

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

20 November 2019

Item: 3

<b>Application No.:</b>	19/01661/OUT
<b>Location:</b>	Unit 1 And 2 And 3 Foundation Park Roxborough Way Maidenhead
<b>Proposal:</b>	Outline application for access, landscaping, layout and scale to be considered at this stage with all other matters to be reserved for the demolition of buildings 1, 2 and 3 and the erection of three class B1 (office) buildings, new decked car park and hub building, the reconfiguration of the car parking and internal road layout and associated works.
<b>Applicant:</b>	FPM Investments Sarl Managed By JP Morgan Asset Manageme...
<b>Agent:</b>	Mrs Sarah Moorhouse
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 The application relates to the redevelopment and reconfiguration of an existing employment site in the Royal Borough, to provide Class A office space and provide services and facilities necessary to compete with other centres and attract businesses to the area.
- 1.2 While the proposal would result in the removal of some protected trees within the Business Park and lead to additional traffic on the local highway network, this does not outweigh the significant economic benefits of the scheme, for which National Planning Policy clearly supports.

**Subject to there being no objection from the Lead Local Flooding Authority (LLFA), it is recommended the Panel authorises the Head of Planning to GRANT planning permission with the conditions listed in Section 11 of this report, plus any condition/s recommended in the update report to Panel or others considered necessary by the Head of Planning prior to the issuing of the decision.**

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site forms part of Foundation Park, an established Business Park to the west of Maidenhead Town Centre. The Park is located on Roxborough Way which is accessed via Cannon Lane.
- 3.2 Foundation Park comprises 7 office buildings with separately demised car parking arrangements. Units 1, 2 and 3 are two-storey buildings, positioned on the south east side of the Park (Units 1 and 2) and south west corner (Unit 3). The buildings are similar in scale and appearance. Within the last four years Unit 4 has been demolished and rebuilt and Units 7 and 8 have had major refurbishment. Outline planning permission was granted in November 2014 (14/02514/OUT) and subsequent reserved matters approvals have been granted in January 2018 (17/03482) for the demolition of Units 5 and 6 and erection of a new B1 office building (Buildings 5/6) and decked car park; The scheme is currently under construction.

- 3.3 Roxborough Way runs through the centre of the Park with the 'older' office units set back from the road. The site is bounded by Cannon Lane to the east with residential beyond and the elevated railway line to the south. To the north are residential properties along Firs Lane with open countryside beyond. Open countryside also bounds the site to the west and south west. The land to the north (beyond Firs Lane) and west is designated Green Belt. Foundation Park is very much self-contained and sits at a noticeably lower level than the surrounding land at Firs Lane. The Park's boundaries are also well screened with banks of mature trees and hedgerows.
- 3.4 Foundation Park is a designated employment area identified in the Local Plan. The emerging Borough Local Plan retains the site's designation as an employment area. A site wide Tree Preservation Order (TPO) covers the Park (018/2017).

#### 4. RELEVANT PLANNING HISTORY AND RATIONALE FOR DEVELOPMENT

##### 4.1 Summary of recent planning history for Foundation Park

Reference	Description	Decision and Date
17/03482/REM	Reserved matters to 14/02514.	Approved 31.01.18.
17/02477/FULL	Installation of a parcel collection lockers.	Approved 29.09.17.
17/01395/VAR	Variation to application 16/02119.	Approved 17.11.17.
16/02508/FULL	Extension to Gate House and part change of use of Building 7 from B1 (office) to D2 (gym).	Approved 30.09.16.
16/02119/REM	Reserved matters (appearance and landscaping) application pursuant to outline planning permission 14/02514OUT.	Approved 30.09.16.
14/02514/OUT	Demolition of units 5 and 6 and erection of new B1 office building and decked car park.	Approved 10.11.14.
11/02529/FULL	Provision of 48 additional car parking spaces and 40 additional cycle spaces (Units 1, 2 and 3).	Approved 20.02.12
10/01885/FULL	Renewal of 08/01941/Full.	Approved 28.10.10.
08/01941/FULL	Refurbishment of building to include new roof and facades with infilling of internal courtyard and external stairs to provide additional 619sqm of B1 (office) space, resulting in a total of 4716sqm (Unit 5).	Approved 29.09.08.
08/00247/FULL	Construction of a three storey office building to provide 5129sqm of B1 (office) space following demolition of existing building (Unit 4).	Approved 10.06.08.
07/02831/FULL	Refurbishment of building to include new roof and facades with infilling of internal courtyard and external staircase to provide additional 619sqm of B1 (office) space resulting in a total of 4501sqm (Units 7 and 8).	Approved 20.12.07.

##### Rationale for the development

- 4.2 In recent years, Foundation Park has been the subject of considerable investment and redevelopment, resulting in the vacancy level of the Park being reduced by over 50%. However, as set out in the submitted Agents Report (prepared by Cushman and Wakefield), "the Maidenhead office market has been steady for several years, although the lack of Grade A office supply in 2018 saw a drop in take up. Supply in Maidenhead is less than three years the average take up and the majority of the available stock is Grade B office stock. Although there is a reasonable supply of out of town buildings, most are of a very modest quality on outdated business parks with poor amenities. Overall Maidenhead remains a desirable market for larger

office occupiers but without a better supply of Grade A buildings, the town will struggle to compete with locations such as Reading.”

- 4.3 The Agents Report advises “In order to be able to compete with city centre locations, over the last five years landlords of out of town office parks have had to dramatically improve their offering to attract new occupiers. Over the last few years, the applicant has therefore invested in a number of new amenities to improve the Park, including Amazon lockers, Foundation Park bikes, fitness classes, a new café, new landscaped picnic area, new gatehouse and new branding and signage. These new facilities have proved vital in attracting new tenants to the Park.”
- 4.4 As the quality of the office space on offer improves, it is important that the amenity offer also improves so as to keep ahead of competition such as Stockley Park, Arlington Business Park and Winnersh Triangle, where the amenity offering has also improved over the last few years. The application proposals will provide new Grade A market leading office accommodation along with new amenity facilities and space that potential new tenants expect on a premier Business Park.

## **5. DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- 5.1 The application proposes the demolition of buildings 1, 2 and 3 at Foundation Park and the erection of three Class B1 office buildings, new decked car park and hub building, the reconfiguration of the car parking and internal layout and associated works. The application is submitted in outline, with access, scale, layout and landscaping submitted in detail, (to be considered at this stage), and appearance/design reserved for a separate application, (accordingly, no detailed elevations of the proposed buildings have been submitted).
- 5.2 The Park currently has a relatively fragmented layout with cars and roads dominating the site. The applicant is seeking to redevelop Buildings / Units 1 to 3 and use this opportunity to develop a high quality public realm as the centralised focus to the Park and create a ‘campus’ environment.
- 5.3 The proposal seeks a net uplift in Class B1 office floorspace of 5,659 sq m (GEA). In addition, a central ‘hub’ building, which will provide amenity facilities for the Park, such as a gym, café, shop etc, ancillary to the B1 offices, will have a floorspace of 2,401 sq m (GEA). The scheme proposes to direct cars away from the new central plaza to provide a pedestrianised area linking the existing and proposed buildings.
- 5.4 The proposed decked car park will provide 456 car parking spaces. Following reconfiguration of the existing parking layout and proposed pedestrianised area, there will be a net increase of 271 car parking spaces on the Park, resulting in a total of 1,224 car parking spaces, of which 61 will be accessible. In addition, a further 140 cycles spaces are proposed resulting in a total of 250 spaces. 16 visitor cycle spaces and 61 motorcycle spaces are also proposed. Duct work to enable the introduction of electric car parking, if/when demand arises, is also proposed.
- 5.5 Each of the new office buildings would have a parapet height of 12.5m, with the floorplates being configured to allow flexibility in how they can be sub-divided for future tenants. The proposed ‘hub’ building would have a parapet height of 16.6m.
- 5.6 The proposed building arrangement creates a strong pedestrian spine that connects the existing and proposed buildings and provides an opportunity to create a landscaped pedestrianised environment. The landscape proposals include: Arrival square with space for busses to turn and a bus stand; Pedestrian spine including garden spaces, lawn areas and areas for events and activities; South facing lawn areas; Drop-off/concierge space; and new tree planting to car park. Roof terraces are also proposed on all four buildings to provide additional social space for tenants.

## **6. DEVELOPMENT PLAN**

### **Adopted Royal Borough Local Plan (2003)**

- 6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Location of Employment Development	E1
Employment Design and Development Guidelines	E10
Highway design and Parking	T5, P4
Trees and Development	N6

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

## 7. **MATERIAL PLANNING CONSIDERATIONS**

### **National Planning Policy Framework Sections (NPPF) (2019)**

- 7.1 Section 4- Decision-Making  
 Section 6 – Building a Strong, Competitive Economy  
 Section 9- Promoting Sustainable Transport  
 Section 11 – Making Effective Use of Land  
 Section 12- Achieving well-designed places  
 Section 14- Meeting the challenge of climate change, flooding and coastal change

### **Borough Local Plan: Submission Version**

Issue	Local Plan Policy
Sustainability and Placemaking	SP 2
Character and Design of New Development	SP 3
Economic Development	ED 1
Employment Sites	ED 2
Managing Flood Risk	NR 1
Trees	NR 2
Sustainable Transport	IF 2

- 7.2 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 (BLPSD) was submitted to the Secretary of State for examination in January 2018. The BLPSD does not form part of the statutory development plan for the Borough, however weight can be afforded to relevant policies in the consideration of application proposals, taking account of any unresolved objections to those policies. This document can be found at:  
[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

## 8. **CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

- 8.1 9 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 25<sup>th</sup> July 2019 and the application was advertised in the Local Press on 27<sup>th</sup> June 2019.

No letters of representation have been received.

### **Consultee responses**

- 8.2

Consultee	Comment	Where in the report this is considered
Cox Green Parish Council	No objection in principle, but concern is expressed at the resultant traffic generated. The applicant is strongly encouraged to enhance and expand the existing site bus	9.16

	services and explore alternative travel methods including connections to the public transport network.	
Highway Authority	No objections to access and layout arrangements. No objections to parking provision. Acceptable impact on local highway network.	9.2 – 9.17
Local Lead Flood Authority	Consultation response awaited.	To be reported. 9.34 – 9.38
Trees	Consultation response awaited.	To be reported. 9.27 – 9.33
Thames Water	Requests conditions in respect of foul water and surface water infrastructure to be added to any permission given.	9.40
Environmental Protection	No objections. Recommends conditions in relation to a site specific Construction Environmental Management Plan (CEMP) and contaminated land. Informatives in relation to smoke.	9.39

## 9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i The principle of the proposed development;
- ii Parking provision and other highway matters;
- iii Scale and layout – Impact on character and appearance and adjoining amenities;
- iv Trees and landscaping;
- v Surface water drainage;
- vi Other material considerations; and
- vii Planning Balance and Conclusion.

### The Principle of the Proposed Development

9.2 Foundation Park is an identified Employment Area in the adopted Local Plan. Policy E1 advises that business development will usually be restricted to the employment areas identified on the Proposals Map. Foundation Park is retained as an Employment Site in the emerging Borough Local Plan. Policy ED2 states that within business areas, intensification of employment activity will be encouraged subject to the provision of appropriate infrastructure and safe access. Development proposals that improve and upgrade the facilities available to support businesses will be supported.

9.3 Paragraph 80 of the NPPF states planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.

9.4 Accordingly, the principle of the proposed development is acceptable.

### Parking Provision and Other Highway Matters

#### Access

9.5 The main access to Foundation Park on Roxborough Way is via Cannon Lane, a priority junction with a dedicated right turn lane to enter the site. The proposed development does not include changes to the location or layout of the site access, subject to local widening (an additional lane) on the minor arm (Roxborough Way), to help enable more efficient exit from the

site; The specific design of this is a reserved matter to be considered under a separate application, but the existing visibility splays will remain unchanged.

- 9.6 The site access strategy is that all traffic (pedestrians, cycles bus shuttles, servicing and staff cars) will enter and exit the site at the current junction. Pedestrians will use kerb-side footways and crossings to connect to the central pedestrian area then route to the various buildings accordingly. Cyclists will either route through the parking areas to the rear of the new buildings or dismount and walk through the central pedestrian area where a centralised staff cycle parking facility will be located. Cycle stands within the central pedestrian area will be available for visitors and the existing free bike hire for tenants will continue. The shuttle bus will arrive, stop immediately adjacent to the pedestrian area and turn to exit the site. Scheduled waste collection and deliveries will occur outside core office hours, outside peak arrivals/departures and outside shuttle operating hours. Staff cars will enter the Park, peel off into car parking areas located to the rear of the buildings then park in designated parking spaces, with visitors using designated visitor parking bays.
- 9.7 Swept path analysis has been undertaken for the main vehicle types expected to access the site which demonstrate these can access, circulate, park and exit the site without conflict. The Highway Authority has raised no objections to the proposed access arrangements, including the principle of an additional exit lane.

#### Parking provision

- 9.8 Foundation Park currently provides 953 parking spaces, (of which 25 are allocated disabled spaces), no motorcycle spaces, no visitor car parking spaces and 110 cycle spaces. Based on the estimated number of staff, (based on the proposed floorspace), the proposed development would involve an uplift of 271 parking spaces (totalling 1,224 across the Park), including 36 new disabled parking spaces (totalling 61 spaces). In addition, 61 motorcycle spaces would be provided plus 16 visitor parking spaces. The number of cycle spaces would increase by 140 to a total of 250 for the whole Park.
- 9.9 The Council's maximum car parking standard for B1 offices in this location is 1 space per 35m<sup>2</sup>. The proposal would provide a parking ratio of 1 space per 27m<sup>2</sup>, which was previously accepted by the Council in relation to the redevelopment of units 5 and 6 (approved under application 14/02514). It is also important to note that paragraph 106 of the NPPF states "Maximum parking standards for residential and non-residential development should only be set where there is 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."
- 9.10 The Highway Authority has raised no objections to the proposed parking provision, including the decked car park.

#### Traffic generation

- 9.11 The applicant has provided a detailed TRICS (Trip Rate Information Computer System) analysis of the proposal, indicating that there will be an increase of 229 trips in the AM peak and an increase of 364 trips in the PM peak over and above the existing trip rates to and from Foundation Park. In addition, the proposal will result in an additional 258 person trips in the AM peak and 392 person trips in the PM peak. For clarification, 'The Hub' building will be ancillary space for the proposed new offices and will not be open to the public. Accordingly, use of 'The Hub' will be linked to those trips already estimated as being generated by the proposed development.
- 9.12 The Highway Authority has concurred with the applicant's submitted estimates of the traffic generated as a result of the proposed development.

#### Junction Capacity Assessments

- 9.13 In order to determine the impact of the proposed development on the local road network, the following junctions were assessed for capacity as agreed at a pre-application scoping meeting between the applicant and RBWM Highway Authority:
- Cannon Lane / Roxborough Way T-junction;
  - Cannon Lane / Highfield Lane T-junction;
  - Railway Underpass Contraflow Signals;
  - A4 Bath Road / Henley Road / Cannon Lane roundabout; and
  - Cannon Lane / Woodlands Park Road / Waltham Road Mini-roundabout.
- 9.14 The detailed assessments and findings are set out in the submitted Transport Assessment document. In summary, the results of the assessments and the Highway Authority's advice indicates that:
- The Cannon Lane/ Roxborough Way T-junction, Cannon Lane / Highfield Lane T – junction and underpass railway signals, assessed as one network, already exceeds capacity under existing/permitted conditions and that this situation would continue with the proposed development traffic, i.e. it would be unchanged. The Highway Authority has confirmed this to be acceptable.
  - The A4 Bath Road / Henley Road / Cannon Lane roundabout exceeds capacity with the existing/permitted conditions, and this situation would continue with the proposed development. The Highway Authority has confirmed this is acceptable recommending a S.106 contribution towards a future junction improvement scheme to be agreed between RBWM and the applicant.
  - The Cannon Lane / Woodlands Park Road / Waltham Road mini-roundabout operates within capacity with existing/permitted development and would continue with the proposed development. The Highway Authority confirms this is acceptable.
- 9.15 Paragraph 109 of the NPPF makes clear that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” The applicant has sufficiently demonstrated, and the Highway Authority has agreed, that the proposed development would cause neither.

#### Other highway related matters

- 9.16 Notwithstanding the ‘unchanged situation’ on the local road network, the proposed development includes a number of attributes designed to reduce and manage development related impact, these include:
- A new site layout which places sustainable modes (walk, cycle and bus) at the heart of Foundation Park;
  - New facilities to enable staff to stay on-site and spread movements to outside the peaks;
  - A travel plan process which seeks to manage , monitor and promote sustainable access;
  - A popular and well-established shuttle bus service;
  - An existing bike hire scheme; and
  - Enabling electric car charging for future provision.
- 9.17 It is noted that the Highway Authority has advised that a financial contribution towards a future junction improvement scheme at the A4 Bath Road / Henley Road / Cannon Lane roundabout be secured, together with a Travel Plan for the site, by way of a S.106 legal agreement. However, in the absence of a specific Council approved and costed improvement scheme, and given the proposal would maintain the current situation at this junction, (albeit that it currently

exceeds capacity), it would be inappropriate to seek funding from the applicant towards this. In addition, it is not considered appropriate to secure a travel plan for the development through a legal agreement when a planning condition is sufficient and has been used for other redevelopment schemes for the Park. Subject to conditions 5, 6 and 10 in section 11 of this report, there are no highway objections to the scheme.

### **Scale and Layout - Impact on character and appearance and adjoining amenities**

- 9.18 The scheme proposes to redevelop the existing units positioned along the southern side of the Park. Unit 1 would be sited in roughly the same position as the existing building, with its closest point set back from Cannon Lane by approximately 15m. The building would be 51m wide and a maximum of 51m deep on its south-west facing elevation, (37m on its north-east facing elevation towards Roxborough Way). The building would have three-storeys and have a parapet height of 12.5m. For comparison, existing Unit 8, positioned on the opposite corner of proposed Unit 1 and on a similar ground level, has a parapet height of 13m.
- 9.19 A central 'hub' building and decked car park would be sited between new Units 1 and 2 in roughly the same position as existing Unit 2 and, as the name suggests, would be positioned within the centre of the site over 100m back from the Park entrance. The Hub building would be approximately 50m wide and 12m deep, and would have 4 storeys having a parapet height of 16.6m. The Hub would directly face Units 5 and 6, (one building currently under construction), located on the opposite side of the proposed central pedestrian area. Both buildings are on a similar ground level and, for comparison, Units 5 and 6 will have a parapet height of 12m.
- 9.20 Directly behind the Hub building would be a decked car park providing 456 car parking spaces over 5 floors (4-storeys). The car park is 50m wide by 47.5m deep, with the top of the parapet at a height of 14.1m.
- 9.21 Unit 2 is an L-shaped building to be located opposite existing Unit 4. It has a maximum width (facing the pedestrian area) of 52m, and a maximum depth (on its north-east elevation) of 39.5m. The building would have three-storeys and a top of parapet height of 12.5m, compared to Unit 4 which has a height of 11.9m.
- 9.22 Unit 3 is also a three-storey building positioned in a similar location to the existing Unit 3 building, at the furthest end of the Park and to the west of existing Unit 4. It would be 43m wide by 48m deep and have a top of parapet height of 12.5m.
- 9.23 Having regard to the ground levels across the site, proposed Unit 1 would be 0.5m lower than the height of Units 7 and 8 opposite, while proposed Units 2 and 3 would each be 0.6m taller than existing Unit 4. Given the siting of proposed Units 1, 2 and 3 in roughly the same position as the existing Units 1, 2 and 3, together with the enclosed nature of the Park with established and retained trees along its boundaries, the scale of the proposed office buildings is acceptable and would not harm the character and appearance of the Business Park when viewed either internally or from outside the Park.
- 9.24 The proposed hub building would be 4m higher than Units 5 and 6 opposite, while the decked car park would be approximately 1.8m higher than the surrounding office buildings. However, having regard to the hub's central position within the Park and a minimum distance of 60m from the site boundary, the closest being adjacent to the existing railway embankment, this new building would not overly dominate the appearance of the business park, nor detract from the Park from beyond its boundaries. The proposed decked car park will equally be largely screened by the proposed new office buildings and the mature, tree screening along the site's boundaries and beyond south of the elevated railway line.
- 9.25 In addition to making more effective use of the site to provide additional office space, the proposal seeks to change the layout of Foundation Park from one that is dominated by the access road (Roxborough Way) and parking to the front of buildings to a 'campus' style business park. The new layout involves the creation of a pedestrian spine running through the centre of the Park connecting the existing and proposed buildings and providing an opportunity to create a landscaped pedestrianised environment. The Highway Authority has raised no

objections to the proposed layout, which will also not lead to any new buildings being sited closer to residential properties.

- 9.26 Subject to conditions 6 and 11 in section 11 of this report, the scale and layout of the proposed development is acceptable and will not lead to any harm to the character or appearance of Foundation Park itself nor the surrounding area outside the Park. The design and appearance of the proposed buildings is a reserved matter for a later application, however having regard to the proposed siting of the new buildings, the existing/approved new offices to be retained, separation distances involved, and established boundary trees to be enhanced, the proposal will not harm the character and appearance of the area, nor the living conditions of any residential properties within the locality of the site.

### **Trees and Landscaping**

- 9.27 Foundation Park is covered by a Tree Preservation Order (018/2017). It is an Area Designation Order which covers all trees irrespective of their category or species. The application is supported by an Arboricultural Implications Assessment report which confirms that a total of 552 individual trees and small groups were inspected, ranging from young trees planted in the last five years through to original landscape planting of circa 40 years of age.
- 9.28 Most of the existing trees represent initial landscape planting with London Plane and Italian Alder the dominant species. Corsican Pine and Wild Cherry feature mainly around the site peripheries, with Ash and Field Maple dominant in the northern and western boundaries.
- 9.29 To create the proposed building arrangement and pedestrianised spine, the application proposes the removal of 88 individual trees and 3 groups of trees. Of these, 46 are category B, (retention desirable, of moderate quality and value as to make a significant contribution), 41 (and the 3 groups) are category C, (could be retained but of low quality and value), and there is one category U tree (dead, dying or dangerous trees).
- 9.30 Although there is an almost equal number of category B and C trees to be removed, the majority of the category B trees are not visible outside the site by the general public. Their amenity is primarily internal to the site and the people employed there. They have all been planted as part of landscaping schemes since the business park was constructed, mostly on built-up land and are therefore not natural components of the local landscape. As such, they do not carry the same weight in landscape terms as if they were hedgerow or woodland components in a natural environment.
- 9.31 The majority of existing trees will be retained and these are predominantly located along the boundaries of the Park. None of the proposed buildings will adversely impact on the retained trees. Existing parking and hard surfacing covers much of the theoretical root protection areas of the trees that extend into the body of the site. Where practical, the layout of new parking and hard surfacing has either reutilised existing kerb lines and surfaced areas or have been set into the site further from the trees. Providing existing surfacing is appropriately removed to avoid root impacts there will be no adverse impact on the retained trees. In many locations the existing surfacing will be replaced with soft landscaping, improving the rooting conditions for retained trees compared to the existing situation.
- 9.32 A Landscaping Plan and Statement have been submitted and are a matter for consideration under this application. A key feature of the proposal is a pedestrian, central spine through the Park, wherein it is proposed to plant a number of trees, including focal trees – large specimens with seasonal interest, trees to provide shade and shelter and specimens along and throughout the spine that provide spring blossom and autumn foliage. Additional tree planting is proposed along the southern and eastern boundaries and amongst some of the parking areas. The pedestrian spine itself, in addition to the proposed tree planting, will comprise multi-tone granite paving, combined with clay paving around garden spaces, lawn areas and areas for events and activities.
- 9.33 At the time of writing the Tree Officer's consultation response has not been received. If received in time, it will be reported to the Panel. However, it is anticipated that the Tree Officer

will likely object to the proposal on the grounds of the loss of protected trees, (based on comments provided at a pre-application stage). Notwithstanding this, the proposal is required to be considered 'in the round' having regard to all relevant local and national planning policy and this assessment is set out in the Planning Balance section of this report at paragraphs 9.43 to 9.49. Subject to the harm not outweighing the benefits of the scheme and to conditions 7 and 8 in section 11 of this report, the impact on trees is considered acceptable.

### **Surface Water Drainage**

- 9.34 A Flood Risk Assessment has been submitted with the application and includes a surface water drainage strategy.
- 9.35 Foundation Park is served by soakaways for all surface water drainage, which are spread around the site as the layout permits. A new soakaway system has recently been constructed as part of the redevelopment of Units 5 and 6. There is no off-site storm drain connection.
- 9.36 The site lies within a Zone III Source Protection Zone and the bedrock beneath the site is classed as a Principal Aquifer. In order to protect the underlying aquifer's water quality, and continuing the practice of drain design serving the Park, oil interceptors will be provided for parking and road drainage prior to discharge to the soakaway.
- 9.37 The new access and parking will use a combination of tarmac and permeable block paving in a similar manner to the existing Park layout. The new soakaways will be sized to provide sufficient capacity to drain and store excess run-off for storm conditions up to and including a 100-year storm plus allowance for future climate change effects of 40%, in line with current planning policy. The soakaway design can be covered by planning condition, but as an example, the redevelopment of Units 5 and 6 used a series of chamber soakaways, 2.7m diameter and 5m deep. Twelve such soakaways were used to drain a gross catchment of about 1 hectare, of which the drained proportion is close to 100%. The physical separation of the new buildings limits the space available for a single soakaway so, as with Units 5 and 6, a number of smaller units will be used which will disperse the infiltration better.
- 9.38 The proposed redevelopment will have a comparable paved/built area to the existing and there will be no significant change in the drained area. The site levels will remain broadly as they are at present. The consultation response from the Lead Local Flood Authority (LLFA) is awaited and will be reported to the Panel but, as there is no effective change in the risk of surface water flooding generated from the proposal, it is not anticipated that the LLFA will object provided a condition is attached to any permission that details of the proposed soakaways are submitted and approved prior to installation.

### **Other Material Considerations**

- 9.39 As set out in 8.2 above, Environmental Protection has recommended conditions in respect of a site specific Construction Environmental Management Plan (CEMP) and contaminated land, should planning permission be granted. While a CEMP is considered reasonable and necessary, given Foundation Park's proximity to residential properties on Firs Lane, a contaminated land condition is not, as the proposal involves redevelopment over land that is, and has been for over 30 years, in office use. Accordingly, there is unlikely to be any risk to future users of the site from contamination. The suggested informative in relation to smoke (from burning of demolition waste) is not necessary as this will not occur as the business park will operate, with existing tenants in situ, during demolition and construction works. The proposed CEMP is covered by condition 5 in section 11 of this report.
- 9.40 Thames Water has requested conditions be attached to any permission granted in respect of foul water and surface water. As the suggested foul water condition is beyond the remit of the Local Planning Authority, and could not be enforced, it is not considered reasonable and necessary to attach such a condition. The statutory consultee in respect of surface water matters is the Lead Local Flood Authority (LLFA). As Thames Water has suggested a condition to cover surface water, and given the existing developed situation of the application site, it is considered likely the LLFA will recommend a planning condition be attached to any permission

to cover this matter, which is reasonable and necessary. Any update received from the LLFA will be reported to Panel or, with the Panel's agreement, can be delegated to the Interim Head of Planning to resolve at a later date.

9.41 While not mandatory, the NPPF stresses the importance of early engagement between the applicant and all relevant parties in the application process. Prior to the application's submission the applicant and their agents consulted and met with the Planning case officer and officers from the Highway Authority and Tree section of the Council. A written response setting out the Council's advice was subsequently provided. In addition, the applicant undertook public consultation of their proposal, prior to submission, which involved a public exhibition. Feedback received after this event was generally positive, with no respondents specifically objecting to the proposal. Full details of the applicant's public consultation are set out in the submitted Statement of Community Involvement.

9.42 The development is not CIL liable, as it is not residential.

### **Planning Balance and Conclusion**

9.43 Paragraph 11 of the NPPF explains how the presumption in favour of sustainable development applies: "For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

9.44 The application site is part of an identified employment area in the development plan and not in a protected area such as the Green Belt, Conservation Area or area at risk from flooding. However, as the development plan policies are out of date, an assessment of whether any adverse impacts of approving the proposal would significantly and demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole is required.

9.45 In terms of adverse impacts, the proposal would involve the loss of 88 individual trees and 3 groups of trees that are covered by a Tree Preservation Order. These trees therefore make an important contribution to the amenities of the site. If the proposal were to retain the existing layout and arrangements of the site, the removal of the protected trees would have an adverse impact on the character and appearance of the business park. However, the application is to specifically change the layout of the Park and, in doing so, proposes significant replacement tree planting and landscaping. The trees to be removed are also ones that were previously planted as part of landscaping schemes associated with previous developments, and the majority are within the Park outside of public views. Having regard to these factors, limited weight is given to the adverse impact resulting from the loss of existing trees.

9.46 The highway implications of the proposal are set out in paragraphs 9.5 to 9.17 above. It is clear that the proposal will involve a significant increase in trips to and from the Park and add to the existing pressure on the surrounding local highway network. However, it is important to note that the NPPF makes clear (in paragraph 109) that "development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." The applicant has sufficiently demonstrated, and the Highway Authority has agreed, that the proposed development would cause neither. Neutral weight is given to the impact of the proposal on highway safety and the impact on the local road network.

9.47 The application submission sets out the economic benefits of the proposal, which include approximately 185 construction jobs, 215 supply chain jobs during construction, 585 additional jobs at the Park once operational, 225 supply chain jobs once operational, an additional £46.7 million Gross Value Added per annum (once operational) and £750,000 in business rates revenues per annum.

- 9.48 Paragraph 80 of the NPPF states planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development.
- 9.49 As the identified harm would not significantly and demonstrably outweigh the benefits of the proposal, the application is for sustainable development that should be approved.

## 10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed block plan
- Appendix C – Proposed heights
- Appendix D – Proposed site sections
- Appendix E – Proposed vehicular circulation plan
- Appendix F – Proposed landscaping plan

## 11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 An application for the approval of the reserved matters of appearance 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).
- 2 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).
- 1 Prior to the commencement of each phase samples of the materials to be used on the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy E10.
- 4 Prior to commencement of each phase of development a detailed specification of all the finishing materials to be used in the hard surfacing on the application site shall be submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan E10.
- 5 Prior to commencement, a site specific Construction Environmental Management Plan (CEMP) shall be submitted to and 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: i) Procedures for maintaining good public relations including complaint management, public consultation and liaison; ii) Arrangements for liaison with the Environmental Protection Team; iii) 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; iv) Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed in point iii); v) 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; vi) Procedures for emergency deviation of the agreed working hours; vii) 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; viii) Measures for controlling the use of site lighting whether required for safe working or for security purposes.  
Reason: This is a pre-commencement condition to ensure details of construction management are considered prior to any work being carried out on site, so as to minimise the impact on traffic flows and highway safety and to protect the amenities of surrounding occupiers during the construction of the development. Relevant Policies - Local Plan T5, NAP3.  
Reason: In the

interests of the amenities of surrounding occupiers during the construction of the development.

- 6 The buildings hereby approved shall not be occupied until the vehicle parking and turning space associated with that building has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

- 7 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

- 8 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme first agreed in writing by the Local Planning Authority, and retained in accordance with the approved details.

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1.

- 9 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. There shall be no other external lighting other than that approved.

Reason: In the interest of the amenities of the area. Relevant policies Local Plan DG1.

- 10 The Foundation Park Buildings 1 - 3 Interim Travel Plan, dated 02/04/2019 and produced by Ramboll, and hereby approved shall be implemented in full and shall, subject to any changes made following an annual review, be maintained thereafter.

Reason: To ensure that the development provides an appropriate mix of travel modes, to limit dependency upon private motor vehicles and to increase the sustainability of the business park in accordance with the requirements of the NPPF.

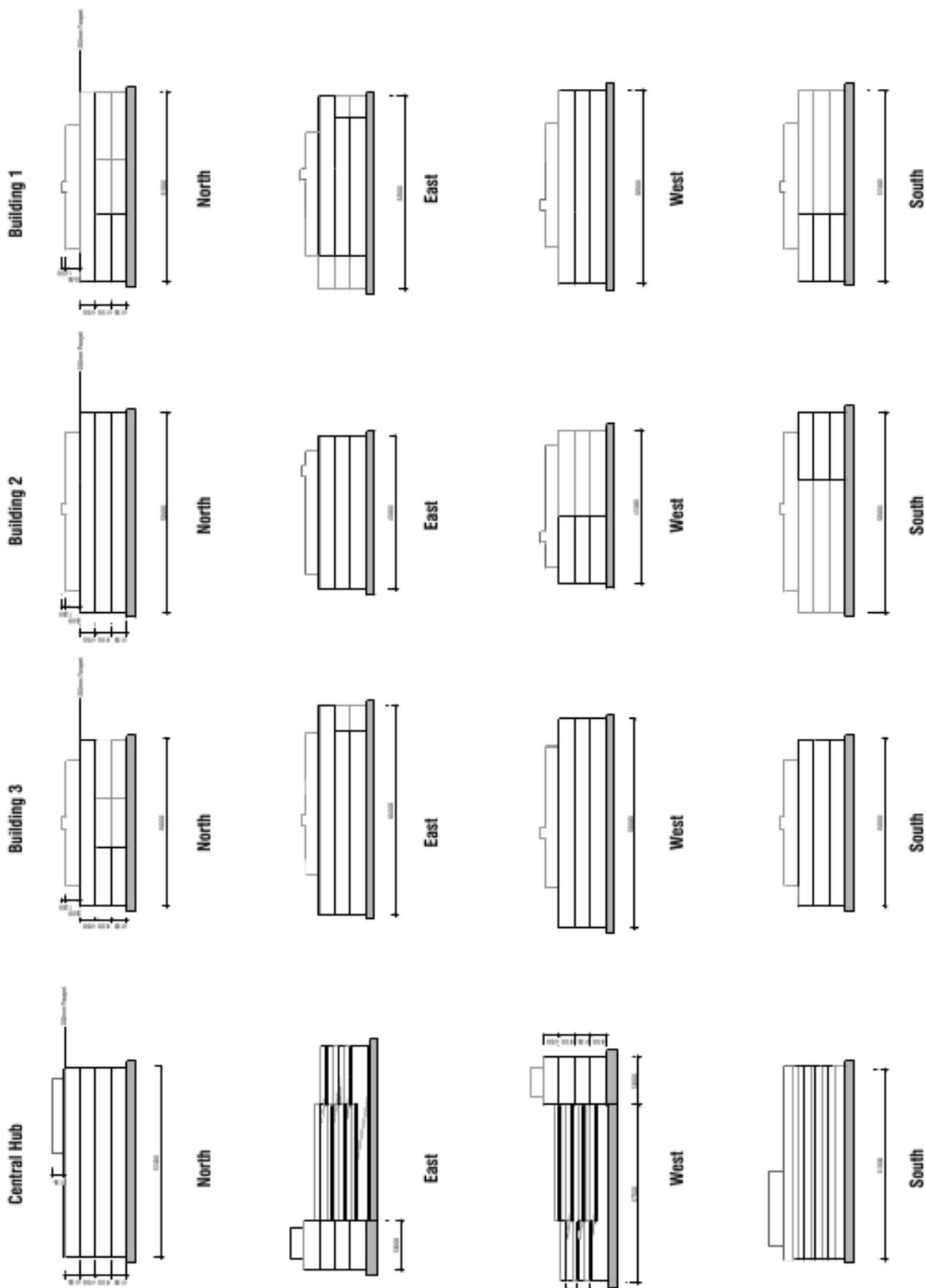
- 11 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

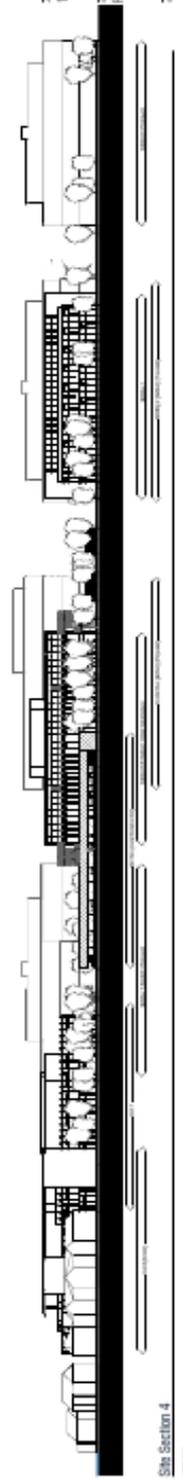
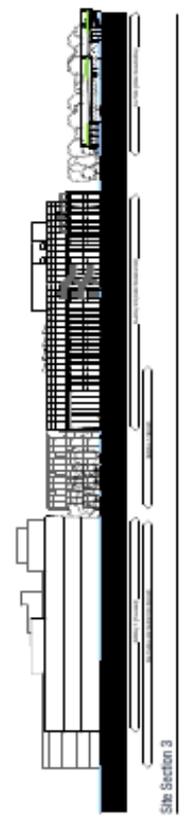
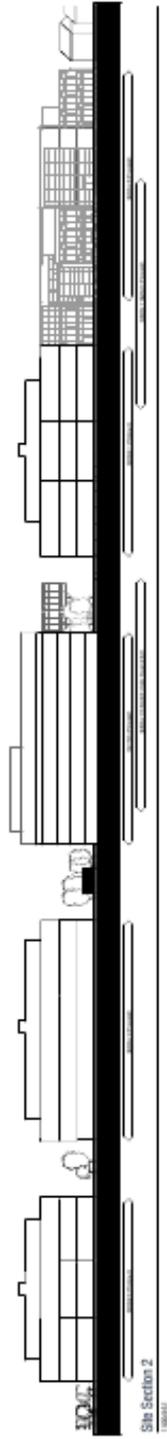
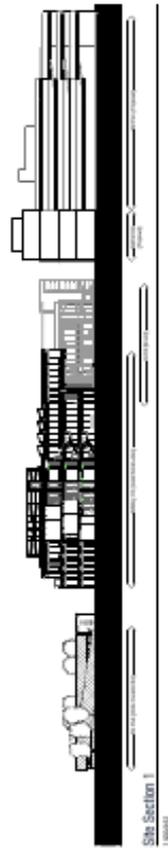
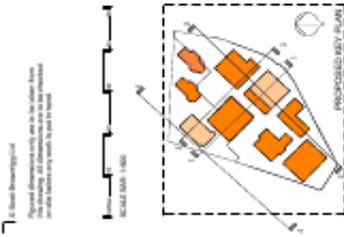
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.











1	Project	1809-3BR-ZZ	18	18
2	Client	JP Morgan	18	18
3	Location	1-3 Foundation Park	18	18
4	Date	18/09/2024	18	18
5	Scale	1:800	18	18

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Author: JP Morgan

1-3 Foundation Park

PROPOSED SITE SECTIONS

Scale: 1:800 @A1

1809-3BR-ZZ-XX-OR-A-05100

18/09/2024

SCOTT BROWNING



Approved drawings are to be used for construction. Any changes to the drawings must be made by the architect and approved by the council.

- SITE BOUNDARY
- SITE CHANGELINE
- UNDER CONSTRUCTION
- EXISTING VEHICULAR ALLOWS

1	Planning	14 JUN 2018	14	00
2	Planning	10 OCT 2018	15	00
3	Planning	11 FEB 2019	16	00
4	Planning	11 FEB 2019	16	00
5	Planning	11 FEB 2019	16	00

**SCOTT BROWNINGS**

271 GARD STREET  
 1-11 GARD STREET  
 BUNDELSHOPE QLD  
 AUSTRALIA  
 JP Morgan

1 - 3 Foundation Park	
INTERNAL VEHICULAR CIRCULATION PLAN	
Scale	1:500 (D4)
Sheet No.	1006
Project No.	10009-SER-ZZ-XI-OR-A-03104
Discipline	ST. PLANNING
Page	3



Previous Page

- 1 Existing outdoor seating and garden area around and bus stand
- 2 Existing outdoor seating and garden area
- 3 Pedestrian spine including garden spaces, lawn areas and areas for events and activities
- 4 South facing lawn areas
- 5 Drop off / concierge space
- 6 New tree planting to car park

