

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 December 2023

Item: 2.

Application No.:	23/00463/FULL
Location:	Maidenhead Public Library St Ives Road Maidenhead SL6 1QU
Proposal:	Installation of a new heating ventilation and air conditioning system (part retrospective).
Applicant:	Royal Borough Windsor And Maidenhead
Agent:	Mrs Kiran Hunjan
Parish/Ward:	Maidenhead Unparished/St Marys
If you have a question about this report, please contact: David Johnson on 01628 685692 or at david.johnson@rbwm.gov.uk	

1. SUMMARY

- 1.1 Planning permission is sought for the installation of a new heating ventilation and air conditioning system, to replace the existing system within the building which is at its end of life. The works internally within the library building have to a large extent been carried out and the works are therefore part retrospective.
- 1.2 The proposals would result in less than substantial harm to the designated heritage asset and its immediate setting. The harm to the significance of the designated heritage asset is outweighed by the public benefit identified, namely the continued use of a popular and well used public facility. Furthermore, it has been demonstrated that the works would not result in unacceptable harm to living conditions or flooding in the surrounding area and therefore complies with relevant development plan policies.

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

2. REASON FOR COMMITTEE DETERMINATION

- The application has been submitted by the Local Authority and is classified as a 'Regulation 3' application. As the decision-maker is the applicant, in line with the Council's Constitution, the application is to be determined by the Maidenhead Development Management Committee.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The public library dates from the early 1970s and was designed by Ahrends, Burton and Koralek Architects. It is built of a reinforced concrete frame with suspended floor slabs on piled foundations. The exterior of the building is clad in a red engineering brick, also used for the garden walls and paving, defining its strong brick character and appearance which relates to the materiality of historic Maidenhead. The windows are set within painted steel frames.
- 3.2 The building is built on a slope resulting in a slightly raised ground floor and the need for steps and a ramp into the building. The main entrance is along the north elevation of the building under an open canopy, comprising of a terrace above.
- 3.3 The significance of the building is strongly defined by its architectural interest and a good example of the architect's work, as duly described within the list entry description:

“The building is striking and novel in its use of a space frame to create a clear, column-free interior and to give clerestory lighting all-round the building, while the hard red brick gives a semblance of weight to the lower structure, although it is not in fact load-bearing. ‘The idea of a roof implies for me a balance of solid and void’, Koralek told Powell, and its deep overhang was designed to be sheltering, inviting and un-institutional. The meticulous use of brickwork, extending a plinth from the outside through the interior, is a distinctive feature of ABK’s work at this time. It is also a response to the red brick of the Victorian town. ABK first came to prominence when in 1961, the year of their foundation Paul Koralek won a competition for the Berkeley Library, Trinity College, Dublin. This much smaller building is a similar mix of flexible space around fixed staircases and balconies, and similarly makes use of top-lighting to create a dramatic and well-lit interior. Additionally, however, it shows a progression in ABK’s use of materials and a greater variety of forms in their 1970s’ buildings than they had displayed in the 1960s.”

- 3.4 The building forms part of a civic character area within Maidenhead Town Centre, with the Town Hall located on the opposite side of St Ives Road. It is a strong positive contributor to the character and appearance of the street scene.

4. KEY CONSTRAINTS

- 4.1 Maidenhead Public Library and the attached Maudsley Memorial Garden combine to form the Grade II Listing. The site is located just outside the Maidenhead Town Centre Conservation Area.

- 4.2 The site also lies partially within Flood Zones 2 and 3.

5. THE PROPOSAL

- 5.1 Planning permission is sought for the installation of a new heating ventilation and air conditioning system. The works internally within the library building have to a large extent been carried out and the works are therefore part retrospective.

- 5.2 During the course of the application, additional information and amended drawings have been received which sought to address comments raised by both the RBWM Conservation Officer and the 20th Century Society. The amendments relate to the following:

- Amended drawings showing a revised location for the air conditioning units, screening and location of trunking from the internal works to the air conditioning units containing pipes and wiring; and
- Confirmation that the colour of the internal pipework trays will match the colour of the existing ceiling colour.

- 5.3 Whilst internal works relating to the application have been carried out, the condenser units have not been sited in the proposed location and are not therefore currently operational.

6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
17/01159/LBC	Consent to install three acoustic meeting pods.	Permitted 12.05.2017

16/00360/LBC	Consent for upgrade of electrical supply system to interior and addition of window opening actuation system.	Permitted 14.04.2016
11/02408/LBC	Installation of feral bird proofing measures.	Permitted 22.11.2011
11/00041/LBC	Consent for 5 'fin' cycle stands.	Permitted 17.03.2011
07/02961/LBC	Consent to undertake improvements and upgrading of access routes to building including surfaces, ramp gradient, handrails and stepped access.	Permitted by S of S 24.01.2008
07/02960/FULL	Improvements and upgrading of access routes to building including surfaces, ramp gradient, handrails and stepped access.	Permitted 20.12.2007
07/00072/LBC	General improvements and refurbishments/repairs.	Permitted by Secretary of State 25.06.2007
06/01384/LBC	Consent to replace inner and outer doors to main and St Ives Road entrances and replacement of window film with solar security film.	Permitted by S of S 27.10.2006
04/41498/LBC	Internal refurbishment and remodelling, external refurbishment, external plant enclosure and associated ancillary and external works.	Withdrawn 26.06.2006
04/41497/FULL	Internal refurbishment and remodelling, external refurbishment, external plant enclosure and associated ancillary and external works.	Permitted 20.05.2004
03/39893/FULL	Extension and alterations to library including associated external works landscaping and paving.	Withdrawn 02.02.2004
01/36787/FULL	Change of use of part of Library to Internet Cafe (to provide Internet and Computer access, sell hot and cold beverages, sandwiches, jacket potatoes, newspapers, stationery etc including use of patio area adjoining).	Refused 12.09.2001
23/00464/LBC	Installation of a new heating ventilation and air conditioning system (part retrospective).	Pending consideration (also on the committee agenda)

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Borough Local Plan (BLP)

Issue	Policy
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Maidenhead Town Centre	TR3
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Community Facilities	IF6
Noise	EP4
Sustainable Transport	IF2

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF)

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 12- Achieving well-designed places

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

Section 16 - Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Landscape Assessment
- Corporate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

A site notice advertising the application was posted at the site and the application was advertised in the Local Press.

No comments were received in connection with the application.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Historic England	No objections raised on the original consultation. No additional comments received following re-consultation on additional information.	Noted.
Twentieth Century Society.	Objections raised to the initial proposed siting of the Air Conditioning units. Objection withdrawn based on amended plans.	Section 10.

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Conservation	Initial objections to the proposal. Objection withdrawn based on amended plans.	Section 10
RBWM Environmental Protection	No objections.	Section 10

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Whether the proposals would preserve the special architectural and/or historic interest of the listed building and where harm is identified, whether there is sufficient clear and convincing justification and public benefit to outweigh the harm;
- ii Impact on amenity;
- iii Impact on flooding; and,
- iv Other material planning considerations.

Impact on heritage asset

10.2 Section 12 (Achieving well-designed places) of the NPPF advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Section 16 of the NPPF addresses proposals affecting heritage assets. Paragraph 199 sets out that 'great weight should be given to the assets' conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

10.3 Policy QP3 of the BLP states that new development will be expected to contribute towards achieving sustainable high-quality design in the Borough. A development proposal will be considered high quality design and acceptable where it achieves the relevant design principles, QP3(b) supports development that respects and enhances the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing,

proportions, trees, biodiversity, water features, enclosure and materials. Policy HE1 of the BLP is relevant and states that the historic environment will be conserved and enhanced in a manner appropriate to its significance and that development proposals are required to demonstrate how they preserve or enhance character, appearance and function of heritage assets, (whether designated or non-designated), and their settings and respect the significance of the historic environment. Heritage assets are an irreplaceable resource and works, which would cause harm to the significance of the heritage asset or its setting, will not be permitted without clear justification in accordance with legislation and national policy.

- 10.4 The impact of the proposed development on the Grade II listed Maidenhead Public Library, including the proposed internal work, is considered in more detail under application ref. 23/00464/LBC which is also on the committee agenda.
- 10.5 During the course of the application, amended plans and additional information has been submitted to address concerns raised by both the RBWM Conservation and the Twentieth Century Society. The proposed condenser units would be sited to the rear/side of the building, enclosed within a 1.85m high enclosure. Whilst visible from the river, the external location of the air conditioning units is acceptable in principle in relation to the listed building and reaches an appropriate compromise between the protection of the heritage asset and the continued use of the building as a public facility for residents of all ages. The proposed condenser units would be located behind the library building and would not be readily visible from St Ives Road, with views of the units and proposed enclosure limited to the footpath on the opposite side of York Stream. It is therefore considered that the proposal would not have a detrimental impact on the character of the area. Conditions are recommended to secure further detail of the materiality and colour of the enclosure and the external pipework and cable trunking to the library building. Whilst the submitted drawings indicate that the trunking would match the window frames, details of a specific colour would be required.
- 10.6 Overall, the scheme would have an acceptable impact on the character of the wider area. In line with the Planning (Listed Building and Conservation Area) Act 1990, special regard is given to preserving the heritage asset. The identified less than substantial harm to the significance of the designated heritage asset and its setting (as set out in more detail under application ref. 23/00464/LBC) is outweighed by the public benefit identified. Namely, in this case that the existing system has come to the end of its life span and the library is not currently able to adjust the environment within the building to take account of the external environment in terms of changing temperatures. In order for the library to fulfil its function as a public facility used by residents of all ages, the building needs to provide an environment that is comfortable for users all year round. The proposal would allow for the continued use of a popular and well used public facility, and this is a public benefit of significant weight. Due regard has been given to the provisions of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990. The scheme would therefore comply with Borough Local Plan Policies QP3 and HE1.

Amenities

- 10.7 Policy QP3(m) states that proposals should not have an 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. BLP policy EP4 is also relevant and sets out that development proposals should consider the noise and quality of life impact on recipients in existing nearby properties and also the intended new occupiers ensuring they will not be subject to unacceptable harm. Development proposals that generate unacceptable levels of noise and affect quality

of life will not be permitted. Effective mitigation measures will be required where development proposals may generate significant levels of noise (for example from plant and equipment) and may cause or have an adverse impact on neighbouring residents, the rural character of an area or biodiversity.

- 10.8 The proposed air conditioning units would be located externally to the rear/side of the building. Given the siting of the proposed units and the separation distances between them and the nearest neighbouring buildings, there would be no unacceptable harm to neighbouring buildings in terms of privacy, light or noise disturbance. As such, the proposals comply with BLP policies QP3 and EP4.

Impact on flooding

- 10.9 Policy NR1 of the BLP sets out that within designated Flood Zones 2 and 3, development proposals would only be supported where an appropriate flood risk assessment has been carried out and it has demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning term. Policy NR1 further states that all development should not itself, or cumulatively with other development, materially:

- Impede the flow of flood water;
- Reduce the capacity of the floodplain to store water;
- Increase the number of people, property or infrastructure at risk of flooding;
- Cause new or exacerbate existing flooding problems, either on the proposal site or elsewhere
- Reduce the waterways viability as an ecological network or habitat for notable species of flora or fauna.

- 10.10 The application site, as defined by the Environmental Agency (EA), falls within Flood Zone 2 and 3, an area recognised as having a high to medium risk of flooding. The application has been submitted alongside a Flood Risk Assessment (FRA) which demonstrates that the development would not displace flood water and exacerbate the flood risk on-site, in accordance with Policy NR1 of the BLP. The resilience measures within the FRA would be secured by recommended condition.

Other material considerations

- 10.11 The nature of the proposed development is such that there would be no impact on parking and highway safety in the surrounding area.

11. CONCLUSION

- 11.1 For the reasons set out in this report the proposals are deemed to comply with relevant development plan policies. It is therefore recommended that listed building consent is granted subject to the conditions listed below.

12. APPENDICES TO THIS REPORT

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

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Prior to installation of the external condenser units, further details including a detailed elevation drawing of the proposed enclosures for the external units, including finish to the materials, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan QP3 and HE1.

- 3 Prior to installation of the external condenser units, further details and confirmation of the RAL colour/colour reference of the external pipework and cable trunking shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan QP3 and HE1.

- 4 The development shall be carried out in accordance with the flood resilience measures contained within the Flood Risk Assessment received on 1st December 2023 and retained thereafter.

Reason: In the interests of flooding. Relevant Policy - Borough Local Plan NR1

- 5 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

