line with Environment Agency Standing Advice, alongside demountable flood barriers to all thresholds and on site flood monitor and alarm systems. The FRA also references details of a flood warning and evacuation plan and submission of further detail of this plan, prior to occupation. Subject to recommended conditions to secure the mitigation measures in accordance with the FRA, the proposed works to the building and site would have no

impact on flow of flood water, reduce the capacity of the floodplain to store water, or increase the number of properties or people at risk of flooding or increase flood risk elsewhere.

- 10.27 With regard to future residents, the majority of the sleeping accommodation is located at first floor level. Whilst sleeping accommodation is proposed at ground floor level in the form of two studio units and a shared five bed room, this is in order to maximise the provision within the site and the first floor area is accessible via an internal stair case. In this context, and subject to recommended conditions to secure and retain the mitigation measures as set out in the FRA and the submission of a flood warning and evacuation plan prior to occupation, the proposals demonstrate that future occupiers of the building would not be at risk from a flood event.

## **Sustainability**

- 10.28 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimising vulnerability and improving resistance, and supporting renewable and low carbon energy and associated infrastructure. The Council declared a climate emergency in June 2019 and intends to implement a national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.29 In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. These are material considerations in determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025. While a Sustainability Supplementary Planning Document will be produced in due course, the changes to national and local climate policy are material considerations that should be considered in the handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. An Interim Sustainability Position Statement (ISPS) has therefore been adopted to clarify the Council's approach to these matters.
- 10.30 This application is accompanied by a Sustainability and Energy Statement. This sets out a number of sustainability measures to maximise energy efficiency. The proposed sustainability measures show that through the use of Air Source Heat Pumps, the proposals would achieve a 10% reduction in CO2 emissions, with total regulated emissions of 20.34 tonnes of CO2. Whilst the proposals would represent a reduction in the potential CO2 emitted from the site, the proposal would not achieve net zero. As such, it is reasonable for the Local Planning Authority to achieve the remainder by a Building Emission contribution. This building emission contribution has been calculated and would be secured through the legal agreement. Subject to completion of the legal agreement and recommended condition to secure further details of the energy efficiency measures set out in the report, the proposal would accord with Policy SP2 of the BLP.

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

- 11.1 The development is CIL liable. However, the site is located within Maidenhead Town Centre and the development comprises social housing. The CIL rate is therefore £0.00.

## **12. PLANNING BALANCE AND CONCLUSION**

- 12.1 The scheme would conflict with policy ED2 of the BLP as it would result in the loss of the existing lawful use in a Protected Employment Site. The identified need for temporary housing in the Borough is a material planning consideration of some considerable weight and it has been demonstrated that the proposals would result in significant social benefits. In this context, the loss of the existing use is considered acceptable.
- 12.2 As set out in the section above, there are no other adverse impacts that cannot be mitigated either through recommended condition or through the completion of a legal agreement. For reasons set out above, the proposal is considered acceptable and the recommendation is that planning permission is granted, subject to recommended conditions and the completion of the required legal agreement as set out in Section 1 of this Report.

### 13. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Existing site plan
- Appendix C – Proposed site plan
- Appendix D – Existing ground floor plan
- Appendix E – Proposed ground floor plan
- Appendix F – Existing first floor plan
- Appendix G – Proposed first floor plan
- Appendix H – Existing elevations
- Appendix I – Proposed elevations
- Appendix J – Existing outbuilding
- Appendix K – Proposed outbuilding

### 14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Borough Local Plan QP3.
- 3 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.  
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Borough Local Plan IF2.
- 4 The development shall be implemented and thereafter maintained in accordance with the Flood Risk Assessment received on 8th February 2023.  
Reason: To secure appropriate flood mitigation measures. Relevant Policies - Borough Local Plan NR1.
- 5 Prior to occupation of the development, a flood warning and evacuation plan shall be submitted to and approved in writing by the Local Planning Authority. The use of the building shall be carried out in complete accordance with the details contained in the approved plan.  
Reason: To secure appropriate flood mitigation measures. Relevant Policies - Borough Local Plan NR1.
- 6 The hard and soft landscaping scheme shall be implemented within the first planting season following the first use of the development in accordance with the detail shown on the approved plans. The development shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Borough Local Plan QP3.
- 7 Prior to occupation of the development, details of the air source heat pumps shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained thereafter in accordance with the approved details and in accordance with the details

set out in the Energy Statement for Planning dated October 2023 version 4.0.

Reason: To help mitigate climate change in accordance with the Interim Sustainability Position Statement. Relevant Policy – Borough Local Plan SP2.

- 8 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.

1100 Rev. P2

1303

1107 Rev. P5

1301

1205

1206

1105 Rev. P5

### **Informatives**

- 1 Any incidental works affecting the adjoining highway shall be approved and a licence obtained before any work is carried out within the highway, through contacting The Highways and Transport Section at RBWM. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out. No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

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# Appendix A – Site location plan

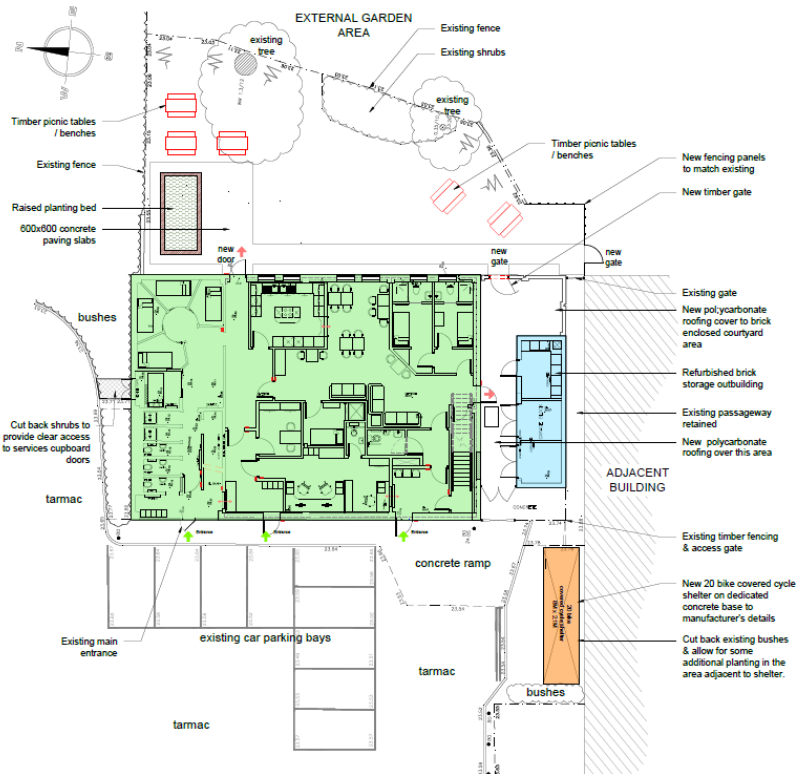


## Appendix B – Existing site plan



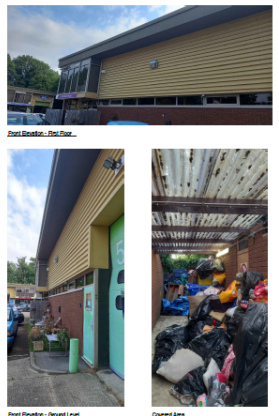
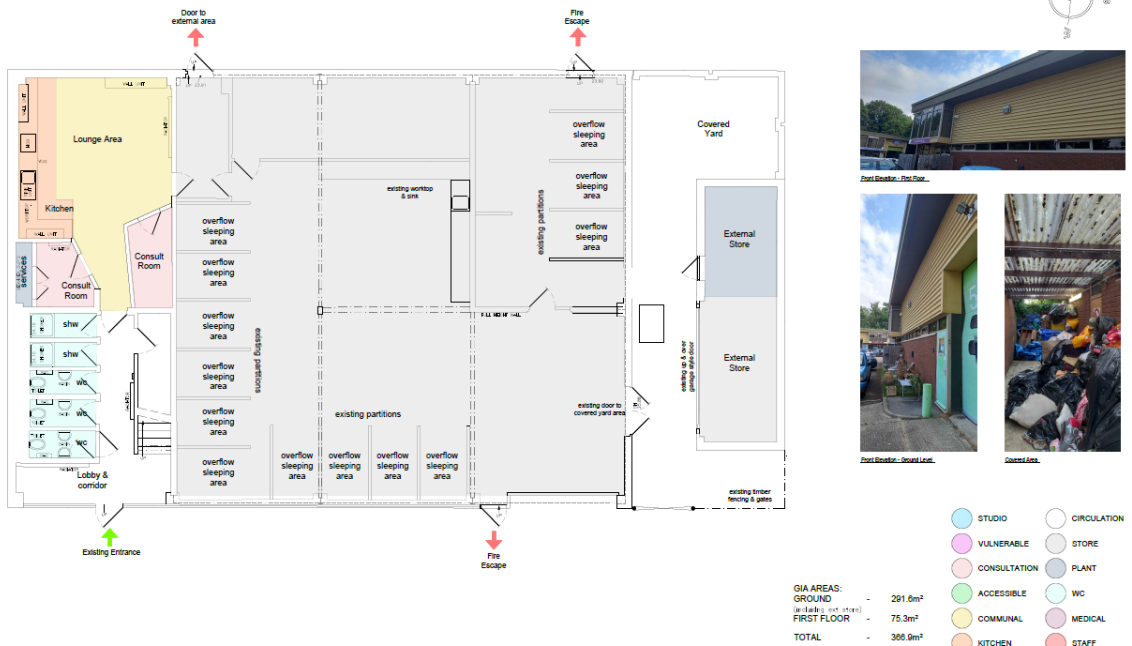
## Appendix C – Proposed site plan

GENERAL NOTES:  
LOOSE FURNITURE & TABLES PROVIDED OUTSIDE  
OF CONTRACT SHOWN RED.

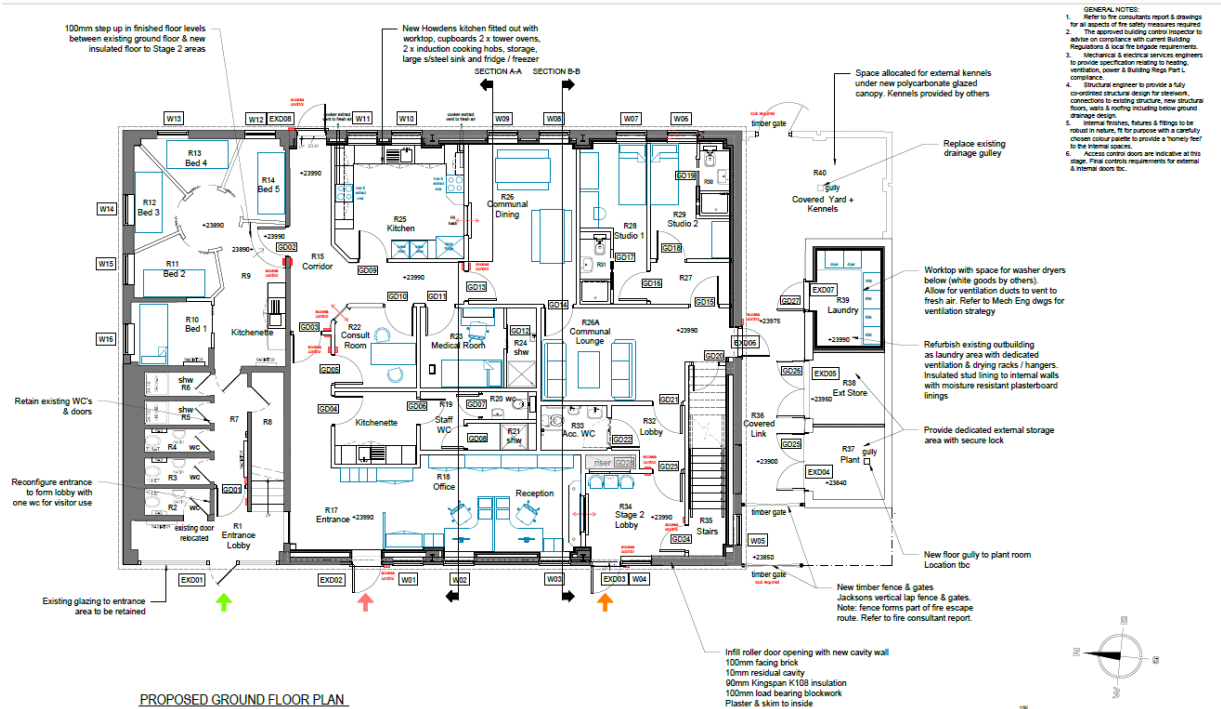




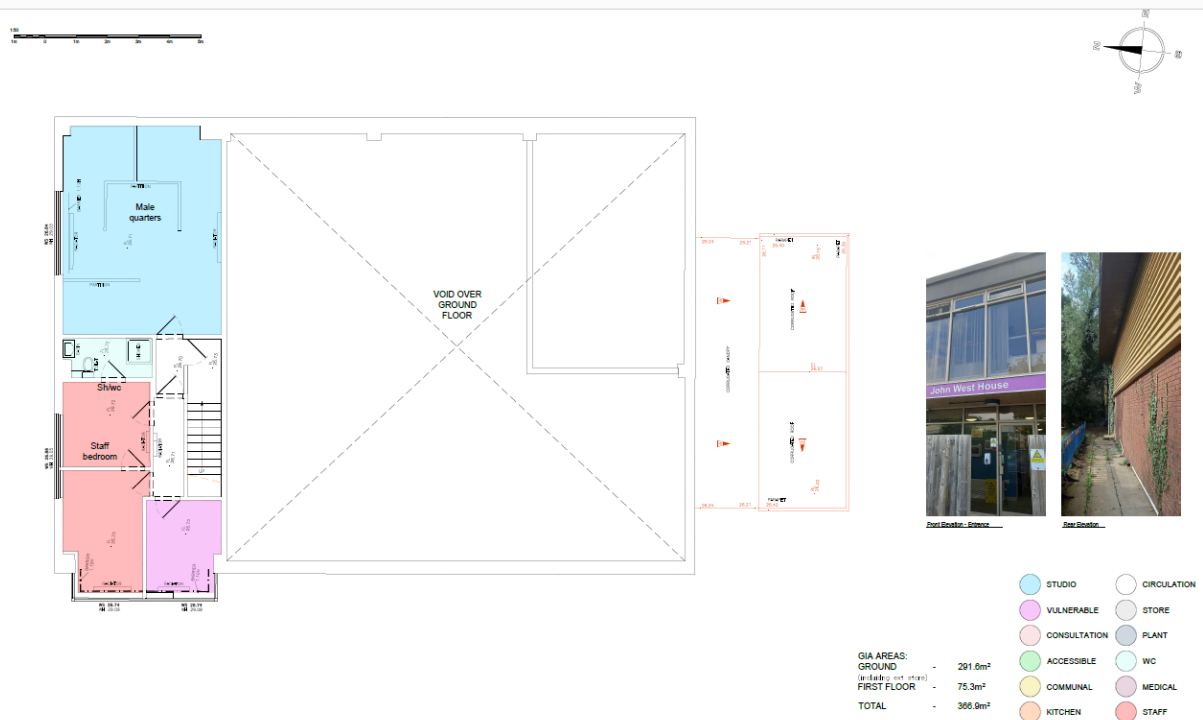
# Appendix D – Existing ground floor plan



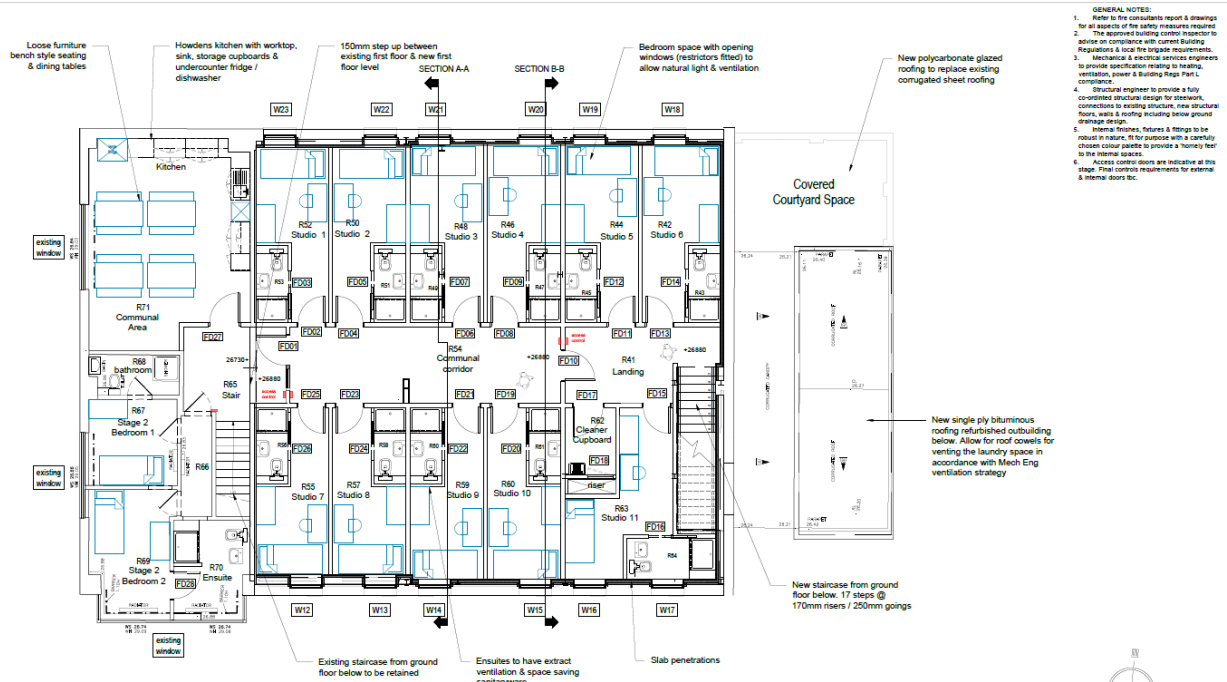
# Appendix E – Proposed ground floor plan



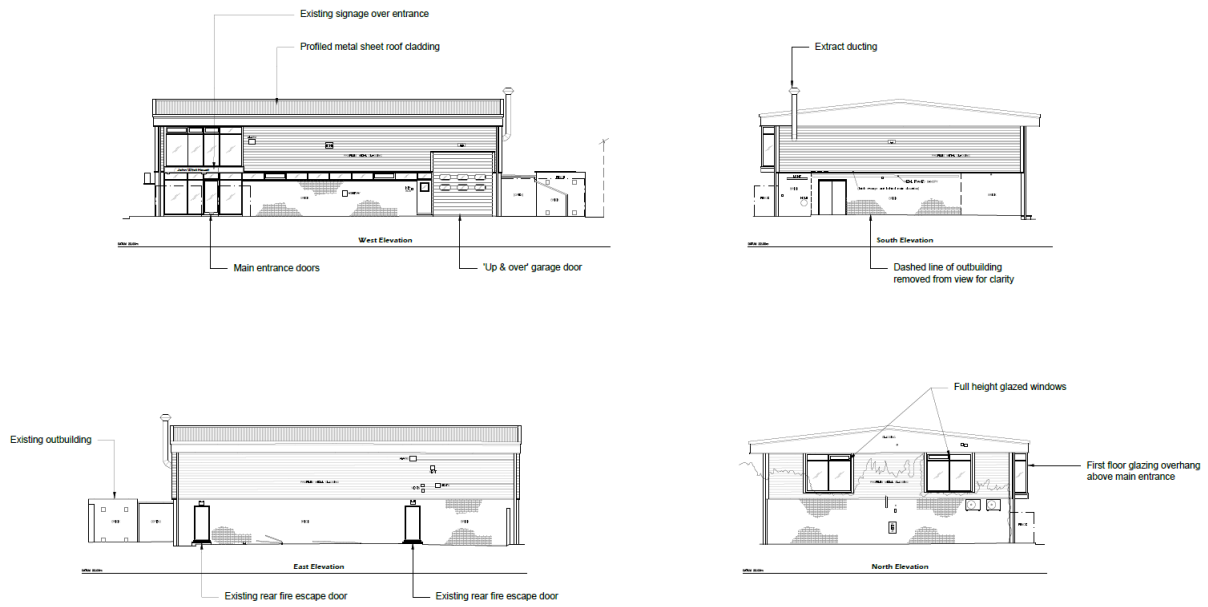
## Appendix F – Existing first floor plan



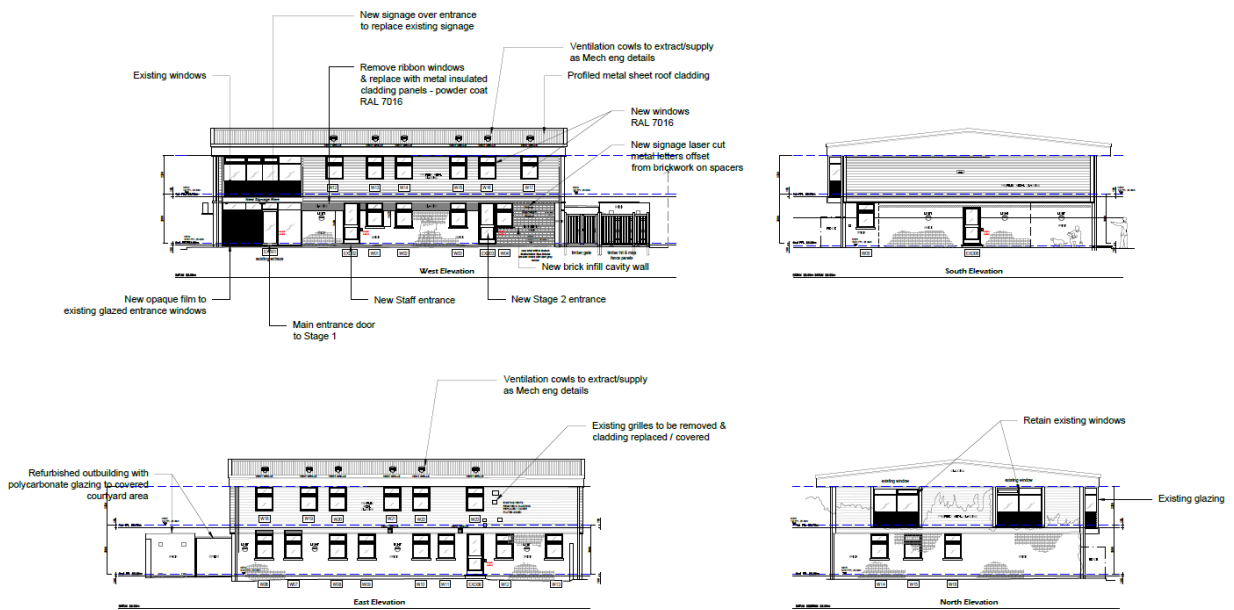
## Appendix G – Proposed first floor plan



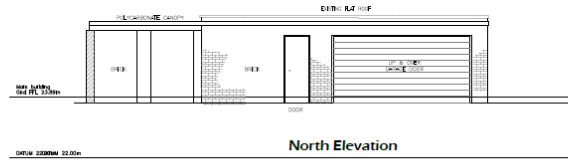
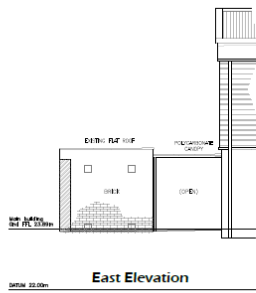
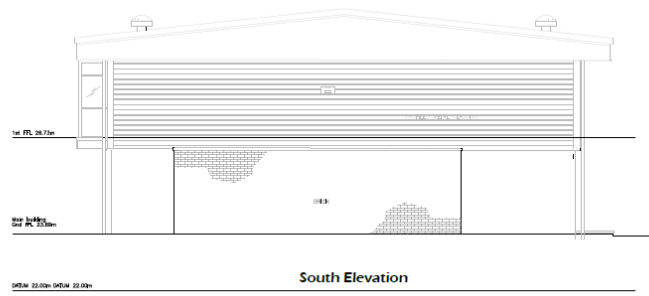
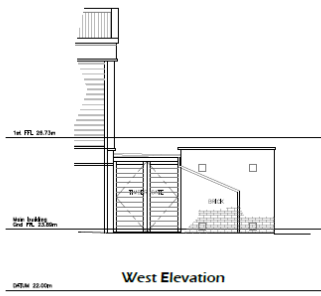
## Appendix H – Existing elevations



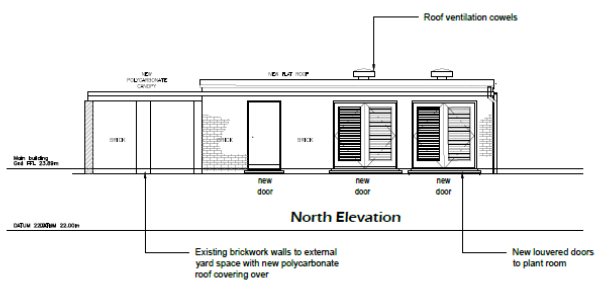
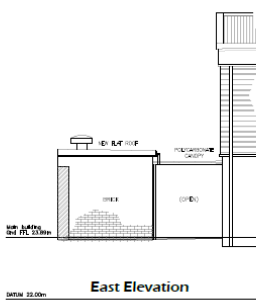
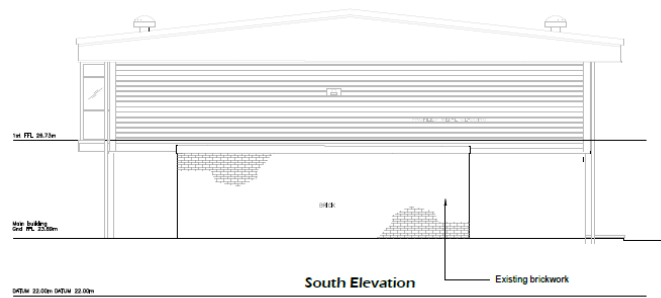
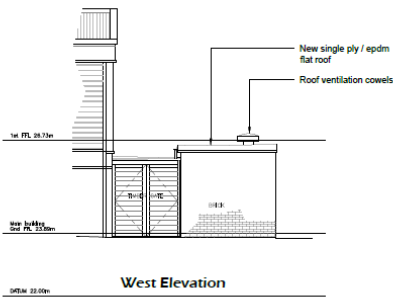
## Appendix I - Proposed elevations



## Appendix J – Existing outbuilding



## Appendix K – Proposed outbuilding



## Planning Appeals Received

09 October 2023 - 1 November 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 Plns 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

<b>Ward:</b>				
<b>Parish:</b>	Waltham St Lawrence Parish			
<b>Appeal Ref.:</b>	23/60081/REF	<b>Planning Ref.:</b>	23/00950/FULL	<b>Plns Ref.:</b> APP/T0355/D/23/3325825
<b>Date Received:</b>	17 October 2023	<b>Comments Due:</b>	N/A	
<b>Type:</b>	Refusal	<b>Appeal Type:</b>	Householder Appeal	
<b>Description:</b>	New front canopy, part two part single storey rear extension, single storey side extension and alterations to fenestration following demolition of existing front element.			
<b>Location:</b>	<b>Old Oak Cottage Sill Bridge Lane Waltham St Lawrence Reading RG10 0NT</b>			
<b>Appellant:</b>	Mr And Mrs T Ritchie <b>c/o Agent:</b> Miss Emma Freeman Hyde Farm Marlow Road MAIDENHEAD SL6 6PQ			
<b>Ward:</b>				
<b>Parish:</b>	Bray Parish			
<b>Appeal Ref.:</b>	23/60082/REF	<b>Planning Ref.:</b>	23/00325/FULL	<b>Plns Ref.:</b> APP/T0355/D/23/3327013
<b>Date Received:</b>	25 October 2023	<b>Comments Due:</b>	N/A	
<b>Type:</b>	Refusal	<b>Appeal Type:</b>	Householder Appeal	
<b>Description:</b>	2 storey rear extension, garage to annex conversion and alterations to fenestration following the demolition of existing conservatory			
<b>Location:</b>	<b>Angela Laycocks Cottage Ascot Road Hawthorn Hill Bracknell RG42 6HH</b>			
<b>Appellant:</b>	Mr Moyle <b>c/o Agent:</b> Mr Stuart Keen SKD Design Ltd Unit 2 Howe Lane Farm Howe Lane Maidenhead SL6 3JP			
<b>Ward:</b>				
<b>Parish:</b>	Cookham Parish			
<b>Appeal Ref.:</b>	23/60083/REF	<b>Planning Ref.:</b>	23/01388/CPD	<b>Plns Ref.:</b> APP/T0355/X/23/3328522
<b>Date Received:</b>	26 October 2023	<b>Comments Due:</b>	7 December 2023	
<b>Type:</b>	Refusal	<b>Appeal Type:</b>	Written Representation	
<b>Description:</b>	Certificate of lawfulness to determine whether the 5no. two storey rear extensions is lawful.			
<b>Location:</b>	<b>Hurst Place Bradcutts Lane Cookham Dean Maidenhead SL6 9AA</b>			
<b>Appellant:</b>	Mr G Papazoglou <b>c/o Agent:</b> Mr Mumtaz Alam Cookham Design Partnership Tavistock House Waltham Road White Waltham Maidenhead SL6 3NH			



## Appeal Decision Report

09 October 2023 - 1 November 2023

### Maidenhead

**Appeal Ref.:** 23/60011/NOND **Planning Ref.:** 21/03782/OUT **Plns Ref.:** APP/T0355/W/22/  
ET 3304019

**Appellant:** Hurleyford Farms **c/o Agent:** Mr Jack Clegg Pike Smith & Kemp Rural Hyde Farm Marlow  
Road Maidenhead SL6 6PQ

**Decision Type:** Delegated **Officer Recommendation:** Would Have  
Refused

**Description:** Outline application for scale only to be considered at this stage with all other matters to be  
reserved for a replacement agricultural/commercial building.

**Location:** **Land To The West of Shepherds Lane Hurley Maidenhead**

**Appeal Decision:** Allowed **Decision Date:** 27 October 2023

#### Main Issue:

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**Appeal Ref.:** 23/60012/REF **Planning Ref.:** 22/02202/OUT **Plns Ref.:** APP/T0355/W/22/  
3311884

**Appellant:** Hurleyford Farms **c/o Agent:** Mr Jack Clegg Pike Smith And Kemp Rural Hyde Farm Marlow  
Road Maidenhead SL6 6PQ

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

**Description:** Outline application for scale only to be considered at this stage with all other matters to be  
reserved for a replacement agricultural/commercial building.

**Location:** **Land To The West of Shepherds Lane Hurley Maidenhead**

**Appeal Decision:** Allowed **Decision Date:** 27 October 2023

#### Main Issue:

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**Appeal Ref.:** 23/60040/REF      **Planning Ref.:** 22/02245/FULL      **Plns Ref.:** APP/T0355/D/23/3315038

**Appellant:** Tim Wilson **c/o Agent:** Miss Katie Hogendoorn Bourne House Bourne End SL8 5AR

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

**Description:** First floor front/side extension.

**Location:** **Rose Cottage Kings Lane Cookham Maidenhead SL6 9TZ**

**Appeal Decision:** Dismissed      **Decision Date:** 10 October 2023

**Main Issue:** In considering the appeal substantial weight most be attached to the harms the development would cause to the Green Belt by virtue of its inappropriateness and to openness. The weights the inspector has attached to the other considerations, individually or cumulatively, do not clearly outweigh the harms to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

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**Appeal Ref.:** 23/60071/REF      **Planning Ref.:** 22/03087/VAR      **Plns Ref.:** APP/T0355/W/23/3317877

**Appellant:** Mr Singh **c/o Agent:** Ms Saima Iqbal 9 Norville Terrace LEEDS LS6 1BS

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

**Description:** Variation (under Section 73A) of planning permission 14/00524/FULL (allowed on appeal) to vary the wording of Condition 2 (opening/closing times).

**Location:** **Herbies Pizza 79 Windsor Road Maidenhead SL6 2DN**

**Appeal Decision:** Dismissed      **Decision Date:** 27 October 2023

**Main Issue:** The proposed extended hours of opening would increase the risk of noise disruption at a time when residents are more likely to be going to bed and when background traffic level noise is low. As such, the proposal would unduly affect the quality of life of residents.

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**Appeal Ref.:** 23/60073/REF      **Planning Ref.:** 22/02506/FULL      **Plns Ref.:** APP/T0355/W/23/3322129

**Appellant:** Mr Siamak Chakeveh **c/o Agent:** Richard Cutler Cutler Architects 43 St. Mary's Street Wallingford OX10 0EU

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

**Description:** Construction of x5 dwellings with new access off The Avenue, following demolition of the existing dwelling and annexe.

**Location:** **Culpeppers 53 Lower Cookham Road Maidenhead SL6 8JX**

**Appeal Decision:** Dismissed      **Decision Date:** 27 October 2023

**Main Issue:**

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