

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

DEVELOPMENT CONTROL PANEL

5 October 2023

Item: 1.

Application No.:	23/00582/REM
Location:	Land Adjacent The Hatch And South of Maidenhead Road And North of Windsor Road Water Oakley Windsor
Proposal:	Reserved matters (Appearance, Landscaping, Layout and Scale) pursuant to outline planning permission 22/00934/OUT for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.
Applicant:	Mr Merchant
Agent:	Mr Philip Allin
Parish/Ward:	Bray Parish/Clewer And Dedworth West
If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk	

1. SUMMARY

- 1.1. The application site comprises the northern portion of an allocated site for housing (AL21) under the adopted Borough Local Plan 2013-2033 (BLP). Upon adoption of the BLP, the Green Belt boundaries of the site have been redrawn and the site no longer falls within the Green Belt designation, as set out in the supporting proposals map.
- 1.2. This application is made for reserved matters following the approval of outline application ref. 22/00934/OUT. The outline application related to access only. The principle of the proposed development was also considered at the time of the outline application and was deemed to satisfy the context of the AL21 Site Allocation within the BLP.
- 1.3. The current reserved matters application relates to appearance, layout, scale and landscaping at the application site. It is noted that a Design Code and a set of parameter plans contained in the Design and Access Statement under the outline stage have been approved and conditions 4 and 5 of the outline planning permission 22/00934/OUT requires that any reserved matters application shall be submitted in general accordance with the approved details. On 28 October 2021, the Cabinet also approved the Land West of Windsor Stakeholder Masterplan Document (SMD), and it is now one of the material considerations for development management purposes.
- 1.4. The proposed development is seeking to construct 135 residential units, of which 40% would be affordable and 5% of market housing units would be fully serviced custom and self-build plots, which have been secured by the S106 planning obligation under the extant outline planning permission ref. 22/00934/OUT, together with an appropriate tenure mix and securing a Registered Provider for the affordable housing in order to ensure that proposal delivers an appropriate mix of affordable housing in line with the requirements of the BLP.

- 1.5. The Report sets out the relevant Development Plan, other relevant Policies and Guidance and other material planning considerations relevant to this planning application. The Report also sets out matters which have been identified to depart from the Development Plan and where appropriate have been justified by way of other material considerations.
- 1.6. Therefore, the Officer's recommendation is to approve subject to the matters set out below:

It is recommended the Committee authorises the Head of Planning:	
1.	To grant planning permission subject to the conditions as listed in Section 14 of this report.

2. REASON FOR COMMITTEE DETERMINATION

- 2.1. The Committee resolved that all of the reserved matters applications pursuant to the outline permission 22/00934/OUT be brought back to the Committee for determination at the Windsor and Ascot Development Management Committee meeting on 2 November 2022.

3. THE SITE AND ITS SURROUNDINGS

- 3.1. The application site comprises an area of pastureland bound to the north by Maidenhead Road, the south by the A308 and existing residential areas to both the east and west (The Willows and The Hatch).
- 3.2. The site has a total area of 13.4 acres (5.4 ha) which is largely within Flood Zone 1, with areas to the north-west of the site located within Flood Zone 2. Immediately to the eastern edge of the site is the non-designated heritage asset of the garden wall to The Willows Estate, with buildings associated with the Willows Estate beyond.
- 3.3. The application site, along with land to the south of the A308 (assessed under application ref. 22/01354/OUT) forms part of the AL21, Land west of Windsor, north and south of the A308 Site Allocation within the BLP.

4. KEY CONSTRAINTS

- 4.1. The key site designations and constraints are listed below:
- BLP Site Allocation AL21 Land west of Windsor, north and south of the A308; and,
 - Part of the northwest of the site is located within Flood Zone 2
 - Immediately adjacent to a number of non-designated heritage assets within Willow Estate

5. THE PROPOSAL

- 5.1. This application seeks reserved matters permission for appearance, landscaping, layout and scale for the following development at the site:

- Erection of 135 new residential dwellings, of which 40% would be affordable and 5% would be self and custom-build plots (fully serviced);
- Provision a wide range of open spaces within the site, including open spaces, allotment area, and two Local Areas of Play (LAPs);
- Provision of car and cycle parking, footpath and cycle connections.
- Two accesses onto Maidenhead Road and other highways improvement works on A308 Windsor Road; and
- Retention of 1 metre buffer between the eastern boundary of the site and the non-designated boundary wall of Willow Estate.

6. RELEVANT PLANNING HISTORY

Ref.	Description of Development	Decision and Date
22/00934/OUT	Outline application for access only to be considered at this stage with all other matters to be reserved for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	Permitted – 17 November 2022
23/00745/CONDIT	Details required by Condition 13 (Landscape And Ecological Management Plan) of planning permission 22/00934/OUT for an outline application for access only to be considered at this stage with all other matters to be reserved for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	Pending decision by the time of writing thus report.
23/00744/CONDIT	Details required by Condition 12 (Biodiversity CEMP) of planning permission 22/00934/OUT for an outline application for access only to be considered at this stage with all other matters to be reserved for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	Pending decision by the time of writing thus report.
23/00891/CONDIT	Details required by Condition 17 (Archaeological Works) and Condition 24 (boundary wall) of planning permission 22/00934/OUT for an outline application for access only to be considered at this stage with all other matters to be reserved for the	Pending decision by the time of writing thus report.

	erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	
23/01238/CONDIT	Details required by Condition 23 (Travel Plan) of Planning Permission 22/00934 for Outline application for access only to be considered at this stage with all other matters to be reserved for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	Pending decision by the time of writing thus report.
23/01564/CONDIT	Details required by Condition 16 (Noise study) of Planning Permission 22/00934 for Outline application for access only to be considered at this stage with all other matters to be reserved for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	Pending decision by the time of writing thus report.
23/01565/CONDIT	Details required by Conditions 11 (Biodiversity Enhancements), 18 (Contamination) and 25 (External lighting) of Planning Permission 22/00934 for Outline application for access only to be considered at this stage with all other matters to be reserved for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road.	Pending decision by the time of writing thus report.

- 6.1. Together with application ref. 22/01354/OUT which relates to the southern portion of the AL21 Site Allocation, a Stakeholder Masterplan document (SMD) for the whole site was approved by Cabinet on the 28 October 2021. At the time of submission, the two applications had been coordinated in order to ensure that a comprehensive development of the wider site allocation can be delivered; however, the two applications are separate and can be implemented and function so. Outline planning permission (22/01354/OUT) for the southern portion of the AL21 Site Allocation was granted in June 2023.

7. DEVELOPMENT PLAN

7.1. The main relevant policies are:

Adopted Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3a
Housing Development Sites	HO1
Housing Mix and Type	HO2
Affordable Housing	HO3
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Artificial Light Pollution	EP3
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2
Open Space	IF4
Rights of Way and Access to the Countryside	IF5
Utilities	IF7

7.2 As noted above the site falls within the wider AL21 Site Allocation and as such additional reference is made to Policy HO1 and the associated AL21 Site Proforma in section 10.4 of the BLP.

Adopted Bray Parish Neighbourhood Plan 2016-2030

Issue	Neighbourhood Plan Policy
Bray Green Gap	GG1
Development Brief and Statement of Community Consultation	BE1

Multiple Dwelling – Housing Assessment Criteria	BE3
Transport Assessment/Transport Statement	BE4 (A)
Residential Development and Enhanced Public Transport	BE4(B)
New Developments and Public Rights of Way	BE4(C)

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting Sustainable Transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide
- Sustainable Design and Construction SPD
- Planning Obligation and Developer Contributions SPD

Other Local Strategies or Publications

- RBWM Parking Strategy
- RBWM Waste Management Planning Advice Note
- RBWM Highway Design Guide & Parking Strategy 2004
- RBWM Interim Sustainability Position Statement
- RBWM Corporate Strategy
- RBWM Environment and Climate Strategy
- Berkshire Strategic Housing Market Assessment (SHMA) 2016
- DLUHC Technical housing standards – nationally described space standard 2015
- Land West of Windsor Stakeholder Masterplan Document (SMD) October 2021

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1. The planning officer posted a site notice advertising the application at the site on 12.04.2023 and the application was advertised in the Local Press on 16.03.2023.
- 9.2. 51 households were notified directly, and 26 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
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1	Concerns over the scale and density of the proposed development.	Section 10v
2	Concerns over the preservation of the heritage assets of the location.	Section 10vi
3	Concerns over the absence of a green corridor/adequate buffer between the wall of the old Willows estate and the proposed buildings along the eastern boundary of the site.	Section 10vi
4	Concerns over the loss of privacy of neighbouring properties	Section 10vii
5	Concerns over the lack of buffer or protection along the Hatch boundary (i.e., plot 9 to 20) along western boundary of the site.	Section 10vii
6	Concerns over the increased traffic generation on the Maidenhead Road.	Section 10viii
7	Concerns over parking issues	Section 10viii
8	Concerns over the impacts to the local wildlife.	Section 10ix
9	Concerns over the ignorance of all existing trees along the western boundary of the site.	Section 10x
10	The proposed development should provide a proper fire access to the properties at the adjacent Willow Estate, which currently the existing access at the Estate does not accord with the relevant standard.	It is not a material consideration of this planning application.
11	The proposed development will have an adverse impact to the Green Belt.	The site is not within the Green Belt and is allocated for development within the Borough Local Plan 2013-2023.

Statutory Consultees

Consultees	Comments	Where in the report this is considered
Environment Agency	No comments to make.	Noted.
Natural England	No comments to make.	Noted.
RBWM Local Lead Flood Authority (LLFA)	No comments received.	Noted.

Consultees

Consultees	Comments	Where in the report this is considered
RBWM Highways	No objection subject to recommended conditions.	Section 10viii

RBWM Environmental Protection	No objection subject to recommended conditions.	Section 10xii
RBWM Ecology	No objection subject to recommended condition	Section 10ix
RBWM Housing	No objection.	Section 10iii and iv
RBWM Conservation	No objection in principle to the proposed development. While condition 24 of the extant outline planning permission 22/00934/OUT requires the existing condition of the wall to be recorded and to be retained. Any repair works or maintenance of the wall shall be paid for an undertaken by the developer and other owners, where appropriate.	Section 10
Berkshire Archaeology	No response as the trenching cannot take place until the woodland is removed at the southwestern section of the site.	Section 10vi
Naturespace Partnership	The great crested newt surveys are over 18 months old. Follow-up surveys may be required.	Section 10ix
Royal Berkshire Fire and Rescue Service	No comments to make	Noted.

Others (e.g., Parish and Amenity Groups)

Groups	Comments	Where in the report this is considered
Bray Parish Council	Objecting to the proposed development as it considers there to be insufficient parking, especially around the flats, and there are concerns on the safety of the proposed crossings on Windsor Road A308, a footbridge would be more suitable. Also, there is insufficient provision for cycle storage. Concerns over the impact of this application on the Willows heritage wall on the Eastern boundary, noting residents' proposals concerning the repositioning of allotments and self-build plots to allow this feature to be more visible and protected. There are concerns that the parameter plan shows	Section 10

	<p>increased density over the prior application (Wates), particularly on the Eastern boundary, which impacts on the site's feeling of openness.</p> <p>The lack of a regular bus service will contribute to the increase in traffic joining the Windsor Road/Maidenhead Road A308 and that this in turn will impact on air quality around the junction.</p>	
<p>Oakley Green, Fifield and District Community Association Limited</p>	<p>Objecting to the proposed development as there is concern over the density and the proposed block of flats is too high and incongruous against neighbouring properties.</p> <p>There is also concern over parking and the proposed pedestrian crossings.</p>	<p>Section 10</p>
<p>The Windsor and Eton Society</p>	<p>Objecting to the proposed development as the proposed development has no unique sense of place relevant to the town to which this is a major westward extension.</p> <p>There is also concern over the layout of the proposed development as the social housing is in segregated rows, mainly on the edges of the development but not distributed throughout.</p> <p>The proposed small houses with small rear gardens along the eastern boundary will have an impact to the amenity of the Willows residents. The proposed front parking arrangement would also dominate the street scene.</p> <p>There is also concern over the absence of any private outdoor spaces provided for any upper flats and there is limited outdoor space for the ground floor flats of the apartment building.</p>	<p>Section 10</p>

	<p>There is concern over the inadequate provision of cycle parking.</p> <p>There is also concern over the access to the open space at the western end of the site.</p>	
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10. EXPLANATION OF RECOMMENDATION

10.1. The key issues for consideration are:

- i) Principle of Development
- ii) Climate Change and Sustainability
- iii) Housing Provision and Quality
- iv) Affordable Housing
- v) Design and Character
- vi) Impact on the setting of Heritage Assets
- vii) Impact on Neighbouring Amenity
- viii) Highways and Parking
- ix) Ecology and Biodiversity
- x) Trees
- xi) Flood Risk and Sustainable Drainage
- xii) Environmental Health

i) Principle of Development

10.2. A reserved matters application deals with the outstanding details of an outline application proposal. In this case, these matters are appearance, landscaping, layout, and scale. The details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission.

10.3. An outline planning permission for access only was granted for the erection of up to 135 new dwellings, areas of public open space including play spaces and pocket allotments, together with associated landscaping, car parking, footpath/ cycle connections and vehicular access onto Maidenhead Road under planning application 22/00924/OUT. The principle of development of the proposed development has already been established and accepted at the outline stage.

10.4. The Borough Local Plan 2013-2033 (BLP) identifies the wider AL21 Site Allocation as appropriate for residential development, subject to site specific requirements. The list of requirements is set out within the BLP and their adherence to this should be demonstrated by the proposed development at the site. The following table lists out the site-specific requirements of the AL21 site allocation:

Site Specific Requirements
<p>1. Retain the hidden nature of the site in the landscape through retention and reinforcement of existing tree belts and hedgerows along roads (especially the A308 Windsor Road) and by retaining low building heights that are reflective of local contextual heights</p>

2. Be highly connected with surrounding streets, public rights of way and public transport corridors to ensure that the development integrates into the Windsor urban area
3. Provide a highly permeable layout within the site focused on the strategic public open space
4. Provide pedestrian and cycle links through the site and into surrounding streets and rights of way to improve connectivity
5. Enhance existing pedestrian and cycle links towards Maidenhead and Windsor
6. Ensure that the development is well served by public bus routes/demand responsive transport/other innovative public transport solutions, with appropriate provision for new bus stop infrastructure, such that the bus is an attractive alternative to the private car for local journeys, including to local railway stations
7. Develop and implement a robust residential Travel Plan to manage travel to and from the site and reduce instances of single-occupancy car trips, including a car club for residents
8. Provide a strong high quality green and blue infrastructure network across both elements of the site that uses existing trees, water courses and landscaping elements as its base framework. The Green infrastructure network will need to support enhanced biodiversity, recreation, food production and leisure functions
9. Ensure the strategic public open space is of very high design quality and is located in the southern parcel of the site with the community hub and educational facilities located near to or fronting the space
10. Retain valuable trees at site boundaries
11. Be of very high-quality design that respects the framework of trees and hedgerows in and around the site
12. Provide a series of character areas across the site, each focused on an element of the green and blue infrastructure network
13. Provide 40% affordable housing
14. Provide family housing with gardens
15. Provide 5% of market housing units as custom and self-build plots (fully serviced)
16. Conserve, or preferably enhance, the Grade II* Listed The Old Farmhouse and its setting
17. Consider and avoid or, where necessary, mitigate potential disturbance impacts on the users of the Cardinal Clinic
18. Ensure appropriate edge treatments and transition to the countryside
19. Provide allotments or community garden/orchards by accommodating these uses on areas of best and most versatile land where practical, subject to wider site layout and design considerations
20. Consider flood risk as part of a Flood Risk Assessment as the site is partially located within Flood Zone 2 and 3 and larger than one hectare. This will need to demonstrate that the exception test can be passed and that a safe evacuation route can be provided
21. Demonstrate the sustainable management of surface water runoff through the use of Sustainable Drainage Systems (SuDS) in line with policy and best practice; any proposed surface water discharge must be limited to greenfield runoff rates
22. Provide appropriate mitigation measures to address the impacts of noise and air pollution to protect residential amenity.

ii) Climate Change and Sustainability

- 10.5. The Climate Change Act 2008 (CCA 2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.

Paragraph 152 of the National Planning Policy Framework (NPPF) states that the planning system should support the transition to a low-carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimising vulnerability and improving resistance, and supporting renewable and low-carbon energy and associated infrastructure. The Royal Borough of Windsor and Maidenhead declared a climate emergency in June 2019, and the Council intends to implement a national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.

- 10.6. Policy SP2 of the BLP sets out that all developments will demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. Policy SP2 sets out that applicants should refer to the adopted Sustainable Design and Construction Supplementary Planning Document (SPD), the Borough Wide Design Guide SPD and the Council's Environment and Climate Strategy 2020-2025 or successor documents for further guidance.
- 10.7. In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency and it is a material consideration in determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.
- 10.8. While a Sustainability SPD will be produced, the changes to national and local climate policy are material considerations that should be considered in the handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters. According to the ISPS, all development should be net-zero carbon unless it is demonstrated this would not be feasible.
- 10.9. An energy and sustainability statement, which is prepared by AES Sustainability Consultants Ltd, on behalf of the applicant, are provided to support this application. The sustainability measures set out in the Statement accord with the requirements of the Interim Sustainability Position Statement. As a whole, the development can achieve a 75.83% reduction in CO2 emissions.
- 10.10. The applicant's sustainability statement also identifies a number of renewable or low carbon energy systems which are considered to be feasible, including solar photovoltaic (PV), hot water heat pumps and air source heat pumps. All proposed houses will incorporate air source heat pumps and all apartment units will incorporate hot water heat pumps to ensure that the proposed development can meet the requirements of the ISPS. Details of the installation and location of the proposed PV should be provided to support the application. However, it is considered that such details can be secured by a planning condition.
- 10.11. Whilst this would represent a considerable reduction in the potential CO2 emitted from the site, the proposal does not achieve net zero. As such, it is reasonable for the Local Planning Authority to achieve the remainder by Building Emissions and Lifestyle contributions. These contributions have been secured by the planning obligation of the outline planning permission (22/00934/OUT).

iii) Housing Provision and Quality

Housing Mix

- 10.12. Policy HO2 of the Borough Local Plan 2013-BLP sets out that the provision of new homes should contribute to meeting the needs of current and projected households by having regard to the principles set out in the Policy, including the provision of an appropriate mix of dwelling types and sizes, reflecting the most up to date evidence as set out in the 2016 Berkshire Strategic Housing Market Assessment (SHMA). Where evidence of local circumstances/market conditions demonstrate an alternative housing mix would be more appropriate, this will be considered.
- 10.13. Supporting paragraph 7.5.3 of Policy HO2 sets out that the 2016 SHMA identified a need for a focus on 2- and 3-bed properties in the market housing sector and 1-bed units in the affordable sector. Paragraph 7.5.4 continues to set out that a Borough-wide housing mix target set out in the 2016 SHMA should be a starting point when bring forward proposals for individual sites. Point 14 of the AL21 allocation proforma sets out that the development should provide family housing with gardens.
- 10.14. The Housing Size Mix by tenure set out in the 2016 SHMA is as follows:

	1-bed	2-bed	3-bed	4+ bed
Market	5-10%	25-30%	40-45%	20-25%
Affordable	35-40%	25-30%	25-30%	5-10%
All dwellings	15%	30%	35%	20%

- 10.15. The proposed development will provide 135 dwellings and the proposed housing mix is set out below:

	1-bed	2-bed	3-bed	4-bed	5-bed
Market	0	6 (7.41%)	28 (34.57%)	19 (23.46%)	28 (34.56%)
Affordable	8 (14.81%)	26 (48.15%)	18 (33.33%)	2 (3.70%)	0
All dwellings	8 (5.93%)	32 (23.70%)	46 (34.70%)	21(15.56%)	28 20.74%)

- 10.16. From the table above, the total housing mix is generally in accordance with the 2016 SHMA housing mix target. The provision of 4+ bed properties (i.e., 36% of the total number of units to be provided¹) is above the preferred 2016 SHMA housing mix target of 20% and the provision of 1-bed units is lower than the target. However, this is considered acceptable in this specific instance as the proposal development is providing a significant proportion of family housing with gardens, which is in line with point 14 of the AL21 allocation proforma requirement. The affordable housing mix will be discussed in detail under the affordable housing section of this report.

Custom and self-build plots (fully serviced)

- 10.17. Policy HO2 of the BLP sets out that proposals for 100 or more net new dwellings (on greenfield sites) are required to provide 5% of the market housing as fully serviced plots for custom and self-build housing. Self-build plots will generally be expected to be provided in clusters. All self-build plots will need to be provided with a plot passport.
- 10.18. Point 15 of the AL21 site allocation proforma also sets out that the development should provide 5% of market housing units as self and custom-build plot (fully serviced).

¹ The self and custom-build plots will be provided in a form of 3-bed properties.

- 10.19. The proposed development comprises 81 market units and therefore it requires a minimum of 4 self-build plots to fulfil the 5% provision requirement. The current proposal is seeking to introduce 4 self-build plots to the site, and as such meets the provision requirement set out in Policy HO2 and point 15 of the AL21 allocation proforma. The proposed self-build plots are provided in a cluster along the eastern boundary of the site, as set out under the AL21 site allocation proforma.
- 10.20. The outline planning permission (22/00934/OUT) is subject to a planning obligation. The Fourth Schedule of the planning obligation refers to the self-build and custom build provision, including the requirement of the provision of a plan identifying the relevant self-build plots and a scheme including the design code, plot passport, measures relating to the legal transfer of the relevant self-build plots, details of a marketing strategy of the provision of the relevant self-build plot. Relevant clauses have to be formally discharged and it is subject to the submission of a formal discharge of planning obligation application.

Accessible and Adaptable Housing

- 10.21. Policy HO2 sets out that for proposals of 20 or more dwellings, 30% of the dwellings should be delivered as accessible and adaptable dwellings by Building Regulations M4(2), and 5% of the dwellings should meet the wheelchair accessible standard in Building Regulations M4(3), unless evidence can be provided to demonstrate that such provision would be impracticable or render the scheme unviable.
- 10.22. According to the applicant's design and access statement, it sets out that 40 units (29.6%) will be delivered as accessible and adaptable dwellings in accordance with the Building Regulation M4(2) and 7 units (5.18%) will meet the wheelchair accessible standard in Building Regulation M4(3). There is a very minor shortfall of 0.4% in the provision of M4(2) accessible and adaptable dwellings, but it is considered that the shortfall is de minimis in this regard. The provision of M4(3) wheelchair accessible dwellings accords with the 5% standard set out in Policy HO2.
- 10.23. Condition 22 of the outline planning permission (22/00934/OUT) requires details of the units designed to meet Categories M4(1), M4(2) and M4(3) of Approved Document Part M of Building Regulations 2010 (as amended) to be provided prior to the commencement of above ground floor slab level building works. Therefore, it is considered that adequate development control measures are in place in this regard.

iv) Affordable Housing

- 10.24. Policy HO3 of the BLP sets out that all developments for 10 dwellings gross, or more than 1,000 square metres of residential floorspace are required to provide on-site affordable housing as follows:
- On greenfield sites providing up to 500 dwellings gross – 40% of the total number of units proposed on the site.
 - On all other sites, (including those over 500 dwellings) – 30% of the total number of units.
- 10.25. Policy HO3 also sets out that the required affordable housing size and tenure mix shall be provided in accordance with the SHMA 2016 or subsequent affordable housing needs evidence. The delivery of onsite affordable housing should be distributed across the development to create a sustainable, balanced community. The provision of 40% affordable housing is also set out under point 13 of the AL21 allocation proforma.

- 10.26. The Council's Housing Officer's has been formally consulted on this application and has raised no objection to the proposed development as the proposed affordable housing mix is generally in line with the Council's preferred mix set out in the BLP and the Section 106 planning obligation of the outline planning permission (22/00934/OUT), which requires 45% social rented housing, 35% affordable rented housing and 20% shared ownership housing.
- 10.27. The outline planning permission (22/00934/OUT) is subject to a planning obligation. The Third Schedule of the planning obligation refers to the affordable housing obligations, which requires details of the affordable housing scheme to be submitted to and approved by the Council for review and set out a number of the provision requirements.

v) Design and Character

- 10.28. Section 12 of the NPPF is about achieving well-designed places. Paragraph 126 sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.29. Policy QP3 of the BLP sets out that all development should seek to achieve a high-quality design that improves the character and quality of an area. Policy QP3 sets out that new development will be able to respect and retain existing high-quality townscapes and landscapes and helps create attractive new townscapes and landscapes.
- 10.30. Further to the objectives of Policy QP3 and Section 12 of the NPPF, the AL21 Site Allocation proforma sets out a number of design related criteria against which application proposals are to be assessed, including the need to be of a very high quality design that respects the framework of trees and hedgerows in and around the site, provides a series of character areas across the site, each focused on an element of the green and blue infrastructure network and in a form which retains the hidden nature of the site, with appropriate landscaping and edge treatments. The outline planning permission (22/00934/OUT) is also subject to a Stakeholder Masterplan Document (SMD) and the associated Design Code dated August 2022.

(a) Layout

- 10.31. Layout refers to buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development. The layout of the proposed development is guided by the approved SMD and the associated Design Code.
- 10.32. The main shared pedestrian/cycle way follows the primary street from the main access off Maidenhead Road in the north to the cycle route along A308 Windsor Road to the south of the site. A 3-metre shared pedestrian/cycle way, which will connect to the main access, will be provided from east to west to connect the site to the cycle route along A308 to the north-east of the site. The provision is in accordance with the principle set out in the Design Code.
- 10.33. All proposed units are considered to meet the minimum requirement of gross internal floor areas as set out in the nationally described space standard. Furthermore, private gardens are provided for all family dwellings, which is in line with the AL21 site

allocation proforma requirement. Furthermore, the majority of the proposed dwellings have been designed to have an orientation of back-to-back to ensure rear gardens enclosed and protected.

- 10.34. The site has been categorised into four key character areas, which is in line with the AL21 site allocation proforma requirement 12 to provide a series of character areas across the site, namely Key Routes, Clusters, Residential Streets and Southern Edge.

Key Routes

- 10.35. This character area includes the primary access of the site from Maidenhead Road and two key strategic open spaces within the site, namely “Northern Arrival Space” and “Oak Green”. This area also includes a mix of market and affordable housing units, including the only apartment building of the site.
- 10.36. The Northern Arrival Space will be located next to the main access of the site from Maidenhead Road”, which offers a surface water attenuation feature and provides a play area (LAP) with associated planting. The space is well connected by the internal streets of the site and will be a strategic open space to serve future residents of the proposed development. The Oak Green Space will be located at the end of the main street of the site, where a valuable veteran oak tree will be retained within the centre to avoid any disturbance to the root protection area of the oak tree.
- 10.37. Units (plots 9 to 20) along the western boundary have been sensitively designed as they are positioned immediately to the west of the properties along the Hatch and north of the veteran oak tree. All of the units will be in line with the approved SMD, which requires the units to be in detached building typologies and parking to be to the side to ensure gaps are provided between buildings to increase spaciousness.
- 10.38. Units (plots 98 to 102) to the east of the Northern Arrival Space have been designed to have a frontage towards the open space and therefore they have a very good accessibility to the open space including the Local Area of Play (LAP) with a well-connected network. The units are in line with the approved SMD, which requires the units to be in detached building typologies and parking to be to the side to ensure gaps are provided between buildings to reduce density.
- 10.39. An apartment building with associated parking (units 54 to 71) with two semi-detached three-storey units (plots 72 to 73) have been introduced to the centre of this character area and provide 18 affordable units. The buildings are at a very convenient location as it is well connected by the two key strategic open spaces. The building is considered to be in line with the approved SMD, which identifies that area to be in high density with taller buildings to be provided.
- 10.40. Compared to the illustrative layout of the site under the outline planning application 22/00934/OUT, the proposed apartment building along the southern boundary of the site has been removed and it has been redesigned with a cluster of semi-detached units (plots 21 to 27). It is considered that the reconfiguration of the layout of this area is an improvement to the scheme as it will create a positive relationship with the Oak Green Space, which is immediately to the west of the units. Furthermore, the units have been designed to have a frontage towards the open space and therefore they have a very good accessibility to the open space. The units are also in line with the approved SMD in general, which identifies that area to be in high density with taller buildings to be provided.

Clusters

10.41. This character area has been divided into two parts, (a) the northern and eastern area and (b) the western area. Both parts are identified in the approved SMD to provide a detached building typologies and to maintain a low density in the area.

(a) Northern and eastern area

10.42. The existing trees and hedgerows along the northern boundary of the site, except where necessary to be removed to provide the approved accesses into the site, will be retained, which is in line with point 1 of the AL21 site allocation proforma requirement to retain the hidden nature of the site in the landscape through retention of existing tree belts and hedgerows along road.

10.43. The units (Plots 103 to 108 and 121) will be individually served by the secondary access from Maidenhead Road. The layout of the units is considered to be in line with the approved SMD and the illustrative masterplan, which require the north-eastern area to comprise of detached building typologies and parking to be to the side to ensure gaps are provided between buildings to reduce density.

10.44. A new 4-bed market unit (plot 121) has been introduced to the northeast corner of the site, and the previously proposed allotment area has been relocated and combined to form a larger allotment area at the southwest corner of the site. The applicant's design and access statement set out that the introduction of a new unit at that corner can provide a visual bookend and contribute towards as active frontage to Maidenhead Road, which also provides natural surveillance of the pedestrian/cycle access point from Maidenhead Road and the pedestrian link to main vehicle access. Given that the positioning of that additional 4-bed unit is facing the private drive within the site and will be well screened by the existing hedges along Maidenhead Road, it is not considered that the unit will have any significant positive contribution to the active frontage to Maidenhead Road. Notwithstanding, it can provide natural surveillance to the nearby public accesses, which form part of the key accesses from the site to Maidenhead Road. It is in line with paragraph 1(g) of Policy QP3 to create safe places where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The additional 4-bed detached unit will also be in line with the cell density plan under the approved SMD, which requires the units have to be in detached building typologies.

10.45. The proposed development will introduce four self and custom-build plots (plots 122 to 125) along the eastern boundary of the site, subject to a future design code and plot passport for the details of the design parameters, which will be required to be provided under the planning obligation of the outline planning permission (22/00934/OUT). While there is no specific requirement set out in the AL21 site allocation proforma and approved SMD for the self and custom-build plots, Policy HO2 sets out that self-build plots will generally be expected to be provided in clusters. The proposed self-plots are shown in a cluster, which is in line with the requirement of Policy HO2. The proposed self-build plots are also in line with the cell density plan under the approved SMD and the illustrative masterplan, which requires units be in detached building typologies and parking to be to the side to ensure gaps are provided between buildings to reduce density.

10.46. A 4-bed unit and a 5-bed unit (plots 134 and 135) have been introduced to the south-eastern corner of the site. The additional units have been designed to face outwardly and gardens are situated to the rear to allow an adequate separation distance to the adjacent Willow Estate. The proposed development however will continue to retain the

remaining south-eastern corner of the site as “scrub” land to enhance the ecological value and biodiversity net gain opportunities of the site.

(b) Western area

- 10.47. Units (plots 1 to 8) to the west of the Oak Green Space have been designed to have a frontage towards the green infrastructure including the Oak Green Space, LAP, community orchard area and a strategic open space which offers surface water attenuation feature. They have a very good accessibility to the open spaces. The units are in line with the approved SMD, which requires the units to be in detached building typologies and parking to be to the side to ensure gaps are provided between buildings to reduce density.

Residential Streets

- 10.48. The character area is located at the centre of the application site, and it requires a good transition from a higher density with buildings with taller height to the west to a lower density with buildings with lower height to the east. The cell density plan of the approved SMD identifies that area is with medium density and is a transition development area between the differing typologies.
- 10.49. Units (plots 28 to 39 and 74 to 97) have been designed to provide a good mix of housing units and small apartment buildings, including market units and affordable housing units. The layout of the units is generally in line with the approved SMD to provide a transition development between the different typologies, where units have been designed to have range of two-storey to two and a half storey buildings in that area. Strategic open spaces are well connected to this area.

Southern Edge

- 10.50. This character area is related to the area along the southern boundary of the site. The majority of the existing trees and hedgerows along the southern boundary facing A308 Windsor Road will be retained to continue to preserve the hidden nature of the site in the landscape, which is in line with point 1 of the AL21 site allocation proforma requirement.
- 10.51. The proposed development is seeking to introduce an equipped timber trim trail along the southern boundary of the site as an alternative LAP provision. It is considered that the proposed trail can minimise the impact on the existing tree belts along the boundary. According to the applicant’s landscape masterplan, it sets out that the trail will be installed following site survey of exact tree locations with arborist to avoid conflict with the existing root protection areas of the retained trees. Given the trees along the southern boundary are important to preserve the hidden nature of the site and are immediately adjacent to A308 Windsor Road, it is important to ensure a site survey shall be carried out prior to commencement of the trail works so as to avoid any further disturbance to the root protection areas of those trees. This can be secured by a planning condition.
- 10.52. Units (Plots 40 to 53) have been designed to provide a good mix of market and affordable units. The layout of the units is in line with the approved SMD to provide a transition development between the different typologies, where the units along the southern boundary are all two storeys, which are in line with point 1 of the AL21 site allocation proforma requirement of the retention of low building heights and the hidden nature of the site from A308 Windsor Road. Strategic open spaces are well connected to this area, including access to the southern part of the wider AL21 allocated site.

(b) Scale

- 10.53. Scale includes information on the size of the development, including the height, width and length of each proposed building. Concerns have been raised during the public consultation over the scale and density of the proposed development.
- 10.54. Policy QP3a of the BLP clearly set out that new development will be generally expected to maintain the existing context heights, to reinforce and reflect the character of the local area. Though it appreciates that the height of the buildings in large developments may increase due to efficient use of land and placemaking, the Policy goes on to say that the proposed increase should not normally constitute an increase to the typical building height in the surrounding area by more than one storey, subject to responding appropriately to the existing characteristics of the site and wider context in respect of the built form, landscape, landform, heritage, and views.
- 10.55. All of the housing units to be provided are in line with the building heights parameter plan in the approved SMD, where units to be provided along eastern and western boundaries of the site are in two storey; units within the residential street character area are provided in a range of two to two and a half storey; and the proposed apartment building and the cluster of semi-detached and terraced units at the centre of the site are provided in 3-storey.
- 10.56. The approved SMD identifies that a statement or a key building can help to increase the prominence and importance of a specific space or arrival point within a new development, and it can also provide interest to street scenes, such as corners, when viewed from an approaching route, or where it is located around a key space or street. The statement building should be used in very limited location.
- 10.57. The proposed development is seeking to introduce 1 three storey apartment building to the site, providing 18 affordable units with associated parking, which will be the statement building of the site and also 7 semi-detached and terraced units will be three storeys. The location of the apartment building is generally in accordance with the proposed location of a statement building in the frontage plan set out in the approved SMD, which is at the corner and is close to the arrival space of the site.
- 10.58. The location of the three storey units of the proposed development is also in line with the density parameter map. Given the majority of the units to be provided within the site will be in two storey, the proposed three storey units and apartment building is considered to comply with the requirement of Policy QP3a that any buildings should not increase by more than one storey when considering the typical building height in the surrounding area.
- 10.59. A number of two and half-storey buildings have been introduced within the residential streets character area, which requires a transition development with differing building typologies. The introduction of a number of two and half-storey buildings would allow a good transition from west to east.

(c) Appearance

- 10.60. Appearance refers to the aspects of a building or place which affect the way it looks, including the exterior of the development.
- 10.61. Section 4.4.5 of the approved Design Code sets out that the design of building forms and use of materials must reference an understanding of the local character. The Code

identifies a number of features and materials of the local area, including gable form and painted brick, distinctive form, expression of roofscape, etc.

- 10.62. A mixture of red and buff brick with ivory render will be used for all of the housing units throughout the site. While the use of buff brick with ivory render has been used in the units along the western boundary of the main street of the site and the units along the northern boundary of the site, it will create a distinctive form feature of those units. The majority of the units within the site will use the traditional red brick, which is in line with the wider local area. Units within the residential street character area have been designed to provide a strong character, including the use of fables.
- 10.63. Details of the materials to be used on the external surfaces of the development shall be provided. Such details have been secured by Condition 6 of outline planning permission 22/00934/OUT.

(d) Landscaping

- 10.64. Landscaping refers the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.

Private Amenity Space

- 10.65. Principle 8.5 of the Council Borough Wide Design Guide SPD (BWDG) sets out that flatted developments will be expected to provide high quality outdoor amenity space for each flat. Principle 8.6 then sets out that a minimum of 10 square metres of communal outdoor amenity space per flat must be provided. Both Principle 8.5 and 8.6 set out several key considerations which a high quality private and communal outdoor amenity space expected to be.
- 10.66. The provision of private amenity space of all units complies with the Council's BWDG SPD.

Public Amenity Space

- 10.67. Policy IF4 of the BLP requires new open space and play facilities for children and young people on sites allocated for new housing. Appendix F of the BLP also sets out a list of quality guidelines of the open space standard. Point 3 of the AL21 site allocation proforma also sets out that the development of the site will be required to provide a highly permeable layout within the site focused on the strategic public open space. According to the open space standard, a minimum of 1.18ha of open space is required to be delivered within the application site, where the proposed development is seeking to provide 1.3ha of open space, which exceeds the requirement of the Council's standard.

Local Area of Play (LAP)

- 10.68. According to the Guidelines for contribution towards Local Area of Play (LAP), Locally Equipped Area for Play (LEAP) and Neighbourhood Equipped Area for Play (NEAP) from new residential development, a LAP and a LEAP are required to be delivered in any new residential development comprising 11 to 200 dwellings. The approved SMD identifies that a minimum of two LAPs should be provided at the northern part of the AL21 site allocation (the application site), while a LEAP should be provided at the southern part of the site allocation.

10.69. The proposed development is seeking to deliver two LAPs and an additional equipped natural play trim trail along the southern boundary of the site, which is generally in line with the guidance set out in the approved SMD. Though the proposed development is not seeking to deliver a LEAP at the site, it is considered that a LEAP will be provided at the southern part, as set out in the approved SMD.

Allotments

10.70. Point 19 of the AL21 site allocation proforma sets out that the development is required to provide allotments or community garden/orchards by accommodating these uses on areas of best and most versatile land where practical, subject to wider site layout and design considerations. The approved SMD identifies that two allotment areas will be provided at the application site.

10.71. The proposed development however is seeking to relocate the proposed allotment area at the northeast corner of the site (identified on the approved illustrative masterplan) to allow a new unit to be erected to provide a natural surveillance of the pedestrian access point from Maidenhead Road. A larger allotment area will be formed at the south-west corner of the site. As such the total amount of allotment provision remains as per the outline application.



Figure 1 Approved Green Infrastructure Parameter Plan

North-Eastern Corner Green Infrastructure

10.72. The approved land use and green infrastructure parameter plans identify the north-eastern corner of the site as part of the green infrastructure. The introduction of a new unit at that corner would constitute a loss of a green space at that corner for future residents and thus proposes an amendment to this approved parameter plan.

10.73. The north-eastern area is well-connected to the proposed open space at the northern arrival within a reasonable walking distance, i.e., the distance between the additional unit and the green space to the east of the main access is approximately 110 metres. Although there is a loss of a green space of that corner, the overall provision of 1.3ha of open space within the site exceeds the requirement of the Council's open space standards (which is 1.18ha for this site). The additional unit would also have a positive contribution to improve natural surveillance to the nearby public accesses, which form part of the key accesses from the site to Maidenhead Road. Considering the benefits

identified from the additional unit, and that the overall amount of green space within the site still exceeds the minimum standards, on balance, this element of the proposal is considered to be acceptable.

vi) Impact on the setting of Heritage Assets

- 10.74. Section 16 of the NPPF is about conserving and enhancing the historic environment. Paragraph 203 sets out that the effect of an application on the significance of a non-designated heritage asset should be considered in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.75. Policy HE1 of the BLP sets out that development proposals would be required to demonstrate how they preserve or enhance the character, appearance, and function of heritage assets (whether designated or non-designated) and their settings and respect the significance of the historic environment.
- 10.76. Concerns have raised during the public consultation over the preservation of the heritage assets of the location.

Designated Heritage Assets

- 10.77. The application is accompanied by a built heritage statement by Turley Heritage, on behalf of the applicant to support this application. The statement identifies that the application site does not contain any designated or formally identified non-designated built heritage assets. However, there are a number of Grade II listed buildings within the wider area of the application site, including the Old Farmhouse, Bishop's Farmhouse, the Old Malthouse, the While House and its Granary. Considering the distance between those listed buildings and the application site and the lack of historic or functional links between those sites and the application site, it is not considered that the application site would constitute any harm to the significance of the setting of those designated heritage assets in this regard.

Non-designated Heritage Assets

- 10.78. The applicant's-built heritage statement sets out that immediately to the east of the site there is a group of non-designated heritage assets within the Willows Estate, Maidenhead Road, including the Estate boundary wall which forms the eastern boundary of the application site.
- 10.79. The proposed development would inevitably change the character of the application site, as set out in the Committee Report of the outline planning permission (ref: 22/0934/OUT). There is a closer relationship between the proposed development and the Willow Estate along the eastern boundary of the application site, in particular the existing brick boundary wall of the Estate. The applicant's built heritage statement reinstates that the existing boundary wall along the eastern boundary of the application site will be retained in its entirety and not physically altered by the proposed development. The proposed layout, in general, follows the indicative layout under the outline planning permission (ref: 22/00934/OUT), which includes the introduction of private amenity spaces along the boundary to allow an adequate set back of any new built units and the existing vegetations along the boundary.
- 10.80. Condition 24 of the outline planning permission (ref: 22/00934/OUT) requires the plotting and recording of the existing condition of the wall prior to commencement of

the development. Though condition 24 does not require the records to be formally provided to the Local Planning Authority, as suggested under paragraph 4.13 of the applicant's-built heritage statement, the condition should be formally discharged through a proper discharge of condition process. A discharge of condition application (ref: 23/00891/CONDIT) has been submitted to formally discharge Condition 24 at the time of writing this report.

- 10.81. Concerns have raised during the public consultation over the absence of a proper protection mechanism and/or green corridor/adequate buffer between the wall of the old Willows Estate.
- 10.82. According to the applicant's-built heritage statement, it sets out that a 1 metre buffer will be allowed between the existing boundary wall and the new units along the eastern boundary including the self and custom-build plots². The buffer will allow adequate room to review the condition of the wall in perpetuity. The statement sets out that the 1 metre buffer will allow access to monitor the condition of the wall. It is considered that details of the boundary wall management plan should be provided to support this application including how the 1 metre buffer will be managed and details of the monitoring works of the wall. Such details can be secured by a planning condition.
- 10.83. As discussed in paragraph 10.35 of the committee report of the outline planning application 22/00934/OUT, it sets out that *"While attractive, well-constructed and historically linked with the estate, the walls are later works and of a simple functional design. They were constructed to enclose the additional estate cottages and were only ever visible by users of the adjoining field (the application site) and in distant views from the road.* The paragraph recognises the wall as a non-designated heritage asset should be maintained as part of the development, but it also sets out that it is of a lesser architectural and historic significance than the earlier tall frontage wall of the Estate.
- 10.84. The proposed development, which is very similar to the indicative layout under the outline planning application 22/00934/OUT, would locate the Estate wall within private residential gardens and not in public view. The proposed units along the eastern boundary will also set away from the wall. The additional unit and the removal of the allotment area at the northern eastern corner of the site will limit the visibility of the wall from public vantage points. However, as set out above, the walls were only ever visible by users of the adjoining field and in distant views from the road. The current scheme is not dissimilar to the existing arrangement where the wall is not widely visible in public view. Importantly, a 1 metre buffer will be maintained to ensure the wall is retained in its entirety.

Conclusion

- 10.85. Given the distance between the designated heritage assets and the application site and the lack of historic or functional links between those assets and the application site, it is not considered that the application site would constitute any harm to the significance of the setting of those assets. The site is immediately to the east of the Willow Estate, which is a group of non-designated heritage assets, including the boundary wall, which runs along the eastern boundary of the application site. The layout of the proposed development largely remains the same as the approved illustrative layout, except for the introduction of an additional unit at the north-eastern corner of the site. However, it is considered that impact to the adjacent non-designated

² An email from the applicant dated 01 August 2023 confirms that the reference to a 3 metres buffer for the self and custom-build plots is incorrect, and it should be disregarded.

heritage boundary wall is limited as the existing wall is currently not widely visible in public view. Therefore, the harm to the significance of the setting of the non-designated heritage assets is considered to remain as less than substantial harm but at the very lower end in this regard and the proposed development is considered to be acceptable in heritage terms.

Archaeology

- 10.86. The application site is approximately 150 metres south of the River Thames and therefore lies over the floodplain and gravel terraces which have been a focus of settlement, agriculture, and burial from the earlier prehistoric period to the present day. The site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development.
- 10.87. Condition 17 of the outline planning permission 22/00934/OUT requires the submission of a programme of archaeological work including a Written Scheme of Investigation prior to the commencement of the development, where a discharge of condition application 23/00891/CONDIT has been submitted to formally discharge the Condition.

vii) Impact on Neighbouring Amenity

- 10.88. Policy QP3 of the BLP sets out that new development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.
- 10.89. The Council's BWDG sets out that a minimum distance of 20 metres is the Council's generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other.
- 10.90. Concerns have raised during the public consultation over the loss of privacy of neighbouring properties and the lack of buffer or adequate protection along the Hatch (plots 9 to 20) on the western boundary of the site.
- 10.91. All of the proposed 2-storey dwellings along the western boundary of the site (plots 9 to 20) will have at least 20 metres to the existing properties along the Hatch. Additionally, 1.8 metre high fencing will be erected at the rear of the garden of the proposed units. Therefore, it is not considered that the proposed units would lead to a material loss of privacy to the neighbouring properties along the Hatch.
- 10.92. All of the proposed units along the eastern boundary of the site (plots 121 to 135) will also have at least 20 metres separation distance to the neighbouring properties within Willow Estate, including a 1 metre buffer between the existing boundary wall and the boundary of the site. Additionally, 1.8 metres high fencing will be erected at the rear of the garden of the proposed units. Therefore, it is not considered that the proposed units would lead to a material loss of privacy to the neighbouring properties within Willow Estate.

viii) Highways and Parking

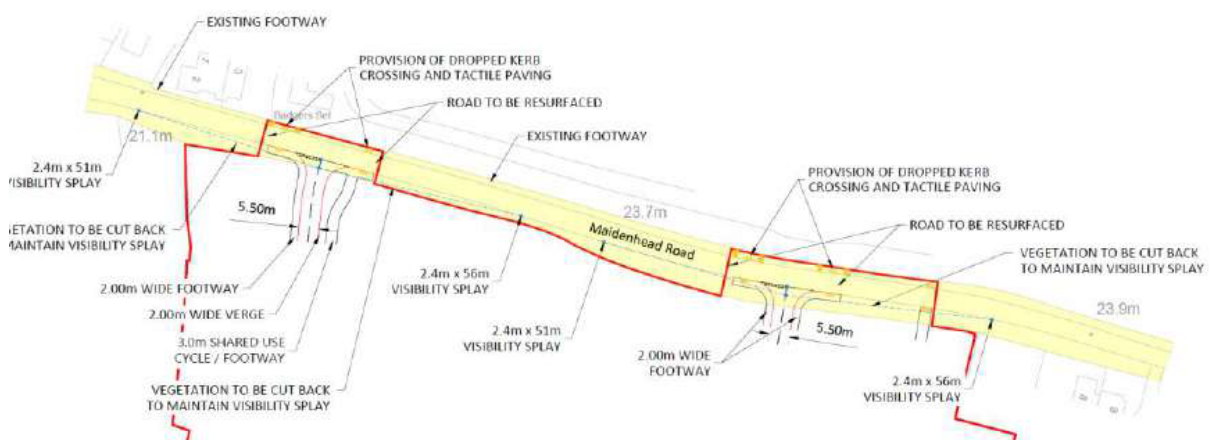
- 10.93. Paragraph 111 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112 then sets out that development proposals should give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating high-

quality public transport. Policy IF2 of the BLP sets out that new development should provide safe, convenient, and sustainable modes of transport.

- 10.94. The AL21 Site Allocation proforma sets out a number of site-specific requirements related to highways and transport. The approved Stakeholder Masterplan Document (SMD) also sets out that a key objective is to deliver a highly permeable and connected development that maximises opportunities for sustainable travel, within the site and beyond.

Access

- 10.95. Means of access covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site. Access was an approved matter at the outline planning stage.



- 10.96. The proposed development will continue to provide two vehicular accesses into Maidenhead Road, which the details have been approved at the outline planning stage. Condition 7 of the outline planning permission (22/00934/OUT) requires the accesses to be constructed prior to the commencement of any other part of the proposed development. The provision of the new access will also be secured by the Section 278 Highways Agreement.

- 10.97. The proposed development will continue to provide the following highways works at A308 Windsor Road as set out at the outline planning stage. The works will be secured by a Section 278 Highways Agreement, which is set out under Eighth Schedule of the planning obligation of the outline planning permission 22/0934/OUT:

- Full signalisation with controlled crossing on A308 for pedestrians/cycles.
- The construction of two lanes on all approaches to A308 Windsor Road/Oakley Green Road junction.
- Pedestrian access into western corner and the south of the site; and
- The provision of toucan crossing on A308 providing additional pedestrian/cycle connection between the application site and the southern part of the wider allocated site.

- 10.98. The developer will make a financial contribution to other highways improvement works and fundings towards enhancements to the pedestrian and cycle permeability and the provision of public transport provisions as set out in the AL21 site allocation proforma. The contribution would be secured under Eighth Schedule of the planning obligation of the outline planning permission 22/0934/OUT.

Travel Plan

- 10.99. A Framework Travel Plan has been provided to support the outline application (ref. 22/00934/OUT). The outline planning permission is subject to a S106 legal agreement. Seventh schedule of the agreement requires the submission of a final Travel Plan and the implementation of the Framework Travel Plan.
- 10.100. Furthermore, Condition 23 of the outline planning permission 22/00934/OUT requires the submission of a Travel Plan has been provided prior to any occupation of the proposed development, where a discharge of condition application 23/01238/CONDIT has been submitted to formally discharge the Condition.

Parking

- 10.101. Policy IF2 of the BLP sets out that new developments should provide vehicle and cycle parking and that the parking standards in the 2004 Parking Strategy should be used as a starting point (prior to the adoption of the Parking SPD). Consideration will be given to the accessibility of the site and any potential impacts associated with overspill parking in the local area.
- 10.102. This application is seeking to provide 303 parking spaces in total, which complies with the parking standards for C3 housing set out in the 2004 Parking Strategy.

Electric Vehicle Charging Facilities

- 10.103. The Council's Interim Sustainability Position Statement sets out that at least 20% of parking spaces should be provided with active electric vehicle charging facilities and 80% of parking spaces should be provided with passive provision.
- 10.104. The applicant's transport statement sets out that electric vehicle charging facility with a minimum output of 7kW will be provided for each of the dwellings. There will also be designated parking spaces for electric charging points for apartments. It is considered that the provision complies with the Council's requirement. Details of the electric vehicle charging facilities shall be provided to support this application. However, such details can be secured by a planning condition.

Cycle Parking

- 10.105. The 2004 Parking Strategy does not have a specific cycle parking standard for residential units. Paragraph 9.7.3 of the Strategy sets out that with certain forms of residential development, cycle parking provision may be required. Residential standards are set at one cycle parking place per dwelling.
- 10.106. The applicant's transport statement sets out that a total of 135 cycle parking spaces will be provided across the site. The provision complies with the Council's requirement. The Council's Highways Authority however has raised concerns whether the proposed garage will provide sufficient room to accommodate a car and cycle and the provision of vertical stands are not acceptable for apartment residents.
- 10.107. The applicant's transport statement addendum dated 25 May 2023 sets out that cycle stores measuring 2.1 metres x 1.5 metres will then be provided in the garden of each house with or without the provision of a garage. Furthermore, a plan of the cycle and bin store for the apartment building has been provided and it indicates that no vertical stands will be provided. Instead, the store will include eight Sheffield stands, which is

suggested by the Council's Highways Authority and ten stacking stands. The cycle parking facilities shall be provided in accordance with the submitted details prior to any occupation of the proposed development. This can be secured by a planning condition.

ix) Ecology and Biodiversity

- 10.108. The application site is not within any designated protected sites. However, it is within 5 kilometres of several internationally and nationally designated sites, including Windsor Forest and Great Park Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI), Bray Pennyroyal Field SSSI and Sutherland Grange Local Nature Reserve (LNR). Given the scale of the proposed development, it is possible that the proposed development could have the potential for significant impacts on these sites. Concerns have been raised in the representations received regarding the impacts of the proposed development to the local wildlife.
- 10.109. An updated Ecology Report and Construction Environmental Management Plan: Biodiversity (CEMP), which is prepared by Ecology Solutions, on behalf of the applicant, is provided to support this application. The report has been produced to discharge Condition 12 of the outline planning permission 22/00934/OUT. It is considered that a discharge of condition application 23/00744/CONDIT has been submitted to formally discharge Condition 12, where the current reserved matters application **cannot** be used to discharge conditions imposed on the outline planning permission.
- 10.110. Notwithstanding, details of the protection of the boundary hedgerows and trees has been provided. An updated walkover survey has been undertaken in 2023 and it confirms that there is no evidence to suggest the presence of any new species with the exception of badgers. The Council's Ecology Officer has been formally consulted in this application and recommended a condition to ensure that works to be carried out in accordance with the applicant's CEMP. Condition 12 of the outline planning permission 22/00934/OUT already requires any approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. Therefore, it is not considered that the recommended condition to request a CEMP is required as it is not necessary in this regard.

Badgers

- 10.111. An excavated outlier badger sett was recently recorded on site, which it cannot be retained as part of the proposed development. The applicant's CEMP has provided further details on the sett closure, including the works will be carried out following best practice, a licence from Natural England will be obtained for the works and the works will be undertaken outside the breeding season for badgers and will be undertaken by the licenced ecologist or an accredited agent. The applicant's CEMP sets out that no works within 20 metres of the sett will take place until the Natural England licence for sett closure is obtained, including the provision of a protected corridor along the eastern boundary that will provide connection for badgers to the wider habitats.
- 10.112. The Council's Ecology Officer has recommended a condition to ensure that an updated badger sett survey shall be carried out within 28 days of the start of works on site and a report detailing the results of the surveys should be submitted to and approved in writing by the Local Planning Authority. If the surveys confirm that a licence from Natural England is still required, a copy of a valid licence is required to be provided to the Local Planning Authority prior to the commencement of the proposed development.

The updated badger survey and the provision of a valid Natural England licence can be secured by a planning condition.

Bats

- 10.113. Bats were also recorded foraging and commuting across the site in accordance with the applicant's CEMP. The proposed development is likely to have an increase in light levels which could affect commuting and foraging bats. The Council's Ecology Officer has recommended a condition to ensure that bats and other wildlife adversely affected by the installation of any external lighting.

Condition 25 of the outline planning permission 22/00934/OUT already requires the submission of a report detailing the external lighting scheme, where a discharge of condition application 23/01565/CONDIT has been submitted to formally discharge Condition 25. Therefore, it is not considered that the recommended condition to request an external lighting scheme is required as it is not necessary in this regard.

Great Crested Newts

- 10.114. Naturespace Partnership has been formally consulted in this application and has confirmed that there is unlikely to cause an impact on great crested newts (GCN) and or their habitats. However, follow-up surveys should be provided as the negative results were obtained for the surveyed in ponds in both 2018 and 2021, where the most recent surveys are now over 18 months and do not include the ponds to the west, of which one is within 250 metres of the application site.
- 10.115. Additional information has been provided by the applicant to clarify that an additional updated walkover survey was carried out in 2023 and the survey confirms that there is no evidence of GCN or reptiles utilising the application site was recorded during surveys (paragraph 2.10 of the applicant's updated Ecology Report, which has reviewed the conditions and habitats present onsite to determine if there was any change to the existing ecological constraints onsite (or if any new constraints were present) since the previous survey. Furthermore, the Chartered Institute of Ecology and Environmental Management (CIEEM) guideline sets out that where no ponds are lost or damaged and development is 100-250m from the nearest pond, the maximum age of survey data is 3 breeding seasons. Therefore, it is not considered that a follow-up survey is required in this regard.

Biodiversity Enhancement

- 10.116. The applicant's CEMP comprises a Landscape and Ecological Management Plan (LEMP). The LEMP provided details a number of biodiversity enhancement measures to be provided at the site, including native tree and hedge planting, ornamental planting, wildflower and species rich grassland planting, attenuation areas, amenity areas and the installation of bird, bat boxes and hibernacula onto the new buildings and retained trees. The Council's Ecology Officer sets out that the LEMP shall be updated to provide details of locations and specifications of relevant bird and bird boxes and hibernacula shall be provided including the locations of the gaps in fences to allow wildlife to travel across the site and to surrounding areas.

The submission of a LEMP is secured by Condition 13 of the outline planning permission 22/00934/OUT, where a discharge of condition application 23/00745/CONDIT has been submitted to formally discharge Condition 13. Furthermore, Condition 11 of the outline planning permission 22/00934/OUT already requires details of biodiversity enhancements to be provided. A discharge of condition

application 23/01565/CONDIT has been submitted to formally discharge Condition 11. Therefore, it is not considered that the recommended condition to request an updated LEMP is required as it is not necessary in this regard.

Biodiversity Net Gain

- 10.117. Policy NR2 of the BLP requires all new development to demonstrate a net gain in biodiversity. However, the approved stakeholder masterplan document sets out that the proposed development will provide a 10% biodiversity net gain.
- 10.118. A biodiversity net gain metric has been provided to support this application. According to the metric, the proposed development would result in a 14.67% net gain in habitat units. Though there is a reduction from the 30.69% net gain forecast at the outline planning stage, it is considered that only an indicative layout is provided at the outline planning stage when calculating the net gain. Furthermore, the current provision of 14.67% net gain in habitat units still exceeds the minimum requirement set out in national³ and local planning policies and the approved SMD⁴.
- 10.119. The ninth schedule of the Section 106 Planning Obligation of the outline planning permission 22/00934/OUT requires the submission of a biodiversity management plan prior to the commencement of the proposed development. The biodiversity management requires to set out the management and maintenance in perpetuity of the biodiversity, including the biodiversity net gain.

x) Trees

- 10.120. Policy NR3 of the BLP sets out that development proposals should carefully consider the individual and cumulative impact of proposed development on existing trees, woodlands and hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness.
- 10.121. The AL21 Site Allocation proforma sets out a number of site-specific requirements relating to trees, including the retention and reinforcement of existing tree belts and hedgerows along roads to retain the hidden nature of the site in the landscape, the retention of valuable trees at site boundaries and being very high-quality design that respects the framework of trees and hedgerows in and around the site.
- 10.122. This application is accompanied by an arboricultural implications report, which is prepared by SJA trees, on behalf of the applicant. The report sets out that 14 individual trees and 2 groups of trees have to be removed entirely and 2 groups of trees have to be partially removed. The proposed removal has been justified as most of the trees to be removed are in Category U or C. No Category A or mature trees are proposed to be removed in this regard.
- 10.123. The report also sets out that the proposed pruning is unaltered from the details submitted within the outline planning application 22/00934/OUT, where Condition 9 of the permission requires to be carried out in accordance with the standards set out in BS3998 and the current industry guidelines.

³ A minimum 10% mandatory biodiversity net gain required calculated using the Biodiversity Metric from November 2023 is required after the 2-year implementation period from 9 November 2021 when the Environmental Bill received Royal Assent and became the Act.

⁴ Section 4.5 of the Land West of Windsor Stakeholder Masterplan Document dated October 2021 sets out that a 10% Biodiversity Net Gain will be provided.

10.124. The report also set out that there will be no development within the buffer zone of the veteran oak no. 122. However, there will be some root protection area (RPA) incursions to 8 of the trees to be retained. Most of the incursions are related to the proposed plot foundations and roads and the incursion would not be more than 5.6% of individual RPAs, which do not exceed the 20% maximum incursion as recommended in BS5837 and the current industry guideline. The report also suggests a number of tree protection measures. Though a similar planning condition was imposed in the outline planning permission 22/00934/OUT, it is considered that the drawing reference has been updated to reflect the latest design of the scheme. Therefore, it is necessary to have a planning condition to secure the recommended tree protection measures will be implemented in accordance with the latest plans.

xi) Flood Risk and Sustainable Drainage

10.125. Policy NR1 of the BLP sets out that development will only be supported within designated Flood Zones 2 and 3, where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is considered.

10.126. Point 20 of the AL21 site allocation proforma sets out that the flood risk as part of a Flood Risk Assessment should be considered as the site is partially located within Flood Zone 2 and 3 and larger than one hectare. The proposed development will need to demonstrate that the exception test can be passed and that a safe evacuation route can be provided.

10.127. The application site is predominately located within Environment Agency Flood Zone 1 with a small area to the north of the site located within Flood Zone 2. The outline planning application 22/03149/OUT was submitted alongside a Flood Risk Assessment (FRA) and Drainage Strategy was submitted, which is prepared by JNP Group, on behalf of the applicant. Though there are some changes to the layout of the proposed development when comparing with the approved illustrative layout under the outline planning permission 22/03149/OUT, it is considered that the residential development of up to 135 units under the current application is still in an area which is at very low risk of flooding from all potential sources, i.e., outside of the areas which fall within Flood Zone 2.

10.128. It is also noted that Condition 19 of the outline planning permission 22/00934/OUT requires the development to be carried out in accordance with the approved flood mitigation measures set out in the FRA. Therefore, it is considered that there is adequate development control measure in this regard.

Exceptions Test

10.129. The outline planning application 22/03149/OUT also confirms that the Exceptions Test does not need to be passed for the development to comply with Policy NR1. Therefore, it is not considered to be reasonable to ask for an Exceptions Test under the current reserved matters application.

Surface Water Drainage

10.130. Point 21 of the AL21 site allocation proforma sets out that the proposed development requires to demonstrate the sustainable management of surface water runoff through

the use of Sustainable Drainage Systems (SuDS) in line with policy and best practice; any proposed surface water discharge must be limited to greenfield runoff rates.

- 10.131. The submission of a surface water drainage scheme for the development is secured by Condition 20 of the outline planning permission 22/00934/OUT, where a discharge of condition application 23/00746/CONDIT has been submitted to formally discharge the condition. Notwithstanding, details of the SuDS Management and Maintenance Plan and a relevant Technical Note, which are prepared by JNP Group, on behalf of the applicant, have been provided to support the current application.
- 10.132. The applicant's surface water drainage strategy is consistent with the proposed strategy at the outline planning application, which is seeking to discharge surface water runoff from the new development directly into the ground onsite with the use of two attenuation basins at the northwest and southwest parts of the application site. The strategy also confirms that the discharge will be limited to greenfield runoff rates, which is in line with the requirement sets out in the AL21 site allocation proforma.

xii) Environmental Health

- 10.133. Policy EP1 of the BLP sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the construction phase and when completed. Details of remedial or preventative measures and any supporting environmental assessments will be required and will be secured by planning conditions to ensure that the development will be acceptable. Point 22 of the AL21 site allocation proforma also requires the provision of appropriate mitigation measures to address the impacts of noise and air pollution to protect residential amenity.

Contaminated Land

- 10.134. Policy EP5 of the BLP sets out that development proposals will be supported where they can demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.
- 10.135. The Council Environmental Protection Officer has been consulted and has raised no objection subject to a condition related to contaminated land. It is noted that the outline planning permission 22/00934/OUT is subject to a contaminated land condition (Condition 18), which requires a discharge of condition application to be formally discharged. Therefore, it is not considered that the recommended condition is required as it is not necessary in this regard.

Air Quality

- 10.136. Policy EP2 of the BLP sets out that new development should aim to contribute to conserving and enhancing the natural and local environment, by avoiding put new or existing occupiers at risk of harm from unacceptable levels of air quality.
- 10.137. An air quality assessment was provided to support the outline planning application 22/00934/OUT. Paragraph 10.41 of the committee report of the outline planning application 22/00934/OUT sets out that "*the proposed development of the site both during construction and operation, would have an acceptable impact on air quality in the surrounding area, with the development incorporating measures to reduce potential emissions such as pedestrian and cycle links and reducing car dependency, once constructed in line with the AL21 Site Allocation proforma*". It is also considered that the recommended measures to reduce the risk of dust and exposure to pollutants

during construction works have been secured by planning condition 15 of the outline planning permission 22/00934/OUT.

Noise

- 10.138. Policy EP4 of the BLP sets out that new development should consider the noise and quality of life impact on occupants of existing nearby properties and the intended new occupiers. Development proposals will need to demonstrate that they will meet the internal noise standards for noise-sensitive developments as set out in the Policy.
- 10.139. A noise impact assessment, which is prepared by Ramboll, on behalf of the applicant, is provided to support this application. The assessment summarises that noise from the construction of the proposed development is not predicted to have significant adverse effects on the nearest existing noise-sensitive receptors. External noise levels in all private gardens of the proposed units are also expected to meet the requirement with the erection of garden fencing along the boundaries. There are also no predicted significant adverse effects on existing receptors with the increased traffic flows associated with the proposed development. Regarding the proposed units with the highest noise levels, which are at the southern site boundary, an internal ambient noise level of 50 dB(A) are predicted with open windows. The assessment recommends a consideration of additional passive measures or a cooling system for those properties.
- 10.140. The outline planning permission 22/00934/OUT is subject to a noise study (Condition 16), where a discharge of condition application 23/01564/CONDIT has been submitted to formally discharge the Condition. Condition 16 requires the submission of a noise study which includes details of all the measures to be taken to acoustically insulate all habitable rooms against environmental and operational noise together with details of the methods of providing acoustic ventilation prior to the commencement of the development. It is considered that details of any recommended additional passive measures or a cooling system for the properties on the southern boundaries will be included in the submission of a noise study.
- 10.141. The applicant's noise impact assessment also concludes that plant noise limits during both daytime and night-time period have been set at the nearest existing noise-sensitive receptors, which are 42 dB LA90 for daytime (07.00am to 11.00pm) and 26 dB LA90 for night-time (11.00pm to 7.00am). The Council Environmental Protection Officer has been consulted and has raised no objection subject to a recommended condition to ensure that the fixed plant noise level would not exceed the identified existing background noise level. It is considered that this can be secured by a planning condition.

i) Other Matters

- 10.142. Paragraphs 10 and 11 of the NPPF sets out that there will be a presumption in favour of Sustainable Development which is consistent with the overarching objectives of the BLP. Policy HO1 of the BLP sets out a trajectory for the provision of new housing and the application site, and the wider AL21 Site Allocation, form an integral part of this housing trajectory. The provision of such housing will ensure the Borough is able to maintain its up-to-date five-year housing land supply.
- 10.143. Following a recent interim update to the Council's 5-year housing land supply position, the Council currently cannot demonstrate a 5-year housing land supply. The assessed level of supply is currently 4.88 years. As such in accordance with paragraph 11 of the National Planning Policy Framework (NPPF), the presumption in favour of sustainable development applies. The 4.88-year supply is just below the 5-year requirement and

the shortfall is not considered to be significant – the tilted balance is engaged but this is a very minimal shortfall and as such relatively **limited** weight is attached to this shortfall.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1. In accordance with the Council's adopted Community Infrastructure Levy (CIL) Charging Schedule, the residential element of the proposed development is CIL liable on the chargeable floor area at a rate of £ 315.55 per square metre (Indexation rate 2023).

12. PLANNING BALANCE AND CONCLUSION

- 12.1 The application site forms part of the AL21 Land West of Windsor Site Allocation pursuant to Policy HO1 of the BLP. This application is made for reserved matters following the approval of outline application ref. 22/00934/OUT, where the outline application related to access only. The principle of the proposal satisfies the context of the AL21 Site Allocation within the BLP, and the principle of the development is acceptable. This application relates to appearance, layout, scale and landscaping at the application site.
- 12.2 The introduction of a new unit at the north-eastern corner deviates marginally from the approved green infrastructure parameter plan and there would be a loss of green infrastructure within this part of the site. Notwithstanding, this additional unit will improve natural surveillance to the nearby public accesses, which form part of the key accesses from the site to Maidenhead Road. The overall amount of open space provision and allotments/community gardens still accords with the policy requirements and site proforma. Therefore, the harm arising from the loss of this green space at the north-eastern corner is **limited** in this regard.
- 12.3 Turning to the benefits of the proposed development, the Council has identified the site as suitable for development of this form with the site allocation within the BLP. This and its position within the development plan is afforded **significant** weight in delivering housing, including the provision of 40% affordable housing and 5% self and custom-build homes within the site.
- 12.4 The proposed development can achieve a considerable 75.83% reduction in CO2 emissions, which is well above the minimum requirement set out in the Council's Interim Sustainability Position Statement. The Section 106 planning obligation of the outline planning permission (22/00934/OUT) has already secured that the remainder of the reduction will be achieved through the Building Emissions and Lifestyle contributions. **Significant** weight should be attached to this benefit.
- 12.5 The proposed development can achieve a 14.67% net gain in habitable unit, which is well above the 10% requirement to be mandatory nationally and the approved SMD. **Significant** weight should be attached to this benefit.
- 12.6 The proposal is considered acceptable in terms of trees and landscaping, ecology and biodiversity, flood risk and drainage, environmental health, and sustainability, subject to recommended conditions. The overall scheme is considered to be acceptable in general.
- 12.7 For the reasons set out within this report, the proposed development is considered to accord with the development plan as a whole, and the recommendation therefore is

that planning permission is granted, subject to recommended conditions as set out in this report.

13. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed on the drawing and document schedule (ref: A11963-OT-1-001) dated 06 March 2023 and received by the Local Planning Authority on 06 March 2023.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans
- 2 The development hereby permitted shall be commenced within two 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).
- 3 Prior to the commencement of the development hereby permitted including any vegetation clearance, an update badger sett survey of the development site and immediately adjacent areas shall be carried out including the previously identified sett. The survey shall be undertaken within 28 days of the start of works on site and a brief letter report detailing the results of the surveys is to be submitted to and approved in writing by the Local Planning Authority. If the survey confirms that a licence to disturb a badger sett is required, a copy of a valid licence is to be submitted to the planning authority prior to the commencement of works.
Reason: To ensure that badgers and their setts are not adversely affected by the development in line with wildlife legislation and Policy NR2 of the Borough Local Plan 2013-2033.
- 4 Prior to the commencement of the development hereby permitted, a boundary wall management plan shall be submitted to and approved in writing by the Local Planning Authority, including details of the management company to be appointed to manage the boundary wall one metre buffer and details of the maintenance and monitoring works of the boundary wall. The one metre buffer and the boundary wall shall thereafter be retained and maintained in accordance with the management plan.
Reason: To ensure that the non-designated boundary wall on the eastern boundary is well maintained and monitored and to ensure the 1 metre buffer is provided.
Relevant Policies - Policy HE1 of the Borough Local Plan 2013-2033.
- 5 Prior to the commencement of the timber trim trail along the southern boundary of the site, as shown on Drawing Ref. 403.06269.00048.001 (Rev. P04) Landscape Masterplan dated May 2023, the site survey of exact existing tree locations shall be completed, and a copy of a survey shall be made available to the Local Planning Authority upon request. The site survey shall be carried out with the presence of a qualified arboriculture professional. The trail shall not be installed within the root protection areas of any retained trees identified in the site survey, 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 - Policy NR3 of the Borough Local Plan 2013-2033.
- 6 The erection of fencing for the protection of any retained tree as shown on Drawing Ref. SJA TPP 23026-041a (East) Tree Protection Plan dated May 2023 and Drawing Ref. SJA TPP 23026-042a (West) Tree Protection Plan dated May 2023 and any other protection measures specified set out in the Arboricultural Impact Assessment

(ref.: SJA air 23026-01), prepared by SJA trees, dated February 2023, 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 - Policy NR3 of the Borough Local Plan 2013-2033.

- 7 Prior to the first occupation of the development hereby permitted, details of an estate and car parking management plan shall be submitted to and approved by the Local Planning Authority. The measures as approved shall be implemented before the first occupation of the development hereby permitted and shall be maintained for the duration of the use.

Reason: To ensure that the street and parking facilities within the site are well managed 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 - Policies QP3 and IF2 of the Borough Local Plan 2013-2033.

- 8 Prior to the first occupation of the development hereby permitted, details of the vehicle parking space, including details of the electric vehicle charging facilities shall be submitted to and approved by the Local Planning Authority. The space approved shall be retained for parking at all times.

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 - Policies QP3 and IF2 of the Borough Local Plan 2013-2033 and the Council's Interim Sustainability Position Statement.

- 9 Prior to the first occupation of the development hereby permitted, details of the cycle parking facilities shall be provided in accordance with the details set out in the Transport Statement Addendum (ref.: MS/ITB18514-004A TN), prepared by i-Transport LLP, dated 25 May 2023. These facilities shall thereafter be kept available for the parking of cycles 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 - Policies QP3 and IF2 of the Borough Local Plan 2013-2033.

- 10 Prior to the first occupation of the development hereby permitted, details of the waste and refuse collection provided in accordance with the details set out in the Transport Statement Addendum (ref.: MS/ITB18514-001A TN), prepared by i-Transport LLP, dated 02 March 2023. The development hereby permitted shall be implemented in accordance with the approved details

Reason: To ensure that the development is carried out in accordance with the approved waste and refuse collection details and in accordance with Policy QP3 of the Borough Local Plan 2013-2033.

- 11 The noise emitted from all fixed plant associated with the proposed development shall not exceed the existing background noise level identified in Section 5.5.2 of the Noise Impact Assessment (ref.: 1620010257) Version 02, prepared by Ramboll, dated 25 February 2022. The measurement and assessment of the noise levels shall be made in accordance with BS 4142:2014+A1:2019 (or any equivalent British Standard if revised or replaced).

Reason: To protect the residential amenities of the area. Relevant Policy - Policy EP4 of the Borough Local Plan 2013-2033.