

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

BOROUGHWIDE DEVELOPMENT MANAGEMENT PANEL

11 July 2018

Item: 1

Application No.:	18/01169/FULL
Location:	Straw Barn Mount Farm Choke Lane Maidenhead
Proposal:	Construction of a B1 Office building following demolition of the existing barns.
Applicant:	Mr Copas
Agent:	Mr Lfti Maniar
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for the demolition of existing farm buildings, and the erection of a new office building, together with a new permanent car park and internal access.
- 1.2 The proposal would constitute inappropriate development in the Green Belt, which is by definition harmful. In addition, the scheme would have a moderate impact on the openness of the Green Belt, and encroachment into the countryside.
- 1.3 A satisfactory sustainable drainage scheme has not been submitted, and so the application is also recommended for refusal on this basis.
- 1.4 The scheme is considered to be of an acceptable design, and is considered to have an acceptable impact on transport.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):

1.	The development constitutes inappropriate development within the Green Belt, and would result in a loss of openness and encroachment into the Green Belt. A case of Very Special Circumstances does not exist which outweighs the harm to the Green Belt, and any other harm.
2	A Sustainable Drainage Strategy has not been submitted.
3.	An ecology survey has not been submitted.

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 comprises barns at Mount Farm. The buildings are brick and timber clad with a profile metal roof. The building has a typical barn/rural warehouse appearance. An area of hardstanding is located in front of the barns and is currently used for informal car parking.
- 3.2 Mount Farm is a diversified farm which amongst agricultural activities is home to a rural office complex under Use Class B1, located to the north east of the application building, which has its own car parking area. The farm also includes residential land uses located to the west of the commercial buildings.

- 3.3 The site is situated within the Green Belt, and within an Area of Special Landscape Importance.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Reference Number	Description of development	Decision and date of decision
10/01772/AGDET	Notification to determine whether prior approval is required for the erection of an agricultural building at Hay And Machinery Store Mount Farm	Prior approval not required. Decided on 23rd August 2010.
16/01148/CLASSM	16/01148/CLASSM Class R - Notification of change of use from agricultural to offices (flexible commercial use) at Hay Barn Mount Farm	Prior approval required and granted. Decided on 31st May 2016.
17/02048/FULL	Proposed Change of Use from (B8) Storage to (B1) Offices at Straw Barn, Mount Farm.	Permitted 25th August 2017.

- 4.1 The application is for the demolition of the existing barns and the construction of a new B1 office building. The new building would be 7.4 metres high (to the ridge), up to 37 metres deep in part, and 39 metres wide. The building would have a pitched roof, and a number of projecting gables.
- 4.2 The proposed building would be located on an existing internal access road that serves the existing office complex, and as such this access road would be removed. A new internal access road would be created following the line of an existing gravel track (to the west), which would link to the proposed car park area, and car park that serves the existing office complex.
- 4.3 No changes would be made to the existing vehicular access off Choke Lane.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections

Green Belt- Section 9
Design- Section 7
Transport- paragraph 32

Royal Borough Local Plan

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

Appearance of development	Highways and Parking	Trees	Green Belt
DG1, N1	P4, T5	N6	GB1, GB2 (part A),

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Ecology and Natural Resources	NR3, NR1

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 Submission Document was

published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. All relevant policies to this application are afforded significant weight apart from policy NR1, which is given limited weight due to the nature of objections received to this policy.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Cookham Village Design Statement

Guidance G6.15 a, b and c relates to Commercial and retail development

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

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view at:

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Green Belt
- ii Appearance of development
- iii Impact on trees
- iv Parking and Highways
- v Ecology
- vi Sustainable Drainage

Green Belt

6.2 The National Planning Policy Framework (NPPF) details that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open; it confirms that the essential characteristics of Green Belts are their openness and their permanence (paragraph 79). At paragraph 80 it identifies five purposes for the Green Belt, the third being 'to assist in safeguarding the countryside from encroachment'.

- 6.3 At Paragraph 88, the NPPF stipulates that when considering any planning application, Local Planning Authorities should ensure that **substantial weight** is given to any harm to the Green Belt and that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.4 Development within the Green Belt is *prima facie* inappropriate, however, paragraphs 89 and 90 of the NPPF set out exceptions to inappropriate development in the Green Belt.
- 6.5 The Local Plan was adopted well before the publication of the NPPF. The tests set out in Policy GB1 to determine whether a development would be inappropriate are not fully consistent with those in the Framework. This is seen in relation to development involving material changes in the use of land and the erection of certain categories of buildings. Also, Policy GB2 (A) imposes an additional test with a view to safeguarding the openness of the Green Belt. Policies GB1 and GB2 (part A) of the Local Plan are consistent in part with the NPPF, and so are given weight, but not full weight in the determination of this application.
- 6.6 Paragraph 89 of the NPPF allows the construction of certain new buildings as an exception to inappropriate development in the Green Belt. This scheme cannot be assessed under the exception for the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), because the NPPF specifically excludes land that is or has been occupied by agricultural or forestry buildings from the definition of brownfield land.
- 6.7 Another exception to inappropriate development under paragraph 89 is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In relation to this scheme, the proposed building can be regarded as a replacement building, however, it does not accord with this exception, as the new building would be in a different use to the one it would replace. Whilst there are extant permissions to use this building for office purposes, these have never been implemented. For this reason the proposal would not fall under this exception to inappropriate development.
- 6.8 The scheme also proposes a new permanent car parking area, on land that currently has a gravel surface, and which the applicant advises is used as an overflow car park. The material change of use in the land is inappropriate development in the Green Belt, as it is not listed as an exception under paragraphs 89 or 90 of the NPPF.
- 6.9 Inappropriate development is by definition harmful to the Green Belt (as set out in paragraph 87 of the NPPF).
- 6.10 Consequently the application should not be approved unless very special circumstances exist which outweigh the harm to the Green Belt and any other harm arising from the whole proposal (as per paragraphs 87 and 88 of the NPPF).

Impact on the openness of the Green Belt

- 6.11 An essential characteristic of the Green Belt is its openness. The effect of the proposal on openness requires consideration because it is not an explicit part of the assessment as to whether or not the development types are inappropriate.
- 6.12 The height of the existing and proposed buildings are similar. The eaves of the proposed building are quite significantly lower than that of the existing building. Looking at floor space comparisons the existing building has a floorspace of circa 922 square metres, and the proposed building would have a floorspace of circa 928 square metres, which is not a significant amount of additional floorspace. The projecting gables on the proposed building would add to the scale and mass of the proposed building. Looking at the impact of the proposed building over the existing building, it is considered that it would have a limited impact on the openness of the Green Belt.
- 6.13 The change of use of land that is used as overflow car parking into permanent car parking would impact on the openness of the Green Belt. The car park would be hard surfaced and have the

potential for cars to be parked all year round and this would add to the visual intrusion of the proposed development. Taking into account the impact of the proposed building and permanent car park, it is considered the development as a whole would have a moderate impact on the openness of the Green Belt.

- 6.14 The area for the proposed permanent car park measures circa 360 square metres, this would result in a modest encroachment into the countryside.

Appearance of development

- 6.15 The proposed building broadly follows the design of the existing business complex situated to the north-east of the buildings subject to this application. As such, from a design perspective the scheme is considered to be acceptable, and it is considered the scheme would have an acceptable impact on this Area of Special Landscape Importance.

Impact on trees

- 6.16 There are trees within the application site boundary, located on a grassed area which is fenced off. The applicant advises that these are to be retained. If planning permission was being granted, a condition could be imposed to secure details of tree protection measures.

Parking and Highways

- 6.17 The site benefits from having a 10 plus metre wide access off Choke Lane which leads down to a 6.0m wide internal road. None of the proposals would affect the existing visibility splays or existing access arrangements.
- 6.18 The proposed site plan (PL-102) shows that 34 car parking spaces would be provided together with 4 disabled spaces. This exceeds the Local Authorities standards and is therefore acceptable.
- 6.19 The proposal is not considered to have a detrimental effect on the local highway network.

Ecology

- 6.20 In the summer of 2017 there was evidence of breeding birds at the barn (a nest was found externally). Conditions were imposed on a planning permission to convert that barn, in order to secure mitigation for the birds, in line with the Council Ecologist recommendations. An ecology survey has not been submitted with this application, and so the LPA cannot ascertain whether adequate mitigation measures can be put in place for the demolition of the barns as required under this application. In addition, the barns may host roosting bats. A survey has not been undertaken to confirm whether this is the case, and if so how bats will be affected by the proposals, a bat survey would need to be undertaken prior to the determination of a planning application. As such, evidence has not been provided for the council to determine the likely impacts of the proposals on bats (which are a protected species and a material consideration in the planning process).

Sustainable Drainage

- 6.21 As this is a major planning application, it is a mandatory requirement for the scheme to provide a satisfactory sustainable drainage scheme. At the time of writing this report, no detail on the proposed SUDS strategy has been submitted. As such, this forms a reason for refusal.

Conclusion

- 6.22 This proposal amounts to inappropriate development in the Green Belt. In accord with paragraph 88 of the Framework, when considering this application the Council should ensure that substantial weight is given to the harm to the Green Belt outlined above. The application has not established that any very special circumstances exist relevant to this proposal that would clearly

outweigh the identified harm by reason of inappropriateness and the other harm, also identified above.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 Office development is not liable to CIL.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

4 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 24th May 2018. The application was advertised in the Maidenhead Advertiser on the 7th June 2018.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	Can the applicant supply a drainage statement, with calculations and drawings, demonstrating that this development complies with the requirements of the non-statutory technical standards for sustainable drainage systems.	6.21

Other consultees

Consultee	Comment	Where in the report this is considered
Highways	No objections, subject to conditions.	6.16-6.18
Cookham Parish Council	Object, on the basis of overall size, scale, design and materials as there is a significantly greater impact on the locality and the Green Belt.	6.11-6.14
Cookham Society	<p>This site is not only in the Green Belt; it is also in an Area of Special Landscape Importance. The existing building already has planning permission for conversion from agricultural use to offices, but the proposed building would have significantly more impact on the openness of the Green Belt than the present one. The present building is compact and the type of dull utilitarian agricultural structure that is normally found in the countryside. The proposed building is both wider and longer than the existing one. It also has very large areas of glazing at both ground floor and first floor level together with a ridge line that is raised in parts. We request that you refuse this application.</p> <p>If, however the Borough is minded to approve this application, we ask that a condition is applied that prevents the installation of an upper floor in the building because this could intensify the level of activity on the site and result in significantly more vehicle movements and areas of car parking. We also ask that a condition is applied to remove Permitted Development Rights that might allow further change of use without a full planning application. Nevertheless, we wish to reiterate our view that the proposal as submitted is damaging to a highly sensitive part of the Green Belt.</p>	6.2-6.4

Environment al Protection	No objection, subject to a condition for a CEMP.	Noted
Council's Ecologist	The barns may host roosting bats and to confirm whether this is the case, and if so how bats will be affected by the proposals, a bat survey will need to be carried out. The survey will need to be carried out prior to determination of the application or the application would need to be refused on the grounds that insufficient evidence had been provided for the council to determine the likely impacts of the proposals on bats (which are a protected species and a material consideration in the planning process).	6.20

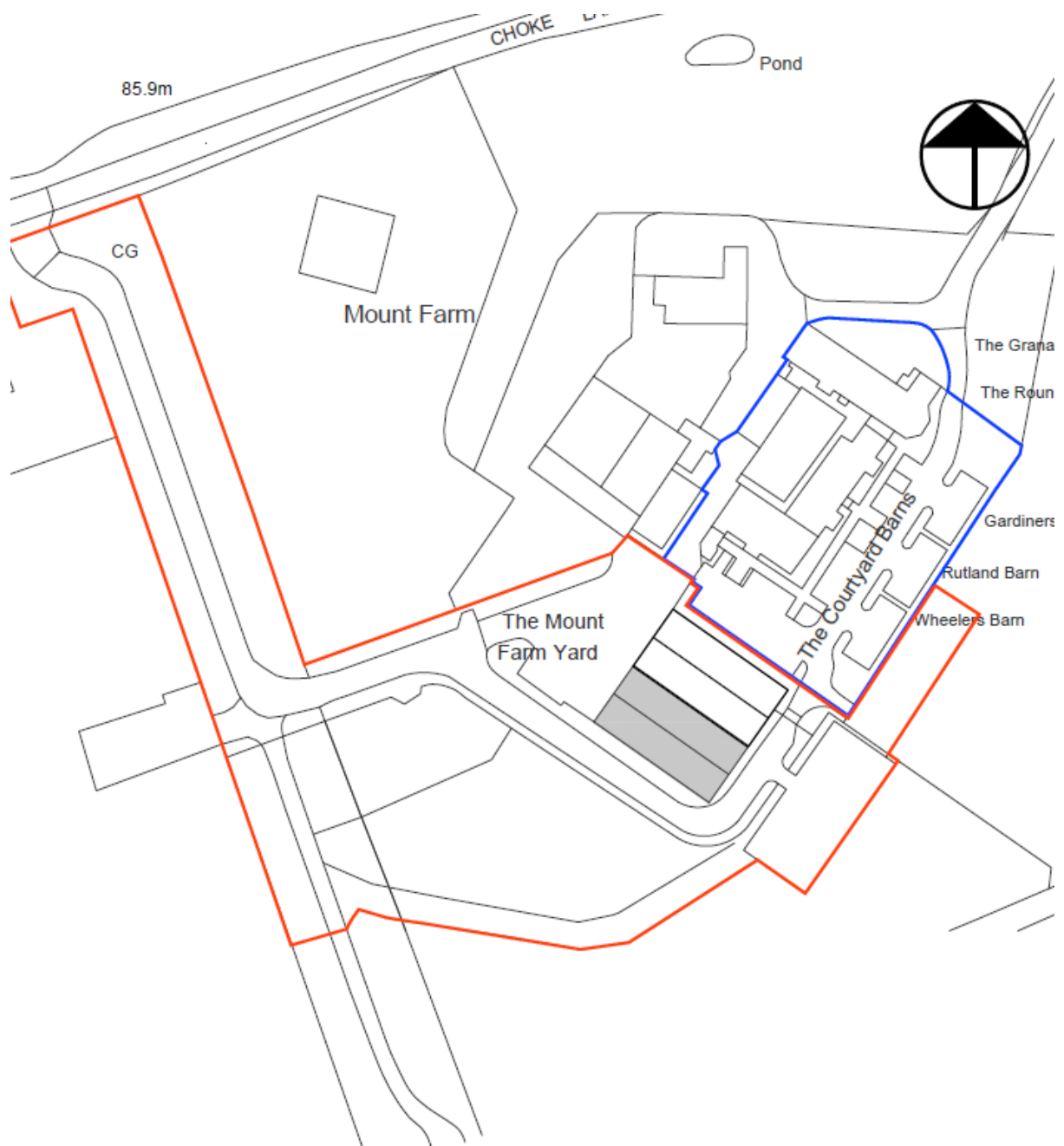
9. APPENDICES TO THIS REPORT

- Appendix A - Site location
- Appendix B – Proposed block plan
- Appendix C – Elevations and floor plan

10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed development constitutes inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt. The proposed development would result in a moderate impact on the openness of the Green Belt, and would result in moderate encroachment into the countryside. A case of Very Special Circumstances does not exist which outweighs the harm to the Green Belt by reason of its inappropriateness, and other harm by reason of the moderate impact on openness and encroachment, the absence of a satisfactory sustainable drainage strategy and the ecological implications for the site. The proposal therefore fails to comply with paragraphs 87, 88, and 89 of the National Planning Policy Framework. The proposal also fails to comply with Policies GB1, GB2 (part A) of the Adopted Local Plan, and with Policy SP5 of the of the Borough Local Plan Submission Version.
- 2 A sustainable drainage strategy has not been submitted, and so it has not been demonstrated that the scheme can meet the requirements of the non-statutory technical standards for sustainable drainage systems. As such, the proposal is contrary to policy NR1 of the Borough Local Plan Submission Version.
- 3 The applicants have not provided any ecological survey information with the application. The proposal therefore fails to fully assess the ecology implications for the site. The proposal fails to comply with paragraph 118 of the National Planning Policy Framework, and policy NR3 of the Borough Local Plan Submission Version.

Appendix A- site location plan



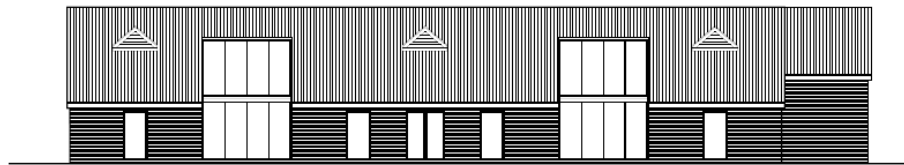
Appendix B- Proposed block plan



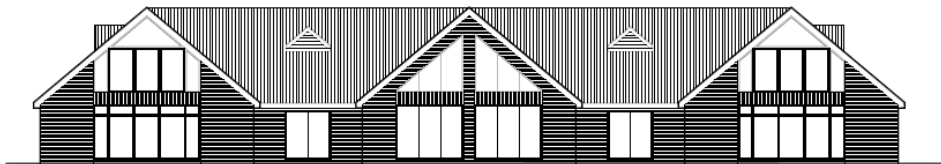
Appendix C- floor plans and elevations



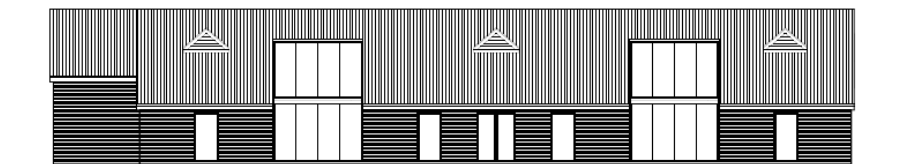
Front Elevation



Side Elevation



Rear Elevation



Side Elevation



Ground Floor Plan

DEVELOPMENT CONTROL PANEL

11 July 2018

Item: 2

Application No.:	18/01311/FULL
Location:	The Farmers Boy 2 Harrow Lane Maidenhead SL6 7PE
Proposal:	Construction of a three-storey building comprising x6 two-bed and x5 one-bed flats with on site parking and access off Harrow Lane
Applicant:	JSV Properties Ltd
Agent:	Mr Ed Drysdale
Parish/Ward:	Maidenhead Unparished/Furze Platt Ward

If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk

1. SUMMARY

- 1.1 The scheme is for demolition of the existing public house, and redevelopment of the site to provide 11 flats, together with associated parking spaces and amenity space.
- 1.2 The public house is regarded as a community facility; both National and Local Plan policies seek to protect such community facilities. The applicant has submitted correspondence from an estate agent who has marketed the premises for over a year, but what is not evident is whether the price at which they marketed the premises at is reasonable for this area, and also takes into account the condition of the premises. As such, it has not been demonstrated that the loss of the public house is justified.
- 1.3 The proposed building is considered to be too large in scale within the context of this site and local area, and it fails to respond to the character of the area.
- 1.4 The applicant to date has not submitted a sustainable drainage strategy.
- 1.5 The scheme is considered to have adequate parking, an acceptable impact on highway safety, and upon neighbouring residential amenity.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):	
1.	There is insufficient evidence submitted with the application to demonstrate that there is no longer a need for the community facility to justify its loss.
2	The proposed building, owing to its scale and mass, and the use of a flat roof, fails to respond to the character of the area, and would look incongruous in the area.
3.	A sustainable drainage strategy has not been submitted.

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 is located at the junction of Cookham Road and Harrow Lane, Maidenhead, and is currently occupied by a two-storey building accommodating the 'Farmer's Boy' public house, car park, outbuilding and garden
- 3.2 The area surrounding the site is predominantly residential in character. A row of terraced houses is located immediately to the north, with mainly semi-detached houses to the south and west. A

block of three-storey flats is located to the east of the site on the opposite side of Cookham Road, which are set at a lower ground level than the application site.

- 3.3 Within the Council's Townscape Assessment, the area is within Early Post war suburbs; the characteristics of this townscape are:

-Built form is defined by simple dwellings constructed from dark wire cut or sand faced brick and metal casement windows.

-Roofs are steeply-moderately pitched, hipped or gabled, and finished in concrete tiles –chimneys add to visual interest on the skyline.

- 3.4 There is a parade of shops to the south-east and within close proximity of the site. In addition, to the north beyond the terrace of six dwellings is a petrol station and shop. Furze Platt railway station is within walking distance of the site further west along Harrow Lane and there are also a number of schools within the vicinity.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application is for the demolition of the public house on site and its replacement with a three-storey building to provide 11 flats (6 x 2 bedroom and 5 x 1 bedroom). The building would be approximately 17.5 m wide, 25.5 m deep and 8.7m high. Off-street parking for 16 cars would be provided within the site via Harrow Lane.

- 4.2 There is no relevant planning history for the site.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections

Design- Paragraphs 58, 60, 64

Community Facilities- Paragraph 70

Transport- 32

Amenity- 17

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Community Facility
DG1, H11	P4, T5	CF1

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3 (significant weight)
Sustainable Transport	IF2 (significant weight)
Community Facility	IF7 (significant weight)

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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough

Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the table above.

This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

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

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Loss of the Public House
- ii Impact on the character and appearance of the area
- iii The impact on the private amenities of neighbours and the living conditions of future occupiers of the development
- iv Parking provision and highway issues
- v Sustainable Drainage

Loss of the Public House

- 6.2 A public house is viewed as a community facility which planning policy seeks to retain. Paragraph 70 of the NPPF explains that planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. Both Policy CF1 of the Adopted Local Plan and Policy IF7 of the Borough Local Plan Submission Version (this policy is afforded significant weight) seek to retain community facilities.
- 6.3 The public house is vacant at present, and the applicant advises it has been on the market (to let as a public house) since March 2017.
- 6.4 The applicant has submitted a letter from the Estate Agent 'Smile Estate Agents' which states that the property has been marketed on Zoopla, Prime location and on their website. Based on their research of the market in Maidenhead and Slough, they deduce that the average rate for this type of property is £14-16 per square foot, which means the property has been marketed with a guideline rent of £40,000 per annum. The agent considers that this is a fair rent. The letter concludes that the interest in letting these premises has been low.

- 6.5 Whilst the period of marketing would be acceptable to officers, it is not known whether £40,000 per annum is a reasonable rent for this property, and also whether it takes into account any investment required to bring these premises up to an adequate standard.
- 6.6 Looking at other pubs available for rent in the Maidenhead area, the Crown Public House which is situated on Boyn Hill Road is currently up for let, and is marketed at £12,000 per annum, although it does require investment according to its marketing details. It is acknowledged that rents for pubs differ, but the applicant has not submitted evidence which backs up their estate agents assertions that this is a reasonable price for such a premises in this area. In addition, given the lack of interest that the estate agent received in letting the pub, there is no indication as to whether it was appropriate to reduce the price.
- 6.7 The application submission lacks evidence to demonstrate that (a) the rent of £40,000 per annum was reasonable, and (b) whether the agent considered it appropriate to reduce the rent given the lack of interest received. For these reasons it is considered that the application fails to demonstrate that there is no longer a need for this pub, and the proposal fails to comply with Policy CF1 of the Adopted Local Plan and Policy IF7 of the Borough Local Plan Submission Version.

Impact on the character and appearance of the area

- 6.8 The application site is located in a prominent position on the corner of two fairly busy roads in Maidenhead. Cookham Road is one of the main routes into Maidenhead Town Centre from the northern suburbs of the town and from Cookham itself.
- 6.9 Although the existing pub building immediately abuts the footpath along Harrow Lane, the two-storey element is set back from Cookham Road by a considerable distance. Buildings within the area are generally two storeys and are domestic in scale. It is acknowledged that there is a 3 storey building on the opposite side of the road to the application site, however, this building is set at a lower ground level than the application site, it is not as prominent in the streetscene, and the pitched roof to the building means that the building does not appear overly bulky.
- 6.10 It is considered that the proposed scale of the building is out of keeping with the scale of surrounding properties in the local area, which are more domestic in scale. The use of a flat roof accentuates the mass and bulk of the proposed building. The proposed building would appear as a series of large boxes amassed together. By setting back the 3rd storey of the building from Cookham Road, it is clear that an attempt has been made to reduce the overall scale and mass of the building, however, the third storey to this building would be apparent given how prominent and visible this site is.
- 6.11 The use of flat roofs is not common within this area, and it is considered that this scheme fails to respond to the roofscape of buildings in the locality.
- 6.12 The applicant asserts that they can find no intrinsic character in the locality that they would wish to incorporate into the design of the new flats. However, just because the applicant does not see architectural merit in surrounding buildings does not justify this alien form of development. A fundamental part of the evolution of the form of the proposed building should be to consider how this building has been designed to respond the scale of buildings and roofscape in the locality.
- 6.13 The fenestration of the proposed building is irregular; some windows are very large, some are smaller, and some are narrow. The irregular fenestration has not been explained in the design rationale, and the fenestration contributes to the poor design of this building.
- 6.14 The building is considered to be of poor design and would appear out of keeping with the character of the area. The scheme is considered to conflict with Policy DG1 (3) and H11 of the Local Plan and with policy SP3 of the of the Borough Local Plan Submission Version.

The impact on the private amenities of neighbours and the living conditions of future occupiers of the development

- 6.15 Four of the apartments would not have their own balcony areas, but would have access to a small outdoor grassed area to the rear of the building, the outdoor space is small, however, given that not all future occupiers will be reliant on this space is considered to be acceptable.
- 6.16 Given the distances of the proposed building, its windows, and balconies to neighbouring properties, it is not considered that the proposed building would be unduly overbearing, result in unacceptable overlooking or result in loss of light to neighbouring properties.
- 6.17 The occupant of number 2 A Harrow Lane has raised concerns over the loss of privacy and light to their garden, and the number of cars parked by their boundary. However, the proposed building would be over 16 metres away from their boundary and given this distance it is not considered that it would result in an unacceptable impact on light or overlooking. The balcony at second floor level would not face the rear garden area of this property. Looking at the car parking spaces, given the lawful use of the site as a public house and the noise and disturbance that could arise from this, it is not considered the noise and disturbance arising from cars would be significantly harmful to neighbouring residential amenity.
- 6.18 The proposal is considered to comply with a core principle of the NPPF, which is to secure a good standard of amenity for all, and with policy SP3 of the Borough Local Plan Submission Version.

Parking provision and highway issues

- 6.19 The property currently benefits from having an 18m wide vehicular access off Harrow Lane and an additional smaller access off the Cookham Road.
- 6.20 The plans show the existing access off the B4447 Cookham Road is to be stopped up and the access off Harrow Lane will be retained but significantly reduced in width to serve the car park. The new access measures 5m wide and would be 33m from the roundabout junction with the Cookham Road.
- 6.21 With regards to the visibility splays, as Harrow Lane is restricted to a 30mph speed limit the access would be required to achieve visibility splays of 2.4m x 43m to the left and right. If the application was being recommended for approval, a visibility splay plan demonstrating that the required visibility splays of 2.4m x 43m can be achieved to the left and right from the new access point would need to be provided to the LPA for approval.
- 6.23 6 x 2 bed units and 5 x 1 bed units generates a demand for 17 car parking spaces. The proposed site plan (2412-PL-101) shows that 16 car parking spaces will be provided. When considering the existing parking shortfall that the public house has, it is considered that a shortfall of 1 car parking space is acceptable.
- 6.24 The existing public house would have produced varied vehicular movements throughout the day including deliveries from HGV'S. The proposed development has the potential to generate 34 to 60 vehicle movements per day. It is considered the development would generate more vehicle movements during the peak hours. The impact from traffic on the highway network is however considered to be acceptable.

Sustainable Drainage

- 6.25 As this is a major planning application, it is a mandatory requirement for the scheme to provide a satisfactory sustainable drainage scheme. At the time of writing this report, no detail on the proposed SUDS strategy has been submitted. As such, this forms a reason for refusal.

Housing Land Supply

- 6.26 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted in January 2018. The Borough Local Plan sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 This development is CIL liable. The existing and proposed floorspace is yet to be agreed by the applicant and officers.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

21 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 15th May 2018 and the application was advertised in the Maidenhead Advertiser on 17th May 2018.

1 letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Object to the building being 3 stories. The proposal would lead to a loss of privacy and light to the garden area of 2A Harrow Lane. Also concerned over the number of car parking spaces.	6.17

Statutory consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	Unless the applicant is to be given the opportunity to provide further information it is recommended that the application be refused.	6.25

Other consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection subject to the submission of a Site Specific Construction Environmental Management Plan (CEMP)	Noted.
Highway Authority	Offers no objection, subject to conditions.	6.19-6.24

9. APPENDICES TO THIS REPORT

- Appendix A - Site location
- Appendix B – Proposed block plan
- Appendix C – Elevations and floor plans

10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 There is insufficient evidence submitted with the application to demonstrate that there is no longer a need for the community facility to justify its loss. The application does not propose alternative provision to be made elsewhere. The loss of this community facility would be to the detriment of local residential amenities and would conflict with Paragraph 70 of the National Planning Policy Framework, Policy CF1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), and with Policy IF7 of the of the Borough Local Plan Submission Version .
- 2 The proposed building, owing to its scale and mass, and the use of a flat roof, fails to respond to the character of the area, and would look incongruous in the area. The site is a corner plot, and highly visible; the sheer scale and mass of the building would be evident in a number of views, appearing obtrusive in the locality. The proposal therefore conflicts with Policy DG1(3) and Policy H11 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), and with policy SP3 of the of the Borough Local Plan Submission Version.
- 3 A sustainable drainage strategy has not been submitted, and so it has not been demonstrated that the scheme can meet the requirements of the non-statutory technical standards for sustainable drainage systems. As such, the proposal is contrary to policy NR1 of the Borough Local Plan Submission Version.

Appendix A- Site location



Appendix B- proposed block plan



Appendix C- Elevations and Floor plans



South Elevation
1 : 100



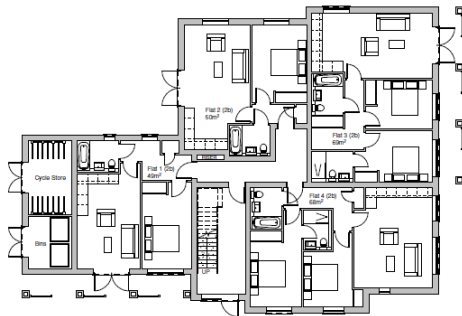
East Elevation
1 : 100



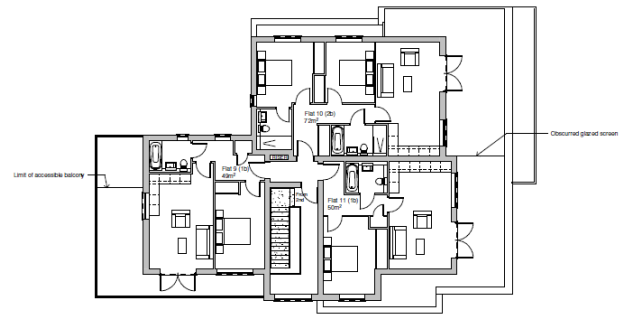
North Elevation
1 : 100



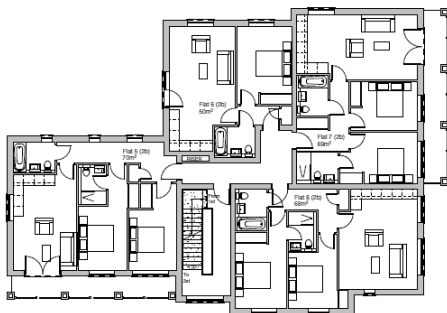
West Elevation
1 : 100



Ground Floor Plan
1 : 100



Second Floor Plan
1 : 100



First Floor Plan
1 : 100