

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

24 October 2018

Item: 1

Application No.:	18/01579/FULL
Location:	The Chequers Dean Lane Cookham Maidenhead SL6 9BQ
Proposal:	Single storey extension with glazed link and alterations to fenestration on existing outbuilding. Change of use of extended outbuilding to cookery school (D1).
Applicant:	Mrs Kaur
Agent:	Mr David Parker
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward

If you have a question about this report, please contact: Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk

1. SUMMARY

- 1.1 This proposal for the replacement of a previously demolished element of an existing outbuilding, and the use of the extended building as a cookery school is considered to be appropriate development in the Green Belt and to preserve and enhance the listed building and the adjacent conservation area. It is also considered not to harm the amenities of neighbouring properties.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor M J Saunders: Significant concerns from Residents and RBWM Heritage and Environmental Health Officers regarding, inter alia, the impact on an historic building and its setting, the provision of extraction systems and disruption during development.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a brick and clay tile outbuilding within the curtilage of the Chequers which is a public house/restaurant situated in the centre of Cookham Dean, a village in the Green Belt. The building was part of a larger stable block, part of which existed in 1948 but which has since been demolished. The main building and outbuildings are Grade II listed. The stable block is historically significant as a curtilage building. The building is small with features that still evoke a sense of its history and with fabric that displays its original use. It lies just outside the Cookham Dean Conservation Area. The surroundings contain houses and cottages of varying designs and ages.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is to replace the demolished part of the building with an extension which would have dark feather edged timber cladding, a dark brick plinth and a clay tiled roof to match the existing. It is proposed to be attached to the existing building by a glazed link. The replacement extension would measure 11.4m by 5.5m, and the original part of the building that would remain measures 7.6m by 6m. There would be a change of use of the extended building to a small cookery school with 12 work stations and associated spaces, and the applicants have stated that it would be likely to be used by no more than 6 students.. The existing part of the building would be used as a store and a staff room.

97/31256/FULL	Refurbishment and conversion of existing outbuildings to 2 no. bedrooms and stores	Approved 15.7.1997 (not built)
97/31257/LBC (As above)		Approved 15.7.1997 (not built)
18/01577/FULL	Single storey rear extension and new door opening following demolition of rear conservatory.	Awaiting determination
18/01578/LBC	Single storey rear extension and new door opening following demolition of rear conservatory.	Awaiting determination
18/01580/LBC	Consent for a single storey extension with glazed link for new cookery school and alterations to fenestration on existing outbuilding	Awaiting determination

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 2, 4, 6, 12, 13, 16.

Royal Borough Local Plan (1999)

5.2 The main Development Plan policies applying to the site are:

Design/character	Highways and Parking	Green Belt	Listed Building	Conservation Area
DG1	P4, T5	GB1, GB2, GB8	LB2	CA2

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
Historic Environment	HE1, HE3
Green Belt	SP5

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 detail in the assessment below.

Significant weight is to be accorded to Borough Local Plan Submission Version policies SP2, SP3, SP5, HE1 and HE3 in this case. The above application is considered to comply with the relevant policies listed within the Development Plan and the Borough Local Plan Submission Version policies to which significant weight is to be accorded as a material planning consideration.

This document can be found at:

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

Supplementary planning documents:

Cookham Village Design Statement.

Other Local Strategies or Publications

5.4 Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i whether the proposal is appropriate development in the Green Belt;
- ii whether the proposal preserves the character of the Listed Building and the adjacent Conservation Area;
- iii impact on the character of the area;
- iv whether the proposed change of use is acceptable, including impact on neighbours; and
- v parking and highways impacts.

Green Belt

6.2 With regard to the assessment of the proposed extension, policies GB1 and GB2 of the Local Plan are not generally in accord with the NPPF. The proposed change of use, when considered in the light of development plan policy, complies with policies GB1 (B) and GB8 (1) and (4) of the Local Plan in-so-far as these policies reflect national Green Belt policy as outlined below. Policy SP5 of the Borough Local Plan Submission Version is in general accord with the NPPF with regard to the Green Belt considerations surrounding the assessment of this proposal and this should be afforded significant weight in this case.

6.3 Paragraph 145 of the NPPF 2018 states that a local planning authority should regard the construction of new buildings in the Green Belt as inappropriate development in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The glossary to the NPPF states that "original building" means a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. In this case the applicant has provided evidence that the building originally had a range of stables attached and that this existed in 1948 (thought to have been demolished in around 2002), and the footings of this can still be seen on the ground. The proposal involves the effective re-instatement of the part of the building which was demolished, and the new building would not be materially larger than that which originally existed on site. In the light of this, the proposed extension is considered to be appropriate development in the Green Belt, and to comply with the NPPF 2018 Paragraph 145.

- 6.4 With regard to the proposed change of use of the extended building to a cookery school, paragraph 146 of the NPPF states, inter-alia, that *certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: (d) the re-use of buildings provided that the buildings are of permanent and substantial construction.* This proposal would not require the provision of any associated development and, as concluded in this report below, it is considered that the existing car park would provide sufficient space for both the existing pub/restaurant use and the proposed cookery school. The existing building is of a permanent and substantial construction. As such, it is considered that the change of use would preserve openness and would not conflict with any of the purposes of including land within the Green Belt.

Listed Building and adjacent Conservation Area

- 6.5 In considering this planning application the Council needs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Council also needs to pay special attention to the desirability of preserving or enhancing the character or appearance of the setting of the adjacent conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The building on this site is a Grade II listed building, and is across the road from the Cookham Dean Conservation Area. Relevant development plan policies are policies LB2 and CA2 of the adopted Local Plan. It should be noted that the design of the scheme has been amended at the request of the Conservation Officer to make it pitched roofed rather than flat roofed, and to make the design more sympathetic to the historic building. The stable block is historically significant as a building that once supported the workings of the pub. The building is small with features that still evoke a sense of its history and with fabric that displays its original use. The adopted Local Plan states that proposals for the “alteration and/ or extension of a building” should only be granted “provided that the character of the building will not be adversely affected, both internally and externally”. The initial design was a flat roofed extension that was not sympathetic to the Listed Building. However, the new proposal is now a hipped clay tile roof at a pitch that is much shallower than the existing and therefore would not dominate the existing building in terms of height or scale.
- 6.6 The proposal meets the requirements of policy CA2 of the Local Plan as the proposed materials are appropriate with clay tiles to match the existing, dark feather edged timber cladding, and a dark brick plinth. These materials are simple and will maintain the residential scale that is characteristic of the nearby Conservation Area. Furthermore, it would have no greater impact on the area than the previously approved scheme in this location under applications 97/31257/LBC and 97/31256/FULL.
- 6.7 The proposal is in line with policy HE1 of the Borough Local Plan Submission Version and policy LB2 of the adopted Local Plan as the proposal would not adversely affect the Listed Building. A light weight structure would join the old and the new ensuring that they are distinguishable from one another. It is not yet clear how this link will adjoin the Curtilage Listed Building and therefore details of this, along with details of the proposed materials, will be required at condition stage (conditions 2 and 7 refer). The proposal is also in line with policy LB3 which states that “wherever possible The Borough Council will require that Listed Buildings are used for purposes which will secure their long term future and which will preserve or enhance their physical fabric, setting, special character, and interest”. The existing stable block is unused and in a deteriorating condition. Given that the original usage of the building as a stable is now no longer viable, its usage as a cookery school in relation to the pub/ restaurant, is considered to meet the objectives as set out in the Local Plan.

Character

- 6.8 The proposal, as amended, is considered to be in keeping with the character of the area, as it would be sympathetic in design and proposed materials to the historic character of the stable block, and would be modest in scale to blend in with the domestic proportions of the surrounding dwellings. The amount of activity on the site would be similar to the activity on the site if the pub/restaurant were operating fully. As such, the proposal is considered to accord with policy DG1 of the Local Plan, and policy SP3 of the Borough Local Plan Submission Version, which should be given significant weight. Furthermore, for the afore-mentioned reasons, the proposals are considered to accord with the guidance contained within the Cookham Village Design Statement.

Impact of Change of Use on Locality

- 6.9 The Design and Heritage Impact Assessment refers to this being an extension of the use of the site as a pub/ restaurant, as the staff would be the same, and the use would simply be using unused staff capacity. The proposed cookery school would have a likely maximum of 6 students at any one time, and would likely operate at times when the pub/ restaurant is not in use. The purpose of the proposal is to help to make the use of the site financially viable, which, in turn, would help to maintain the fabric of the listed building. It is considered that the use of this building as a cookery school does entail a change of use, and for this reason the applicants were asked to include the change of use in their description of the proposal.
- 6.10 The impact of the change of use on the amenities of the neighbouring properties needs to be considered, in the light of objections from neighbours who fear disruption and smells as a result of the development. It is considered that the use would be fairly low key, and that the neighbouring properties are far enough away not to be affected by noise, smells or activity on the site, provided the proposed conditions (conditions 3 and 4) are complied with. The nearest house, Causeway, is 12m away on the other side of dense foliage, and the house Annapurna is across the road and 21m away. These impacts would be similar, in any case, to the impacts if the pub/ restaurant were to be operating fully. The Environmental Protection Officer does not recommend refusal of the proposal, and has suggested conditions be added to any approval to ensure that cooking smells and noise do not emanate from the site. She has also recommended conditions to ensure that construction hours of working comply with hours of working in the Borough, to avoid disruption to neighbouring properties outside of normal working hours during construction.

Parking and Highways

- 6.11 The site has a large car park with 23 spaces. Without prejudice to the outcome of the application, the parking standards in the Council's Parking Strategy for the main building, incorporating the proposed extension (planning application 18/01577) is 1 space per 6 sqm of seating area. The seating area would have 95 sqm of floor space, so this equates to 16 parking spaces. The remaining 7 spaces would be available to the students of the cookery school, and this is considered to be sufficient, as the applicants do not anticipate more than 6 students at any one time, and they plan to open the cookery school during the day when the restaurant is not operating at capacity. The Highways Officer is satisfied that the site has sufficient capacity to accommodate the pub/ restaurant (as extended) and the proposed use of the building as a small cookery school, without the need for any overspill parking on the public highway. Consequently it is concluded that the proposal complies with policies P4 and T5 of the Local Plan

Other Issues

- 6.12 The RBWM Access Advisory Forum has pointed out that no information has been supplied on the accessibility of the restaurant for people with disabilities. However this application is not for the restaurant, it is for the cookery school, and it is noted that this is to be all on one level, so is unlikely to present any accessibility issues.

Conclusions

- 6.13 The proposal is considered to accord with the development plan policies, where relevant, as outlined above. Otherwise, where development plan policy is out of date, the relevant sections of the Framework have been applied and the relevant Borough Local Plan Submission Version policies have been given significant weight as material considerations in the assessment of this application.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

10 occupiers were notified directly of the application, and a site notice was posted on 15.6.2018. The application was advertised in the Maidenhead & Windsor Advertiser on 21.6.2018.

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

Comment	Where in the report this is considered
1. Would be the creation of a new business in the Green Belt, additional to the pub restaurant.(3)	6.2
2. It would represent inappropriate development in the Green Belt and adjacent to the Cookham Dean Conservation Area.(2)	6.2, 6.3-6.5
3. The external appearance would adversely affect the grounds and setting of a Grade II listed building and the area.(5)	6.3-6.8
4. A cookery school would extend the effective business hours substantially and would greatly add to the strong smell of cooking in the vicinity of the restaurant. No mention of how this will be dealt with, but the use of extraction systems would increase noise and odour pollution.(6)	6.9-6.10
5. A cookery school with workstations for up to 12 pupils would create increased noise and disturbance outside of the peak times of the pub/ restaurant.(2)	6.9-6.10
6. Would increase vehicular activity during the daytime with schools in the vicinity. The pub only had traffic at lunchtimes and during the evening, not all day long.(4)	6.11
7. Is this a viable business proposition or just a way to increase the footing of an outbuilding with a view to developing the site in the future.(2)	6.2
8. Contrary to the assertion in the Design and Heritage Impact Assessment, it is not the only community facility in Cookham Dean.(2)	-
9. It would overwhelm the current plot, and represent a gross overdevelopment of the plot.	6.8
10. Unsympathetic material choice – zinc cladding, extensive glazing, bifold doors and flat roof.	6.5-6.7
11. Would cause overlooking and our upstairs bedroom window would look directly into the school.	6.10
12. Doesn't say where refuse bins for glass and waste would be stored (currently in Store)	6.11
13. The excessive glazing would cause light pollution in hours of darkness, visible from our windows.	6.10
14. 12 students could create a significant level of noise, and this could impact on the enjoyment of our home as we would not be able to open windows.	6.10
15. Out of keeping with Green Belt policy.	6.2
16. The style of the Indian restaurant is out of keeping with this well-loved area. It is almost always empty.	-
17. The industrialisation of a quaint Heritage country pub/ restaurant.	6.5-6.7

Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Comment on scheme as originally submitted: Objection – design not in keeping with the Conservation Area and Green Belt in which it is situated. Comment on revised scheme: Withdraw objection. Furthermore they do wish to emphasise the condition for a full and comprehensive installation of extraction and ventilation equipment.	6.10

Other consultees

Consultee	Comment	Where in the report this is considered
Conservation Officer	No objection	6.5 – 6.7
Highways Officer	No objection	6.11
Environmental Protection	No objection – recommend conditions	6.10
RBWM Advisory Forum	No information about access to restaurant for disabled people	6.12

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site proposals
- Appendix C – Plan and elevations

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

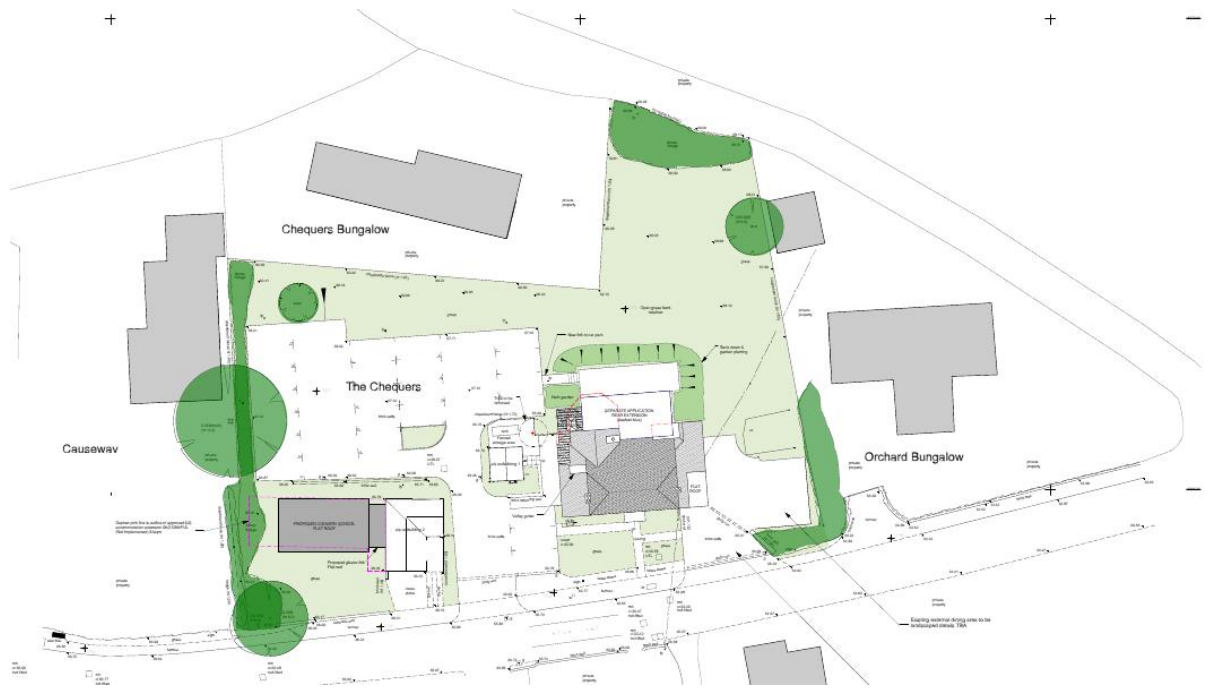
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The construction of the external surfaces of the building hereby permitted shall not be commenced until details of the materials to be used have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, LB2 and CA2.

- 3 Prior to the occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours including maintenance, cleaning and filter replacement schedule shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such. It is recommended that details are in accordance with Annex B and C of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf Noise from the system must also be considered.
Reason: To protect the amenities of the area and prevent nuisance arising from odour and to accord with the Local Plan Policy NAP3.
- 4 Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced. It is recommended that the scheme is in accordance with British Standard (BS) 4142:20142, "Methods for rating and assessing industrial and commercial sound."
Reason: To protect the amenities of the area and prevent nuisance arising from noise and to accord with the Local Plan Policy NAP3.
- 5 No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the adjoining properties.
- 6 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
Reason: To protect the amenity of the adjoining properties.
- 7 The construction of the external surfaces of the building(s) hereby permitted shall not be commenced until details of the method of linking the proposed extension to the existing building have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out entirely in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, LB2 and CA2.
- 8 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities.

- 2 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 68 3830 and follow good practice.
- 3 The development that has been applied for may require a premises licence under the Licensing Act 2003. The applicant is advised to contact Licensing@RBWM.gov.uk for further details.
- 4 The development that has been applied for includes a food business. Separate to Planning Permission all food businesses are required to register with their local Environmental Health Department. The applicant is advised to contact commercial@RBWM.gov.uk for further details.



Appendix B



FRONT ELEVATION 1:100



RIGHT ELEVATION 1:100



SECTION A-A 1:100

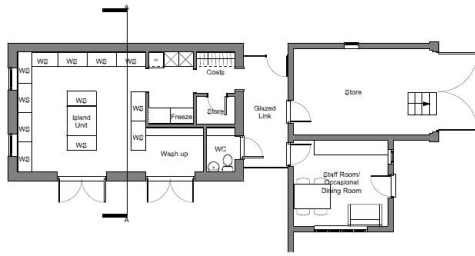


REAR ELEVATION 1:100



LEFT ELEVATION 1:100

- Material notes:**
- Dark brown stained feathered edge timber board
 - Roof tiles to match existing
 - Brick plinth- Light Victorian Red
 - Structural glass link
 - Zinc fascias



FLOOR PLAN 1:100

Cookery school with glass link
Gross External Area 60.7sqm



3D PERSPECTIVE VIEWS

MAIDENHEAD DEVELOPMENT CONTROL PANEL

24 October 2018

Item: 2

Application No.:	18/01580/LBC
Location:	The Chequers Dean Lane Cookham Maidenhead SL6 9BQ
Proposal:	Consent for a single storey extension with glazed link for new cookery school and alterations to fenestration on existing outbuilding.
Applicant:	Mrs Kaur
Agent:	Mr David Parker
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward

If you have a question about this report, please contact: Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk

1. SUMMARY

- 1.1 This proposal for the replacement of a demolished part of an outbuilding, and the use of the building as a cookery school is considered to preserve and enhance the listed building. The proposal complies with the relevant development plan policies.

It is recommended the Panel GRANTS listed building consent with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor M J Saunders: Significant concerns from Residents and RBWM Heritage and Environmental Health Officers regarding, inter alia, the impact on an historic building and its setting, the provision of extraction systems and disruption during development.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a brick and clay tile outbuilding associated with the Chequers which is a public house /restaurant situated in the centre of Cookham Dean, a village in the Green Belt. The building was part of a larger stable block, part of which existed in 1948 but which has since been demolished. The main building and outbuildings are Grade II listed. The stable block is historically significant as a curtilage building. The building is small with features that still evoke a sense of its history and with fabric that displays its original use. It lies just outside the Cookham Dean Conservation Area. The surroundings contains houses and cottages of varying designs and ages.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is to replace the demolished part of the building with an extension which would have dark feather edged timber cladding, a dark brick plinth and a clay tiled roof to match the existing. It is proposed to be attached to the existing building by a glazed link. The replacement extension would measure 11.4m by 5.5m, and the original part of the building that would remain measures 7.6m by 6m. There would be a change of use of the extended building to a small cookery school with 12 work stations and associated spaces, and the applicants have stated that it would be likely to be used by no more than 6 students.. The existing part of the building would be used as a store and a staff room.

97/31256/FULL	Refurbishment and conversion of existing outbuildings to 2 no. bedrooms and stores	Approved 15.7.1997 (not built)
97/31257/LBC	(As above)	Approved 15.7.1997 (not built)
18/01579/FULL	Single storey extension with glazed link and alterations to fenestration on existing outbuilding. Change of use of extended outbuilding to cookery school (D1)	Awaiting determination
18/01577/FULL	Single storey rear extension and new door opening following demolition of rear conservatory	Awaiting determination
18/01578/LBC	Consent for a single storey rear extension, new door opening and internal alterations following demolition of rear conservatory	Awaiting determination

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 4 and 16.

Royal Borough Local Plan

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

Listed Building
LB2

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
Historic Environment	HE1, HE3

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 detail in the assessment below.

Significant weight is to be accorded to Borough Local Plan Submission Version. The above application is considered to comply with the relevant policies listed within the Development Plan and the Borough Local Plan Submission Version.

This document can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issue for consideration is whether the proposal preserves the character of the Listed Building. Issues concerning the Green Belt, the adjoining Conservation Area, traffic and parking and the impact on neighbouring amenities are not a consideration for this listed building consent application – they are dealt with in the accompanying planning application reported elsewhere on this panel agenda.

Listed Building

6.2 In considering this planning application the Council needs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The site is a Grade II listed building. It should be noted that the design of the scheme has been amended at the request of the Conservation Officer to make it pitched roofed rather than flat roofed, and to make the design more sympathetic to the historic building. The stable block is historically significant as a building that once supported the workings of the pub. The building is small with features that still evoke a sense of its history and with fabric that displays its original use. The adopted Local Plan states that proposals for the “alteration and/ or extension of a building” should only be granted “provided that the character of the building will not be adversely affected, both internally and externally”. The initial design was a flat roofed extension that was not sympathetic to the Listed Building. However, the new proposal is now a hipped clay tile roof at a pitch that is much shallower than the existing and therefore would not dominate the existing building in height or scale.

6.3 The proposal meets the requirements of policy LB2 of the Local Plan as the proposed materials are appropriate with clay tiles to match the existing, dark feather edged timber cladding, and a dark brick plinth. Furthermore, it would have no greater impact on the area than the previously approved scheme in this location under applications 97/31257/LBC and 97/31256/FULL.

6.4 The proposal is in accordance with policy HE1 of the Borough Local Plan Submission Version and policy LB2 of the adopted Local Plan as the proposal would not adversely affect the Listed Building. A light weight structure would join the old and the new ensuring that they are distinguishable from one another. It is not yet clear how this link will adjoin the Curtilage Listed Building and therefore details of this, along with details of the proposed materials, will be required at condition stage (conditions 2, 3, 4 and 5). The proposal is also in accord with policy LB3 of the Local Plan which states that “wherever possible The Borough Council will require that Listed Buildings are used for purposes which will secure their long term future and which will preserve or enhance their physical fabric, setting, special character, and interest”. The existing stable block is unused and in a deteriorating condition. Given that the original usage of the building as a stable is now no longer viable, its usage as a cookery school in relation to the pub/ restaurant, is considered to meet the objectives as set out in the Local Plan.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

A site notice was posted on 15.6.2018.

The application was advertised in the Maidenhead & Windsor Advertiser on 21.6.2018.

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

Comment		Where in the report this is considered
1.	Would be the creation of a new business in the Green Belt, additional to the pub restaurant.(3)	6.1
2.	It would represent inappropriate development in the Green Belt and adjacent to the Cookham Dean Conservation Area.(2)	6.1

3.	The external appearance would adversely affect the grounds and setting of a Grade II listed building and the area.(4)	6.2-6.4
4.	A cookery school would extend the effective business hours substantially and would greatly add to the strong smell of cooking in the vicinity of the restaurant. No mention of how this will be dealt with, but the use of extraction systems would increase noise and odour pollution.(3)	6.1
5.	A cookery school with workstations for up to 12 pupils would create increased noise and disturbance outside of the peak times of the pub/ restaurant.(2)	6.1
6.	Would increase vehicular activity during the daytime with schools in the vicinity. The pub only had traffic at lunchtimes and during the evening, not all day long.(2)	6.1
7.	Is this a viable business proposition or just a way to increase the footing of an outbuilding with a view to developing the site in the future.(2)	6.1
8.	Contrary to the assertion in the Design and Heritage Impact Assessment, it is not the only community facility in Cookham Dean.(2)	-
9.	It would overwhelm the current plot, and represent a gross overdevelopment of the plot.	6.2-6.4
10	Unsympathetic material choice – zinc cladding, extensive glazing, bifold doors and flat roof.	6.2-6.4

Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Comment on scheme as originally submitted: Objection – design not in keeping with the Conservation Area and Green Belt in which it is situated. Comment on revised scheme: Withdraw objection. Furthermore they do wish to emphasise the condition for a full and comprehensive installation of extraction and ventilation equipment.	6.2-6.4

Other consultees

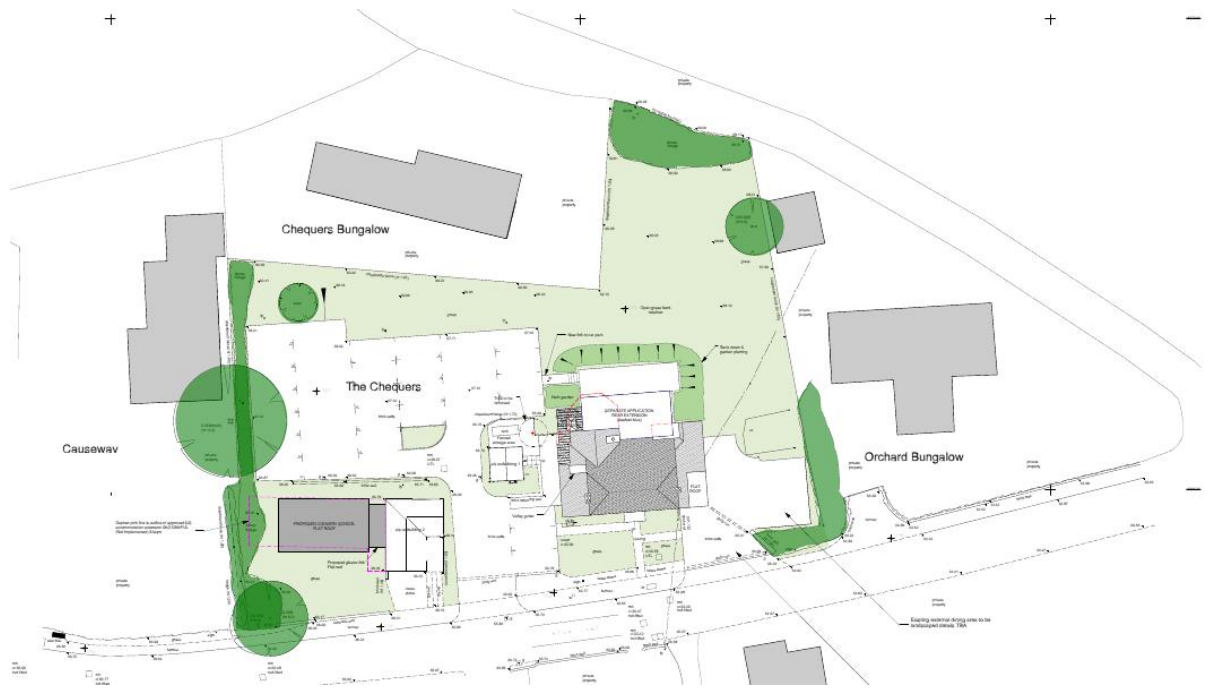
Consultee	Comment	Where in the report this is considered
Conservation Officer	No objection – conditions suggested	6.2-6.4 and 9
RBWM Advisory Forum	No information about access to restaurant for disabled people	N/A

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site proposals
- Appendix C – Plan and elevations

9. CONDITIONS RECOMMENDED FOR INCLUSION IF CONSENT IS GRANTED

- 1 The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
- 2 Before the relevant work begins, a sample panel of brickwork showing the proposed brick, method of bonding, colour of mortar and type of pointing to be used shall be prepared on site and approved by the Local Planning Authority in writing. The work shall be undertaken in accordance with the approved details.
Reason: To protect and preserve the character of the Listed Building. Relevant Policies - Local Plan LB2.
- 3 Prior to installation, a sample of the proposed boarding and stain for the extension shall be made available to view on site and approved by the Local Planning Authority. The work shall be undertaken in accordance with the approved details.
Reason: To protect and preserve the character of the Listed Building. Relevant Policies - Local Plan LB2.
- 4 Prior to the commencement of works, further details of the proposed windows, doors, and proposed glass link in accordance with the approved plans shall be submitted to and approved by the Local Planning Authority. Details shall be in-situ and include elevations and horizontal and vertical sections at a scale of no less than 1:20. The works shall thereafter be undertaken in accordance with the approved details.
Reason: To protect and preserve the character of the Listed Building. Relevant Policies - Local Plan LB2.
- 5 The roof of the extension shall be clad in handmade clay tiles, a sample of which shall be made available to view on site and approved by the Local Planning Authority in writing prior to their use.
Reason: To protect and preserve the character of the Listed Building. Relevant Policies - Local Plan LB2.
- 6 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.



Appendix B

MAIDENHEAD DEVELOPMENT CONTROL PANEL

24 October 2018

Item: 3

Application No.:	18/01601/VAR
Location:	49 Switchback Road North Maidenhead SL6 7QX
Proposal:	Variation of condition 3 (hard and soft landscaping), condition 4 (access), condition 6 (parking and turning), condition 7 (pedestrian visibility), condition 8 (visibility splays) and condition 11 (approved plans) of planning permission 17/03904/VAR to provide amended access to plot 2
Applicant:	Waltham Homes
Agent:	Mr Richard Crane
Parish/Ward:	Maidenhead Unparished/Furze Platt Ward

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

1. SUMMARY

- 7.3 This application, which seeks permission to vary the relevant conditions of planning permission 17/03904/VAR to enable an amendment to the access to plot 2, along with other associated amendments to landscaping, is considered acceptable when assessed in light of the development plan and all other relevant material planning considerations.
- 7.4 Locating the access to plot 2 along Kinghorn Park rather than in a shared access with plot 1 along Switchback Road is considered to represent a gain to highway safety as there would be a reduced number of vehicles accessing the site from Switchback Road North, which is a Classified Road. The proposed access is also considered to be a sufficient distance from the junction of Kinghorn Park with Switchback Road North not to result in any highway issues.
- 7.5 The consequential amendments proposed to the landscaping plan are considered to be acceptable and the replacement trees are considered appropriate for this location.
- 1.4 No changes are proposed to the design or appearance of the dwellings approved under 17/03904/VAR.

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

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Sharma due to issues relating to highway safety.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The proposal site is situated on the north-western corner of the junction between Switchback Road North and Kinghorn Park. The site was formerly occupied by a detached dwelling house, however; works are currently underway on site pursuant to the development approved under planning permission 17/03904/VAR (original permission 17/00322/FULL) for its redevelopment with three detached dwelling houses.
- 3.2 The site is situated within the developed area of Maidenhead and is generally characterised by detached dwelling houses with separate frontage accesses.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposal is for the variation of conditions 3 (hard and soft landscaping), 4 (access), 6 (parking and turning), 7 (pedestrian visibility), 8 (visibility splays) and 11 (approved plans) of planning permission 17/03904/VAR to enable an amendment to the access to plot 2 with associated amendments to the proposed landscaping of the site.

4.2 The access to plot 2 was originally proposed to be provided via the existing access which would have been shared with plot 1. It is now proposed to provide a separate access to plot 2 from Kinghorn Park, just west of its junction with Switchback Road North. The proposed access to plot 3 remains unchanged as a separate access out onto Kinghorn Park, located to the west of plot 2.

4.3 Planning History:

17/00322/FULL - 3 No. detached dwellings with associated access and parking following demolition of existing dwelling. Permitted 18.04.17

17/01934/CONDIT - Details required by condition 6 (access) 7 (construction management plan) 9 (pedestrian visibility splays) 10 (visibility splays) of planning permission 17/00322 for 3 No. detached dwellings with associated access and parking following demolition of existing dwelling. Approved 12.07.17

17/02435/NMA - Non material amendment to planning application 17/00322 for alterations to fenestration on plots 1, 2 and 3 and part omission of vertical tile hanging to side and rear on plots 1 and 2. Permitted 25.05.17

17/02678/CONDIT - Details required by condition 2 (external materials) 3 (hard and soft landscaping) 5 (finishing materials) of planning permission 17/00322 for 3 No. detached dwellings with associated access and parking following demolition of existing dwelling. Approved 27.09.17

17/03489/NMA - Non material amendment to planning permission 17/00322/FULL to alter the roofs and install rear and side rooflights on plot 1 and plot 2. Refused 07.12.17

17/03904/VAR - Variation of Condition 13 (under Section 73) to substitute the approved plans with amended plans for 3 No. detached dwellings with associated access and parking following demolition of existing dwelling approved under 17/00322/FULL. Permitted 13.02.18

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 1, 4, 5, 12 and 15.

Royal Borough Local Plan (1999)

5.2 The main Development Plan policies applying to the site are:

Design/character	Highways and Parking	Trees
DG1, H10, H11	P4, T5	N6

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
Sustainable Transport	IF2
Trees	NR2

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 detail in the assessment below.

Significant weight is to be accorded to Borough Local Plan Submission Version policies SP2, SP3 and IF2 in this case. The above application is considered to comply with the relevant policies listed within the Development Plan and those Borough Local Plan Submission Version policies to which significant weight is to be accorded as a material planning consideration.

This document can be found at:

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

Supplementary planning documents

None.

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment.
- RBWM Parking Strategy.

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 Section 73 of the Town and Country Planning Act (as amended) specifically excludes the reconsideration of issues other than those covered by the conditions that are the subject of this application, as described in paragraph 4.1 of this report above.

Highway Safety

- 6.2 Policy T5 of the adopted Local Plan requires all new development proposals to comply with the Council's adopted highway design standards. This application seeks approval for a proposed new access to serve plot 2, with the existing access to the site to be retained to serve plot 1 and with plot 3 retaining its own separate access. The proposed new access to serve plot 2 would be located 12.5m from the junction with Switchback Road North. This is considered to be an acceptable distance that would ensure safe access/egress to/from the site without impacting on highway safety. The proposed new access would also mean that there would be a reduced number of vehicles accessing the site directly from Switchback Road North, which is a classified road and this amounts to a highway gain. The proposed visibility splays would comply with current standards. The proposal is therefore in accord with policy T5 of the Local Plan and would also accord with policy SP3 (c) of the Borough Local Plan Submission Version, which requires development proposals to, amongst other things, deliver easy and safe access and movement for pedestrians, cyclists, cars and service vehicles.

Trees and Landscaping

- 6.3 Policy N6 of the Local Plan seeks the protection of existing landscaping features on site and the provision of appropriate tree planting and landscaping. The proposed new access would necessitate alterations to the proposed hard and soft landscaping of the site and an amended landscaping plan and specification has been submitted as part of this application. The landscaping proposals (including the planting of a proposed replacement tree) are considered to accord with the requirements of policy N6 of the Local Plan and with policy NR2 of the Borough Local Plan Submission Version.

Conclusion

- 6.4 With regard to housing supply, 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.
- 6.5 The principle of this proposed development has already been established through the grant of the previous planning permissions for the redevelopment of this site. The proposed separate access to plot 2 is considered to comply with the relevant development plan policies, which are considered to be up-to-date and should be given greatest weight in the consideration of the merits of this application. The proposals are also in accord with the relevant policies in the Borough Local Plan Submission Version to which significant weight is to be accorded as a material planning consideration.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The development is CIL liable however the proposed development would not alter the scale of the approved dwelling and therefore the figures agreed under previous application would still apply.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

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

Comment		Where in the report this is considered
1.	Cause danger to road safety	Considered a highway gain by the Highways Authority
2.	Located opposite an existing access from No.1 Kinghorn Park	No objection in principle to number of accesses provided it has no detrimental impact on highway safety
3.	Close to the junction with Switchback Road North causing greater risk	The Highway Authority have confirmed that the distance between the access and the junction in acceptable
4.	Doubling of access and traffic	No objection in principle to number of accesses provided it has no detrimental impact on highways safety
5.	Would encourage visitors to the site to park on Kinghorn Park	No current parking restrictions along Kinghorn Park
6.	Further new dwellings in Kinghorn Park should not be allowed	Each application is assessed on its own individual merit. Development already approved at this site.

Other consultees

Consultee	Comment	Where in the report this is considered
Highways Authority	No objection	See 6.3
Tree Team	No objection subject to changes to wording of the landscape specification	Agent has confirmed changes to the wording of the document in email correspondence dated 02.10.18.
Environmental Protection	No objection	Noted

9. APPENDICES TO THIS REPORT

- Appendix A - Location plan and proposed site plan
- Appendix B – Landscaping plan

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development shall be constructed in accordance with the external materials approved under permission reference 17/02678/CONDIT. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Local Plan policy DG1.
- 2 The hard and soft landscaping shall be carried out in accordance with the approved details contained within the Landscape document, rev B, produced by Garden House Design for Richard Crane Associates, dated 02.10.18, the email correspondence dated 02.10.18, and as shown on drawing no. GHD3021 Rev B. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 3 The accesses shall be constructed and retained in accordance with the approved details contained on drawing no.P-01 Rev B.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 4 Demolition and construction traffic (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring during the works period shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority, as granted under the condition application referenced: 17/01934/CONDIT.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 5 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the layout shown on drawing No. P-01 Rev B. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 6 The pedestrian visibility as shown on drawing P-01 rev B shall be provided and kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level prior to the occupation of the development. Thereafter it shall be maintained in accordance with these details.
Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5
- 7 The visibility splays as shown on drawing P-01 rev B shall be provided and kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level and shall be maintained as such.
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 8 No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

- 9 No gates shall be installed at any of the accesses.
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 10 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

MAIDENHEAD DEVELOPMENT CONTROL PANEL

24 October 2018

Item: 4

Application No.:	18/01777/OUT
Location:	Desborough Bowling Club York Road Maidenhead SL6 1SF
Proposal:	Outline application for Access, Appearance, Layout and Scale only to be considered at this stage with landscaping matters to be reserved for the demolition of existing buildings on the site and erection of a building comprising 8, 7 and 6 storey blocks with two 4 storey linking elements to provide 149 apartments with associated access and servicing, landscaping, 169 car parking spaces and 149 cycle spaces.
Applicant:	Shanly Homes Limited
Agent:	Mr Kevin Scott
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

- 1.1 The application site relates to the Desborough Bowling Club, a community sports and recreation facility located to the southern end of York Road and the wider Maidenhead Town Centre. The site comprises of the outdoor bowling green and club house and forms part of the wider 'York Road Opportunities Area'.
- 1.2 This is an 'outline' application with the following reserved matters being considered; appearance, layout and scale for a building 4- 8 storeys in height providing 149 residential dwellings. The only reserved matter not for consideration as part of this planning application is landscaping. Plans have been revised since the initial submission and have been subject to a full re-consultation exercise.
- 1.3 The report sets out the relevant Development Plan and other policy considerations as well as the extent of the pre-application discussions undertaken by the applicant. The report also sets out the main material planning considerations and assessment in relation to this planning application. This includes reference to the refused planning applications on this site.
- 1.4 The proposed development looks to make efficient use of previously developed land in a highly sustainable location to achieve housing at a 'higher' density. The submitted information is considered to demonstrate that proposed development does not prejudice the wider redevelopment of the York Road Opportunity Area.
- 1.5 The below reports set out concerns regarding the proposed layout, massing and scale of the development. This causes harm and is contrary to the development plan. Although in doing so it is recognised that the revised scheme is an improvement on that previously proposed on this site.
- 1.6 Whilst an indicative landscaping plan has been submitted as part of this application. Landscaping is a reserved matters which would need to be considered under a separate application. However the form of development proposed would involve the loss of 3 TPO trees along the frontage; but subject to appropriate replacement planting which has due regard for the wider landscaping of the area, this is considered to be acceptable.
- 1.7 The applicant has proposed 12 affordable housing units as part of this proposal, which given matters pertaining to the development is considered appropriate. Concerns have been raised in regards to the level of parking proposed and the design limitations associated with a level of parking above that considered necessary for a town centre location.
- 1.8 The proposed development is not considered to raise any issues in terms of highway safety or capacity, nor raises any issues in terms of environmental matters.

- 1.9 On balance, it is considered that the benefits weigh in favour of this scheme and therefore the proposal is recommended for approval, subject to matters sets out below.

It is recommended the Panel DEFERS AND DELEGATES the decision to GRANT planning permission to the Head of Planning subject to the following:

- 1. The conditions listed in Section 11 of this report (including any non-material changes to the recommended conditions*).**
- 2. The completion of a Section 106 Legal Agreement to secure matters to make the development acceptable in planning terms.**
- 3. Ensuring a suitable resolution on matters regarding refuse and serving to enable the recommended condition to secure an appropriate strategy.**

**Officers are working with the applicant to resolve and agree (in accordance with the 2018 regulations) pre-commencement conditions as soon as practically possible to ensure the prompt and smooth commencement of the development on site.*

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.
- At the request of Councillor Wilson as this site forms an important part of the regeneration of Maidenhead Town Centre.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to the Desborough Bowling Club, a community sports and recreation facility located to the southern end of York Road and the wider Maidenhead Town Centre. The site comprises of the outdoor bowling green and club house. The club house benefits from an indoor 'bowling green.' With reference to the planning history below the facility has secured a new site for re-provision, just outside of the Town Centre.
- 3.2 The rear of the site abuts Maidenhead Football Club and to the east is York Centre and Café, which is a single storey detached building, the freehold of which is in Council ownership.
- 3.3 The site is located near to but not directly adjacent to York Stream and is adjacent but not within flood zone 2. To the front of the site are a number of trees which afford protection through a Tree Preservation Order.
- 3.4 The application site forms part of the wider 'York Road Opportunity Area' as identified in the Maidenhead Town Centre Area Action Plan (2011).

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This is an 'outline' application with the following reserved matters being considered; appearance, layout and scale.

The proposed development is for one singular building varying from 4- 8 storeys in height. The building would be in the form of three blocks varying from 6-8 storeys in height with four storey inter connecting elements. The building would provide a total of 149 residential units comprising the following:

- 13 studio units
- 35 one bedroom units
- 97 two bedroom units
- 4 three bedroom units

- 4.2 169 spaces car parking spaces are proposed as part of this proposal, contained in a basement and ground floor parking forming a podium. Refuse store and cycle stores are also proposed.
- 4.3 The height of the proposed building varies; the inter-connecting 4 storey elements of the proposal are around 12m in height. The proposed 7 storey blocks are up to 21m in height. The eastern end of the proposed building is around 25- 26m in height to the top of the 8 storey (depending on where the measurement is taken in relation to ground level).
- 4.4 Plans have been amended since the initial submission to respond to matters raised by the Design Review Panel. This includes reducing the height of some elements of the proposal and also the number of units from 154 to 149. Parking is reduced from 176 spaces to 169. Changes to the internal layout of the accommodation and the servicing arrangements are intended provide a more active and better overlooked street frontage. The revisions made are considered further below in paragraph 6.3- 6.4. These revisions have been subject to a full re-consultation process.
- 4.5 The only matter not to be considered as part of this outline application (which would otherwise be considered as part of a full planning application) is Landscaping – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features and further details of the proposed Open Space. All matters pertaining to the above fall outside of the scope of consideration for this application. In the event this application is approved a further reserved matters application would be required for this

4.6 Planning History relevant to this site:

Reference	Description	Decision
18/01789/EIASC	Request for Screening Opinion under Regulation 6 of The Town And Country Planning (Environmental Impact Assessment) Regulations 2017 for Demolition of existing buildings on the site and erection of three buildings orientated north/south across the site one comprising 8 storeys and two comprising 7 storeys. 154 apartments with associated access and servicing, landscaped courtyards and podium level, 176 car parking spaces provided at ground and basement levels. Bike stores are provided in Block A and Block C at ground floor level. Cycle parking is provided at a ratio of one space per dwelling. Amenity space is provided within the development in a mix of private gardens, balconies and terraces	Not EIA development
17/03466/FULL	Erection of 1 No. 8 storey building and 2 No. 7 storey buildings to provide 154 apartments with associated access and servicing, landscaped courtyards and podium level and 176 car parking spaces following demolition of existing buildings.	Refused 05.02.2018 Currently under appeal to be heard by way of Inquiry from the 27- 30 November 2018.
<p>The above planning application was refused by the Maidenhead Development Panel on the 17.01.2018. Reason for refusal were:</p> <ul style="list-style-type: none"> In the absence of sufficient information to demonstrate otherwise the proposed development has failed to show how the development could be successfully ensure effective integration without prejudicing the wider comprehensive redevelopment of the area known as the 'York Road Opportunity Area'. This could lead to the prevention of the further efficient use and cohesive approach of wider urban land to deliver a mixed use scheme in a sustainable town centre location. 		

This is contrary to the National Planning Policy Framework (2012) and the Maidenhead Area Action Plan (2011).

- The proposed development by reason of its layout, scale, mass, bulk and overall design is considered to be one which is visually overdominant and overbearing, detrimental to the character and appearance of the area, and the streetscene in general. This is contrary to the National Planning Policy Framework (2012), policy DG1, H10 and H11 of the Borough Local Plan (2003) and policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre Area Action Plan (2011).
- In the absence of sufficient information to demonstrate otherwise the proposed development fails to provide or secure any affordable housing provision required to make the development acceptable in accordance with the National Planning Policy Framework (2012), policy H3 of the Borough Local Plan (2003) and policy IMP2 of the Maidenhead Town Centre Area Action Plan (2011).
- The proposed development would result in the loss of four Tree Preservation Order trees which are of high amenity value. No adequate replacement tree planting is proposed and any proposed landscaping is considered limited. This is contrary to the National Planning Policy Framework (2012) and its associated guidance, policies N6 and DG1 of the Local Plan (2003), and policies MTC2, MTC4 of the Maidenhead Town Centre Area Action Plan (2011).

17/03473/EIASC	EIA screening request for the erection of 1x 8 storey building and 2 x 7 storey buildings to provide 154 apartments with associated access and servicing, landscaped courtyards and podium level and 176 car parking spaces following demolition of existing buildings	Not EIA development 16.11.2017
17/01808/FULL	Erection of 1 No. 8 storey building and 2 No. 7 storey buildings to provide 154 apartments with associated access and servicing, landscaped courtyards and podium level and 176 car parking spaces following demolition of existing buildings.	Refused 04.09.2017 (a screening option was undertaken under Reg 8 and the proposal was not considered EIA development)
Land South of Horwoods Yard, Green Lane, Maidenhead		
15/02135/FULL	Construction of indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping	Permitted
17/00786/VAR	Variation of Condition 27 (under Section 73) to substitute amended plans for those plans approved to allow for the lowering of the outdoor green and associated external alterations, and variation of pre-commencement Conditions 4 (hard and soft landscape works), 7 (details of the proposed drainage and services), 22 (Bio-Diversity Enhancements), 23 (security measures) so that details are approved for the construction of an indoor bowling green and clubhouse with associated facilities and construction of outdoor bowling green and green-keepers store with car parking and associated landscaping approved under 15/02135/FULL.	Permitted
Relevant planning applications within York Road Opportunity Area		

18/01608/FULL	<p>Council's Joint Venture redevelopment proposal:</p> <p>Mixed use redevelopment of the site comprising of 5 no. buildings 4-8 storeys in height to provide 229 new residential dwellings (Use Class C3), 1,930 sqm GEA of commercial and community/cultural floor space (Use Class A1/A3/B1/D1), provision of a new civic square and public realm enhancements, along with car parking, access, roads, landscaping and other associated works following demolition and clearance of all existing structures.</p>	Resolution to grant by the Maidenhead Development Panel on the 26.09.2018.
18/02550/FULL	<p>Shanly Homes Limited proposed redevelopment for 23 - 33 York Road:</p> <p>Redevelopment of the site to provide x55 apartments with basement parking and associated landscaping following demolition of the existing buildings.</p>	Pending consideration

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework (NPPF) (2018) 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.

Royal Borough Local Plan

5.2 The Borough's current adopted Local Plan comprises the saved policies from the Local Plan (Incorporating Alterations Adopted June 2003). The policies which are considered relevant to this site and planning application are as follows:

- N6 Trees and development
- DG1 Design guidelines
- NAP 1 Road/rail noise and development
- NAP3 Polluting development
- 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 playspace
- E1 Location of Development
- E 6 Other Sites in Business and Industrial Uses
- E10 Design and Development Guidelines
- S1 Location of shopping development
- 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

- IMP1 Associated infrastructure, facilities, amenities

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

5.3 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 - the Opportunity Areas, which includes York Road. With specific reference to this site the document identifies that the area also includes Maidenhead Football and Desborough Bowls Clubs. Whilst the football club wishes to remain in the town centre, the bowls club has indicated a willingness to relocate. The document states that any redevelopment proposals will be expected to include suitable open and amenity space recognising the open urban character of the site. The development and design principles for this opportunity area includes the replacement of existing car parking.

5.4 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 OA3 York Road Opportunity Area
- Policy IMP2 Infrastructure & Planning Obligations

5.5 The Council's planning policies in the Development Plan can be viewed at:
https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

5.6 Borough Local Plan Submission Version ("BLPSV") is currently under Examination by the Secretary of State under section 20 of the 2004 Act, together with the various prescribed submission documents in accordance with Regulation 22 of the 2012 Regulations. Once adopted, the BLP will supersede the saved policies of the 1999 Local Plan and several policies in the Maidenhead Town Centre Area Action Plan (BLPSV, para. 1.4.3). Appendix A to the BLPSV sets out the existing development plan policies that will be replaced by the BLPSV Policies when adopted, subject to the recommendations of the Local Plan Inspector.

5.7 The BLPSV comprises up-to-date strategic and development management policies for the Borough, which together with site allocations secure the delivery of development to meet objectively assessed needs of the Borough over the plan period. Specifically the BLPSV sets out the strategy for meeting the Borough's objectively assessed needs for housing, employment and infrastructure from 2013 up to 2033. The BLPSV is based on up-to-date evidence and the results of the previous consultations undertaken on the preparation of the BLP. Once adopted, the BLP will form part of the statutory development plan for the Borough.

5.8 Until it is adopted by the Council under section 23 of the Planning and Compulsory Purchase Act 2004, the BLPSV does not form part of the statutory development plan for the Borough. As such, in accordance with paragraph 48 of the NPPF (2018) and Section 38(6) of the Planning Act, when taking planning decisions, the Council may give weight to relevant policies in the BLPSV:

"... according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*

- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

- 5.9 When dealing with planning applications this means the Council must continue to determine applications in accordance with the adopted Development Plan, unless material considerations indicate otherwise. By publishing and submitting the BLPSV for independent examination, the Council has formally confirmed its intention to adopt the BLPSV, subject to the recommendations of the Local Plan Inspector.
- 5.10 The policies and site allocations within the BLPSV have been prepared having due regard to, and are consistent with, national planning policy requirements and are supported by a comprehensive and up-to-date evidence base and Sustainability Appraisal.
- 5.11 Policies in the BLPSV which are relevant to the consideration of this planning application are:
- 1 SP1 Spatial Strategy
 - 2 SP2 Sustainability and placemaking
 - 3 SP3 Character and design of new development
 - 4 HO1 Housing Development Sites
 - 5 HO2 Housing Mix and Type
 - 6 HO3 Affordable Housing
 - 7 HO5 Housing Density
 - 8 ED1 Economic Development
 - 9 ED2 Employment Sites
 - 10 ED3 Other Sites and Loss of Employment Floorspace
 - 11 TR6 Strengthening the Role of Centres
 - 12 HE1 Historic Environment
 - 13 HE3 Local Heritage Assets
 - 14 NR1 Managing Flood Risk and Waterways
 - 15 NR2 Trees, Woodlands and Hedgerows
 - 16 NR3 Nature Conservation
 - 17 EP1 Environmental Protection
 - 18 EP2 Air Pollution
 - 19 EP3 Artificial Light Pollution
 - 20 EP4 Noise
 - 21 EP5 Contaminated Land and Water
 - 22 IF1 Infrastructure and Developer Contributions
 - 23 IF2 Sustainable Transport
 - 24 IF3 Green and Blue Infrastructure
 - 25 IF8 Utilities
- 5.12 The site forms part of the York Road allocations in the emerging Borough Local Plan (BLP). Policy OA3 York Road Opportunity Area will be superseded in part by HO1 Housing Development Sites and ED2 Defined Employment Sites.
- 5.13 The wider allocation of York Road Opportunity Area in the AAP and that proposed in the housing allocation in the BLPSV is 4.5 hectares and includes the land to the south of the site including the Desborough Bowling Club and Maidenhead Football Club. This allocation looks to provide approximately 320 residential units as part of a mixed use scheme across the whole site.
- 5.14 The weight the LPA considers should be attributed to each policy, having due regard for the level of unresolved objections is, where relevant, discussed further below and in the planning balance section.

5.15 The Borough Local Plan Submission Version can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary planning documents

5.16 Supplementary planning documents adopted by the Council relevant to the proposal are as material planning considerations:

Sustainable Design and Construction SPD
Interpretation of Policy R2 to R6 - Public Open Space provision
Interpretation of Policy F1 – Area Liable to Flood

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

5.17 Other Strategies or publications considered to be material planning consideration relevant to the proposal are:

- RBWM Parking Strategy – view at:

More information on this documents can be found at:

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

5.18 The above parking strategy was adopted in 2004 and there have been material changes in government Planning Policy regarding parking standards since this document was adopted. The weight therefore attributed to this document is set out below in the planning considerations and overall planning balance.

6. PROACTIVE ENGAGEMENT AND PUBLIC CONSULTATION

6.1 Further to the refusal of planning application 17/03466/FULL the Head of Service invited the applicant to have pre-application advice, to consider entering into a Planning Performance Agreement (PPA) and in advance of submission to have the proposal reviewed by Design: South East, who are the Panel the Council has in place to review major proposals coming forward in Maidenhead Town Centre.

6.2 The applicants chose not to undertake this process and the planning application was submitted. Therefore and in order to ensure consistency in dealing with all planning applications coming forward during the consideration of the planning application the Local Planning Authority presented (and funded) this planning application to Design: South East. The applicants planning agent and architect attended the review.

6.3 In assessing the application Design: South East made the following comments:

- 1 Support the principle of a housing-led development in this location which makes more efficient use of this prominent town centre site.
- 2 Appreciate the architectural approach.
- 3 The proposal does not respond to reasons for refusal of the previous scheme regarding scale, mass and bulk.
- 4 The design feels overbearing in this location and does not respond well to the scale and character of the surrounding area.
- 5 Very difficult to develop a successful proposal for this site without a reduction in the amount of accommodation.
- 6 Greater design collaboration with the developers of neighbouring sites to the north.
- 7 Operational issues such as deliveries and refuse collections are currently pushed to the edge of the building and alternative strategies that are less disruptive to York Road are required.

- 8 Overlooking and overshadowing issues within the courtyard areas could be problematic
- 9 A looser design for courtyards would be beneficial.
- 10 Roof terraces can function well if they are accessible spaces and do not impact neighbouring flats.
- 11 The loss of existing mature trees on York Road is regrettable. More appropriate replacement tree planting should be provided.
- 12 Parking provision is significantly above council requirements. Such high levels should not be required in a location that is well connected to public transport. Recognise the benefits of hiding parking underground but the basement and podium parking severely limits how this site can be approached, and alternative parking strategies should form part of updated layout/massing proposals.

- 6.4 In response to the review the applicants have made some amendments to the proposed design of the development as summarised in paragraph 4.4 above and addressed in more detail below.
- 6.5 The consideration of this planning application runs parallel to the appeal against the Council's decisions to refuse planning application 17/03466/FULL.
- 6.6 Officers are very much trying to work with the appellants to resolve outstanding matters on this site and negate the need for the Inquiry on this appeal to take place. Thus, reducing time and cost for all parties and importantly expenditure to the public purse.
- 6.7 The applicant has set out that they do not wish to delay the Inquiry but they have agreed to delay the submission of proofs of evidence, required in connection with the Inquiry, pending the decision of the local planning authority on this planning application. Officers are unable to advise if in the event this application is approved the applicants will withdraw their appeal against the previous refusal on this site.

7. EXPLANATION OF RECOMMENDATION

- 7.1 The key issues for consideration are:

The key issues for consideration are:

- i Planning History
- ii Principle of the redevelopment of this site , including the loss of Community Facilities
- iii Design considerations including the impact on heritage assets
- iv Affordable Housing Considerations
- v Highway considerations and Parking Provision
- vi Impact on Neighbouring Amenity
- vii Provision of a Suitable Residential Environment
- ix Infrastructure Provision
- x Environmental Considerations
- xi Other material considerations

Issue i) Planning History

- 7.2.1 This is a revised application following the refusal of planning application 17/03466/FULL for the redevelopment of the site. The previous application was for 3 blocks of development providing 156 residential units. This application is currently at appeal and will be considered by way of Inquiry. This application was refused for the reasons set out in paragraph 4.6.
- 7.2.2 The changes made to the scheme to address the above refusal is a material consideration. These are addressed under (i) Principle of redevelopment and (iii) Design Considerations, below.
- 7.2.3 The Development Plan relevant to this application; The Royal Borough Local Plan and the Maidenhead Town Centre Area Action Plan (2011) has not changed since the previous decision. The main material changes in planning policy since the previous decision are that the BLPSV is now at examination and this is a material consideration. The NPPF (2018) has also been revised. Where relevant these are addressed below.

7.2.4 Conditions on site have not changed since the previous planning application however and as set out above a resolution to grant planning permission for the redevelopment to the north side of York Road (The Council's JV scheme, 18/01608/FULL) was agreed on the 26.09. 2018. This is a material consideration as it agrees the principle of the redevelopment of the majority of the York Road Opportunity Area. This redevelopment agrees a certain layout, height, scale and built form to the north and east of the application site.

Issue ii) Principle of the redevelopment of this site

7.3.1 The Maidenhead Town Centre AAP (2011) identifies that the application site forms part of the wider Policy OA3, York Road Opportunity Area which is allocated for a residential and office led mixed use development.

The allocation is split into land north and south of York Road:

Land North of York Road

- 12,000 m2 of office floorspace (gross);
- 100 residential dwellings (gross);
- Public square capable of hosting events; Green space (e.g. pocket park) fronting York Stream;
- Café and restaurant uses at ground floor

Land South of York Road

1. 60 residential dwellings (gross);
2. Up to 2,000 m2 of office floor space (gross);
3. Community facilities;
4. A multi-use community, cultural and leisure facility.

7.3.2 The AAP (2011) is clear that the redevelopment of this Opportunity Area may be achieved through a single or phased approach; with land either side of York Road coming forward at separate times. Any proposals for the area will however need to be planned in a comprehensive manner and ensure effective integration between land north and south of York Road.

7.3.3 The AAP (2011) states the redevelopment of this area would be residential led with office as the other primary land use. The area also forms part of the town centre's civic quarter which includes the council's existing offices as well as the Town Hall and listed library building. The AAP seeks to maintain the civic function of this area and, therefore, where existing buildings are replaced, development proposals will be expected to re-provide accommodation for the council.

7.3.4 The BLPSV, as a whole, looks to direct a significant level of growth to Maidenhead Town Centre as the main urban core and sustainable location within the Borough. The York Road sites are allocated as site HA5 in the emerging BLPSV Policy HO1 to provide approximately 320 residential units as part of a mixed use scheme on the site. Policy ED2 of the BLPSV also identifies York Road as a site for mixed use redevelopment however lacks further specifics regarding the quantum of development proposed as part of this allocation.

7.3.5 The BLPSV would effectively double the housing allocation for the area and would supersede the allocation set out in policy OA3 of the AAP (2011). The allocation still identifies the provision of green infrastructure including a pocket park to link existing green and blue infrastructure and enhance connections to York Stream, along with improved pedestrian and cycle links in the town centre. At the time of writing this report less weight is being attributed to the Housing Allocations contained in Policy HO1 of the BLPSV as a material consideration due to the level of unresolved objections against the housing allocations.

- 7.3.6 When factoring out the part of the allocated site taken up by the football club, the allocations in the BLPSV (and its supporting evidence base) suggest a density of 102 dwellings per hectare could be delivered as part of mixed use redevelopment of the whole of the York Road Opportunity Area. The application site forms part of, but not the whole of, the southern side of opportunity area. In terms of this application site the proposed development would represent a solely residential scheme of 208 dwellings per hectare, around twice the density for the mixed use site allocation. Planning application 18/01608/FULL for the redevelopment of the other part of the York Road Opportunities Area proposed a mixed use density of 139 dph.
- 7.3.7 The NPPF (2018), which is a material consideration to be given significant weight, seeks to achieve appropriate densities. Paragraph 122 is clear that development should make efficient use of land, taking into account the identified need for different types of housing and other development, land availability, local market conditions and viability; infrastructure needed to support the development and the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. Paragraph 123 continues that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.
- 7.3.8 The BLPSV identifies Maidenhead as an area of 'Strategic Growth.' The Borough is heavily constrained by Green Belt and as such a significant amount of future development is directed to the town centre as a sustainable urban location. Accordingly, the principle of a residential led redevelopment, at a scale above the AAP (2011) or that anticipated in the BLPSV need not be unacceptable, subject to other material considerations (notably impact on the character of the area and infrastructure needed to support the cumulative development.)

Prejudicing the wider redevelopment of the York Road Housing Allocation

- 7.3.9 The first refusal reason relating to application 17/03466/FULL states:
1. *In the absence of sufficient information to demonstrate otherwise the proposed development has failed to show how the development could be successfully ensure effective integration without prejudicing the wider comprehensive redevelopment of the area known as the 'York Road Opportunity Area'. This could lead to the prevention of the further efficient use and cohesive approach of wider urban land to deliver a mixed use scheme in a sustainable town centre location. This is contrary to the National Planning Policy Framework (2012) and the Maidenhead Area Action Plan (2011).*
- 7.3.10 Policy OA3 of the AAP (2011) is clear that the redevelopment of this Opportunity Area may be achieved through a single or phased approach; with land either side of York Road coming forward at separate times. Any proposals for the area will, however, need to be planned in a comprehensive manner and ensure effective integration between land north and south of York Road. The adopted AAP (2011) forms part of the Boroughs adopted Development Plan and therefore should be afforded substantial weight in the consideration of planning applications.
- 7.3.11 Section 4.0 of the applicant's initial Design and Access Statement looks at the design approach and the layout of the proposed scheme in the context of the wider York Road Opportunity Area. Modelling of this proposed development and surrounding redevelopment proposals have been provided to show how the development of the wider area could take place, as well as showing the emerging proposals currently being developed by the other majority land owners.
- 7.3.12 In terms of the wider York Road area, on the 26th September 2018 the LPA resolved to grant planning permission for the redevelopment of the site approved under application 18/01608/FULL. This is a material consideration and is accurately shown in the applicant's submission. The planning permission is conditional on a legal agreement being secured, as set out in the relevant minutes of that meeting.

- 7.3.13 It is considered that the level of information submitted demonstrates that the development proposed would not prejudice the wider redevelopment of the area in terms of amount of development coming forward. The previous scheme because of the poor design response and inactive street frontage was judged to prejudice effective integration of the development as part of York Road Opportunity Area. Design changes have been made to address this and whether these are sufficient to overcome this reason for refusal are addressed under (iii) Design Considerations, below.
- 7.3.14 A key shortcoming of this development is that it is unbroken along the full York Road frontage and makes no provision for connection through the site to the south to improve permeability. However it is acknowledged that the BLPSV sets out that the proposed housing allocation for the York Road site includes the retention of the football club which would remain as a barrier to North South permeability. This is considered further below in terms of design and as part of the wider planning balance.
- 7.3.15 The applicant's assessment includes reference to the 'nub scheme' which relates to the current planning application pending consideration at the site known locally as 'The Landing' (ref: 18/01576/FULL). Limited or no weight can be given to this application in terms of height and scale as it is still pending consideration (and the previous outline consent on this application site has expired). Similarly limited or no weight can be given to the development proposal shown for the site known as the 'Anchor site', York Road (pending planning application, our ref: 18/02550/FULL which is situated opposite this site and under the applicant's ownership). The development of these sites has little relevance to the key issues for consideration.

Issue iii) Loss of community facilities and open space

- 7.4.1 The application site comprises of a well-used community facility and bowling green. The NPPF guards against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. The bowling club and green also constitutes as open space in connection with recreational activity/ sports.
- 7.4.2 Policy MTC13 of the AAP (2011) states that:
- Proposals that result in the loss of land or buildings in community, cultural and leisure use will only be permitted where it can be demonstrated that either:*
- a. There is no longer a need for the building or land to be retained in community, cultural or leisure use; or*
 - b. Acceptable alternative provision is made.*
- 7.4.3 Paragraph 92 of the NPPF (2018) states that decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 7.4.4 In addition in regards to Open Space the NPPF (2018) also sets out that open space should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

7.4.5 Policy IF7: Community Facilities of the BLPSV states that:

When a proposal will involve the loss of social and community facilities which are not being replaced, applicants will be required to provide evidence that they have consulted with an appropriate range of service providers and the community, to prove that there is no need for, or requirement for, the facility from any other service provider for an alternative social or community facility that could be met through change of use or redevelopment. In addition applicants are expected to provide evidence that:

- a. there is no significant local support for its retention*
- b. there are alternative premises within easy walking distance*
- c. any such alternative premises offer similar facilities and a similar community environment to the facility which is the subject of the application*

7.4.6 Policy IF4: Open Space sets out that the provision of an alternative open space is deemed appropriate as part of development proposals, in a 'close by' suitable location which is flexible in meeting the needs of community and lends itself to a greater range of functional uses required in that area. The policy continues that a "close by" location is defined in accordance with the accessibility criteria in Appendix G. This appendix is silent in terms of sports and recreational facilities. Accordingly the loss of open space will be considered in the context of the provisions of the NPPF (2018).

7.4.7 The housing allocation, HA5: York Road contained in the BLPSV policy HO1 also identifies the need to retain existing community uses unless acceptable provision is made elsewhere, this is a material consideration.

7.4.8 Under the previous application(s) it was established that the loss of Desborough Bowling Club on this site was acceptable. This was because an alternative site has been secured for its re-provision. The development approved under planning application 15/02135/FULL would be for an equivalent sized bowling club facility in terms of quantity and of an improved quality in a suitable location. At the time of writing it is understood that works to deliver this new facility are currently being undertaken.

7.4.9 Sport England was consulted on the initial planning application on this site and raised no objection subject to securing the re-provision alongside redevelopment of the current site.

7.4.10 The principle of the loss of the existing bowling club, subject to the re-provision is accepted. It is proposed that the legal agreement would secure that the demolition of the existing bowls club and the commencement of any planning permission on this site would not take place until the re-provided facility was open to its Members. It is also understood that the construction of the re-provided facility is well underway and should be completed shortly. On this basis the loss of community facilities on this site is considered acceptable.

Issue iv) Design considerations

7.5.1 Refusal reason 2 of the previous planning application 17/03466/FULL states:

- 2. The proposed development by reason of its layout, scale, mass, bulk and overall design is considered to be one which is visually overdominant and overbearing, detrimental to the character and appearance of the area, and the streetscene in general. This is contrary to the National Planning Policy Framework (2012), policy DG1, H10 and H11 of the Borough Local Plan (2003) and policies MTC1, MTC4 and OA3 of the Maidenhead Town Centre Area Action Plan (2011).*

7.5.2 Policies DG1 and H10 of the adopted Local Plan seek to ensure that residential development will be of a high standard of design and landscaping, compatible with the area and street scene. Policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area.

- 7.5.3 Policy MTC1, MTC 4 and OA3 of the Maidenhead AAP (2011) emphasise the need for place making and creating a high quality, town centre environment and sets out a framework for how this can be delivered in the York Road Opportunities Area. Policy MTC2 sets out the need for 'greening' and incorporating green infrastructure into the town centre.
- 7.5.4 The successful integration of all forms of new development with the surrounding context is an important design objective and one which is emphasised in the AAP. Views into and out of larger sites should also be carefully considered from the start of the design process. The town centre should also be able to adapt in light of any change in future needs. Development proposals will be expected to be appropriate in terms of site coverage, urban grain, layout, access, scale, proportion, mass and bulk, height, roof scape and landscape. Developments are also expected to be visually attractive from all angles and enhance streets and spaces through quality design and architecture.
- 7.5.5 Section 12 of the NPPF (2018) deals with achieving well designed places and delivery of developments that will function and contribute to the overall quality of the area in the long term. To achieve this development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; they should be sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF (2018) is clear to emphasise that this should not prevent or discourage change (such as increased densities).
- 7.5.6 The NPPF (2018) further states that design quality should be considered throughout the evolution and assessment of individual proposals and encourages early discussion between applicants, the local planning authority and local community about the design and style and that designs should evolve to take account of the views of the community. National policy guidance is clear that applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 7.5.7 The NPPF (2018) further encourages local planning authorities to utilise design advice and review arrangements, particularly for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should also have regard to the outcome from these processes, including any recommendations made by design review panels.
- 7.5.8 As set out above in section 6, Design: South East have reviewed the application, and application amendments were submitted to respond to comments made. The below assessment has due regards for this process.
- 7.5.9 Policies SP1 and SP2 of the BLPSV states that new developments should positively contribute to the places in which they are located and that larger developments should provide a harmonious, integrated mix of uses, where appropriate, that foster a sense of community, vibrancy and activity, along with contributing to the provision of social, natural, transport and utility infrastructure to support communities. The policy further promotes the community integration and sustainable place making. Policy SP3 sets out a number of principles to achieve a suitable high quality design. In reviewing the level of unresolved objections to these policies on the BLPSV significant weight is given to these overarching design principles to ensure an acceptable form of development that meets the ambitions of achieving high quality design.

Density

- 7.5.10 In terms of achieving appropriate densities the NPPF (2018) is clear that planning decisions should support development that makes efficient use of land. This is subject to a number of factors including the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change. This is also subject to taking into account the availability and capacity of infrastructure and services, including the scope to promote sustainable travel modes that limit future car use.

- 7.5.11 As set out above in paragraph 7.3.1 the York Road Housing allocations in the BLPSV suggest a density of 102 dwellings per hectare could be delivered on this site as part of mixed use scheme. The proposed development would represent a residential scheme of 286 dph, which equates to around 90 units above the proposed housing allocation (within the application site).
- 7.5.12 The quantum of development proposed in excess of the BLPSV need not be unacceptable provided that there is suitable justification based on the merits of this scheme (not just in terms of design but also wider considerations such as infrastructure). Density is only one consideration, the form the development takes as a result is key to determining its acceptability in context.

Layout and desire lines

- 7.5.13 Policy MTC 4: Quality Design of the AAP (2011) sets out that proposals will be required to be of high quality. A specific focus is creating buildings, streets and spaces that should have a clear image and be easy to understand. The NPPF (2018) sets out that need to establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- 7.5.14 York Road is the busiest vehicular route located to the north of the site. This is also a key pedestrian route connecting resident from the east of the town with the station and to the High Street via Park Street to the north of the application site. An important part of achieving a successful scheme is how this relates to York Road.
- 7.5.15 It is acknowledged that the built form of the building is articulated so that the recessed elements break up the massing of the development. However, the proposed layout (and podium parking) prevents any permeability through the site and prevents any visual breaks when viewed from the street. This continuous frontage creates a wall of development, which is not reflective of the existing streetscene. It also prevents any future permeability through this site to Maidenhead Football Club, (although limited weight is attributed to this given the Maidenhead Football Club long term desire to remain at their current ground).
- 7.5.16 In terms of the floor layout of the proposed building, following comments raised by Design: South East the applicant has looked to amend the proposed floorplan so that ground floor units open onto the street to address and interact with the street frontage. Similar principles have been adopted to the eastern elevation facing the access road so that this forms a new 'street' for future redevelopment of the wider area. The location of bin stores has been amended so that they are no longer accessed from the front elevation and now accessed from the rear. In design terms this is welcome.
- 7.5.17 The proposed layout of the development does have its limitations, creating one long building frontage 85- 86m in length facing York Road. However, the revised plans show the proposed ground floor frontage would interact and address the street, creating an active frontage. This is a positive amendment to the proposed scheme and in line with Officers advice given previously.

Scale and Massing

- 7.5.18 Policy MTC 4: Quality Design seeks development which should be appropriate in terms of site coverage, urban grain, layout, access, scale, proportion, mass and bulk, height, roof scape and landscape. Policy MTC 6: Tall Buildings of the AAP states that Tall Buildings Areas are focused around the railway station and south of Bad Godesberg Way. New tall buildings on sites outside the Tall Buildings Areas, which do not currently accommodate a tall building, will be resisted. The justification of policy MTC 6 clarifies that for the purposes of this AAP, tall buildings are those which are noticeably higher than 20 metres.

- 7.5.19 The height of the proposed development, as amended, varies; the inter-connecting elements are 4 storeys and around 12m in height. The main mass of the 7 storey element being around 19m in height with setback elements 21m in height. The eastern end of the proposed building is around 23m in height with the setback top floor being up top around 25m in height. On this basis when viewed from York road and given the elements of the proposed development which are above 20m in height it is not considered that the proposed development would be *noticeably* higher than 20 metres.
- 7.5.20 The applicant's addendum to the Design and Access Statement set out that in response to the comments made by Design: South East that they have in parts reduced the height and scale of the proposed development. The built form of the proposed building now comprise of 3 blocks, from 8 storey in height at the eastern end of the site, the central block being 6 storeys in height and the western block 7 storeys, linked by interconnecting elements some 4 storeys in height. The massing of the building is reduced through the inset upper floors.
- 7.5.21 The articulations and variation in height, does, to some extent break up the massing, however the building remains one which has a visually dominant appearance on the streetscene. This harm is considered further below as part of the wider planning balance.

Proposed architectural detailing

- 7.5.22 The architectural approach for the proposed development is one of a 'mansion block' red brick and re-constituted stone detailing. The main blocks have proposed curved edge detailing and this is also reflected in the proposed projecting balconies. The use of brick as primary material is in keeping with the wider character of Maidenhead and the other redevelopment proposals coming forward in this part of the town centre.
- 7.5.23 The Council's Urban Design Consultant considers that the continued use of red brick and repetitive detailing give the proposals a monolithic, overbearing character that is also at odds with the street. However this is considered to be largely a consequence of the scale and massing of the development as opposed to the architectural approach. It is also noted that Design: South East in their design review considered the architectural approach was appropriate.

Landscape (including trees)

- 7.5.24 Reason for refusal 4 relating to application 17/03466/FULL states:
1. *The proposed development would result in the loss of four Tree Preservation Order trees which are of high amenity value. No adequate replacement tree planting is proposed and any proposed landscaping is considered limited. This is contrary to the National Planning Policy Framework (2012) and its associated guidance, policies N6 and DG1 of the Local Plan (2003), and policies MTC2, MTC4 of the Maidenhead Town Centre Area Action Plan (2011).*
- 7.5.25 As set out above Policy MTC1, MTC 4 and OA3 of the Maidenhead AAP (2011) emphasise the need for place making and creating a high quality, town centre environment and sets out a framework for how this can be delivered in the York Road Opportunities Area. High Quality landscaping forms a key part of this. Local Plan policies N6 and DG1 also provides general design policies on the importance of high quality landscaping in delivering successful schemes. Policy N6 of the adopted Local Plan states that plans for new development should, wherever practicable, allow for the retention of existing suitable trees and include an appropriate tree planting and landscaping scheme. Where the amenity value of trees outweighs the justification for development, planning permission should be refused.
- 7.5.26 BLPSV Policy SHP3 requires development to protect trees and vegetation worthy of retention and sets out that comprehensive green and blue infrastructure schemes should be integrated into proposals. Policy NR2 of the BLPSV seeks the protection and retention of trees, and where needed suitable mitigation. Where the amenity value of the trees outweighs the justification for development, planning permission may be refused.

- 7.5.27 The four trees within the site are the subject to a Tree Preservation Order (TPO) comprising 2x Horse Chestnuts and 2x Limes, growing within the existing car parking area to the front of the Bowls Club building immediately behind the brick boundary wall. Another Horse Chestnut is situated off-site. The trees are a prominent visual feature within the street scene of York Road and contribute significantly to local amenity and the wider landscape value of this part of York Road.
- 7.5.28 Full details of the applicants Landscape Strategy will be expected as part of any reserved matters to look at how this site relates to the wider area. In terms of this application the main consideration regarding landscaping is the principle of the loss of the TPO trees and the principle of the indicative landscape strategy.
- 7.5.29 Under the previous applications on this site there was never an objection regarding the principle of the removal of the trees. The concerns have been in relation to the appropriateness of the replacement landscaping and if the amenity value of trees outweighs the justification for development.
- 7.5.30 The Tree Officer has been consulted on this application and whilst there is no in principle objection to the loss of the trees this is on assumption that replacement trees which are capable of growing to a similar stature in order to maintain the green backdrop on York Road and the visual amenity are provided and can be reasonably secured by condition. The concerns offered by the Tree Officer are that the proposed built form of the development restricts the scope for meaningful planting to develop to a size that would provide suitable mitigation for the loss of the protected trees. The assessment therefore is whether this would be achieved by this scheme.
- 7.5.31 The concerns raised by the Tree Officer are acknowledged and formed part of the previous ground for the last refused planning application on this site. However, adopted policy requirements is for appropriate tree planting and landscaping providing the loss of amenity value of trees outweighs the justification for development. The assessment therefore is whether this would be achieved by this scheme.
- 7.5.32 This application forms part of the wider York Road Opportunities Area. Under planning application 18/01608/FULL the Local Planning Authority resolved to grant planning permission for the site to the north and (part) east of the application site. This is a material consideration. At the time of the previous decisions made the TPO trees offered the only relief in any area otherwise mostly laid to hardstanding and devoid of soft landscaping. Planning application 18/01608/FULL involves comprehensive landscaping and replacement tree planting for the redevelopment of the wider site. The comprehensive landscaping strategy forms part of the justification for loss of the horse chestnut trees which is positioned on Council land adjacent to these row of trees; it would be consistent to require equal mitigation on this application.
- 7.5.33 As landscaping is a reserved matters an indicative landscaping strategy has been submitted as part of this planning application and shows opportunities for new soft landscaping and green infrastructure. This includes the potential for semi mature trees along the York Road frontage. Whilst this indicative landscaping does not demonstrate sufficient spacing for trees to develop to the maturity of those currently along the York Road frontage, it is recognised as part of a more detailed scheme (to be dealt with at reserved matters application) that it can form part of a wider landscaping strategy across York Road, which as a whole will provide suitable amenity for the area.
- 7.5.34 On this basis, subject to further reserved matter applications which provide a comprehensive and detailed landscaping which has due regard for the wider strategy coming forward, it is considered that suitable mitigation can be secured and the amenity value of the trees does not outweigh the justification for development. On this basis the loss of the TPO trees and indicative landscaping scheme is considered acceptable (see recommended condition 2).

Other design considerations

- 7.5.35 The AAP (2011) and the NPPF (2018) both seek opportunities to design out crime and create safe and accessible areas. The Thames Valley Police Crime Prevention Design Advisor has not formally objected to the proposal but has raised a number of comments. It is likely that the Thames Valley Police has not fully understood that a number of reserved matters including; access, layout and scale are to be determined at this and thus layout and scale form part of the consideration of this application, this includes the internal layout of the proposed flats.
- 7.5.36 It is not the purpose of the planning regime to restrict the access of future occupiers of these flats nor to secure details of how a scheme will be accessed. It is not necessary to make the development acceptable in planning terms. The proposed development is considered to have incorporated opportunities for designing out crime wherever possible. However, it is considered reasonable and necessary to attach condition regarding secured by design, this is set out in condition 6.

Issue v) Affordable Housing Considerations

- 7.6.1 Refusal reason 3 of the previous planning application 17/03466/FULL states:

In the absence of sufficient information to demonstrate otherwise the proposed development fails to provide or secure any affordable housing provision required to make the development acceptable in accordance with the National Planning Policy Framework (2012), policy H3 of the Borough Local Plan (2003) and policy IMP2 of the Maidenhead Town Centre Area Action Plan (2011).

- 7.6.2 Policy H3 Affordable Housing of the adopted Local Plan requires that this development provides 30% affordable housing on site, this would equate to 44.7 affordable housing units being provided. Policy HO3 of the BLPSV this requirement is effectively the same however given the number of unresolved objections limited weight is afforded to the policy as a material consideration. The adopted guidance on affordable housing rounds down to the nearest whole unit: thus 44 units should be affordable as part of this proposal. This approach would be NPPF (2018) compliant.
- 7.6.3 Under previous application 17/03466/FULL it was established that the scheme is not able to make provision for any affordable housing. The proposal is linked to providing a new bowling club on a different site.
- 7.6.4 A viability assessment has been submitted in connection with this application (albeit for the initially proposed quantum of development for 154 unit) which demonstrates that the provision of affordable housing as part of the proposal scheme remains unviable.
- 7.6.5 The LPA's previous key objection in terms of affordable housing provision is the design approach to provide an expensive car parking design solution. Whilst this in itself is not considered grounds for objection (see paragraph 7.7.14 - 7.7.19 on parking provision), the consequence is the failure to provide sufficient affordable housing.
- 7.6.7 As part of this application the applicants have offered 12 shared ownership units (in the form of 8x one and 4x two bedroom units). The applicant's justification for the level of affordable housing offered is that this equates to the costs of the basement parking. This could be considered to be reasonable. These units would be evenly distributed through the proposed building.
- 7.6.8 The identified need set out in the Strategic Housing Market Assessment would be 80% of rented tenures and 20% intermediate housing. The proposal for shared ownership units would only deliver intermediate housing provision. The tenure mix is not specified in adopted policy; this is a consideration in the BLPSV.
- 7.6.9 On this basis the proposed affordable housing offer is therefore considered to be appropriate given the lack of viability. Rights of nomination will be secured through the S106 legal agreement.

Issue vi) Highway considerations and Parking Provision

- 7.7.1 Policy TF6 of the adopted Local Plan states that all development proposals will be expected to comply with the Council's adopted highway design standards. Policy MTC4 on Quality design sets out that development will be expected to satisfactorily address traffic, movement, servicing and parking impacts. Policies MT14 and MTC 15 of the AAP (2011) sets out that accessibility to the town centre will be optimised with an emphasis on sustainable modes of transport. Policy MTC15 sets out the transport infrastructure needed to support development. Much of these highway improvements sit outside of this application site and form part of the wider strategy of transport improvements to the town centre.
- 7.7.2 The NPPF (2018) states that developments should promote opportunities for sustainable transport modes can be (suitable to the type of development and its location), provide safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.7.3 The NPPF (2018) is clear that proposals should be designed to give priority to pedestrian and cycle movements having due regard for the wider areas and design access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. A further priority is to address the needs of people with disabilities and reduced mobility and create places that are safe, secure. Developments should also take into consideration from the onsite access for deliveries, servicing and emergency vehicles; and be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 7.7.4 The NPPF (2018) states at paragraph 109 that:
- 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*
- 7.7.5 A Transport Statement (TS) dated June 2018 has been submitted in connection with this application prepared by ADL Traffic and Highway Engineering Ltd.
- 7.7.6 This application represents the third planning application on this site. The previous applications were for 156 residential units. No objections were raised on highway terms in terms of capacity and/or highway safety regarding to the previous planning applications on this site and there has been no material change in planning policy regarding highway matters since the previous planning application.
- 7.7.7 The main material change is the resolution to grant planning permission for the redevelopment of the wider York Road Area. In approving this application the assessment found that the redevelopment would not result in increased vehicle movement to this part of the town centre.
- 7.7.8 In view of the above it remains the position that the proposed development would not raise any significant issues in terms of capacity on the highway network cumulatively or individually.
- 7.7.9 The proposed development also requires the alteration of the site access to be able to be taken from the eastern end of the site, where a current access track is located (in the ownership of the applicant). The track is proposed to be widened as part of this scheme. As part of the revised plans, units are proposed to face and be accessed from this track, with parking bays located in front. The access is considered to have suitable visibility and sight lines, subject to recommended conditions 7.7.14 and 7.7.19 is considered acceptable.

Sustainable transport modes

- 7.7.10 In terms of giving priority to sustainable transport modes, the application site is in one of the most sustainable locations in the Borough, within Maidenhead Town Centre, in walking distance to all local services and amenities. The Maidenhead Waterway also provides improved pedestrian and cycle links from the north of the town, through to the south and Bray beyond. This also provides strong links to the site where the new Braywick Leisure Centre is consented.
- 7.7.11 Maidenhead Train Station is also within walking/ cycling distance for the site and provides direct links to London and Reading. Cross Rail is set to open in Maidenhead in early 2019 which will improve the train times to London and strengthen the public transport links to Maidenhead Town Centre.
- 7.7.12 Officers therefore consider that development proposal in this area should contribute to sustainable modes of transports and reduce reliance on private ownership. Other town centre schemes coming forward look to reduce onsite parking provision and provide financial contributions towards improve cycle and bus provision to encourage residents to utilise sustainable modes of transport. It is for the decision maker to consider if there is any planning policy requirement which requires these contributions to make this development acceptable in planning terms, however as part of previous application on this site the LPA did not pursue financial contributions toward sustainable transport modes as part of those proposal.
- 7.7.13 The revised plans show five cycle store areas providing a total capacity for 151 cycle spaces. Three of these stores would be contained in the basement, two on the ground floor. Whilst having cycle storage at basement level can cause some issues about access arrangements (cyclist would either have to go down the ramped access or try and utilise lift access) there is not policy or adopted guidance that this would be contrary to. The cycle storage remains in a safe and secure location, condition 4 is recommend regarding cycle provision.

Parking Provision

- 7.7.14 The Council's Parking Strategy (2004) sets out the Council's recommended parking provision for new developments. For a development in areas of good accessibility (which includes Maidenhead Town Centre) the maximum parking standards would be 121 spaces.
- 7.7.15 The proposed development would provide 169 spaces for 149 dwellings. Parking would be provided in the proposed basement, ground floor podium to the rear of the building and some parallel parking space along the access road. This equates to 28 spaces above the maximum standards contained in the Parking Strategy (2004).
- 7.7.16 In addition census data shows that the borough has an average car ownership level of 1.5 cars per dwelling across the borough, with lower levels (0.5 to 0.6) in Maidenhead Town Centre and as part of other recent Maidenhead Town Centre planning applications the LPA have accepted that average car ownership for flats in the Town Centre is 0.48 car per flat. The proximity of public transport, retail, commercial and local facilities as well as on-street parking restrictions also has a bearing upon the levels of car ownership.
- 7.7.17 However since the publication of the parking strategy the NPPF (2018) is clear that:

'Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.'

- 7.7.18 Less weight can therefore be given to the Parking Strategy (SPD) due to it not fully complying with the NPPF (2018). Therefore it is difficult to sustain an objection on provision of parking above the Council's standards, however it does run counter to the principles of sustainable development with less reliance on private car. It is understood that some of the parking provision proposed under this application may be offered to other future development sites adjacent to this, in the applicant's ownership. However this planning application has been submitted independently of this adjoining sites and thus must be considered as such.
- 7.7.19 However the applicant's commercial decision to develop a scheme which provides parking above that required by Council's Parking Standards and in spite of evidence which reflects car ownership in the area should not be considered as a precedent for future schemes. The harm this has is considered further below in the planning balance section.

Services, access, and refuse

- 7.7.20 The revised plans move the servicing of the development to the rear of the buildings. No revised supporting information regarding the refuse collections was provided with the revised plans. At the time of report writing this additional information has been requested and the Panel will be updated on the outcomes and the feasibility of the servicing arrangement. In principle the location of servicing to the rear is supported.

Issue vi) Impact on Neighbouring Amenity

- 7.8.1 There is no specific policy in the Development Plan regarding impact on neighbouring amenity. Paragraph 127 (f) of the NPPF (2018) is a material planning consideration to be given significant weight and states developments should:

“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.

- 7.8.2 Policy SP3 of the BLPSV states that development will be expected to have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.
- 7.8.3 The application site forms part of the wider York Road opportunity area/ site allocation and is primarily formed of community buildings and civic functions. With reference to the above planning history on the 26.09.2018 the Local Planning Authority resolved to grant planning permission for the redevelopment of this site including land to the east and north of this application site, this is considered above in paragraphs 7.3.9 to 7.3.14.
- 7.8.4 The nearest 'residential' units are those situated opposite the site to the north-west and are formed of a now vacant (and boarded up) block of flats and former public house. This site is sometimes referred to as the 'anchor site' and as shown in the location plan is in the ownership of the applicant. The applicants also been granted prior approval for the demolition of the residential units (excluding the public house), a planning application for the redevelopment of this site (our ref: 18/02550/FULL) is also pending consideration. Given the above, the site is unlikely to be brought back into use in its current form. Therefore in terms of neighbouring amenity it is not considered that there are any occupiers of residential properties in the immediate vicinity which would be significantly impacted on by this development in terms of loss of sun/day light and/or overbearing impact.

7.8.5 As set out above in the planning history on the 26 September 2018 the Local Planning Authority resolved to approve application 18/01608/FULL for the wider redevelopment of York Road, including land to the immediate east of the application site. If approved there would be a degree of overlooking from properties in the eastern elevation of this development to those across the access road. There is around an 18m separation distance between buildings. Whilst this will give a degree of overlooking, particularly given the scale of this proposed development at 8-7 storeys in height along this side elevation (the adjacent building proposed building under application 18/01608/FULL is 8 storeys down to 5 and 4 storeys). Given this is in an urban location where a certain density of development is considered acceptable this does result in a living arrangement which would result in some overlooking between buildings. In this regard there is a degree of harm arising from the scheme. This is addressed in the planning balance later in this report.

Issue vii) Provision of a Suitable Residential Environment

7.9.1 There is no specific policy in the Development Plan regarding provision of a suitable residential environment. Paragraph 127 of the NPPF (2018) states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Policy HO3 of the BLPSV states that proposal for higher density residential scheme in a sustainable location in and around town centre will be permitted, this is subject to a number of factors including the need to ensure a satisfactory residential amenity for the proposed accommodation.

7.9.2 All the proposed units are of a sufficient internal floor space to accord with the Nationally Described Space Standards (2015).

7.9.3 The most recognised document to base the relevant assessments on is the Building Research Establishments (BRE) 'Site Layout Planning for Daylight and Sunlight- A Guide to Good Practice.'

7.9.4 An Assessment of Daylight and Sunlight (September 2018) in accordance with the BRE guidance prepared by Herrington Consulting Limited was submitted in support of the revised plans. The scope of the assessment looks at the daylight and sunlight to three studio flats to deal with concerns raised by the Design: South East in their review and does not form a comprehensive review. Further to queries raised by Officers a revised Assessment of Daylight and Sunlight was submitted on the 10 October 2018. This provides an assessment of 11 flats which represents 7% of the proposed units. Further to this submission the applicants have made further amendments to the proposed development to ensure suitable lighting to properties. The revisions to the proposed plans are considered 'non material' in terms of the external appearance of the building.

7.9.5 Whilst it is acknowledged that the Assessment looks at the proposed units which would form the 'worst case scenario', the revised Assessment demonstrated that 11 of the 23 rooms tested fell below the recommended guidelines for daylighting. The applicants have set out that the higher up the development clearly the better the results would be. However without having a comprehensive assessment these conclusions are not evidenced.

7.9.6 Overall the scheme proposes 55 single aspect units. Of these 4 face north and 4 face south, with the balance of 47 facing east or west. The Assessment shows that of the proposed 4 units with only north facing windows, all of the proposed bedrooms would perform well in terms of daylight, but below the recommended guidance for living room areas.

7.9.7 In terms of privacy, due to the layout there are a number of windows in the lower floor units of the flats positioned at close right angles from those adjoining. In terms of units facing across the internal court yards the separation distances is around 18m. Some units are dual aspect so units do not rely solely on one elevation for outlook. Given the town centre setting some overlooking would be expected, the scheme proposal is however on the limits of acceptability. Generally 20 metres is accepted as suitable back to back separation distance between dwellings in a suburban location to achieve an acceptable level of privacy. As the proposal is for a flatted development in the urban area where a greater level of mutual overlooking usually occurs, this relationship is considered, on balance, to be acceptable.

- 7.9.8 No detailed overshadowing assessment on the proposed amenity areas has been submitted as part of this application, this is unfortunate. The report acknowledges that no assessment has been undertaken but highlights that the proposed amenity spaces are both south facing.
- 7.9.9 To the south of the application site is Maidenhead Football Club. A premises which has operate football matches at this site for numerous years. Paragraph 182 of the NPPF (2018) is clear that:
- 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established...'*
- 7.9.10 The LPA would not support development proposals coming forward which could result in statutory noise complaints regarding the activities of the club which would require the Council to seek to control the way it functions. Accordingly it is considered both reasonable and necessary to attach conditions regarding details of sound and noise insulation, these are set out in recommended condition 11. This should ensure the development achieves mitigation which is acceptable.
- 7.9.11 Overall the limited evidence submitted demonstrates that the proposed studios would receive adequate amounts of daylighting. The assessment shows that for a small number of units the level of sun lighting falls below the recommended guidance. A comprehensive assessment has not been submitted but it is accepted it does consider the worst case scenario. There is no evidence to demonstrate that the proposed development would not provide 'safe and healthy living conditions' nor provides a satisfactory residential environment as required by the NPPF (2018). Officers consider that the residential environment resulting would be acceptable for a northerly facing site in a town centre location.

Issue ix) Infrastructure Provision

- 7.10.1 The BLPSV allocates the whole of the York Road Opportunity Area to deliver 320 residential units. The Council has published its Infrastructure Delivery Plan (IDP) in January 2018 which takes into account the BLPSV housing allocations and sets out the infrastructure needed to support the development coming forward in the Borough over the Plan period (including social infrastructure) and how this will be funded. This would assume that that site would come forward as part of the wider York Road opportunities area which assumes the area, as a whole would deliver 320 residential units as part of a mixed use scheme. This proposed development on this site would represent approximately 90 units above the proposed allocation (pro rata).
- 7.10.2 The development would therefore create additional pressures on the infrastructure needed to support residential development. A Social Infrastructure Assessment has not been submitted as part of this application to justify the proposed impact.
- 7.10.3 The Council's IDP does state that the existing provision of GPs in Maidenhead is better than the Department of Health's target patient ratio. However, as set out in IDP, the Borough has a high concentration of residential and nursing homes which places pressure on existing facilities due to the higher dependency of elderly patients in primary care facilities. The Clinical Commissioning Group (CCG) assumes no surplus capacity GPs in the Borough and estimates a need for additional GP's to meet the future growth across the Borough. The IDP identifies how the Council, working in connection with the CCG and the NHS, can look to accommodate the future growth in demand.
- 7.10.4 The increase in housing delivery above that anticipated in the BLPSV would also result in long term increase in the demand on school places. Whilst the IDP does set out the potential expansion of nearby schools are to support planned development contained in the BLPSV and does not allow for any additionality.
- 7.10.5 The harm this increased pressure on infrastructure will have is discussed further below as part of the wider planning balance.

Issue x) Environmental Considerations

Flooding and Sustainable Urban Drainage

- 7.11.1 In terms of Sustainable Urban Drainage and as introduced from 6 April 2015 the Government strengthened planning policy on the provision of sustainable drainage systems (SuDS) for 'major' planning applications. Paragraph 165 of National Planning Policy Framework states that all 'major' planning applications must incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development.
- 7.11.2 In accordance with The Flood 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. The LLFA has considered the proposal and the applicants Sustainable Urban Drainage information submitted as part of this planning application (including the additional information submitted during the course of the application).
- 7.11.3 A Ground Drainage and SuDS Report Feasibility Study prepared by Price and Myers, revision 5, dated June 2018 has been submitted in support of this planning application. The Lead Local Flood Authority has reviewed this document and in view of the high density of the proposed development the proposed surface water drainage strategy, outlined in this document is acceptable in principle.
- 7.11.4 However concerns were expressed in terms of insufficient information provided to allow a full assessment of the proposed surface water drainage system. Therefore it is considered both reasonable and necessary for pre-commencement planning condition to be recommended requiring submission of full details of the proposed surface water drainage system and its maintenance arrangements. This is set out in condition 9.

Impact on Air Quality and Noise

- 7.11.5 Whilst the Maidenhead AAP (2011) acknowledges that most of the town centre is covered by an Air Quality Management Area there are no specific Development Plan policies regarding air quality. The NPPF (2018) states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas.
- 7.11.6 Under the previous planning application no objections were raised regarding air quality. An Air Quality Assessment has been submitted in connection with this application prepared by Redmore Environmental and dated 12 June 2018. The findings and conclusions of the Air Quality Assessment that the air quality impacts are considered to be not significant. In line with the previous decisions reached it is not considered that the proposed development would affect the Air Quality Management Areas. Conditions are recommended in regards to details of ventilation for the proposed basement parking. This is set out in recommended condition 12.
- 7.11.7 Policy NAP1 of the adopted Local Plan deals with noise and seeks to restrict developments in areas subject to external daytime noise levels. This is not considered to be up-to-date as it has been superseded by other advice and guidance over how to deal with developments near sources of noise. The NPPF (2018) seeks to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.
- 7.11.8 Under the previous planning application it was 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 on the previous application on this site, this can be dealt with under conditions and/or under separate control of pollutions legislation, as appropriate.

7.11.9 Any lighting scheme for this site could be secured by way of condition, this is set out in recommended condition 7.

Biodiversity

7.11.10 Policy MTC 3 of the AAP (2011) seeks to conserve and enhance biodiversity and policy OA3 also looks for development within the application site to embracing the waterside setting and also protecting the integrity, quality and biodiversity of York Stream whilst improving access to the waterside and allowing for pedestrian and cycle access. Paragraph 170 of the NPPF (2018) states that planning decisions should contribute to and enhance the natural and local environment. The emphasis is on minimising impacts on and providing net gains for biodiversity. Paragraph 175 of the NPPF (2018) states that:

“When determining planning applications, local planning authorities should apply the following principles:

if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...

Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

7.11.11 Emerging Policy NR 3 of the BLPSV requires proposals to protect and enhance biodiversity. Policy IF 3 of the BLPSV seeks the provision of high quality green and blue infrastructure.

7.11.12 A bat report, undertaken in 2016 was submitted as part of this application which sets out that in relation to this site, it shows no evidence of bats and the buildings on site were assessed as having *negligible* bat roosting potential. It would be usually be expected that a more up to date report be lodge with the application.

7.11.13 As part of the previous planning applications queries have been raised regarding the absence of any wider Ecology Report which deals with biodiversity enhancements. It has always been encouraged that any future scheme should consider how green and blue infrastructure could provide opportunity to achieve enhancements in like with the AAP (2011) vision. Any biodiversity value of the existing site is likely limited and no objections have been previously raised in this regard. However, in the event this application is approved biodiversity enhancements should form an integral part of the reserved matters application regarding landscaping, this is set out in condition 2.

Archaeological matters

7.11.14 An archaeological desktop assessment has been submitted in connection with this application prepared by Archaeological Solutions Ltd and dated June 2018. This concludes that that the site has limited archaeological potential. Berkshire Archaeology has been consulted on this application and considers that there is evidence to indicate application area to have an archaeological interest and that investigation would be merited. In the event the application was recommended for approval then this could be secured by way of condition (see condition 16).

Sustainability and Energy

7.11.15 New development is expected to demonstrate how it has incorporated sustainable principles into the development including, construction techniques, renewable energy, green infrastructure and carbon reduction technologies. The Council’s adopted Sustainable Design and Construction SPD (2009) provides further guidance on this. However, Sustainable development techniques have move on since the adoption of this application, notably Code for Sustainable Homes is no longer a national standard. Therefore less weight should be attributed to this document in this regard.

- 7.11.16 The NPPF (2018) para 153 states that in determining planning applications developments should comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.
- 7.11.17 A Sustainability and Energy Statement (2018) prepared by Bluesky Unlimited in support of this planning application. The statement does not fully reflect the revised scheme, for instance it refers to the units being dual aspect and/or having no homes solely orientated north, none of which are the case for the revised scheme. In terms of natural daylighting the assertions made also are not fully aligned with the assertions made in the 'Assessment of Sunlight and Daylight'.
- 7.11.18 Renewable energy sources were assessed and photovoltaic panels are considered to be appropriate, although it is unclear why these are not proposed to be utilised. The Statement sets out that as part of this planning application, Flue Gas Heat Recovery systems are proposed to be installed in each unit. Almost all modern boilers already have some sort of heat recovery built in, making condensing boilers much more efficient than older ones. The assessment set out how these would reduce carbon emissions which is therefore a carbon reduction technology. Water efficiency measures are proposed to be installed as part of each unit. These measures can be secured by way of recommended condition 10.
- 7.11.19 On this basis and having due regard for the relevant policy context the limited sustainability measures proposed are considered to be acceptable. However the measures proposed would fall significantly short of the sustainability criteria of paragraph 131 of the NPPF (2018) which states that great weight should be given to outstanding or innovative designs which promote high levels of sustainability.

Issue xi) Other Material Considerations

- 7.12.1 Paragraphs 10 and 11 of the NPPF (2018) set out that there will be a presumption in favour of Sustainable Development. 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.
- 7.12.2 However in exerting this position, this site forms part of this five year housing land supply (accounted for delivery around 60 units). However a number of other sites across the Borough are delivering a form of development in excess of initial allocation (notably the wider York Road redevelopment site).
- 7.12.3 Accordingly, in exerting the Council's position to demonstrate a five year housing land supply the delivery of this site would not compromise this position. However the comprehensive and timely delivery of the wider York Road Opportunity Area is recognised to weigh in favour of this scheme.

Issue xii) Conclusion – Planning Balance

- 7.13.1 The proposed development is consistent with the NPPF (2018) in so far as it would make efficient use of previously development land in a highly sustainable location to achieve housing at an appropriate density for a mixed use town centre location. The proposed development would also make a contribution to the regeneration and revitalisation of Maidenhead Town Centre and would assist in (but is not relied upon to provide) the Council's delivery of a rolling five year housing land supply. This weighs in favour of the scheme.
- 7.13.2 Sufficient information has been provided as part of this planning application to demonstrate how the proposed scheme would relate to the wider redevelopment of York Road. This is considered to demonstrate that the proposal would not prejudice the future redevelopment of the wider York Road Opportunity Area. Furthermore the scheme design addresses the street in an appropriate manner. It is considered that Reason for Refusal 1 (application 17/03466/FULL) has been overcome.

- 7.13.3 The massing does create a continuous unbroken 'wall' of development some 85m in length along the road which would, to a degree, be overbearing on the streetscene. This weighs against the delivery of a high quality designed scheme as required by Development Plan policy and the NPPF (2018). However, it is considered that the revised architectural approach offered by this application with frontage set-backs and some variation in height along the street frontage assist to mitigate the impact.
- 7.13.4 It is considered that the extent and form of the proposed parking layout prevents any visual breaks or gaps in the proposed building and is a constraint on achieving high quality design. The parking provision is well above the Council's adopted maximum parking standards and, in a town centre location is not considered to reflect the requirements of the NPPF (2018) which promotes sustainable modes of transport.
- 7.13.5 It is recognised that the applicant has sought to address a number of the design comments made by Design: South East to improve how the site relates to and interacts with the streetscene, and to reduce the massing. The amendments to the proposals weigh in favour of the scheme, on balance it is considered that Reason for Refusal 2 relating to design (application 17/03466/FULL) has been overcome.
- 7.13.6 The proposed development would make a contribution towards affordable housing provision and overcomes Reason for Refusal 3 (application 17/03466/FULL) regarding lack of affordable housing.
- 7.13.7 The proposed development would result in a degree of mutual overlooking between units and adjoining sites, however in a town centre location such overlooking is to be expected and, on balance, this degree of overlooking is considered to be acceptable.
- 7.13.8 Notwithstanding the shortcomings the approach to parking provision has resulted in, in terms of constraining the design of the proposed development it is not considered that this proposal would raise any significant issues in terms of highway safety or capacity (subject to resolving matters regarding servicing). It would not support modal shift sought for the town centre nor encourage use of non-car modes of transportation.
- 7.13.9 In terms of infrastructure to support the development, whilst it is acknowledged that the development would make a significant contribution towards housing in a sustainable and urban location this results in greater impact on local infrastructure, including school places. The Council's current IDP make no provision for any increase in housing above that set out in the BLPSV and additional infrastructure to support this increased development will need to be provided. Currently the main tool for collecting funding towards this is through CIL. Development proposals in Maidenhead Town Centre are liable for a CIL rate of £0 per sq.m. as per the adopted CIL charging schedule.
- 7.13.10 Given the wider proposal coming forward for the redevelopment of this area which includes comprehensive landscaping the principle of the loss of the TPO trees and the indicative landscaping strategy appears appropriate. Full details of landscaping (which should be informed by biodiversity enhancements) will be expected as part of the relevant reserved matters application. It is considered that Reason for Refusal 4 (application 17/03466/FULL) has been overcome. The proposed development is not considered to raise any further environmental issues.
- 7.13.11 It is considered that this proposed development is an improvement on the previous refused application on this site. The proposals make efficient use of the previously developed land, in a town centre location and the amendments made during the course of the application are considered to weigh in favour of this scheme. Therefore, on balance, it is considered that the benefits outweigh the harm. The planning balance, and therefore the Officer recommendation is to approve subject to the resolution of the matters set out at section 1 of this report.

INFRASTRUCTURE PROVISION

- 8.1 The site is CIL liable however the CIL rate for Maidenhead Town Centre is set at £0 per square metre and as such there will be no CIL receipts generate from this development. However the wider affordable housing provision and financial contributions to make this development acceptable in planning terms is set out above. As is the wider regeneration benefits of this proposed development, and the delivery of infrastructure as part of this development, notably the new areas of public open space.
- 8.2 It is proposed that a section 106 legal agreement will secure the following:
- Details of waste receptacles to be provided (refuse/recycling/ food wastes bins)
 - Secure affordable housing provision as set out in section v) affordable housing (including nomination rights).
 - Re-provision of Bowling Club.

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1 15 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 23.07.2018 and the application was advertised in the Maidenhead & Windsor Advertiser on 28.06.2018.
- 9.2 1x letters were received objecting to the application from the Maidenhead Civic Society, comments made can be summarised as:

Comment		Where in the report this is considered
1.	There is a significant retrograde step in these latest proposals and the original scheme is preferable as it allows sunlight and skylight to pass to York Road.	Paragraphs 7.5.1- 7.5.38
2.	Endorse the level of parking provision	Paragraphs 7.7.14- 7.7.19

Consultees

Consultee	Comment	Where in the report this is considered
Urban Designer	<ul style="list-style-type: none"> • The concept of three pavilion buildings as reflecting the wider context is flawed, and this approach to creating built form is at odds with the nature of the street. • The rhythm of the massing of the building fronts to York Road therefore retains the problems in the refused application and is alien to the street, as the prominent 'pavilion' elements are joined by set-back frontages that are much wider than the pavilion 'ends'. • The 'filling in' of the pavilion blocks results in an overbearing 'wall' of development that is at odds with the character of the street. • There have been a number of improvements to the York Road frontage to reduce blank frontages and increase activity • Whilst there is a greater variation in height, the effect is to reinforce the rhythm of the three pavilion blocks. The relentless use of red brick and repetitive detailing give the 	Paragraphs 7.5.1- 7.5.38

	<p>proposals a monolithic, overbearing character that is also at odds with the street.</p> <ul style="list-style-type: none"> • The proportions of this are an improvement over the refused scheme. • The reduction in height results in rather squat proportions between the two 'bookends' of the higher pavilions. • Concerns about poor outlook. • Concerned about the amount of car parking proposed for a scheme that is in a highly accessible location. This has a significant impact on the flexibility of the design of the scheme, as clear spans are required at ground and basement level to accommodate parking. This determines the 'pavilion block' approach which – as set out above – is at odds with the character of the area. 	
Design South East	<ul style="list-style-type: none"> • Made a number of recommendations and suggestions about the proposed development. These include: • Support the principle of a housing-led development in this location which makes more efficient use of this prominent town centre site. • Appreciate the architectural approach. • The proposal does not respond to reasons for refusal of the previous scheme regarding scale, mass and bulk. • The design feels overbearing in this location and does not respond well to the scale and character of the surrounding area. • Very difficult to develop a successful proposal for this site without a reduction in the amount of accommodation. • Greater design collaboration with the developers of neighbouring sites to the north. • Operational issues such as deliveries and refuse collections are currently pushed to the edge of the building and alternative strategies that are less disruptive to York Road are required. • Overlooking and overshadowing issues within the courtyard areas could be problematic • A looser design for courtyards would be beneficial. • Roof terraces can function well if they are accessible spaces and impact neighbouring flats. • The loss of existing mature trees on York Road is regrettable. More appropriate replacement tree planting should be provided. • Parking provision is significantly above council requirements. Such high levels should not be required in a location that is well connected to public transport. Recognise the benefits of hiding parking underground 	Paragraphs 7.5.1-7.5.38

	but the basement and podium parking severely limits how this site can be approached, and alternative parking strategies should form part of updated layout/massing proposals.	
Tree Officer	The information available would suggest that the current scheme would result in the loss of important Trees that are subject to a tree preservation order and contribute positively to the character and appearance of the area. I would therefore recommend refusal of the application under policies N6 and DG1.	Paragraphs 7.5.27-7.5.38
Lead Local Flood Authority	No objection in principle to the proposed development insufficient information has been provided to allow a full assessment of the proposed surface water drainage system. Pre-commencement planning condition would therefore be needed to submitted additional information.	Paragraphs 7.11.1-7.11.4
Environmental Protection:	No objections raised on the last planning application subject to conditions	Paragraphs 7.11.5-7.11.9
Highway Authority	No objections raised on the last planning application subject to conditions. Awaiting feedback on proposed revised servicing arrangements.	Paragraphs 7.7.1-7.7.9
Ecology Officer:	Comments from previous application set out that the proposed development would provide suitable mitigation against bats and breeding birds (subject to conditions and Informative). However no information has been provided in relation to biodiversity enhancements.	Paragraphs 7.11.10-7.11.13
Archaeology Officer:	No objections raised on the last planning application subject to conditions	Paragraphs 7.11.14-7.11.19
Thames Valley Police	Do not wish to object to this planning application. Wish to make comments to aid reserved matters application: <ul style="list-style-type: none"> • Floor plans should not include linked cores as this provides an excessive level of permeability and could result in crime and antisocial behaviour. • Significant concerns regarding play area on the first floor relating to how the first floor residents will be affected by this proposed activity. • Access to the podium does not appear to be located off the core which potentially undermines the community and ownership felt by the first floor residents. • Details regarding proposed curfew hours of access and lighting to the podium should also be considered. • Access Controls should be implemented across the site to safeguard the development. An access control strategy should be provided at Reserved Matters. • Underground car parking can be problematic due to the lack of natural surveillance and can result 	Paragraphs 7.5.37-7.5.38

	<p>in anti-social behaviour. A vehicle access gate should be present being a robust visibly permeable gate or shutter with fob activation. Any pedestrian gates into the underground parking area should be of a suitable height to prevent them being scaled and access controlled.</p> <ul style="list-style-type: none"> The layout of the carpark should be as open as possible to provide clear sightlines and removing recesses. Good lighting should be present. Cores located off the parking area which should be accessed controlled as mentioned previously and a parking strategy should support this. 	
Sport England	Sport England considers that provided that the existing bowls facility located on this site is relocated to another site, the proposal meets Sport England's Objectives as the facility that will be lost will be replaced with another facility.	Paragraph 7.4.9

10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed site plan
- Appendix C – Proposed floor plans
- Appendix D – Proposed elevations

11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 The Development shall commence within two years from the date of approval of the last of the reserved matters.
Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 An application for the approval of the Landscape reserved matters shall be made to the Local Planning Authority within three years of the date of this permission
Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 No development above ground floor slab level (as shown on the approved long section drawing) 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. This should accord with the details submitted on the proposed elevation treatment plan numbered 16006-A-BBA-XX-DR-0350 P03. The development shall be carried out and maintained in accordance with the approved details. 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. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan Local Plan DG1; Area Action Plan MTC4, MTC6, OA3.
- 4 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the details set out in the approved plans. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1, AAP MTC4, MTC14

- 5 No part of the development shall be occupied until vehicle parking spaces have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1, AAP MTC4, OA3.
- 6 Prior to the commencement of the development above ground floor slab level (as shown on the approved long section drawing) a copy of the application for the secured by design award scheme and the written response from the Designing Out Crime Officer setting out the schemes compliance shall be submitted to the Local Planning Authority. Prior to occupation of the development hereby approved the applicant shall submit a copy of the Secured by Design certificate for compliance to the Local Planning Authority.
Reason: To ensure that the development achieves the secured by design award scheme to create safe and secure environments and reduce opportunities for crime in accordance with the NPPF (2018) and policy MTC4 of the Maidenhead Area Action Plan (2011).
- 7 Prior to occupation an external lighting scheme shall be 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, OA3.
- 8 Prior to the commencement of any development, including demolition, 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
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

- 9 No development shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles set out in the submitted Below Ground Drainage and SuDS Report Feasibility Rev 05 by Price Myers dated June 2018. Details shall include:
- i) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
 - ii) Supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, proposed discharge rates and attenuation volumes to be provided
 - iii) Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented

The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure the proposed development is safe from flooding and does not increase flood risk elsewhere in accordance with National Planning Policy Framework, its associated guidance and the Non-Statutory Standards for Sustainable Drainage Systems.

- 10 Prior to the commencement of any works above slab level (as shown on the approved long section drawing) details of measures to incorporate sustainable design and construction shall be submitted to and approved by the Local Planning Authority, this should be based on the Sustainability and Energy Statement prepared by Bluesky Unlimited dated 12 June 2018 or such other details as agreed in writing by the Local Planning Authority.

Reason: The aforementioned document provides no clear indication of what measures will be incorporated into the proposal and as such it is necessary 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), along with the National Planning Policy Framework. Relevant Policy - AAP MTC4.

- 11 No development above slab level (as shown on the approved long section drawing) shall commence until a noise study has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) Details of all the measures to be taken to acoustically insulate all habitable rooms against environmental and operational noise (including the operation of the adjoining Football Club), together with details of the methods of providing acoustic ventilation
- ii) Details of how the proposed development is designed so that cumulative noise from surrounding uses (including the adjacent football club) does not impact on residential amenity. This shall include any appropriate mitigation measures.
- iii) The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the mutual amenity of future, and adjoining, occupiers of land and buildings. Relevant Policies - Local Plan NAP3, AAP MTC4

- 12 Notwithstanding the approved plans or any indication given otherwise, in the event that any external ventilation equipment is to be installed, 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

- 13 Other than as agreed in the Construction and Environmental Management Plan, the existing access to the site shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason:In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1, AAP MTC4, MTC14

14 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1, AAP MTC4, MTC14

15 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.

Reason:To 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

16 No development, other than demolition of existing buildings on site to ground level shall take place until a programme of archaeological field evaluation has been implemented in accordance with a written scheme of investigation, which has first been submitted to and approved in writing by the Local Planning Authority. The results of the evaluation will inform the potential preparation of a subsequent mitigation strategy which will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

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.

17 The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Following plans received by the Local Planning Authority on the 18.09.2018:

PL-010-00-Site Location Plan
PL-011-00-Existing Site Plan and Topo
PL-100-01-Proposed Site Plan
PL-200-01-Proposed Ground Floor Plan
PL-204-01-Proposed Fourth Floor Plan
PL-205-01-Proposed Fifth Floor Plan
PL-206-01-Proposed Sixth Floor Plan
PL-207-01-Proposed Seventh Floor Plan
PL-208-01-Proposed Roof Plan
PL-209-01-Proposed Basement Plan
PL-300-01-Proposed North Elevation
PL-301-01-Proposed East Elevation
PL-303-01-Proposed West Elevation
PL-304-01-Proposed Sectional Elevation 1
PL-305-01-Proposed Sectional Elevation 2
PL-306-01-Proposed Sectional Elevation 3
PL-307-01-Proposed Sectional Elevation 4
PL-401-01-Car Park Ramp
PL-402-01-Cycle Store Details 1 of 3
PL-403-01-Cycle Store Details 2 of 3
PL-404-01-Cycle Store Details 3 of 3

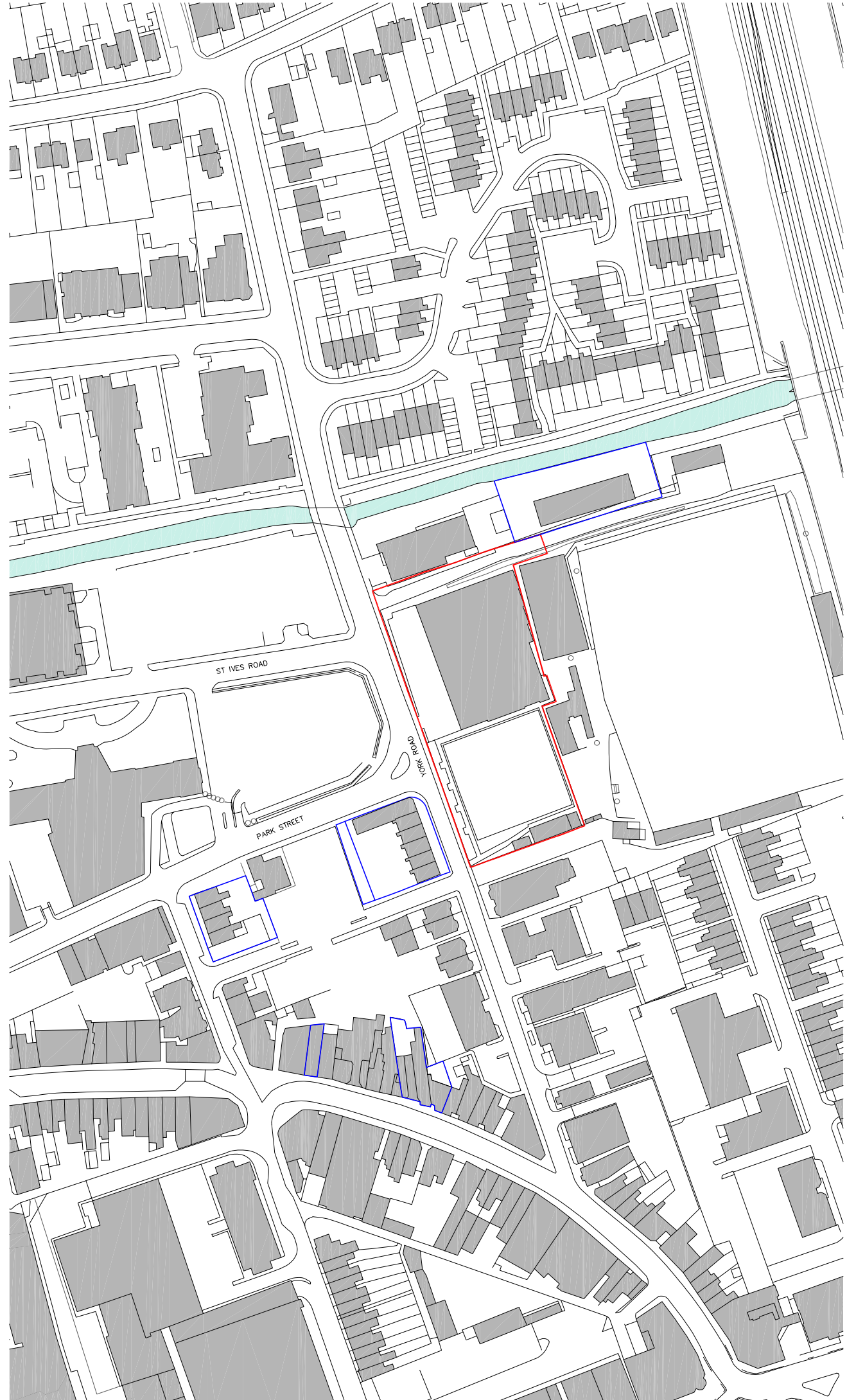
Following plans received by the Local Planning Authority on the 10.10.2018

PL-400-02-Proposed Long Section A-A
PL-201-03-Proposed First Floor Plan
PL-202-03-Proposed Second Floor Plan
PL-203-03-Proposed Third Floor Plan
PL-302-03-Proposed South Elevation

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

Informatives

- 1 With reference to condition 3 (sample of materials) in all instance 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. Details submitted shall broadly accord with the details set out in the York Road Design and access Statement Addendum August 2018.
- 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 toneighbouring properties.The applicant is advised to follow guidance with respect to dust control:London working group on Air Pollution Planning and the Environment (APPLE): London Code ofPractice, Part 1: The Control of Dust from Construction; and the Building Research Establishment:Control of dust from construction and demolition activities.
- 3 The applicant / designers should be aware that the chalk in the Maidenhead area is known to be susceptible to the development of solutions features
- 4 As York Stream is a main river watercourse a separate Environment Agency consent will be required for the proposed discharge to the watercourse
- 5 External flues or ducting are operational development and will require separate full planning permission unless they form part of the approved plans (or are not considered "de minimis"). 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 With reference to the reserved matters application regarding landscaping this should include details of biodiversity enhancements which will form an integral part of the proposed landscaping strategy. The provision of such details as part of the planning application will also prevent the need for such details to be provided as part of any discharge of conditions application.

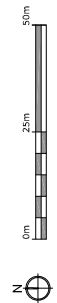


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DWG Type	PL	DWG No	010	Rev	00
Date	01/05/2018	Drawn	JP	Checked	SM
				Status	For Approval

Do not scale drawings. Use only the dimensions shown. The Contractor to check site dimensions and report any variations or omissions to Wilcox and Kildavis. The drawing is Copyright of Wilcox and Kildavis and must not be reproduced or used without express permission. Wam Architecture is the trading name of Wilcox and Kildavis Ltd

Project
Maldenhead Bowsls Club
Maldenhead
 Client
Stanly Homes
www.wamarchitecture.com

- Site Boundary
- Stanly Ownership



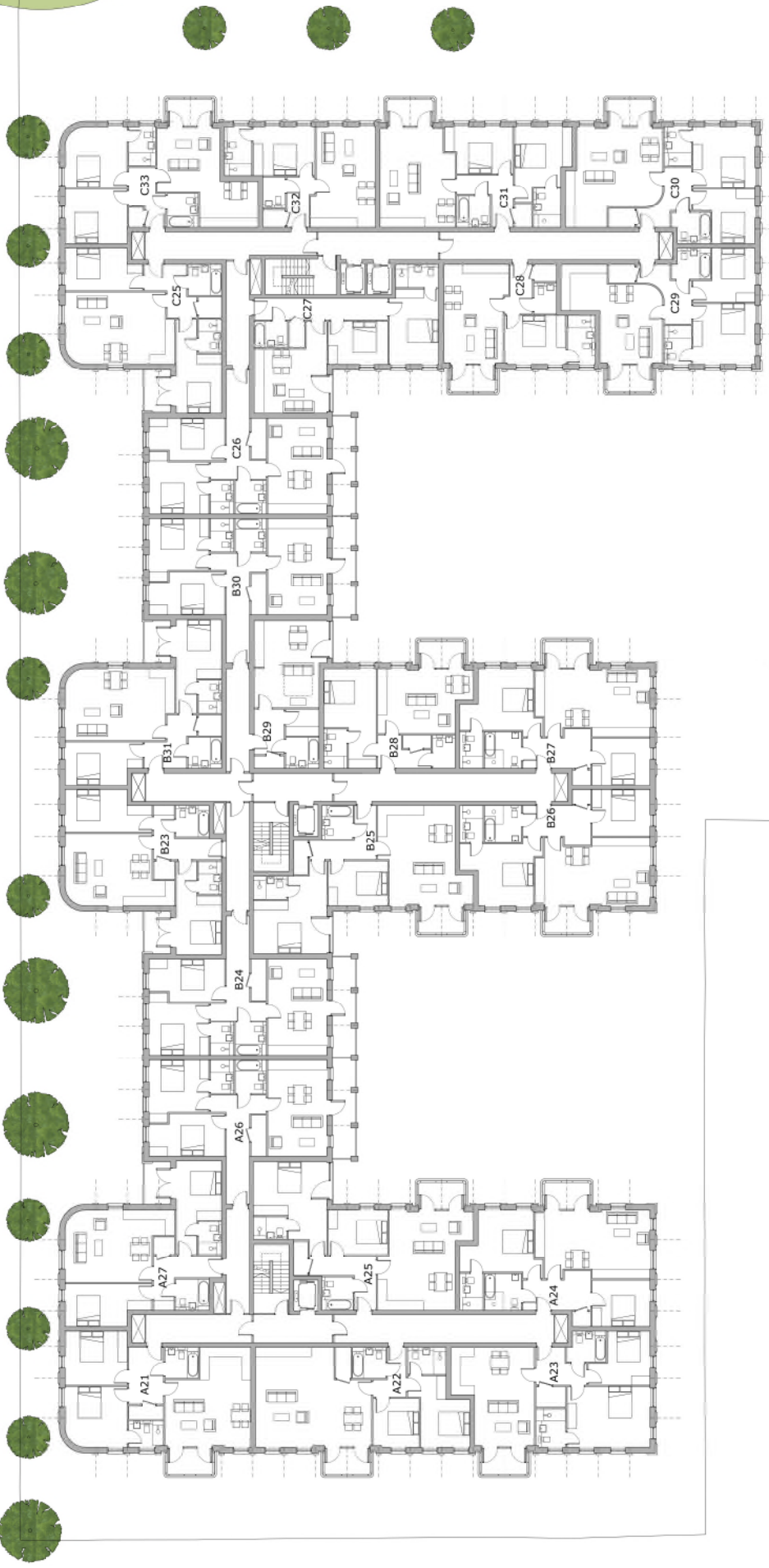
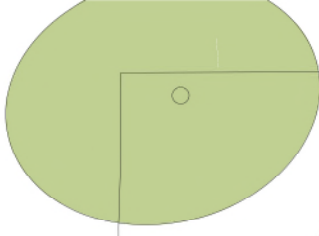




Project No:	301	Project Title:	Proposed Ground Floor Plan
Client:	Shanly Homes	Scale:	1:200 @ A2
Architect:	wam architecture	Date:	01/08/18
Project Start:	16/08/18	Discipline:	SM/DCS
Project End:		For Approval:	

Project: Maidenhead Bowls Club
Maidenhead
Client: Shanly Homes
www.wam-architecture.com

Note: For Landscape details please refer to Aspect Landscape information



Project:
Maidenhead Bowls Club
Maidenhead
 Client:
Shanly Homes
 www.wam-architecture.com

Project No:
301
 Model Type:
PL
 Date:
16/08/18

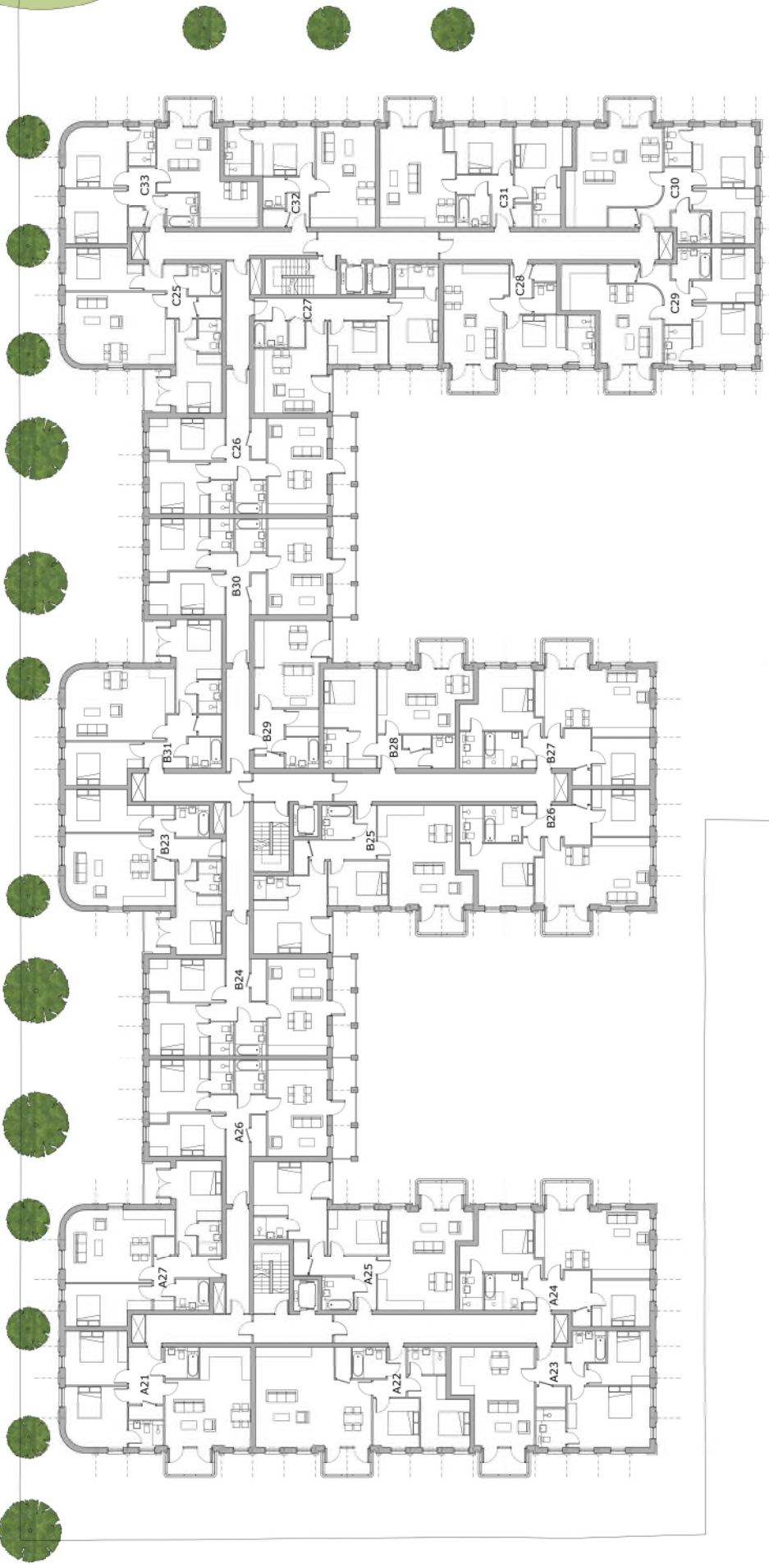
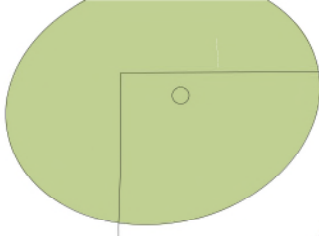
Drawing Title:
Proposed Third Floor Plan
 Scale:
1:200 @ A2
 Sheet No:
203
 Date:
16/08/18

Drawn By:
SM/DG
 Checked By:
BW

For Approval:
SM/DG
BW

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Project:
Maidenhead Bowls Club
Maidenhead
 Client:
Shanly Homes
 www.wam-architecture.com

Project No:
301
 Model Type:
PL
 Date:
16/08/18

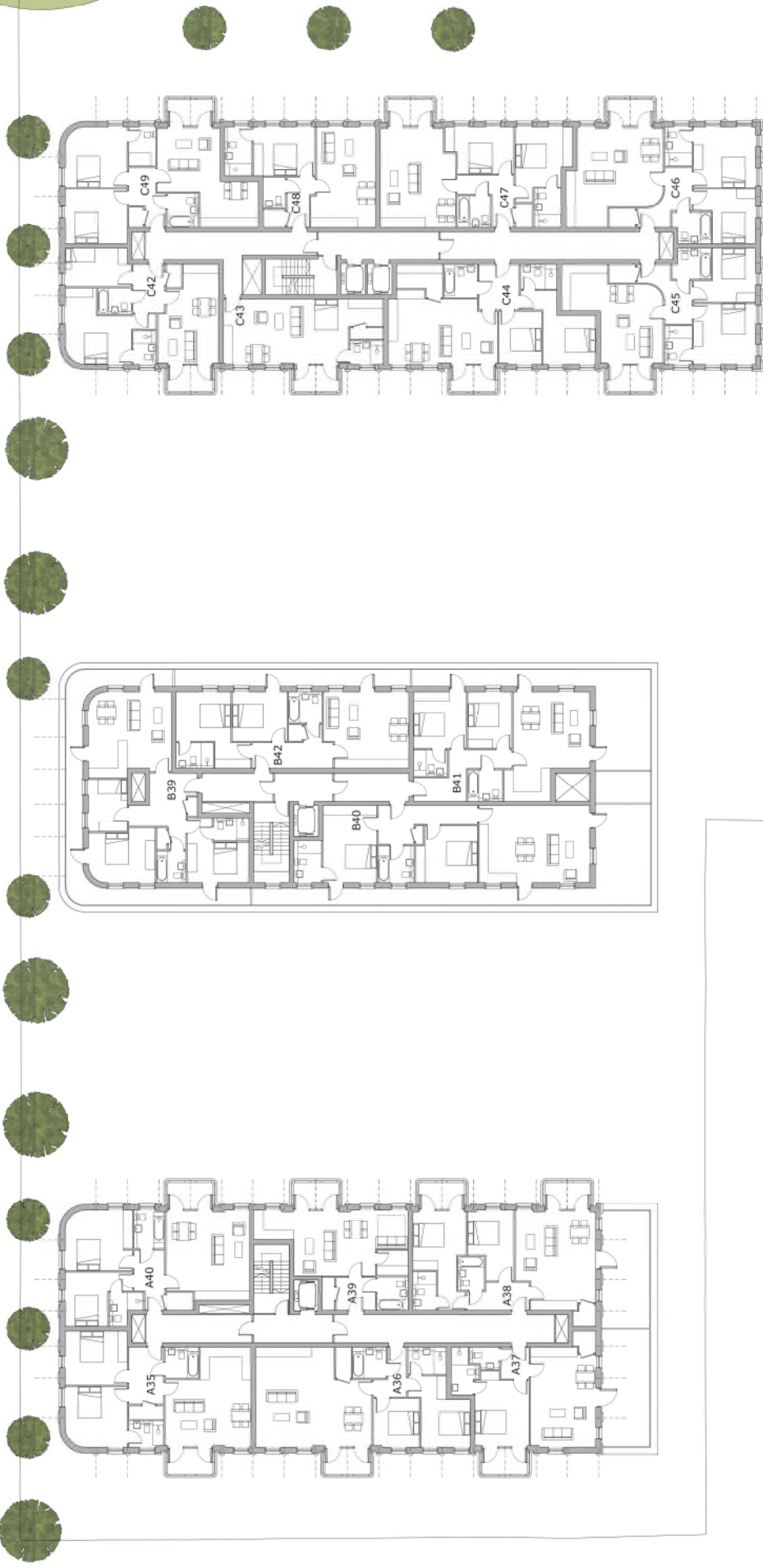
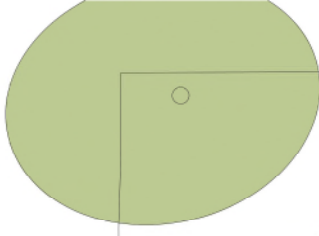
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 Scale:
1:200 @ A2
 Sheet No:
203
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16/08/18

Drawn By:
SM/DG
 Checked By:
BW

For Approval:
SM/DG
BW

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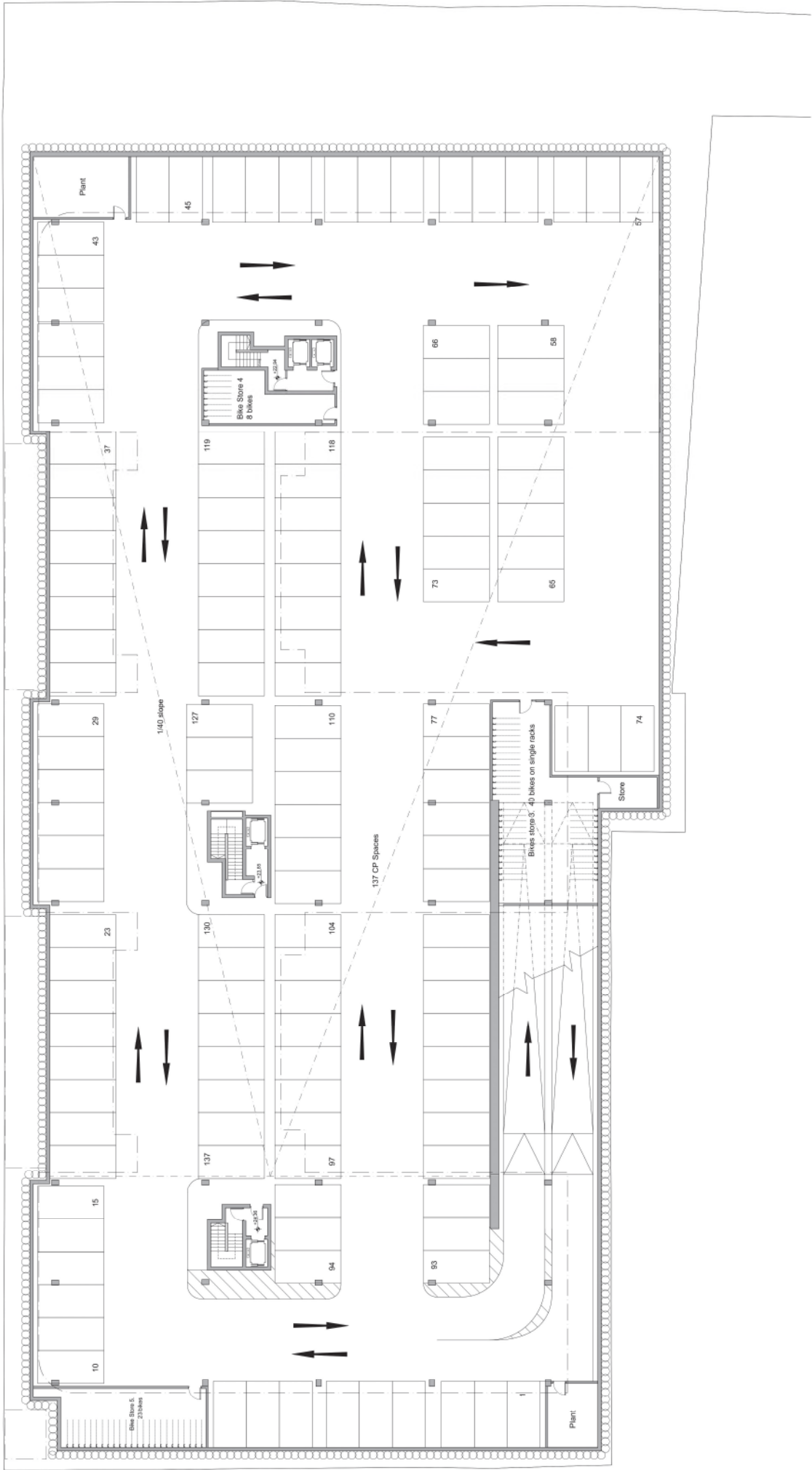


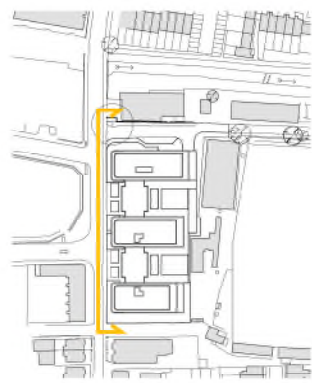
Project:
Maidenhead Bowls Club
Maidenhead
 Client:
Shanly Homes
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Project No:
301
 Issue Type:
PL
 Date:
16/08/18

Drawing Title:
Proposed Fifth Floor Plan
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 Issue No:
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 Date:
01
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SM/DG

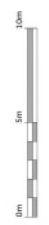
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Roof
7th Floor
6th Floor
5th Floor
4th Floor
3rd Floor
2nd Floor
1st Floor
Ground Floor

Proposed North Elevation



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Maidenhead
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Date:
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Drawing Title:
Proposed North Elevation
Scale:
200
Date:
31/08/18

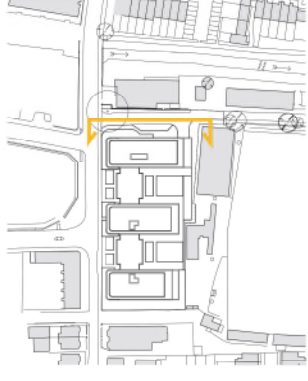
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Checked By:
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By:
BW

Scale:
1:1000(A0) / 1:2000(A2)
For Approval
Drawing No:
11/08/18

Approved By:
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Proposed East Elevation

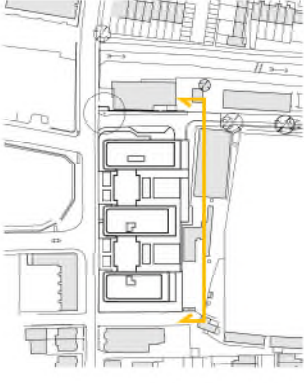


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Proposed East Elevation
 Scale:
1:100 @ A1 2009A2
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31/08/18
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Proposed South Elevation



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Project No:
301
 Date Type:
PL
 Date:
31/08/18

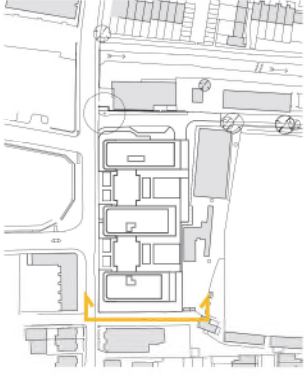
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31/08/18

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 CHRYSTIE PRICERS

- Roof
- 7th Floor
- 6th Floor
- 5th Floor
- 4th Floor
- 3rd Floor
- 2nd Floor
- 1st Floor
- Ground Floor



- Roof
- 7th Floor
- 6th Floor
- 5th Floor
- 4th Floor
- 3rd Floor
- 2nd Floor
- 1st Floor
- Ground Floor

Proposed West Elevation

Project:
Maidenhead Bowls Club
Maidenhead
 Client:
Shanly Homes
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Project No:
301
 Date Type:
PL
 Date:
31/08/18

Drawing Title:
Proposed West Elevation
 Rev:
01
 Date:
30/08/18
 Drawn By:
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 Checked By:
SM/DG

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MAIDENHEAD DEVELOPMENT CONTROL PANEL

24 October 2018

Item: 5

Application No.:	18/02105/FULL
Location:	Temporary RBWM Car Park Vicus Way Maidenhead
Proposal:	Erection of five storey split-deck multi-storey car park with access and associated landscaping following removal of existing slab and hardstanding (Regulation 3 application)
Applicant:	The Royal Borough of Windsor And Maidenhead
Agent:	Mr Matthew Blythin
Parish/Ward:	Maidenhead Unparished/Oldfield 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 application proposes a multi-storey car park (5 storeys). The scheme is considered to be of an acceptable scale and appearance within the context of this area, and is considered to have an acceptable impact upon trees of significance. It is acknowledged that the scheme would impact upon neighbouring residential amenity, and this is discussed in more detail within the report.
- 1.2 The scheme is considered to be acceptable in terms of flood risk, subject to a satisfactory Sustainable Drainage Scheme being agreed. In terms of the impact on the Highway network, the Highway Authority has requested further information to inform their assessment. Both of these matters are recommended to be deferred to the Head of Planning to resolve.
- 1.3 The proposed multi-storey car park would not conflict with Policy OA6 of the Maidenhead AAP (this forms part of the Adopted Development Plan). The scheme would conflict with policies ED1 and ED2 of the emerging Borough Local Plan, which is a material consideration of significant weight. It is considered that there are material considerations which weigh in favour of the application, which include the need for the car parking to support commuters using Maidenhead Train Station and to take into account the future Cross rail, and also the need to support Maidenhead Town Centre and its redevelopment. On the basis that the Sustainable Drainage Scheme, and impact on the Highway network is considered to be acceptable, it is considered that planning permission should be granted.

It is recommended the Panel authorises the Head of Planning:

1.	To grant planning permission subject to: i) The receipt of Sustainable Drainage Scheme,; ii) Highways matters iii) Planning conditions being resolved, subject, to the satisfaction of the Head of Planning.
2.	To refuse planning permission if it is deemed that the proposed development would have an unacceptable impact on Highways and/or a satisfactory Sustainable Drainage Scheme has not been agreed.

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. In addition, the Council owns the land.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to land to the south of Stafferton Way and to the east of Vicus Way. The application site measures circa 0.4 hectares and was last utilised as a temporary staff car park by the site owners (the Royal Borough of Windsor and Maidenhead).
- 3.2 The site is accessed from Vicus Way, a direct route off Stafferton Way, which links to the Braywick roundabout to the west. The Vicus Way and Stafferton Way junction is marked by a mini-roundabout.
- 3.3 The site is situated outside of the Maidenhead town centre boundary, but is within the Maidenhead Town Centre Area Action Plan Area (Adopted Plan).
- 3.4 To the rear (south) of the site is a flatted development of five to six storeys in height. To the west of the site, on the opposite side of Vicus Way are residential properties of 2 storeys in height. The east of the application site is Lock and Store, a commercial premises of 4 storeys in height. On the opposite side of Stafferton Way are retail premises which are relatively low in height, and the Stafferton Way multi-storey car park which is 5 storeys in height.
- 3.5 Beech trees provide screening on the southern boundary of the site (these trees are situated in the neighbouring site).
- 3.6 The application site is in the region of 1-1.5 metres lower than the ground level of the ground level of Stafferton Way and Vicus Way
- 3.7 The application site is within flood zone 2 (medium risk flooding).

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application proposes the construction of a multi-story car park which would be 5 storeys high (open deck). The main built form of the proposed building would have a height of 14-15 metres and a maximum height of circa 17.4 metres to accommodate the cores for the lift access and stairs positioned to the north and south of the proposed building. The proposed layout would be in the form of a 'split deck' layout where the ramps connecting the levels would be positioned to the southern and northern end of the building.
- 4.2 The car park would provide 516 car parking spaces. Table 4.1 sets out the parking mix proposed throughout the proposed building.

Table 4.1- Car parking mix

Parking Provision	Level					Total
	Ground	1	2	3	4	
Standard Bay	36	107	107	107	109	466
Accessible Bay	24	0	0	0	0	24
Electric charging bay	21	0	0	0	0	21
Accessible bay with electric charging	5	0	0	0	0	5
Total	86	107	107	107	109	516

- 4.3 Since the initial submission the applicant has sought to amend the level of electric vehicle charging points to be reflective of demand, and accordingly some of the proposed information contained in the planning statement, Transport Assessment and Design and Access Statement do not fully align with the above break down of mix of parking spaces.
- 4.4 The existing vehicular access from Vicus Way would be adapted and utilised to serve the development.
- 4.5 The building would be finished in a cladding system; a metal cladding would be used at ground floor level, with a wooden cladding system applied to the upper floors of the building. The cores (to accommodate the lift and stairwell) would be in a natural concrete with a translucent paint finish to the ground floor area for anti-graffiti measures.
- 4.6 There is planning history on the site, but there is no history considered to be of relevance to this application. The Local Planning Authority is currently or has recently considered a number of other planning applications which are considered to be relevant to the context of this application, these are:

York Road redevelopment site:

18/01608/FULL: Mixed use redevelopment of the site comprise of 5 buildings, varying from 4-8 storeys in height to provide a total of 229 new residential dwellings, 1,930 sqm Gross External Area (GEA) of commercial and/or community/cultural floor space (Use Class A1/A3/B1/D1). The Local Planning Authority resolved to grant planning permission on the 26.09.018. This includes redeveloping on York Road and Grove Road surface car parks.

Ten Pin, Holmanleaze

18/01796/FULL: Demolition of existing building and resurfacing of site with change of use to surface car park and erection of boundary hoarding for temporary 5 year period (100 car parking spaces).

Approved: 02.08.2018

Clyde House, Reform Road:

18/01558/FULL: Resurfacing of site with change of use to surface car park and erection of boundary hoarding for temporary 5 year period following demolition of existing building (60 car parking spaces). Approved: 18.07.2018

- 4.7 These applications are relevant as they show other applications for major town centre redevelopment, or for temporary car parks within the Maidenhead AAP area.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 The National Planning Policy Framework (NPPF) (2018) 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. The NPPF is a material consideration of significant weight in the determination of applications.

The sections of the NPPF that are relevant to this application include:

Section 2- Achieving Sustainable Development

Section 6 – Building a strong competitive economy

Section 9- Promoting Sustainable Transport

Section 12- Achieving well designed places

Section 14- Meeting the challenges of climate change, flooding and coastal change

Section 15- Conserving and enhancing the natural environment

Royal Borough Local Plan

5.2 The Borough's current adopted Local Plan comprises of the saved policies from the Local Plan (Incorporating Alterations Adopted June 2003). The policies which are considered relevant to this site and planning application are as follows:

- N6 Trees and development
- DG1 Design guidelines
- NAP3- Noise and Fumes
- NAP4 Pollution of groundwater and surface water
- E1 Location of Development
- E2 Industrial and Warehousing Development
- E5 Loss of land in Employment Areas
- T5 New Developments and Highway Design
- T7 Cycling
- T8 Pedestrian environment
- P4 Parking within Development
- IMP1 Associated infrastructure, facilities, amenities

These policies can be found at

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

The Maidenhead Area Action Plan (AAP) (2011) forms part of the adopted Development Plan and sets out the Council's vision for the regeneration of the Maidenhead Town Centre. The document focuses on; Place Making, Economy, People and Movement. The AAP also identifies six sites for specific development.

Policies of relevance include:

- Policy MTC 1 Streets & Spaces
- Policy MTC 2 Greening
- Policy MTC 4 Quality Design
- Policy MTC 14 Accessibility
- Policy MTC 15 Transport Infrastructure
- Policy OA6 Stafferton Way Opportunity Area
- Policy IMP2 Infrastructure & Planning Obligations

Borough Local Plan: Submission Version (BLPSV)

Policies in the BLPSV which are relevant to the consideration of this planning application are:

- SP1 Spatial Strategy
- SP2 Sustainability and placemaking
- SP3 Character and design of new development
- ED1 Economic Development
- ED2 Employment Sites
- ED3 Other Sites and Loss of Employment Floorspace
- NR1 Managing Flood Risk and Waterways
- NR2 Trees, Woodlands and Hedgerows
- NR3 Nature Conservation
- EP1 Environmental Protection
- EP2 Air Pollution
- EP3 Artificial Light Pollution
- EP4 Noise
- EP5 Contaminated Land and Water
- IF1 Infrastructure and Developer Contributions
- IF2 Sustainable Transport

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 assessment below.

Significant weight is to be accorded to Borough Local Plan Submission Version policies all relevant policies, aside from Policy NR1 (Flood Risk). Lesser weight should be accorded to Borough Local Plan Submission Version policy NR1 due to the extent and nature of objections raised to it by representations on the Borough Local Plan Submission Version.

This document can be found at:

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

Supplementary planning documents

Other Local Strategies or Publications

Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:
- Thames Valley Berkshire Strategic Economic Plan

More information on the Townscape Assessment and Parking Strategy 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 Principle of redevelopment at the site
- ii Flood Risk
- iii Design, including impact on trees and new landscaping
- iv Impact upon neighbouring amenity (including noise and lighting)
- v Impact on highways and parking considerations
- vi Environmental Considerations
- vii Other material considerations

Principle of this redevelopment at this site

- 6.2 Policy OA6 of the Maidenhead Area Action Plan (which forms part of the adopted development plan) states that land to the South of Stafferton Way (which includes this application site) should be utilised to deliver 4,000 sqm of non-office employment floorspace, this includes B1(b), B1(c), B2, B8 and car showroom use.
- 6.3 Policy ED2 of the BLPSV seeks to maintain this application site (as part of a wider allocation) for employment use. This forms part of the wider economic strategy for the BLPSV as set out in policies ED1 and ED2, which are afforded significant weight.
- 6.4 The proposed multi-storey car park is classed in a sui generis use, and so does not fall within the employment uses appropriate to this site as set out in the Adopted Maidenhead AAP, however, Policy OA6 of the AAP specifies that there will be 4000 square metres of non office employment floorspace provided on the land South of Stafferton Way. The Lock and Store (adjacent to the site), which is also situated on land south of Stafferton Way has 8,607m² of B8 self storage, which exceeds the figure specified in Policy OA6. As such it is not considered that this scheme would conflict with the requirements Policy OA6. Policy OA6 of the AAP identifies that a multi-storey car park should be located on land to the north of Stafferton Way. However, the land to the north of Stafferton Way is in private ownership, and so it would not be possible to provide a new multi-storey car park in this area. The provision of this multi-storey car park would meet the aims of Policy OA6 which seeks to deliver a multi-storey car park in this Opportunity Area.
- 6.5 The scheme does not comply with Policies ED1 and ED2 of the emerging BLPSV. The application site is on land allocated as a business area, and this scheme would remove land allocated for business purposes. However, within Policy ED2 it is stated that within business areas, development proposals that improve and upgrade the facilities available will be supported. This multi-storey car park will increase car parking and will provide car parking for employees within the area. In this instance the provision of a multi-storey car park would support the aims of Policy OA6 which forms part of the Adopted development plan.
- 6.6 It is acknowledged that the scheme would take away land allocated for employment purposes in the emerging Borough Local Plan. The Borough Local Plan is not part of the adopted development plan, however, it is afforded significant weight in decision making. As such, material considerations have been considered at 6.78-6.83 of this report.

Flood Risk

- 6.7 The application site is situated within flood zone 2 (medium risk flooding). A car park would fall into a less vulnerable use, and according to guidance contained within the NPPF and National Planning Practice Guidance (NPPG), a less vulnerable use is appropriate within this flood zone.
- 6.8 In accordance with the NPPF, it is a requirement for the scheme to pass the Sequential Test. The aim of the Sequential Test is to steer development to areas at the lowest risk of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If the Sequential Test cannot be met, the principle of the development in Flood Zone 2 is not acceptable.

- 6.9 In order to pass the Sequential Test, it is necessary for the application to demonstrate that there are no alternative reasonably available suitable sites at a lower risk of flooding (i.e. outside of the flood zone) that could accommodate this scheme. With regard to the area of search for alternative sites, given that the need for the car park is to support Maidenhead town centre and its regeneration, for workers in the town centre, and for commuters to London, the search for sites should be limited to the Maidenhead Area Action Plan Area. In addition, the need for a multi-storey car park to be accommodated within the Stafferton Way Opportunity Area is set out in the Maidenhead Area Action Plan. With regard to other potential sites within the AAP area, the expansion of the existing Broadway car park is in the pipeline, but the expansion of this car park on its own would not meet the car parking requirements for Maidenhead. Aside from this, within the Maidenhead AAP area, other reasonably available sites are either not at a lower risk of flooding than the application site and so are not sequentially preferable, or those sites that are available and at a lower risk of flooding are earmarked for future residential development. Such alternative sites include:
- Reform Road (is at a higher risk of flooding).
 - The Landing (earmarked for a mixed use development)
 - St Cloud Way (the site is at a lower risk of flooding, but residential development is anticipated for the site)
 - York Road site (situated in flood zone 3)
- 6.10 It is considered that the Sequential Test is passed.
- 6.11 Paragraph 163 of the NPPF (2018) sets out that provided the Sequential Test can be passed, it needs to be demonstrated as part of an application that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 6.12 In this case most of the site is situated in flood zone 2; the proposed use is a less vulnerable use and so the location of the proposed building within the site is considered to be acceptable. In terms of flood resistance and resilience measures, the FRA sets out that it is not feasible to raise the floor level of the car park above the 1 in 100 year flood events, as it would require extensive ramps to make up the difference in levels between the adjacent roads and the finish level of the car park. The FRA sets out that the proposed car park is not expected to flood to depths to cause vehicles to be swept away in extreme events. The evacuation plan seeks to eliminate the chance of vehicles being caught in floods, however, measures to prevent vehicles from being swept beyond the site boundary is not deemed to be required based on the expected flood depth
- 6.13 With regard to the Sustainable Drainage Systems, this is discussed in further detail at sections 6.56-6.57 of this report. In summary, the Lead Local Flood Authority has not agreed to the proposed Sustainable Drainage system at the time of writing, and so this point is yet to be resolved. The recommendation is to delegate resolution of this to the Head of Planning.
- 6.14 With regard to residual risk, the FRA sets out that the site is not located within an area benefitting from flood defences and so is not at risk of flood defence failure.
- 6.15 In terms of safe access and escape routes, the FRA sets out that in an extreme flood event, according to the hazard rating, a flood event could present a danger to all future users. The FRA sets out that to mitigate against this and further manage flood risks across the site, an emergency evacuation plan will need to be put in place. The plan will be designed to eliminate the possibility of people being caught in flooded areas within the site.

- 6.16 The FRA sets out that signage should be included on site to warn users that the car park may be liable to surface water flood and any instructions to register with the car park operator. The FRA sets out how the operator would manage and advise the future users of the car park what steps to follow in the event of a flood. Further detail on the measures and how this would operate in practice would need to be secured by planning condition (see condition 7).
- 6.17 Provided a satisfactory SUDS scheme can be provided, the requirements of paragraph 163 of the NPPF would be passed.

Design, including impact on trees

- 6.18 Policy DG1 of the adopted Local Plan seeks to ensure that development will be of a high standard of design and landscaping, compatible with the area and street scene.
- 6.19 Policies MTC1 and MTC 4 of the Maidenhead Area Action Plan emphasise the need for place making and creating a high quality, town centre environment. Policy OA 6: Stafferton Way Opportunity Area sets out how development proposals should seek to deliver high quality architecture.
- 6.20 Section 12 of the NPPF which is a material consideration of significant weight to this application deals with achieving well designed places and delivery of developments that will function and contribute to the overall quality of the area in the long term. To achieve this development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; they should be sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF is clear to emphasise that this should not prevent or discourage change (such as increased densities).
- 6.21 Policies SP1 and SP2 of the BLPSV states that new developments should positively contribute to the places in which they are located and that larger developments should provide a harmonious, integrated mix of uses, where appropriate, that foster a sense of community, vibrancy and activity, along with contributing to the provision of social, natural, transport and utility infrastructure to support communities. The policy further promotes the community integration and sustainable place making. Policy SP3 sets out a number of principles to achieve a suitable high quality design. In reviewing the level of unresolved objections to these policies on the BLPSV significant weight is given to these overarching design principles to ensure appropriate development.
- 6.22 The Stafferton Way Opportunity Area is identified as part of a southern gateway into the town centre (within the Adopted AAP), segregated from the central area by the railway line to the north. The character of the area is mixed and reflective of this edge of centre location.

Layout

- 6.23 Car parks are inevitably essentially a large 'box' in form with large floor plates. The proposed layout looks to maximise the efficiency of the site, whilst having due regard for the site constraints (notably the residential flatted development and line of trees positioned to the south of the application site). Accordingly the proposed car park layout is positioned away from this boundary. The vehicle access is also proposed to the western part of the site, off the existing highway and set back from the main through road of Stafferton Way. Pedestrian Access routes are proposed to the north and west of the application site, to connect to existing pavements and footways. Disabled access Ramps are proposed as part of this. The proposed car park would also be positioned close to the eastern elevation, which forms the parking area of the adjoining commercial use.
- 6.24 In terms of the proposed internal layout the proposal would utilise a split level with a one-way system circulating traffic around the car park with ramps located to the north and south to connect the split levels. Internally pedestrians would navigate the car park via a series of walkways and crossing points leading to 2 stair cores which provide the vertical circulation and means of escape. The main core is located to the north of the application site opposite Stafferton Way. The southern stair core, adjacent to the car park access is predominantly an escape core.

Scale and mass

- 6.25 Buildings in the Stafferton Way Opportunity Area comprise a mix of buildings that range between 2-5 storeys in height. The buildings in commercial use, owing to their footprint and design appear as fairly bulky buildings. Lower density two storey residential properties are located to the east of the application site, across from Vicus Way forming Greenfields and Alpine Close. To the rear of the application site is a 5- 6 story residential flatted development.
- 6.26 The Design and Access statement for this scheme sets out the massing arrangement and alternatives which were considered. A split level arrangement between the east and west of the proposed building was considered appropriate as it allows efficiencies of the proposed ramped locations and also enables the ability to concentrate the massing and height towards the eastern boundary with the adjacent commercial premises.
- 6.27 Whilst there are smaller scale buildings to the west of this application site, Vicus Way provides a physical separation between the proposed building, and these nearby buildings. As discussed at section 3.4 of this report, larger scale buildings are present within the vicinity of the site and these contribute to the character of the area, against which this application is assessed.
- 6.28 It is accepted that the building will occupy a large part of the application site, and because of its shape will have a large bulk and mass. However, as the building would be sited on a corner plot, with the roads providing physical separation from other smaller scale buildings, and because of the variety in the scale of buildings that exist within the local area, it is not considered that scale and massing of the building would look at odds within the context of this area. Broadly the proposal would comply with the development plan in this regard.
- 6.29 It is worth noting that the application site is within an edge of centre location. The application site forms part of a wider Opportunity area within the Maidenhead AAP which allocates the site for employment purposes, and a large scale building would have been anticipated for this site.

Proposed architectural approach

- 6.30 The architectural design of the proposed building has been influenced by its use. The building needs to be functional for its purpose; a car park needs to be designed to be secure. This requirement has influenced the design, and material palette for the building. At ground floor level, this will be enclosed in a metal mesh to allow light and ventilation into this part of the car park, while still providing a rigid, vandalism resistant barrier on the ground floor perimeter of the parking spaces. The upper floors of the building would be in cladding of ventilated façades made up of natural wood panels and the corresponding substructure. Each panel would consist of a high density bakelite core, clad in a veneer of natural wood with a surface treated with synthetic resin and an exterior PVDF film (polyvinylidene fluoride). This material has been selected due to its high resistance, as it does not require the typical maintenance of other woods for exteriors. The Design and Access Statement sets out that the colour of the vertical panels and the building in general is derived from the colour palette of the surrounding development in particular the two residential developments west and south of the site which utilise a range of dark and earthy materials.
- 6.31 Given the use of the proposed building, the rationale for selecting the materials is apparent. In addition, there is a mix of materials and colour within the locality, including colours with an earthy tone, and as such it is considered the proposed material palette is acceptable. The proposed building has a functional appearance, however, a number of commercial buildings in the locality also have a functional appearance (Lock and Store, the retail units on the northern side of Stafferton Way). As such, the architectural approach is considered to be acceptable within this area.

Other design considerations

- 6.32 The AAP (2011) and the NPPF (2018) both seek opportunities to design out crime and create safe and accessible areas.
- 6.33 In addition to the proposed design of the façade of the building and use of materials that have been selected in order to provide a vandalism resistant barrier, the proposal incorporates other measures to prevent crime. Within the Planning Submission report, it is stated that CCTV will be installed in all levels of the stairwell and at the entry and exit of the car park. In addition lighting would be installed through all levels of the car park. The locations of the CCTV and lighting have not been finalised, and as such this detail would need to be secured through a planning condition (see condition 8) to ensure compliance with the requirements of the NPPF.

Landscape (including trees)

- 6.34 As set out above Policies MTC1, MTC 4 and OA6 of the Maidenhead AAP (2011) seek high quality design, and landscaping forms a key part of this. Local Plan policies N6 and DG1 also provide general design policies on the importance of high quality landscaping in delivering successful schemes. Policy N6 of the adopted Local Plan states that plans for new development should, wherever practicable, allow for the retention of existing suitable trees and include an appropriate tree planting and landscaping scheme. Where the amenity value of trees outweighs the justification for development, planning permission should be refused.
- 6.35 BLPSV Policy SP3 requires development to protect trees and vegetation worthy of retention and sets out that comprehensive green and blue infrastructure schemes should be integrated into proposals. Policy NR2 of the BLPSV seeks the protection and retention of trees, and where needed suitable mitigation. Where the amenity value of the trees outweighs the justification for development, planning permission may be refused.
- 6.36 A small group of trees and shrubs to be removed as part of the redevelopment of the site are of limited landscape quality and there is no objection to their loss. Located on the southern boundary of the application site is a row of trees outside of the application site. An arboricultural report and associated tree survey has been submitted as part of the application, however, tree protection measures have not been submitted. It has been requested that the agent submits a tree protection plan and arboricultural method statement so that that these details can be conditioned.
- 6.37 Due to the proposed layout there are some opportunities for tree planting and/or soft landscaping. Recommended condition 9 sets out proposed landscaping conditions, however, it is unlikely that there is space for any meaningful tree planting. Visibility splays are fundamental for this form of development and therefore any form of soft landscaping would likely be low level. This does not weigh in favour of the scheme.

Impact on Neighbouring Amenity (including noise and lighting)

- 6.38 There are no specific policies in the adopted Local Plan or the Maidenhead Town Centre AAP regarding impact on neighbouring amenity. Paragraph 127 (f) of the NPPF (2018) is a material planning consideration to be given significant weight and states developments should:
- “Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.*
- 6.39 Policy SP3 of the BLPSV states that development will be expected to have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.

- 6.40 The Daylight and Sunlight Analysis prepared by AECOM Limited looks at the potential impact on adjacent buildings (in residential and non-residential use). The assessment is based on the Building Research Establishment (BRE) guidelines, which are used nationally as guidance and apply equally to rural and urban locations. BRE recommendations are guidelines rather than adopted policy.
- 6.41 The Daylight and Sunlight Assessment sets out the detailed results. For several of the neighbouring buildings, the assessment concludes that there would be a reduction in light to windows, but the reduction in light would be to an acceptable level, in line with the recommendations of the BRE guidelines.
- 6.42 With regard to the impact of the proposed development on the flats to the south of the application site, there would be a significant reduction in light to a number of windows on the northern elevation of a block of flats closet to the application site. This building is shown as Block A within the submitted daylight/sunlight assessment. Although most of the windows on the northern elevation of the building would fail to accord with the guidelines within BRE, those windows impacted are either serving secondary bedrooms, or are secondary windows to living rooms. Given that the windows impacted do not serve primary rooms, or the room has another source of light, it is not considered the proposal would have a significant impact on the amenity of occupiers in this neighbouring building. In addition, there is a row of trees on the boundary which would have some impact on light to some of the lower level windows.
- 6.43 There is another block of flats to the south of the application site (labelled block B in the Daylight and Sunlight Assessment). This building is sited further away from the application site than Block A. Two windows at ground floor level of this building were tested, and the reduction in light was considered to be acceptable in accordance with the BRE guidelines.
- 6.44 It is acknowledged that the views from the windows in the flats to the south of the application site will change, and occupants would have views of the building. However, the flats impacted have other windows which will be free from visual intrusion. In addition, it is considered that there would be a reasonable separation distance so that the building is not unduly overbearing. There would be a minimum distance of 13 metres between the proposed building and the boundary with the block of flats to the south.
- 6.45 Turning to the residential properties to the west of the application site (on the opposite side of Vicus Way), the impact on light to windows is considered to be acceptable, in accordance with the BRE guidelines. There will be a change to the view from these properties, and there is likely to be shadowing cast to these properties and their gardens (the impact will be greater during morning hours), however, the proposed building is set some distance from the boundaries of the dwellings (in excess of 14 metres), and it considered that whilst there would be an impact upon outlook and shadowing to these properties, it would not be of a level that would cause significant harm to residential amenity.
- 6.46 It should be acknowledged that this application site is located in an edge of centre location, close to the town centre. The buildings that exist in this area are reflective of its edge of centre location. The Local Planning Authority would expect that a higher density development would be provided in this location. It is accepted that the scheme's design avoids significant loss of residential amenity, whilst noting that harm does result from some of loss of light and overshadowing that cannot be mitigated. This is addressed in the planning balance section of this report.
- 6.47 Concerns have been raised by residents who live next to the site about their properties being overlooked, and experiencing an invasion of privacy. It is accepted that there would be views from the proposed building towards nearby residential properties. However, the use of the proposed building needs to be taken into account when considering this matter. The scheme is for a car park; users of the car park would park their car and travel on to their next destination, whether it be the town centre, or to travel by train. It is not a building where users will spend a considerable amount of time, compared to a residential or office use, and so overlooking will be limited. In addition, the cladding used will limit views out from the building. The scheme is not considered to cause an unacceptable level of overlooking to neighbouring residential properties.

Highways Considerations

- 6.48 Policy T5 of the adopted Local Plan states that all development proposals will be expected to comply with the Council's adopted highway design standards. Policy MTC4 on Quality design sets out that development will be expected to satisfactorily address traffic, movement, servicing and parking impacts. Policies MTC14 and MTC 15 of the AAP (2011) sets out that accessibility to the town centre will be optimised with an emphasis on sustainable modes of transport. Policy MTC15 sets out the transport infrastructure needed to support development, much of these highway improvements sit outside of this application site, although it is worth highlighting that the Stafferton Way Link has now been implemented.
- 6.49 The NPPF (2018) states that developments should promote opportunities for sustainable transport modes (suitable to the type of development and its location), provide safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.50 Paragraph 109 of The NPPF (2018) is clear that:
- 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*
- 6.51 A Transport Statement (TA) (dated July 2018) has been prepared by Robert West and submitted in support of this planning application. The assessment below considers the submitted information against the Development Plan and gives regard to material planning considerations.
- 6.52 The proposed car park would be utilised as a long stay car park for commuters and office workers in the town centre. Based on information on current car park usage, this should allow some long stay parking at Broadway and Hines Meadow to be located here, releasing these spaces for short stay/shoppers car parking. The TA sets out that it is likely that there would be around 730 vehicle movements coming to and from the site on a daily basis, the majority of which will access the car parking between the morning hours of 07:00- 09:00 hours and exit around 17:00- 19:00 hours during the week days.
- 6.53 The TA looks to model the potential impact this could have on the highway network. The Highway Authority has reviewed the Transport Assessment, and has asked for some further information from the agent. If this matter is resolved in advance of the Panel meeting, this will be reported in an update to Panel. If the matter is not resolved by the Panel meeting, it is recommended that this matter is deferred back to the Head of Planning for it to be resolved.
- 6.54 The site is located in an area which is well provided for with an extensive network of footways and quiet routes suitable for cyclists to facilitate ease of movement from the site to the Town Centre and to the Railway Station. This includes the Maidenhead Waterways to the east of the application site. The pedestrian access cores will be provided towards the northern and southern edges of the car park, while the vehicle access and egress points will be provided in the south-west corner of the structure. Off-site highways works propose the provision of a zebra crossing on Vicus Way (onto a footway which is yet to be constructed) and the extension of the footway along the northern edge of the site, along Stafferton Way to ensure suitable and safe pedestrian routes from the site to the wider area. This could be secured by planning condition.
- 6.55 It is recommended that Panel defers of planning conditions relating to highways back to the Head of Planning, on receipt of the Highway Authorities further comments.

Issue vi Environmental Considerations

Sustainable Urban Drainage

- 6.56 Policy OA 6 relating to the Stafferton Way Opportunity Area sets out that new development should utilise sustainable drainage systems within the site design and layout. Paragraph 165 of National Planning Policy Framework states that all 'major' planning applications must incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development.
- 6.57 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. The LLFA has considered the proposal and the applicants Sustainable Urban Drainage information submitted as part of this planning application (including the additional information submitted during the course of the application). The LLFA still has a number of queries regarding the proposed sustainable urban drainage strategy. Accordingly, in the event Members are minded to approve this planning application it is recommended that delegated authority be granted to the Head of Planning to allow for SUDs to be satisfactorily resolved in advance of issuing any decision subject to appropriate conditions. The provision of SUDS is also a requirement of paragraph 163 of the NPPF.

Impact on Air Quality

- 6.58 Whilst the Maidenhead AAP (2011) acknowledges that most of the town centre is covered by an Air Quality Management Area there are no specific Development Plan policies relating to air quality. The NPPF (2018) states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas
- 6.59 An Air Quality Assessment (dated 15.08.2018) has been submitted in support of this planning application. The assessment concludes that the overall operational air quality impacts of the development are judged to not be significant. The approach, methodology and conclusion of the air quality assessment that the effects of development traffic on local air quality are considered to be acceptable.
- 6.60 Environmental Protection advises that to help offset the impact of the proposed development on local air quality a condition should ensure the provision of 5% of electric vehicle charging spaces as part of this proposed development with a further option for another 5% enabling a future increase to 10% within 3 years from when the car park becomes operational. However, given that this is not required to render the development acceptable with regard to air quality, it is not considered reasonable to secure this by planning condition. Electric charging points are proposed as part of this application, 5% active and 5%, passive to align the proposal with future trends for utilising more environmentally friendly modes of transport. A CEMP can secure details of recycling material taken from the site and the sourcing of materials. These matters go towards investing in sustainable technologies and sustainable construction.
- 6.61 The Council's Environment Protection Officer has also recommended conditions regarding dust management during construction. This could be secured by planning condition (see condition 6).

Sustainability and Energy

- 6.62 The Council's adopted Sustainable Design and Construction SPD (2009) provides further guidance on how new development is expected to incorporate sustainable principles into the development including, construction techniques, renewable energy, green infrastructure and carbon reduction technologies.. However, Sustainable development techniques have moved on since the adoption of this document. Therefore less weight should be attributed to this document in this regard. Nonetheless the SPD sets out measures for achieving sustainable forms of development, including 10% energy being delivered through renewable sources and meeting BREEAM measures.

- 6.63 The NPPF (2018) para 153 states that in determining planning applications developments should comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable
- 6.64 The proposed development is for a car park where it is difficult to meet the requirements of the adopted SPD for utilising renewable energy technologies or the ability to provide measures to reduce water and energy consumption. Therefore and having due regard for the type of development involved and its design it is concluded that it is not practical or feasible to provide other mode of renewable energy as part of this development.

Impact on Biodiversity

- 6.65 Policy MTC 3 of the AAP (2011) seek to conserve and enhance biodiversity. Paragraph 170 of the NPPF (2018) states that planning decisions should contribute to and enhance the natural and local environment. The emphasis is on minimising impacts on and providing net gains for biodiversity.
- 6.66 Policy NR 1 of the BLPSV also seeks to ensure development does not reduce the waterways ecological network or habitat. Emerging Policy NR 3 of the BLSV requires proposals to protect and enhance biodiversity. Policy IF 3 of the BLPSV seeks the provision of high quality green and blue infrastructure of river corridors.
- 6.67 An Ecological Appraisal (dated June 2018) prepared by Bioscan has been submitted in support of this planning application. The conclusions establish that the site is of limited ecological value.
- 6.68 The Council's Ecologist has highlighted the location of the Greenway Corridor Local Wildlife Site (LWS) 95m northeast and grassland fields 130m south. To ensure that the nearby LWS is protected during the construction phase and that nesting birds and other wildlife are not harmed as a result of the development, the Council's ecologist has recommended a condition to secure a Construction Environmental Management Plan (CEMP) to secure details on how the construction process will be managed so as not to adversely impact on this site. However given there is no ecology value on this site and the distances to nearby ecology areas the requirements of this recommended condition are not considered to be reasonable or necessary to make the development acceptable.
- 6.69 It is considered to be reasonable and necessary for conditions regarding biodiversity enhancements to be provided, this should be a prior to conditions and is set out in recommended condition 11.

Archaeological matters

- 6.70 Paragraph 189 of the NPPF (2018) states that local planning authorities should:

'Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.

- 6.71 An archaeological desktop assessment has been submitted in connection with this application prepared by Thames Valley Archaeological Services and Project specification for an archaeological evaluation' and dated June 2018 and 29 June 2019. This concludes that that the site has limited archaeological potential. Berkshire Archaeology has been consulted on this application and considers that there is evidence to indicate the application area to have an archaeological interest, the wider area has revealed evidence for prehistoric, Roman and Saxon remains.

- 6.72 The consultation response from Berkshire Archaeology is that the assessment is a reasonable and fair account of the known archaeological resource within and in the vicinity of the application boundary. The assessment also sets out proposed exploratory archaeological investigation which Berkshire Archaeology consider is an appropriate programme of archaeological work. Recommended condition 10 would secure the implementation.

Ground conditions and land contamination

- 6.73 Policy NAP4 of the Adopted Local Plan seeks to ensure that development will not pose an unacceptable risk to the quality of groundwater. This is supported by paragraphs 178 and 179 of the NPPF (2018) which seek to ensure development takes into account proper remediation for contaminated land.
- 6.74 A Phase 1 Geo-environmental Desk Study Report (dated 8 June 2018) has been prepared by AECOM has been submitted in support of this application. Appropriate remediation and mitigation measures can be secured by condition. The Environment Agency and the Councils Environmental Protection Team have raised no objections subject to conditions. These are set out in recommended Conditions 3, 4 and 5.

Noise

- 6.75 The Institute of Environmental Management & Assessment provide guidance on noise impact assessment. These documents provide guidance on how to recognise when noise should be considered of concern and affect and impact descriptors for long- and short- term changes to environmental sound conditions.
- 6.76 A Noise Assessment was submitted with the planning application. The report concludes that the operation of the proposed car park is unlikely to have any observable impact on the neighbouring residences. However, due to the proximity to residential buildings, it is recommended that appropriate signage is put up to remind car park users to drive at low speeds and be respectful of the neighbours. This could be secured by planning condition, if Environmental Protection considers these measures necessary to make the development acceptable.
- 6.77 Comments from the Environmental Protection Officer in respect of the noise assessment will be reported in update report to Panel, and it is recommended this matter is deferred back to the Head of Planning.

Other Material Considerations

- 6.78 The proposal would not conflict with Policy OA6 of the AAP (which forms of the adopted Development Plan), however, the scheme does conflict with policies ED1 and ED2 of the emerging Borough Local Plan, which allocates the site for employment purposes. The most recent evidence base for employment floorspace highlights the importance of retaining employment land. As such, it needs to be considered whether there are material considerations which support allowing the loss of employment land in this instance. The material considerations are set out below.

The Need for Car Parking in this location

- 6.79 This proposal is part of a wider programme of temporary and permanent car parking across the town to provide mitigation during the regeneration programme where spaces are lost. Overall this proposal would be one of a number of car parks near the centre to accommodate the town's needs and growth and support employment and economic growth. The site is located within a reasonable walking distance of the town centre and railway station, and so is a good location to accommodate long stay commuter and town centre employee parking, and would help mitigate the loss of other car parks within the Maidenhead AAP area as well as maintain continuity of car parking availability while other car parks are redeveloped in the town. It would also release car parking closer to the centre for shopper's to use during the day

6.80 The need for a multi-storey car park has been recognised within the Stafferton Way Opportunity Area within Maidenhead AAP, which notes that with the arrival of Crossrail, and substantial development planned for the town centre, that a new multi-storey is required to service this additional growth as well as meet unmet parking demand from existing employers in the town. At paragraph 7.95 of the AAP it sets out that to ensure the station's continued success it is important that the AAP promotes good access to the transport hub at the station, including the provision of suitable car parking facilities for commuters within this Opportunity Area. The council has secured £3.75 million of Local Growth Fund support for a project to improve access to / interchange at Maidenhead Station; this forms part of the overall strategy for town centre regeneration.

The scheme has four elements:

1. Construction of a multi-modal transport interchange on Maidenhead Station forecourt to improve connections between journeys made on foot, bicycle, bus, train, taxi and car.
2. Improved pedestrian and cycle linkages between the rail station and the town centre, with environmental enhancements for the station forecourt that will transform the area and create a proper gateway to the town centre.
3. Construction of replacement parking for that displaced from the station forecourt within an additional floor on Stafferton Way car park multi-storey car park.
4. Traffic management improvements (converting Broadway to two-way operation).

6.81 The project is needed to cope with the predicted increase in passengers and vehicles accessing the station as a result of modernisation of the Great Western Main Line, the opening of the Elizabeth Line (Crossrail) in December 2019 and the future construction of the Western Rail Link to Heathrow. The scheme is recognised as part of a wider phased re-development of Maidenhead town centre as set out in the Maidenhead Town Centre Area Action Plan (AAP); this proposal also falls to be considered as part of that wider programme for regeneration which will bring forward housing and employment uses across the plan period.

6.82 Although Policy OA6 of the AAP identifies land to the north of Stafferton Way to accommodate a multi-storey car park, this site is not within the Council's control, and as such is not deliverable. As such, this application site is likely the only available site within the Stafferton Way Opportunity area to accommodate this multi-storey car park. The Council has undertaken significant work to identify opportunities to provide continuity of parking and additional capacity and has identified this site as the most appropriate and deliverable option.

6.83 Feasibility works have been undertaken in relation to putting additional floors on the existing Stafferton Way multi-storey car park, however, the building is unable to structurally take this load. This car park will need to be redeveloped to increase parking capacity, but this will exacerbate problems for commuters using the railway station. It does form part of the long term plan.

The benefits of providing long stay car parking

Long stay car parking supports town centre business in the following ways:

- It provides parking for employees, ensuring staff retention and successful operation of businesses and supporting employment uses in Maidenhead.
- It frees up town centre short stay parking more suited to shoppers and leisure visitors who are vital to the town centre economy
- It cements Maidenheads status as a key commuter town, which brings significant expenditure to the area as commuters are incentivised to live in the area, which has indirect benefits to secondary services and other business.

Planning balance

6.84 It is considered that the building would be of an acceptable scale and appearance within the context of this area, and that it would have an acceptable impact upon trees to be retained. The scheme is considered to pass the Sequential Test in respect of Flood Risk.

- 6.85 The scheme would impact upon neighbouring residential properties. Policy DG1 of the Adopted Local Plan is relevant. It is accepted that the design of the building has limited the impact on residential amenity as much as it is possible, but nevertheless harm does result through some loss of light and overshadowing. It is however, considered that this, in itself is not significant enough to warrant refusal on this ground alone. As such this harm needs to be weighed against any benefits.
- 6.86 At the time of writing, the acceptability of the scheme in respect of providing adequate Sustainable Drainage Scheme, and the impact on the Highway network is not known, and these are matters that need to be resolved, and weighed in the planning balance.
- 6.87 The scheme would not conflict with Policy OA6 of the Maidenhead AAP (the adopted development plan). The scheme would conflict with Policies ED1 and ED2 of the emerging Borough Local Plan as it would result in the loss of employment land, which is a material consideration of significant weight. However, in this instance it is considered that there are material considerations which weigh in favour of the application that is the need to have this car parking to support the train station as an important transport hub, and provide commuters using the train with car parking spaces, and to support the need for parking arising from the town centre redevelopment. It is evident that there are limited opportunities within the AAP area to accommodate a multi-storey car park, and this site would provide a car park in the Stafferton Way Opportunity Area, which is identified as a requirement in the Maidenhead AAP. The Table below sets out development plan policies and material considerations for the application, and those against. This table assumes SUDS and Highways have been resolved.

Development Plan Policies for the application	Development Plan Policies against the application
Trees Landscaping AAP vision for Maidenhead, and the requirement for a car park in the Opportunity Area Air Quality Design Overlooking	Overshadowing and loss of light to residential properties.
Material Considerations for Capturing trips on the edge of town Passes the Sequential Test Support Economic Development Strategy Support wider SEP/LEP including Maidenhead Station forecourt scheme. (LEP funding agreed). Support Maidenhead as a commuter town which brings secondary expenditure. Support employment uses in the Opportunity Area Support the planned regeneration of Maidenhead Town Centre. If the Council does not provide this car park, a car park will not come forward Maximising efficient use of sites- sequentially preferable sites are being brought forward to provide housing.	Material considerations against The site is allocated for employment purposes in the emerging Borough Local Plan, which is afforded significant weight.

6.88 If it is the case that an acceptable SUDS scheme can be provided, and it is concluded that the development would not result in a severe impact on the highway network, it is considered that there are development plan policies, and a number of material considerations which weigh in favour of approving the application.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 The development is not CIL liable.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

126 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 25th July 2018 and the application was advertised in the Maidenhead Advertiser on the 26th July 2018.

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

Comment		Where in the report this is considered
1.	The size of the building will impact residents (to the south) behind it majorly. Will result in a lack of privacy.	6.38-6.47
2.	Excessive noise. As it stands we can already hear the noise between 22:00 - 1:00am in the current car park across Stafferton Way, when teenage joy riders do "donuts" in the car park.	6.38-6.47
3.	Serious loss of daylight to the residential units to the south of the site.	6.38-6.47
4.	Excessive traffic on a small road. The highway network cannot accommodate the additional traffic arising from the proposed car park.	6.53
5.	Adverse effect on road safety. The road Vicus way has a major blind spot and does not need the increase of traffic. Additionally it will make it hard for residents to access their own homes.	6.53
6.	Light and views from flats to the south will be adversely affected.	6.38-6.47
7.	It is going to look aesthetically awful.	6.18-6.37
8	The air quality/ noise is going to be unacceptable, especially during construction (groundworks).	6.58-6.61
9.	Object to the fact that prime land near other retail areas is being used for a car park for commuters, rather than investing in the area with more retail or commercial building of us to local residents.	Noted.
11.	It states this application is to ease future car park worries, it feels much more like its easy money and until we see any positive change in the town (rather than shops just shutting down). It is hard to see this plan not just being done regardless of its residents.	6.78-6.83
12	The entire case is a single solution to potential additional demand and displacement of existing parking capacity across the borough. More efficient would be a borough wide approach, finding a collection of solutions that promote economically beneficial and environmentally friendly methods of transport.	Noted.
13	The current government is committed to phasing out petrol and diesel cars in the next 20 years and yet you are proposing a car park with a shockingly low 10% provision and a further 10% passive provision.	6.58-6.61

14	The planning application does not even validate the Stafferton Way/ Vicus Way mini-roundabout, the junction that is most affected by this proposal. In addition the 2032 baseline model is based on an uplift from 2016 and committed developments at this stage. There is no evidence that the 2032 base model has taken into account the significant additional dwellings under construction on Vicus Way (Loftings site). Therefore the transport assessment is fundamentally flawed and cannot support this application.	6.53
15	The proposal contains no plan to enhance the road layout surrounding the proposed car park. The only highway modification referenced within this application is those planned by Redrow as part of their planning application for the new Lofting's site.	6.53
16	A proposal of a 5 storey car park to be built, when there is a large car park directly opposite, is astonishing.	6.78-6.83
17	The land was originally used at ground level & is shocking how the proposal is to build a 5 storey building which will overshadow our homes	6.38-6.47
18	Better public transport should be considered rather than incentivising traffic & pollution.	Noted.
19	Maidenhead is an up and coming vibrant town and I personally feel that a multi-storey car park sends the wrong message to current and future developers and residents.	6.78 -6.83
20	The roundabout on the corner where you are building the car park is dangerous due to how the people drive down the road and the noise from the drug dealers (which you do nothing about) in the car park adjacent to this area is horrendous and upsetting so I would hate to encourage a similar situation	6.53
21	I ask you to either reconsider the height of the building completely or at least how the car park is managed by adding barriers so people can't drive in to the car park freely	The proposal put forward has to be considered. Barriers are not proposed on the car park.
22	Concerns over lighting from the car park, and the impact this will have on neighbouring residential properties.	The final position of lighting will be subject to consultation with Environmental Protection.
23	We are concerned about the security of the car park, having to hear the alarms of the cars and this will increase the risk of traffic accidents around the area	6.33
24	The car park will increase the number of commuters to London, therefore, not increasing employment in the town. The regeneration plans in Maidenhead town will have an impact on weekends and night activity and other car parks are closer to the proposed The Landing development.	6.78-6.83
25	The proposed 'minor realignment works' in the form of a zebra crossing will add more confusion to the junction with a real possibility of physical/permanent harm to those using Vicus Way either in a vehicle or on foot. I have experienced 2 near misses in a month (on foot and in a car).	6.53

26	The recommended signage inside the car park 'reminding people to drive at slow speeds and be respectful of neighbours' is reliant upon human behaviour. Furthermore, being reliant upon a report to assess noise impact on neighbouring properties is not reflective of lived experiences and I disagree with the findings that 'short-term noise events...will not be noticeable or intrusive.	6.52-6.77
27	There is already a multi storey car park a minutes' walk away from the proposed building. I walk past this multi storey car park every day and not once have I seen that the lower floor is full.	6.78-6.83
28	The development will result in the loss of significant trees.	6.34-6.37
29	It would be extremely unhealthy to open our windows and doors with the carpark in front of us, all the pollution from hundreds of cars starting and stopping their engines, simply filtering into our home.	6.58-6.61
30	Many young families bought their first home here and the planned parking will adversely affect their biggest investment	Not a planning consideration.
31	Multi-storey carpark will make almost impossible for Redrow residents getting in and out by car (and not only) during rush hours	6.53
32	Multi-storey carpark directly opposite - why not trying to improve its management	The application submitted has to be considered.
33	The development of the car park would not benefit the regeneration of Maidenhead, instead it would serve as a park and ride for commuters to travel into London instead of increasing jobs within the local area.	6.78-6.83
34	There are already 2 car parks next to the site: a (i) multi story car park and (ii) retail car park, both on Stafferton Way.	6.78-6.83
35	In addition to the loud noises and unsafe environment, cars often enter and exit the car parks at relatively high speeds making the roads around the car parks dangerous.	6.53
36	Alternatively PLEASE could the Borough CONSIDER building and underground garage and building a park (or other safe community enhancement facility) on top instead?	The application submitted has to be considered.
37	What security measures will be put in place to prevent cars racing and back firing their engines (which is very loud)?	This is not within the control of planning.
38	I have concerns about traffic management in the immediate vicinity. The existing pedestrian crossing points in the area are inadequate. While there is a traffic light crossing next to Lidl supermarket, the zebra crossing just beyond the mini roundabout is dangerous. Frequently I have been trying to cross on that zebra crossing and cars either do not stop or stop at the very last second. As part of the planned works, I would hope that this zebra crossing be upgraded to a traffic light crossing as at present it is a danger.	6.53
39	The scheme would decrease property values within the area.	Not a planning consideration.
40	If the Council believes there is a need for other car parks in Maidenhead, they should put these in non- residential areas. This use is not compatible in a residential area.	This area is not purely a residential area.
41	The proposed building would sit within the streetscene between the four storey building and two storey terrace dwelling houses to the west. The proposed building would fail to respect the existing building heights, and would appear out of character and significantly overbearing to neighbouring properties.	6.18-6.37

42	A prevailing characteristic of the area on Stafferton Way is buildings being set back from the road; this building would be out of keeping with this.	6.18-6.37
43	Owing to the size of the building, there is no opportunity to put in meaningful landscaping, which will be of detriment to the character of the area.	6.37
44	An assessment on overshadowing has not been submitted.	Noted, it is not considered necessary
45	Given the pathway of the sun, significant overshadowing would occur to Lock and Store and residential properties to the west in the morning and evenings.	6.38-6.47
46	The proposed building would be significantly overbearing to neighbouring properties.	6.38-6.47
47	Owing to the scale of the proposed building, it would make the car park area and general approach to Lock and Store unwelcoming.	Not a relevant planning consideration.
48	The building would block views of Lock and Store and Lidl, and this would impact upon trade to Lock and Store which relies a lot on passing trade.	This is not a planning consideration.
49	Lock and Store (as a neighbouring user) would not support construction work overhanging their boundary; it would be dangerous.	Noted, this is not relevant to the planning assessment.
50	The proposed building will cross a ROW to the south of the site; Lock and Store benefit from a right of access along this and would not permit this ROW being built on/impeded.	Noted, this is not relevant to the planning assessment.
51.	My house is directly opposite the proposed site; my front drive is used as a crossing point and a pavement by people who are too lazy to the use of existing pavements. I anticipate that with the erection of the car park that many more people will use my property as a pavement' I request the Council to find a solution to this.	The Transport Assessment does show a new footway to go on the western side of Vicus Way (to be secured by the Redrow scheme), with a new pedestrian crossing put in on Vicus Way.

A petition has been submitted to the Council in relation to the application, setting out objections to the planning application. The objections are:

1. A third car park so close to a residential area will add to the existing issues from antisocial behaviour originating from the existing car parks in the area. This will make the area a more dangerous place to live in.
2. The air pollution in the area will increase, having a negative impact on the residents' health.
3. The surrounding roads will become more dangerous for pedestrians and will not cope with the additional traffic, especially as there is a recycling centre next door and hundreds of new residential dwellings on Vicus Way.
4. The noise in the area will increase and will exist 24 hours a day. This will impact on the residents' lives, health and ability to function properly. Young children need to sleep early, adults need to rest so that they can work the next day.

5. RBWM has already permitted the erection of hundreds new residential dwellings in Vicus Way. A residential area does not mix well with a multi storey car park so close.
6. It will make the area look aesthetically ugly, noisy and over polluted

Consultees

Consultee	Comment	Where in the report this is considered
Ecology Officer	No objection, subject to conditions for a Construction Environmental Management Plan to be submitted, and a condition to secure biodiversity enhancements.	6.65-6.69
Environment Agency	No objection, subject to conditions regarding ground investigation works should be undertaken across the site.	See recommended condition.
Berkshire Archaeology	Offers no objection, subject to a condition being imposed to ensure that the recommendations in the submitted archaeological report are followed.	6.70-6.69
Council's Tree Officer	No objections subject to conditions.	6.34-6.37
Environmental Protection	Recommends conditions. Does not consider the scheme will have an adverse impact on air quality. Recommends a condition for ground contamination.	6.58-6.61 6.73-6.74

Other responses

	Comment	Where in the report this is considered
Access Advisory Forum	<p>The AAF supports the provision of disabled parking within the temporary car park - 28 Blue Badge spaces out of the total 515 parking spaces. All Blue Badge spaces have rear and shared side access zones and are on the ground floor of the car park.</p> <p>However we do have a concern about disabled users of the proposed car park safely crossing Stafferton Way to access the town centre, retail park or station.</p> <ul style="list-style-type: none"> • Of the two existing nearby pedestrian crossings, the zebra crossing enables Greenfields residents to cross Stafferton Way while the more recent Toucan crossing provides a crossing point of Stafferton Way to users of the Green Way and shoppers using the Retail Park / Lidl. • Neither existing pedestrian crossing would enable a user of the temporary car park to cross Stafferton Way without first having to navigate either the junction of Vicus Way & Stafferton Way or the entrances to Lidl and Retail Park car parks 	<p>This is not a requirement of Policy in the Adopted Local Plan, however, it is an important consideration. This will be addressed in the update report to Panel.</p>

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed site layout
- Appendix C – Elevations
- Appendix D – Floor plans

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 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 Prior to the construction of the building hereby approved, samples of the materials to be used on the external surfaces of the building shall be submitted to and approved in writing by the LPA. The building shall be constructed in the approved materials.

Reason: To ensure the materials used have an acceptable appearance.

- 3 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- as assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, adjoining land, groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme. A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of 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 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. 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 (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting Unexpected Contamination In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of (x) years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

4 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:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. 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.
3. 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.
4. 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: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 180, 178.

Prior to the first use of the car park hereby approved, a verification report demonstrating

completion of works set out in the approved remediation strategy and the effectiveness of remediation shall have been 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: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 180, 178.

- 5 No infiltration of surface water drainage into the ground (i.e. soakaways) at the application site is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: : To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 180, 178.

- 6 No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

Procedures for maintaining good public relations including complaint management, public consultation and liaison

Arrangements for liaison with the Environmental Protection Team

All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.

Procedures for emergency deviation of the agreed working hours.

Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

- 7 Prior to the first use of the car park hereby approved, a Flood Evacuation Plan which sets out the measures to manage risk in a flood event shall be submitted to and approved in writing by the Local Planning Authority. The measures set out in the approved Flood Evacuation Plan shall be adhered to, unless otherwise agreed in writing by the Local Planning Authority.

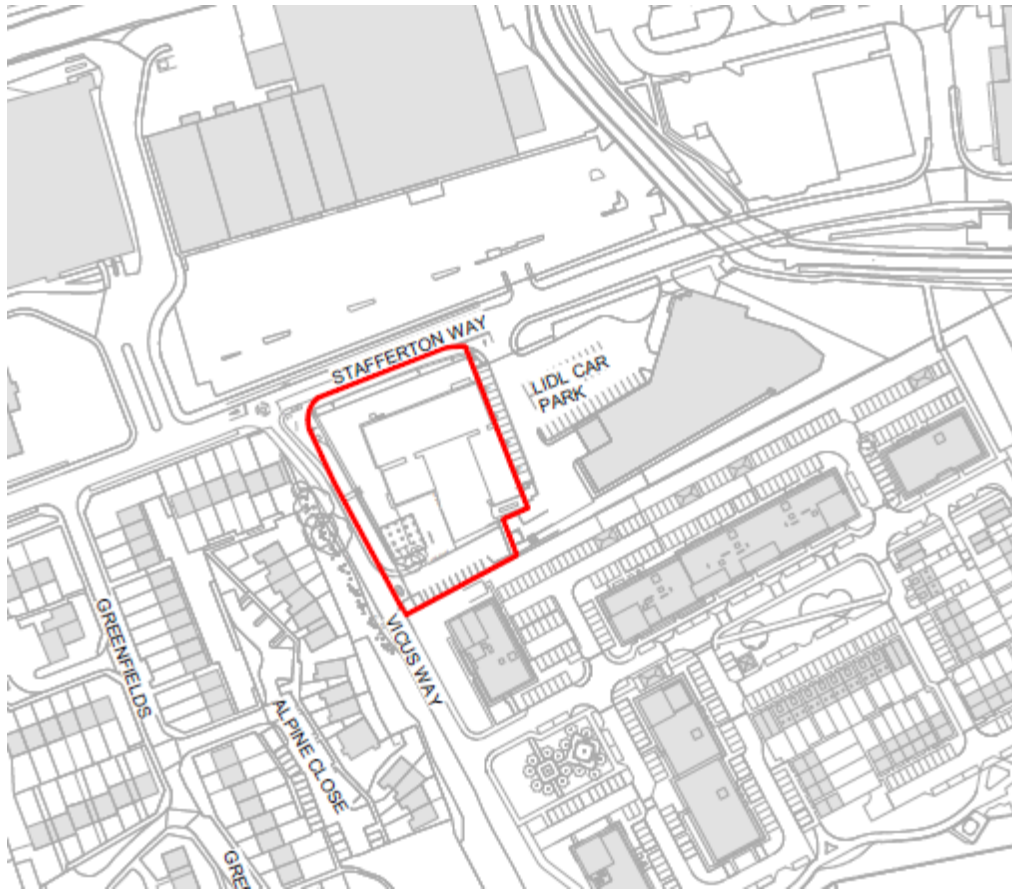
Reason: To manage flood risk for future users.

- 8 Prior to the first use of the car park hereby approved, details of the security measures, including but not limited to details of the positions of CCTV and the location and type of lighting to be used shall be submitted to and approved in writing by the Local Planning Authority. The approved security measures shall be implemented prior to the first use of the car park and shall be retained in perpetuity.

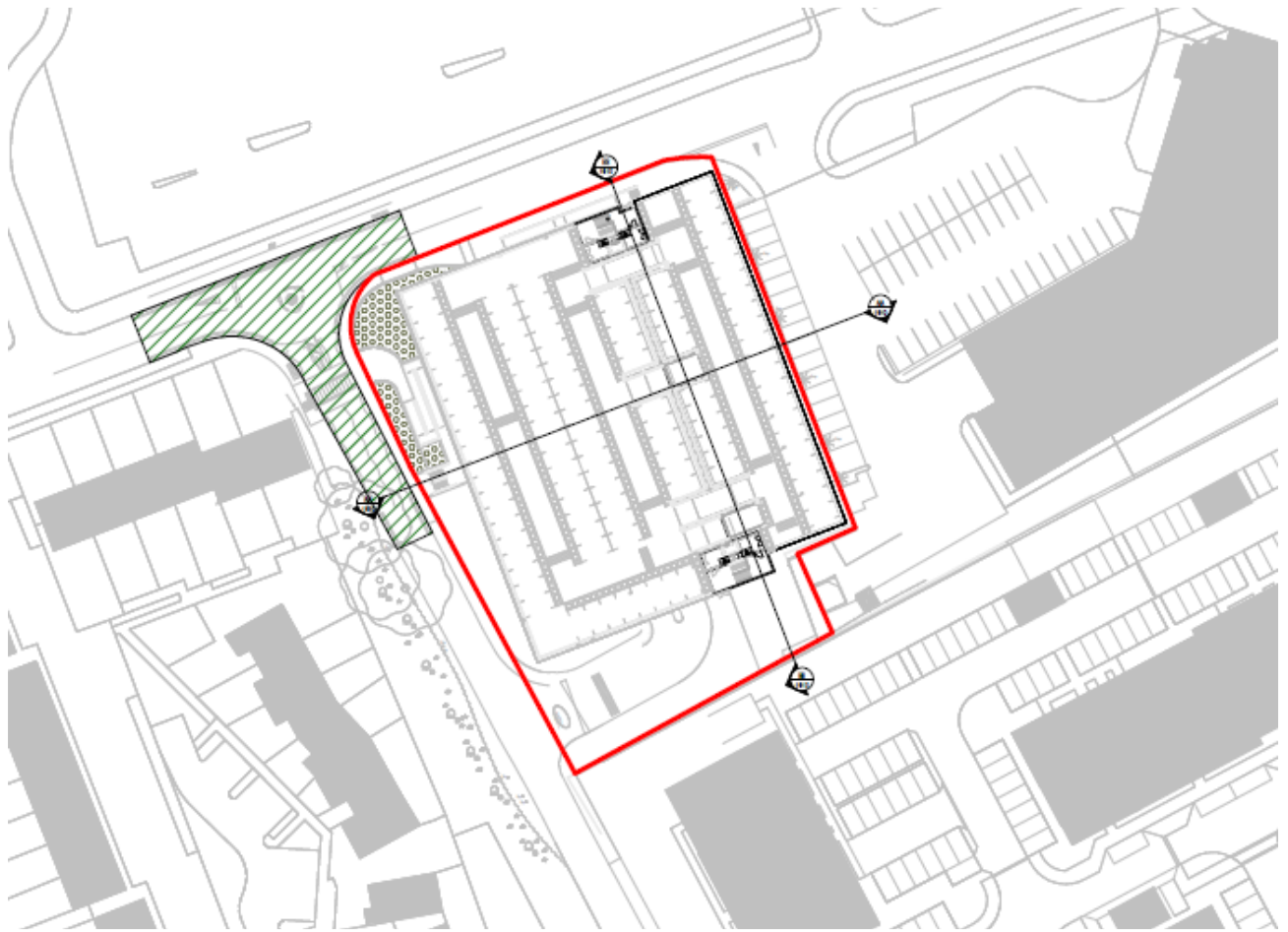
Reason: To ensure measures incorporated to help prevent crime and create a secure environment.

- 9 Prior to completion of the development here by approved details of soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details following the completion of the development and retained thereafter in accordance with the approved details. Where proposed hard surfaces/structures/ground levels are to be altered within, or introduced into the root protection areas of retained on/off site trees, scaled cross-section construction drawings and supporting method statement will be required to support the hard landscape plan/specifications.
- B) Soft landscaping - These details shall include; A) a detailed soft landscaping plan to a recognised scale clearly illustrating the location of all trees/shrubs/hedges/plants to be planted and areas of turf to be laid; B) a detailed written soft landscape specification detailing the quantity, density, size, species, position and the proposed time or programme of planting of all trees/shrubs/hedges/plants. This specification shall include details of ground preparation/cultivation within and adjacent to root protection areas of retained on/off site trees, and other operations associated with, tree/shrub/ hedge/plant establishment.
- If within a period of five years from the date of planting of any tree/shrub/hedge/plant shown on the approved plan(s), or any tree/shrub/hedge/plant in replacement for it is removed, uprooted, destroyed, dies, or becomes seriously damaged or defective, another tree/shrub/hedge/plant of the same species and size as that originally planted, shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.
- Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1
- 10 The development shall be carried out in accordance with the programme of archaeological work set out in the 'Project specification for an archaeological evaluation' prepared by Thames Valley Archaeological Services and dated 29th June 2018. The condition may not be fully discharged until the full programme of archaeological work has been implemented in accordance with the agreed programme.
- Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric, Roman and post-Roman settlement and land use of the Middle Thames Valley. The potential impacts can be mitigated by a programme of archaeological work in accordance with national and local planning policy.
- 11 Prior to the first occupation of the car park hereby approved, details (to include specifications and locations) of biodiversity enhancements on and around the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first use of the car park hereby approved.
- Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF
- 12 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
- Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

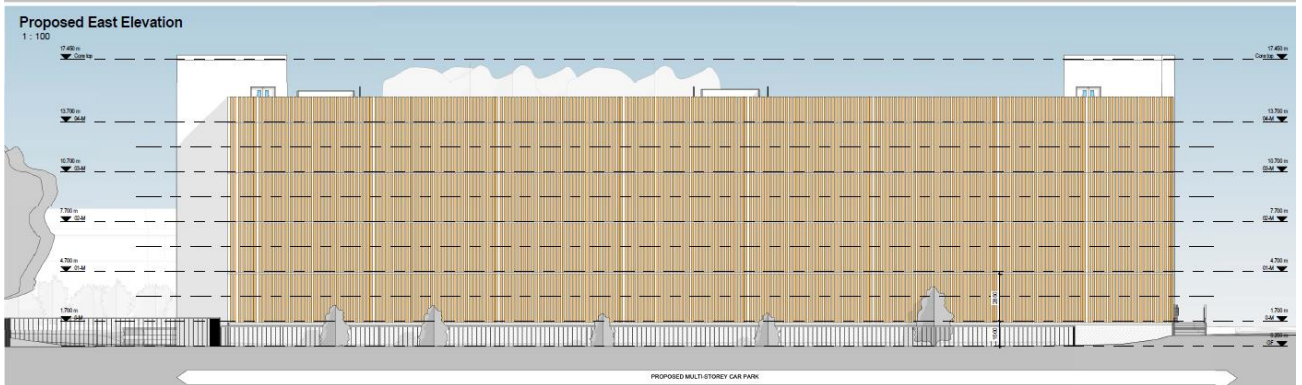
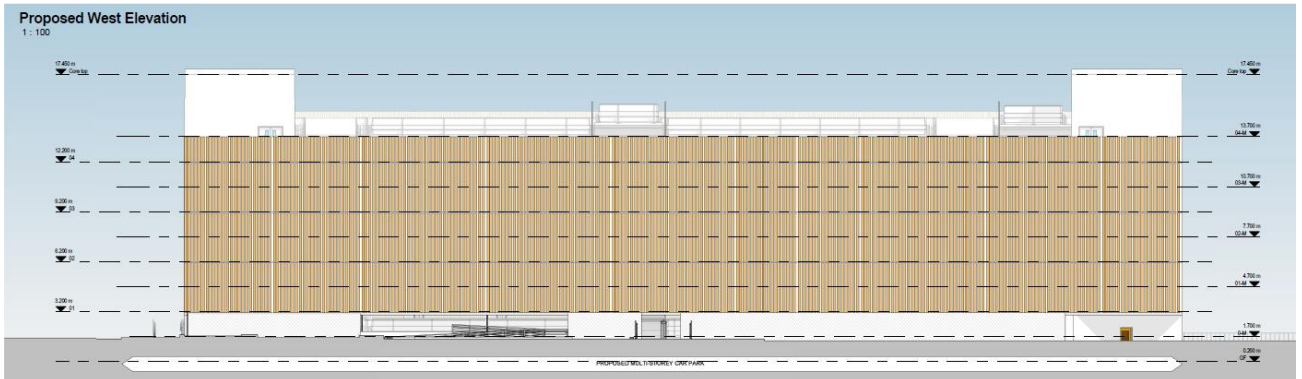
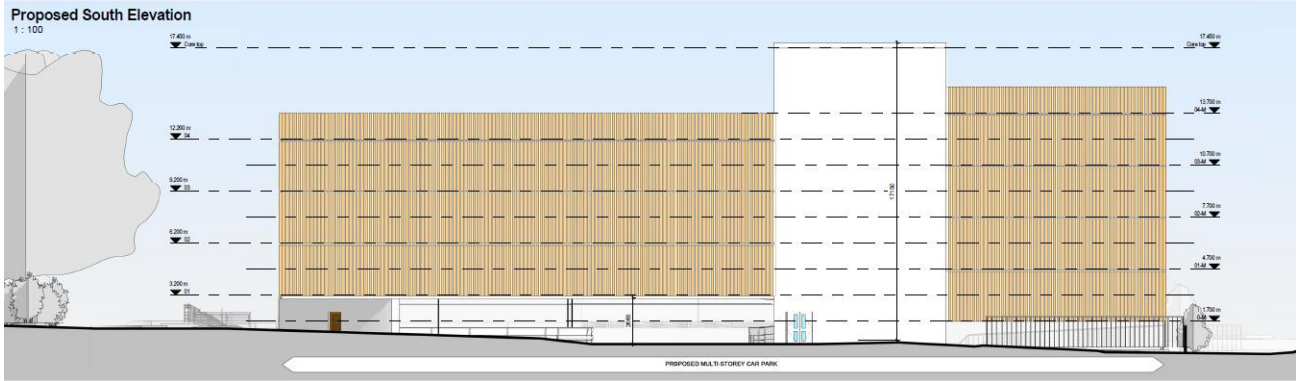
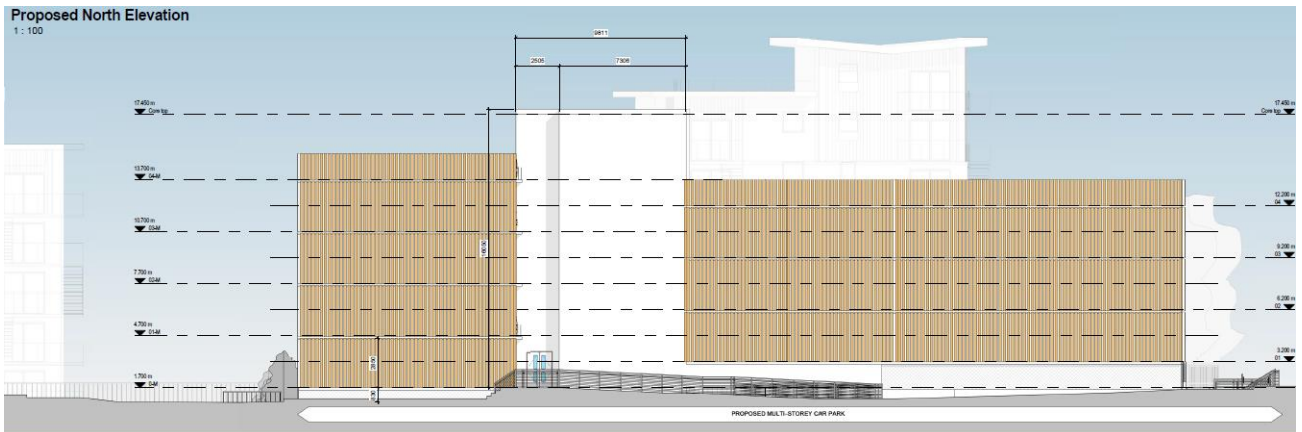
Appendix A- Site location plan

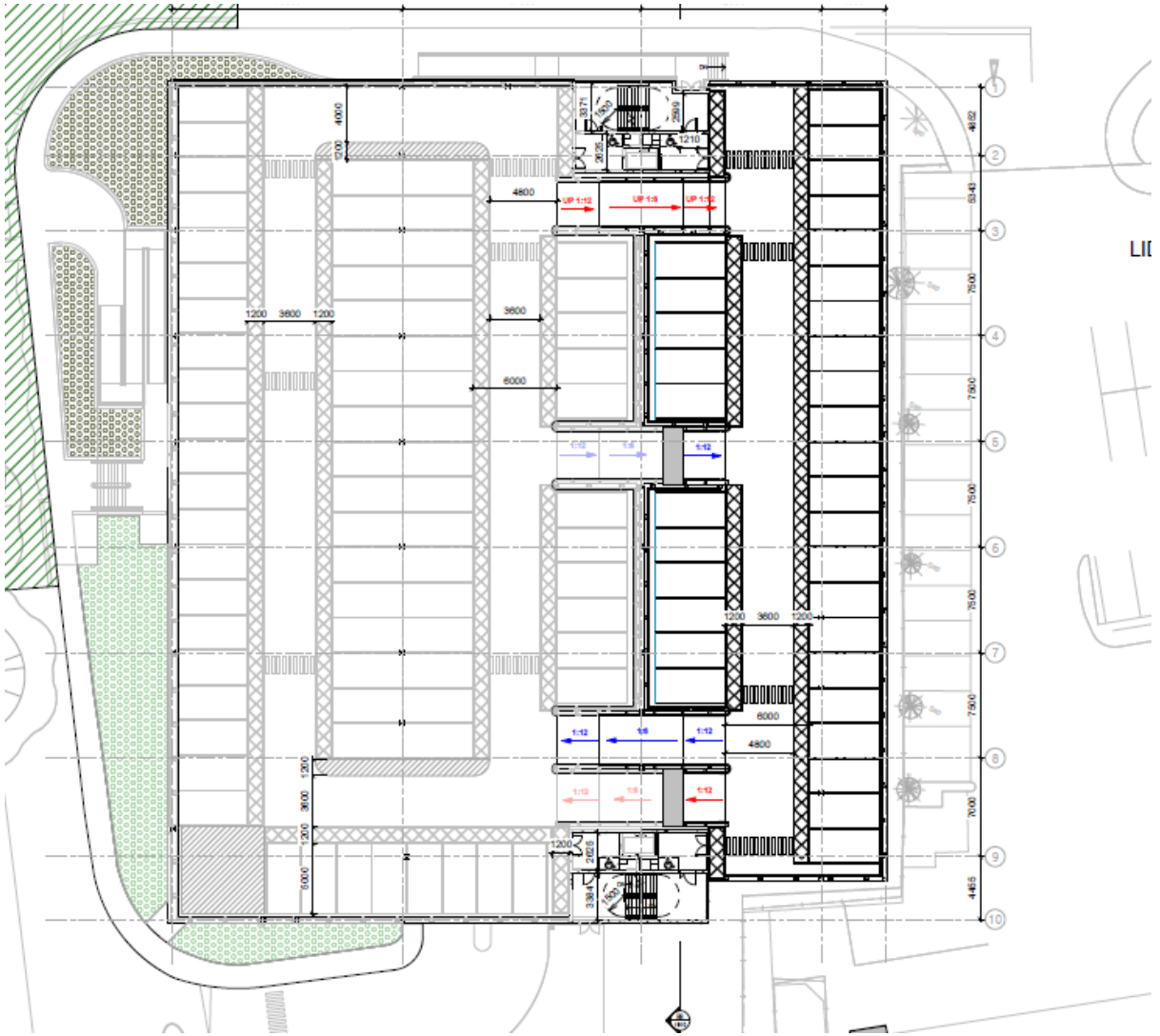


Appendix B- Proposed site layout plan



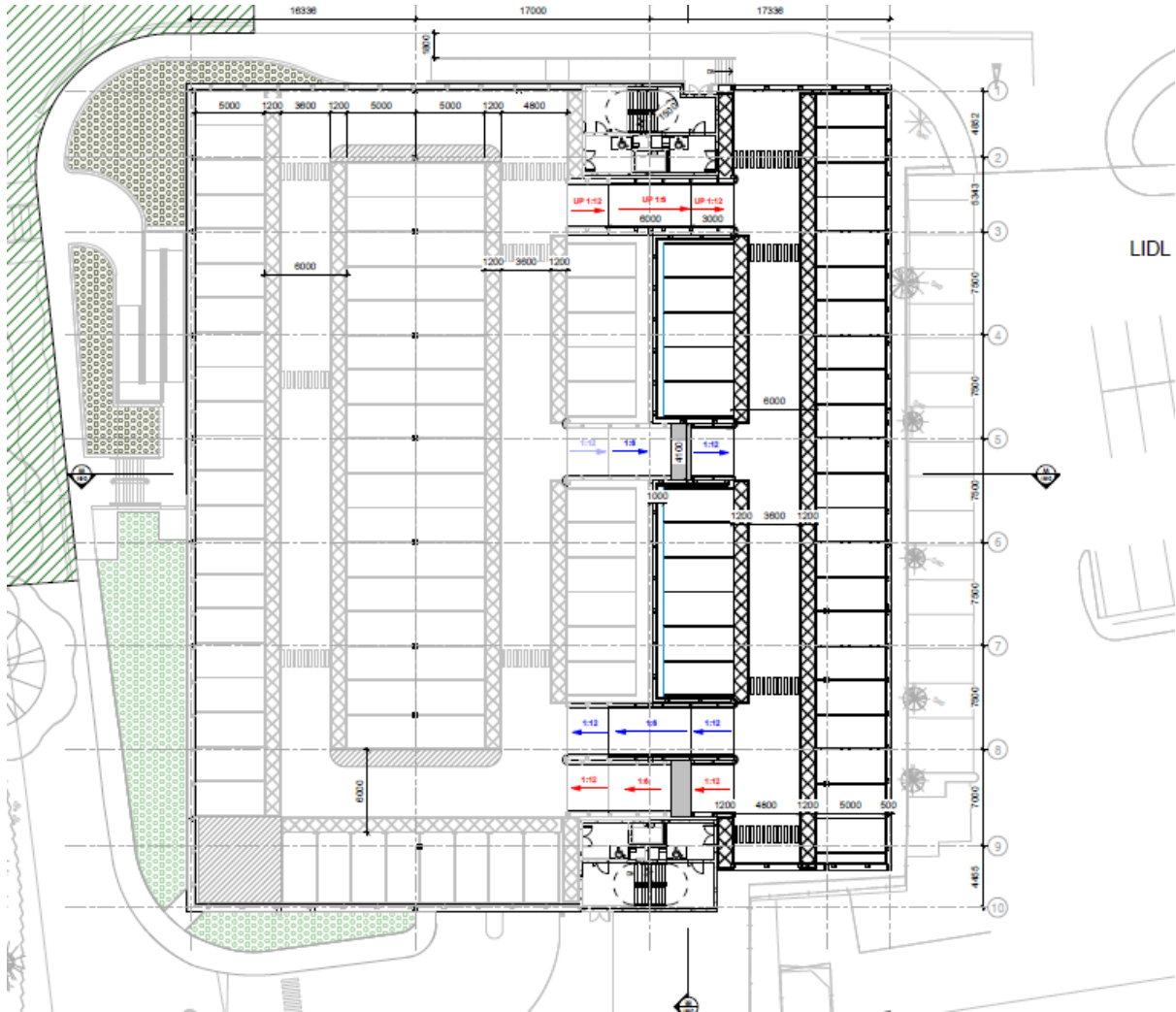
Appendix C- Proposed Elevations



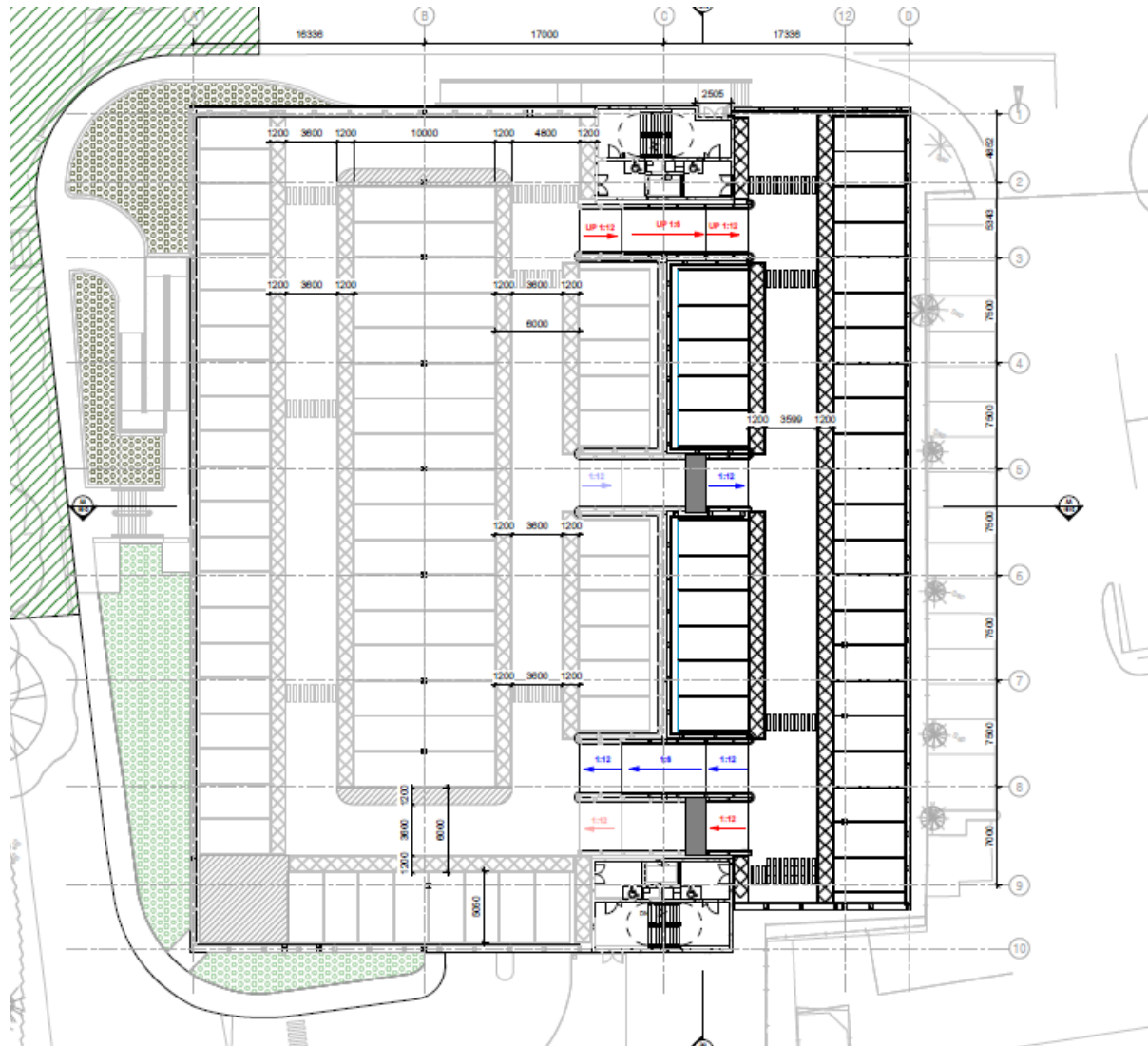


LII

Proposed second floor



Proposed third floor



Proposed fourth floor

