

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

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

18 January 2017

Item: 4

Application No.:	16/03360/FULL
Location:	Colemans Solicitors 21 Marlow Road Maidenhead SL6 7AA
Proposal:	Extension of existing building by altering second floor and adding third and fourth floor and penthouse floor, change of use from offices to create 7 no 1 bed and 7 no 2 bed apartments with gym and management office at basement level with external alterations (amendments to planning permission 16/00909/FULL)
Applicant:	Mackenzie (Marlow Road) Ltd
Agent:	Mr Matt Taylor
Parish/Ward:	Maidenhead Unparished/Belmont Ward
If you have a question about this report, please contact: Alex Jelley on 01628 796046 or at alex.jelley@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposals represent a form of development that is consistent with the recent approval on the site for conversion to residential development. Though the mix of dwelling types has been altered, along with the number (from 12 to 14), it is considered that the resultant development will be in accordance with the NPPF, the Development Plan, and no material planning considerations indicate against approval.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application property is a three storey office building located on the east side of Marlow Road, some 65m north of the A4 roundabout, which adjoins Maidenhead Town Centre on one side (forming part of the inner ring road). The front elevation of the building has a conventional two storey height with the third storey having been contained within a mansard. Since the previous application was determined works have begun to remove elements of the property, and as such the mansard element is no longer in situ. There is no vehicular access from Marlow Road, which instead benefits from an attractive forecourt garden. Vehicular access is provided to the rear, via The Crescent, and benefits from 11 parking spaces and a small degree of landscaping.
- 3.2 To the north of the application site is a 4-storey residential development. To the south is Thames House an office development of substantial proportions that rises to a height roughly equivalent with the proposed development. Across Marlow Road to the east is an office building housing the Commonwealth Graves Commission, which is a substantial property, built in a modernist style. To the west are the rear gardens of The Crescent, which is an attractive residential street which benefits from a mixture of housing types, styles and sizes.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This application seeks to create 7 x 1 bed and 7 x 2 bed apartments with gym and management office in the basement level and external alterations. The external alterations would, among minor changes, include the extension of the existing building by altering the second floor and adding a

third, fourth and penthouse floor. It is, therefore, effectively an amended version of the previous planning application (16/00909/FULL), with an increased number of apartments.

Ref	Description	Decision and Date
06/01875/FULL	Extension of existing office by rebuilding existing second floor and addition of a third and part fourth floor.	Refused 04.10.2006. Appeal allowed 23.05.2007.
07/02320/FULL	Extension of existing office by rebuilding existing second floor and addition of a third and part fourth floor.	Refused 24.10.2007. Appeal allowed 11.08.2008.
10/02260/FULL	Renewable of permission 07/02320 for the extension of existing office by rebuilding existing second floor and addition of a third and part fourth floor.	Approved 03.11.2010.
13/01104/FULL	Extension of the existing office by rebuilding the second floor and adding a third floor and fourth floor, alterations to front and rear entrances to allow for disabled access, rear light well and alterations.	Approved 03.07.2013.
13/03121/NMA	Non-material amendment to planning permission 13/01104 to alter front and rear fenestration and install Juliet balconies.	Approved 15.11.2013.
15/01662/NMA	Non-material amendment to planning permission 13/01104 to increase the width of the new front entrance ramp resulting in the removal of the planter and addition of a gas meter enclosure.	Approved 29.06.2015.
15/01988/CLAS SO	Change of use from offices (B1) to 7 no. residential flats (C3).	Approved 17.08.2015.
15/02596/FULL	Extension of existing building by altering existing second floor and adding a third and fourth floor, change of use from offices to 10 x 2 bed and 1 x 1 bed flats with external alterations to building.	Approved 30.11.2015.
16/00909/FULL	Alterations to second floor, addition of third, fourth and penthouse floors, change of use from office to residential to form 10 x 2 bed, 1 x 1 bed and 1 x 3 bed flats with external alterations (Part retrospective).	Approved 17.06.2016.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 The main strategic planning considerations applying to the site and the associated policies are:

National Planning Policy framework Section 4, 6 7 and 11.

Royal Borough Local Plan and Maidenhead Town Centre Area Action Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking
DG1, H10, H11	P4, T5

Maidenhead Area Action Plan Policies – MTC1, MTC4, MTC12 AND MTC14.

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

5.3 Other strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Highways Design Guide - view at:
http://www.rbwm.gov.uk/graphics/Highway_Design_Guide.pdf

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The Principle of Development
- ii Design and Character
- iii Residential Amenity
- iv Highways
- v Other material planning considerations

The Principle of Development

6.2 The extant permission for extension and creation of 12 apartments, together with the previously approved change of use under Class O of the GDPO (16/00909 and 15/01988) effectively establish the principle of the change of use and extension of the property to a scale similar to that which is proposed here.

6.3 Furthermore, the property adjoins residential development to the north and west, and with no policies within the Development Plan restricting the loss of commercial space on this site, it is considered that the proposals are acceptable in principle.

Design and Character

6.4 The proposed massing, design and materials palate is considered to be in keeping with the prevailing character of the surrounding area. The proposal is very similar to the extant permission (16/00909) in terms of design – with only minor alterations to the massing and design at fourth and fifth floor. Specifically the resultant building would be slightly shorter (aside from the lift shaft), but the fifth floor would protrude a little further to the east, west and south. The impact at street level when viewed from the west side of Marlow Road would be marginal, and even less significant when viewed from the east side of the carriageway. The extant permission would enable a similarly proportioned and designed development. Thus, given the extant permission, the proposal on balance is not considered to be contrary to the requirements of the Development Plan with regard to matters of design and character.

Residential Amenity

6.5 By virtue of the positioning of the site in relation to the surrounding properties there would be no loss of residential amenity as a result of the proposed development. The shadow cast by the resultant building would extend to the north, but not in such a way as to impact upon the light enjoyed by the occupants of that apartments in that building.

6.6 Equally, the location of the proposed windows means that no loss of privacy would occur. Views out to the rear would look towards residential properties on The Terrace, but these would be at a distance that no unreasonable impact would be felt. The windows to the front would overlook Marlow Road. Any views to the north into the adjoining residential complex would be very acute – and would not impact on privacy in any way.

6.7 Though no amenity space is provided on the site for the residents of it, this is not considered to be an issue due to the sustainable location of the site, and particular due to the proximity of public open space to the east.

Highways

- 6.8 The proposals would incorporate 14 secure bicycle storage spaces to the front, accessed off Marlow Road. This is considered to be sufficient to accommodate the needs of the development. Furthermore, by locating them to the front of the site, this should ensure a level of active frontage that would otherwise be absent.
- 6.9 The total number of parking spaces to be provided has not been altered since the extant permission was considered – remaining at 12. However, the number of lettable apartments has increased to 14, which means that two apartments would not benefit from parking space. However, there has been a change to the make-up of the apartments, with less 2 and 3 bed flats proposed, and more 1 bed flats proposed. As such it is reasonable to assume that the parking requirements of the proposal would be equal to, or less than, that of the previous scheme. Given the location of the site adjacent to a main arterial route that benefits from bus routes, walkable connections to the town centre and train station and the bicycle storage facilities discussed above, it is considered that delivering just less than one parking space per unit is acceptable in this instance.
- 6.10 The Highway Team was consulted on the application and made the following comments regarding the level of parking:

“Parking is prohibited on Marlow Road and The Crescent is controlled by single and double yellow lines as well as time limited waiting restrictions.

With the extant consents, in each case it was proposed to provide and allocate car parking to the rear of the premises, at a ratio of 1 space per flat. This amended application proposes to retain the quantum of parking spaces as previously approved (i.e. a total of 12), which means not all of the new flats would have a vehicle parking space, if these are to be allocated.

As the site is within 800m walking distance of the main Maidenhead railway station (it is about 600m), it is stated in the Planning, Design & Access Statement dated October 2016 (which accompanied the planning application) that this level of parking is acceptable and in accordance with the Council’s Parking Standards.

No parking strategy has been submitted with the planning application explaining how these 12 car parking spaces would be allocated and managed in order to meet future demand and also to minimise any future parking disputes. Furthermore, it should be noted that if a residential parking scheme is introduced along The Crescent at some time in the future, the occupiers of these flats would not necessarily be entitled to any residential parking permits.

Against this background, it is considered that the 12 car parking spaces should be retained for communal use in association with the proposed development and not be allocated (that is; not sold or let separately) to any of the 14 individual flats.”

- 6.11 Subject to conditions 4 which relates to the communal nature of the parking spaces, and a construction management plan condition 3, the Highways Team have no objection to the proposals.

Other Material Considerations

- 6.12 The Lead Local Flood Authority (LLFA) was consulted on the application and sought additional information with regards to any infiltration techniques to be used for surface water management. The existing site is finished in a non-permeable surface, which covers the entirety of the rear plot – as such it is considered likely that the proposals would result in a net improvement with regards to surface water drainage, given that it will be resurfaced in permeable block pavements. The applicant has subsequently submitted a drainage strategy and the LLFA have confirmed that the proposals are acceptable.

Housing Land Supply

- 6.13 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.14 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application site is located with the Maidenhead Area Action Plan Area where there is a £0 charge rate.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

31 occupiers of adjoining properties were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 30/11/2016. No letters of support or of objection were received.

Statutory consultees

Consultee	Comment	Where in the report this is considered
RBWM Highways	No Objection subject to conditions relating to parking spaces and construction management plan.	6.9 – 6.12.
LLFA	Raised issue relating to infiltration techniques and surface water management. The applicant submitted further details and the LLPA confirmed no objection subject to development in accordance.	6.12.
Environmental Protection	No objection.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B - Plan and Elevation drawings
- Appendix C - Previous Approved Elevations

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by

the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

3. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
4. No part of the development shall be occupied until the vehicle parking spaces have been provided in accordance with the approved drawing. These spaces hereby approved shall be retained for communal parking in association with the development and shall not be allocated to any individual residential unit.
Reason: To reduce the likelihood of roadside parking which could be detrimental to the flow of traffic and highway safety, and also to minimise any future parking disputes. Relevant policies - Local Plan P4, DG1.
5. No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained thereafter 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, unless the Local Planning Authority gives its written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
6. No part of the development shall be occupied until secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
7. 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 attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
2. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
3. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.
4. 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.