

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

22 November 2017

Item: 1

<b>Application No.:</b>	17/02409/FULL
<b>Location:</b>	Queensgate House 14 - 18 Cookham Road Maidenhead
<b>Proposal:</b>	Change of use from B1 (Offices) to C3 (Residential) at No.18 Queensgate House to provide a single townhouse and a new mansard roof forming part of the townhouse, 1 x 1 bed flat and 1 x 2 bed flat at No.14-18 Queensgate House.
<b>Applicant:</b>	Mr Spencer
<b>Agent:</b>	Miss Natasha Gandhi
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward

**If you have a question about this report, please contact:** Alys Hughes on 01628 796040 or at [alys.hughes@rbwm.gov.uk](mailto:alys.hughes@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The loss of office floor space is not considered to unduly reduce the quantity and quality of office space within the Borough. The provision of additional residential units is considered to meet the key objective of Maidenhead Area Action Plan policy MTC12 and Local Plan policy H6, which encourages the provision of additional residential accommodation within towns, and would outweigh any harm as a result of the loss of office floorspace.
- 1.2 The proposed mansard roof is considered sufficiently proportionate and harmonious with the existing building and is not considered to detract from its original character and street scene. It is considered that the site is capable of accommodating the additional dwellings, and the density level of the residential accommodation is compatible with other densities in the locality.
- 1.3 The change of use is considered acceptable in terms of impact on highway safety and a sufficient amount of parking would be provided to the rear.

**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 site is located within Maidenhead and comprises of a three storey with basement Georgian style terraced building on the eastern side of Cookham Road. No.14 and 16 consist of flats and no.18 is office suites. Parking is provided to the rear of the site and is accessed off Kennet Road to the north. Amenity space is also provided to the rear.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for the change of use from B1 (offices) to C3 (residential) at No.18 Queensgate House to provide a single townhouse and a new mansard roof forming part of the townhouse, 1 x 1 bed flat and 1 x 2 bed flat at No.14-18 Queensgate House.
- 4.2 Planning permission was granted in 2016 for the change of use from B1 to C3 and addition of mansard roof to provide 3 x 1 bed and 3 x 2 bed flats. The current application differs from this existing extant permission as follows:

- Reduction in the number of units proposed,
- Alterations to fenestration,
- Reduction in size of mansard roof to provide roof terrace,
- Positioning of windows in mansard roof and
- Parking provision.

Ref.	Description	Decision and Date
16/00765/FULL	Change of use from B1 (Offices) to C3 (Residential), addition of mansard roof to provide 3 x 1 bed and 3 x 2 bed flats	Approved. 15.06.16
08/02712/FULL	Change of use of garden floor to complimentary medical services	Approved. 23.12.2008
06/01198/FULL	Four storey rear extension to rear of no.18 to form additional B1, mansard roof across no.14-18 comprising of B1 and 2 x 1-bed flats and 2 x 2-bed flats.	Refused. 07.07.2006 Appeal Dismissed. 06.02.2007
05/02542/FULL	Change of use of basement, ground, first and second floor from B1 to 4x2-bed flats.	Approved. 27.03.2006
05/00978/COU	Change of use and conversion from offices B1 to 6 x 1-bed flats and 2 x 2-bed flats with associated parking.	Approved. 10.06.2005

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Sections 6 and 7

#### 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	Trees	Maidenhead Area Action Plan (MAAP)
DG1, H6, H8, H10, H11	P4, T5	N6	MTP 4, MTC10, MTC12

These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

#### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In

this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

## **Other Local Strategies or Publications**

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](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 Principle of Development;
- ii Character and Appearance;
- iii Impact on surrounding amenity areas;
- iv Highway Safety and Parking;
- v Other Material Consideration;

### **Principle of Development**

6.2 Policy MTC10 of the MAAP recognises that offices are an important town centre use and states that development proposals that result in the net reduction in office space will only be acceptable where this loss would not unduly reduce the quantity and quality of office floorspace or would be outweighed by other Area Action Plan objectives through the proposed development. The amount of office floorspace that would be lost is considered to be minimal and would not unduly reduce the quantity and quality of office space within the Borough. Furthermore, the additional residential units would meet the key objection of the MAAP, policy MTC12 and Local Plan policy H6, which encourages the provision of additional residential accommodation within towns. This would also outweigh any harm as a result of the loss of office floor space. Based on this, the proposal is considered acceptable in principle.

### **Character and Appearance**

6.3 Policy MTC4 of the MAAP requires proposals to be of high quality, contributing to an overall improvement in terms of urban design and architecture. Policy DG1 of the Local Plan states that *'the design of new buildings should be compatible with the established street façade having regard to the scale, height and building lines of adjacent properties'*. Core Planning Principle 4 of the NPPF states that *'planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'*.

- 6.4 The principle of a mansard roof has been considered acceptable under planning permission 16/00765/FULL. Mansard roofs are not uncommon on Georgian style buildings. The proposed mansard roof would be set back from the front façade of the property and would be behind the proposed parapet wall. The angle of the roof would also slope away from the facades of the buildings and the dormer windows would sit within the roof itself and would not project further forward. For these reasons, it is considered that the bulk and massing of the proposed mansard roof when viewed from the street scene would be proportionate to the existing building so as not to detract from its original character. It is also considered that, although readily visible on the approach along both ends of Cookham Road, it would not appear as a prominent addition due to the angle of the roof and its set back.
- 6.5 To ensure that the proposed extension would harmonise with the existing building in terms of materials, it is considered reasonable to include a condition requesting a sample of materials. See condition 2.
- 6.6 Policy H8 of the Local Plan states that *'the Borough Council will expect development/redevelopment proposals for all appropriate sites to contribute towards improving the range of housing accommodation in the borough and will particularly favour proposal which include dwellings for small households and those with special needs'*. The proposal would include a mixture of one townhouse with three bedrooms, 1 x 1 bedroom flat and 1 x 2 bedroom flat. This would contribute to the range of housing accommodation within the town centre. Policy MTC12 also encourages a mixture and choice of housing. The current extant permission, 16/00765/FULL, proposed a greater number of units of accommodation resulting in a net reduction in housing accommodation. This discouraged by policy MTC12, however it is considered that this is outweighed by the wider range of housing proposed which is encouraged.
- 6.7 Based on the above, the proposal is therefore considered to comply with Local Plan policy DG1, H8, H10 and MAAP policy MTC4 and MTC10.

#### **Impact on surrounding amenity areas**

- 6.8 The proposed dormer windows would introduce new outlooks but these are not considered to materially add or differ from the existing outlooks from the building. The same would apply to the proposed new flank elevations windows on the existing building and the Juliette balconies.
- 6.9 Due to the set back of the mansard roof from the rear elevation by approximately 1m at the base, with a pitch sloping away, it is not considered that the proposed roof extension would have an overbearing effect to users of the amenity space to the rear.
- 6.10 The proposed residential use is not considered to cause any significantly greater disturbance to neighbouring uses than the existing office use. It is unlikely that the proposal would result in an unreasonable level of noise and disturbance which is significantly over and above the existing situation. Environmental Protection have recommended that informatives are included on any grant of permission. These relate to the control of smoke, dust and noise.
- 6.11 Internal rooms are considered to be sufficient in size to function for the use they are intended and habitable rooms benefit from natural light and ventilation. There is limited space provided around the building that could be used for amenity space for the occupiers of the residential units however the flats are located within an urban locality in close proximity to open space and the town centre. The proposed town house would have a roof terrace. No objections are therefore raised in this regard.

#### **Highway Safety and Parking**

- 6.12 The proposed development is likely to lead to a reduction in daily vehicle movements in comparison to existing office use and so there are no significant concerns over impact on local highway infrastructure.

- 6.13 There are no changes proposed to the existing access off of Kennet Road which can achieve visibility splays in excess of our current requirement being 2.4m x 43M to the left and right. The proposal would not affect these splays or access arrangements.
- 6.14 The proposal site is deemed to be within a sustainable location only being a short walk to Maidenhead town centre where there are many transport links. Therefore the proposal needs to comply with the minimum parking standard requirement of the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.
- 6.15 The parking area to the rear of the site is shared between No.14-18. Parking for the proposed development would generate a need for four parking spaces. The existing uses along with the proposed use would generate a need requirement for 23 parking spaces. The proposed site plan demonstrates that 23 parking spaces will be provided. In addition to this, a cycle store is proposed and will be secured by condition 3.

### **Other Material Consideration**

#### Housing Land Supply

- 6.16 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 housing applications should be considered in the context of the presumption in favour of 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. 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 proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be charged at £240 per sqm.

### **8. CONSULTATIONS CARRIED OUT**

#### **Comments from interested parties**

No comments were received from the 44 neighbouring properties directly notified or as a result of a site notice posted on the 11.09.17.

#### **Other consultees**

Consultee	Comment	Where in the report this is considered
Highways Authority	' Summary: The proposals comply with the Local Authorities current standards therefore the Project Centre can offer no objection to the proposal.'. Conditions and informatives recommended.	6.12-.615
Environment Protection	Informatives recommended	6.10

### **9. APPENDICES TO THIS REPORT**

- Appendix A – Proposed site plan

- Appendix B – Proposed elevations
- Appendix C – Proposed floor plan

## 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 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 part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing no.2283-PL-205 . 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.

4 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 no.2283-PL-205. 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

5 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 no. 2283-PL-205. 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 P4, DG1

6 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

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, and 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 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.
- 4 In the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination 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.
- 5 The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is recommended by way of Informative and is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'. 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
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No working on Sundays or Bank Holidays. Please contact the Environmental Protection Team on 01628 683830.
- 6 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 and these are available on the internet: 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 oBuilding Research Establishment: Control of dust from construction and demolition activities
- 7 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.