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Notice of Meeting

Maidenhead Development Management Committee

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

Wednesday 17 April 2024 7.00 pm

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

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Agenda

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2	Declarations of Interest To receive any declarations of interest.	3 - 6
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4	23/01738/FULL 12 Lees Close Maidenhead SL6 4NU PROPOSAL: Outbuilding (retrospective) RECOMMENDATION: Permit APPLICANT: Mr Thandi EXPIRY DATE: 29 March 2024	11 - 20
5	23/02588/FULL Land At The Junction of Warners Hill And Dean Lane Cookham Maidenhead PROPOSAL: New building to house 3no. stables, tack room, hay store, WC, construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters. RECOMMENDATION: Permit APPLICANT: Mr and Mrs Dilley EXPIRY DATE: 26 April 2024	21 - 42

6	<p>23/02716/FULL Development At Kings Street And Queen Street And Broadway Maidenhead</p> <p>PROPOSAL: Erection of office building with flexible commercial ground floor uses, landscaping and associated works.</p> <p>RECOMMENDATION: Permit</p> <p>APPLICANT: Ryger Maidenhead Ltd</p> <p>EXPIRY DATE: 22 April 2024</p>	43 - 80
7	<p>Planning appeals received and planning decision report</p> <p>Committee Members to note the report.</p>	81 - 84

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

Published: Tuesday 9 April 2024



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 20 March 2024

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

Also in attendance: Councillors Joshua Reynolds and Suzanne Cross

Officers: Mark Beeley, Laurence Ellis, Adrien Waite, Alison Long, Claire Pugh, James Overall and Maria Vasileiou

Officers in attendance virtually: Helena Stevenson

Apologies for Absence

There were no apologies for absence received.

The Committee noted that there had been a recent change to the membership. Councillor Reynolds had stepped down from the Committee, both as the Chair and a Member. Councillor Martin would be Chair, supported by Councillor Hill as Vice Chair. Councillor G Singh had replaced Councillor Reynolds as a Member of the Committee.

Declarations of Interest

Councillor G Singh declared a personal interest on 23/02552/FULL SportsAble Braywick Park Braywick Road Maidenhead SL6 1BN, as he owned property close to the site. He would be attending the Committee with an open mind.

Minutes

AGREED UNANIMOUSLY: That the minutes of the meeting held on 21st February 2024 were approved as a true and accurate record.

22/03374/OUT Land North And South Gays Lane Maidenhead

Councillor G Singh proposed a motion to refuse planning permission for the reasons listed in the main report and the additional reason in the Committee Update. This motion was seconded by Councillor Hill.

A named vote was taken on the motion.

22/03374/OUT - Refuse Planning Permission (Motion)	
Councillor Siân Martin	For
Councillor Geoff Hill	For
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Mandy Brar	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Gurch Singh	For
Carried	

AGREED UNANIMOUSLY: To refuse planning permission for the reasons listed in the main report and the additional reason in the Committee Update.

The Committee heard from the following public speakers:

- James Camplin – Objector
- Parish Councillor Louvaine Kneen – Bray Parish Council
- Oliver Ralton – Applicant
- Councillor Cross
- Councillor Reynolds

23/02552/FULL SportsAble Braywick Park Braywick Road Maidenhead SL6 1BN

Councillor Hill proposed a motion to permit planning permission with the conditions listed in section 13 of the main report and the Committee Update. This was seconded by Councillor Taylor.

A named vote was taken.

23/02552/FULL - Permit Planning Permission (Motion)	
Councillor Siân Martin	For
Councillor Geoff Hill	For
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Mandy Brar	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Gurch Singh	For
Carried	

AGREED UNANIMOUSLY: To permit planning permission with the conditions listed in section 13 of the main report and the Committee Update.

The Committee heard from the following public speaker:

- Councillor Reynolds

23/02588/FULL Land At The Junction of Warners Hill And Dean Lane Cookham Maidenhead

This item was withdrawn in advance of the meeting.

24/00050/VAR Cookham Bridge Sutton Road Cookham Maidenhead

Councillor Hill proposed a motion to grant the variation of condition 7 of listed building consent with the conditions listed in section 13 of the main report. This was seconded by Councillor Brar.

A named vote was taken.

24/00050/VAR - Grant the variation (Motion)	
Councillor Siân Martin	For
Councillor Geoff Hill	For
Councillor Maureen Hunt	For
Councillor Leo Walters	For
Councillor Mandy Brar	For
Councillor Helen Taylor	For
Councillor Gary Reeves	For
Councillor Kashmir Singh	For
Councillor Gurch Singh	For
Carried	

AGREED UNANIMOUSLY: To grant the variation of condition 7 of listed building consent with the conditions listed in section 13 of the main report.

The Committee heard from the following public speaker:

- Parish Councillor Bill Perry - Cookham

Planning appeals received and planning decision report

Councillor Walters commented that Bellman Hanger in Shurlock Row had been allowed on appeal and that this would be disappointing to some residents.

The Committee noted the report.

The meeting, which began at 7.00 pm, finished at 8.50 pm

Chair.....

Date.....

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 April 2024

Item: 1

Application No.:	23/01738/FULL
Location:	12 Lees Close Maidenhead SL6 4NU
Proposal:	Outbuilding (retrospective)
Applicant:	Mr Thandi
Agent:	Mr Kashif Bashir
Parish/Ward:	Maidenhead Unparished/Boyn Hill
If you have a question about this report, please contact: Ritu Singh on 01628 796 192 or at ritu.singh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks retrospective planning permission for the construction of a detached outbuilding within the rear garden. The application relates only to the structure and not the use, with the applicant confirming during the course of the application that the proposals are for the outbuilding to be used incidental to the main residential dwelling and not as a separate residential or commercial use.
- 1.2 This application was on the agenda at the Maidenhead Development Management Committee on the 20th December 2023. The determination of the application was deferred until such time as a reply on the noise impact assessment and a ground water drainage assessment is completed. Subsequent to this, a noise impact assessment has been submitted and further drainage strategy information has been provided and reviewed by National Highways.
- 1.3 National Highways have confirmed that it has been demonstrated that the proposed soakaway on the outbuilding has sufficient capacity and no objections are raised, subject to recommended condition. Furthermore, the submitted noise report demonstrates that there has been no unacceptable harm to amenities of surrounding properties as a result of the works which form this application.
- 1.4 The principle of a detached outbuilding within the rear garden for use incidental to the residential dwelling remains acceptable in principle, subject to recommended condition/informative to ensure that the structure is used solely for incidental purposes and neither as an independent residential or a commercial use. Furthermore, it has been demonstrated that the structure and use incidental to the main dwelling, has an acceptable impact on the appearance of the surrounding area. highway safety.

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

2. REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Assistant Director of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the planning application has been called in by Cllr Bermange due to concerns that the development has an unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy and disturbance.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises a detached dwelling located in south-west Maidenhead. The site is classified in the RBWM Townscape Assessment as 'Late 20th Century Suburbs (10)' which comprise medium density housing in a suburban style, set in regular plots with short front and back gardens.
- 3.2 Immediately to the rear of the application site is the A404 (M).

4. KEY CONSTRAINTS

- 4.1 N/A

5. THE PROPOSAL

- 5.1 The application seeks retrospective planning permission for the construction of a detached outbuilding within the rear garden of the application site. The outbuilding is flat roofed, with a height of 2.6m. The submitted plans show that the outbuilding has three interlinked rooms and would be used as a gym and office space.
- 5.2 The application relates only to the structure and not the use, with the applicant confirming during the course of the application that the proposals are for the outbuilding to be used incidental to the main residential dwelling and not as a separate residential or commercial use.

6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
96/30427/FULL	Demolition of double garage and construction of single storey front rear and side extensions and two storey side extension.	Approved 07.11.1996
97/31467/VAR	Demolition of double garage and construction of single storey front, rear and side extensions and two storey side extensions. (Variation to planning approval 96/30427).	Approved 04.07.1997
12/01890/FULL	Conversion of the garage to habitable accommodation.	Approved 13.08.2012
22/01885/CPD	Certificate of lawfulness to determine whether the proposed detached outbuilding is lawful.	Approved 15.09.2022

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Borough Local Plan (BLP)

Issue	Policy
Character and Design of New Development	QP3
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Sustainable Transport	IF2

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF)

Section 2 – Achieving sustainable development.
 Section 4- Decision-making.
 Section 9- Promoting Sustainable Transport.
 Section 12- Achieving well-designed places.

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 Landscape Assessment
- RBWM Parking Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

Three occupiers were notified directly of the application.

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

Comment	Where in the report this is considered
1. Outbuilding built without planning permission and in breach of Lawful Development Certificate and Building Regulations.	Noted. However, this does not preclude the determination of the application in accordance with development plan policies. Building regulations are separate from the planning process.

2.	Concerns regarding dimension of outbuilding.	Scaled plan and elevation drawings have been submitted with the application and are acceptable for the purposes of the assessment of the application.
3.	Built on National Highways land.	The application site is edged red. The application site is within the curtilage of the dwelling house and a certificate A has been completed by the applicant stating that the applicant is sole owner of the land.
4.	The building is out of keeping with the area and its surrounding.	See section 10.
5.	Trees were removed which now causes light, air and noise pollution from A404.	Noted. However, the application relates only to the outbuilding. The trees which have been removed were on National Highways land; however, these were not protected and not in a conservation area and any action would therefore need to come from National Highways.
6.	Purpose of outbuilding is 2 bed/2 bath bungalow.	See section 10.
7.	Parking concerns.	See section 10.
8.	Drainage and rainwater concerns.	Noted. However, this would not preclude the determination of the current application in accordance with relevant development plan policies. Furthermore, further drainage detail has been provided. See section 10.
9.	Property devaluation.	Noted. However, this is not a material planning consideration in the determination of the planning application in accordance with relevant development plan policies.

Consultees

Consultee	Comment	Where in the report this is considered
National Highways	<p>Recommend that planning permission not be granted until 3rd April.</p> <p>Offers no objection in principle to the outbuilding itself as shown within the red line boundary.</p> <p>The applicant has provided further information regarding the drainage strategy for the outbuilding, which included filtration calculations which demonstrated that the proposed soakaway on the outbuilding has sufficient capacity.</p> <p>Based on above, a condition for drainage plans, is recommended.</p>	<p>No decision will be made until after the 3 April 2024.</p> <p>Recommended condition which relates to approved drainage plans is attached.</p>

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of development;
- ii Design and character;
- iii Impact on amenity of neighbouring buildings; and,
- iv Parking and highway safety.

Principle of Development

10.2 The application seeks retrospective planning permission for the construction of outbuilding located in the rear garden. The application relates only to the structure and not the use, with the applicant confirming that the structure is for use incidental to the main dwelling on the site and not for either a separate residential or a commercial use.

10.3 In this context, the principle of an incidental outbuilding within the rear garden is acceptable. However, given the scale and rooms proposed within the structure, in order to ensure that the development would remain incidental to the host dwelling, it is reasonable to recommend a condition to ensure the building remains incidental to the main house. An informative is also recommended to advise the applicant that use for either an independent residential dwelling or a commercial use would require a separate grant of planning permission.

Design and Character

10.4 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and BLP Policy QP3, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.

- 10.5 The construction of residential outbuildings for a use incidental to the main dwellinghouse have become an increasing feature of rear garden areas such as this, with the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development (GPDO)) (England) Order 2015 (As Amended), allowing for the construction of outbuildings, subject to certain conditions, without the need for planning permission.
- 10.6 A lawful development certificate was granted at the site in 2022 for a detached outbuilding to the rear of the garden (see section 4). Whilst the current proposal differs from the 2022 proposal, in this context, the principle of a detached outbuilding in this location is acceptable and could be implemented at the site.
- 10.7 The overall height of the building as submitted as part of this application is 2.6m. The building, given its form, scale and location, and in this context, does not have a harmful impact on the character and appearance of the existing dwelling and given its location within an enclosed rear garden and has a limited impact on the character and appearance of the area when viewed from the road or neighbouring gardens. The proposal respects the appearance and design of the host dwelling, and the appearance and character of the street scene is not harmed.
- 10.8 During assessing the proposed development, it is noted that the property benefits from permitted development rights, with a similar outbuilding deemed to be lawful in 2022 (see section 4). Whilst the outbuilding as built, is within 2m of the boundary of the site and with a height of 2.6m is above the height limit of 2.5m as set out in the GPDO (as set out above) and therefore requires planning permission, it is a material planning consideration in the determination of the current application that if the overall height of the building were to be reduced to 2.5m, in this case, planning permission would not be required. The difference between this position and the as built is a height of only 0.1m and this additional height does not result in a harmful impact on the overall appearance of the area.

Amenities

- 10.9 BLP Policy QP3 sets out that development should have no unacceptable effect on the amenities enjoyed by the occupants of adjacent properties. The outbuilding is single storey in height and is sited a considerable distance from the closest boundary with the adjacent residential property, with the A404(M) to the rear. The outbuilding structure does not result in unacceptable harm to the amenities of neighbouring properties in terms of light, privacy or increased sense of enclosure.
- 10.10 As set out above, the application relates only to the structure and not the use, with the applicant confirming that the structure would be for use incidental to the main dwelling on the site and not for either a separate residential or a commercial use.
- 10.11 Following the deferral of the application in December 2023, a Noise Impact Assessment was undertaken on 23rd January 2024 and a subsequent report submitted. The scope of the assessment was to inspect the impact of noise levels caused by the removal of the brick wall fence, trees and shrubs for construction of the outbuilding and to assess the noise impacts of the annexe building on the neighbouring residential properties at 11 and 13 Lees Close respectively.
- 10.12 The noise modelling included the pre-existing garden, prior to the annexe building's completion, and also the gardens existing state, including the annexe building. This modelling has been carried out in order to assess whether the annexe building has increased noise levels at the neighbouring properties. The report concludes that the

noise levels demonstrate no increase in noise levels from the pre-existing scenario where the outdoor annexe had not been constructed within the garden of 12 Lees Close. Accordingly, it has been demonstrated that the construction of the annexe building and the removal of trees and shrubbery has not resulted in an increase in traffic noise levels at the neighbouring properties in Lees Close. As such, there is no unacceptable harm to amenities of surrounding properties.

- 10.13 The use of the outbuilding as a home office and gym is not considered to cause any unacceptable noise or disturbance to occupants of neighbouring properties in the context of the existing residential use of the site. However, given the scale and rooms proposed within the structure, in order to ensure that the development would remain incidental to the host dwelling, it is reasonable to recommend a condition to ensure the building remains incidental to the main house. An informative is also recommended to advise the applicant that use for either an independent residential dwelling or a commercial use would require a separate grant of planning permission.

Parking and highway safety

- 10.14 Due to the close proximity of the outbuilding to the boundary with the A404(M), National Highways had raised concerns with regard to a potential adverse impact on the A404(M) and its associated assets. Following the deferral of the application in December 2023, further information regarding the drainage strategy for the outbuilding has been submitted. This information has been reviewed by National Highways and includes filtration calculations which demonstrate that the proposed soakaway on the outbuilding has sufficient capacity. As such, subject to recommended condition to secure the implementation and retention of drainage at the development in accordance with the submitted plans, the development would not result in harm to highway safety in the surrounding area.
- 10.15 The outbuilding is incidental to the existing residential use on the site, with no increased parking demand as such. The proposals do not impact on available parking on the site and sufficient space remains to accommodate the car parking for the existing dwelling.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development would not be liable to pay CIL.

12. CONCLUSION

- 12.1 For the reasons set out in this report the proposals are deemed to comply with relevant development plan policies. It is therefore recommended that Planning Permission should be granted subject to the conditions listed below.

13. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Block plan
- Appendix C – Plan and elevation drawings

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 2 The development hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling.

Reason: Occupation as a separate unit of residential accommodation or commercial use would result in an unsatisfactory living environment for occupiers of both the existing house and the new development and the amenities of surrounding occupiers.

- 3 Drainage at the development hereby approved will be constructed and maintained in accordance with drawing number 12/Lee/01 unless otherwise agreed in writing by the Local Planning Authority, in consultation with National Highways.

Reason: To ensure the A404(M) continues to be effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

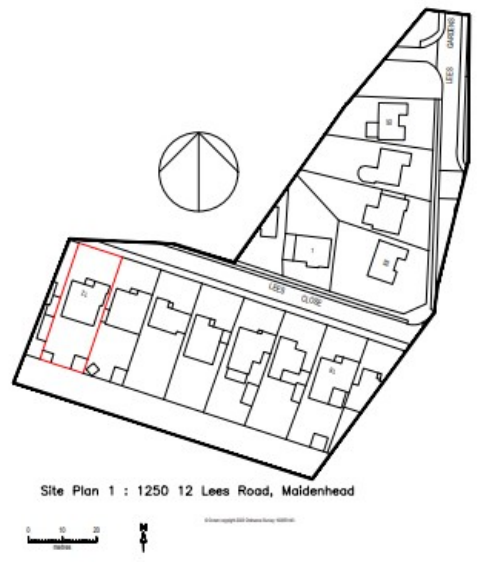
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

Informatives

- 1 The applicant should be aware that planning permission is granted for the development as set out in the description of development. The structure should remain ancillary to the main dwelling as secured by condition. Further planning permission would be required should the applicant wish to use the structure as an independent residential unit or for a commercial use.

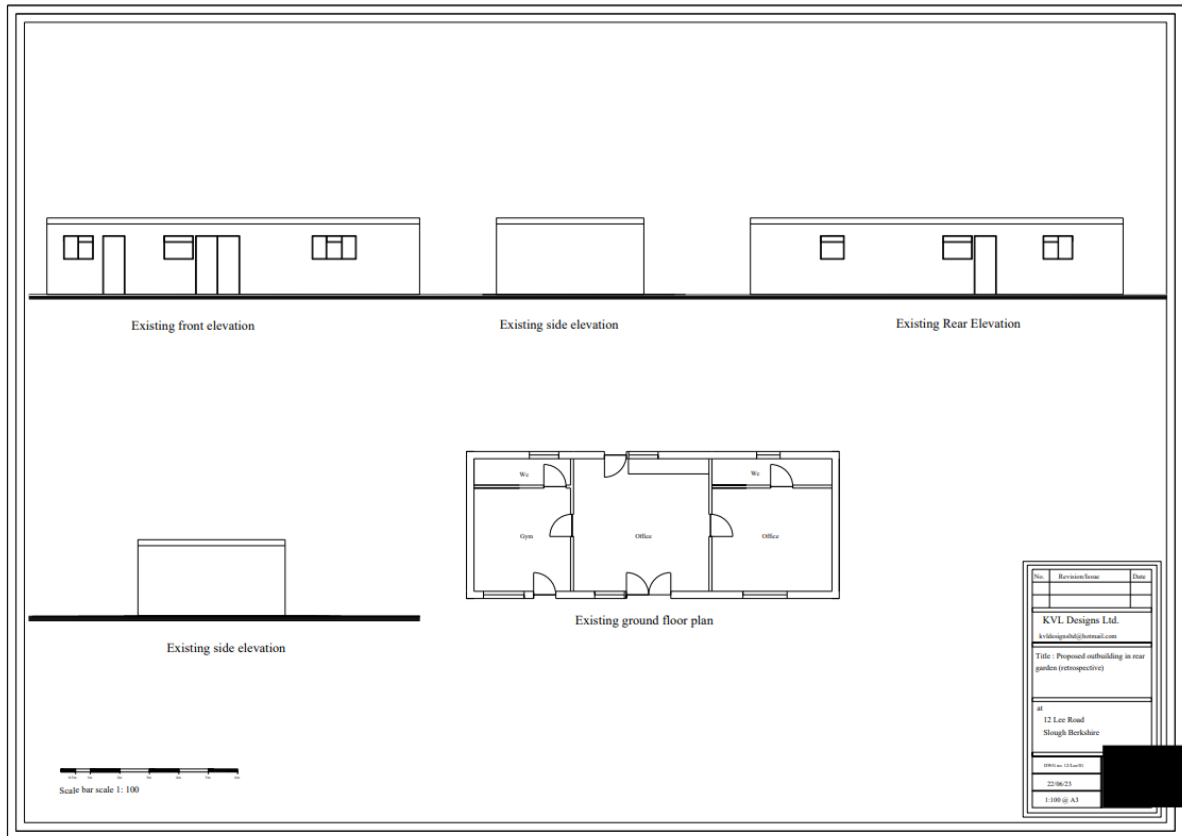
Appendix A – Site location plan



Appendix B – Block plan



Appendix C – Plan and elevation drawings



MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 April 2024

Item: 2

Application No.:	23/02588/FULL
Location:	Land At The Junction of Warners Hill And Dean Lane Cookham Maidenhead
Proposal:	New building to house 3no. stables, tack room, hay store, WC, construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.
Applicant:	Mr And Mrs Dilley
Agent:	Frances Pullan
Parish/Ward:	Cookham Parish/Bisham And Cookham
If you have a question about this report, please contact: Maria Vasileiou on 01628 796478 or at maria.vasileiou@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks planning permission for the erection of a new building to house three stables, tack room, hay store, WC, the construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.
- 1.2 The proposed stable building would replace the two existing shelters on the site (the removal of which would be secured by recommended condition) and would be sited in a similar location to the southernmost shelter along the western boundary with Warners Hill. The site has an established equestrian use and it has been demonstrated that the development would constitute appropriate development within the Green Belt.
- 1.3 Furthermore, the proposed development would be of form which would preserve the character and appearance of the conservation area and the setting of the listed building, would not result in unacceptable harm to amenities of surrounding properties, and subject to recommended conditions, would not result in unacceptable harm to highway safety in the surrounding area, trees or flooding, with a biodiversity net gain and associated biodiversity enhancements secured by recommended conditions.

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

2. REASON FOR COMMITTEE DETERMINATION

- The application is classified as a 'major' application due to the size of the application site, and therefore this application should be referred to the Maidenhead Development Management Committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to a 1.398 hectare parcel of land located northeast of Cookham Dean at the corner of Warners Hill and Dean Lane. There are currently two horse shelters on the site with a floor space of 54sqm which are located along the eastern boundary. The land is laid to pasture and is considered to be established equestrian use.

3.2 The surrounding area is rural in character, comprising clusters of residential development. The site is within the Green Belt and the Cookham Dean Conservation Area.

4. KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- Green Belt;
- Cookham Dean Conservation Area; and,

4.2 It is noted that there is a Grade II Listed Building (Oak Beams) to the west of the site.

5. THE PROPOSAL

5.1 The application seeks planning permission for the erection of a new building to house three stables, tack room, hay store, WC, the construction of a post and timber fence to the west and associated hardstanding and parking following the demolition of the existing shelters.

5.2 The proposed structures would have a floor space of 102.2 sqm. The proposed stable block would accommodate three horses, with associated facilities as detailed above. The structure would be located to the south east corner of the site in a similar location to one of the existing shelters. Additional timber post and rail fencing would be constructed to the west of the site.

5.3 The existing access to the site from Warners Hill would be utilised.

5.4 Amended plans have been submitted during the course of the application to revise the site location plan and reposition the proposed stables further within the site, and therefore outside the root protection areas of the offsite trees. No changes have been made to the form of the building. In addition, the plans have been amended in order to provide for the introduction of hardstanding to accommodate a parking/turning area.

5.5 Additional information has also been provided to address initial comments raised by the Highways Authority. These changes, and the above, have been the subject of formal reconsultation.

6. RELEVANT PLANNING HISTORY

6.1 There is no relevant planning history relating to this site.

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
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Sustainable Transport	IF2
Historic Environment	HE1

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (Dec 2023)

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting Sustainable Transport

Section 12 - Achieving well-designed places

Section 13 - Protecting Green Belt land

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

Supplementary Planning Documents

- Borough Wide Design Guide
- Cookham Village Design Statement
- Cookham Dean Conservation Area Statement

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Landscape Assessment
- RBWM Parking Strategy
- Corporate Strategy
- Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

Nine occupiers were notified directly of the application.

The planning officer posted a notice advertising the application and the subsequent reconsultation and was advertised in the Local Press.

At the time of drafting, 24 letters have been received objecting to the application. These are summarised as follows:

Comment		Where in the report this is considered
1.	Impact on the Green Belt. No clear justification and would not preserve openness and no very special circumstances.	See section 10.
2.	The height and scale of the stables is excessive with no justification for its size.	See section 10.
3.	Site is on an exposed hill and highly visible. Impact on the conservation area.	See section 10.
4.	Traffic/parking problems. Matters such as emergency access should not be left for future consideration.	See section 10.
5.	Impact on the existing trees.	See section 10.
6.	No mains drainage on site for the proposed WC, which could cause smells and an increase in vermin.	As Cookham Dean has no mains, drainage waste will be removed regularly via a 'portable system' or klargesteter.
7.	A Flood Risk Assessment is required.	See section 10.
8.	Understand that the application must be reported to the Planning Committee as it is a major.	Noted.
9.	Excavations will have a harmful impact on trees and canopies would need to be cut back.	See section 10.
10.	Concerns with light pollution.	See section 10.
11.	There have been horses in the field for years without the need for stables.	Noted. However, this would not preclude the determination of the application in accordance with relevant development plan policies at the time of submission.
12.	Suggest a modification with a substantially smaller footprint, lower height and greater screening. There have been horses on the field for many years without the need for stables.	Noted. However, the application has been assessed based on the submitted proposals. See section 10.
13.	Description does not include the proposed hardstanding.	Noted. The proposed hardstanding has now been included in the description and formal reconsultation carried out.

14.	Missing heritage statement. There has not been a full assessment of the impact.	Noted. A heritage statement is included within the amended planning statement. See section 10.
15.	Red edge on the site location plan doesn't extend to the public highway.	Noted. An amended location has been completed and notice served on the owner. The application has been the subject of formal reconsultation.
16.	Conservation and tree officers should be consulted.	See section 10.
17.	Urbanising impact.	See section 10.
18.	Size means it could be used in the future as a house or office.	The application relates to the development within the description of development only.
19.	Increase in vermin.	This would be covered under environmental health legislation.
20.	Dangerous precedent.	Each application is considered on its merits at the time of submission, in accordance with relevant development plan policies.
21.	Query on lawful use of access.	The applicant has confirmed lawful access onto the site.
22.	Additional noise and disruption.	See section 10.
23.	The structure will be visible from a number of directions.	See section 10.
24.	The site will be used as a lorry park for other users.	This does not form part of the application which is included within the description of development.
25.	Concerns with property values.	This is not a material planning consideration in the determination of the application.

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	No objection.	See section 10

Consultee responses

Consultee	Comment	Where in the report this is considered
RBWM Highways	No objection, subject to condition.	See section 10
RBWM Environmental Protection	No objection.	See section 10
Arboricultural Officer	No objection.	See section 10
Great Crested Newts Officer (Nature Space)	No comments.	See section 10

Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Cookham Parish Council	<p>Objection for the following reasons:</p> <ul style="list-style-type: none"> - Stables unnecessarily and excessively large; - Impact on the Green Belt and the Conservation Area; - loss of hedging and trees; - concerns relating to traffic and pedestrian movement; and, - failure to demonstrate how toilet waste will be dealt with and removed without detriment to the amenities of others. <p>Conditions were suggested.</p>	Noted. See section 10.
Cookham Society	<p>Objection for the following reasons:</p> <ul style="list-style-type: none"> - Stables unnecessarily and excessively large; - Impact on the Green Belt; - Access to the site is unclear; - Suggest a modification with a substantially smaller footprint, lower height; - Concerns that the development would lead to future applications for residential development; and, - Conditions were suggested for the removal of the stable should it is no longer required. 	<p>Noted. See section 10.</p> <p>The application relates to the works in the description of development only. The proposals as submitted are not for a residential use of the land.</p>

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. impact on the Green Belt;
- ii. whether the proposal would preserve or enhance the character or appearance of the building and wider conservation area and the setting of the Listed Building;
- iii. impact on amenity;
- iv. highway/parking considerations;
- v. impact on trees and vegetation;
- vi. ecology and biodiversity; and,
- vii. flooding.

Green Belt

10.2 The site is located within the Green Belt. Paragraph 143 of the NPPF identifies five purposes, which the Green Belt serves:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and,
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 152 of the NPPF sets out that inappropriate development in the Green Belt should not be approved, except in very special circumstances. Paragraph 153 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

10.3 With regard to the proposed stables, paragraph 154 states that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a list of specified exceptions. One of those exceptions as set out in point (b) is as follows:

'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'.

10.4 Policy QP5 of the BLP is consistent with the NPPF and includes development exceptions within the Green Belt for facilities for Outdoor Sport, Outdoor Recreation or Cemeteries. BLP Policy QP5 highlights the following;

- i. The scale of development will be expected to be no more than is genuinely required for the proper functioning of the enterprise or the use of the land to which it is associated.
- ii. Buildings should be unobtrusively located and designed so as not to introduce a prominent urban element into a countryside location.
- iii. The development (including lighting) should have no detrimental effect on landscape quality, biodiversity, residential amenity, or highway safety.

- 10.5 The proposed stable building would replace the two existing shelters on the site and would be sited in a similar location to the southernmost shelter along the western boundary with Warners Hill. The site has an established equestrian use.
- 10.6 The submission sets out that the height of the structure has been set to ensure that there is adequate height for the flow of air for the horses, the hay store is provided to accommodate storage of suitable fresh hay, the tack room is sized for all tack including saddles, pads, bridles, blankets, BIT's, brush boxes, boot shelving and hat racks as well as providing shelter, and the WC is a facility for use whilst on the land.
- 10.7 The submitted information states that the proposed stables would house three horses. The minimum stable size for a large horse as set out in the British Horse Standards is 3.65m by 4.25m. The Code of practice for the welfare of horses, ponies, donkeys and their hybrids advises that 'where horses are of less hardy breeding (e.g. Thoroughbreds), clipped, very young or elderly they may require stable accommodation/housing or other shelter to protect them from the cold and damp or very hot weather. Any horse may need stabling at short notice should they become sick or injured and provision should be made for this in advance of an emergency arising.' Accordingly, with an area of 102.2sqm to house three stables, a hay store, a tack room and a W/C for the applicants' personal use, the proposals would therefore be what is genuinely required for the functioning of the use of the land it is associated with. Furthermore, given the scale and established use/existing structures on the site, the building would not result in intensification of the use but rather to improve the existing facilities on site.
- 10.8 For the reasons detailed above, the development would fall within the scope of the exceptions within NPPF paragraph 154(b) as highlighted above; however, in order to constitute appropriate development in the Green Belt, the proposal would be required to preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
- 10.9 Although the proposal is acceptable in principle, it is inevitable that there would be some loss of openness of the Green Belt. The test is not whether, or not, there is any change but whether the effect on openness is harmful. Furthermore, it is noted that it has been established through appeal decisions and case law that openness has both a spatial and visual aspect, the former being taken to mean the absence of built form.
- 10.10 In this case, the proposed building would be located in the area of an existing shelter on the site which has a height of between approximately 2.5m and 2.7m. In terms of the visibility, the existing site comprises limited development, which is contained to the south-east corner of the site, where the proposed development is proposed. The remaining site (over 1 hectare) is and would remain undeveloped. In this context, whilst the structure is larger than the existing structures it would replace, the proposed structure would not materially extend the developed part of the site or encroach upon what are currently open fields. The proposed structure would have a pitched roof design, with an eaves height of 2.1m and a maximum ridge height of 4m. Again, whilst higher than the existing shelter in this location, and it is acknowledged that the land rises from the north of Dean Lane, the height has been set to ensure that there is adequate height for the flow of air in order to maintain 'good respiratory health' for the horses at all. In this context, and given the modest nature of the building in terms of its height and footprint for an identified size for horses, together with its siting within a location that is surrounded by an extensive level of landscaping which would be retained, the proposals would not harm the openness of the Green Belt or the overall

rural character of the area. Furthermore, it would not conflict with the purposes of including land within it.

- 10.11 With regard to the associated hardstanding to accommodate the parking and turning areas and the permeable concrete apron, along with the rail and post fence, paragraph 155 of the NPPF sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include (b) engineering operations and (e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds). These elements of the proposal are considered to be appropriate development in the Green Belt and given the scale and level of parking for the four vehicles, for use in connection with an existing and established equestrian use of the site, would not result in a harmful intensification of use, and would protect the openness of the Green Belt and the purposes of including land within it.
- 10.12 For the reasons set out above, the proposal represents appropriate development within the Green Belt, in line with the NPPF and BLP Policy QP5. Furthermore, the development, for the reasons detailed above would not result in harmful encroachment into the countryside given the scale of the proposals in connection with an existing and established equestrian use of the site. A condition is recommended to remove the existing shelters on the site prior to the first use of the new building.

Character and Appearance

- 10.13 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architecture or historic interest which it possesses.”
- 10.14 One of the core principles of the NPPF requires that heritage assets be conserved in a manner appropriate to their significance. Chapter 16 of the NPPF addresses proposals affecting heritage assets. Paragraph 205 sets out that “great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. The NPPF sets out that the local planning authority “should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.” Paragraphs 205-211 set out the framework for the decision making in planning applications relating to heritage assets and any application will take account of the relevant considerations in these paragraphs.
- 10.15 Policy HE1 of the BLP sets out that “The historic environment will be conserved and enhanced in a manner appropriate to its significance. Development proposals would be required to demonstrate how they preserve or enhance the character, appearance and function of heritage assets (whether designated or non-designated) and their settings, and respect the significance of the historic environment.” The appearance of the development is a material planning consideration. Section 12 of the NPPF and BLP Policy QP3 sets out that all development should achieve a high quality of design that improves the character and quality of an area. The Borough Wide Design Guide

(BWDG) is also relevant and is consistent with national and local policy in relation to the character and appearance of a development.

- 10.16 The application site lies within the Cookham Dean Conservation Area, at the junction of Warners Hill and Dean Lane and has been submitted alongside a heritage assessment, included within the Planning Statement. The Cookham Dean Conservation Area Appraisal describes the area as follows:

'The group of buildings centred on the convergence of Dean Lane, Alleyns Lane and Warners Hill are historically and architecturally the most important part of the Cookham Dean Conservation Area. They are formed around a small green in the valley bottom which was originally a pond that was infilled at the turn of the century and formed into a small village green. Although the farm group at Dean Farm is no longer in use, agricultural land again dominates the landscape on the hills to both north and south-west of this community. Apart from the cluster of historic buildings along Dean Lane there is an elongated ribbon of development on the rising land along both Warners Hill and Alleyns Lane which helps to provide a visual link to the remaining parts of the conservation when taken views from vantage points like the allotments.'

- 10.17 The site has an established equestrian use and there are two existing shelters on the site which would be replaced as part of this application. The land rises from the north to the south of the site and the area in which the structure would be located is therefore visible from Dean Lane. However, whilst larger than the existing structures, given the design and scale of the proposed structure, the proposals together with the boundary fence and hardstanding would be an appropriate addition to the locality given the established equestrian use. The proposals would preserve the character and appearance of the conservation area and the setting of the nearby listed building, which is located approximately 43 metres to the west and screened by a bank of mature trees. Furthermore, the building would be constructed from timber and, due to landscaping which would be retained, the proposed development would be well screened minimising its visual prominence from the public realm. The materials set out in the application would be secured by recommended condition.
- 10.18 For these reasons, the proposals would preserve the character and appearance of the conservation area, and the setting of the listed building, in accordance with BLP Policies HE1, QP3 and QP5 and the provisions of Section 12 of the NPPF.

Amenity

- 10.19 Paragraph 135 of the NPPF states that planning policies and decisions should ensure that developments 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. Policy QP3 (m) of the BLP seeks to protect the amenity of the occupiers of dwellings both surrounding application sites and application sites themselves.
- 10.20 As set out above, the site has an established equestrian use and there are two existing shelters on the site which would be replaced as part of this application. Given the scale of the proposals, for three horses with associated hay store, tack room and wc, and the existing long established equestrian use at the site with existing shelters, the continued equestrian use on the site and its associated smells, would not result in unacceptable harm to amenities of neighbouring properties over and above that of the existing situation. Notwithstanding this, it is noted in the Planning Statement that the applicant proposes to engage with a local contractor to establish a manure management plan. Furthermore, it is noted that no external lighting is proposed as part of the development. The proposed stable would be located to the south of the site,

adjacent to Warners Hill. Given the form and scale of the development, together with the established use and separation distances of approximately 19m to properties along Warners Hill, the development would not result in unacceptable harm to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise, in accordance with Policy QP3 of the BLP and the NPPF.

Highways/parking considerations

- 10.21 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.
- 10.22 The proposed development would utilise the existing access from Warners Hill to which the applicant has confirmed the right to access. The access is setback by 10m from the nearside carriageway edge to allow all vehicles associated with the site to safely pull clear off the carriageway. Furthermore, visibility splays of 2.4m x 43m by 2.4m x 28m are shown which is acceptable to allow for safe access and egress from the site. The vehicle access would need to be surfaced with a bonded material to facilitate safe and efficient access and to prevent debris/dirt being transferred onto the adopted highway affecting highway safety. This is secured by recommended condition.
- 10.23 The submitted plans show a parking area for four vehicles, three for large vehicles and one for a car. The number of proposed parking spaces complies within the Council's adopted parking standards (based on the provision of three stables) and the submitted information demonstrates that the proposed layout would allow vehicles, including a fire tender, to safely enter and leave the space and site in a forward gear. The internal parking and turning area would be surfaced with a permeable surface which is acceptable. Furthermore, the required refuse store would be provided on site. The details relating to the parking arrangements and refuse provisions would be secured by recommended conditions, alongside a condition to ensure that the internal gates are inward opening only. A number of informatives are also recommended relating to highways licences and equipment on the highway.

Impact on trees and vegetation

- 10.24 Policy NR3 of the BLP states that "Development proposals should carefully consider the individual and cumulative impact of proposed development of existing trees, woodlands and hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness." The Policy also requires development proposals to:
- a. protect and retain trees, woodlands and hedgerows;
 - b. where harm to trees, woodland or hedgerows is unavoidable, provide appropriate mitigation measures that will enhance or recreate habitats and new features;
 - c. plant new trees, woodlands and hedgerows and extend existing coverage where possible.
- 10.25 The application site falls within the Cookham Dean Conservation Area and is bounded by vegetation, with a number of trees located along its boundary lines. The application site has been submitted alongside an Arboricultural Impact Assessment and tree protection plan. The submitted report sets out that the proposals would not require the removal of any trees or vegetation to facilitate the proposals. Furthermore, the siting of the stable building would be outside of the root protection areas of the trees.

- 10.26 The Arboricultural Impact Method Statement states that there would be no loss of trees as a result of the proposed development and that the retained trees would be protected using up-to-date methodology and guidance provided by the current British Standards (BS 58378:2012). Provided the recommendations laid out in this report are followed, the proposals would not detrimentally impact the trees or the character/appearance of the local area. Considering the above, a condition is recommended to secure the tree protection measures during construction and to ensure that the retained trees are suitably protected, as set out within the submitted Arboricultural Impact Method Statement and Tree Protection Plan.

Ecology and biodiversity

- 10.27 Policy NR2 of the BLP states that development proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows, trees, river corridors and other water bodies and the presence of protected species.
- 10.28 A Preliminary Ecological Appraisal has been submitted with this application. The habitats on site include species poor grassland, dense scrub, ruderal vegetation, bare ground and buildings, with limited ecological value. The two buildings on site were assessed for their potential to support roosting bats and it was concluded that neither building had any potential to support bats. In addition, there was no evidence of badgers on site and the site did not contain suitable habitat to support great crested newts or reptiles. The vegetation on site had the potential to support nesting birds, some of which is to be removed as part of the proposals. As such, a condition is recommended to ensure that nesting birds, which are a protected species and a material consideration, are protected during the development.
- 10.29 Paragraph 186 of the NPPF states that “decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity”. 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.
- 10.30 The majority of the existing vegetation on site will remain unaffected by the works, although some small areas of vegetation are to be removed as part of the proposed development. A biodiversity net gain (BNG) report has been submitted and concludes that the site, following development, would provide a net gain in habitat units of 0.60 (10.02% increase). The increase in biodiversity at the site would be achieved by the re seeding of the eastern strip of the site with wildflowers and appropriately managed to create a wildflower grassland. It is recommended that a condition is attached to secure a full BNG scheme, management and monitoring plan to be provided to ensure that a BNG is delivered over the long term as a result of this development. Further enhancements recommended in the ecology report include the provision of swallow boxes onto the new stables and the installation of a barn owl box on site. These biodiversity enhancements would be secured by recommended condition.

Flooding

10.31 Policy NR1 of the BLP states that 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. The site is located within Flood Zone 1; however, given that the site is over 1 hectare, the application has been submitted alongside a Flood Risk Assessment (FRA). The FRA demonstrates that the proposed increase in impermeable area would be solely concentrated within the proposed building, with all areas outside the stables constructed with specialist equestrian permeable grid locking system. In this context, given the negligible increase in the impermeable area, and the siting of the site within Flood Zone 1, there would be no increased flood risk in the area associated with the development. A condition is recommended to ensure that the development is carried out in accordance with the submitted FRA.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is CIL liable.

12. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Shelter Plans and Elevations
- Appendix C – Existing and Proposed Site Plans
- Appendix D – Proposed Floor and Roof Plans
- Appendix E – Proposed Elevations and Sections

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

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

2 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the Arboricultural Impact Assessment and Tree Protection Plan (Ref: TH 4410 B) and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

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

3 No development above slab level shall commence until a Biodiversity Net Gain Plan based on [the net gain information provided] that details how the habitats on the site will be created, established, enhanced, managed, and monitored in perpetuity, has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Net Gain Plan shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity. Relevant Policies - Local Plan NR2.

- 4 The vegetation clearance is to be undertaken outside the bird-nesting season (March - August inclusive), or if vegetation clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be affected immediately prior to demolition/clearance and advise whether nesting birds are present. If active nests are recorded, no clearance or other works that may disturb active nests, shall proceed until all young have fledged the nest.
Reason: To ensure that nesting birds are not adversely affected by the proposed development in line with wildlife legislation.
- 5 Prior to the first use of the development hereby permitted, details of the biodiversity enhancements, to include but not limited to the installation of bird boxes (including swallow and barn owl) and native and wildlife friendly landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed and maintained as approved.
Reason: To incorporate biodiversity enhancements in and around developments. Relevant Policies - Local Plan NR2.
- 6 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan QP3 and HE1.
- 7 The development shall be carried out in complete accordance with the Flood Risk Assessment received on the 15th February 2024.
Reason: To ensure that there is no increased flood risk in the surrounding area. Relevant Policies - Local Plan NR1.
- 8 The building hereby permitted shall not be occupied until the vehicular access to the site has been surfaced with a bonded material across the entire width of the access for a distance of at least 10m measured from the back edge of the existing carriageway. The access shall be retained as such thereafter.
Reason: To avoid spillage of loose material onto the carriageway which could adversely affect conditions of highway safety and to ensure all vehicles can efficiently enter and leave the site. Relevant Policies - Local Plan IF2 and QP3.
- 9 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan IF2 and QP3.
- 10 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan IF2 and QP3.

- 11 Any gates provided shall open away from the highway and be set back a distance of at least 10 metres from the nearside edge of the carriageway of the adjoining highway.
Reason: To ensure that all vehicles associated with the site can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan IF2 and QP3.
- 12 Prior to first use of the development hereby approved, the two existing shelters on the site shall be demolished in their entirety and all materials resulting from such demolition works shall be removed from the site.
Reason: Given the site of the development within the Green Belt. Relevant Policies - Local Plan QP5.
- 13 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

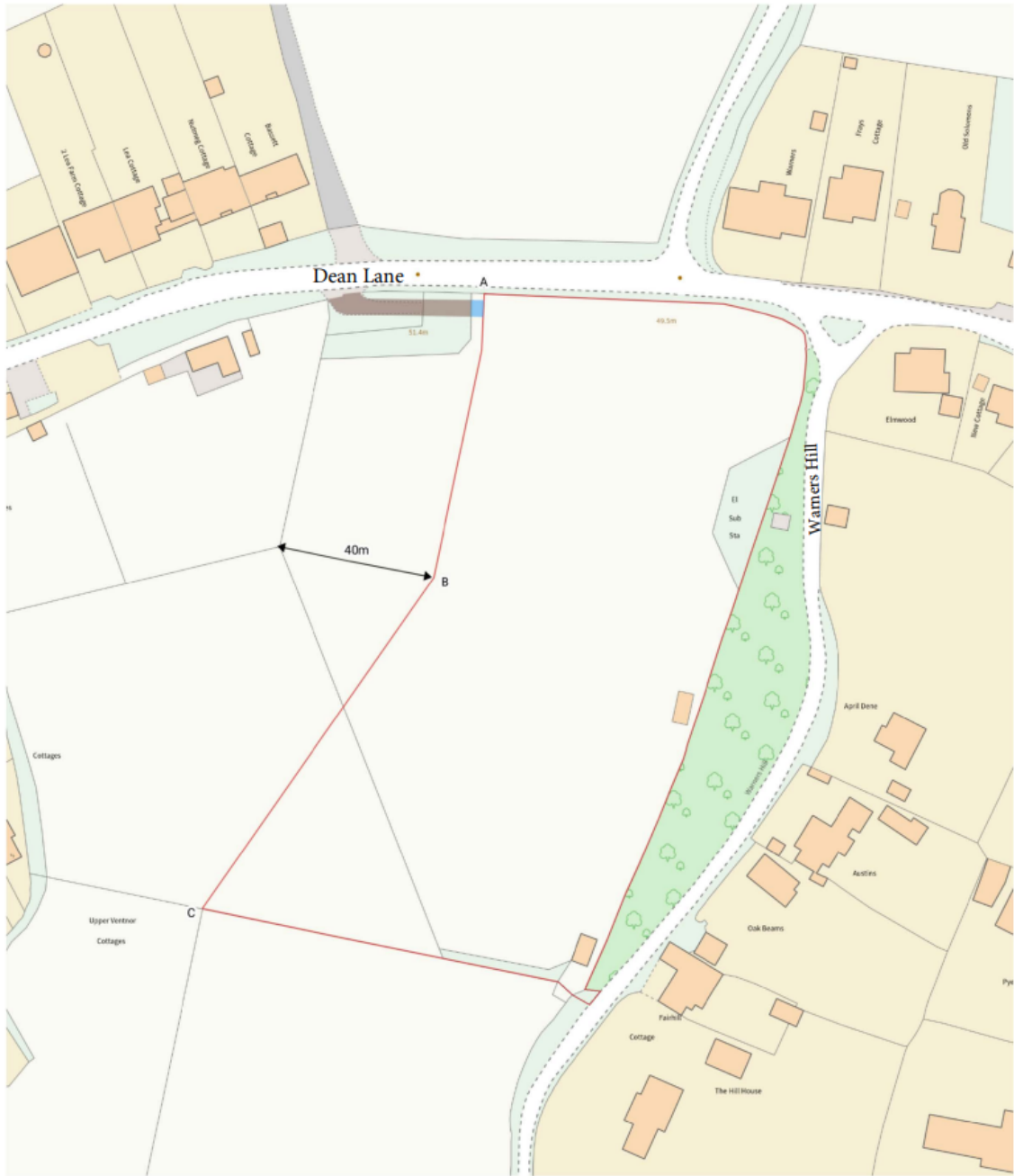
Informatives

- 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.
- 2 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.

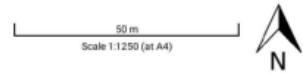
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APPENDIX A

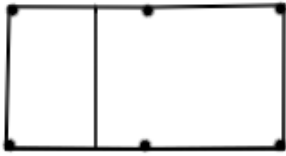
SITE LOCATION MAP



Produced on Aug 2, 2023.
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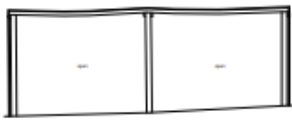
APPENDIX B
SHELTER PLANS AND ELEVATIONS



SHED-1-FLOOR PLAN



SHED-2-FLOOR PLAN



SHED-1-ROOF WALL ELEVATION



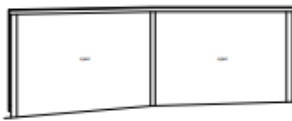
SHED-2-ROOF WALL ELEVATION



SHED-1-ROOF WALL ELEVATION



SHED-2-ROOF WALL ELEVATION



SHED-1-ROOF WALL ELEVATION



SHED-2-ROOF WALL ELEVATION



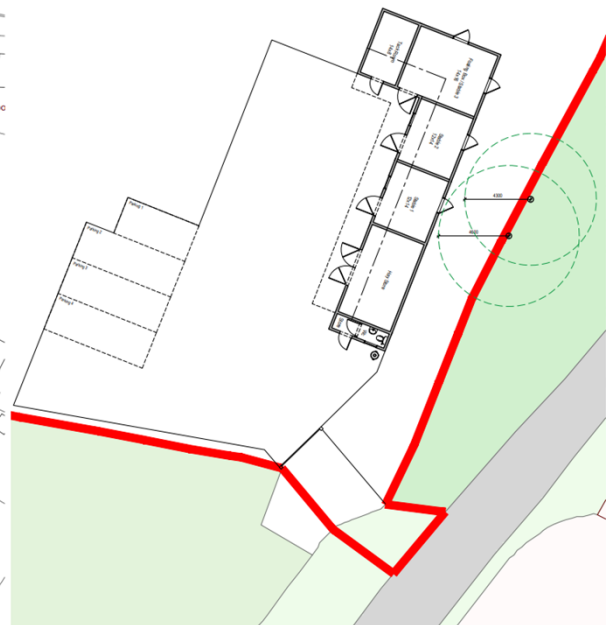
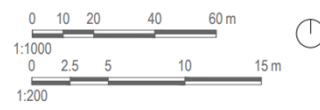
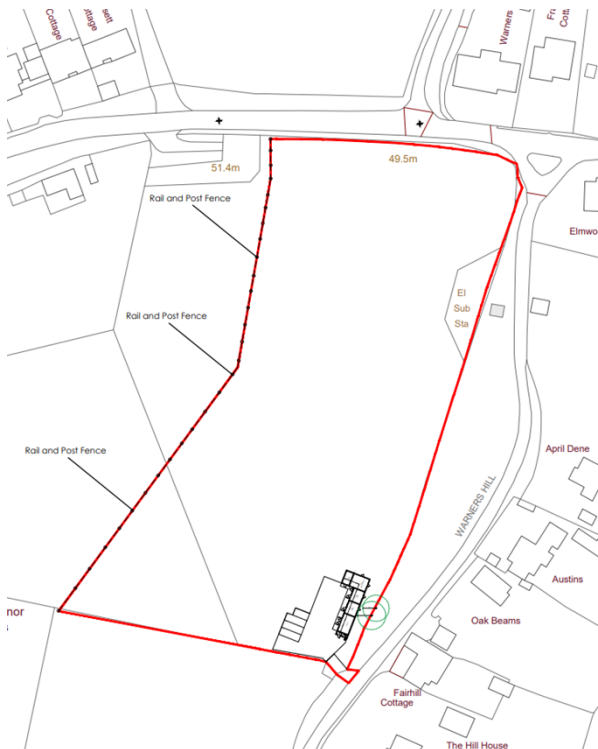
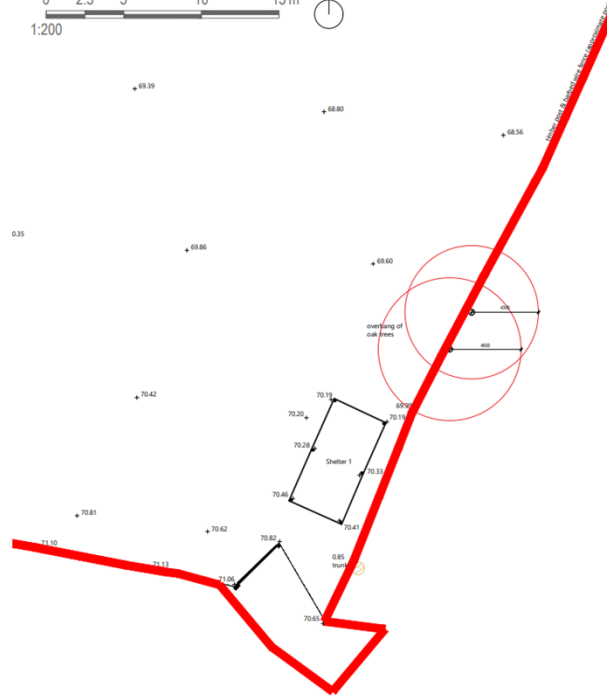
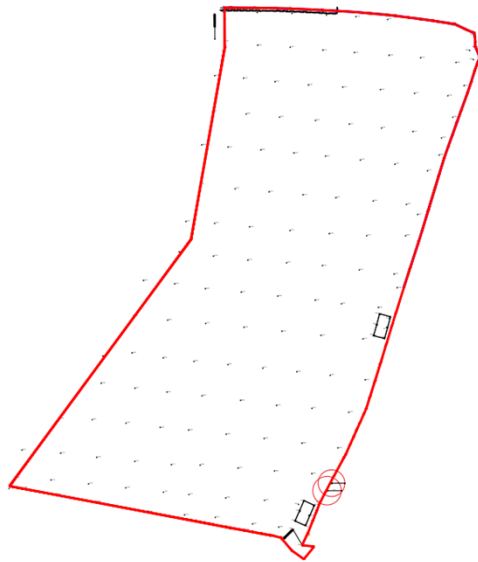
SHED-1-ROOF WALL ELEVATION



SHED-2-ROOF WALL ELEVATION

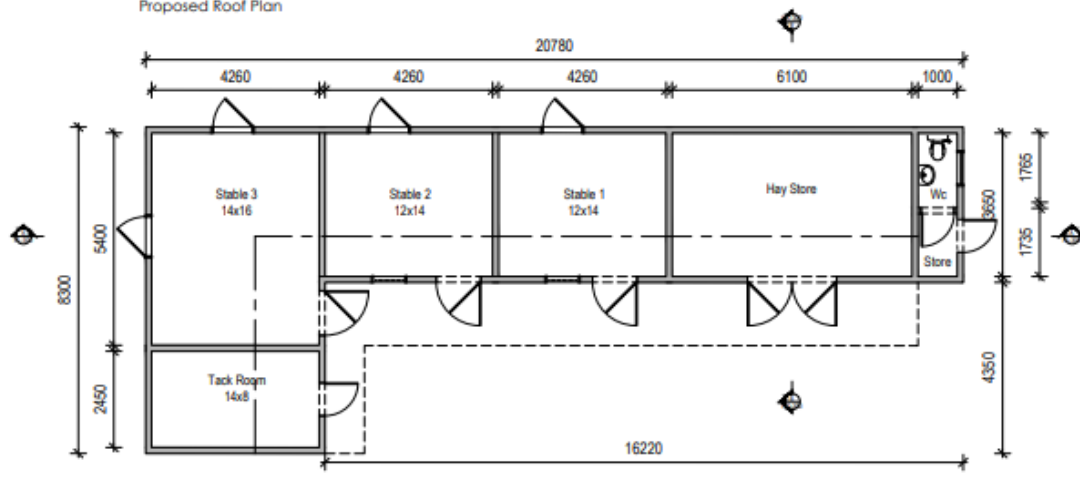
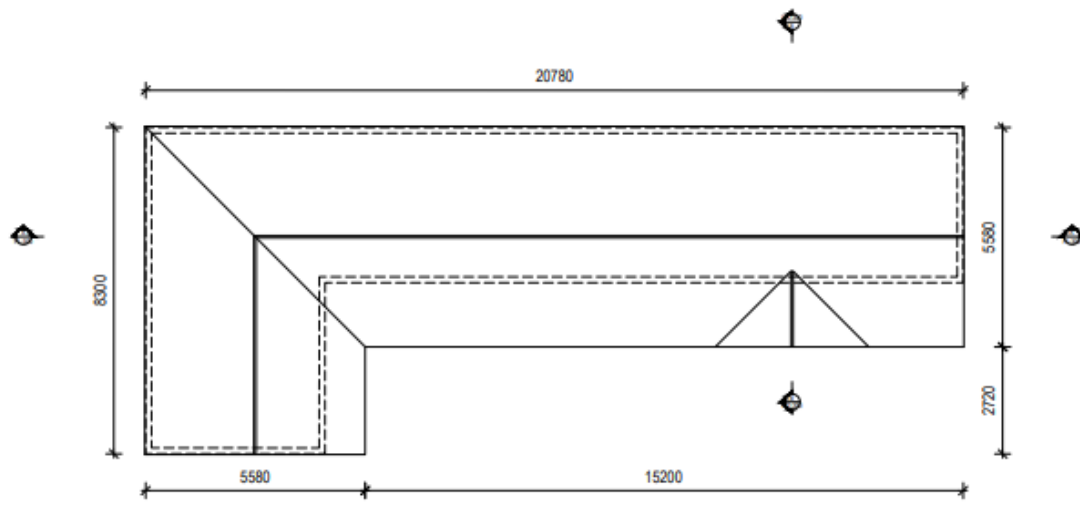
APPENDIX C

EXISTING AND PROPOSED SITE PLANS



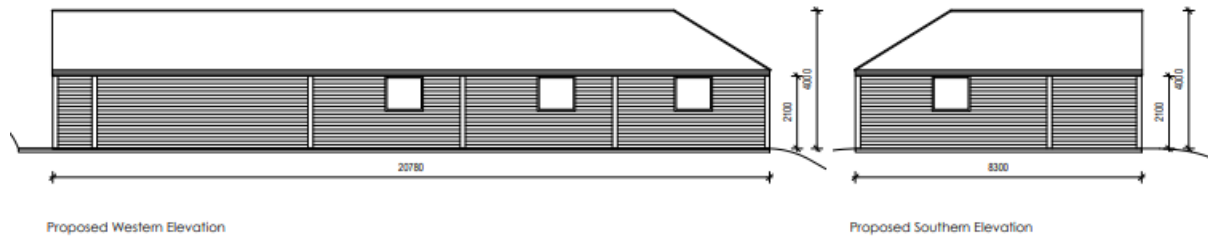
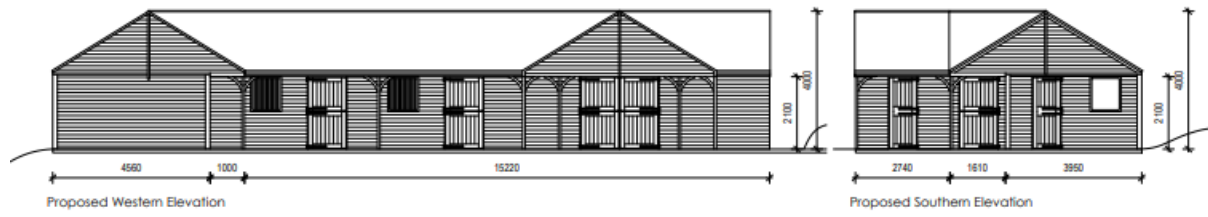
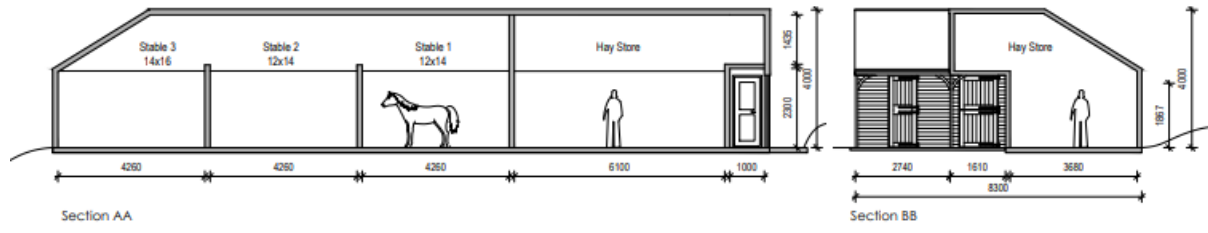
APPENDIX D

PROPOSED FLOOR AND ROOF PLANS



APPENDIX E

PROPOSED ELEVATIONS AND SECTIONS



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MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 April 2024

Item: 3

Application No.:	23/02716/FULL
Location:	Development At King Street And Queen Street And Broadway Maidenhead
Proposal:	Erection of office building with flexible commercial ground floor uses, landscaping and associated works.
Applicant:	Ryger Maidenhead Ltd
Agent:	Mr Tony Gallagher
Parish/Ward:	Maidenhead Unparished/St Marys

If you have a question about this report, please contact: Sarah Chesshyre on 01628 796796 or at sarah.chesshyre@rbwm.gov.uk

1 SUMMARY

- 1.1 The application site is located in the south western corner of a larger, broadly triangular development site bounded by King Street, Queen Street and Broadway. The larger site (known previously as 'The Landing', now referred to as 'One Maidenhead') benefits from planning permission for six buildings in a mixture of residential and commercial uses, including an office building located within the current application site (the hybrid permission).
- 1.2 The current application seeks full planning permission for an office building with flexible commercial uses at ground floor and associated landscaping.
- 1.3 The site benefits from full planning permission (granted through the hybrid permission) for a seven storey building with office accommodation on the upper floors and mixed commercial use on the ground floor. This is a realistic fallback position and is a material planning consideration in determining the current application. The current application would provide equivalent areas of floorspace of six storeys, and would represent an improvement over the consented scheme in terms of design and impact.
- 1.4 As set out above, the principle of an office-led commercial development on the site has already been established through the hybrid permission. The proposed development would not undermine the implementation of the hybrid permission, and the proposed development would accord with the spatial strategy, would contribute to meeting the employment and retail needs of the Borough, and would support the renewal and enhancement of Maidenhead town centre.
- 1.5 The proposed development would be of excellent design quality and meet the requirements for a tall building in this location. Subject to recommended conditions, the development would have an acceptable appearance and would not result in any unacceptable harm to heritage assets, amenities, highways, air quality, contamination, flooding and drainage or ecology. Subject to the completion of a legal agreement and recommended conditions, the application would not result in harm to highway safety and would secure the required carbon off-set contribution for the development.

It is recommended the Committee authorises the Assistant Director of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 10 of this report and with the conditions listed in Section 15 of this report.
2.	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 associated infrastructure improvements.

2 REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Assistant Director 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 measures approximately 0.23 hectares and has been cleared of buildings as part of the redevelopment of the 'One Maidenhead' site. The south and west site boundaries follow Queen Street and King Street respectively, and to the north and east, the site abuts the wider development site which extends north to Broadway. The site is prominently located within Maidenhead Town Centre and Maidenhead train station is located approximately 150 metres to the south west. The site lies within the area designated by Borough Local Plan policy QP1a as the Maidenhead Town Centre Strategic Placemaking Area.
- 3.2 King Street to the west, is pedestrianised between Broadway and Queen Street. Facing the 'One Maidenhead' site are predominantly three to four storey buildings containing a cinema, gym, and a number of cafes and restaurants. To the south west is a four storey office building currently undergoing extensive refurbishment and extension to provide an additional storey.
- 3.3 Queen Street links the train station to the High Street. A number of buildings have been cleared from its north side, where these were within the 'One Maidenhead' site. On its south side are a range of two and three storey buildings containing restaurants, cafes, bars and shops, with some residential uses on upper floors.
- 3.4 To the north, beyond the boundary of the wider 'One Maidenhead' site, is the Broadway multi-storey car park, which is in the process of being demolished, and a further office building.
- 3.5 Within the 'One Maidenhead' site, three buildings along its northern edge, adjacent to Broadway, provide residential accommodation over 15 storeys. These buildings have recently been completed. To the north east, a further five storey residential building with commercial uses on the ground floor has also recently been completed.
- 3.6 The site benefits from extant consent for a commercial building (referred to as Building C) granted under the hybrid planning permission for the 'One Maidenhead' site. The extant permission could be implemented and is a realistic fall back position. This extant consent is a material planning consideration in determining the current application.

4 KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- Maidenhead Town Centre Strategic Placemaking Area (Policy QP1a);
- Maidenhead Town Centre (Policy TR3);
- RBWM Cycle Network (King Street);
- Flood Zone 1; and,
- Maidenhead Air Quality Management Area (AQMA).

5 THE PROPOSAL

- 5.1 The application seeks planning permission for the erection of a six storey building to provide flexible commercial ground floor uses, with office accommodation above. The building is an alternative proposal to 'Building C', for which detailed proposals were approved in full as part of the hybrid consent for the 'One Maidenhead' site (see section 6).
- 5.2 The building would provide 6,212sqm gross internal area (GIA) of office floorspace (Use Class E) on the upper floors, with 652sqm (GIA) of Class E and drinking establishment (Sui Generis) use, and 556sqm (GIA) office floorspace on the ground floor. The quantum of floorspace provided would be equal to that in approved and extant 'Building C'.
- 5.3 The proposed building would be constructed from engineered timber, with an exposed internal superstructure, and finished stone externally. The facade treatment would be consistent across the elevations, with subtle variations in the articulation of windows based on the orientation, to optimise the balance between natural daylighting and solar gain.
- 5.4 The south western corner has been designed having regard to its prominence and appearance in wider views, particularly in the approach from the station. The main building entrance on this corner is oriented to face the route from the station and is recessed and lined in timber. Above this entrance, the corner of the upper floors is fully glazed.
- 5.5 Landscaping at ground floor would integrate with the landscaping of the 'One Maidenhead' site, including the central public realm. Patio areas for external seating, connecting the commercial units to the public square, would be provided to the east and north. An external terrace is proposed on the southern edge of the fifth floor, overlooking Queen Street.
- 5.6 It is proposed that car parking would be provided off-site within an existing town centre car park. It has been confirmed that there is capacity within other town centre car parks. 53 cycle parking spaces are proposed within the ground floor of the building.

6 RELEVANT PLANNING HISTORY

Reference	Description	Decision
18/01576/FULL	Hybrid planning application for the mixed use redevelopment of the site comprising; up to 41,430sq.m GEA residential (Class C3); up to 13,007sq.m GEA office (Class B1) and up to 3,846sq.m GEA flexible retail, office, community and leisure floorspace (Class A1 - A5, B1, D1 and D2), public realm and open space, parking, vehicular access, new	Permitted 7 March 2019

	servicing arrangements and associated works following the demolition of all buildings on site. Full planning permission for the demolition of all existing buildings on site, site preparation, the construction of three buildings to provide 344 residential homes (Class C3), one building to provide 7,007sq.m GEA of office floorspace (Class B1) and 2,196sq.m GEA of flexible retail, office, community and leisure floorspace (Class A1 - A5, B1, D1 and D2) across four buildings, car and cycle parking, plant and storage, public realm works and landscaping, podium terraces, vehicular access off Broadway, new servicing arrangements and associated works. Outline planning permission (with all matters reserved) is sought for site preparation, the construction of two buildings to provide for up to 1,650sq.m GEA of flexible retail, office, community and leisure floorspace (Class A1-A5, B1, D1 and D2) and up to 6,000sq.m GEA office floorspace (Class B1) and up to 9,300sq.m GEA residential floorspace (Class C3), basement car parking, cycle parking, plant and storage, public realm works and landscaping, new servicing arrangements and associated works.	
19/02966/REM	Reserved matters application(access, appearance, landscaping, layout and scale) for 'Building E' to provide 87 apartments on the upper floors with proposed commercial floor space on ground floor (Class A1-A5, B1, D1 and D2) and public realm around Building E including service layby along Queen Street, pursuant to planning permission 18/01576/FULL: Hybrid planning application for the mixed use redevelopment of the site.	Permitted 22 June 2021
19/03027/EIASCR	Request for Screening Opinion pursuant to Regulation 6 and 9 of The Town And Country Planning (Environmental Impact Assessment) Regulations for reserved matters application (access, appearance, landscaping, layout and scale) for 'Building E' to provide 87 apartments on the upper floors with proposed commercial floor space on ground floor (Class A1-A5, B1, D1 and D2) and public realm around Building E including service layby along Queen Street, pursuant to planning permission 18/01576/FULL: Hybrid planning application for the mixed use redevelopment of the site.	No objection 13 November 2019
20/01450/CLD	Certificate of lawfulness to confirm that the demolition works which have been undertaken	Permitted

	constitute the lawful carrying out of a material operation pursuant to Section 56 (4)(aa) and as such, the detailed element of the development approved by the Hybrid Planning Permission has been commenced.	28 August 2020
21/02551/NMA	Non-material amendment of condition 28 (approved plans) as approved under 18/01576/FULL to substitute the approved plans with amended plans, to change the wording of the description of proposed development and to add a new condition.	Permitted 03 September 2021
21/02552/NMA	Non-material amendment of condition 16 (approved plans) as approved under 19/02966/REM to substitute the approved plans with amended plans.	Permitted 03 September 2021
22/00359/NMA	Non material amendments to planning permission 18/01576 for amendments to wording of Conditions 4 (Samples of materials), 5 (Hard and Soft Landscape), 8 (Design out Crime), 16 (External lighting scheme), 20 (Acoustic and noise attenuation measures), 21(Installation of all fixed plant and equipment), 22 (Sustainable design and Construction measures) and 26 (Wind microclimate) to amend the trigger for submission for discharge to on completion of the erection of the superstructure frame.	Permitted 11 March 2022
22/00360/NMA	Non material amendments to planning permission 19/02966 for amendments to wording of Conditions 1 (Samples of the materials), 2 (Bay studies), 4 (Designing Out Crime), 9 (Acoustic and noise attenuation measures), 10 (Installation of all fixed plant and equipment), 11 (Biodiversity enhancements), and 12 (Photovoltaic panels) to amend the trigger for submission for discharge to on completion of the erection of the superstructure frame.	Permitted 11 March 2022
22/00451/REM	Reserved Matters Application in respect of Building F of The Landing to part discharge Condition 2 attached to the hybrid planning permission Ref 18/01576/FULL at land bounded by King Street, Queen Street and Broadway Maidenhead for Hybrid planning application for the mixed use redevelopment of the site.	Pending determination

23/01066/NMA	Non material amendments to planning permission 19/02966/REM for amendments to Condition 16 (Approved Plans) for Building E.	Permitted 24 May 2023
23/01067/NMA	Non material amendments to planning permission 18/01576/FULL for amendments to Condition 28 (Approved Plans) for Buildings A, B and D.	Permitted 24 May 2023
23/03151/NMA	Non material amendments to planning permission 19/02966/REM for the correction of the drawing reference ANVIL-NAT004 relating to the proposed decorative metal panel material for Building E to ANVIL CT-01.	Permitted 17 January 2024
23/03150/NMA	Non material amendments to planning permission 18/01576/FULL for the correction of the drawing reference ANVIL-NAT004 relating to the proposed decorative metal panel material for Buildings A, B and D to ANVIL CT-01.	Permitted 17 January 2024

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
Economic Development	ED1
Protected Employment Sites	ED2
Maidenhead Town Centre	TR3
Strengthening the Role of Centres	TR6
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3

Renewable Energy	NR5
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
Utilities	IF7

8 MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2023)

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 8 – Promoting healthy and safe communities
 Section 9 – Promoting Sustainable Transport
 Section 10 – Supporting high quality communications
 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 (SPDs)

- RBWM Borough Wide Design Guide
- RBWM Sustainable Design and Construction SPD
- RBWM Planning Obligations and Developer Contributions SPD
- RBWM Building Height and Tall Buildings SPD
- 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**
- **RBWM Corporate Strategy**
- **RBWM Environment and Climate Strategy**

9 CONSULTATIONS CARRIED OUT

Comments from interested parties

20 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 9th November 2023 and the application was advertised in the Local Press on 17 November 2023.

No letters of comment were received in relation to the application.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority (LLFA)	Response to first consultation: further information required to explain connection to existing drainage scheme Response to second consultation: no objection subject to condition securing surface water drainage scheme	Section 10 iii.
Highway Authority	No objection subject to conditions and legal obligation to secure off-site highway works.	Section 10 vi.

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Environmental Protection	No objections subject to a condition securing Construction Environmental Management Plan	Section 10 viii.
Berkshire Archaeology	No objections.	Section 10 v.
RBWM Ecology	No objections subject to conditions securing recommended pollution control measures, detailed proposals to achieve Biodiversity Net Gain and lighting strategy.	Section 10 vii.

Others (e.g. Parish and Amenity Groups)

No comments were received from other parties.

10 EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of Development;**
- ii. Climate Change and Sustainability;**
- iii. Design and Character;**
- iv. Flooding and drainage;**
- v. Impact on Heritage Assets;**
- vi. Parking and Highways Impacts;**
- vii. Biodiversity and Ecology; and,**
- viii. Environmental Considerations**

i. Principle of Development

- 10.2 The principle of commercial development on the site has been established through the granting of full planning permission for Building C, which would provide 7,0007sqm of office space across seven storeys, with 531sqm of flexible commercial space at ground floor, under hybrid planning permission ref. 18/01576/FULL. This permission has been partially implemented through the erection of buildings A, B, D and E and remains extant. The proposed building would provide an uplift of 108 sqm floorspace when compared to the approved Building C and would integrate with the wider masterplan for the 'One Maidenhead' site such that the development would not compromise the implementation of the hybrid consent.
- 10.3 Notwithstanding that the principle of development has been established through the extant planning consent, the proposed development would accord with the spatial strategy for the Borough, which is to focus the majority of development in three strategic growth areas, one of which is Maidenhead. BLP Policy SP1 states that within Maidenhead, new development will largely be focused on the strategic growth location, which comprises Maidenhead Town Centre and South West Maidenhead. Higher intensity development will be encouraged in the strategic growth location, particularly within the town centre and near to Maidenhead railway station. The policy envisages that Maidenhead Town Centre will be a major focus of sustainable growth, and that regeneration and new housing, employment, retail and leisure development will provide a high quality, highly connected and vibrant place.
- 10.4 BLP Policy QP1a refines the spatial vision specifically in relation to Maidenhead town centre. The policy describes that the town centre will be renewed and enhanced through a range of measures, which includes new developments.

Office

- 10.5 BLP Policy ED1 sets out the Borough's requirements for employment land, and states 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. The policy states that new office space will be focused within Maidenhead, Windsor and Ascot town centres, and that the Council will require that the recently permitted scheme at The Landing (now referred to as 'One Maidenhead') will be delivered in accordance with the planning consent. The proposed development would deliver office space in accordance with BLP Policy ED1, and as noted above, would be consistent with, and not compromise the delivery of, the 'One Maidenhead' hybrid consent.
- 10.6 Given the strategic importance of the development for town centre regeneration and for employment floorspace within the town centre, conditions are recommended that would restrict the use of the upper floors to uses falling within Use Class E(g) and also to remove permitted development rights that would allow for the change of use to residential use.

Retail

- 10.7 The site is within a Town Centre as defined in BLP Policy TR1, and as such is a preferred location for the development of main town centre uses within the policy. Policy TR1 goes on to state that development proposals for main town centre uses, including retail development, leisure, entertainment facilities, offices, hotels, arts, cultural and tourism development will be supported in accordance with the hierarchy.

- 10.8 BLP Policy TR3 adds to Policy TR1 by setting out specific requirements for development within Maidenhead town centre. The policy states that development proposals should promote and enhance the role of Maidenhead town centre and its vitality and viability. Primary frontages (as defined on the policies map) should include a high proportion of retail uses. Development proposals for non-retail uses within primary frontages will be permitted where they would enhance vitality and viability, be appropriate to the character and function of the area and retain prominent shop units within the primary frontage. Development proposals in secondary frontages will be supported where they contribute to the existing character, function and vitality of the street or surrounding environment. In particular, proposals to expand the cultural, entertainment and food offer of Maidenhead will be encouraged.
- 10.9 BLP Policy TR6 states that provision is made for 2,700sqm net comparison goods floorspace and 2,350sqm net convenience floorspace across the borough, and that main town centre uses must be located within the centres defined in the hierarchy of centres.
- 10.10 The principle of providing flexible commercial floorspace on the ground floor would therefore accord with the requirements of policies TR1, TR3 and TR6, and would contribute to the aims of those policies, and policy SP1, with regard to the regeneration of Maidenhead town centre.
- 10.11 The site falls within the primary shopping area and the secondary shopping frontage as defined on the BLP policies map. Given these designations, and the strategic role of the site in contributing to the viability and vitality of the town centre, it is proposed to restrict the use of the ground floor units with external frontages to uses falling within Use Classes E(a)-(c) or public house, wine bar or drinking establishment (Sui Generis). It is also proposed to remove permitted development rights that would allow the change of use to residential use, as set out above.
- 10.12 In summary, the principle of an office-led commercial development on the site is already established. Nonetheless, the proposed development, subject to recommended conditions restricting the use of the building, would accord with the spatial strategy, would contribute to meeting the employment and retail needs of the Borough, and would support the renewal and enhancement of Maidenhead town centre. The development would comply with BLP policies SP1, QP1a, ED1, TR1, TR3 and TR6, and would be acceptable in principle.

ii. Climate Change and Sustainability

- 10.13 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 157 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 Royal Borough of Windsor and Maidenhead declared a climate emergency in June 2020 setting out the Council's intention to implement national policy and ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.14 In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.
- 10.15 While a Sustainability Supplementary Planning Document is currently being drafted, 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. The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters.

- 10.16 The application is accompanied by an Energy Statement which follows the methodology set out in the Council's ISPS. The Statement includes calculation of the energy demand and carbon dioxide emissions for regulated and unregulated emissions; calculation of the estimated annual energy costs to occupants and proposals to reduce emissions through energy efficient design of the site (discussed in more detail below).
- 10.17 The development proposes 157 roof-mounted solar PVs which would have a peak power of 70kW and is expected to generate approximately 55MWh of electricity per year. This would achieve the required 12% on-site renewable energy generation, and it is stated that excess energy generated can be exported to the grid. An area for solar PVs is indicated on the proposed plans, although this does not show details of the size and appearance of the PVs. These details can be secured by recommended condition.
- 10.18 The application of the energy hierarchy to the development results in a 36% reduction in carbon emissions over the building regulations Part L 2021 baseline. As the development would not be net-zero, the shortfall to achieving net-zero carbon can be met through a contribution to the Borough's carbon offset fund, which can be secured by legal agreement.
- 10.19 The ISPS also sets out the expectation that post-construction testing and modelling is undertaken to establish any gap between modelled and actual performance. Where such a gap in performance is identified, a Shortfall Contribution would be required. The implementation of post-construction modelling, and the payment of a Shortfall Contribution, if necessary, can also be secured by legal agreement.
- 10.20 The ISPS also states that major development proposals should reduce potential overheating and reliance on air-conditioning systems, which should be demonstrated in accordance with the described cooling hierarchy. The submitted Energy Statement sets out how compliance with the hierarchy will be achieved. Heat distribution infrastructure and building services have been designed to minimise heat loss to spaces. The glazing ratio and g-value of windows have been selected to optimise solar heat gains and natural daylight levels through the year. External shading would be provided by window reveals, with deeper reveals on the south elevation. Passive ventilation and mechanical ventilation with heat recovery units are also provided. Active cooling systems are proposed to mitigate any residual risk of overheating.
- 10.21 In addition to the above, BLP Policy SP2 states that all developments will demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The following measures are required to be incorporated into development:
- Wherever possible, new buildings shall be oriented to maximise opportunities for both natural heating and ventilation and reducing exposure to wind and other elements
 - Proposals involving both new and existing buildings shall demonstrate how they have been designed to maximise resistance and resilience to climate change for example by including measures such as solar shading, thermal mass, heating and ventilation of the building and appropriately coloured materials in areas exposed to direct sunlight, green and brown roofs, green walls etc
 - Use of trees and other planting, where appropriate, as part of green and blue infrastructure schemes, to provide shading of amenity areas, buildings and

streets and to help to connect habitat, designed with native plants that are carefully selected, managed and adaptable to meet the predicted climatic conditions

- All development shall minimise the impact of surface water runoff from the development in the design of the drainage system, and where possible incorporate mitigation and resilience measures of any increases in river flooding levels as a result of climate change.

10.22 In addition to the measures described to reduce carbon emissions in the Energy Statement, the Design and Access Statement sets out in detail how the building has been designed to adapt to and mitigate climate change. The building is proposed to be constructed using structural timber, which has significantly lower embodied carbon than concrete or steel. The building is south facing and has been designed to maximise opportunities for natural daylighting, heating and ventilation. Window sizes on each elevation have also been designed to achieve the optimum balance between daylighting and solar gain, to avoid overheating.

10.23 The building would incorporate an area of green roof measuring 225sqm and proposes new tree planting and landscaping in accordance with the landscape masterplan for the 'One Maidenhead' site. Rain gardens are incorporated into the landscaping proposals to optimise sustainable urban drainage.

10.24 When assessed holistically, the proposals respond positively to the range of policy requirements and material considerations, and the building design has been developed in accordance with the Council's stated priorities and aims in relation to climate change. Subject to the securing the implementation of the proposed energy efficiency measure by recommended condition, and securing the contributions via a legal agreement, the development would comply with the requirements of the ISPS and Policy SP2 of the BLP.

iii. Design and character

10.25 Section 12 of the NPPF is about achieving well-designed places. Paragraph 131 sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.26 BLP Policy QP1 states that all new developments should positively contribute to the places in which they are located, and sets out expectations for larger developments, which include that they will provide a harmonious, integrated mix of uses; contribute to the provision of social, natural, transport and utility infrastructure; be designed to facilitate and promote community interaction through the provision of walkable neighbourhoods and attractive public spaces and facilities and routes which encourage walking and cycling; and be of high quality design that fosters a sense of place and contributes to a positive place identity.

10.27 BLP Policy QP1a sets out the aspiration that Maidenhead Town Centre will be renewed and enhanced through a combination of new developments. The policy includes a range of criteria which relate to the design of new development within this area, which includes that new development will help to achieve character and distinctiveness across the town centre, including ensuring that individual developments are appropriate to their settings and contribute towards creating a clear sense of place; deliver high quality architecture and urban design, improving legibility and creating distinct quarters which demonstrate their own individual character and distinctiveness; contribute towards establishing a

strong green infrastructure network; and deliver proposals that are resilient and respond to the challenges of climate change.

10.28 BLP Policy QP3 is also relevant and sets out that all development should seek to achieve a high-quality design that improves the character and quality of an area. The policy sets out design principles that development will be expected to achieve, which include that it is climate change resilient; respects and enhances local, natural or historic character of the environment; respects and retains existing high quality townscapes and landscapes and helps create attractive new townscapes and landscapes; incorporates interesting frontages and design details to provide visual interest, particularly at pedestrian level; and provides high quality soft and hard landscaping where appropriate.

10.29 The application is supported by a Townscape Visual Impact Appraisal (TVIA) and a Design and Access Statement (DAS), which provides a detailed explanation of the design development and rationale. As explained in the DAS, the applicant has engaged proactively with the Council and the local community through the preparation of the proposals. Extensive pre-application engagement was undertaken with the Council, including a Design Review with Design South East. The proposals have responded positively to feedback that was provided through those processes.

10.30 BLP Policy QP3a sets out the approach to the development of tall buildings within the Borough. The policy explains that Maidenhead town centre has the capacity to accommodate buildings of greater height, and that an increase of the general height by up to two storeys above the surrounding context height (up to a maximum of five storeys in total) may be acceptable. The policy goes on to set out a number of urban design principles which will apply to tall buildings, which includes the expectation that they are exceptional forms of development; will only be considered appropriate in areas with high public transport accessibility, a mix of uses and an existing or emerging urban character that can successfully assimilate the scale, height and level of activities of the proposed development; be part of a comprehensive approach to development and placemaking; and must be of the highest design quality. The application of the policy is supported in the Buildings Height and Tall Buildings SPD.

10.31 The context height of the site as defined in the Building Heights and Tall Buildings SPD is 9-12 metres (three storeys). Policy QP3a defines a tall building as a building of more than 1.5 times the context height of the surrounding area and the proposed development would therefore constitute a tall building.

10.32 The site is located in an area with high public transport accessibility, and in an area with an urban character with a mix of uses. In this respect, the site is a suitable location for a tall building within the Borough. The development, while being considered as a standalone application for planning permission, relates to the comprehensive development of the wider 'One Maidenhead' site, which is subject to an agreed masterplan and outline planning permission.

10.33 The SPD contains detailed guidance on tall buildings in specific locations within Maidenhead. The site is located within an area identified as the 'Town Centre Core' in the SPD, where it is acknowledged that there is an opportunity for change in which tall buildings could form part of a comprehensive approach to development to help deliver regeneration in this area and advises that there is potential to increase the context height to five storeys in this part of Maidenhead. The guidance for the 'Town Centre Core' identifies the opportunity for a local landmark building in the location of the site and notes that the extant planning permission for Building C satisfies this role, and that the planning permission for the 'One Maidenhead' site are in broad conformity with the guidance.

10.34 The TVIA submitted in support of the application characterises the existing townscape character, including having regard to the change in emerging character resulting from the implementation of the hybrid consent for the 'One Maidenhead' site and other consented development. There are no key views within or across the site identified in the RBWM Townscape Assessment. The TVIA identifies a range of views within which the site features and concludes that there would be no harmful townscape or visual impacts on these views. The TVIA describes that the proposal would be in keeping with the consented development on the site, and the building would achieve a strong identity for the site having regard to the design, massing, layout, and height strategy for the 'One Maidenhead' site. The TVIA concludes that the development would result in beneficial townscape and visual effects. This conclusion is accepted.

10.35 Having regard to the guidance in the SPD, the proposed development would accord with the principles set out for the 'Town Centre Core'. Further consideration is given below to the detailed urban design principles required of tall buildings as referred to in BLP Policy QP3a.

Layout

10.36 The layout of the proposed development is considered to be an appropriate response to the site, having regard to both the consented development on the wider 'One Maidenhead' site, and the wider surroundings of Maidenhead Town Centre. The proposed development accords with the principles of the masterplan for the 'One Maidenhead' site and would integrate effectively with the consented development in terms of orientation, routes through the site, and the relationship to other buildings on the site.

10.37 The layout of the development would positively address Queen Street and King Street and would provide active frontages along these elevations that are appropriate given their designation as primary shopping frontages and also their role as main connecting routes to Maidenhead town centre. The DAS acknowledges the important role of the site as a key landmark in the arrival to Maidenhead town centre when approaching from the train station to the south. The layout and orientation of the development respond positively to this relationship and the expectation for a local landmark building, and the orientation of the building and siting of the main entrance addressing the station would achieve an appropriate sense of arrival.

Scale, height and massing

10.38 The design approach has paid careful regard to the existing and emerging context in terms of scale. Buildings to the north of the site, within the wider 'One Maidenhead' site, extend to 14 storeys, while existing buildings on the south side of Queen Street are considerably lower at two-three storeys. Buildings on King Street extend to five storeys. The DAS details the exploration of alternative building heights and massing and provides robust justification for the proposed building, which would be six storeys (plus plant accommodated at roof level), stepped down to five storeys on the southern part of the building addressing Queen Street, where a roof terrace would be accommodated. Having regard to the consented development, the proposed development is considered an appropriate response to the context, which would provide a transition between larger buildings to the north and lower buildings to the south, while also avoiding overshadowing of consented development on the 'One Maidenhead' site, and reducing impacts on amenity of existing residential buildings compared to the approved Building C. In these respects, the proposed development would also accord with the urban design principles for tall buildings set out in BLP Policy QP3a.

Detailed design

- 10.39 The building is proposed to be constructed using an expressed timber superstructure, with both large and small format load bearing stone to the elevations. Large format stone would be used at ground floor. The elevational treatment would be characterised by horizontal banding from stone lintels and repeated window openings. Openings would have a unified appearance, but the widths of openings and the depths of reveals would vary across the elevations in response to the orientation. The main entrance would be located on the south western corner, and would be emphasised through a chamfered corner with recessed entrance at ground floor, and full glazing across the corner of the upper storeys. A further chamfered corner with recessed ground floor entrance to provide a secondary main entrance, would be located on the south eastern corner. As described above, a roof terrace would occupy part of the sixth floor, with the remaining area of roof level accommodating a green roof and a solar array.
- 10.40 The proposed development is considered a bold but simple, high quality architectural response to the site, constraints and surrounding context. The proposal references the design principles established through the 'One Maidenhead' masterplan, including chamfered corners, stepped massing and emphasised horizontal banding. As described in the DAS, the development is also considered to be an appropriate response to the wider context of the town centre and Borough described in the contextual analysis of the site. The building would successfully but subtly distinguish between ground floor commercial and upper floor office uses, which would help to reinforce the presence along primary shopping frontages.
- 10.41 The development responds positively to environmental factors, particularly through the careful design of elevational treatment, which as described, varies window widths and reveals in response to aspect in order to maximise opportunities for natural daylighting but minimise risks of overheating.
- 10.42 Plant would be accommodated at ground level and roof level. The ground level plant would be contained within the envelope of the building, so would not be visible. The rooftop plant is proposed to be screened using brown/bronze acoustic louvres, which would be in keeping with the materiality of the building. The specification for the acoustic louvres has been submitted, but further details of its appearance are required, which can be secured by recommended condition. Indicative details of plant have been provided, but further detailed specifications can also be secured by recommended condition, which would also be worded to restrict the height of any plant to ensure it is effectively screened.
- 10.43 The design of the building is informed by a desire to maximise efficiency both of land use and materials. Internally the floor plans maximise useable floor space and allow for future flexibility. The proposed materials would have low levels of embodied carbon, and would be able to be re-used in future. The proposed material palette would be restrained and of a very high quality, whilst relating well to the consented 'One Maidenhead' development. Specific details of materials can be secured by recommended condition.

Landscaping

- 10.44 The proposed hard and soft landscaping strategy, as described in the DAS and shown indicatively on the proposed groundworks plan, would be consistent with the wider landscape masterplan for the 'One Maidenhead' site, and would integrate with the detailed landscape proposals which have been agreed with the Council. As such, the development would contribute to the creation of a new area of public realm at the centre

of the 'One Maidenhead' site, which would be enhanced by the active frontages on the east and north elevations and the potential for 'spill out' from these uses into the public realm. Subject to recommended condition requiring the submission and implementation of detailed hard and soft landscaping proposals and details of lighting, the proposed development would provide high quality landscaping. Public access to and the maintenance of the public realm would be secured through a legal obligation.

10.45 In summary, the proposal would be of a high quality which would be innovative and highly sustainable through its use of structural timber. The layout, scale, height, massing, detailed design and landscaping would be an appropriate response to the context; would be consistent with the 'One Maidenhead' masterplan, and would not compromise the delivery of the hybrid consent for that site; would not have harmful visual townscape or landscape impacts; would provide a good quality environment at street level and contribute to the provision of high quality public realm; and would enhance the character of the area. As detailed in relevant sections below, the development would not result in harm to designated heritage assets or their settings; would be acceptable in respect of amenity and microclimate impacts; and would achieve biodiversity net gain on site. The proposal for a tall building would therefore comply with the guidance within the Building Heights and Tall Buildings SPD and accord with BLP Policy QP3a. Subject to recommended conditions, the development would also comply with BLP policies QP1, QP1a and QP3.

iv. Flooding and drainage

10.46 BLP Policy NR1 sets out that development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is taken into account. In all cases, development should not impede the flow of flood water; reduce the capacity of the floodplain to store water; increase the number of people, property or infrastructure at risk of flooding; cause new or exacerbate existing flooding problems; or reduce the waterways' viability as an ecological network or habitat for notable species of flora or fauna.

10.47 All development proposals should increase the storage capacity of the floodplain where possible; incorporate Sustainable Drainage Systems in order to restrict or reduce surface water runoff; reduce flood risk both within and beyond sites wherever practical; and be constructed with adequate flood resilience and resistance measures suitable for the lifetime of the development.

10.48 The application is accompanied by a Flood Risk Assessment and Drainage Strategy. The application site is wholly in Flood Zone 1 and therefore not located in an area at risk of fluvial flooding, but there are some areas of higher risk of surface water flooding.

10.49 The Drainage Strategy demonstrates that appropriate provision would be made for the management of surface and foul water, and that the development would not give rise to increased flood risk. The Drainage Strategy has also been designed to be compatible with the approved and implemented drainage scheme for the first phase of the One Maidenhead development to the north. The approved drainage scheme for the first phase of the hybrid permission does not rely on land within the current application site.

10.50 The LLFA have confirmed they have no objection to the proposed development, subject to a condition securing a detailed surface water drainage scheme. Subject to the recommended condition, the proposed development would be acceptable in respect of flood risk and drainage and would comply with BLP policy NR1.

v. Impact on heritage assets

10.51 In relation to the historic environment, the NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets (paragraph 200). These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 195).

Designated heritage assets

10.52 In considering whether to grant planning permission, the statutory test in section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker to have special regard to the desirability of preserving the setting of listed buildings. In relation to conservation areas, section 72 (1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character of appearance of that area.

10.53 Section 16 of the NPPF is about conserving and enhancing the historic environment. Paragraph 205 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 continues to set out that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 208 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

10.54 BLP Policy HE1 sets out that development proposals would be required to demonstrate how they preserve or enhance the character, appearance, and function of heritage assets (whether designated or non-designated) and their settings and respect the significance of the historic environment.

10.55 The application is accompanied by a Heritage Statement. In accordance with paragraph 200 of the NPPF and BLP Policy HE1, the Heritage Statement identifies and describes the historical development of the site and outlines the significance of designated and non-designated heritage assets. There are no heritage assets within the application site. Three Grade II listed structures are identified as having the potential to be impacted by the proposed development: the Grade II listed Clocktower, Grade II listed 25 and 27 Broadway and the Grade II listed stables immediately to the east of 3 and 5 King Street. There are two conservation areas located within the vicinity of the application site: Maidenhead Town Centre and Castle Hill.

10.56 With regard to the impact on listed buildings, the Heritage Statement concludes that the Clocktower would share intervisibility with the proposed development, but having regard to the existing urban setting of the asset, this would represent a neutral change to the setting of the asset. The other listed buildings identified would not share intervisibility with the application site. The proposed development, in terms of its use and wider impacts, would not result in a change to the experiential setting of any the listed buildings. The Heritage Statement concludes that there would be no harm to the setting of any listed buildings.

10.57 With regards to the impact on the identified conservation areas, the assessment of impacts within the Heritage Statement concludes that there would be no perception of the proposed building from either conservation area. The development would be blocked from view from the Town Centre Conservation Area by the larger blocks within the 'One

Maidenhead' development and would have no impact on the significance of the designation. The site is separated from the Castle Hill Conservation Area by interstitial built form, and the development would not be visible from any part of the conservation area. As with the listed buildings, the proposed development, in terms of its use and wider impacts, would not result in a change to the experiential setting of the conservation areas. The Heritage Statement concludes that there would be no impact to the significance of either Conservation Area.

10.58 Overall, it is considered that the proposed development would not result in harm to any designated heritage assets and would preserve the significance of assets and their settings.

Archaeology

10.59 The hybrid planning permission for the 'One Maidenhead' site was subject to a condition requiring approval and implementation of an Archaeological Written Scheme of Investigation and subsequently the approval of an Evaluation Report. Both parts of that condition have been discharged in relation to the site as a whole. The Written Scheme of Investigation was submitted under discharge of condition application ref. 19/00723/CONDIT and approved the location of evaluation trenches.

10.60 The Evaluation Report was submitted under discharge of condition application ref. 19/01014/CONDIT, which was approved. The Evaluation Report concluded that no archaeological features were found in the agreed evaluation trenches. Survival of any features on parts of the site (including the current application site) which were occupied by buildings which have now been demolished was considered limited.

10.61 In light of the previous investigation that has been undertaken on the site, and also having regard to the fallback position of the hybrid permission which would allow the construction of a building on this site without further archaeological investigation, the development is not considered to result in any impacts to archaeological features. The Archaeologist has confirmed that no evaluation is required.

10.62 In summary, the significance of heritage assets and the potential impact of development has been suitably characterised in a manner proportionate to the assets' importance. The special interest of nearby designated heritage assets would be preserved and the development would accord with BLP policy HE1 and Chapter 16 of the NPPF which seek to conserve and enhance heritage assets and their settings.

vi. Parking and Highway Impacts

10.63 Paragraph 116 of the NPPF states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport. Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.64 BLP Policy IF2 sets out that new development should be located to minimise the distance people travel and the number of vehicle trips generated. The application is supported by a Transport Statement (TS) and an Employment Framework Travel Plan.

10.65 In assessing the proposals, regard has been had to the consideration of the consented development on the 'One Maidenhead' site which, subject to various conditions, was found to raise no significant highway capacity issues and to have no unacceptable

highway safety impacts. The proposed development is not considered to differ materially from the consented scheme in terms of highway considerations. The proposed development would have slightly increased provision of office floorspace (from 7,007sqm to 7,115sqm) and a slight increase in flexible commercial floorspace at ground (from 531sqm to 694 sqm). Access proposals would be unchanged, and parking provision would be consistent with indicative details for Building C as part of the wider 'One Maidenhead' site, which assumed car parking provision would be off-site.

Access

- 10.66 The site is in a highly sustainable location, being within Maidenhead town centre and therefore in close proximity to the full range of facilities and services. The site is also located approximately 150 metres from Maidenhead train station, which provides direct services to London and Reading.
- 10.67 Details of a proposed construction access to the site have not been provided as part of the application, but these details can be secured by recommended condition.
- 10.68 No vehicular parking is proposed within the site, and there would be no vehicular access into the site. A condition is recommended requiring the removal of the existing temporary construction access prior to the occupation of the development.
- 10.69 A scheme of highway works, which includes pavement widening and provision of servicing bays, is to be delivered as part of the 'One Maidenhead' site. These were secured through the S106 legal agreement for the hybrid permission. The specification of these works has been agreed, and a S278 agreement has been entered into with the Highway Authority. However, the agreed scope of works excludes the application site and adjacent highway. Were Building C permitted under the hybrid permission to be delivered, this phase of the development would be required to deliver the remaining highway works that form the continuation along Queen Street. To ensure that the proposed development is consistent with the wider masterplan for the 'One Maidenhead' site, and provides a suitable pedestrian environment, it is also a requirement of the current proposals that a scheme of highway works is secured. A suitably worded obligation would be included in a legal agreement.

Highway impact

- 10.70 During the construction phase, the development has the potential to cause risks to highway safety. This risk can be adequately managed by a recommended condition to secure details of how construction traffic, materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the construction period.
- 10.71 Trip generation for the hybrid permission was assessed on the assumption that a total of 269 car parking spaces would serve the 'One Maidenhead' site, with 189 car parking spaces provided within the podium of buildings A, B and D, with a further 80 spaces to be provided either off-site or delivered as part of Building E under a subsequent reserved matters application.
- 10.72 The submitted TS uses the same trip generation rates (assuming 269 parking spaces) as used in the Transport Assessment for the hybrid permission, accounting for the slight uplift in office and commercial floorspace. The changes in floor area and land use mix result in an increase in daily trips of 65, with the AM and PM peak hours seeing an increase of four and six two-way trips respectively. The TS concludes that given this small increase, it is not necessary to assess the local highway network or junction

capacity in the surrounding area as there would be no material impact on the highway network.

10.73 Furthermore, the actual car parking provision would be a total of 185 car parking spaces across the whole 'One Maidenhead' site, which is a reduction of 80 spaces from the approved hybrid permission, and upon which basis trip generation rates were based. Therefore, the development is likely to result in an overall reduction in trips compared to the approved Building C.

10.74 During the course of the application it has been confirmed that car parking would be provided off-site within existing town centre car parks. There would therefore be no overall increase in car parking spaces within the town centre as a result of the development and any changes in trip rates associated with the use of existing car parks would not have material impact on the highway network.

10.75 As noted above, the consented hybrid permission was assessed as having no unacceptable impacts on the highway network in terms of capacity or highway safety. Given the extant consent for an office and commercial building of a similar quantum of floorspace on the site under the hybrid permission, it can reasonably be concluded that the proposed development would also not give rise to any unacceptable highway impacts. This view is supported by the Highway Authority and no objection is raised.

10.76 The application is accompanied by an Employment Framework Travel Plan, which sets out measures to reduce single occupancy car use and encourage use of sustainable modes of transport. Further details including monitoring and compliance can be secured through a legal agreement.

Car and cycle parking

10.77 As noted above, Building C was approved as part of the hybrid permission on the basis that car parking to serve that part of the 'One Maidenhead' site would either be provided off-site, or within basement parking to be delivered in Building E under subsequent reserved matters consent. The hybrid permission was subject to a condition (Condition 14) requiring the submission and approval of a car parking strategy prior to the occupation of residential units.

10.78 A car parking strategy for buildings A, B, D and E was submitted under application ref. 24/00570/CONDIT. The strategy set out proposed parking provision and management for the residential buildings. For the purposes of the Transport Assessment for the hybrid permission, a residential parking ratio of 0.43 spaces per dwelling was allowed for. This would have resulted in all 189 of the car parking spaces within buildings A, B and D podiums being allocated to the dwellings across buildings A, B, D and E.

10.79 As originally submitted, the application proposed that car parking was to be either provided within the podiums of A, B and D, or off-site in an alternative car park. During the course of the assessment, application ref. 24/00570/CONDIT relating to the car parking strategy for the wider development was approved, which confirmed that all the car parking spaces within the podium would be for residential use. As such, it was subsequently confirmed that car parking for the proposed development which forms part of this application could be provided off-site.

10.80 The Council has confirmed that there is capacity within existing town centre car parks, which are all within walking distance of the site. Monthly, or annual season tickets for these car parks could be purchased by future employees. The development would also not result in increased pressure on on-street residential car parking in the surrounding

area given existing permits and the sites location. Having regard to the highly sustainable location of the site and the range of transport options available to employees, it is concluded that this would make acceptable provision for car parking provision.

10.81 The application proposes the provision of a total of 52 cycle parking spaces to be located within the ground floor of the building. These would be provided through a combination of two-tier and Sheffield stands. A further six Sheffield stands (providing 12 cycle parking spaces) would be provided in the public realm as visitor/short-stay cycle parking. Associated changing and showering facilities would also be located in the ground floor of the building.

10.82 Subject to the provision of further details showing the configuration of cycle stands, which can be secured by recommended condition, the proposals would make adequate provision for cycle parking.

Refuse and servicing

10.83 The application proposes that refuse collection and deliveries would take place on Queen Street, which is considered acceptable in highway terms. Conditions are recommended to secure a refuse and servicing strategy prior to the occupation of the building.

10.84 Subject to the completion of a legal agreement to secure external highway works, and subject to the recommended conditions, the proposed development would be acceptable in respect of access, would not give rise to any unacceptable highway impacts, and would accord with the aim of reducing the need to travel and vehicle trips. As such, the development would comply with BLP Policy IF1 and the NPPF.

vii. Ecology and Biodiversity

10.85 BLP Policy NR2 sets out that development proposals will be expected to maintain, protect and enhance biodiversity, and avoid impacts on habitats and species of principal importance. Development proposals are expected to demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

10.86 The application is supported by an Ecological Assessment and Biodiversity Net Gain Assessment.

10.87 The closest locally designated nature conservation site is York Stream and Greenway Corridor Local Wildlife Site, which is located 300m to the east. There is an area of mixed deciduous woodland, which is a priority habitat, 170m to the south west. The Ecological Assessment advises that precautionary measures should be adopted during the construction phase to ensure that any impact of pollution upon these habitats is avoided. This can be secured through a recommended condition requiring the submission of a Construction Ecological Management Plan.

10.88 As part of the extant hybrid consent for the wider 'One Maidenhead' site, the buildings within the site have been demolished and the site is currently a cleared construction site. Given the current condition of the site, the proposed works are considered unlikely to adversely affect any protected or notable wildlife.

10.89 To ensure that external lighting does not adversely affect bats or other light-sensitive wildlife, a wildlife-sensitive lighting scheme should be designed and implemented. This would be secured by recommended condition.

10.90 The Biodiversity Net Gain calculation and assessment describes the on-site baseline ecological habitats, which have a biodiversity value of zero. Post development units have been calculated and the report demonstrates that a net biodiversity gain of 0.29 habitat units (a net gain of 100% in habitat units) can be achieved. The biodiversity gain can be achieved through the planting of urban trees, provision of a green roof, planters at ground level and a rain garden. The onsite biodiversity net gain enhancements would be secured by recommended condition. Furthermore, a condition is also recommended to secure enhancements for biodiversity to include integral bird boxes, tiles or bricks on the new building.

10.91 Subject to the recommended conditions, the proposed development would not have any unacceptable ecological impacts, and would secure a net biodiversity gain, so would comply with Policy NR2 of the BLP.

viii. Environmental considerations

Noise

10.100 BLP Policy EP4 requires that proposals carry out a noise impact assessment for proposals affected by environmental noise, and states that development proposals that generate unacceptable levels of noise and affect quality of life will not be permitted.

10.101 The application is supported by a Noise Assessment which considers noise impacts arising from proposed plant. The Noise Assessment assumes that plant at roof level would be enclosed with acoustic louvres. Details of acoustic louvres to the specification assumed in the Noise Assessment have been provided.

10.102 The noise assessment has been carried out assuming specific plant, although it is not confirmed that this is the plant to be used. On the basis of the plant assumed in the assessment, it has been demonstrated that subject to the recommended mitigation measures, there would be no significant impact to sensitive receptors. However, this is based on hypothetical plant specification. It is therefore recommended that details of plant and machinery accompanied by an updated Noise Assessment including mitigation are provided by condition. Subject to the recommended condition, the proposed development would not have any unacceptable noise impacts and would comply with BLP Policy EP4.

Air quality

10.103 BLP Policy EP2 requires development proposals to demonstrate how they have considered air quality impacts at the earliest stage possible, where appropriate through an air quality impact assessment which should include cumulative impacts. Development proposals are required to demonstrate that they do not significantly affect residents within or adjacent to an Air Quality Management Area (AQMA).

10.104 The application is supported by an Air Quality Assessment (AQA). This concludes that no material changes to air quality effects are predicted as a result of the proposed development when compared to the consented building C.

10.105 In assessing the hybrid planning application it was concluded that the any changes in air quality resulting from the development would be negligible and did not require mitigation. It was assessed that air quality during construction, including dust creation, could be managed via a Construction Environment Management Plan, which was secured by condition.

10.106 The Council's Environmental Protection officer has been consulted on the application and supports the conclusion that there would be no material changes to the original assessment submitted and that any effects on air quality are not significant. The measures for the controlling of dust creation during demolition and construction identified in the AQA are satisfactory and should be included in a Construction Environment Management Plan, which can be secured by recommended condition. Subject to the recommended condition, the development would not have any unacceptable impacts on air quality and would comply with BLP Policy EP2.

Residential amenity

10.107 BLP Policy QP3 requires that development has no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.

10.108 The proposed development has the potential to give rise to impacts on amenity during construction, particularly in terms of noise, vibration and dust. A Framework Construction Environmental Management Plan (CEMP) has been submitted, which sets out the scope of a subsequent detailed CEMP. Subject to approval and implementation of a CEMP that accords with the submitted Framework CEMP to be secured by recommended condition, these impacts can be managed to avoid any harm to amenity.

10.109 The relationship between the proposed building and neighbouring residential properties, including those within the 'One Maidenhead' development, would be similar to that which would have resulted from the approved and extant building C. There would be a degree of overlooking of residential properties, although this would be lessened compared to the consented scheme due to the greater separation between the north elevation of the proposed development and buildings to the north. The reduction in height of the proposed building compared to the consented scheme would also result in a lesser impact. Given the town centre location of the site, acceptable levels of privacy are considered to be lower than those expected in a rural or suburban location. Having regard to the town centre context, and the fallback position of the consented building C, the proposed development is not considered to result in unacceptable impacts of overlooking or loss of privacy that would be harmful to amenity.

10.110 The proposed development would introduce commercial uses at ground floor, the principle of which was established through the extant consent. These uses are considered compatible with the town centre location, and while their introduction may carry some associated impacts in terms of noise and disturbance, given the location, this is not considered to be unacceptable in terms of amenity. Furthermore, separate licensing regimes and environmental health legislation exist under which these impacts can be managed.

10.111 A Daylight, Sunlight and Shading Assessment has been submitted in support of the application. The assessment considers changes to the daylight/sunlight effects of the proposal compared to the approved building C. The Assessment also considers any potential shading effects to the central landscaping and amenity space as a result of the proposal.

10.112 In assessing the proposals for which hybrid consent was granted, it was concluded that the development would result in adverse shading to surrounding residential properties, particularly those on Queen Street, and to amenity areas forming part of the development to a degree that would be harmful to amenity. This harm was considered to weigh against the development in the overall planning balance. However, given

consent was granted, and remains extant, the developer could implement the previously approved building C. It is therefore reasonable to consider this as a baseline for the purposes of assessing amenity impacts.

10.113 The Assessment demonstrates that, due to the overall reduction in height of the proposed building compared to the consented building C, there would be a general improvement to daylight levels of neighbouring residential buildings. The Assessment also tests the residential elements of the other elements of the consented scheme and assesses daylight and sunlight levels to buildings A, B and D. The results indicate no change to the majority of daylight/sunlight levels, with a number of rooms experiencing increases in daylight/sunlight. These improvements are relatively minor, although the mid levels of building A would experience some greater improvements given the increased separation distances and lower overall building height.

10.114 With regards to shading of the amenity space, the assessment shows that 77% of the central amenity space meets the BRE sunlight availability guidance, and an improvement compared to the consented building C.

10.115 Overall, the proposals represent an improvement to the daylight/sunlight impacts on neighbouring properties when compared to the fallback position of the consented building C. Therefore, while the proposals may result in a degree of harm to neighbouring amenity, it would be unreasonable to withhold permission on this basis as a more harmful scheme could be implemented.

Land contamination

10.116 BLP Policy EP5 states that development proposals will be supported where it can be demonstrated that proposals will not cause unacceptable harm to the quality of groundwater or surface water, and that development proposals on or near to land which is or is suspected to be contaminated will be supported where the applicant can demonstrate that there will be no harm arising from the contamination. Proposals will be supported where it can be demonstrated that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.

10.117 Ground investigation, groundwater monitoring and gas monitoring of the site were undertaken in support of the hybrid application. A requirement for further investigations was identified. Remediation and mitigation of contamination risks were secured via a phased condition on the hybrid planning permission. This required the submission of a contamination preliminary risk assessment, a site investigation scheme, a remediation strategy and a verification plan. All but the final phase (verification plan) of that condition have been discharged in relation to the whole 'One Maidenhead' site under discharge of condition application ref. 19/03118/CONDIT. A verification plan has been submitted and approved in relation to Buildings A, B, D and E (ref. 24/00095/CONDIT). There remains a requirement that the verification plan in relation to the current application site be submitted prior to the occupation of any of the development on the site.

10.118 In light of the above, it is considered that through the implementation of the hybrid permission any potential risks from contamination within the site have been identified and proposals for those risks to be remediated and mitigated have been secured. The outstanding verification plan is required to demonstrate that the remediation and mitigation have been implemented within the site. A condition is therefore recommended requiring the submission of the verification plan demonstrating that remediation agreed under application ref. 19/03118/CONDIT has been implemented. Subject to this condition, the development would not result in any harm to human health or the

environment as a result of contamination and the proposals would comply with BLP Policy EP5.

11 COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development would not be liable to pay CIL.

12 CONCLUSION

12.1 The proposed development would accord with the spatial strategy and contribute to meeting the employment and retail needs of the Borough, and would support the renewal and enhancement of Maidenhead town centre. The development is acceptable in principle and would comply with BLP policies SP1, QP1a, ED1, TR1, TR3 and TR6.

12.2 The building design has been developed in accordance with the Council's stated priorities and aims in relation to climate change and subject to the completion of a legal agreement to secure financial contributions to off-set carbon emissions, the development would comply with the requirements of the ISPS and BLP Policy SP2.

12.3 The proposals would be of a suitably high design standard for development that would be defined as a tall building, and would make a positive contribution to the streetscene and townscape, as well as integrating positively with the extant development on the One Maidenhead site.

12.4 Subject to the completion of a legal agreement to secure off-site highway works, a Travel Plan, carbon monitoring and off-set contributions, and access to and maintenance of the public realm, and subject to the recommended conditions, the proposals would not be harmful in respect of heritage assets, highway safety, amenity, ecology, flood risk and drainage, or environmental considerations.

12.5 The proposed development is considered to be acceptable and in accordance with the development plan.

13 APPENDICES TO THIS REPORT

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

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 All floors except the ground floor of the building shall be used for office use falling within Class E g) i) and ii) and for no other purposes including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order).

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre without impacting on the residential amenity of existing and future occupiers.

3 The ground floor of the development hereby approved shall be used for the following uses only:

Uses ancillary to the upper floor office (Use Class E g) i) and E g) ii)) use;
Commercial uses falling within Class E a) and b); and
Use as a public house, wine bar, or drinking establishment (Sui Generis) or drinking establishment with expanded food provision (Sui Generis)

and for no other purposes including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order).

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre without impacting on the residential amenity of existing and future occupiers.

- 4 Notwithstanding the provisions of Classes G, H and MA of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any Order revoking or re-enacting that Order) there shall be no change of use of the development hereby permitted without the prior grant of planning permission.

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre without impacting on the residential amenity of existing and future occupiers.

- 5 No development above fifth floor level shall take place until details of the solar PV panels have been 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 dated November 2023.

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

- 6 No external façade works (to include full structural elements beyond the frame) shall commence until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy QP3.

- 7 Prior to first occupation, all carbon reduction energy efficiency measures shall be implemented in accordance with the Energy Statement hereby approved and a Verification Report shall be submitted to the Local Planning Authority and approved in writing. The Verification Report shall demonstrate (with photographic evidence) that the energy efficiency measures have been implemented. These measures shall be retained and maintained as such thereafter in accordance with the Energy Statement and Verification Report.

Reason: To ensure high standards of sustainable design and construction. Relevant Policy - Borough Local Plan SP2.

- 8 No external façade works (to include full structural elements beyond the frame) shall commence until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority. This shall include a schedule of undertaking the proposed works including the public open space and new pedestrian routes. The hard and soft landscaping shall be designed so as to integrate with the approved landscaping for application ref. 18/01576/FULL.

The approved works shall be carried out as approved within the first planting season

following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

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

- 9 No development above fifth floor level shall take place until details of the acoustic screening to rooftop plant and roof balustrading have first been submitted to and approved in writing by the Local Planning Authority. The acoustic screening shall be to the technical standards specified in the submitted 'Acoustic+ www.configuredplatforms.co.uk' specifications, or as otherwise agreed through details of plant and noise mitigation submitted in compliance with condition 9. The development shall be carried out and maintained in accordance with the approved details.

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

- 10 No development shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- Supporting calculations confirming compliance with the Non-Statutory Standards for Sustainable Drainage Systems; and,
- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.

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

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Policies - Borough Local Plan NR1.

- 11 Prior to the commencement of the development hereby approved, a Management Plan (phase specific or otherwise) showing how construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the construction or as may be agreed in writing by the Local Planning Authority.

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

- 12 Prior to the occupation of the development hereby approved, the existing vehicular construction access to the highway shall be permanently stopped up in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance

with the NPPF and Borough Local Plan policies QP3 and IF2.

- 13 No part of the development shall be occupied until cycle parking facilities for at least 52 cycle parking spaces and 12 visitor cycle parking spaces 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 use in association with the development at all times.

Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage sustainable modes of transport in accordance with Borough Local Plan policy IF2.

- 14 No part of the development shall be occupied until the refuse bin storage areas and recycling facilities shown on the approved plans have been implemented and until a refuse and servicing strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in complete accordance with the approved details and retained thereafter.

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

- 15 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) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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

Reason: To minimise the impacts of the development on biodiversity in accordance with the NPPF and Local Plan Policy EP3.

- 16 Prior to the commencement of development above slab level full details of a Biodiversity Net Gain (BNG) Plan for onsite delivery, monitoring of Biodiversity Net Gain, and a Habitat Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plans shall be in accordance with the Biodiversity Net Gain Assessment (Stantec, October 2023) and shall include (but not be 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;
- i) Proposed costs and resourcing and legal responsibilities;

The Biodiversity Gain and Habitat Management Plan shall be implemented 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 a net gain for biodiversity, in accordance with the NPPF and Borough Local Plan policy NR2.

- 17 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include integral bird boxes, tiles or bricks on the new building, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed as approved.

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

- 18 No development above first floor level shall commence until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the Local Planning Authority. The report (if external lighting is to be installed) shall include the following figures and appendices:

- A layout plan with beam orientation;
- A schedule of equipment;
- Measures to avoid glare; and,
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and locations of bird and bat boxes.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with the NPPF and Local Plan Policy EP3.

- 19 No development above slab level shall take place until details of the mechanical services and external plant to be provided and a strategy for the installation of external plant and equipment have been submitted to and approved in writing by the Local Planning Authority. The mechanical services and external plant shall be designed in accordance with the measures in the approved Energy Statement. The installation strategy shall ensure that any flue or ducting shall be fully integrated into the building hereby approved, and that any rooftop external plant does not project above the height of the approved acoustic louvres.

Concurrent with the submission of details of mechanical services and external plant, and prior to any development above slab level, a noise assessment of the proposed mechanical services and external plant, prepared in accordance with BS4142 (2019) 'Method for rating and assessing industrial and commercial sound' shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include any mitigation measures necessary to ensure that levels of noise arising from the proposed mechanical services do not adversely affect surrounding properties. Thereafter the development shall be implemented and maintained in accordance with

the approved details, including mitigation measures.

Reason: In the interests of visual amenity and the amenities of surrounding occupiers.
Relevant policies - Borough Local Plan QP3, EP2 and EP4.

- 20 Prior to the occupation of any part of the development hereby approved, the remediation scheme previously approved under application ref.19/03118/CONDIT shall be carried out in full insofar as it relates to the application site.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.

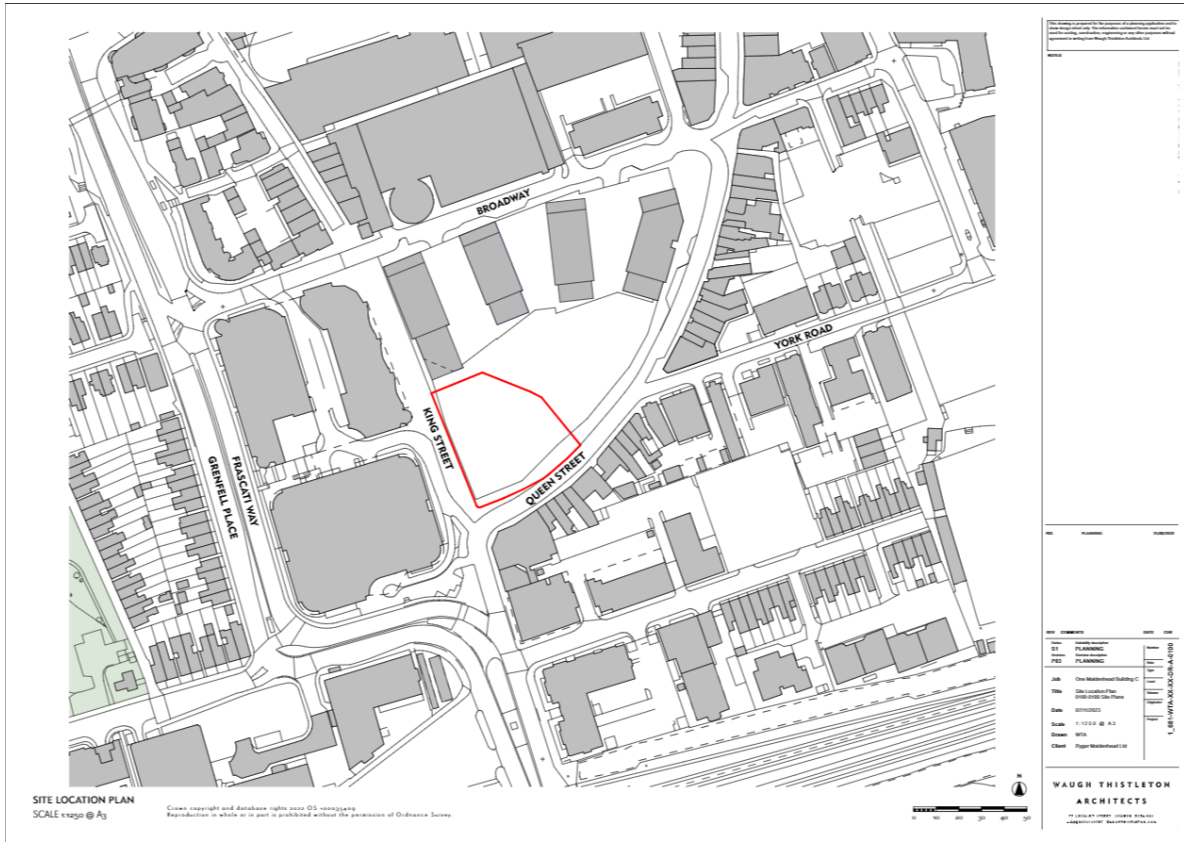
Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan EP5.

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

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

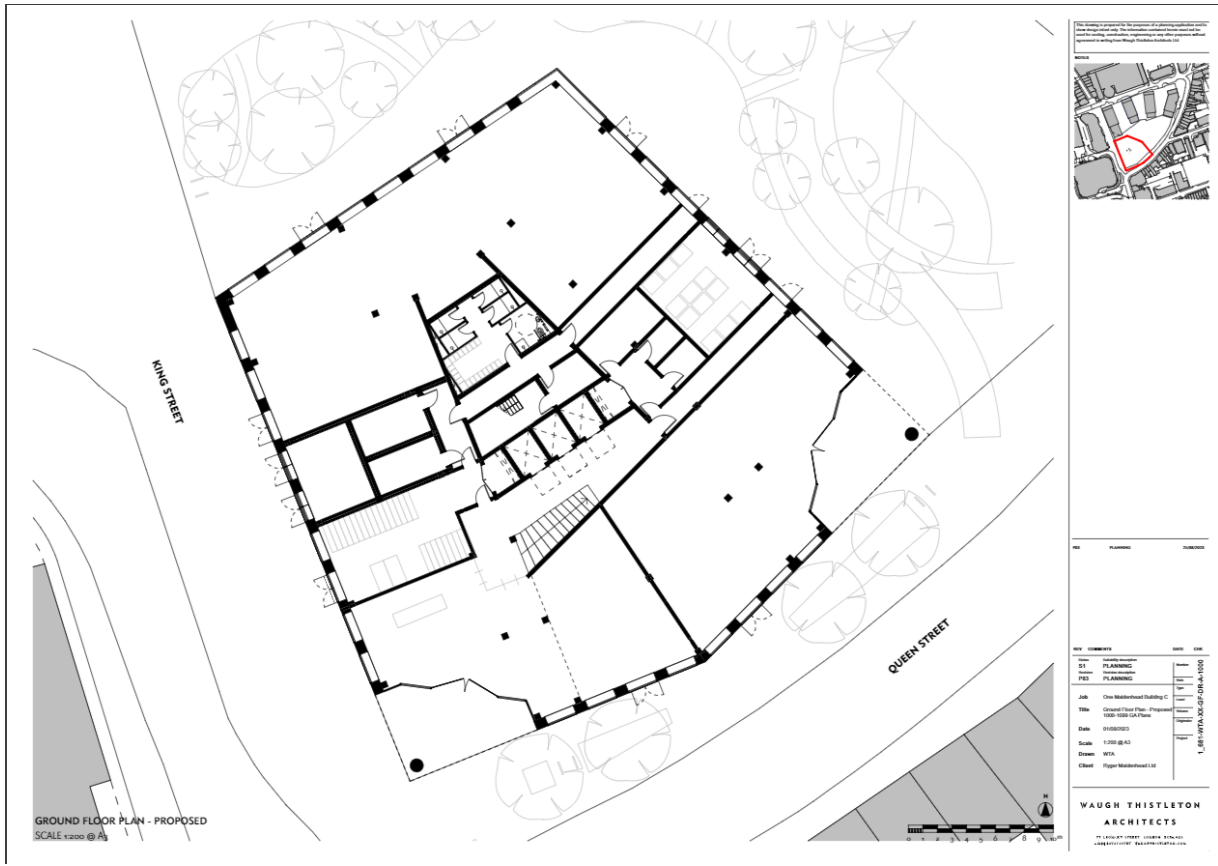
Appendix A - Site location plan and site layout

Site location plan

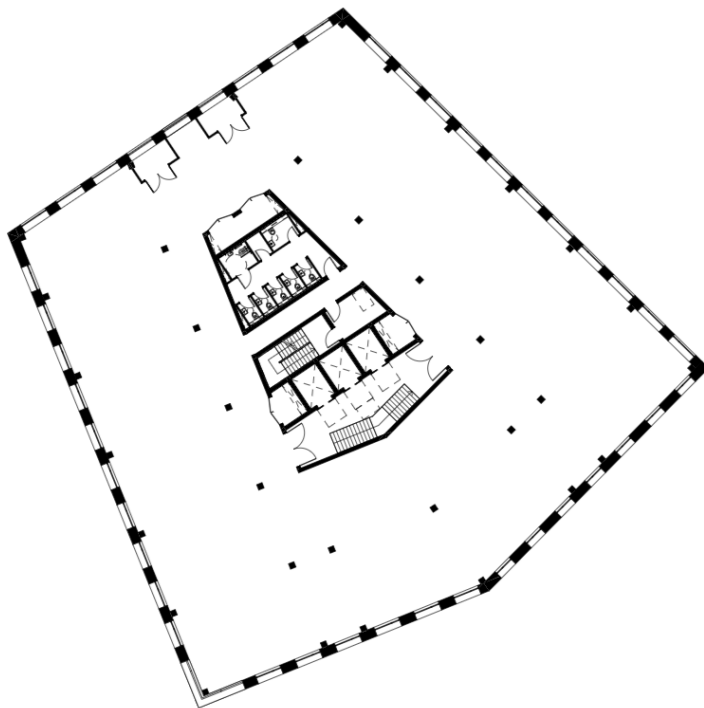


Appendix B – plan and elevation drawings

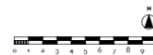
Proposed ground floor plan



Proposed first floor plan



FIRST FLOOR PLAN - PROPOSED
SCALE 1:2000 @ A3



This drawing is the property of Waugh Thistleton Architects Ltd. It is to be used only for the project and site specified herein. It is not to be used for any other project or site without the written consent of Waugh Thistleton Architects Ltd.

NO.	DESCRIPTION	DATE
01	PLANNING	
02	PLANNING	

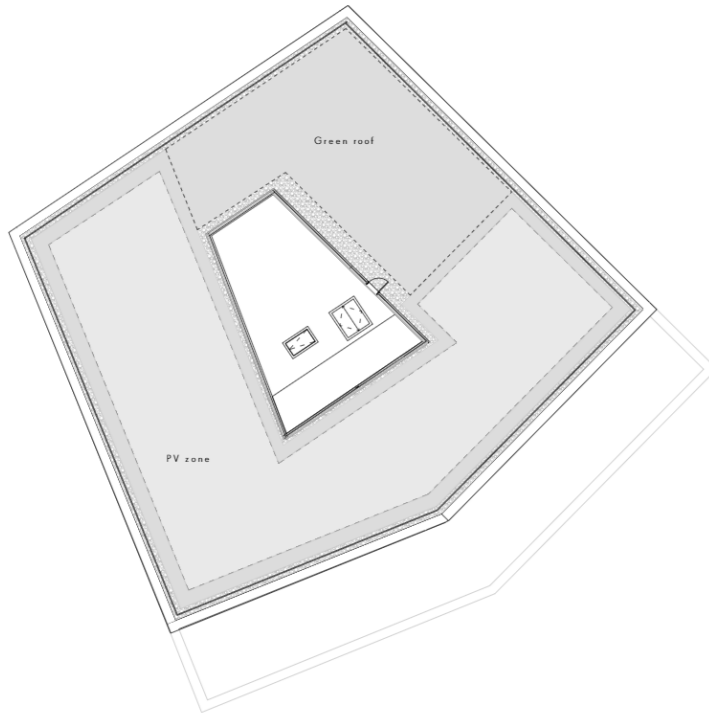
REV.	DESCRIPTION	DATE
01	PLANNING	
02	PLANNING	

Job: One Metropolitan Building C
 Site: First Floor Plan - Proposed
 Scale: 1:2000 @ A3
 Date: 01/08/2023
 Drawn: N/A
 Check: Roger Metcalfe/ML

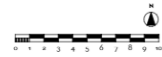
WAUGH THISTLETON ARCHITECTS

 11, LEIGH ST, LEIGH, LANCASHIRE, WN7 7AA
 01524 831100 • www.waughthistleton.co.uk

Proposed roof plan



SIXTH FLOOR PLAN - PROPOSED
SCALE 1:200 @ A3



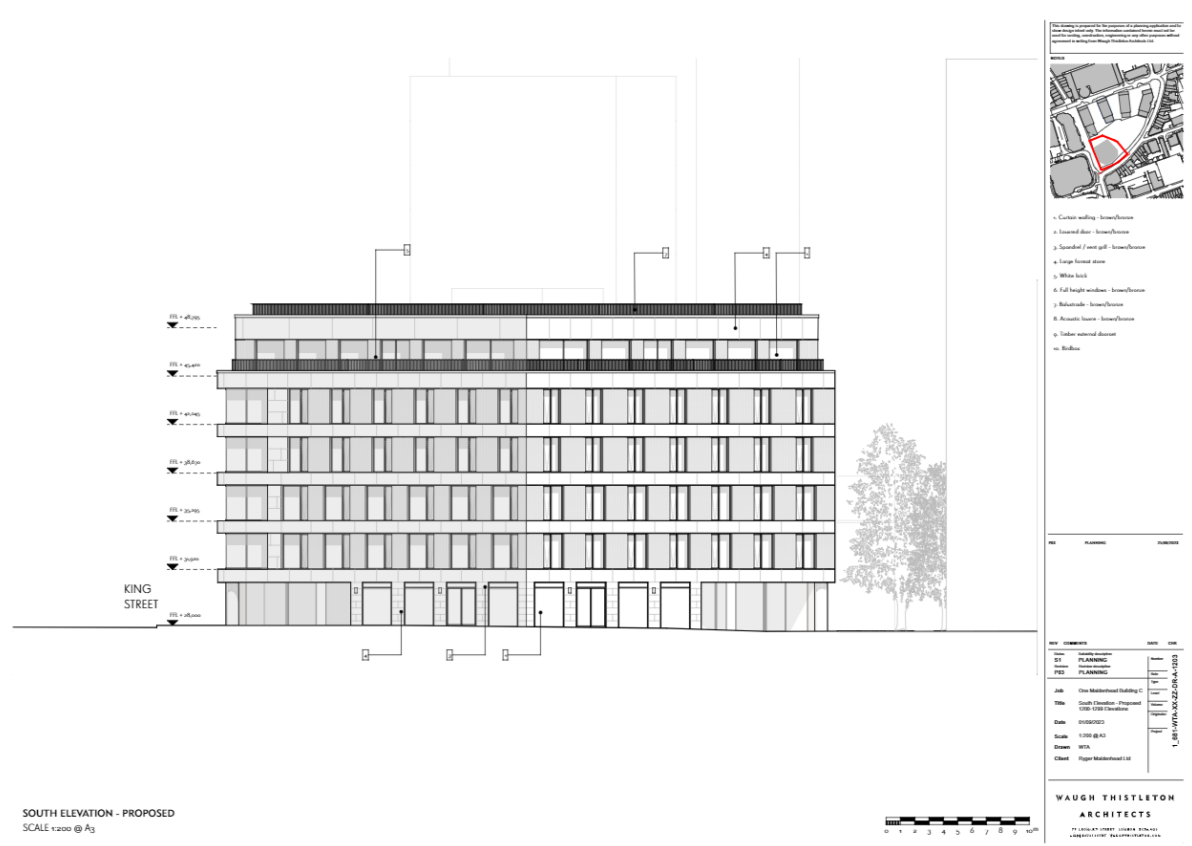
NO. PLANNING. DATE

NO.	REVISIONS	DATE	BY
001	PLANNING		
002	PLANNING		
003	PLANNING		

Job One Metrolink Building C
Title Sixth Floor Plan - Proposed
Date 04/10/2023
Scale 1:200 @ A3
Drawn WTA
Client Phipps Metrolink Ltd

WAUGH THISTLETON
ARCHITECTS
11, LINDA AVE, LONDON, E14 3AF
020 7461 1000 www.waughthistleton.com

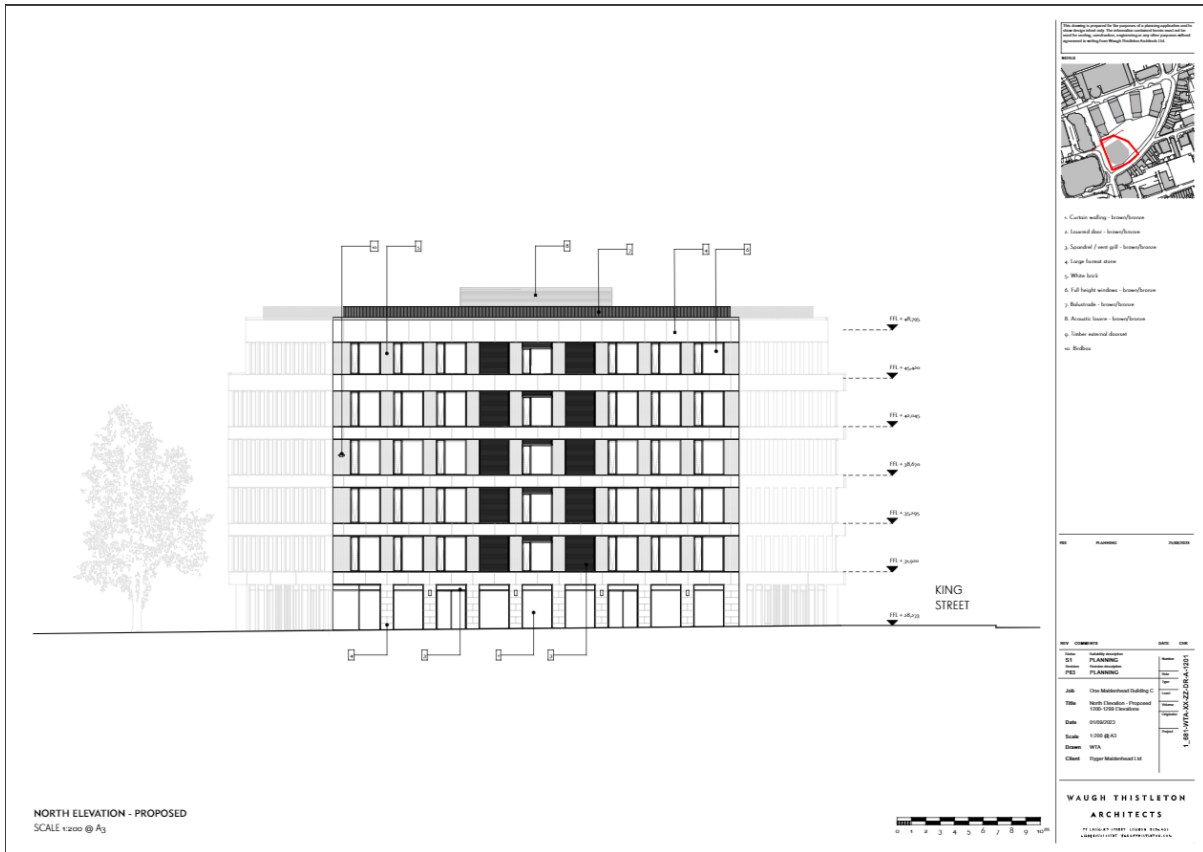
Proposed south elevation



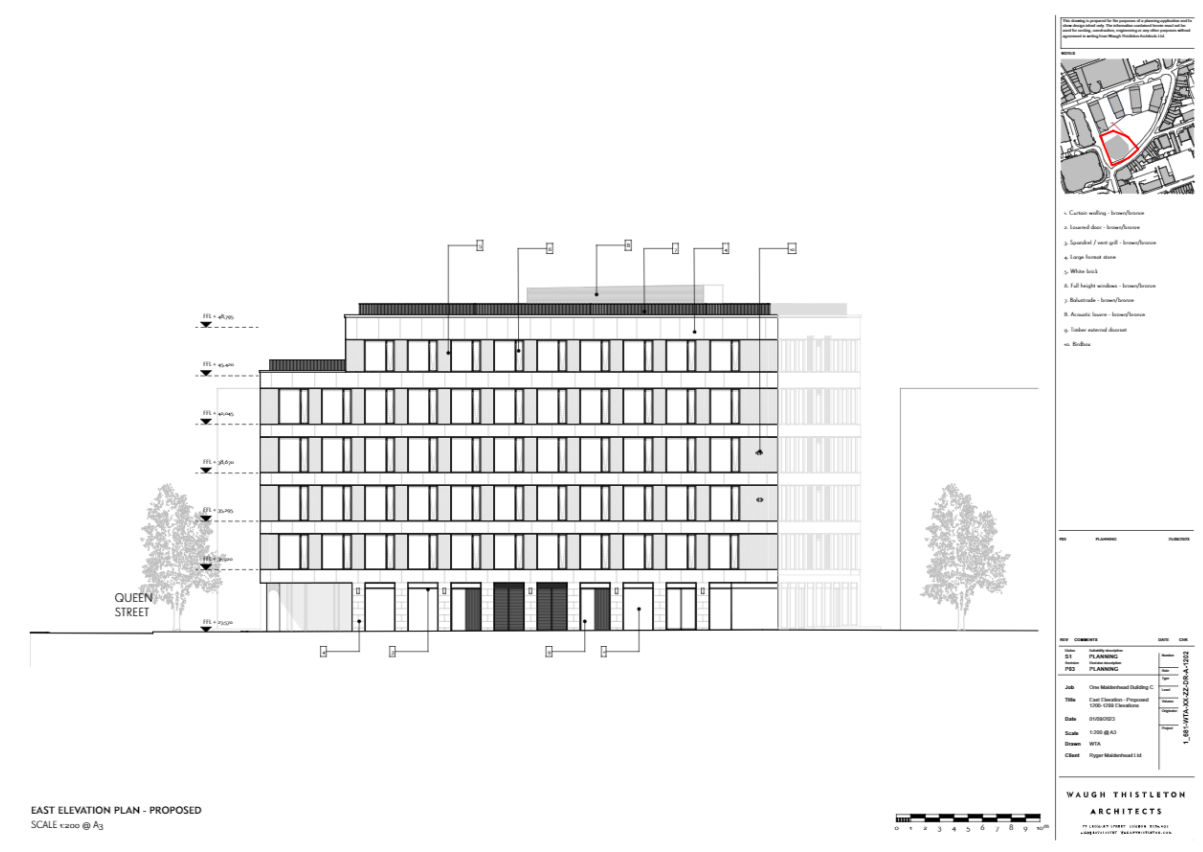
Proposed west elevation



Proposed north elevation



Proposed east elevation



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Appeal Decision Report

12 March 2024 - 8 April 2024

Maidenhead

Appeal Ref.: 23/60089/REF **Planning Ref.:** 22/02285/FULL **Plns Ref.:** APP/T0355/W/23/3323059

Appellant: Mr And Mrs Doedens Temple Weir House Temple Lane Temple Marlow SL7 1SA

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

Description: x1 new detached dwelling following demolition of existing dwelling and outbuildings.

Location: **Temple Weir House Temple Lane Temple Marlow SL7 1SA**

Appeal Decision: Dismissed **Decision Date:** 18 March 2024

Main Issue:

Appeal Ref.: 23/60092/REF **Planning Ref.:** 23/00872/FULL **Plns Ref.:** APP/T0355/W/23/3327809

Appellant: Mr Paul Kelly **c/o Agent:** Mrs Cheryl Wellstead-Clarke Ashcombe House Green Lane Hambledon Waterlooville PO7 4SX

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

Description: Construction of a stable block to house 6 horses and a feed store.

Location: **Land To East of Hollies Moneyrow Green Holyport Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 13 March 2024

Main Issue: Inappropriate development in the Green Belt due to encroachment into the countryside Substantial harm to openness Forecast vehicle movements too low to result in any unacceptable harm to highway safety Lack of GCN licence or surveys results in failure to comply with Policy NR2. No confirmation of BNG means further failure to comply with Policy NR2. No case for very special circumstances due to the identified harms.

Appeal Ref.: 23/60094/REF **Planning Ref.:** 23/00922/FULL **Plns Ref.:** APP/T0355/W/23/3328647

Appellant: Mr James Thomson **c/o Agent:** Miss Nasrin Sayyed 20 Farringdon Street London EC4A 4AB

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

Description: Construction of 8no. flats (use class C3) with associated parking, cycle and refuse/recycling stores, new front wall/gate and removal of secondary access following demolition of existing dwelling and outbuildings.

Location: **Highclere Shoppenhangers Road Maidenhead SL6 2QA**

Appeal Decision: Dismissed **Decision Date:** 27 March 2024

Main Issue:

Appeal Ref.: 23/60097/REF **Planning Ref.:** 23/00556/PT20A **Plns Ref.:** APP/T0355/W/23/
A 3328533

Appellant: Mr J Barker **c/o Agent:** Mr Tony Allen Allen Planning Ltd The Old Fire Station EC Salt Lane
Salisbury SP1 1DU

Decision Type: Delegated **Officer Recommendation:** Prior Approval
Required and
Refused

Description: Application for prior approval for construction of two additional storeys to the building to
provide 27 additional dwellings.

Location: **InVentiv Health Thames House 17 Marlow Road Maidenhead SL6 7AA**

Appeal Decision: Dismissed **Decision Date:** 27 March 2024

Main Issue:

Appeal Ref.: 23/60099/REF **Planning Ref.:** 22/03162/FULL **Plns Ref.:** APP/T0355/W/23/
3329117

Appellant: Mr Jolyon Burgess The Arcade High Street Cookham Maidenhead SL6 9TA

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

Description: Change of use of the existing building from ancillary commercial use to office space
(Retrospective).

Location: **The Arcade High Street Cookham Maidenhead SL6 9TA**

Appeal Decision: Allowed **Decision Date:** 14 March 2024

Main Issue:

Planning Appeals Received

12 March 2024 - 8 April 2024

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.: 24/60034/ENF **Enforcement Ref.:** 23/50191/ENF **PIns Ref.:** APP/T0355/C/24/3339461
Date Received: 18 March 2024 **Comments Due:** 29 April 2024
Type: Enforcement Appeal **Appeal Type:** Written Representation
Description: Appeal against THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL: Without planning permission, the material change of use from a drinking establishment to a mixed use comprising drinking establishment and storage of vehicles.
Location: **The Crown 108 Wootton Way Maidenhead SL6 4PE**
Appellant: Sadiq, Zahid 14 Kaywood Close Slough SL3 7SR

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 24/60036/NONDET **Planning Ref.:** 21/03525/TPO **PIns Ref.:** APP/TPO/T0355/9062
Date Received: 21 March 2024 **Comments Due:** TBA
Type: Non-determination **Appeal Type:** Fast Track Appeal
Description: (T1) Leylandii - fell (T2) Maple - reduce by approx. 2m all round to previous reduction points and remove lowest branch over the lawn (T3 and T4) Poplar - fell (T5 and T7) Poplar - re-pollard to previous pollard points.
Location: **1 Endfield Place Maidenhead SL6 4NZ**
Appellant: Louie Guerin **c/o Agent:** Mr Robert Clements Clements Tree Care Ltd 230 Cookham Road Maidenhead SL6 7HL

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