

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE**

Maidenhead Panel

Application No.:	23/00814/FULL
Location:	Zaman House And Awan House Church Road Maidenhead
Proposal:	Construction of 5no. dwellings with cycle and bin storage and alterations to existing vehicular and pedestrian access following demolition of existing dwellings.
Applicant:	Mr Iqbal
Agent:	Mr Matt Taylor
Parish/Ward:	Bray Parish/Oldfield
If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk	

1. SUMMARY

- 1.1 Comments have been received from the Environment Agency, raising objection. Comments have been received from the Council's Housing Enabling Officer advising on the commuted sums for affordable housing. The applicant has advised that Carbon Offset contributions have already been paid towards the original permission 21/01270/FULL.
- 1.2 The applicant has submitted an updated tree report. The wording of the tree reason for refusal no. 3 needs to be amended.

There is no change to the recommendation in the main report.

2. ADDITIONAL INFORMATION

- 2.1 Comments have been received from the Environment Agency, raising objection. See table below.
- 2.2 The Council's Housing team has advised on the affordable housing contribution requirement. See table below.
- 2.3 The applicant has submitted an updated arboricultural report. This states that there would be less incursion into tree root protection areas (RPA) compared with the previously approved schemes. However, the submitted drawings suggest there would be greater incursion into the RPA of T3 (Sycamore) on the east side boundary (than the previously approved applications). The Arboricultural report states that the excavation required for the foundations of the easternmost house (plot 5) and the patio steps for the central house would result in incursions as follows: T3, Sycamore – 7.5%; T15, Tree of Heaven – 4.2 %. The applicant's Arboricultural report concludes on this point that with adequate mitigation measures the health and stability of the trees can be maintained.
- 2.4 The LPA is not satisfied that there would no adverse impact on these trees. The reason for refusal no. 3 relating to trees needs to be amended to read:

'The updated arboricultural report shows that there would be incursions into the tree root

protection areas of T3 (Sycamore) and T15 (Tree of Heaven) of 7.5% and 4.2% respectively. The Local Planning Authority is not satisfied that there would be no significant impact on trees (which are covered by Tree Preservation Order/s). The proposal is contrary to policies NR3, QP3 of the adopted Borough Local Plan.'

2.5 The applicant has advised that payments for carbon offset contributions have already been made in regard to the original application 21/01270/FULL. It this current application is to be approved there would need to be a new S106 , to link previous payments attributed to 21/01270/FUL to the current scheme.

2.6 **Comments from Consultees**

Comment	Officer response	Change to recommendation?
<p>Environment Agency</p> <p>The submitted FRA Update Report prepared by St Edwards Design & Planning, dated June 2023 does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 21 of the Flood Risk and Coastal Change planning practice guidance and its site-specific flood risk assessment checklist. This proposal is also contrary to policy NR1 – Managing Flood Risk & Waterways in the Royal Borough of Windsor & Maidenhead Local Plan 2013 - 2033. The FRA does not therefore adequately assess the flood risks posed by the development.</p>	<p>The LPA has considered the application in light of the previously approved and extant scheme for 6 houses.</p> <p>The flooding issues are addressed in the main report in paragraphs 10.27 -10.42.</p>	<p>No change</p>
<p>Housing Enabling Officer comments</p> <p>Given the low number of dwellings, that the proposal has not been designed to include an affordable home and that a registered provider would not be interested in acquiring a single dwelling, a commuted sum of £647k would be required.</p> <p>This sum is derived from the agent's Gross Development Value (GDV) of £10.7m</p> <p>The affordable contributions would need to be secured via a S106 Agreement, if the committee resolves to grant approval.</p>	<p>Required contributions noted.</p> <p>The affordable contributions would need to be secured via a S106 Agreement, if the committee resolves to grant approval.</p>	<p>No change</p>

RECOMMENDED REASONS FOR REFUSAL

Reasons nos. 1 and 2 to remain as per main report.

Reason no.3 to be amended to read:

'The updated arboricultural report shows that there would be incursions into the tree root protection areas of T3 (Sycamore) and T15 (Tree of Heaven) of 7.5% and 4.2% respectively. The Local Planning Authority is not satisfied that there would be no significant impact on trees (which are covered by Tree Preservation Order/s). The proposal is contrary to policies NR3, QP3 of the adopted Borough Local Plan.'

