

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

16 March 2016

Item: 5

Application No.:	15/03901/FULL
Location:	Former Stiefel Laboratories (Ireland) Ltd Whitebrook Park 68 Lower Cookham Road Maidenhead
Proposal:	Construction of a new part two/three storey office (use class B1) building with associated landscaping, tree works and car parking following demolition of existing buildings
Applicant:	The Royal London Mutual Insurance Society Limited
Agent:	Ms Amy Lee -WYG
Parish/Ward:	Maidenhead Riverside Ward
If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- a. The proposal is for is to demolish the existing buildings and erect a part two-storey, part three storey office (use class B1) with associated car parking, landscaping and tree works. Consent for the scheme had previously been granted permission under 09/02484/FULL and 12/03074/FULL.
- b. The preferred location for office development would be within the town centre to support its vitality and viability, however, the applicant has submitted an assessment of sequentially preferable sites both within and at the edge of the town centre and there are no available, suitable or viable sites in a sequentially preferable location. In terms of impact on the vitality of Maidenhead town centre, it is unlikely to be detrimental. There is also an identified need for additional office development within the Borough
- c. The application site lies within an area of high probability of flooding. The proposal is considered to pass a sequential test which demonstrates that there are no available, suitable or viable sites in a sequentially preferable location. The submitted Flood Risk Assessment demonstrates that the proposed development does not increase flood risk elsewhere and is safe over its lifetime, and a number of sustainability measures have also been considered and incorporated into the design of development. An acceptable Sustainable Drainage System has been proposed that meets national technical standards.
- d. The proposed development would not be overly prominent or intrusive when viewed from Lower Cookham Road or the Thames footpath to the east as the trees act as a significant barrier to views. On higher land above the Thames from the woodland within the grounds of the Cliveden Estate, views would be from a significant distance so there would be not significant impact. In general the design and materials are conventional for an office building and therefore not considered overly incongruous.
- e. The nearest neighbouring properties are at no. 4 and 5 Islet Park Drive. The separation distance and oblique angles is considered to sufficiently mitigate any undue visual intrusion, loss of light and loss of privacy as a result of the proposal.
- f. Comments from the Local Highway Authority are still pending and any comments received shall be reported in an update. However, it is considered that the layout of the internal access road, the number and size of the car parking bays, the reversing distance for cars from the parking spaces are acceptable. In terms of the main access from Whitebrook Business Park onto the A4094 the visibility splays are adequate.

- g. Ecological surveys have been undertaken at this site in 2009 and 2012 in support of the two previous applications. During an inspection survey undertaken in 2015 it was concluded that the building supported bat roosts and emergence survey was recommended within the ecologists report to update the 2012 surveys, to be carried out between April and September inclusive. It is recommended that this survey is undertaken prior to a decision to ensure compensatory roosts of sufficient size and appropriate to the species can be accommodated at the site within the proposed development. There are no objections to the scheme in relation to breeding birds, badgers and bio-diversity enhancements.
- h. The original planning permission for this site in 2009 and the 2013 renewal were granted subject to a S106 legal agreement securing contributions towards highways/public transport, leisure, public art / heritage, economic development, air quality and securing a Public Footpath Creation Agreement between the Council and adjacent landowners for the missing link of the footpath between Lower Cookham Road and the Thames Path National Trail. The applicant has confirmed that they are willing to undertake a deed of variation in this respect.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission subject to: no substantive objection to the proposal being received from the Highway Authority; on the satisfactory completion of an up-to-date dusk emergence and dawn return to roost bat survey on the buildings within the site with details and approval of suitable bat mitigation strategy where appropriate; an undertaking to secure a deed of variation of the S106 under planning permission 12/03074/FULL; and, the conditions listed in Section 9 of this report.
2	To refuse planning permission if a substantive objection to the proposal is made by the Highway Authority and Ecologist and has not been resolved by 31 May 2016, an undertaking to secure a deed of variation of the S106 under planning permission 12/03074/FULL has not been satisfactorily completed by 31 May 2016 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager 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 lies within the eastern side of Whitebrook Business Park, which is on the north eastern extremity of the settlement of Maidenhead. On the site is a predominately 2 storey brick built building with a single storey element attached to the north elevation of the building. In addition to the main building, on the northern boundary is a former stable building, storage building and enclosures containing plant equipment. The majority of the car parking can be found to the west of the main building with some parking to the east. There are two vehicular access points into the site from the shared driveway into the Business Park from Lower Cookham Road.
- 3.2 The northern boundary of the site is marked by a 1.8m high close boarded fence beyond which is a belt of trees approximately 10-12m wide and then a flat plain of fields. The eastern boundary is marked by a 1.8m high chain link fence beyond which is a sports field, a belt of trees, the river and then a wooded hillside forming part of the Cliveden Estate. To the south of the application site are residential properties and a car park that serves the remainder of the business park. To the north is a 2 storey building occupied by Hitachi and other buildings that form part of the business part and beyond these is Lower Cookham Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
12/03074/FULL	Construction of a new part two/three storey office (B1 use class) building with associated landscaping, tree works and car parking following the demolition of existing buildings (renewal of planning permission 09/02484)	Approved – 05.02.2013
09/02484/FULL	Construction of a new part two/three storey office (B1 use class) building with associated landscaping, tree works and car parking following the demolition of existing buildings	Approved – 24.11.2009
09/00376/FULL	Construction of three storey office (B1 use class) building with associated landscaping and car parking following demolition of existing buildings	Refused – 29.05.2009

- 4.1 The proposal is to demolish the existing buildings and erect a part two-storey, part three storey office (use class B1) with associated car parking, landscaping and tree works.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 2 (Ensuring the vitality of town centres), 7 (Requiring good design), 10 (Meeting the challenge of climate change, flooding and coastal change) and 11 (Conserving and enhancing the natural environment).

Royal Borough Local Plan

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

	Within settlement area	High risk of flooding	Protected Trees	Highways/Parking issues
Local Plan	DG1, E10, NAP3	F1	N6	T5, P4

- 5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Planning Obligations and Developer Contributions
- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

- 5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Strategic Flood Risk Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of the development;
- ii Flooding;
- iii The impact on the character of the area;
- iv Impact upon the living conditions of occupiers of neighbouring properties;
- v Highway matters;
- vi Other material considerations

Principle of development

- 6.2 The application site is considered to be out of centre as it is neither within nor at the edge of the commercial boundary as identified in the Maidenhead Town Centre Area Action Plan or the commercial boundary as identified in the Proposals Map to the Local Plan. One of the objectives of the NPPF is ensuring the vitality of town centres and the NPPF directs office development to town centres to ensure their vitality. The current of the Local Plan is silent in respect of the locational approach for office uses and it does not allocate suitable sites for such uses. The NPPF advises that Local Planning Authorities should apply a sequential test to planning applications for town centre uses that are not within existing centres and not in accordance with an up-to-date plan, and for development over a threshold of 2,500sqm such as this an impact assessment on the town centre would be required. The application is accompanied by a sequential test which updates the sequential test documents submitted under 09/02484/FULL and 12/03074/FULL, and includes a town centre impact assessment.
- 6.3 The Sequential Test demonstrates that a review has been undertaken of a number of sites within Maidenhead town centre, at its edge and out of centre to establish whether there are any other sequentially preferable sites that are suitable, available and viable. As there is demand for office space in Maidenhead, as demonstrated by the Borough's Employment Land Review (ELR), a Borough wide assessment is not considered necessary in this case. The assessment shows that there are no alternative sites suitable, available and viable in a sequentially preferable location. On this basis the sequential test is passed.
- 6.4 In terms of the impact on Maidenhead town centre, the main consideration is the cumulative impact of a number of office developments outside the town centre. In this respect, the most recent study (Annual Monitoring Review 2011) indicated that while 8,482sqm (GEA) was completed in Maidenhead town centre only 300sqm (GEA) was delivered in the rest of the borough (excluding Windsor town centre). Given the overall limited amount of out of town office development, the cumulative effect of the proposal and existing out of town office development on viability and vitality of Maidenhead town centre is unlikely to be detrimental.
- 6.5 In the Borough's ELR from 2009 shows that there is an identified supply requirement for 85,300sqm of office floorspace up to 2026. The emerging ELR is also indicating there is a requirement for a further supply of office floorspace. The proposal would provide a net addition of 3847sqm which will assist in meeting the quantitative demand. In addition office demand has focused on new and good second hand space and the ELR notes that older stock is not in as high demand. The new office building would therefore go to meeting qualitative demand.

Flooding

Sequential Assessment

- 6.6 The application sites is located within the 1% Annual Exceedance Probability (AEP) (1 in 100 year) plus 20% allowance for climate change flood extent. This is classified by the National

Planning Policy Framework (NPPF) and the associated National Planning Policy Guidance (NPPG) as flood zone 3 and as having a 'high probability' of flooding from rivers. National planning policy seeks to direct development to the lowest risk areas of flooding first, before considering land in the medium (FZ2) and high (FZ3) probability of flooding classifications. A sequential assessment for the site shows that no available sites have been identified within Flood Zone 1 and 2 that could accommodate the proposal within the Borough. The sequential assessment also notes that the NPPG, Table 3: 'flood risk vulnerability and flood zone compatibility' confirms that offices fall into the 'less vulnerable' category and so this development is not considered inappropriate in this flood zone. The proposal is considered to pass the sequential test.

Flood Risk

- 6.7 The application includes a Flood Risk Assessment (FRA) to demonstrate that the proposed development does not increase flood risk elsewhere and is safe over its lifetime. In this case there will be an increase in the amount of built form compared to the existing situation and the applicant proposes flood compensation. Level for level floodplain compensation is the preferred method of mitigation and it requires land on the edge of the floodplain and above the 1% AEP plus 20% allowance for climate change flood extent to be achievable. The site of the proposed development is fully located within the 1% AEP plus 20% allowance for climate change flood extent. It is therefore considered volumetric compensation to be acceptable. The volume of floodplain storage gained by the scheme is greater than the volume lost by the increase in built footprint caused by the development consequently there will be no increase in flood risk to the surrounding area. In terms of the development being safe over its lifetime flood risk arises from water entering the site from the south. The modelling data in the submitted Flood Risk Assessment shows that if flooding occurs it will therefore occur slowly and with several days' notice. The modelling also shows that the site is not at risk of flooding in an event less extreme than 1 in 50, while the building floor level and utilities will be resilient or above flood level even in an extreme 1 in 100 year event with climate change allowance (in excess of the 60 year lifetime of a commercial development). A number of sustainability measures have also been considered and incorporated into the design of development, which would improve the Borough's stock of sustainable office development.
- 6.8 The Environment Agency raises no objections subject to condition 22 requiring that the approved development is carried out in accordance with the approved FRA including the mitigation measures detailed within the FRA prior to occupation.

Sustainable Drainage

- 6.9 A Ministerial Statement from December 2014 confirms the Government's commitment to protecting people from flood risk. This Statement was as a result of an independent review into the causes of the 2007 floods which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of 'flash flooding'. Such flooding occurs when rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface. Since April 2015 Local Planning Authorities have assumed responsibility for SuDS. A Drainage Design Report has been submitted and the details within are considered adequate, meeting the national technical standards, and the Local Lead Flood Authority has raised no objection on this basis. Condition 19 is recommended to secure the approved SuDS and future management to accord with paragraph 103 of the NPPF.

Impact on the character of the area

- 6.10 The NPPF states that the government attaches great importance to the design of the built environment as good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Local Plan policy E10 states that in considering planning applications for business development the Local Planning Authority should have regard to the layout of the site, the design, scale and materials of the building should be appropriate for the area in which they are located, and should not result in an undesirable intensification. DG1 states that the design of new buildings should be compatible

with the scale, height, lines and materials of adjacent properties, where appropriate should include landscaping schemes, and harm should not be caused to the character of the surrounding area through development which is cramped or which result in the loss of important features that contribute positively to the area.

- 6.11 The proposed offices would be arranged over three floors within 2 wings (east and west) off a central atrium. The atrium will be approximately 15m in height and the 2 wings would be approximately 13m in height. The west wing would be approximately 47 in length and 18 wide, while the east wing would measure approximately 41m in length and 18m in width. The west, east and north of the building will have a predominately glazed curtain wall with clear glass. The blank parts of the west, east and north elevations will be constructed of silver anodized aluminium louvers and ceramic tile rain screen panelling finished in a deep blue colour. The south elevation will be glazed to the atrium with the wings of the building having blank facades of ceramic tiles cladding in a deep blue accented with a vertical cream 'coach lines'.
- 6.12 Beyond the northern and eastern boundary of the site is countryside that forms part of the Green Belt. The existing belt of trees some 10m deep just beyond the northern boundary of the application site contributes to the undeveloped 'soft' edge of the settlement which is characteristic to both sides of Lower Cookham Road and the rural character of the Green Belt in general. The west wing of the proposed building would be sited further west and to the south compared to the existing building, and would be visible through the thinner parts of the tree belt, but it is not considered to be overly prominent or intrusive when viewed from Lower Cookham Road as the trees act as a significant barrier to views from this vantage point. Control of any artificial lighting emitting from the predominately glazed building can be controlled by condition 13 to ensure no light pollution and thereby visual intrusion in this respect. The development would also be screened from the Thames footpath to the east of the site by a dense belt of trees. On higher land above the Thames the building would be visible from the woodland, which lies within the grounds of the Cliveden Estate, but at a distance and it would be seen in the foreground of the Hitachi building. In addition, there is an opportunity to plant a hedge and native trees along the eastern boundary, which would enhance the parkland setting. These factors are considered to weigh in favour of the replacement development and can be secured by condition 5.
- 6.13 The footprint of the building is considered to be proportionate to the plot and therefore would not be cramped within the site. In addition to the demolition of the unsightly clutter of plant spaces and stables on the northern boundary the outlook into the site from the Green Belt will be greatly enhanced, opening even greater space around the building from within the site. In general the design and materials are conventional for an office building and therefore not considered overly incongruous.
- 6.14 Overall, the proposal is not considered to harm the visual amenities of the adjoining, undeveloped countryside or result in overdevelopment. The proposal therefore accords with the NPPF and policies E10 and DG1 of the Local Plan.

Impact upon neighbouring properties

- 6.15 Core principle 4 of the NPPF seeks to ensure that development achieves a good standard of amenity for existing and future occupants of land and buildings. Local Plan policy E10 states that the layout of sites and the design and scale of any building should not be unneighbourly. It is considered that the proposal complies with this policy in relation to the nearest neighbouring properties at no. 4 and 5 Islet Park Drive.
- 6.16 The nearest parts of the building to these neighbouring properties are the atrium and east wing. The atrium is fully glazed but given the separation distance of approximately 45m to the rear facing windows and 20m distance to the rear boundary of these neighbouring properties, together with the oblique angle, it is considered that there will be no unreasonable level of overlooking. The south elevation of the east wing, which faces these neighbours, would be blank with plant rooms behind the wall. However, it is recommended that rights to inset windows be removed by condition 17. The top floor of the eastern wing of the building has also been moved backwards in part from a perpendicular position by 13.5 degrees so that the outlook for future office workers will be north easterly and away from the properties on Islet Park Drive.

- 6.17 The nearest part of the building is 13m in height and given the separation distance from the properties on Islet Park Drive, is not considered to result in any unreasonable loss of light or visual intrusion.
- 6.18 External lighting can be controlled through condition 12 of any planning permission.

Highway matters

- 6.19 Comments from the Local Highway Authority are still pending and any comments received shall be reported in an update. Vehicles would enter and exit the site via an existing access off Lower Cookham Road and through the Hitachi car park. Car parking is provided at a ratio of 1 space per 35 m² of floor space totalling 223 spaces with 11 allocated disabled parking spaces located immediately outside the main entrance. 60 cycle parking are provided immediately within the entrance gate, at a ratio of 1 space per 10 employees.
- 6.20 The layout of the internal access road, the size of the car parking bays, the reversing distance for cars from the parking spaces is considered acceptable. In terms of the main access from Whitebrook Business Park onto the A4094 the visibility splays are adequate. Condition 26 is recommended so that the part of the access road in the southern part of the site shown to be restricted for emergency and service vehicle access is only used and retained for such. The total number of car parking spaces is 202, which equates to 1 space per 37sqm of office floorspace. This meets the maximum level recommended for this site, which is located in an area of poor accessibility according to the Council's Parking Strategy. A total of 11 of the 202 spaces will be for disabled persons, which is to the required standard. It is recommended that the level of car parking be reduced by 5% over 4 years from first occupation and that land be landscaped and the landscaping retained in perpetuity to encourage sustainable travel methods, which can be secured by condition 25. A total number of 10 motorcycle parking spaces and 60 cycle parking spaces are proposed, which are considered acceptable and can be secured with condition 24.

Other Material Considerations

Ecology

- 6.21 Ecology surveys had been undertaken at this site in 2009 and 2012 in support of the two previous applications. In 2009 a bat survey did not reveal any bats emerging or returning to roosts at the site. An updated bat survey in 2012 recorded Soprano Pipistrelle bats emerging from building B1b confirming roosts within the building. During an inspection survey undertaken in 2015 it was concluded that the building supported bat roosts and emergence survey was recommended within the ecologists report to update the 2012 surveys, to be carried out between April and September inclusive. It is recommended that this survey is undertaken prior to a decision to ensure compensatory roosts of sufficient size and appropriate to the species can be accommodated at the site within the proposed development. There are no objections to the scheme in relation to breeding birds, badgers and bio-diversity enhancements.

Trees

- 6.22 There are a number of trees on site. A revised tree protection plan is required to take into account changes in tree condition and to accord with the revised BS5837. An arboriculture method statement including tree retention and protection plan, and landscaping scheme should be secured by condition 5, 6, 20 and 21.

Archaeology

- 6.23 The application site covers approximately 1.2ha which has large areas of undeveloped land within it. It also lies within an area of archaeological potential. The proposed development will provide for works that would impact on currently undeveloped areas of the site that have the potential to contain buried archaeological remains. It is considered that these impacts can be mitigated by an appropriate programme of archaeological work. In view of the previous impacts on parts of the site, such work can be achieved post-determination should the scheme be permitted. This is in accordance with Paragraph 141 of the NPPF which states that local planning

authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. Condition 9 is therefore recommended.

Sustainable design and construction

6.24 The Council has an adopted 'Sustainable Design and Construction' Supplementary Planning Document which seeks to improve the sustainability performance of buildings and spaces through their construction and subsequent use and is a material consideration in the assessment. The SPD makes clear that applications submitted without any evidence of how issues of sustainability have been considered and appropriate actions taken risk being refused. The submitted Sustainability and Energy Report outlines that how sustainable design measures have been considered and incorporated into the development and compliance can be secured by condition 11.

S106 Deed of Variation

6.25 The original planning permission and the 2013 renewal were granted subject to a S106 legal agreement securing contributions towards highways/public transport, leisure, public art / heritage, economic development, air quality and securing a Public Footpath Creation Agreement between the Council and adjacent landowners for the missing link of the footpath between Lower Cookham Road and the Thames Path National Trail. The applicant has confirmed that they are willing to undertake a deed of variation in this respect.

Contaminated Land

6.26 The site lies within an area of contaminated land. To comply with policy NAP3 it is recommended that condition 16 is attached to any permission including the submission and approval of a scheme of remediation and its implementation, including the reporting of unexpected contamination and long term monitoring and maintenance.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

21 occupiers were notified directly of the application. The application was advertised in the Maidenhead & Windsor Advertiser on 10.12.2015. The planning officer posted a statutory notice advertising the application at the site on 22.12.2015.

1 letter were received supporting the application, summarised as:

	Comment	Where in the report this is considered
1.	East Berks Ramblers supports the proposal on the basis of the proposed improvements of a public right of way along the northern boundary of the site, linking Lower Cookham Road to the Thames Path.	Para. 6.25

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Berkshire Archaeology	No objection subject to conditions.	Para. 6.23
Environmental Protection	No objection subject to condition.	Para. 6.26

Ecology	<p>Bats - Without further information on the population of bats on site that it is possible to accommodate compensatory roosts of sufficient size and appropriate for the species at the site within the proposed development. Further information, which should include up-to-date dusk emergence and dawn return to roost surveys on the buildings within the site, should be provided to the Local Planning Authority prior to the determination of this application. The surveys should be undertaken at the appropriate time of year. In addition, details of a suitable mitigation strategy should also be provided.</p> <p>Badgers – The setts were re-surveyed in 2015 and were recorded as being disused. The applicant’s ecologist has recommended that the setts should be re-surveyed prior to construction commencing, which can be secured by condition.</p> <p>Breeding Birds - The trees, shrubs and hedgerows on site have the potential to support breeding birds. The applicant’s ecologist has provided information with regards to timing of vegetation removal and protective measures with regards to breeding birds, which should be secured by condition.</p> <p>Bio-diversity – the application presents opportunities to incorporate features which would be beneficial to wildlife, which can be secured by condition.</p>	Para. 6.21
Environment Agency	No objection subject to conditions	Para. 6.7 – 6.8
Arboriculture Officer	It is likely that there would be no objections but an up-to-date tree survey and tree protection plan would need to be submitted, along with indicative planting, so as to take into account any changes in tree condition and to accord with the revised BS5837. Conditions applied under 09/02484 in relation to trees and landscaping would need to be revised in relation to the revised BS5837.	Para. 6.22

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Floor Plans
- Appendix C – Proposed Elevations

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have not been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been 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 - Local Plan DG1
- 3 The development shall be carried out and maintained in accordance with the details of slab levels as shown on drawing no. PL_015 Rev B; PL_016 Rev A; PL_020 Rev A; and, PL_021 Rev A.
Reason: In the interests of the character and appearance of the area, and to prevent an increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. . Relevant Policy - Local Plan DG1 and F1
- 4 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the approved scheme.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 5 No development shall take place until full details of soft landscape works, including a hedge and native trees along the eastern boundary, 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.
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.
- 6 No development shall take place until a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years have been submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping within and outside of the application site, and shall be implemented as approved.
Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Polices - Local Plan DG1.
- 7 If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan or longer if agreed in the Landscape Management Plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written approval to any variation.
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
- 8 Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected on the east facing boundary of the application site without planning permission having first been obtained from the Local Planning Authority.
Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area. Relevant Policies - Local Plan DG1 and GB2.
- 9 No development shall take place, other than demolition to ground level, until the applicant or

their agents or successors in title have secured the implementation of a programme of archaeological work, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.

Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric and Roman settlement and land use of this part of the Thames Valley. The potential impacts can be mitigated by a programme of archaeological work in accordance with national and local planning policy. Berkshire Archaeology would be pleased to discuss an appropriate programme of archaeological work with the applicant or their archaeological consultant. It is likely that an initial phase of exploratory investigation will be required to establish the archaeological potential of the site and to enable an informed mitigation strategy to be agreed. This may involve a further phase of investigation prior to the commencement of development. The applicant is therefore advised to provide for such an eventuality in their programme and to seek appropriate advice on the potential duration and resources required

- 10 No development, including any demolition works, shall take place until a Site Waste Management Plan confirming how any demolition and construction waste arising from the development will be recovered and reused on the site or on other sites, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plan.
Reason: To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with Requirement 11 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
- 11 The development shall be carried out and maintained to achieve a reduction in its annual energy demand and Carbon Dioxide emissions through the use of low and zero carbon technologies as specified in the 'Planning Sustainability Report and Energy Statement' by MTT/Sustain dated 17.11. 2015.
Reason: To ensure that the development would include a reduction in energy demand and to comply with Requirements 2 and 3 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
- 12 No external lighting shall be installed on the building or within the site unless it is in accordance with details which have been submitted to and approved in writing by the Local Planning Authority; such details shall include location, height and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior approval in writing of the Local Planning Authority.
Reason: To prevent light pollution of the surrounding area and to protect the character and appearance of the adjoining Green Belt. Relevant Policy - Local Plan Policy E10 and GB2.
- 13 A motorised blind shall be installed and maintained to screen the top floor of the northern facing elevation of the building and shall be under control of a light sensor that will close when ambient external light levels drop at dusk and will not permit the blind to open until ambient light levels rise at dawn.
Reason: To protect the character and appearance of the adjoining Green Belt. Relevant Policies - Local Plan E10 and GB2.
- 14 The noise levels on the southern boundary of the site and the boundaries with nos 4 and 5 Islet Park Drive shall not at any time as a result of this development exceed Laeq 55dBA when measured over any 15 minute period.
Reason: To protect the amenities of the area. Relevant Policy Local Plan NAP3.
- 15 Details, including acoustic specifications, of all plant associated with air moving equipment, compressors, generators or plant or equipment of a like kind to be installed within the site, shall be submitted to and approved by the Local Planning Authority before installation.
Reason: To protect the residential amenities of the area. Relevant Policy Local Plan E10 and NAP3.
- 16 Unless otherwise agreed by the Local Planning Authority, development other than that required

to be carried out as part of an approved scheme of remediation must not commence until requirement 27 to 30 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until requirement 30 has been complied with in relation to that contamination.

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

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

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

28. A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
29. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

30. In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of requirement 27, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of requirement 28, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with requirement 29.

31. A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same shall be submitted to the Local Planning Authority for written approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and

maintenance carried out must be produced and submitted to the Local Planning Authority.

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

Reason: For requirement 26 to 31: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.

- 17 Notwithstanding the provisions of Section 55 of The Town and Country Planning Act 1990 (as amended), no window or opening, other than those shown on the approved drawings shall be inserted in the south-facing elevation of the east wing at first floor level or above.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policy: Local Plan - E10.
- 18 The flat roof area of the building hereby approved shall not be used as a balcony, roof garden or similar amenity area without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy in the interests of the residential amenities of the neighbouring properties. Relevant Policy: Local Plan - E10.
- 19 The development shall be carried out and maintained as specified in 'Surface Water Drainage Design Report' by Reuby and Stagg Ltd dated 20.11.2015 including the maintenance arrangements of proposed drainage system which shall be followed throughout the lifetime of the development.
Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with the National Planning Policy Framework. (NPPF)
- 20 With regard to the protection of trees to be retained on the site: a) No development or other operation (including site clearance) shall commence on the site until a scheme (herein called the Approved Arboricultural Method Statement) that provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including details of arboricultural supervision during construction works, has been submitted to, and approved in writing by, the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme. b) No operations shall commence on site in connection with development hereby approved (including any tree felling, tree pruning, demolition works, soil moving or any other operation involving the use of motorised vehicles or construction machinery) until the tree protection works required by the Approved Arboricultural Method Statement are in place on site. c) The fencing or other works which are part of the approved scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the local planning authority has first been sought and obtained.
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies: Local Plan - DG1, N6.
- 21 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 5837. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.
Reason: In the interests of the visual amenities of the area. Relevant Policies: Local Plan - DG1, GB2, N6.
- 22 The development permitted by this planning application shall be carried out in accordance with

the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA: 145 metres cubes of compensatory flood plain storage will be provided as shown in drawing reference: SK-02 dated 6 November 2015 included in Appendix 2 of the FRA, and finished floor levels will be set at least 300 millimetres (mm) above 1% Annual Exceedence Probability (AEP) plus 20% allowance for climate change flood extent. The mitigation measure(s) shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure that the proposed development does not increase flood risk onsite or elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants. This is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and saved policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted 2003).

- 23 No development shall take place until a Construction 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 has been 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 Policy: Local Plan - T5.
- 24 No part of the development shall be occupied until covered and secure cycle parking 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 thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies: Local Plan - T7, DG1.
- 25 The number of car parking spaces shall be reduced to 190 by the end of the third year following first occupation of the office and the land used for car parking that is surrendered shall be landscaped in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented within the first planting season following approval of the landscaping details.
Reason: To encourage alternative modes of travel to and from the site and in the interests of air quality. Relevant Policies: Local Plan - NAP3, T7(5) and Section 4 of the NPPF - Promoting Sustainable Transport (March 2012).
- 26 The part of the access road in the southern part of the site shown to be restricted for emergency and service vehicle access purposes shall only be used and retained as such in accordance with the approved drawings.
Reason: To protect the amenities of adjoining occupiers. Relevant Policies: Local Plan - E10, NAP3.
- 27 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.