

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

5 July 2017

Item: 6

Application No.:	17/01107/FULL
Location:	RBWM Boulters Lock Car Park Lower Cookham Road Maidenhead SL6 8JT
Proposal:	Construction of a new community centre for use by the Hindu Society of Maidenhead and the wider community, to include associated parking, bin storage and cycle store
Applicant:	Mr Malhotra
Agent:	Mrs Sujata Sharma
Parish/Ward:	Maidenhead Unparished/Maidenhead Riverside Ward

If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk

1. SUMMARY

- 1.1 The principle of the development is acceptable and supported by adopted local and national planning policies. The application site is located in Flood Zone 3 but is considered to pass the Sequential Test subject to further information being submitted by the applicant. It is not required to pass the Exception Test. The development will be suitably flood resilient and resistant and will not increase the flood risk elsewhere. Parking provision is sufficient and the development will not harm the character and appearance of the area, nor the living conditions of nearby residents. With appropriate conditions the proposal has an acceptable impact in respect to trees, archaeology and ecological matters.

It is recommended the Panel Defers and Delegates to the Head of Planning that planning permission be granted subject to the additional ecological surveys, referred to in paragraph 6.35, together with acceptable mitigation strategies where required, in addition to the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor. A. Smith, in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is a roughly square, 0.1 hectare, vacant piece of land located to the west of Lower Cookham Road, Maidenhead. It is a largely overgrown, undeveloped area with a number of boundary trees.
- 3.2 The site is accessed via the Boulters Lock public car park to the south and is surrounded by residential properties on the remaining three boundaries. Located to the west are individually designed detached properties fronting Boulters Lane, with 'Elmwood' sharing its rear (east) boundary with the site. The rear gardens of properties located on Lock Avenue are to the north and a row of four terraced properties are to the east within Horsham Reach.
- 3.3 The application site is within the built-up area of Maidenhead, approximately 80m outside of the Maidenhead Riverside Conservation Area. It is also within an area where there is a high probability of flooding, Flood Zone 3.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission to construct a new community centre for use by the Hindu Society of Maidenhead and the wider community, with associated parking, bin storage and cycle store.

- 4.2 The building would be roughly T-shaped and positioned towards the west side of the site. It would include a main hall (108sq.m), small kitchen, office and toilets. Entrance into the building would be from the east side. The hall would be provided with 10 parking spaces: 6 spaces along the south boundary adjacent to the existing public car park and four towards the east boundary. A cycle store and bin store would be provided within the site, with the remaining areas landscaped.
- 4.3 The proposed building is 16.8m wide (at its widest point) and 20m long, and will be raised on piers above the ground so that at its highest point, (the top of the main hall), it will be 6.6m above ground level.
- 4.4 At its closest point, the building will be 27m from properties in Horsham Reach, 21m from properties in Lock Avenue and 29m from the rear elevation of 'Elmwood' in Boulters Avenue.
- 4.5 The Hindu Society of Maidenhead (HSM) was formed over 25 years ago as a social, cultural and religious organisation for Hindus living in and around Maidenhead. Meetings of the society are currently held once a month at Tippetts Hall at St Pirans School, Maidenhead. The information submitted with the application advises that the proposed building will be used by members of the HSM and shared with other community groups and organisations. The centre will be used for a number of different purposes and activities, but on a day to day basis it is anticipated that its use will be low key and very much like a church hall. The applicants suggest the use of the building would be between 0900- 1400 and 1700-2000hrs, with daily attendance to be of the order of 20-25 persons per day (but not necessarily at the same time).
- 4.6 The centre will be used for religious purposes, but in the Hindu religion there is no specific time for worship or communal prayer, rather it is an event for the individual. In addition, members will congregate twice a year to celebrate Shivratri (in mid-March) and Diwali (in late October). However, the size of the hall is too small for an Indian Wedding, which traditionally requires large venues for high numbers of guests.
- 4.7 The Hindu faith will not allow any meat or alcohol to be permitted on to the site. The kitchen facility proposed will be for reheating pre-cooked food, prepared by members off site to enable the sharing of food, which is a strong part of the Hindu culture that the society wishes to continue
- 4.8 The Council is aware that the HSM has been actively looking for a permanent site in Maidenhead for a number of years. In 2013, the society submitted an application for a Hindu temple and community centre at the former Agnes Haywood Nursery School site at 29 Lincoln Road Maidenhead (reference 13/02101). The application was considered by the Planning Panel but refused due to insufficient parking.
- 4.9 In terms of the current site, a previous and similar application was submitted under reference 16/03176, but was withdrawn. There is no other planning history relating to the site relevant to the consideration of this proposal.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections: 7 (Requiring good design), 8 (Promoting healthy communities), 10 (Meeting the challenge of climate change, flooding and coastal change, and 11 (Conserving and enhancing the natural environment).

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Flooding	Trees
DG1, CF2.	P4, T5.	F1	N6

These policies can be found at

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

Borough Local Plan 2013 – 2033, Submission Version (Regulation 19)

Relevant policies: SP1, SP2, SP3, NR2, EP3, EP4 and IF2 and IF7. Given the status of the BLP these policies can only be given limited weight. This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

More information on this document can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of development;
- ii Flooding;
- iii Parking provision;
- iv The impact of the proposal on the character and appearance of the area;
- v The impact on the living conditions of nearby residents;
- vi The impact on trees;
- vii Archaeology;
- viii Ecological matters;

The principle of development

6.2 The application site is located within the built-up area of Maidenhead wherein the principle of development is acceptable. In addition, paragraph 69 of the NPPF supports the provision of cultural facilities and services to meet local needs. Local Plan Policy CF2 also supports the provision of new community facilities provided there is adequate access and parking together with adequate access and facilities for people with disabilities.

- 6.3 While the principle of development is acceptable, the proposal is required to be considered against other relevant development plan policies.

Flooding

- 6.4 The site is located within an area where there is a high probability of flooding, Flood Zone 3. In such areas, paragraph 101 of the NPPF requires the 'Sequential Test' to be passed. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding, and development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- 6.5 In terms of providing evidence that there are no other "reasonably available sites appropriate for the proposed development" in a lower flood zone, applicants, (where they are required to pass the Sequential Test), often refer to the Council's Strategic Housing Land Availability Assessment (SHLAA), which lists potential alternative sites that may be available and appropriate. However, while the sites may be available to the landowner / promoter, they may not be available to an alternative developer for a number of reasons and/or they may not be appropriate for the proposed development. The main difficulty for applicants for new community type developments face is that they often can not afford the prices being asked for the land, especially when the land has a residential value, such as the sites being promoted in the SHLAA.
- 6.6 The Planning Authority is aware that the HSM has been looking for a suitable site within Maidenhead for a number of years and the difficulties of finding such a site. However, no details of site search exercises have been submitted with the application to demonstrate that there are no alternative sites in Maidenhead with a lower probability of flooding, as required to pass the Sequential Test. The applicants have therefore been requested to submit this information and details of this will be presented in an update to the Panel.
- 6.7 The proposal is not required to pass the 'Exception Test', because the proposed development is classed as being 'less vulnerable', (as set out in Table 2: Flood risk vulnerability classification and Table 3: Flood risk vulnerability and flood zone 'compatibility' in National Planning Policy Guidance: Flood Risk and Coastal Change, revision 06.03.14.).
- 6.8 Paragraph 103 of the NPPF advises that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, it can be demonstrated that the development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, and it gives priority to the use of sustainable drainage systems.
- 6.9 The submitted Flood Risk Assessment (FRA) indicates that levels at the site range from 24.00m AOD in the west and south and 24.50m AOD along the eastern boundary. The site is located 90m to the west of the River Thames and the derived 1 in 100 (1.0%) annual probability plus allowance for climate change flood level is 24.94m AOD. Accordingly, the finished floor level of the proposed development will be set at 25.24m AOD, which provides a 300mm freeboard above the derived 1 in 100 (1.0%) annual probability plus allowance for climate change. This will be above the 'higher central' allowance flood level of 25.14m AOD and will ensure that the building is suitably flood resilient and resistant.
- 6.10 The design of the community centre incorporates a suspended floor set on columns with a void space below the building. This will ensure that it does not detrimentally impact flow routes or reduce the available floodplain storage over the site, either of which could potentially cause an increase in flood levels on-site or elsewhere, in the event of a flood. The design of the building on columns minimizes the loss of flood storage for all flood events to the volume occupied by the columns. As it is not possible to provide level-for-level compensation for the lost storage volume (displaced by the columns) as the whole site is within the extreme event floodplain, it is proposed to lower the existing ground level below the building at the base of the freely floodable void to the level of the lowest ground within the footprint to provide an overall net increase in floodplain storage across the site. This scheme will increase flood storage across the site by 28m³.

- 6.11 In general, this planning authority does not permit the use of piers / columns to create voids underneath a building as a way of mitigating loss of flood storage and impedance of flood water. This is because it is extremely difficult for the authority to ensure that all voids underneath buildings are kept clear, i.e. it is unenforceable. However, although the running of the site will be managed by the applicant, as it is a community building that adjoins one of the Councils public car parks, monitoring of the voids should be straight forward. Subject to an acceptable management plan, to include the maintenance of the voids, and as with other community centres, (such as the approved Islamic Centre in Holmanleaze), it is considered that an exception can be made in this case to allow the use of piers as a means of mitigation, thus ensuring the development will not increase the flood risk elsewhere.
- 6.12 As part of the mitigation measures of any new development, it is necessary to consider and incorporate safe access arrangements to ensure the users of the development are safe in times of flooding and can achieve access/egress to/from the wider area safely. The site is located within an Environment Agency(EA) Flood Warning Area for the River Thames at Maidenhead, Bray, Dorney, Windsor and Eton, and it is proposed that the users of the facility subscribe to the EA Flood Warning service as part of a Flood Risk Management Plan prepared for the proposed development. In the event of a predicted flood, events can be cancelled and the proposed community centre can be vacated and secured.
- 6.13 The NPPF recognises that flood risk and other environmental damage can be managed by minimising changes in the volume and rate of surface runoff from development sites. It recommends that priority is given to the use of Sustainable Drainage Systems (SuDS) in new development, this being complementary to the control of development within the floodplain. RBWM is the Lead Local Flood Authority on surface water drainage for planning applications and require a surface water drainage strategy for all 'Major' applications. As the proposal is classified as 'Minor' development in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015, a surface water drainage strategy is not required. However, the applicant has advised that a surface water drainage strategy utilising infiltration will be incorporated into the design following confirmation of the ground conditions at the detailed design stage.
- 6.14 To minimise residual risks to users, such as climate change and other uncertainties, floor levels of proposed building will be set a minimum of 300mm above the derived 1 in 100 (1.0%) annual probability plus allowance for climate change flood level, in accordance with EA and RBWM requirements. The FRA advises that sensitivity testing against estimates of the new EA climate change guidance confirms that floor levels are still above the climate change flood levels for the range under consideration. A Flood Risk Management Plan will be prepared post-planning to outline the procedures for before, during and after a predicted flood event. The community centre can be secured and vacated on receipt of a Flood Warning. Accordingly any residual risk can be satisfactorily managed for the lifetime of the development.
- 6.15 The EA has no objections to the proposal subject to conditions in respect to site storage capacity and the finished floor level (conditions 4 and 5 respectively). Subject to the submission and approval of a Flood Risk Management Plan (covered by condition 6), the proposal complies with Policy F1 of the Local Plan and section 10 of the NPPF.

Parking provision

- 6.16 The site is accessed via Boulters Lock Car Park, which provides approximately 87 spaces. The proposed development will have a mixed D1 (place of worship) and D2 (community centre) use.
- 6.17 Based on the Borough's current Parking Strategy, a D2 use of the building generates a demand for 9 spaces, (based on a parking standard set at 1 space per 30m², the total floor area of the building being 260sq.m). A D1 use would attract a demand for 11 spaces, (1 space per 10m² open hall). The assessment excludes the store, dining area, foyer and office. The scheme provides 10 spaces, 1 space short of the Borough's maximum standard.

- 6.18 A Ministerial Statement published in March 2015 to supplement paragraph 39 of the NPPF advises: *“Local Planning Authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network.”*
- 6.19 Although the development’s parking provision is 1 space short of the Borough’s maximum standard, the Highway Authority has advised that it would be difficult to sustain a refusal at an appeal on a shortfall of 1 space.
- 6.20 A number of objectors have raised concerns about the potential impact of the development leading to parking on roads surrounding the site, citing existing problems during the Spring and Summer months when the public car park is often full. However, it is important to acknowledge that the proposal is only one space short of the adopted maximum parking standard where it is for a place of worship only. Not only is the building predominantly a community centre, where it would comply with the Council’s maximum parking standard, but its users are equally entitled to park in the adjacent car park as with other members of the public. The parking problems in the Spring and Summer months already exist and a lack of one space with the development would not have a material impact on this to justify refusal of permission. The applicant has made clear that although the centre will be used for religious purposes, the Hindu religion does not involve congregations for worship or communal prayer. Although members will congregate twice a year to celebrate Shivratri and Diwali, these occur around mid-March and late October respectively, when the public car park is less full.
- 6.21 The Highway Authority has no objections to the proposal subject to conditions relating to parking as per the approved plan, submission of details of the cycle store, and refuse storage as per approved plan (see conditions 7, 8 and 9).

The impact of the proposal on the character and appearance of the area

- 6.22 The area is characterised by predominantly residential properties but these vary considerably in scale and design. Essentially, the proposed community centre, although raised above the ground will be lower than the neighbouring dwellings it will sit behind and as such will not appear dominant in the area. Indeed the building will be largely unseen from the surrounding roads.
- 6.23 Being a community facility the proposed building is not expected to be designed as a dwelling, but is required to be of a high standard of design and use high quality materials. Key characteristics of the area should also be maintained. In this case, the building has been designed to ensure that it is fit for purpose, while keeping its scale and bulk to a minimum. Due to the building being raised above the ground, the materials proposed are to be light both in terms of weight and appearance, and this can be controlled by way of a planning condition (condition 2). The building would sit comfortably in the plot, being a minimum of 4m off the side boundary, with grassed areas and landscaping contributing to a more spacious feel to the development. Overall, it is not considered that the proposal will harm the character and appearance of the area.

The impact on the living conditions of nearby residents

- 6.24 At its closest point, the building will be 27m from properties in Horsham Reach, 21m from properties in Lock Avenue and 29m from the rear elevation of ‘Elmwood’ in Boulters Avenue. Given these separation distances and the height of the building (which ranges from 4.5m to 6.6m), the community centre will not have an overbearing impact when viewed from these neighbouring properties. In addition, no loss of sunlight or daylight will occur as a result of the proposed development.
- 6.25 In terms of potential overlooking and loss of privacy issues, the only aspect from the main hall will be facing the public car park. On the west side, it is proposed that there will be one side window and door to the kitchen and a high level window to the toilets. The high level window will not cause any loss of privacy and the other window and kitchen door would be over 30m from

the rear of 'Elmwood' behind a row of existing and proposed trees. Another high level window is proposed on the north elevation, together with doors to a plant room; these will not result in any loss of privacy to properties along Lock Avenue. The dwellings in Horsham Reach have comparatively short rear gardens at approximately 12m. In terms of numbers 6 and 7 Horsham Reach these will face towards the east elevation of the main hall of the community centre, where no openings are proposed. With regard to numbers 8 and 9 Horsham Reach these will face towards the entrance to the building and the office window, approximately 18m from the shared boundary. In addition, further tree planting is proposed along this east boundary and within the grassed area to the front of the entrance. Overall, it is not considered that the proposal will cause loss of privacy to any of the neighbouring properties.

- 6.26 The Environmental Protection Officer has been consulted in respect to potential noise disturbance and odours from the kitchen. No objections have been raised subject to the imposition of planning conditions in respect of noise emission controls, noise containment and details of ventilation and filtration systems to be installed in the cooking area, (as set out in conditions 10, 11 and 12).

The impact on trees

- 6.27 The application involves the removal of five trees from the boundaries of the site, comprising three groups of trees (mainly Cypress, Elms and Sycamores) and two individual trees (an Oak and a Sycamore). All of these trees have been assessed as either being of a low quality or young and do not positively contribute to the visual amenity of the area. The removal of these trees is therefore considered acceptable.
- 6.28 A Robina located in the north-west corner of the site is of a moderate quality and will be retained. Additional tree and hedge planting is proposed along the boundaries and within and around the development. Subject to conditions in relation to tree protection and landscaping, the proposal is considered acceptable in terms of its impact on trees, (covered by conditions 13 and 14).

Archaeology

- 6.29 Although this is a small scale proposal, there are archaeological implications as evidenced by Berkshire Archaeology's Historic Environment Record (HER). When the immediately adjacent Horsham Reach development was constructed in 2002, archaeological monitoring identified a prehistoric feature within the site. Pottery and struck flint suggested the feature dated to the Neolithic or Bronze Age periods (3,500 – 1,000 BC). This prehistoric feature was recorded in the west of the site, close to the application site.
- 6.30 The Middle Thames Valley is rich in evidence for prehistoric settlement, burial and agriculture. To the north and south of Maidenhead, archaeological excavations have demonstrated the richness of buried prehistoric remains on the gravel terraces of the River Thames, a location that was favoured for settlement throughout prehistory and into the Roman period. For example excavations in 2010 at White Place Farm, Cookham, revealed a possible Early Bronze Age (2,000 – 1,700 BC) inhumation burial and later Iron Age (600 – 100 BC) and Roman settlement remains. Excavations at Weir Bank Stud Farm, Bray, recorded a Middle Bronze Age (1,500 – 1,000 BC) settlement, while recent excavations at Bray Triangle recorded Neolithic and Bronze Age features, alongside rare evidence for Mesolithic (8,000 – 5,000 BC) antler working. There is no reason why the gravel terraces of the built up area of Maidenhead should not also conceal similar important prehistoric remains.
- 6.31 This site at Boulters Lock Car Park therefore has archaeological potential. In view of the potential impacts of the development proposal on below ground deposits, a programme of archaeological work is merited should the application be permitted. This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities should *'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'*.

- 6.32 Should the Panel be minded to approve the application, it is recommended that a condition (No 15) requiring a programme of archaeological works in accordance with a written scheme of investigation be submitted to and approved by the local planning authority prior to commencement of development.

Ecological matters

- 6.33 An ecological walk-over survey was undertaken at the application site, with particular attention paid to the presence of badgers, bats and amphibians and reptiles. The submitted ecological report sets out the survey's findings.
- 6.34 No evidence of badger activity was recorded on the site. There are no buildings or mature trees present that could provide roosting opportunities for bats. However the Council's ecologist has advised that the site provides good foraging and commuting habitat for bats and that it currently experiences low levels of lighting. Light spill from the proposed development has the potential to disturb roosting, commuting and foraging bats as well as other mammals and invertebrates. It is therefore recommended that a sensitive lighting strategy be implemented across the development to minimise the negative impacts of lighting, and this is covered by condition 17.
- 6.35 There are no ponds on the site itself. The site search revealed no species of amphibians or reptiles. However, the Council's ecologist has advised that there appears to be at least four potential habitats within 250m of the application site that have the potential to support Great Crested Newts. In addition, the Council's ecologist has advised that having undertaken a site visit the grassland and scrub mosaic is of a structure to support reptiles. As these are protected species further surveys are required to be undertaken and where necessary, a mitigation strategy submitted and approved, prior to determination of the application. If required, the mitigation strategy is covered by condition 18.
- 6.36 The trees and scrub have the potential to support breeding birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1982 as amended. The applicant's ecologist has provided information with regards to the timing of vegetation removal and protective measures with regards to breeding birds.
- 6.37 Paragraph 109 of the NPPF states that: *"The planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."* The applicant has suggested a number of ecological enhancements at the site including planting native species or species with a known value to wildlife and installing a number of bird and bat boxes on the new building and/or retained trees. Planning condition 19 is recommended in section 10 of this report to secure this.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

90 occupiers were notified directly of the application.

The planning officer posted 3 notices advertising the application at the site on 2nd May 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 27th April 2017.

29 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	This is good for future generations.	6.2
2.	This facility will enhance the lives of local citizens.	6.2
3.	This will bring together a diverse group of people.	6.2

4.	The Hindu population has contributed a great deal in all aspects to the wider community in Maidenhead. It is important that we have a place to congregate and build upon our community work through this centre.	Noted
5.	It will promote a better understanding of the Hindu culture by celebrating popular festivals and by inviting the local communities in Maidenhead to participate at such festivals.	6.2
6.	Over the last 50 years the Hindu population has made a positive impact to Maidenhead.	Noted
7.	Maidenhead is a multicultural tolerant place where all are accepted. The community centre would seek to echo these values. It would be a place where anyone is welcome to join which primarily seeks to enhance community relations.	6.2
8.	Many users of the centre would live locally and walk to the centre or use public transport.	Noted
9.	The needs of the Muslim and Sikh communities have been met, but the Hindu society is homeless in RBWM.	Noted
10.	For many years, the Hindu community in Maidenhead has had to travel to Slough and Southall for their meetings, while the needs of other communities have been met locally.	Noted
11.	The community centre will enhance the area.	6.2
12.	Maidenhead appears to be one of the last celebrated towns where ethnic minorities are still struggling to obtain planning permission for a place of their own where they can meet their own community on special occasions. Our MP, Theresa May, has been an honoured guest on several occasions as well as councillors and the Mayor.	Noted
13.	The Hindu's of this town are law abiding citizens who know how to respect the local rules and regulations. We are fully aware to celebrate our culture but at the same time respect the culture of this magnificent country. The Council will never have any complaints about noise and parking.	Noted
14.	Hindu's have a very strong ethos on education and as a community hub will share this ethos.	Noted
15.	The application will not have an impact on parking as there is public parking available.	6.20
16.	This new centre will have many benefits to the local community: Bringing together residents and ethnic minorities to develop inspiring projects for the benefit of all; Encouraging residents in the development of services and activities that encourage unity; working with residents to improve social and economic interaction; supporting local residents in their endeavour for advancement and encouraging volunteering to support local causes.	6.2

1 petition with 1,325 signatures has been received objecting to the proposal.

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

Comment		Where in the report this is considered
1.	The building is out of character with the other properties in the area which are residential. This is inappropriate development and completely out of keeping.	6.22, 6.23
2.	Parking is always an issue in Boulters Lock car park and the additional 10 spaces are completely inadequate. On weekends it is often difficult to get a space and the additional use will cause parking problems on neighbouring roads.	6.16 – 6.21
3.	This is not the right place for a community centre. There is a very poor bus service to Boulters Lock. This would be much better in the town centre in accordance with parking policies.	Noted

4.	The area where the site is located has limited parking. Customers to Boulters Restaurant and Bar use the public car park as well as visitors to the bridge and island.	6.16 – 6.21
5.	The community centre at its capacity will use the Council car park and at busy times there will be a lack of parking to the riverside.	6.16 – 6.21
6.	If the community centre goes ahead it will affect Boulters Restaurant's business.	Noted
7.	The development will lead to noise and smells.	6.26
8.	Good access to the riverside must be maintained and improved for residents and visitors.	6.16 – 6.21
9.	Some surrounding roads are now only resident-only parking zones.	Noted
10.	The parking survey did not take into account weekends and special events. It was only undertaken on weekdays and not weekends and therefore does not fully reflect the usage of the car park.	6.20
11.	The proposed designated parking is ridiculously insufficient.	6.16 – 6.21
12.	The site is in the flood plain. The development would have an additional impact on the flood plain.	6.4 – 6.15
13.	The proposal goes against the Council's stated policy that community centres should be located in the town centre near to public transport, easily accessible by all.	6.2
14.	There is a huge parking problem in this area.	6.16 – 6.21
15.	Too high density for this residential area and will generate too much noise and disturbance in this quiet residential area.	6.26
16.	Inappropriate use of the land as it is the only land available to the Council to expand the car park.	Noted
17.	Boulters Lock is a major tourist attraction and the car park is heavily used in the summer months.	6.16 – 6.21
18.	This will add further traffic in the area increasing the risk. Will increase congestion in the area and become a real hazard to emergency services. The increase in cars will have a negative impact on cyclists and families with children.	6.16 – 6.21
19.	Will have widespread implications on local residents.	6.24 – 6.26
20.	Will lead to noise pollution. Congregation of large groups of people will inevitably cause noise problems.	6.26
21.	Removal of rubbish is going to be difficult.	Noted
22.	This is positive discrimination against the residents in this area.	Noted
23.	The application states that twice a year there are cultural events such as Diwali and Shivrati. Diwali represents a significant fire risk with bonfires and fireworks.	Noted
24.	Maidenhead Civic Society: Object in principle to the development. The value of the site for development is driven by the willingness of RBWM to grant a right of way over the car park to allow access to the site. Such a site would never normally be considered for development. This location is unsuitable as it is 1.5 miles from the town centre, on an irregular bus route, within 50m of a Conservation Area. Unneighbourly impact on local residents and would be detrimental to the visual amenity of Maidenhead Riverside. It is inconceivable that the Borough can not identify a more central site for the Hindu Society. There is a new foot bridge linking Ray Mill Island with Taplow Riverside, where there is to be a public picnic and leisure area. There is no parking on the Taplow side. The right use for the site is for additional parking. Also security should be improved to reduce the risk of anti-social behaviour and provide Riverside with visitor amenities, such as public toilets.	6.2 – 6.37
25.	This community centre could be co-located with the proposed development to replace the Magnet Leisure Centre, in keeping with the community spirit.	Noted

26.	The case for building a community centre or a place of worship has not been made.	6.2
27.	The choice for the location has not been substantiated. No analysis for alternative locations has been made.	6.5 – 6.6
28.	RBWM has not taken into account future development in the area such as the new bridge over the river.	Noted
29.	The building is contrary to Building Regulations.	Not relevant to this application.
30.	The entrance to the site is very restricted to emergency vehicles due to the entrance barriers.	Noted
31.	Taxi's and minibuses that emit high emissions will be used and have a negative impact on the quality of life of the residents.	Noted
32.	This development should not be allowed in the Green Belt.	This is not in the Green Belt
33.	Totally out of keeping with the demographic of the Boulters Lock Area. Residents in Boulters Lock are being forced to have a building used by a society that is not representative of the area. The intended use is not for local residents – the local community is not predominantly Hindu.	The intended use is for residents of Maidenhead.
34.	Lack of transparency with the proposed use in the planning application.	Noted
35.	The Council will eventually approve the building as they would be scared not to.	Noted
36.	Will cause loss of light to neighbouring properties.	6.24
37.	Disturbance from music, singing, bonfire/firework displays (also a health and safety hazard).	6.26
38.	The reliability of the information supplied by the Hindu Society is in question. They state that the on a day-to-day basis the use will be low key. However, in 2016 it was reported at the Society's meeting that it had held 12 functions in the previous year and attendance at each one was between 60 and 150 people. This casts doubt on the reliability of statements made in their application.	Noted
39.	It should be designated as a place of worship, which requires more parking to be provided.	6.16 – 6.21
40.	A number of properties will be overlooked resulting in significant loss of privacy.	6.25
41.	The Hindu Society has the temerity to suggest that local residents stay indoors during the celebration of Hindu festivals. Is it right, legal or appropriate to ask residents to alter their plans or lifestyles during Hindu festivals?	Nothing in the submissions states this.
42.	This will harm tourism to Maidenhead. It is foolish to spoil the one real draw to Maidenhead.	Noted
43.	How can the Hindu Society say this is the only site cheap enough for them to afford and why did the Council refuse a very much higher offer from the residents.	Noted
44.	Further tarmac would increase the storm water capacity needed in the local system.	6.13
45.	Does not comply with Policy F1 of the Local Plan.	6.4 – 6.15
46.	Too many visitors to the centre will take up public spaces.	6.16 – 6.21
47.	Fails the Sequential Test. A means of escape must also be provided. It also fails the Exception Test.	6.6, 6.7
48.	Detrimental to the Maidenhead Riverside Conservation Area.	The site is outside of the CA
49.	A community centre will damage the rare wildlife that lives in this area	6.33 – 6.37
50.	Economics are not a consideration recognised by the Sequential Test.	They are in as far as they make sites available.

51.	The submitted ecology survey is inadequate.	The survey is sufficient given the nature (vacant & surrounded by development) and small size of the site
52.	If allowed, the development will be in breach of local residents human rights.	Disagree
53.	Letters of support are from people from Norden Farm, Furze Platt and Windsor Road, Bray i.e. not local.	From people who live in Maidenhead
54.	There are so many empty units around Maidenhead within Industrial estates where a community centre could go.	Noted
55.	There are discrepancies between the application and the Hindu Society's own website.	Noted
56.	If allowed this will cause divisions between the Hindu community and local residents.	Noted
57.	Important documents have been omitted from the application, including a community centre needs analysis, an acoustic report and a heritage statement.	None of these documents are required
58.	Does not comply with many policies in the emerging Borough Local Plan.	5.2
59.	The application should not have been validated as it does not provide the relevant level of information.	Disagree
60.	Critical information has not been provided on the website until an advanced stage in the consultation period, therefore the public has not been provided with all the information to comment on.	Noted
61.	The proposal would result in the permanent loss of open space.	Noted

Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No objections subject to conditions in respect of site storage capacity and finished floor levels.	6.15
Environmental Protection	No objections subject to the imposition of planning conditions in respect of noise emission controls, noise containment and details of ventilation and filtration systems to be installed in the cooking area, (as set out in conditions 10, 11 and 12).	6.26
Highway Authority	The Highway Authority has no objections to the proposal subject to conditions relating to parking as per the approved plan, submission of details of the cycle store, and refuse storage as per approved plan.	6.16 – 6.21
Archaeology	No objection subject to a condition requiring a programme of archaeological works in accordance with a written scheme of investigation be submitted to and approved by the local planning authority prior to commencement of development.	6.29 – 6.32
RBWM Ecologist	Additional surveys required in respect of Great Crested Newts and reptiles, together with acceptable mitigation strategies where appropriate – prior to determination. Recommends conditions in respect of external lighting strategy (to minimise impact on bats and other mammals)	6.33 – 6.37

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Elevations (south and west)
- Appendix C – Elevations (north and east) and layout)

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1.
- 3 No development shall take place until samples of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 4 The compensatory flood plain storage shall be implemented in accordance with paragraph 6.2.4 of the submitted Flood Risk Assessment (FRA) ref: Hindu Community Centre, Maidenhead/ Project ref: 34951/4001/Rev:B (March 2017, PBA) and FRA- drawing 34951/4001/002Rev A (Appendix D).
Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. Relevant Policy - Local Plan F1.
- 5 The finished floor levels of the development shall be set no lower than 25.24 metres above Ordnance Datum as per paragraph 6.1.3 of the submitted Flood Risk Assessment (FRA) ref: Hindu Community Centre, Maidenhead/ Project ref: 34951/4001/Rev:B (March 2017, PBA) and FRA- drawing 2255/01.
Reason: To reduce the risk of flooding to the proposed development and future occupants.. Relevant Policy - Local Plan F1.
- 6 Prior to occupation, a Flood Risk Management Plan, which shall include a programme of maintenance of the undercroft voids, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the management plan shall be implemented as approved.
Reason: To reduce the risk of flooding. Relevant Policy - Local Plan F1.
- 7 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking 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. Relevant Policies - Local Plan P4, DG1.
- 8 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 T5, DG1.

- 9 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1
- 10 The rating level (in accordance with BS4142:2014) from all plant and equipment (collectively) associated with the development shall be lower than the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15minute period).
Reason:To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.
- 11 No development shall take place until details of measures to provide acoustic insulation for the containment of internally generated noise, (and associated ventilation measures) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried out and completed before the use commences and shall be maintained in good working order at all times.
Reason:To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.
- 12 No development shall take place until details of ventilation and filtration equipment to be installed in the cooking area have been submitted to and approved in writing by the Local Planning Authority. Such equipment shall be installed and retained as approved and shall be maintained in good working order at all times.
Reason: To protect the amenities of the area. Relevant Policy Local Plan NAP3.
- 13 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 14 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 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 prior 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.
- 15 No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has first been submitted by the applicant and approved by the Local Planning Authority.
Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric settlement and land use of this part of the Thames Valley. The potential impacts can be mitigated by a programme of archaeological work so as to record and advance understanding

of the significance of any heritage assets in accordance with paragraph 141 of the NPPFI and Local Plan policy ARCH4.

- 16 The building hereby permitted shall only be used during the following times: 0830 to 2300 hours Mondays to Saturdays; and 1000 to 2100 hours on Sundays, Bank Holidays and other public holidays.
Reason:To protect the amenities of adjoining occupiers. Relevant Policies - Local Plan NAP3.
- 17 Prior to commencement a sensitive external lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy is required to include details of the type of lighting to be used with lux levels, timing and direction of lighting. The strategy shall be implemented and maintained as approved.
Reason:To minimise the negative impacts of lighting on wildlife and in the interest of the visual amenities of the area. Relevant Policies - Local Plan DG1 and NAP3.
- 18 Prior to occupation of the development, the Great Crested Newt and Reptile mitigation measures, as set out in the submitted Mitigation Strategy, shall be implemented as approved. The measures shall thereafter be maintained and retained.
Reason: To mitigate the impact on local wildlife.
- 19 Prior to occupation, the biodiversity enhancement measures proposed in the submitted AA Environmental Limited letter, dated 5th September 2016, shall be undertaken in full. The measures shall be retained and maintained thereafter.
Reason: To enhance biodiversity in accordance with paragraph 118 of the NPPF.

Informatives

- 1 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities.
- 2 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
- 3 The applicant should be aware the permitted hours of construction working in the Authority are as follows:Monday-Friday 08.00-18.00, Saturday 08.00-13.00. No working on Sundays or Bank Holidays.