

MAIDENHEAD DEVELOPMENT CONTROL PANEL

13 April 2016

Item: 1

Application No.:	16/00229/VAR
Location:	Waitrose 48 Moorbridge Road Maidenhead SL6 8AF
Proposal:	Extensions and alterations of the existing retail unit, alterations to pedestrian and vehicle access, erection of a new upper parking deck, provision of external lighting; provision of 14 No flats on 1st, 2nd and 3rd floors together with associated parking as approved under planning permission 05/03074 without complying with condition 15 for extension to delivery timings.
Applicant:	Waitrose Ltd
Agent:	Mr Tim Williams- Firstplan Ltd
Parish/Ward:	Oldfield Ward
If you have a question about this report, please contact: Diane Charlton on 01628 685699 or at diane.charlton@rbwm.gov.uk	

1. SUMMARY

1.1 The Waitrose store in Maidenhead experiences logistical issues due to a current restriction on the hours of deliveries of goods. Originally deliveries were only permitted during the following times:

- Between 0700 and 2300 hours from Mondays to Saturdays; and
- Between 1000 and 1600 hours on Sundays and Bank Holidays.

As deliveries do not occur at other times, operational problems have occurred which include lack of efficient re-stocking of goods.

1.2 Under planning permission 15/03456, the original delivery times were expanded to allow a maximum of 3 deliveries to the store between the hours of 2200 and 0700 each day.

1.3 The store are now seeking one further variation to extend the allowable delivery time window further to remove the restriction on a Sunday and Bank Holidays which applies from 1600 to 2200 hours to increase flexibility to bring this day in line with permitted hours for Mondays to Saturdays. This involves amending the wording of the condition to the following:

“Deliveries by any vehicle used for commercial purposes shall only be made to the retail premises between the hours of 0700 and 2300 on Mondays to Sundays, with the exception of a maximum of three deliveries to the retail premises between the hours of 2300 and 0700 on Monday to Sundays. No vehicles used for commercial purposes including fork lift trucks shall be started up, manoeuvred operated, loaded or unloaded other than when there is a delivery being carried out on the retail premises”.

1.4 The application is supported by a Delivery Noise Impact Assessment which concludes that there should be no time restriction on deliveries. Notwithstanding this, Waitrose are keen to maintain good relations with the surrounding properties and therefore propose to amend the condition but retain a frequency restriction during the night time period. The residential properties above Waitrose store are screened by the intervening one/two storey Waitrose building and are further away than the closest properties on Moorbridge Road. As such, the nearest noise sensitive properties are the residential properties located to the north-east of the delivery bay around 20m from the access door to the service yard. It is considered that any deliveries on a Sunday evening between 1600 and 2200 hours would not impact on those properties in this edge of town location, close to the main A4 busy road.

1.5 The revised delivery times could be viewed as a highway gain due to vehicles delivering outside the peak traffic times on the local highway network. Furthermore Waitrose do not intend to increase the overall number of delivery vehicles to the Maidenhead store instead it will redistribute the existing deliveries throughout a full 24 hours.

It is recommended the Panel grants planning permission subject to the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 This site is situated on Moorbridge Road in Maidenhead. There are residential properties above the store to the west of the delivery bay. These residential properties benefit from distance and screening provided by the Waitrose building. There are offices and residential properties located to the north east of the delivery bay. The car park for the store is located to the south of the buildings overlooking Cedars Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
15/03456	Extensions and alterations of the existing retail unit, alterations to pedestrian and vehicle access, erection of a new upper parking deck, provision of 14 No. flats on 1st, 2nd and 3rd floors together with associated parking as approved under planning permission 05/03074 without complying with condition 15 for extension to delivery timings.	Permitted 23.12.2015
15/00327	Installation of new external seating area to the front of store and relocation of 6x bicycle hoops.	25.03.2015
05/03074	Extensions and alterations of the existing retail unit, alterations to pedestrian and vehicle access, erection of a new upper parking deck, provision of external lighting; provision of 14 No flats on 1st, 2nd and 3rd floors together with associated parking.	11.07.2006

4.1 This application seeks to extend the hours deliveries can be made to the store to remove the restriction currently in place on a Sunday between the hours of 1600 and 2200.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Chapter 4 – Promoting sustainable transport and Core Planning Principles to protect residential amenity.

Royal Borough Local Plan

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

	Neighbouring Amenities	Highways/Parking issues
Local Plan	NAP3	T5 and P4

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- i Noise Impacts on Neighbouring Amenity; and
 - ii Highway Implications.

Noise Impacts on Neighbouring Amenity

- 6.2 An environmental noise survey was undertaken in order to establish the ambient noise levels at nearby residential dwellings overlooking the service yard of the Waitrose store. The results of the survey were used to undertake an assessment of the likely noise impact from night time deliveries at the store. The results of the assessments show that due to the low predicted impact from deliveries during the night time there should be no restrictions on deliveries. The report does recommend that the amount of deliveries (i.e. no more than say 5 in a 24 hour period) and adherence to the delivery noise management plan should be conditioned.
- 6.3 Officers have conditioned that there should be no more than 3 deliveries between the hours of 2200 and 0700 and that all deliveries should be carried out in accordance with the noise management plan. Given the restriction over night, it is not considered that it would be reasonable to condition the number of deliveries during the daytime. For these reasons the variation is not considered to result in a detrimental impact on neighbouring amenity.

Highway Implications

- 6.4 The site occupies a prominent position on the corner of Forlease Road and Moorbridge Road. Access to the site is derived from Moorbridge Road, which is a no through public highway where parking is either prohibited or restricted to 1 hour. Parking on this section of Forlease Road is also prohibited. The applicant seeks permission to vary delivery hours to between 0700 and 2300 hours on Mondays to Sundays with a maximum of three deliveries to the store between 2300 and 0700 hours each day. The proposal would have little to no effect on the public highway since deliveries will occur during the less sensitive periods of the day.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

52 occupiers were notified directly of the application.
The application was advertised in the Maidenhead & Windsor Advertiser 4th February 2016.
The planning officer posted a statutory notice advertising the application at the site on 4th February 2016.

No letters were received supporting or objecting to the application.

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection subject to a condition securing the implementation of the Noise Management Plan for Deliveries. (See condition 10 in section 9 of this report)	6.2 and 6.3
Highways	No objection.	6.4

Lead Local Flood Authority	Given the nature of the application no comments are raised.	Noted
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8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – layout drawings

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

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The approved landscape management plan shall continue to be implemented as approved by the Local Planning Authority. Reason: To ensure the continuing standard of landscape provision in the interests of the visual amenity of the area. Relevant Policies - Local Plan DG1.
2. No plant shall be installed on the building without the prior approval in writing of the Local Planning Authority. Reason: In the interests of visual amenity. Relevant Policies - Local Plan DG1.
3. Irrespective of the provisions of Part 16 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no telecommunications equipment shall be installed on the building without planning permission having first been obtained from the Local Planning Authority. Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1.
4. The noise levels on all boundaries of the site shall not as a result of this development exceed International Standards Organisation (I.S.O) Noise Rating 45 between the hours of 07.00 - 23.00 and 35 between 23.00 - 07.00 when plotted on an I.S.O. Noise Rating Curve Chart. Reason: To protect the amenities of the area and prevent nuisance arising from noise and to accord with the Local Plan Policy NAP3.
5. Works of repair or maintenance of plant, machinery or equipment shall only be carried out at the site between 0800 and 1800 hours Mondays to Fridays, and at no time on Saturdays, Sundays, or Bank or Public Holidays without the prior written consent of the Local Planning Authority, except in emergencies. Reason: To protect the residential amenity of the area and to accord with the Local Plan Policy NAP3.
6. Deliveries by any vehicle used for commercial purposes shall only be made to the retail premises between the hours of 0700 and 2300 on Mondays to Sundays, with the exception of a maximum of three deliveries to the retail premises between the hours of 2300 and 0700 on Monday to Sundays. No vehicles used for commercial purposes including fork lift trucks shall be started up, manoeuvred operated, loaded or unloaded other than when there is a delivery being carried out on the retail premises. Reason: To protect the residential amenities of the area and to prevent noise and nuisance and to accord with the Local Plan Policy NAP3.
7. The approved travel plan shall be adhered to. Reason: In the interests of encouraging sustainable modes of travel to the site. Relevant policies: Local Plan T7, T11.
8. The service delivery yard shall be kept clear of any obstructions at all times; no goods, packaging, refuse awaiting disposal or recycling, plant, machinery or structures other than those shown on the approved plans shall be placed in the service yard at any time without the express written consent of the local planning authority, nor shall any vehicle be parked therein except for the duration of loading and unloading operations. Reason: To ensure that delivery vehicles can

enter and leave the site in a forward gear in the interests of personal and highway safety and amenity. Relevant Policy - Local Plan T5

9. The lighting to the upper car deck and along the southern boundary of the site shall be turned off by an automatic time clock within one hour of the closure of the store each day and in the course of the working day by light sensitive switch when natural light is available. Reason: To minimise light intrusion in the interests of the amenities of neighbouring residential occupiers, to contribute to the preservation of dark skies and for the conservation of energy. Relevant Policy - Local Plan DG1
10. The proposed development shall be implemented in accordance with the submitted Noise Management Plan for Deliveries produced and contained within the Delivery Noise Impact Assessment. This document shall be adhered to at all times. This should also include that all cages should be maintained and have rubber wheels with nothing hanging from them to minimise the noise impact.
Reason: To protect the residential amenities of the area. Relevant Policy - Local Plan NAP3.

Appendix A – Location Plan



Site Location Plan

Waitrose Foodstore
48 Moorbridge Road
Mattenhead
Bentley
SLE 8AF

Map Information
Scale: 1:1250
Date: 13/10/15
Reference: PLAN 1
Order No: 1578774



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MAIDENHEAD DEVELOPMENT CONTROL PANEL

13 April 2016

Item: 2

Application No.:	16/00360/LBC
Location:	Maidenhead Public Library St Ives Road Maidenhead SL6 1QU
Proposal:	Consent for upgrade of electrical supply system to interior and addition of window opening actuation system.
Applicant:	The Royal Borough of Windsor And Maidenhead
Agent:	Mrs Alison Davidson
Parish/Ward:	Oldfield Ward
If you have a question about this report, please contact: Rachel Fletcher on 01628 685687 or at rachel.fletcher@rbwm.gov.uk	

1. SUMMARY

- 1.1 This is an application for listed building consent for the installation of an upgraded and rationalised electrical supply system to the interior of Maidenhead Library plus the addition of a window opening activation system.
- 1.2 The proposal would achieve heritage benefits to the building through rationalising existing wiring and cables. By updating the much needed electrical supply system this enables the building to continue its important community role effectively. The window opening system would not harm the special interest of the building.

It is recommended the Panel grants planning permission subject to the conditions listed in Section 10 of this report.
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2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Maidenhead Library is Grade II listed and sits on the eastern side of St Ives Road, opposite the Town Hall. The building backs onto The Cut (waterway) currently undergoing work.
- 3.2 The special interest of the listed building is due to its Modern Movement design ethos of clearly showing the structure of the building (i.e. not hiding metal and concrete structural elements behind a pretty facade) and aimed to provide all the spaces required in a modern library building and adjacent hard landscaping. The heritage statement provides an excellent commentary on the special interest of the building and its history, together with the assessment of how the proposals would affect the special interest.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
11/02408/LBC	Installation of feral bird proofing measures	Approved 22.11.2011
11/00041/LBC	Consent for 5 'fin' cycle stands	Approved 17.03.2011
07/0296/LBC	Consent to undertake improvements and upgrading of access routes to building including surfaces, ramp gradient, handrails and stepped access	Approved 24.01.2008
07/02960/FULL	Improvements and upgrading of access routes to building including surfaces, ramp gradient, handrails and stepped access	Approved 20.12.2007
07/00072/LBC	General improvements and refurbishments	Refused 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	Approved 27.10.2006
04/41497/FULL	Internal refurbishment and remodelling, external refurbishment, external plant enclosure and associated ancillary and external works	Approved 20.05.2004
01/36787/FULL	Change of use of part of library to internet café (to provide Internet and computer access, sell hot and cold beverages, sandwiches, jacket potatoes, newspapers, stationary etc. including use of patio area adjoining).	Refused 12.09.2001

- 4.1 The proposed work would provide a safe electrical supply system to the building which is in need of upgrading. The work would remove obsolete, messy surface mounted cabling and replace it with a new system. The new system will sit in coloured conduits that will also be surface mounted. The new conduits will largely be coloured to match the interior frame of the building.
- 4.2 Additional power sockets to computers are also proposed and these will be white to match those that exist.
- 4.3 The proposed window opening system requires a small weather station to be located on the exterior of the building. It is proposed to locate this high up in a discrete position not visible from the ground. On each high level window a small mechanical opening system will be fitted. This opening system is activated by the weather and would negate the need for long poles and library staff to operate.
- 4.4 In conclusion, the proposed work would not harm the special interest of the listed building.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 12

Royal Borough Local Plan

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

	Listed Building
Local Plan	LB2

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issue for consideration is:

The impact of the work on the special interest of the listed building

- 6.2 The Council must, when considering this application, pay special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses, as required under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.3 This new electrical system will be more sympathetic than the existing messy cabling and coloured conduits will ensure the system sits neatly with the existing frame of the building.
- 6.4 The window operating system would not harm the special interest of the building as it will be very discrete and barely visible, additionally it would not require the removal or alteration to the fundamental design of the building.

7. CONSULTATIONS CARRIED OUT

The application was advertised in the Maidenhead & Windsor Advertiser on 11th February 2016.

A planning officer posted a statutory notice advertising the application at the site on 11/02/2016.

No comments were received.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Indicative layout drawings

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

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

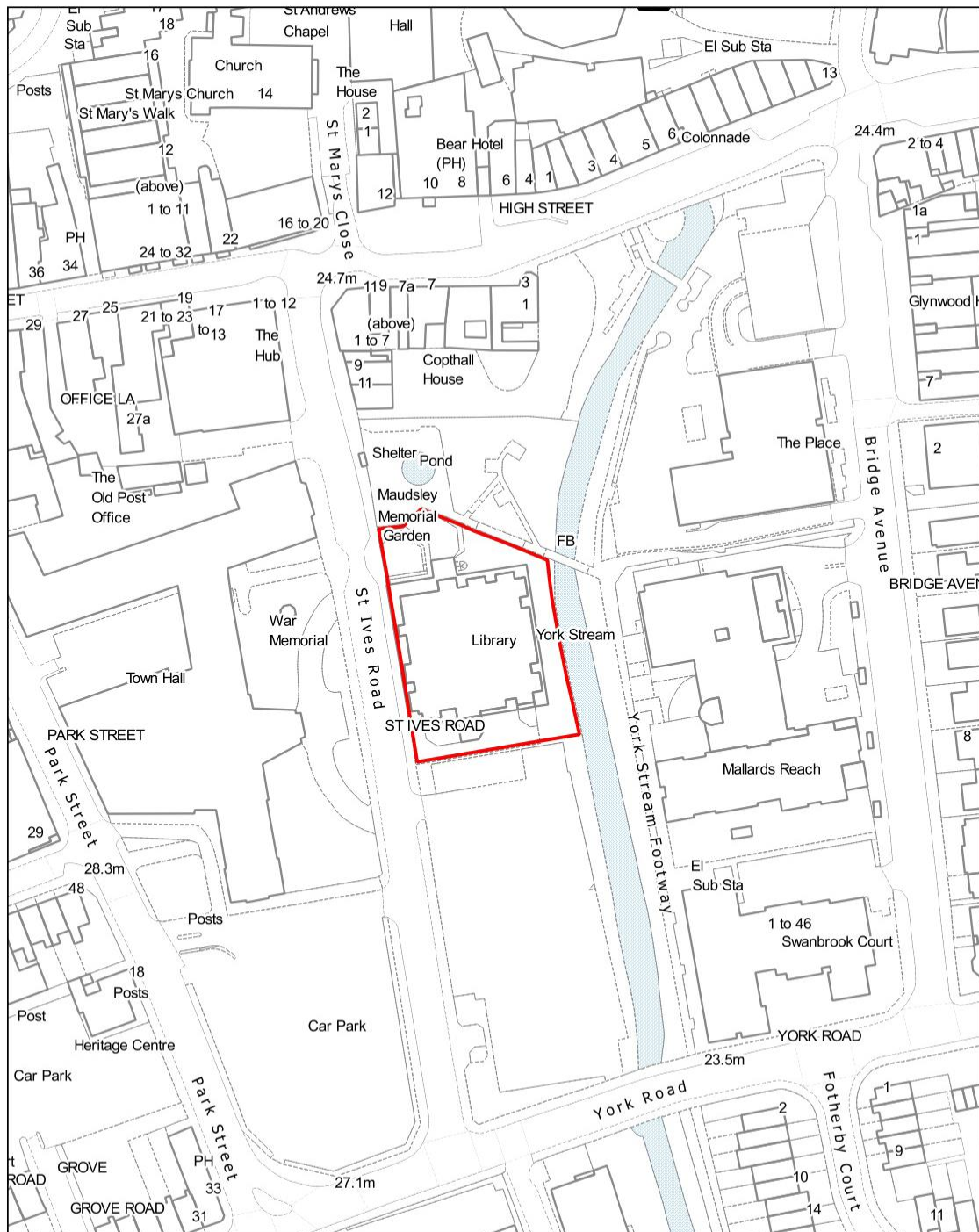
1. The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.

2. The new conduits to be introduced shall be coloured as follows:
 - running along the metal frame of the building will match the colour of that frame;
 - running along the ceiling will match the colour of that ceiling;
 - running along brickwork where not serving a desk will match the colour of the brick; and,
 - running along brickwork where serving a desk will match existing conduits.

Other new conduits not in accordance with the schedule above will be required to be agreed in writing by the Local Planning Authority. The approved conduit works shall be carried out in accordance with the approved details.

Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

Appendix A – Site Location



Maidenhead Library	Royal Borough Of Windsor and Maidenhead		 <p>The Royal Borough Windsor & Maidenhead</p>
Proposed Electrical Re-wiring	Drawing No: EO...	© Crown copyright and database right 2016. Ordnance Survey 100018817	
Location Plan	OS SU8981 sw	Date: 01/02/2016	Scale 1:1250 @ A4

Tree Preservation Order 015 of 2015

Land Between Lightlands Lane And Strande View Walk and Strande Lane Cookham Maidenhead

1. Background:

Tree Preservation Order (TPO) 015 of 2015 was created on 20 November 2015 to protect a line of Oak trees growing in a field between Lightlands Lane and Strande View Walk and Strande Lane. The TPO was made in response to concerns raised by local residents following applications for development on the land.

TPO 010 of 2013 relates to trees as per the specification below:

- G1 x2 English oak (Quercus robur)
- G2 x4 English oak (Quercus robur)

2. Objections:

An objection in respect of the Order was received from the owner of the site. The objection is stated in full below.

- Objection to the tree preservation order on the parameters of the sterilisation zone being excessive.

3. Response to the objection and justification for the Order:

From discussion with the site owner it is understood that his objection is referring to the size of the root protection area required to ensure that the trees are successfully retained as part of the continued use of the site or as part of any future development.

The preservation order is not designed to prevent the continued use of the area around the trees for activities that do not damage or destroy the trees. The preservation order is also not intended to prevent development but will enable the trees to be fully considered as part of any development application that we receive for this site.

A TPO should not hinder the appropriate management of the trees. The Council's Tree Team can provide pre-application advice and any application to undertake work would be judged against good arboricultural practice and consent for appropriate works is unlikely to be withheld.

Under the Town and Country Planning Act (1990) local authorities may make a TPO if it appears to them to be expedient in the interests of amenity to make provision for the preservation of trees or woodland in their area. The Act does not define amenity, nor does it prescribe the circumstances in which it is in the interests of amenity to make a TPO. In the Secretary of State's view, a TPO should be used to protect selected trees and woodlands if their removal would have a significant impact upon the local environment and its enjoyment by the public. Local planning authorities should be able to show that a reasonable degree of public benefit would accrue before the TPO is made or confirmed. The trees, or at least part of them, should therefore normally be visible from a public place, such as a road or footpath. Trees may be worthy of preservation, amongst other reasons, for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore or future development; the value of the trees may be enhanced by their scarcity; and the value of a group of trees or woodland may be collective only. Other factors such as importance as a wildlife habitat may be taken into account which alone would not be sufficient to warrant a TPO.

In this case it is considered the groups of trees, due to their position and size, are principal landscape features of significant amenity value within the local and wider landscape, providing seasonal interest, and contributing to the character and appearance of the area. The trees are clearly visible from Lightlands Lane, Strande Lane and the footpath no.48. The trees also provide important habitat and act as a wildlife corridor.

The removal of any dead or dangerous branches may be carried out under an exemption in the legislation without the need for prior written consent from the Council. In the Secretary of State's view, this exemption allows the removal of dead branches from a tree or the removal of dangerous branches from an otherwise sound tree. Determining whether a tree is dead, or dangerous, for the purpose of a statutory exemption, is not always a straightforward matter. The Council's Tree Team can provide advice should there be any uncertainty. Anyone proposing to cut down a tree under this exemption is required to give the Council five days' notice before carrying out the work, except in an emergency. If work is carried out on a protected tree under this exemption, the burden of proof to show, on the balance of probabilities, that the tree was dead, or dangerous rests with the defendant.

Confirmation of the Tree Preservation Order will ensure these trees are adequately protected through the Town and Country Planning Act 1990. If the order is not confirmed, there is a risk that these trees may be removed or pruned without due consideration.

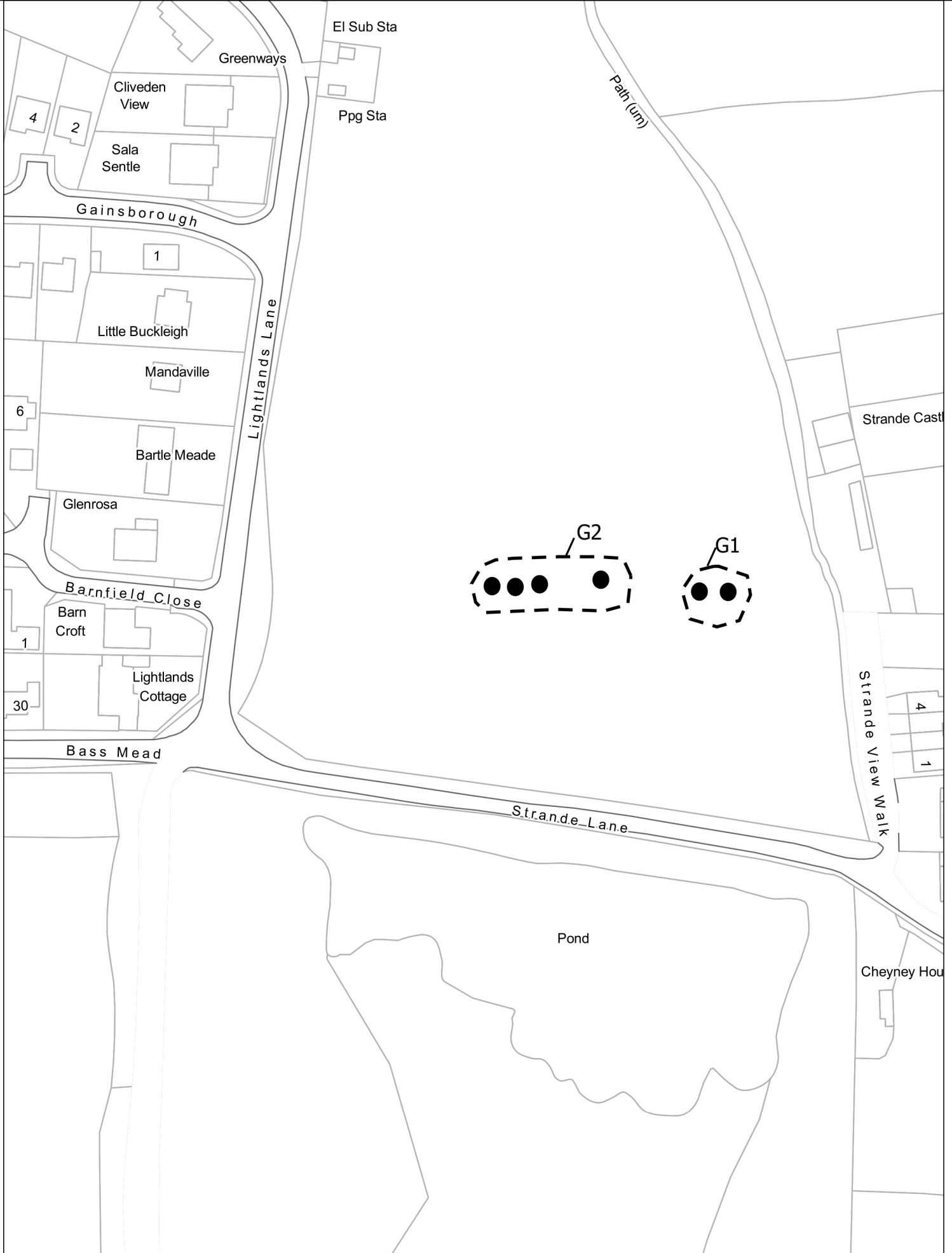
Notwithstanding the representation that has been received, it is recommended that the Tree Preservation Order should be confirmed without modification.

The formally adopted Tree and Woodland Strategy states the Council will make Tree Preservation Orders to protect healthy trees that are of significant amenity value, where it is considered expedient to do so.

4. Sustainable Development Implications:

In terms of the sustainable development policy the recommendation contained in the report will have the following significant beneficial sustainable development implications: A positive impact on the natural environment by retaining the tree stock.

RECOMMENDATION that Tree Preservation Order 015 of 2015 is confirmed with modifications



TPO 015 OF 2015

Date: 20/11/2015

Scale: 1:1,250

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Ordnance Survey 100018817

Land North of Strande Lane, Cookham,
Maidenhead SL6 9DN

