

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

22 November 2017

Item: 5

Application No.:	17/01726/FULL
Location:	Land West of Crown Lane Including Part Hines Meadow Car Park And La Roche And The Colonnade High Street Maidenhead
Proposal:	Demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.
Applicant:	Shanly Homes Ltd
Agent:	Mrs Rosalind Gall
Parish/Ward:	Maidenhead Unparished/Oldfield Ward
If you have a question about this report, please contact: Christine Ellera on 01628 795963 or at chrisie.ellera@rbwm.gov.uk	

1. SUMMARY

The application is for a new revised scheme to the site known as 'phase 3' of the Chapel Arches Development.

The proposals are for a mixed use scheme that would be residential led along with shops, café/restaurant uses. Car parking would be provided for the apartments within basements to the buildings. Other works associated with the applications include alterations to the York Stream, improvements to the streets and spaces around the site. The proposal would also involve the demolition of the Colonnade building and demolition of the wing of the Hines Meadow Car Park (north of which are subject to separate applications of demolition).

The revised 'phase 3 application' for the Chapel Arches Development would contribute to the overall mix of uses within the town centre and to the sustainable economic development of the town. As considered under the last applications the current arrangement of buildings has resulted in this area becoming largely hidden, underused and peripheral to the core of the town centre. The proposal would (like phase 1 and 2) result in the York Stream having greater prominence and visibility, and an improvement in the appearance and arrangement of the streets and spaces in this part of the town.

The principle of the development including the height and scale of the buildings and the demolition of the Victorian Colonnade have already been established under the extant planning permissions on this site. It is not considered that this revised scheme raises any further issues which have not already been addressed under the previous application.

Subject to a resolution and consultation feedback on the highway matters and drainage (which will be reported in the Panel update) it is considered that the proposed works are acceptable in planning terms and comply with the National Planning Policy Framework (2012), The Borough Local Plan (2003) and the Maidenhead Area Action Plan (2011).

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 7 (para 0) of this report and 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 site contains a number of commercial premises including shops, beauticians and takeaways within the building known as The Colonnade which faces out onto High Street and forms part of the designated Conservation Area. These buildings are adjacent to a number of statutory listed buildings including The Bear Hotel (Public House).
- 3.2 In addition, to the north (rear) of The Colonnade is a wing of the Hines Meadow Public Car Park. This wing projects out from the main fabric of the public multi-storey carpark and provides 2 levels (ground and first floor) of parking and one of the accesses to the carpark via Crown Lane. These buildings are not within the Conservation Area
- 3.3 Running vertically through the middle of the site are the York Stream and The Green Way.
- 3.1 As a whole this area forms the site known as 'phase 3' of the Chapel Arches redevelopment currently being undertaken by the applicants. The scheme is immediately adjacent to, but does not include the Chapel Arches Bridge. Phase 1 and 2 are located to the south of the bridge. This site also forms the north eastern part the High Street/ York Stream Opportunity Area as identified in the Maidenhead Town Centre Area Action Plan (2011).
- 3.5 The site is within flood zone 2 with the majority of this part of the multi-storey carpark being within flood zone 3.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This is a new full planning application for the redevelopment of the site for the demolition of the Colonnade and redevelopment of land to the north of Chapel Arches to provide a mixed use scheme comprising 182 apartments, 605qm commercial space, 1030sqm retail and restaurant use (classes A1 and A3), the creation of basement car parking; the erection of a new footbridge over the York Stream and the replacement of the existing vehicular bridge to the existing car park: the creation of new pedestrian links, landscaping and alterations to waterways to create new public realm.
- 4.2 The proposed development involves 3 buildings. Building A is located to the eastern side of York stream and is up to 8 storeys in height. Block C would be located to the western side of the stream facing High Street and would be 3- 4 storeys in height. These buildings offer retail units with traditional shop frontages facing the High Street. Building B is located to the rear of Building C, relatively on the footprint of part of Hines Meadow Car Park which is proposed to be demolished. Building B would be up to 8 storeys in height and would have ground floor commercial units facing York Stream and residential above.
- 4.3 With reference to the below planning history this is effectively a revised planning application for the redevelopment of the site. Section 4 of the applicants design and access Statement sets out these revisions in detail. The most notable changes to the extant planning permission are as follows:
1. An increase of 20 residential units comprising of:
 - a. 50x 1 bed- previously 16 unit, increase of 34 units
 - b. 131 x 2 bed - previously 134 unit, decrease of 3 units
 - c. 1x 3 bed - previously 12 unit, decrease of 11 units
 2. Loss of all B1 (office) use class space- previously 363 sqm contained in the ground floor of building A.
 3. 442 sqm retail space provided across the development- previously 1045 sqm of retail space
 4. 1,200 sqm flexible 'commercial' space across the development- previously 987 sqm of restaurant/cafe space (Class A3)

a. To accommodate the increase in units the two basement level parking areas would be extended and combined with the ground floor parking the development now proposes:

5. 196 car parking spaces- previously 163 spaces, increase of 33 spaces
6. 30 motorcycle spaces - previously 11 spaces, increase of 19 spaces
7. 246 secure cycle spaces previously 164 spaces, increase of 82 spaces

Notwithstanding the increase in the size of the basement parking most of these amendments are accommodated through internal reconfiguration. Otherwise any increases in the footprint to the proposed buildings are fairly limited. Some alterations to the proposed terraces are also shown.

4.4 There is extensive planning history to this site, of direct relevance:

Ref.	Description	Decision and Date
12/02762/OUT	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m ² of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm.	Permitted: 21.05.2014
15/03582/REM	Reserved matters (Landscaping) application pursuant to outline planning permission 12/02762 - for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m ² of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm	Permitted: 26.07.2016
15/04219/CONDIT	Details required by condition 9 (remediation scheme for contamination), 12 (green roofs), 13 (biodiversity), 16 (Japanese knotweed), 22 (waste/recycling storage), 28 (external lighting), 36 (acoustic design), 37 (sound insulation), 38 (noise impact), 47 (cycle parking), 48 (highway works), 54 (archaeological work) and 62 (banks to york stream) of planning permission 12/02762 for an outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m ² of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new	Split decision issued on 10.03.2016. It was determined that insufficient information was submitted to agree the following conditions: 9 (contamination) 12 (green roofs) 13 (biodiversity) 22 (waste/recycling storage) 28 (external lighting)

	footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm.	36 (acoustic design), 37 (sound insulation) 38 (noise impact) 48 (highway works) 62 (banks to York stream)
15/04274/VAR	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762 without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed.	Permitted: 31.08.2016
17/00680/REM	Reserved matters (Landscaping) for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762/OUT and varied by 15/04274/VAR [varied as follows: without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed].	Permitted: 07.06.2017
17/01227/FULL	Demolition of part of Hines Meadow car park.	Permitted by the Maidenhead Development Panel on the 27.09.2017
17/02124/FULL	Demolition of The Colonnade	Valid on the 11.07.2017 and currently pending

		consideration alongside application	this
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5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework (NPPF) (2012) acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.
- 5.2 This is emphasised in paragraph 14 which states that Local Planning Authorities (LPAs) should approve development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
1. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 2. specific policies in this Framework indicate development should be restricted.
- 5.3 Paragraph 49 also states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Royal Borough Local Plan

- 5.4 The main planning considerations applying to the site and the associated policies are:
- N6 Trees and development
 - N11 Creative Nature Conservation
 - DG1 Design guidelines
 - CA1 Development in Conservation Areas
 - CA2 Guidelines on Development affecting Conservation Areas
 - CA6 Car parking in Conservation Areas
 - LB2 Proposals affecting Listed Buildings or their settings
 - NAP4 Pollution of groundwater and surface water
 - R1 Protection of Urban Open Spaces
 - R3 Public Open Space Provision in New Developments (provision in accordance with the minimum standard)
 - R4 Public Open Space Provision in New Developments (on site allocation)
 - R5 Children's Play Space
 - R14 Rights of Way and Countryside Recreation
 - E1 Location of Development
 - E8 Business Use in Town Centres
 - E9 Business Use in Town Centres
 - E10 Design and Development Guidelines
 - H2 Identified housing sites
 - H3 Affordable housing within urban areas
 - H6 Town centre housing
 - H8 Meeting a range of housing needs
 - H9 Meeting a range of housing needs
 - H10 Housing layout and design
 - H11 Housing density
 - T5 New Developments and Highway Design
 - T7 Cycling
 - T8 Pedestrian environment
 - P4 Parking within Development
 - MTC4 Housing in redevelopments
 - MTC5 Townscape and redevelopment
 - MTC7 Major Development sites

MTC10 Non-retail uses
MTC11 Traffic management and highway improvements
MTC12 Pedestrianisation
MTC13 Pedestrian routes
IMP1 Associated infrastructure, facilities, amenities

Maidenhead Town Centre Area Action Plan (AAP) (2011)

5.5 The above document forms part of the adopted Development Plan and provides a mechanism for rejuvenating the Maidenhead Town Centre. The document focuses on; Place Making, Economy, People and Movement. The AAP also identifies six sites for specific development.

5.6 Policies of relevance include:

Policy MTC 1 Streets & Spaces
Policy MTC 2 Greening
Policy MTC 3 Waterways
Policy MTC 4 Quality Design
Policy MTC 5 Gateways
Policy MTC 8 Food & Drink
Policy MTC 10 Offices
Policy MTC 12 Housing
Policy MTC 13 Community, Culture & Leisure
Policy MTC 14 Accessibility
Policy MTC 15 Transport Infrastructure
Policy OA5 High Street/ York Stream Opportunity Area
Policy IMP2 Infrastructure & Planning Obligations

These policies can be found at
https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

5.7 Policy TR3 deals specifically with Maidenhead Town Centre and offers strong support for development proposals that promote and enhance the vitality and viability of the Town Centre.

5.8 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 June to September 2017 with the intention to submit the Plan to the Planning Inspectorate late 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

5.9 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

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

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

5.11 More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.12 Other Strategies or publications relevant to the proposal are:

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

5.13 More information on these documents can be found at:

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

Positive and Proactive Engagement

5.14 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by liaising with the applicants regarding the proposed development throughout the consideration of this planning application.

5.15 In this instance Chapel Arches redevelopment has been subject to extensive discussion between the applicants and the Council (as a whole) and benefits from an extant planning permission.

5.16 During the course of the application additional information to overcome the concerns expressed by the respective consultees were accepted.

6. EXPLANATION OF RECOMMENDATION

6.1 There is extensive planning history to this site which establishes the redevelopment of this site and is supported by the Maidenhead AAP (2011). There has been no significant material change in planning policy since the previous planning permission at this site and site conditions have not changed which would amount to riveting the established principle of the development. This is a strong and material consideration is considering any new/ revised application on this site. Accordingly Officer's comments are limited to the proposed changes to the extant planning permission.

6.2 The key issues for consideration are:

- 1 Principle of the redevelopment of this site
2. Design considerations including the impact on heritage assets
3. Affordable Housing and other Financial Considerations
4. Highway considerations and Parking Provision
5. Provision of a Suitable Residential Environment
 1. Impact on Neighbouring Amenity
 2. Impact on trees and landscaping
 3. Flooding and Sustainable Urban Drainage
 4. Other Environmental Considerations
 5. Other considerations

Principle of the redevelopment of this site

Principle of the loss of the existing buildings within the application site.

6.3 The principle for the loss of part of Hines Meadow Car Park has been established under the previous planning permissions for this site, including the most recent application 17/01227/FULL which was permitted by the Maidenhead Development Management Panel on the 27.09.17.

6.4 In terms of the principle of the loss of The Colonnade, this application should be read alongside application 17/02124/FULL which is on the agenda to be considered by Members of the Maidenhead Development panel after this application. It should be noted that Historic England was consulted on this application and stated that they did not wish to offer any comments on the application and it was not necessary for them to be consulted on this application again. The Officer report in connection with the application for the demolition of The Colonnade has concluded that there remain substantial public benefits to justify the demolition of The Colonnade.

This includes physical enhancements and visual improvements to the area which are discussed in greater detail below.

Principle of the proposed redevelopment

Principle of the development in flood zone 2 and 3

- 6.5 The principle of this development within flood zone has already been established by the various planning permissions on this site. The LPA is satisfied that it is not necessary to revisit the exceptions and sequential tests in this regard. Flood protection matters are dealt with further within the report.

Principle of the proposed mix of commercial uses.

- 6.6 The site forms part of the High Street East / York Stream Opportunity Area. The Maidenhead AAP allocated this site for a residential and office led mixed use development. The AAP further states that proposals for the area should comprise in the order of: 100 residential dwellings (gross), 6,500 m² office floorspace (gross) and food and drink uses at ground level. The boundaries of this area far exceed even that of the wider Chapel Arches redevelopment
- 6.7 The main significant difference is that this scheme now proposes no office space, whereas the last approved application on this site proposed 363 sqm office floor space. An economic justification has been provided to justify why office floor space is no longer appropriate for this location. The statement submitted provides limited justification and refers to overall matters in Maidenhead without any supporting evidence. No analysis has been done as to why office development cannot specifically be achieved on this particular development site.
- 6.8 Whilst the office floorspace in the consented scheme was fairly limited, in the absence of any robust justification the lack of office space in this development fails to comply with the AAP. However, the AAP always envisioned that this development would be residential led and the proposed development does propose a number of commercial and retail units on the ground floor, which will have economic benefits. The emerging Borough Local Plan further refers to this opportunity area in the justification for policy TR3 on Maidenhead Town Centre, however the reference is to the retail opportunities this site proves, as opposed to the delivery of office floorspace. On this basis the loss of all proposed office space in this location is not one which results in significant harm to warrant an object to the proposed development.
- 6.9 Only 442 sqm of retail floor space is now proposed, contained in Blocks A and C facing the High Street. This is less than half of that proposed in the initial application. However, 1,200 sqm of flexible 'commercial' space is now proposed across the development, this is largely contained within Block B facing the waterway. Previously 987 sqm of restaurant/cafe space (Class A3) was proposed.
- 6.10 In principle these alterations to the previously approved schemes are not considered to raise any significant issues. The key matter is to retain active frontages facing the High Street which contribute to the vitality of the Town Centre. Moreover, the site is located in the secondary retail area of the Town Centre. The preferred option for the LPA is to direct A1 (shop) uses to primary retail area, strengthening the retail core area. In the secondary retail area it is considered that all 'A' uses maybe considered acceptable in this location as they all contribute to the vitality and future viability of this area. Whilst these are opportunities for eating establishments in this location it is also considered that D2 (assembly and leisure) uses could benefit from this site and indeed D1 (non residential institutions uses) such as art galleries. On this basis conditions are recommended to allow for flexible uses in this area to attract a wide variety of business to contribute to the vitality and viability of Maidenhead Town Centre. See conditions 11 and 12.

Design considerations including the impact on heritage assets

- 6.11 Part of the justification for the loss of the Colonnade is the overall regeneration benefits of the scheme which includes the visual improvements and place making opportunities this application provides.
- 6.12 Following concerns expressed from the Council's Heritage Consultant plans have been amended since the initial submission to alter the proposed material finish. The materials now being proposed are the same as that that previous agreed.
- 6.13 Overall the proposed design, layout and appearance of the development would appear largely the same as the extant planning permission on the site. The alterations to the approved scheme are not considered to raise any further design implications.
- 6.14 The restoration of Chapel Arches Bridge as viewed from the southern side is secured through the legal agreement and linked to the wider redevelopment of Chapel Arches area. The restoration of the northern elevation of this bridge (following the demolition of the Colonnade) will be secured via a legal agreement as part of this planning application.

Affordable Housing Provision

- 6.15 Policy H3 Affordable housing within urban areas of the current Local Plan requires development of this size to provide 30% affordable housing provision.
- 6.16 It is worth noting that on the previous planning application on this site the LPA approved a 0% affordable housing provision scheme, as it was accepted that due to the viability reasons associated with the cost of the build that affordable housing provision was not viable. The previous viability appraisal on this site agreed a developer profit of 20%. This is in the higher region of the industry accepted standard for developer profit which is usually around a 16-20% on redevelopment site. However, it is common practice for a higher developer profit to be accepted on schemes which offer higher risk, in this instance the works associated with the waterways and the bridge result in this development being consider higher risk.
- 6.17 A viability appraisal was submitted during the course of this planning application to demonstrate that due to the costs associated with this development, notably the works to York Stream and the basement level car parking the provision of on-site affordable housing in accordance with the Council's adopted policies is not viable. The applicants are alternatively proposing 6 on site shared ownership affordable housing units. This would be equivalent to 30% of the 20 *increase* in units above the approved planning permission on this site.
- 6.18 The applicants Viability Appraisal seeks to demonstrate that with 30% of the additional 20 units as Shared Ownership, the developer profit would be 17.31% which is considered low but still viable. The appraisal claims that the developer is prepared to forgo the "usually obtainable" developer profit in this instance in order to see Phase 3 of the Chapel Arches development proceed.
- 6.19 The District Valuers Office has reviewed this viability appraisal and agrees that assuming a 20% developer profit, it is not viable to continue with the scheme inclusive of the 6 Shared Ownership units offered. However should 17.5% developer profit be adopted the proposed scheme is viable with the 6 Shared Ownership units plus a surplus £1,377,611.
- 6.20 The Applicant has responded on these matters and considers the risks involved in a development of this scale a 20% developer profit is considered to be reasonable and justified. Having considered the matter further it is agreed that given the works associated with this application, notably that undertaken to York Stream (and as a 20% developer profit was previously accepted on this site), that this is a reasonable developer profit. On this basis the proposed 6 shared ownership units are considered to be acceptable on a development of this size, given the costs associated with the proposed development.

Financial Considerations

- 6.21 Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application. The weight to be attached to these considerations is a matter for the Council.
- 6.22 With reference to the above planning history in granting the previous planning permission on this site for 'phase 3' of the development the following financial contributions were secured against this extant planning permission:

Type of Infrastructure	Scheme description	Chapel Arches Phases 3
Public open space		£75,154.93
Community & youth facilities		£97,505.76
Library services		£112,399.92
Education		£283,489.40
Highway/ public transport	Bus Service	£6,600
	Highways	£496,342.16
Indoor sport facilities	Sports hall	£164,746.97
Air quality		£6,600
Allotments	Maidenhead 9248	£9,582.20
Total		1,885,962.94

- 6.23 This is a new full planning application and needs to be considered on its own merits. Since the grant of the previous planning permission(s) on this site there has been a material and significant change in the way the Council collects monies towards funding infrastructure needed to support development in the Borough. The introduction of the Community Infrastructure Levy (CIL) means that financial contributions can only be sought where they are required to make the development acceptable in planning terms and not contained on the Councils' current Regulation 123 list which sets out what CIL receipt could be spent on.
- 6.24 As part of this planning application the Council is currently discussing with the applicants what matters are required to be secured by S106 to make this development acceptable in planning terms having due regard for the relevant legislation.
- 6.25 A draft S106 legal agreement has been provide by the applicants which looks to secure regarding provision of:
- 1) CCTV provision (as per the extant planning permission)
 - 2) 6x affordable housing units (shared ownership)
 - 3) Long term maintenance and management of the site (including the waterways in the application site)

Type of Infrastructure	Scheme description	Chapel Arches Phases 3
Highway/ public transport	Bus service	£6,600
Air quality		£6,600
Total		£13,200

- 6.26 Matters such as community provision, education, libraries and allotments are identified as being delivered through CIL and as such cannot be secured as part of a planning obligation. Part of this

report seeks the Panels authorisation to give delegated authority to the Head of Planning to grant planning permission for this scheme subject to further successful negotiations and completion of a legal agreement as part of this planning application.

- 6.27 The proposed development would result in the formation of additional dwellings and therefore is liable for the Community Infrastructure Levy (CIL). CIL is a non-negotiable rate set for all development, which forms a financial contribution towards to the provision of infrastructure required to support development. The site is located in Maidenhead Town Centre where the Levy is set at £0 per sqm.

Highway considerations and Parking Provision

- 6.28 The proposed development would result in the net increase of 20 new units, a decrease in the amount of office floor space and some reconfiguration and the amount of retail/ commercial floor space. Either taken independently or as whole this is not considered to raise any significant issues in terms of capacity of the road network (above and beyond the existing extant planning permission).
- 6.29 The Highway Authority has requested a few amendments and alterations to the proposed Highway Assessment and the accompanying Travel Plan. These amendments including a plan showing changes to the size of the parking spaces and further details of the cycle design and access arrangement and information on the refuse servicing strategy for the commercial unit in Block B.
- 6.30 Whilst the travel plans were overall considered to meet the Council requirements, a few updates were required. These included correcting inaccuracies in the description of the local road network and updating the bus routes to reflect changes to Courtney Buses and First Buses routes.
- 6.31 This amended information was provided by the applicant on the 17.10.2017. The Highway Authority has been re-consulted on this additional information and Members will be updated on this matter at the Maidenhead Development Panel Meeting. However on the face of it, it would appear this additional information satisfies the concerns expressed by the Highway Authority.

Provision of a Suitable Residential Environment

- 6.32 Proposed new residential development should provide an appropriate level of lighting, outlook and amenity to all habitable rooms and be of suitable space standards. Developments are also expected to enhance existing landscaping and allow visual interest and amenity.
- 6.33 All units would have suitable internal space, means of lighting and ventilation. No sunlight assessment has been submitted as part of this planning application however much of the layout was agreed under the previous applications on this site and officers do not consider that the changes proposed result in any material change with regard to this issue.
- 6.34 With the exception of some upper floor units on the southern corner 'apex' of Block A most units afford private balconies which provides amenity to future occupiers. Amended plans have been submitted since the original submission of the application to reconfigure the layout out of the additional ground floor units to block A to have a private terrace. This allows for a better separation of public and private spaces alongside footpaths running between Block A and York Stream. Roof Gardens are also proposed on all blocks which provides amenity for the proposed occupiers of each building and green infrastructure in support of the development.
- 6.35 It is accepted that the current Local Plan, notably policies R3, R4 and R5 require a greater quantum of on-site open space than that proposed. However, this has all largely been agreed under the previous planning permissions and in a Town Centre location, as a whole the amenity space of future occupiers is considered to be acceptable. Moreover the waterside location and improved public space offers an important setting and amenity for future occupiers.
- 6.36 Separate secure refuse and recycling stores are proposed as part of this application for each block. The location of this storage is amended as part of this location, the Highway Authority has

requested some amendments. As set out in para 3.1 This amended information was provided by the applicant on the 17.10.2017. The Highway Authority has been re-consulted on this additional information and Members will be updated on this matter at the Maidenhead Development Panel Meeting. However on the face of it, it would appear this additional information satisfies the concerns expressed by the Highway Authority.

- 6.37 On this basis it is considered that the proposed development would provide a suitable residential environment for future occupiers.

Impact on Neighbouring Amenity

- 6.38 In comparison to the extant planning permission on this site the changes to the overall scale, mass and bulk of the proposed building are considered to be fairly limited. In view of this the proposed development is not considered to raise any additional issues in terms of loss of light, overbearing impact or overlooking, above and beyond the permitted scheme. Therefore the proposed development is not considered to have a detrimental impact on the amenities of the occupiers of surrounding residential dwellings.
- 6.39 Any potential impact on neighbouring amenity relating to this application is in terms of noise and disturbance associated with the demolition process. Such matters are controlled under the environmental pollution acts which are dealt with under Environmental Protection Act(s) and sit outside of the remit of the Local Planning Authority.

Impact on trees and landscaping

- 6.40 There are no trees of any amenity value proposed to be removed as part of this application. As with the last applications on this site and subject to tree protection details it is considered that the construction of the development can take place without affecting off site trees (and the associated root protection areas).
- 6.41 A landscaping plan has been submitted as part of this planning application, which is aligned with that previously granted on this site. The applicants have provided tree pit information to demonstrate how trees can be successfully planted as part of this scheme whilst taking into account the basement parking limitations. The Council's Tree Officer has raised a number of concerns about how trees will be planted and can be maintained, particularly given the location of the proposed basements underneath proposed planting. The Tree Officer further considers that unless the viability of future planted trees can be assured the scheme should be refused.
- 6.42 It is acknowledged that landscaping is a crucial part of ensuring a successful development. However, it is not uncommon to achieve successful tree planting in and around urban built form, and/or above basement parking. Therefore in this instance, it is considered that matters regarding tree pit design can be dealt with by way of condition. Conditions X in section 10 deals with this matter.
- 6.43 The tree offer has also raised concerns about access to green roofs from future occupiers and the difference between green roof developments and amenity green space. Officers do not see any distinction between the two matters and considers that opportunities for green infrastructure should also been seen as valued opportunities for providing amenity space for residents in an urban environment. Officers therefore consider that access and management can be dealt with via condition 3 set out below.

Flooding and Sustainable Urban Drainage

- 6.44 As set above, the principle of the development within flood zone 2 and 3 has been agreed as part of the pervious applications on this site. There has been no material change in planning policy since these decisions were made.
- 6.45 On the 19th February 2016, the Environment Agency issued updated advice stipulating how climate change allowances should be incorporated into site specific FRAs and any proposed

SuDS features. Generally, designs will be required to incorporate higher river flows than previously recommended.

- 6.46 A Flood Risk Assessment (FRA) has been submitted as part of this planning application. The elevation plans show that the FFLs of the basement entry level will be above the predicted flood level (plus climate change). Any ground floor units and lobby areas are also situated above this level and a safe dry access and egress from the site can also be achieved.
- 6.47 The site is currently all laid to hardstanding and the FRA shows that the proposed development would result in an increase in floodplain storage of 270m³.
- 6.48 Flood resistant building design principles are also proposed at ground floor level and further recommendations regarding water proofing (where necessary) the below ground parking structures to protect against the potential risks associated with groundwater flooding will be secured through conditions.
- 6.49 The FRA also suggests that temporary surface water measures will need to be considered during the construction of the development to ensure the risk of flooding to the site and surrounding areas is not increased during to the works.
- 6.50 The Environment Agency raises no objections to this application subject to conditions including compliance with the FRA. See condition 37- 44.
- 6.51 In terms of Sustainable Urban Drainage, introduced from 6 April 2015 the Government strengthened planning policy on the provision of sustainable drainage systems (SuDS) for 'major' planning applications (Paragraph 103 of National Planning Policy Framework and Ministerial Statement on SuDS). As per the guidance issued by the Department of Communities and Local Government (DCLG), all 'major' planning applications being determined from 6 April 2015, must consider sustainable drainage systems. Developers are advised to assess the suitability of sustainable drainage systems in accordance with paragraphs 051, 079 and 080 of the revised NPPF Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. Sustainable drainage systems should be designed in line with national Non-Statutory Technical Standards for SuDS.
- 6.52 SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development. Hydraulic calculation and drawings to support the design need to be provided along with proposed standards of operation and maintenance in accordance with paragraph 081 of NPP (PPG).
- 6.53 In accordance with The Floods and Water Management Act 2010 the Royal Borough in its role as Lead Local Flood Authority (LLFA), is a statutory consultee for all major applications. Previously the Environment Agency had that statutory responsibility. The above act is clear that on considering an application for approval the approving body must grant it, if satisfied that the drainage system if constructed as proposed will comply with national standards for sustainable drainage, or refuse it, if not satisfied.
- 6.54 The previous scheme on this site was approved prior to the introduction of the Sustainable Urban Drainage. Due to the constraints of this site the applicants have significant difficulties in providing a SuDs compliant scheme.
- 6.55 Following concerns expressed by the Lead Local Flood Authority about the level of drainage information submitted in connection with this application further supporting drainage information has been provided that highlights that the approved development proposals do not provide the surface water attenuation required by the latest local policy but claims a betterment to the existing situation.
- 6.56 Irrespective of the previous approved scheme, this application needs to be considered in the context of the current polices. The existing site is all laid to non-permeable hardstanding and built form and freely drains to the York Stream without any attenuation. As part of the development, it

is proposed to incorporate areas of green roof where suitable to reduce the discharge compared to the existing scenario. Surface water runoff will continue to discharge into the York Stream.

- 6.57 The Lead Local Flood Authority has been re-consulted on this additional information and Members will be updated on this matter at the Maidenhead Development Panel Meeting.

Other Environmental Considerations

Impact on York Stream

- 6.58 The changes and modifications to the York Stream have been agreed under the most recent planning application on this site, the proposal does not raise any modifications in this regard. The comments from the Environment Agency and the Maidenhead Waterways raise no objection to the development, subject to conditions. These are set out in conditions 8 -10 and 37-42.

Contaminated Land

- 6.59 Under the original outline planning application the previous report prepared by Golden Associates showed some potential contamination due to light industrial activities on the site prior to the building of the multi storey car park on part of the application site.
- 6.60 The Council's Contaminated Land Officer considers that the applicant has not provided sufficient information to address the potential contamination on site, this is further supported by the recommended conditions from the Environment Agency which are seeking to ensure there is no risk of contamination to the watercourse.
- 6.61 As with the previous planning application on this site, Officers are satisfied that this matter can be dealt with by way of conditions. See condition 23, 24 and 39.

Pollution considerations: including Noise, Air quality and Lighting

- 6.62 It is not considered that a residential development of this size would result in an unacceptable level of noise in a town centre location such as this. Any significant issues regarding noise would likely be from construction. In line with the consultation response from the Environmental Protection Team, this can likely be dealt with under conditions and/or under separate control of pollutions legislation, as appropriate.
- 6.63 An amended Noise Impact Assessment and Air Quality Assessment have been submitted in support of this application. These reports do not raise any matters which have not already been addressed previously on this site. Where relevant conditions regarding these matters attached to previous planning permissions are recommended as part of this application. See conditions 22, 29, 30, 31, 32, 47 deal with these respective matters.

Biodiversity

- 6.64 The Bat survey (dated 2012) has been submitted in support of this application. Notwithstanding the date of this report only two significant alterations have taken place since then, notably York Stream is currently 'dammed', and the gymnasium has been demolished and currently being used as a private a car park. Accordingly, the majority of recommendations from the previous report remain relevant. An updated ecology report has also been submitted in support of this application which has also considered protected species such as bats.
- 6.65 These reports do not raise any matters which have not already been addressed previously on this site. Where relevant conditions regarding these matters were attached to previous planning permissions, these conditions are also recommended as part of this application and set out in condition 26.

Archaeological matters

- 6.67 An archaeological desktop assessment has been submitted in connection with this application. This concludes that that the site has limited archaeological potential and Berkshire Archaeology raise no objection subject to conditions, this is dealt with in recommended condition 35.

Other Considerations

- 6.68 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 applications for new homes 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 five-year supply of deliverable housing sites.
- 6.69 This scheme would make a contribution to the Borough's housing stock. This weighs in significant favour of this scheme, as does bringing an underutilised brownfield site into more efficient use. The regeneration benefits and improvements to York Stream brought forward to this scheme also attract significant weight. Where any potential harm or inconsistency with planning policy has been identified above this has been given appropriate weight in the consideration of this application.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 275 occupiers of adjacent properties were notified directly of the application. The planning officer posted a notice advertising the application at the site on 07.06.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 15.07.2017.
- 7.2 2 x letters were received objecting to the application and 1 x letters from the Maidenhead Civic Society commenting on the scheme, comments made can be summarised as follows:

Comment		Where in the report this is considered
1.	Would like to see part of the Colonnade retained	0
2.	Support the redevelopment but concerned about suitable water supply for the town centre waterways	The current waterway is damned to allow for work to the stream to take place.
3.	Concerns about the hours of construction	0

Consultees

Consultee	Comment	Where in the report this is considered
Council Historic Building's Advisor	Following the submission of amended plans no objection is raised subject to conditions.	0
Historic England	No comments to make on this application	0
Highways England	Does not affect the M4 and there no objections	Noted
Buckinghamshire County Council	Requested a Transport Assessment. Further to its submission no further comments have been received	No comments to add
Highway Authority	Request further information to overcome concerns	0
Lead Local Flood Authority	Request further information to overcome concerns	0
Maidenhead Waterways	No objections subject to conditions relating to the details of the replacement bridge	0
Berkshire Archaeological	No objections subject to conditions	0
Environment Agency	No objection, subject to conditions	0

Ecology Officer	No objections subject to conditions	0
Tree Officer	Insufficient information to demonstrate that the proposed trees can be accommodated above the basement. Recommend refusal.	0
Environmental Protection	No objections subject to conditions	0
Contaminated Land Officer	The applicant is required to investigate further any contamination from previous uses on the site.	0
Runnymede Borough Council	No objections	Acknowledged
Bracknell Forest Council	No objections	Acknowledged
Wycombe District Council	No objections	Acknowledged
Surrey Heath Borough Council	No objections	Acknowledged

8. APPENDICES TO THIS REPORT

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

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 above ground floor slab level shall take place until samples of the materials to be used on the external surfaces of the development hereby approved 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.

The materials provided shall include the following:

a) Brickwork Panel(s) : Sample panel(s) of brickwork showing the typical facing brick(s), method(s) of bonding and colour of pointing to be used for external surfaces of the development. The sample panel shall be erected on site and maintained there during the course of construction.

b) Stone Ashlar Panel Sample panel(s) of ashlar stone showing the typical facing stone(s), method(s) of bonding and colour of pointing to be used for external surfaces of the development. The sample panel shall be erected on site and maintained there during the course of construction.

The development shall only be carried out in accordance with the approved materials or such other details as agreed in writing by the Local Planning Authority

Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2.

3 No development shall take place above ground floor slab until full details of hard and soft landscaping works (including walls gates and fences), have been submitted to and approved in writing by the Local Planning Authority. The landscaping shall include opportunities for the incorporation of public art consistent with that agreed as part of the Chapel Arches 'phase 1 and 2' development. 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. The public art goes to the applicant's justification for the loss of buildings in the Conservation Area and the wider regenerative benefits package of this development, which include the visual improvements of the public spaces within the site. Relevant Policies - Local Plan DG1 and the National Planning Policy Framework (2012).

- 4 No development shall take place above ground floor slab level until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of shopfronts, windows (including surrounds), doors, down pipes, gutters, vents, soffits, cornices, ridge details to roofs, balustrades, balconies, bands of materials, stone detailing and any other decorative features including where appropriate re-use of materials in the existing Colonnade building have been submitted to, and approved in writing by, the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2.

- 5 The relevant part of the development shall not commence until samples of the internal surfaces to the car park including its access and servicing bays for the relevant building, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1; Area Action Plan MTC4, MTC6, OA5.

- 6 No development or other operations on site shall take place until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The statement shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special constructions works within any defined tree protection area on or off-site. The development shall be carried out in accord with the approved statement.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan CA2, GB2, DG1, N6; Area Action Plan MTC3, MTC4.

- 7 No development above ground floor slab level shall commence until details of the green roofs (including irrigation and any rainwater harvesting) to be incorporated within the scheme and a programme for their implementation has been submitted to, and approved in writing by, the Local Planning Authority. The green roofs shall be provided in accordance with the approved details and programme and retained as such thereafter.

Reason: To ensure satisfactory landscaping in the interests of visual amenity and the character and appearance of the area, and in the interests of biodiversity enhancement. Relevant Policies - Local Plan DG1, Maidenhead Town Centre Area Action Plan MTC1, MTC2, MTC3, MTC4, OA5 and in order to enhance biodiversity of the site and to accord with Requirement 6 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (September 2009).

- 8 No dwelling within Block A (as identified in the approved plans) shall be occupied until the works to the York Stream shown on the ground floor approved plans and other detailed in the information approved under condition 9 and 10 have been completed.

Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2 and in the interests of the ecological value of the York Stream. Relevant Policies - AAP MTC4, OA5

- 9 No works, other than demolition and site clearance, shall commence until a scheme of the de-culverting of the High Street culvert and its replacement, the widening and lining of the new channel, the removal of the Colonnade, full details of the new bridge accessing the Hines Meadow Car park and the new footbridge have been submitted to and approved in writing by the local planning authority. The scheme shall demonstrate: no reduction in hydraulic capacity; the bridge deck being above the flood level of the 1 in 100 plus climate change flood level and that

there will be no central pier; a maintenance schedule for the structures. The development shall be carried out in accordance with the approved details.

Reason: To minimise disturbance to ecological interests of the site and in the interests of the free flow of water along the York Stream and in the interests of pedestrian and highway safety, the free flow of traffic and to ensure the future use of the York Stream would not be compromised. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14

- 10 Notwithstanding the approved plans, no development shall commence until details of the banks to the York Stream and the depth of the bed of the Stream have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason: In the interests of the visual appearance of the area and to ensure that the York Stream within this development can connect to the adjacent parts to the North and South of the site. Relevant Policies - Local Plan CA2, AAP MTC4

- 11 All buildings or premises to be used for purposes identified as 'retail' in the approved ground floor plan shall only be occupied as A1, A2, A3 or A4 use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall be retained as such use. All buildings or premises to be used for purposes identified as 'commercial' in the approved ground floor plan shall only be occupied as either A1, A2, A3, B1, D1 or D2 use as defined in The Town and Country Planning (Use Classes) Order 1987 (as amended)

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre. Relevant Policies - AAP MTC8 and OA5

- 12 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 2015 (or any Orders revoking and re-enacting those Orders with or without modification, in the event the 'retail' units hereby permitted are occupied within a Use Classes A1, they shall be used for the sale of comparison goods only.

Reason: To ensure that there will be an appropriate mix of retail floorspace and given that the retail impacts were based on this figure. Relevant Policies - AAP MTC7 and OA5

- 13 All buildings or premises to be used for purposes identified as 'retail' or 'commercial' on the ground floor plan (as listed in the approved ground floor plan) shall only be open during the following hours: Monday to Thursday 0700 to 2400 Friday to Saturday 0800 to 2400 Sunday, bank holidays and public holiday: 0900 to 2300

Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4 and the National Planning Policy Framework para 123.

- 14 The relevant part of the development shall not be occupied until the cycle parking arrangements have been provided in accordance with the approved plans. The cycle parking shall be retained as such thereafter.

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, AAP MTC4, MTC14

- 15 (Maybe amended based on consultation response from the Highway Authority***)
No demolition or construction shall commence until the Highway Works Strategy for the provision of works to the local highway network required during construction, and prior to any part of the development being brought into use has been submitted to, and approved in writing by, the Local Planning Authority. In relation to the construction phase, the Highways Works Strategy shall be consistent with the Construction Strategy and Phasing Programme. Following approval of the Highway Works Strategy:

i) no demolition or construction in relation to the relevant part of the development is to commence until the works identified by the approved Highway Works Strategy as being required in relation to the demolition within or construction of that part of the development have been completed; and
ii) no part of the development shall be brought into use until the works to the highway identified by the approved Highway Works Strategy as being required before that part of development may

be used have been completed.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan DG1, AAP MTC4

- 16 (Maybe amended based on consultation response from the Highway Authority***)
The relevant part of the development shall not be occupied until a detailed servicing strategy, including hours of operation, has been submitted to, and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason: In the interests of highway safety and the free flow of traffic and in the interests of the living conditions of occupiers of existing buildings and future occupiers of the development. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14
- 17 (Maybe amended based on consultation response from the Highway Authority***)
The parking spaces approved shall be laid out in accordance with the approved plans and 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, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1, AAP MTC4, OA5.
- 18 Notwithstanding the approved plans or any indication given otherwise all access gates or building doors abutting the highway or the new streets and spaces within the development shall open away from the aforementioned areas when opening or when in the open position.
Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14
- 19 The development shall be implemented in accordance with the approved site wide Closed Circuit Television (CCTV) strategy for buildings and public realm, including details of measures to ensure that CCTV footage is made available on request to the Police, the Local Planning Authority and the Highway Authority or potential to link into existing CCTV systems, the management, control and maintenance of the system, and of a programme for implementation as required and agreed by the associated legal agreement.
Reason: In the interests of safety and security. Relevant Policies - AAP MTC4.
- 20 All the apartments shall be constructed to Lifetime Homes standards as defined in the Joseph Rowntree Foundation publication 'Achieving Part M and Lifetime Homes standards' (or such document as amended or replaces the said publication) and 10 per cent of the total number of residential units shall be constructed so that they are easily adapted for residents who are wheelchair users in accordance with the publication 'Wheelchair Housing Design Guide', Habinteg Housing Association 2006 (or such document as amended or replaces the said publication). The apartments shall thereafter be retained as such.
Reason: In the interests of providing a range of accessible housing accommodation that will meet the needs of persons with mobility interests and to accord with the Royal Borough of Windsor and Maidenhead Requirements PAP1 and PAP5 of the Supplementary Planning Document 'Planning for an Ageing Population' (September 2010). Relevant Policy - Local Plan H9, AAP MTC4
- 21 No construction above slab level shall commence until an external lighting scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented before any of the external lighting is brought into use and thereafter the lighting shall be operated in accordance with the approved scheme and maintained as operational. The scheme shall include the following: i) The proposed design level of maintained average horizontal illuminance for the site.
ii) The proposed vertical illumination that will be caused by lighting when measured at windows of any properties in the vicinity.
iii) The proposals to minimise or eliminate glare from the use of the lighting installation.
iv) The proposed hours of operation of the light.
Reason: To ensure the development contributes to the visual amenities of the area and in the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - AAP MTC4, MTC6, OA1.

- 22 No development shall commence until a Construction Environmental Management Plan to control the environmental effects of all demolition and construction activities for that part of the development, and containing all relevant Codes of Construction Practice, has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Environmental Management Plan shall include details of the strategy, standards, control measures and monitoring effects of the construction process and shall include: i) hours of working and periods of the year
- ii) access and parking for construction vehicles, plant and construction workers' vehicles and sustainable travel measures for construction workers
 - iii) site layout and appearance, including measures to manage the visual impacts during demolition and construction, along with some public viewing points
 - iv) site security arrangements, including hoardings and other means of enclosure
 - v) health and safety
 - vi) piling methods
 - vii) foundation design
 - viii) demolition techniques
 - ix) measures to control dust
 - x) details of access to retained premises within, and adjoining the development site, including the hours during which access will be available
 - xi) details of the means of storage, disposal and removal of spoil waste arising from the excavation or construction works
 - xii) demolition and construction waste arising from the development that will be recovered and reused on the site or on other sites, and a Site Environmental Management Plan
 - xiii) measures to control noise
 - xiv) protection of areas of ecological sensitivity
 - xv) methods for all channel, bankside water margin works
 - xvi) sectional plans showing the interface between the works and the watercourse

Reason: To protect the environmental interests (noise, air quality, waste, ground water, ecology, water quality) and amenity of the area and for highway safety and convenience. Relevant Policies - Local Plan CA2, LB2, DG1, NAP3, NAP4, T5, T7, ARCH2, AAP MTC4, MTC13, MTC1

- 23 No development shall commence until a site investigation is carried out and detailed remediation scheme is prepared to determine the nature and extent of any contamination present to bring that area to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to, and approved in writing by, the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (or a subsequent amendment or re-enactment of this Act) in relation to the intended use of the land after remediation. The approved remediation scheme shall be carried out in accordance with the approved details prior to the commencement of development, other than any development required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation carried out must be produced, submitted to, and approved in writing, by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4; AAP MTC4

- 24 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately in writing to the Local Planning Authority. Prior to any further works in the affected area, an investigation and risk assessment, remediation scheme and verification report must be undertaken which will be the subject of the approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4; AAP MTC4

25 (the below is subject to changed based on consultation response from the Lead Local Flood Authority)

No development shall take place until a drainage scheme for the site to deal with surface water including disposal and the below ground drainage system based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall demonstrate the surface water run-off generated up to and including the 1 in 100 year storm with an allowance for climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Where a sustainable drainage scheme is to be provided, the submitted details shall: i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters and no infiltration into any contaminated land ii) include a timetable for its implementation; and provided a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime The scheme shall be carried out in accordance with the approved details and subsequently maintained.

Reason: To reduce the rate of surface water run-off in order to minimise the risk from flooding to accord with Requirement 5 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009), to minimise the risk of ground water pollution and because the Environmental Statement refers to the opportunity to reduce gully blockages and provide attenuation storage in the drains below ground. Relevant Policies - Local Plan, NAP4, AAP MTC4.

26 The proposed development including the demolition, construction and post construction biodiversity enhancements shall be built in accordance with the following documents.

-Updated Ecological Survey, Chapel Arches, Regeneration Scheme, Maidenhead (Ethos Environmental Planning, February 2017). -Chapel Arches Regeneration Scheme, Maidenhead - Bat Survey and Assessment Report (Aspect Ecology, 2012). -Ecological Appraisal - Chapel Arches Regeneration Scheme, Maidenhead (Golder Associates, 2012).

or such other details as agreed in writing by the Local Planning Authority

If within 12 months from the date of the decision notice the demolition of the buildings has not been fully undertaken, further bat surveys of the existing buildings in the relevant part of the development shall be carried out and these and any appropriate mitigation measures prior to demolition shall be submitted for the Local Planning Authority's approval in writing. Any mitigation measures that should be identified as part of these surveys shall be implemented and retained in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:To ensure that the development will not harm the protected species and its habitat, in accordance with the core principle of the National Planning Policy Framework (2012).

27 The development shall be carried out in accordance with the recommendations set out in the Sustainability and Energy Statement prepared by Bluesky Unlimited dated 20th February 2017 or such other details as agreed in writing by the Local Planning Authority

Reason:To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009). Relevant Policy - AAP MTC4.

28 Notwithstanding the Sustainability and Energy Statement the non-residential elements of the development shall achieve a minimum post construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of at least 'Very Good' (or any such similar scheme and rating as may supersede BREEAM). Within 3 months of completion of the final commercial unit in each relevant part of the development a BRE issued Post Construction

Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of at least Very Good shall be submitted to the Local Planning Authority.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009). Relevant Policy - AAP MTC4.

- 29 The rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc(collectively) associated with this application should be less than or equal to 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: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4
- 30 Notwithstanding the approved plans or any indication given otherwise no development above slab level until full details of the acoustic specifications, of all fixed plant and equipment associated with air moving equipment, compressors, generators, ventilation and plant or equipment of a like kind installed within any part of the development, has been submitted to and approved by the Local Planning Authority prior to operation. Any flue or ducting shall be built to be fully integrated into the buildings hereby approved.
Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings and in the interest of the visual amenity of Conservation Area and setting of the adjacent listed buildings . Relevant Policies - Local Plan NAP3, DG1, CA2 AAP MTC4.
- 31 No development above slab level shall commence until a noise study has been submitted to and approved in writing by the Local Planning Authority. This shall include:
Details of all the measures to be taken to acoustically insulate all habitable rooms against environmental and operational noise, together with details of the methods of providing acoustic ventilation
Details of sound insulation to be provided between the commercial use below and the residential development to demonstrate that the residential units will be designed and built to ensure that the sound reduction between the two uses is achieved.
Details of how the proposed development is designed so that cumulative noise from commercial sources (including service areas) does not impact on residential amenity. This shall include any appropriate mitigation measures.
The development shall be carried out in accordance with the approved details and retained as such thereafter.
Reason: In the interests of the amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4
- 32 Notwithstanding the approved plans or any indication given otherwise, in the event that any external ventilation equipment is to be installed to the underground car parks, this shall first be submitted to and approved in writing by the local planning authority prior to the construction of the development hereby permitted (other than demolition and site clearance). Such equipment shall be installed and retained as approved and shall be maintained in good working order at all times.
Reason: To protect users of the car park from a build up of vehicle fumes. Relevant Policies - Local Plan NAP3, AAP MTC4
- 33 Notwithstanding the approved or any indication given otherwise any part of the development that oversails the public highway shall be a minimum of 2.5 metres above natural ground level at any point for pavements and shall be a minimum of 5.5 metres above natural ground level at any point for roads.Reason: In the interests of pedestrian and highway safety, and the free flow of traffic. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14
- 34 No part of the development shall be occupied until the access has been constructed in accordance with the approved plans. The access shall thereafter be retained.

Reason: In the interests of pedestrian and highway safety, and the free flow of traffic. Relevant Policies - Local Plan DG1, AAP MTC4, MTC14

35 The details set out in the report by Archaeological Solutions 'Written Scheme of Investigation for an Archaeological Evaluation' (dated 26th October 2015) provides an appropriate programme of archaeological work.

Reason: To ensure the continued preservation in situ or by record of any finds made in this area of archaeological interest. Relevant Policies - Local Plan ARCH2, ARCH3, ARCH4.

36 (Maybe amended based on consultation response from the Highway Authority)The development shall be carried out in accordance with the Waste Management Plan prepared by RCP and received by the Local Planning Authority on the 25.05.2017 or such other details as agreed in writing by the Local Planning Authority. Refuse provision shall be provided in accordance with the approved plans and thereafter retained. Reason: To enable satisfactory refuse collection to take place in the interests of highway safety and convenience, to ensure effective waste collection services and to maximise recycling. Relevant Policies - Local Plan DG1, AAP MTC4

37 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) titled 'Flood Risk Statement, Chapel Arches, Crown Lane, Maidenhead ref: 17-036 dated February 2017 compiled by Odyssey Markides and the following mitigation measures detailed within the FRA: Finished floor levels of any living accommodation are to be set no lower than 25.0 metres above Ordnance Datum (mAOD). The mitigation measure(s) shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In the interest of flood mitigation Relevant Policies - 103 of the NPPF to reduce the risk of flooding to the proposed development and future occupants.

38 The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority and sewer undertaker. The scheme shall be implemented as approved.

Reason: At this stage it is unclear where the sewage effluent is due to be disposed. Therefore, there is uncertainty over the potential risk to the water environment. If the plan is to connect to the existing foul sewer network, there would need to be a clear statement from the sewer undertaker that they can accommodate the increased effluent flows in the sewer. This will alleviate any concerns of sewer flooding. Untreated sewage would be a concern for the Water Framework Directive (WFD) status of the receiving water body. Any deterioration in WFD status would be deemed unacceptable. Maidenhead Ditch is currently at 'Bad' status for Dissolved Oxygen and 'Poor' status for phosphates. Any untreated discharges or sewer overflows due to capacity issues is likely to exasperate the problem.

39 No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: A preliminary risk assessment which has identified:

1. all previous uses
2. potential contaminants associated with those uses
3. a conceptual model of the site indicating sources, pathways and receptors
4. potentially unacceptable risks arising from contamination at the site.

A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 40 No occupation of any part of the development here by permitted shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site is underlain by Principal Aquifers in both the drift and solid geology and we need to protect these aquifers from any potential contamination which may be in the soils as a result of previously contaminative use.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 41 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: There is the potential for piling to form pathways for contaminants (such as solvents) to migrate from the soils, the alluvium or gravel aquifer to the Chalk aquifer under this site. We therefore need to establish the contaminative status of this parcel of land in order to ensure that foundation design does not create vertical pathways for contamination to migrate. The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

- 42 The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water that should ensure that soakaways are not constructed into contaminated land has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: The previous use of the site is potentially contaminative. We need to ensure that surface water drainage systems will not discharge through contaminated land. National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution.

- 43 No development shall commence until full details of measures to ensure the continued effective operation of all outfalls during both the construction and operational phases has been submitted to and approved in writing by the Local Planning Authority. If any proposed mitigation measure requires the permission of a third party and the applicant is unable to obtain such permission, then an alternative measure will need to be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed as approved prior to the construction of any building on the site and shall be permanently retained and maintained in effective working order thereafter.

Reason: To minimise flood risk. Relevant Policies - Area Action Plan MTC4.

- 44 No construction above slab level shall commence until details, including the management/maintenance arrangement to ensure 24 hour access, of the external lift to and from the Green Way has been submitted to and approved in writing by the local planning authority.
Reason:To ensure unrestricted access is provided to the Green Way. Relevant Policies - Local Plan R14, AAP MTC4, MTC14
- 45 The windows in the following ground floor elevations of the commercial and retail premises: west facing elevation of Block A; north elevation in Block B; and east facing elevation of Block C shall be glazed with clear glass for the fascia to the sales area and there shall be no obstruction associated with the retail unit that restricts views into the premises. This shall be maintained as such.
Reason: In the interests of the visual amenities of the area and to give an appropriate relationship of the building to the street. Relevant Policies - Local Plan DG1, AAP MTC4, OA5.
- 46 Notwithstanding the submitted plans, no construction above slab level shall commence until details of the mitigation measures for the wind microclimate as set out in section 7 of the RWDI Report 'Pedestrian Level Wind Microclimate Assessment Desk Study' have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved mitigation and retained as such thereafter. Reason: To ensure that the wind microclimate and the levels of daylight/sunlight would result in an acceptable level of amenity within and around the development. Relevant Policies - AAP MTC4, OA5
- 47 The development shall be undertaken in accordance with the details set out in Table 20 of the Air Quality Assessment dated 17th February 2017 and received by the Local Planning Authority on the 25.05.2017
Reason: in the interest of air quality as required by the National Planning Policy Framework (2012)
- 48 The development hereby permitted shall be carried out in accordance with the approved plans listed below: 971_DF_125: Existing Topographical received by the Local Planning Authority on the 25.05.2017
971_DF_126: Existing Site Layout received by the Local Planning Authority on the 25.05.2017
971_DF_101 E: Proposed Lower Ground Floor - 2 received by the Local Planning Authority on the 17.10.2017
971_DF_102 E: Proposed Lower Ground Floor received by the Local Planning Authority on the 17.10.2017
971_DF_103 M: Proposed Ground Floor Plan received by the Local Planning Authority on the 11.09.2017
971_DF_104 F: Proposed First Floor received by the Local Planning Authority on the 25.05.2017
971_DF_105 E: Proposed Second Floor received by the Local Planning Authority on the 25.05.2017
971_DF_106 F: Proposed Third Floor received by the Local Planning Authority on the 25.05.2017
971_DF_107 F: Proposed Fourth Floor received by the Local Planning Authority on the 25.05.2017
971_DF_108 G: Proposed Fifth Floor received by the Local Planning Authority on the 25.05.2017
971_DF_109 F: Proposed Sixth Floor received by the Local Planning Authority on the 25.05.2017
971_DF_110 E: Proposed Seventh Floor received by the Local Planning Authority on the 25.05.2017
971_DF_111 C: Proposed Roof Plan received by the Local Planning Authority on the 25.05.2017
971_DF_A_112 D: Proposed Block A: Crown Lane Elevation received by the Local Planning Authority on the 11.09.2017
971_DF_A_113 D: Proposed Block A: High Street Elevation received by the Local Planning Authority on the 11.09.2017
971_DF_A_114 D: Proposed York Stream Elevation received by the Local Planning Authority on the 11.09.2017
971_DF_A_115 E: Proposed Block A: North Elevation received by the Local Planning Authority on the 11.09.2017
971_DF_B_116 E: Proposed Block B: York Stream Elevation received by the Local Planning Authority on the 25.05.2017

971_DF_B_117 D: Proposed Block B: Rear Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_B_118 D: Proposed Block B: North Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_B_119 D: Proposed Block B: South Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_C_120 D: Proposed Block C: York Stream Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_C_121 C: Proposed Block C: High Street Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_C_122 E: Proposed Block C: South Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_C_123 B: Presentation Block A High Street Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_C_124 B: Presentation Block A High Street Elevation received by the Local Planning Authority on the 25.05.2017
971_DF_A_128 B: Block A High Street Elevations Upper Floors received by the Local Planning Authority on the 25.05.2017
5818.SA.HSP.3.0 A: Hard Surface Plan received by the Local Planning Authority on the 26.09.2017
5818.SA.LM.1 A: Landscape Overview Plan received by the Local Planning Authority on the 26.09.2017
Verti-Apex WM: Cycle stores received by the Local Planning Authority on the 17.10.2017

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

Informatives

- 1 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

No working on Sundays or Bank Holidays.

Please contact the Environmental Protection Team on 01628 683830.
- 2 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:
 - o 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
 - o Building Research Establishment: Control of dust from construction and demolition activities
- 3 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.

- 4 Works of repair or maintenance of plant, machinery or equipment shall only be carried out at the site between 08:00 and 18:00 hours Mondays to Fridays, 08:00 and 13:00 on Saturdays and at no time on Sundays, or Bank Holidays or Public Holidays
- 5 External flues or ducting are operational development and will require separate full planning permission. Large extractor flues are unlikely to be considered visually acceptable in visually prominent positions, or within or adjacent to the Conservation Area and/or listed buildings
- 6 The agreement of the details of the bridge from Crown Lane into the Hines Meadow Multi-Storey car park will be done in consultation with the Maidenhead Waterways Restoration Group. The details submitted shall include details of the headroom for the replacement Hines Meadow car park exit bridge and all other new or replacement structures in the development which span the waterway (as widened and improved as part of the application hereby improved)
- 7 This development will require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres and excavations within 16 metres of the top of the bank of a designated 'main river', the York Stream. This will include the requirement for any temporary works when working close to the watercourse notably in respect of constructing new river walls or crossings.
An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
- 8 The applicant's attention is drawn to the requirements of condition 23 and 24 which relate to the contamination of the whole site. Condition 39 relates to the requirements of the Environment Agency regrading contamination and their statutory duty in terms of the impact on the waterway. Whilst information maybe submitted to satisfy both conditions, these conditions will be considered independently. Both are considered reasonable and necessary to make the development acceptable in planning terms.