

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 April 2022

Item: 3

Application No.:	21/03512/FULL
Location:	The Arcade High Street Cookham Maidenhead SL6 9TA
Proposal:	Change of use of the existing building from ancillary commercial use to office space - retrospective.
Applicant:	Mr Burgess
Agent:	Not Applicable
Parish/Ward:	Cookham Parish/Bisham And Cookham

If you have a question about this report, please contact: Dariusz Kusyk on 01628796812 or at dariusz.kusyk@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed development, by virtue of its design, scale and activity level, would respect the character and appearance of the area, would not harm the amenities of neighbouring properties and neither would it have any highway related implications.

It is recommended the Panel grants planning permission with the conditions listed in Section 13 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Cllr Brar due to concerns in terms of impact upon the Cookham Conservation Area, noise impact and disturbance upon the neighbours, lack of parking, being contrary to policy CKM3 of the Borough Local Plan which indicates that the Council will not permit change of use to, or development for, additional commercial floor space within Cookham Village centre, and also being contrary to Policy NAP3.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the northern side of the High Street in Cookham. It forms an adjunct to an important non-listed building within Cookham High Street Conservation Area. The site is in flood zones 2 and 3 and forms part of the Cookham Arcade commercial premises. The Arcade includes numerous commercial units on the ground floor (tailor, café, beauty clinic, hairdresser, toy shop) and a residential unit on the first floor.
- 3.2 The building the subject of this application is at the rear of the Cookham Arcade and was previously utilised as a storage shed ancillary to the commercial tenants of The Arcade. The building has a gross floor area of just under 12sq.m.
- 3.2 The area surrounding the site is considered distinctive and of a mixed design in terms of character and use with mainly commercial premises on the ground floor and residential on the upper-levels.

4. KEY CONSTRAINTS

- 4.1 Cookham High Street Conservation Area, Important non-listed building; Flood Zone 2 and 3; Cookham Village Centre

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 This application seeks retrospective permission for the change of use of the existing building from commercial storage use ancillary to the premises within The Arcade to use as a separate office space. In order to facilitate the change of use, the asbestos roof of the building has been replaced with a flat rubberised roof, double-glazed doors have been fitted together with new flooring, electrics and plumbing.

5.2 Relevant planning history:

Reference	Description	Decision
18/01291/TCA	(T1) Yew – fell.	Permitted - 05.06.2018
21/01427/TCA	(T1) Maple tree - fell.	Permitted - 16.06.2021.

6. DEVELOPMENT PLAN

Adopted Borough Local Plan

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

Issue	Adopted Local Plan Policy	Compliance	
Sustainability and Character of the New Development	QP1, QP3	Yes	
Highways	IF2	Yes	
Economic Development	ED1	Yes	
Historic Environment	HE1	Yes	
Local Centres	TR5	Yes	
Noise	EP4	Yes	

7. MATERIAL PLANNING CONSIDERATIONS

7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 6 – Building a strong, competitive economy

Section 7 – Ensuring the vitality of town centres

Section 9 – Promoting Sustainable Transport

Section 12 – Achieving well-designed places

7.2 Other Local Strategies or Publications

- i. RBWM Townscape Assessment
- ii. RBWM Parking Strategy
- iii. RBWM Design Guide
- iv. Cookham Village Design Statement

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

10no. occupiers were notified directly of the application. The case officer posted a site notice on 07.01.2022 and the application was advertised in the local press on 23.12.2021.

The Council received a signed petition with 38 signatures, objecting to the 'commercial development within Roseleigh Garden and the Arcade' (the development within Roseleigh Garden is the subject of a separate application, 21/03582/FULL, reported elsewhere on this agenda).

Also, 20 no. letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Insufficient parking	See section 9 of the report.
2.	Noise impact	
3.	Overdevelopment of the site	
4.	Impact upon the garden and biodiversity within the site	
5.	Retrospective nature of the development – disregard to planning process; Potential future risk of hypothetical unauthorised development on the application site and adjacent properties; potential alcohol licensing issues (not relevant to this application).	These are not material to the consideration of the application. Retrospective planning applications can be made and must be assessed in the same way against relevant policies. Future applications will need to be treated on their own merits at that time.

Consultees

Consultee	Comment	Where in the report this is considered
Highways Officer	No objections.	See section 9 of the report.
Conservation Officer	No objections.	

Others

Group	Comment	Where in the report is this considered.
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Parish Council:	CPC are not satisfied there is existing valid permission for this building in which case one needs to be sought; unless there is one, we object to this application. If a permitted application exists, we would also object unless the normal requirements for parking, noise, toilet facilities and fire precautions are met.	9.9 9.10
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9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- Impact on the character and appearance of the area including the Conservation Area;
- Impact on amenity of surrounding residential occupiers;
- Impact on highways conditions and parking;
- Impact on landscaping and biodiversity;
- Flooding.

Issue I. Impact on the character and appearance of the area including Conservation Area

- 9.2 The NPPF section 7 and the BLP Policy TR5 refer to development within Local Centres. Policy TR5 states that *“Development proposals for retail use within local centres (as defined on the Policies Map and in the proposed new Maidenhead Golf Course Local Centre) will be supported. Non-retail uses and services will also be supported provided the overall function of the centre and opportunities for customer choice are maintained.”*
- 9.3 The NPPF section 6 and Councils adopted policy ED1 seek to promote local economic development and policy ED1 states that *“A range of different types and sizes of employment land and premises will be encouraged to maintain a portfolio of sites to meet the diverse needs of the local economy. Appropriate intensification, redevelopment and upgrading of existing sites and premises will be encouraged and supported to make their use more efficient and to help meet the forecast demand over the plan period and to respond to modern business needs.”* Furthermore, it highlights that *“It will do this by ensuring a flexible supply of high-quality employment floorspace making some new allocations, utilising existing employment areas and promoting a more intensive use of these sites through the recycling, refurbishment and regeneration of existing older or vacant stock and promotion of flexible working practices.”*
- 9.4 The proposal involves a change of use of an existing single storey outbuilding, previously used as ancillary storage to the existing units in the Arcade. It has been refurbished and is currently used as an independent office unit with a Gross Internal Area of circa 12.0m². Because of its diminutive scale, its resultant use is low-key, such that it would have little to no impact on the function of The Arcade or the wider local centre and would accord with Policies TR5 and ED1.
- 9.5 Given that the proposed office use would fall within the same use class (Class E) as a café, clinic, tailor, toy shop or hairdresser, it is considered that it would be an appropriate use within The Arcade as a whole.

- 9.6 The Council has had regard to Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990. It is considered that due to its acceptable external appearance and appropriate scale, the proposal would comply with the Adopted BLP policy HE1, as it preserves the character of this designated heritage asset, as set out in Section 69 of the TCPA (LB AND CA) 1990, and it is in compliance with para 199 of the NPPF, which states *“great weight should be given the asset’s conservation (and the more important the asset, the greater the weight should be)”*.

Issue II. Impact on the amenities of the surrounding occupiers

- 9.7 The proposed development would be sited a sufficient distance from the boundaries shared with the properties to the west of around 7.0m which, in combination with retention of the screening of circa 2.5m-3.0m high landscaping and a boundary fence, is considered appropriate. The proposal would not result in any unacceptable overlooking of the habitable spaces of the adjacent properties.
- 9.8 It is considered that this existing ancillary building could have been utilised for office purposes in connection with an existing occupant of The Arcade without requiring planning permission. It is not considered that its independent use would have any material impact over and above an ancillary use.
- 9.9 It is considered that the proposed development, when considered in the context of The Arcade as a whole, does not result in any unacceptable impact in terms of noise due to its low-key use, small scale, and maintenance of sufficient separation distances from its neighbouring properties.

Issue III. Impact on highways conditions and parking

- 9.10 With regards to highway impact the proposed change raises no concerns. The office space measures circa 12m² and having regard to the Borough’s Parking Strategy attracts a maximum parking demand for 0.34 parking spaces (1 space per 35m²). Given that the office unit would be located within the Arcade site, where Class E premises already exist and due to its small scale, the highways impact is considered de-minimus and acceptable in this instance.

Issue IV. Impact on landscaping and biodiversity

- 9.11 The proposed development does not involve any operational development outside the envelope of the existing building and therefore would not result in any loss of existing landscaping on site and it is considered acceptable in terms of biodiversity impact.

Issue V. Flooding

- 9.12 This proposal is for the change of use of an existing building and does not result in any increase in built form or numbers of occupants in terms of flood risk.

Other Considerations

9.13 As a result of the diminutive scale and nature of this use it is not considered to be contrary to any of the guidance contained in Section 6 of the Cookham Village Design Statement (Cookham's Built Areas).

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development is not CIL liable.

11. PLANNING BALANCE AND CONCLUSION

11.1 The extent of the use of this existing building as separate commercial office space is limited by its diminutive size such that, when considered in the context of the other uses within The Arcade as a whole, its overall impact would be de-minimis. It is therefore recommended that planning permission is granted subject to the conditions listed below.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Existing floorplan

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1 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.