

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

18 December 2019

Item: 5

Application No.:	19/01588/FULL
Location:	Marandaz House Clivemont Road Maidenhead SL6 7BU
Proposal:	Side and roof extension to provide 23 residential dwellings with associated car parking, landscaping, cycle and refuse storage.
Applicant:	Montreaux LTD
Agent:	Miss Victoria Chase
Parish/Ward:	Maidenhead Unparished/Belmont
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

This application was deferred by the Members of the Maidenhead Area Development Management Panel at their meeting on 20th November 2019 in order for officers to explore the potential for the provision of additional car parking in connection with this proposed development and to establish if the affordable housing could be provided directly on site.

The original report on this application is reproduced in full below with a commentary on the proposed additional off-site car parking provision and affordable housing provided in bold. The recommendation has also been amended to incorporate the proposed provision of the additional off-site car parking into the legal agreement.

- 1.1 This current application is to provide an additional floor on top of the existing building to provide 9 residential units, with a further 14 flats provided in a three storey extension to the east. The design, layout, form and external appearance of the proposed second floor addition above the existing building is virtually identical to that already granted permission under application 19/00636/FULL.
- 1.2 The Council cannot demonstrate a 5 year housing land supply, and as such the tilted balance as set out in the National Planning Policy Framework 2019 is engaged. In this case the scheme would provide 9 additional residential units with an affordable housing contribution equivalent to 30% on –site provision (assuming shared ownership), which is regarded as a benefit of moderate weight, and the scheme makes efficient use of land which is also supported by National Planning Policy. In this case, there are not considered to be any significant adverse impacts arising from the scheme that would outweigh the benefits arising from this scheme.

Subject to the completion of a Legal Agreement to secure (1) the provision of a financial contribution in lieu of affordable housing of an amount equivalent to 30% on-site provision (assuming shared ownership) and (2) to secure 12 additional car parking spaces for the exclusive use of the occupants of the proposed development in perpetuity within the Atmosphere Apartments development opposite the site and also in the control of the applicants, it is recommended the Panel authorises the Head of Planning to: -

GRANT planning permission with the conditions listed in Section 12 of this report.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is situated within an allocated employment site within the Adopted Local Plan (Cordwallis Industrial Estate), which is allocated primarily for industrial and small scale distribution and storage uses. The application site measures circa 0.32 hectares. The existing building has an office use, which was in the process of being converted to residential use at the time of the officer site visit under the Prior Approval application ref. 19/00175/CLASSO and the subsequent planning permissions refs. 19/00237/FULL and 19/00636/FULL.
- 3.2 Adjacent (to the south) of the site is a vacant site, and this has planning permission to construct a building to accommodate B1c (light industrial), B2 (general industrial) and B8 (storage and distribution) uses. To the west (on the opposite side of the road) is an employment use. To the north of the site (on the opposite side of the road) is a residential development in the form of a converted office building. The site to the east (Clivemont House) has recently been granted planning permission for the erection of 2x four storey buildings to provide 80 apartments comprising of 9 x three bed, 44 x two bed and 27 x one bed units, with basement parking, refuse stores and associated landscaping including alterations to the existing site entrance. There are a number of buildings within this employment area which have changed use to residential, through the use of permitted development rights.

4. KEY CONSTRAINTS

- 4.1 Employment Area
Protected Trees

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 This application seeks planning permission to construct a three storey side extension and a roof extension to the existing building to accommodate 23 flats.
- 5.2 The proposed second floor extension would increase the height of the building to circa 10.2 metres. The scheme also includes a three storey extension to the east. The Design and Access Statement sets out that at ground floor, the wall materials will match the existing building. The second floor will be finished in panels, which would match the materials on the building on the opposite side of the road (Globe House).

Reference	Description	Decision
18/03372/CLASSO	Change of use of a building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3) to create x34 apartments	Prior approval granted on the 21.01.19
19/00175/CLASSO	Change of use of ground and first floor from B1 (a) (offices) to C3 (8 x 2 bedroom and 16 x 1 bedroom dwellings).	Prior approval granted on the 7.03.19
19/00237/FULL	Changes to the facade, alterations to fenestration, new front entrance, canopy and wall lettering, balconies to the first floor, refuse store, hard standing and associated landscaping.	Permitted on the 03.05.19
19/00636/FULL	Addition of second floor to provide nine residential units (C3) and cycle store.	Permitted on the 30 th May 2019.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

6.1 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:

1. N6 Trees and development
2. DG1 Design guidelines
3. NAP4 Pollution of groundwater and surface water
4. R1 Protection of Urban Open Spaces
5. E1 Location of Development
6. E2 Industrial and Warehousing Development
7. E5 Loss of land in Employment Areas
8. E10 Design and Development Guidelines
9. H3 Affordable housing within urban areas
10. H6 Town centre housing
11. H8 Meeting a range of housing needs
12. H9 Meeting a range of housing needs
13. H10 Housing layout and design
14. H11 Housing density
15. T5 New Developments and Highway Design
16. T7 Cycling
17. T8 Pedestrian environment
18. P4 Parking within Development
19. IMP1 Associated infrastructure, facilities, amenities

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

7. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 5- Delivering a sufficient supply of homes

Section 9- Promoting Sustainable Transport

Section 11- Making efficient use of land

Section 12- Achieving well-designed places

Section 15- Conserving and enhancing the Natural Environment

7.1 This document was revised in February 2019 and 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 NPPF (2019) is a presumption in favour of sustainable development. The document, as a whole, forms a key and material consideration in the determination of any planning permission.

7.2 Paragraph 120 is of some relevance as it states that:

“Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:

a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.”

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Housing Mix and Type	HO2
Housing density	HO5
Makes suitable provision for infrastructure	IF1
Sustainable Transport	IF2
Noise	EP4
Trees	NR2

- 7.3 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 7.4 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV which are now out to public consultation until Sunday, 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight.
- 7.5 These documents can be found at:
<https://www3.rbwm.gov.uk/blp>

Other Local Strategies or Publications

- 7.6 Other Strategies or publications material to the proposal are:
- RBWM Townscape Assessment
 - RBWM Parking Strategy
 - Affordable Housing Planning Guidance

More information on these documents can be found at:

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

73 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 18 June 2019.

One letter of objection has been received since the application was reported to the November Panel. It is written on behalf of the owners of Clivemont House, which lies immediately to the east of the site. The grounds of objection can be summarised as follows: -

The proposal has no regard to the recently approved scheme for the redevelopment of

9.7 – 9.9

Clivemont House.	
Proposal would, by virtue of its height and proximity to the boundary, result in a loss of light to the neighbouring development at Clivemont House. Rooms affected are habitable rooms	9.7 – 9.9
Development would overshadow and appear overbearing when viewed from the communal garden of the Clivemont House development.	9.7 – 9.9
Overdevelopment of site which would be dominated by hard-surfacing with no space for meaningful landscaping. Contrary to policies H14 and DG1 of the Local Plan.	9.7 – 9.9

Consultees

Consultee	Comment	Where in the report this is considered
Tree Officer	No objection subject to a condition for tree protection measures.	9.10
Highways	Has no objections subject to conditions	9.11-9.14
LLFA	Has no objection subject to the imposition of a condition requiring the submission and approval of a proposed surface water drainage system.	
Environmental Protection	Has no objection, subject to a condition being imposed for the submission of a CEMP	A CEMP is not considered necessary.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of the residential development
- ii Impact on the character of the area
- ii Residential Amenity
- iii Impact on trees
- iv Transport
- v Planning balance

Principle of residential development

9.2 The site is situated within an allocated employment site within the Adopted Local Plan (Policy E2) The existing building was in employment use, but in 2019 prior approval was given for the change of use of this building to a residential use. On the 3rd May 2019, planning permission was granted for external alterations to the building (required in association with the residential conversion). At the time of the planning officer site visit, the building was in the process of being converted to residential use.

9.3 This current application is to provide an additional floor on top of the existing building to provide 9 residential units, with a further 14 flats provided in a three storey extension to the east. The office space that existed within the building has already been lost through the use of permitted

development rights, and as such there is no objection in principle to further extensions to the building to accommodate residential units.

- 9.4 Within the Borough Local Plan Submission Version, the site is allocated as an Industrial Area under Policy ED2. This policy is given limited weight as a material consideration, due to the level of unresolved objections to this policy.

Impact on the character of the area

- 9.5 The proposed roof form (a flat roof) is considered to be acceptable, as the buildings in the locality generally have flat roofs. In terms of the height of the building, large buildings exist in the locality. To the north of the application site (Globe House), the building has a height of just under 9 metres. The building approved to the south of the application site would have a height of circa 8 metres. Given the buildings in the area are quite tall, and vary in height, it is considered that the resultant height of this building at 10.2 metres would be acceptable. The roof form and height has in any case been accepted under the granting of planning permission 19/00636.
- 9.6 The scheme also incorporates a proposed three storey extension to the east. This extension has been designed to have a similar appearance to the main building as extended. In the consideration of planning application 19/00636 it was acknowledged in the officer report that the extension was not of the highest quality design, but that given the context of the area and the variation in the appearance of surrounding buildings, it was considered acceptable. This current scheme would result in a large scale building that would bring the eastern elevation of the building at three storeys close to the site boundary; there would be a gap of between 1.4-1.9 metres with the eastern boundary of the site. It is considered that the resultant building would have quite a cramped appearance within the site. It is not considered that this is a high quality designed scheme; however, the proposed extensions would not be highly visible within the streetscene, and taking into account the context of this area, which has buildings of varying quality, the harm to the character of the area would not be significant. As the Council cannot demonstrate a 5 year housing land supply, policy DG1 of the Adopted Local Plan is given reduced weight. The impact on the character of the area is weighed up in the planning balance section of this report below.

Residential Amenity

- 9.7 There are existing businesses and planning permissions for new buildings in employment use; however, there are also buildings in residential use in the locality. The proposed residential units proposed at second floor level and the three storey extension the subject of this application are considered to be of an acceptable size.
- 9.8 The flats labelled units 3 and 8 would have one bedroom, and these bedrooms would only have one window which would be located on the eastern elevation of the proposed three storey extension. The eastern elevation of the three storey extension would currently be free from any built form on the neighbouring site, however, planning permission was recently granted on this neighbouring site for residential development which goes up to four storeys in height. It is appreciated that there is no indication that this development will start in the immediate future, however, it is considered poor planning when windows serving habitable rooms are located on side elevations of a building. This would be their only outlook and source of light, and it would be anticipated that a side elevation to a building would face onto the side elevation of any adjacent building. **With reference to the late representation received, it is recognised that the same issues would be experienced from the perspective of the proposed development of Clivemont House to the east of the site.**
- 9.9 It is not considered that the scheme would meet the requirements of paragraph 127 of the NPPF which seeks to provide a high standard of amenity for existing and future occupiers. Furthermore, two of the flats have bedrooms where the only window serving them will be on a side elevation in close proximity to a site boundary. This weighs against the proposal.

Impact on trees

- 9.10 Protected trees run along the northern and western boundaries of the site. It is not considered that the proposed second floor to the building or the three storey extension to the east would have an adverse impact on these trees. The protection plan and associated measures will need to be secured by planning condition (see condition 4), so that harm is not caused to these trees.

Transport

- 9.11 The submitted Transport Assessment at section 4 sets out the car parking requirements and provision. Taking into account the flats consented under prior approval, and the proposed 23 units subject to this planning application, there would be 33, 1 bedroom flats, and 14, 2 bedroom flats. This site would not be regarded as being in an area of good accessibility according to the Council's parking standards, and as such, based on the Council's parking strategy 2004, 61 car parking spaces would be required. However, the parking standards in the Council's Parking Strategy 2004 are maximum parking standards. The NPPF (2019) at paragraph 106 sets out 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. Policy P4 of the Adopted Local Plan which refers to the Council's Parking Strategy is therefore given limited weight in the determination of this application.
- 9.12 The proposal would provide 35 car parking spaces. The Highways Authority advise that according to the Council's Parking Strategy a development is deemed to be within an accessible location if it is within 800m from a train station that provides a regular half-hourly or better service. Furze Plat provides a half-hourly service, but only during the peak periods. For this reason the area in the past has been considered to be in a reasonably accessible area, and Highways have taken a pragmatic approach by proposing the following parking ratio:
- i. 1 space per 1 bed room dwelling
 - ii. 1.5 spaces per 2 bedroom dwelling (as reported in paragraph 9.7.2 of the Parking Strategy [PS]). However, for this application, the Highway Authority accept, and have previously accepted, that the parking levels can be based on this site being accessible, and as such raise no objection to the scheme on a lack of car parking spaces.

In order to seek to overcome the concerns raised by Members regarding a perceived under-provision of car parking when they considered this application at the November Panel, the applicants have committed to provide an additional 12 off-site car parking spaces to be allocated for use by the occupants of Marandaz House at the Atmosphere Apartments site, on the opposite side of Clivemont Road and also owned and under the control of the applicants. This development was granted prior approval under application No. 17/02602/CLASSO. This would result in a total of 47 car parking spaces for use in connection with the 47 units proposed in total at Marandaz House, amounting to a ratio of one space per residential unit.

Whilst still not in accord with the Council's Parking Standards, this clearly represents an uplift in parking provision and goes some way to ameliorating the Members concerns on this matter. Clearly the spaces are not as conveniently located for the future residents of Marandaz House as on-site provision would be, but the location is considered to be sufficiently practical so as to comprise a workable solution to this issue, particularly bearing in mind the original assessment on this matter which concluded that an objection could not be sustained on lack of parking provision.

The allocation of 12 spaces to the future occupants of Marandaz House would leave 69 spaces remaining for the 70 Atmosphere Apartments, which comprise 61 one bed units and 9 studio apartments.

- 9.13 The proposed development is not expected to generate significant traffic movements that would adversely impact on the highway network.

- 9.14 The bin storage to the south of the site (adjacent to the cycle store) is approximately 30m from the fire exit. This is a fire exit and so is assumed that this door will only be used in emergencies and is for exiting the building only. Therefore, residents using this bin store will have to walk approximately 75m to this location (from the main entrance) to dispose of their waste.

Additionally, waste collection operatives will also have a drag distance of approximately 50m to the existing carriageway on Clivemont Road.

Both distances (for residents and waste operatives) fall outside of the recommended guidance as set out in Manual for Streets (2007) which states that waste collection vehicles should be able to get to within 25 m of the storage point and the distance over which containers are transported by collectors should not normally exceed 15m for two-wheeled containers, and 10m for four-wheeled containers. Residents should not exceed a carry distance of 30m. Whilst this is not ideal, it is not considered that this in itself is significant enough to warrant refusal on highway safety grounds.

Affordable Housing

- 9.15 Policy H3 (Affordable Housing) of the adopted Local Plan states that the Borough Council will seek to achieve a proportion of the total capacity of suitable residential schemes to be developed in the form of affordable housing to meet recognised need. The Council's Affordable Housing Planning Guidance provides further advice over developments meeting an on-site 30% requirement. It also sets out that where 30% provision is not proposed to be provided an application should be supported by a financial viability appraisal. The adopted guidance on affordable housing rounds down to the nearest whole unit. The 30% on-site affordable housing provision for this 23 unit scheme would equate to 7 affordable housing units being provided on site.
- 9.16 The NPPF is a significant material consideration and at paragraph 63 it is made clear that affordable homes should be provided as part of this scheme. The emerging policy HO3 of the BLPSV is a relevant material consideration and is compliant with the NPPF, however, due to the number of objections received to it, it is given limited weight as a material consideration.
- 9.17 The application as submitted did not propose the provision of any affordable housing either in the form of on-site provision or in the form of a commuted sum in lieu of on-site delivery. A Financial Viability Appraisal was submitted in support of this position. This Appraisal was submitted on the basis of 47 new units, incorporating the 24 prior approval units and the 23 new units the subject of this application, rather than the 23 units in isolation.
- 9.18 An independent financial viability appraisal has been carried out on behalf of the Council. This concluded in simple terms that the 24 unit prior approval scheme does not create a viability surplus. The addition of 23 units (the subject of this application) to the prior approval scheme, providing 47 units in total, improves the viability of the scheme but does not create a viability surplus. The 23 unit scheme, when considered in isolation, is viable and can therefore provide an affordable housing contribution.
- 9.19 The applicants have stated in response to this conclusion that, in their view, it would not be practical or feasible to deliver the 23 units in isolation of the prior approval scheme and that they can only deliver the 23 unit scheme as part of a comprehensive redevelopment of the entire building. They therefore conclude that the 23 unit scheme cannot create a viability surplus and that the provision of affordable housing is not financially viable. However, in order to seek to reach an agreement with the Council on this matter the Applicants have offered to provide a financial contribution in lieu of on-site delivery equivalent to an on-site contribution of 30% affordable housing assuming shared ownership (rather than mixed tenure).
- 9.20 A financial contribution is proposed in lieu of on-site delivery in view of the constraints associated with managing a small number of affordable homes in isolation (due to efficiency) and the management of affordable housing in converted/extended buildings (due to separating management and service charges).

The applicants have further clarified with regard to this matter that they contacted local providers to see if they would be interested in taking on 7 units on the site and none of them expressed any interest. They contacted five providers who confirmed they would not be interested in taking on any units, primarily because of their small size, limited number and location.

- 9.21 The Council's independent assessor agrees with the methodology used to calculate the contribution offered and has confirmed that this would equate to 30% on-site provision assuming shared ownership. Officers are of the view that this would amount to an acceptable offer and this is reflected in the wording of the recommendation being subject to the completion of a satisfactory legal agreement to cover these matters.

Planning Balance and conclusion

- 9.22 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. Paragraph 11 states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or 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:

- 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
- 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.

- 9.23 Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

- 9.24 The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hyr hls) is the 'standard method' as set out in the NPPF (2019).

- 9.25 At the time of writing, the Council is able to demonstrate around 4.5 years of housing land supply. Therefore, for the purposes of this planning application the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

- 9.26 The balancing exercise set out at paragraph 11 of the NPPF, commonly referred to as the 'tilted balance', does apply in this case.

- 9.27 The proposed extensions are not considered to be of a high standard of design, and the proposed building coming in such close proximity to the eastern boundary of the site at three storeys in height, is considered to amount to a quite cramped form of development. However, this needs to be considered within the context of the area it is within. The area comprises buildings in employment use which vary in quality and appearance. Also, recently granted on land adjacent to the site (to the east) is a residential development, where the buildings would be four storeys in height and would be situated in close proximity to the side boundaries of the site. There is some harm arising from the proposed development in respect of the design of the extensions to the building, however, owing to the context of the site it is considered that this harm is not significant.

- 9.28 Given the site is allocated as an employment site, and there are some businesses in the locality in industrial and storage and distribution uses, it is not considered future occupiers of the flats will have a high standard of amenity, as required by paragraph 127 of the National Planning Policy Framework. In addition, two of the flats in the three storey extension would have one bedroom, and the only windows to serve these bedrooms would be located on the eastern elevation of the building in close proximity to the site boundary; it is not expected that these bedrooms will receive

a good outlook in the future. This also weighs against the scheme, however, it is only two of the flats, and so there is some harm, but this harm is limited.

- 9.29 This scheme will provide 23 residential units which will contribute to meeting the Council's five year housing land supply, and this is given moderate weight as a benefit. In addition, paragraph 118 of the NPPF sets out that in making effective use of land, planning decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, it should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. This scheme includes an upward extension and is considered to be of an acceptable scale within this location.
- 9.30 The application would also provide a financial contribution to affordable housing in lieu of on-site provision, equivalent to 30% on-site provision or 7 units, assuming shared ownership. This weighs in favour of the scheme.
- 9.31 It is considered that whilst the design of the extensions is not high quality and the standard of amenity for future occupants will not be high, as required by the NPPF, the harm arising from each is limited. The provision of 23 flats is given moderate weight as a benefit, and this scheme makes effective use of brownfield land which is supported in the NPPF, this is also a benefit of the scheme. The provision of a financial contribution to affordable housing in lieu of on-site provision is also given moderate weight as a benefit of this scheme. As such, when engaging paragraph 11 of the NPPF, there are not considered to be adverse impacts that would significantly or demonstrably outweigh the benefits of the scheme, and as such the application is recommended for approval.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is CIL liable. The proposed floorspace of the dwellings is 658 square metres.

11. APPENDICES TO THIS REPORT

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

12. 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 materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall 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.
- 3 No development above the existing ground floor slab level shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.
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.

- 4 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.
- 5 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.
- 6 No other part of the development shall commence until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained as approved.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1
- 7 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 8 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. 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. Relevant Policies - Local Plan P4, DG1.
- 9 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 10 Prior to any 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 - Local Plan DG1 and the National Planning Policy Framework (2019).
- 11 Prior to commencement (excluding demolition) a surface water drainage scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:
o Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
o Supporting calculations confirming compliance with, the Non-statutory Technical Standards for Sustainable Drainage Systems, the agreed discharge rates, and the attenuation volumes to be

provided.

o 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 compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

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.

Informatives

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 3 Any planting, other than grass, in areas to be adopted by the Highway Authority may be considered to be an obstruction of the highway and action could be taken to remove it.
- 4 In order to protect the stability of the highway it is advised that no excavation is carried out within 15 metres of a public highway without the written approval of the Highway Authority. The Highway Manager should be contacted at the Town Hall, St Ives Road, Maidenhead, SL6 1RF tel: 01628 796595.
- 5 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.
- 6 Should any works require the erection of temporary traffic signals a licence must be obtained under Section 65/124 of the New Roads and Street Works Act of 1991. A licence can be obtained from the Highway Manager at the Town Hall, St Ives Road, Maidenhead, SL6 1RF tel: 01628 796595.
- 7 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
- 8 The granting of planning permission does not give the applicant/developer consent to carry out works on the public highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the Royal Borough of Windsor and Maidenhead - Streetcare Section, (telephone 01628 683804) before any work is carried out, this shall include for materials and skips which are stored within the highway extents, hoarding etc. A charge will be made for the carrying out of inspections and the issue of permits.