

MAIDENHEAD DEVELOPMENT CONTROL PANEL

17 April 2024

Item: 3

Application No.:	23/02716/FULL
Location:	Development At King Street And Queen Street And Broadway Maidenhead
Proposal:	Erection of office building with flexible commercial ground floor uses, landscaping and associated works.
Applicant:	Ryger Maidenhead Ltd
Agent:	Mr Tony Gallagher
Parish/Ward:	Maidenhead Unparished/St Marys

If you have a question about this report, please contact: Sarah Chesshyre on 01628 796796 or at sarah.chesshyre@rbwm.gov.uk

1 SUMMARY

- 1.1 The application site is located in the south western corner of a larger, broadly triangular development site bounded by King Street, Queen Street and Broadway. The larger site (known previously as 'The Landing', now referred to as 'One Maidenhead') benefits from planning permission for six buildings in a mixture of residential and commercial uses, including an office building located within the current application site (the hybrid permission).
- 1.2 The current application seeks full planning permission for an office building with flexible commercial uses at ground floor and associated landscaping.
- 1.3 The site benefits from full planning permission (granted through the hybrid permission) for a seven storey building with office accommodation on the upper floors and mixed commercial use on the ground floor. This is a realistic fallback position and is a material planning consideration in determining the current application. The current application would provide equivalent areas of floorspace of six storeys, and would represent an improvement over the consented scheme in terms of design and impact.
- 1.4 As set out above, the principle of an office-led commercial development on the site has already been established through the hybrid permission. The proposed development would not undermine the implementation of the hybrid permission, and the proposed development would accord with the spatial strategy, would contribute to meeting the employment and retail needs of the Borough, and would support the renewal and enhancement of Maidenhead town centre.
- 1.5 The proposed development would be of excellent design quality and meet the requirements for a tall building in this location. Subject to recommended conditions, the development would have an acceptable appearance and would not result in any unacceptable harm to heritage assets, amenities, highways, air quality, contamination, flooding and drainage or ecology. Subject to the completion of a legal agreement and recommended conditions, the application would not result in harm to highway safety and would secure the required carbon off-set contribution for the development.

It is recommended the Committee authorises the Assistant Director of Planning:

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| 1. | To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 10 of this report and with the conditions listed in Section 15 of this report. |
| 2. | To refuse planning permission if an undertaking to secure the infrastructure in Section 10 of this report has not been satisfactorily completed for the reason that the proposed development would not be accompanied by associated infrastructure improvements. |

2 REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Assistant Director of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application is for major development.

3 THE SITE AND ITS SURROUNDINGS

- 3.1 The application site measures approximately 0.23 hectares and has been cleared of buildings as part of the redevelopment of the 'One Maidenhead' site. The south and west site boundaries follow Queen Street and King Street respectively, and to the north and east, the site abuts the wider development site which extends north to Broadway. The site is prominently located within Maidenhead Town Centre and Maidenhead train station is located approximately 150 metres to the south west. The site lies within the area designated by Borough Local Plan policy QP1a as the Maidenhead Town Centre Strategic Placemaking Area.
- 3.2 King Street to the west, is pedestrianised between Broadway and Queen Street. Facing the 'One Maidenhead' site are predominantly three to four storey buildings containing a cinema, gym, and a number of cafes and restaurants. To the south west is a four storey office building currently undergoing extensive refurbishment and extension to provide an additional storey.
- 3.3 Queen Street links the train station to the High Street. A number of buildings have been cleared from its north side, where these were within the 'One Maidenhead' site. On its south side are a range of two and three storey buildings containing restaurants, cafes, bars and shops, with some residential uses on upper floors.
- 3.4 To the north, beyond the boundary of the wider 'One Maidenhead' site, is the Broadway multi-storey car park, which is in the process of being demolished, and a further office building.
- 3.5 Within the 'One Maidenhead' site, three buildings along its northern edge, adjacent to Broadway, provide residential accommodation over 15 storeys. These buildings have recently been completed. To the north east, a further five storey residential building with commercial uses on the ground floor has also recently been completed.
- 3.6 The site benefits from extant consent for a commercial building (referred to as Building C) granted under the hybrid planning permission for the 'One Maidenhead' site. The extant permission could be implemented and is a realistic fall back position. This extant consent is a material planning consideration in determining the current application.

4 KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- Maidenhead Town Centre Strategic Placemaking Area (Policy QP1a);
- Maidenhead Town Centre (Policy TR3);
- RBWM Cycle Network (King Street);
- Flood Zone 1; and,
- Maidenhead Air Quality Management Area (AQMA).

5 THE PROPOSAL

- 5.1 The application seeks planning permission for the erection of a six storey building to provide flexible commercial ground floor uses, with office accommodation above. The building is an alternative proposal to 'Building C', for which detailed proposals were approved in full as part of the hybrid consent for the 'One Maidenhead' site (see section 6).
- 5.2 The building would provide 6,212sqm gross internal area (GIA) of office floorspace (Use Class E) on the upper floors, with 652sqm (GIA) of Class E and drinking establishment (Sui Generis) use, and 556sqm (GIA) office floorspace on the ground floor. The quantum of floorspace provided would be equal to that in approved and extant 'Building C'.
- 5.3 The proposed building would be constructed from engineered timber, with an exposed internal superstructure, and finished stone externally. The facade treatment would be consistent across the elevations, with subtle variations in the articulation of windows based on the orientation, to optimise the balance between natural daylighting and solar gain.
- 5.4 The south western corner has been designed having regard to its prominence and appearance in wider views, particularly in the approach from the station. The main building entrance on this corner is oriented to face the route from the station and is recessed and lined in timber. Above this entrance, the corner of the upper floors is fully glazed.
- 5.5 Landscaping at ground floor would integrate with the landscaping of the 'One Maidenhead' site, including the central public realm. Patio areas for external seating, connecting the commercial units to the public square, would be provided to the east and north. An external terrace is proposed on the southern edge of the fifth floor, overlooking Queen Street.
- 5.6 It is proposed that car parking would be provided off-site within an existing town centre car park. It has been confirmed that there is capacity within other town centre car parks. 53 cycle parking spaces are proposed within the ground floor of the building.

6 RELEVANT PLANNING HISTORY

Reference	Description	Decision
18/01576/FULL	Hybrid planning application for the mixed use redevelopment of the site comprising; up to 41,430sq.m GEA residential (Class C3); up to 13,007sq.m GEA office (Class B1) and up to 3,846sq.m GEA flexible retail, office, community and leisure floorspace (Class A1 - A5, B1, D1 and D2), public realm and open space, parking, vehicular access, new	Permitted 7 March 2019

	servicing arrangements and associated works following the demolition of all buildings on site. Full planning permission for the demolition of all existing buildings on site, site preparation, the construction of three buildings to provide 344 residential homes (Class C3), one building to provide 7,007sq.m GEA of office floorspace (Class B1) and 2,196sq.m GEA of flexible retail, office, community and leisure floorspace (Class A1 - A5, B1, D1 and D2) across four buildings, car and cycle parking, plant and storage, public realm works and landscaping, podium terraces, vehicular access off Broadway, new servicing arrangements and associated works. Outline planning permission (with all matters reserved) is sought for site preparation, the construction of two buildings to provide for up to 1,650sq.m GEA of flexible retail, office, community and leisure floorspace (Class A1-A5, B1, D1 and D2) and up to 6,000sq.m GEA office floorspace (Class B1) and up to 9,300sq.m GEA residential floorspace (Class C3), basement car parking, cycle parking, plant and storage, public realm works and landscaping, new servicing arrangements and associated works.	
19/02966/REM	Reserved matters application(access, appearance, landscaping, layout and scale) for 'Building E' to provide 87 apartments on the upper floors with proposed commercial floor space on ground floor (Class A1-A5, B1, D1 and D2) and public realm around Building E including service layby along Queen Street, pursuant to planning permission 18/01576/FULL: Hybrid planning application for the mixed use redevelopment of the site.	Permitted 22 June 2021
19/03027/EIASCR	Request for Screening Opinion pursuant to Regulation 6 and 9 of The Town And Country Planning (Environmental Impact Assessment) Regulations for reserved matters application (access, appearance, landscaping, layout and scale) for 'Building E' to provide 87 apartments on the upper floors with proposed commercial floor space on ground floor (Class A1-A5, B1, D1 and D2) and public realm around Building E including service layby along Queen Street, pursuant to planning permission 18/01576/FULL: Hybrid planning application for the mixed use redevelopment of the site.	No objection 13 November 2019
20/01450/CLD	Certificate of lawfulness to confirm that the demolition works which have been undertaken	Permitted

	constitute the lawful carrying out of a material operation pursuant to Section 56 (4)(aa) and as such, the detailed element of the development approved by the Hybrid Planning Permission has been commenced.	28 August 2020
21/02551/NMA	Non-material amendment of condition 28 (approved plans) as approved under 18/01576/FULL to substitute the approved plans with amended plans, to change the wording of the description of proposed development and to add a new condition.	Permitted 03 September 2021
21/02552/NMA	Non-material amendment of condition 16 (approved plans) as approved under 19/02966/REM to substitute the approved plans with amended plans.	Permitted 03 September 2021
22/00359/NMA	Non material amendments to planning permission 18/01576 for amendments to wording of Conditions 4 (Samples of materials), 5 (Hard and Soft Landscape), 8 (Design out Crime), 16 (External lighting scheme), 20 (Acoustic and noise attenuation measures), 21(Installation of all fixed plant and equipment), 22 (Sustainable design and Construction measures) and 26 (Wind microclimate) to amend the trigger for submission for discharge to on completion of the erection of the superstructure frame.	Permitted 11 March 2022
22/00360/NMA	Non material amendments to planning permission 19/02966 for amendments to wording of Conditions 1 (Samples of the materials), 2 (Bay studies), 4 (Designing Out Crime), 9 (Acoustic and noise attenuation measures), 10 (Installation of all fixed plant and equipment), 11 (Biodiversity enhancements), and 12 (Photovoltaic panels) to amend the trigger for submission for discharge to on completion of the erection of the superstructure frame.	Permitted 11 March 2022
22/00451/REM	Reserved Matters Application in respect of Building F of The Landing to part discharge Condition 2 attached to the hybrid planning permission Ref 18/01576/FULL at land bounded by King Street, Queen Street and Broadway Maidenhead for Hybrid planning application for the mixed use redevelopment of the site.	Pending determination

23/01066/NMA	Non material amendments to planning permission 19/02966/REM for amendments to Condition 16 (Approved Plans) for Building E.	Permitted 24 May 2023
23/01067/NMA	Non material amendments to planning permission 18/01576/FULL for amendments to Condition 28 (Approved Plans) for Buildings A, B and D.	Permitted 24 May 2023
23/03151/NMA	Non material amendments to planning permission 19/02966/REM for the correction of the drawing reference ANVIL-NAT004 relating to the proposed decorative metal panel material for Building E to ANVIL CT-01.	Permitted 17 January 2024
23/03150/NMA	Non material amendments to planning permission 18/01576/FULL for the correction of the drawing reference ANVIL-NAT004 relating to the proposed decorative metal panel material for Buildings A, B and D to ANVIL CT-01.	Permitted 17 January 2024

7 **DEVELOPMENT PLAN**

7.1 The main relevant policies are:

Borough Local Plan (BLP)

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
Economic Development	ED1
Protected Employment Sites	ED2
Maidenhead Town Centre	TR3
Strengthening the Role of Centres	TR6
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3

Renewable Energy	NR5
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
Utilities	IF7

8 MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2023)

Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 6 – Building a strong, competitive economy
Section 7 – Ensuring the vitality of town centres
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting Sustainable Transport
Section 10 – Supporting high quality communications
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 (SPDs)

- RBWM Borough Wide Design Guide
- RBWM Sustainable Design and Construction SPD
- RBWM Planning Obligations and Developer Contributions SPD
- RBWM Building Height and Tall Buildings SPD
- Borough Wide Design Guide (BWDG)

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- **RBWM Townscape Assessment**
- **RBWM Parking Strategy**
- **RBWM Interim Sustainability Position Statement**
- **RBWM Corporate Strategy**
- **RBWM Environment and Climate Strategy**

9 CONSULTATIONS CARRIED OUT

Comments from interested parties

20 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 9th November 2023 and the application was advertised in the Local Press on 17 November 2023.

No letters of comment were received in relation to the application.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority (LLFA)	Response to first consultation: further information required to explain connection to existing drainage scheme Response to second consultation: no objection subject to condition securing surface water drainage scheme	Section 10 iii.
Highway Authority	No objection subject to conditions and legal obligation to secure off-site highway works.	Section 10 vi.

Consultees

Consultee	Comment	Where in the report this is considered
RBWM Environmental Protection	No objections subject to a condition securing Construction Environmental Management Plan	Section 10 viii.
Berkshire Archaeology	No objections.	Section 10 v.
RBWM Ecology	No objections subject to conditions securing recommended pollution control measures, detailed proposals to achieve Biodiversity Net Gain and lighting strategy.	Section 10 vii.

Others (e.g. Parish and Amenity Groups)

No comments were received from other parties.

10 EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of Development;**
- ii. Climate Change and Sustainability;**
- iii. Design and Character;**
- iv. Flooding and drainage;**
- v. Impact on Heritage Assets;**
- vi. Parking and Highways Impacts;**
- vii. Biodiversity and Ecology; and,**
- viii. Environmental Considerations**

i. Principle of Development

- 10.2 The principle of commercial development on the site has been established through the granting of full planning permission for Building C, which would provide 7,000sqm of office space across seven storeys, with 531sqm of flexible commercial space at ground floor, under hybrid planning permission ref. 18/01576/FULL. This permission has been partially implemented through the erection of buildings A, B, D and E and remains extant. The proposed building would provide an uplift of 108 sqm floorspace when compared to the approved Building C and would integrate with the wider masterplan for the 'One Maidenhead' site such that the development would not compromise the implementation of the hybrid consent.
- 10.3 Notwithstanding that the principle of development has been established through the extant planning consent, the proposed development would accord with the spatial strategy for the Borough, which is to focus the majority of development in three strategic growth areas, one of which is Maidenhead. BLP Policy SP1 states that within Maidenhead, new development will largely be focused on the strategic growth location, which comprises Maidenhead Town Centre and South West Maidenhead. Higher intensity development will be encouraged in the strategic growth location, particularly within the town centre and near to Maidenhead railway station. The policy envisages that Maidenhead Town Centre will be a major focus of sustainable growth, and that regeneration and new housing, employment, retail and leisure development will provide a high quality, highly connected and vibrant place.
- 10.4 BLP Policy QP1a refines the spatial vision specifically in relation to Maidenhead town centre. The policy describes that the town centre will be renewed and enhanced through a range of measures, which includes new developments.

Office

- 10.5 BLP Policy ED1 sets out the Borough's requirements for employment land, and states that a range of different types and sizes of employment land and premises will be encouraged to maintain a portfolio of sites to meet the diverse needs of the local economy. The policy states that new office space will be focused within Maidenhead, Windsor and Ascot town centres, and that the Council will require that the recently permitted scheme at The Landing (now referred to as 'One Maidenhead') will be delivered in accordance with the planning consent. The proposed development would deliver office space in accordance with BLP Policy ED1, and as noted above, would be consistent with, and not compromise the delivery of, the 'One Maidenhead' hybrid consent.
- 10.6 Given the strategic importance of the development for town centre regeneration and for employment floorspace within the town centre, conditions are recommended that would restrict the use of the upper floors to uses falling within Use Class E(g) and also to remove permitted development rights that would allow for the change of use to residential use.

Retail

- 10.7 The site is within a Town Centre as defined in BLP Policy TR1, and as such is a preferred location for the development of main town centre uses within the policy. Policy TR1 goes on to state that development proposals for main town centre uses, including retail development, leisure, entertainment facilities, offices, hotels, arts, cultural and tourism development will be supported in accordance with the hierarchy.

- 10.8 BLP Policy TR3 adds to Policy TR1 by setting out specific requirements for development within Maidenhead town centre. The policy states that development proposals should promote and enhance the role of Maidenhead town centre and its vitality and viability. Primary frontages (as defined on the policies map) should include a high proportion of retail uses. Development proposals for non-retail uses within primary frontages will be permitted where they would enhance vitality and viability, be appropriate to the character and function of the area and retain prominent shop units within the primary frontage. Development proposals in secondary frontages will be supported where they contribute to the existing character, function and vitality of the street or surrounding environment. In particular, proposals to expand the cultural, entertainment and food offer of Maidenhead will be encouraged.
- 10.9 BLP Policy TR6 states that provision is made for 2,700sqm net comparison goods floorspace and 2,350sqm net convenience floorspace across the borough, and that main town centre uses must be located within the centres defined in the hierarchy of centres.
- 10.10 The principle of providing flexible commercial floorspace on the ground floor would therefore accord with the requirements of policies TR1, TR3 and TR6, and would contribute to the aims of those policies, and policy SP1, with regard to the regeneration of Maidenhead town centre.
- 10.11 The site falls within the primary shopping area and the secondary shopping frontage as defined on the BLP policies map. Given these designations, and the strategic role of the site in contributing to the viability and vitality of the town centre, it is proposed to restrict the use of the ground floor units with external frontages to uses falling within Use Classes E(a)-(c) or public house, wine bar or drinking establishment (Sui Generis). It is also proposed to remove permitted development rights that would allow the change of use to residential use, as set out above.
- 10.12 In summary, the principle of an office-led commercial development on the site is already established. Nonetheless, the proposed development, subject to recommended conditions restricting the use of the building, would accord with the spatial strategy, would contribute to meeting the employment and retail needs of the Borough, and would support the renewal and enhancement of Maidenhead town centre. The development would comply with BLP policies SP1, QP1a, ED1, TR1, TR3 and TR6, and would be acceptable in principle.

ii. Climate Change and Sustainability

- 10.13 The Climate Change Act 2008 (CCA2008) 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 157 of the 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 2020 setting out the Council's intention to implement national policy and ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.14 In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.
- 10.15 While a Sustainability Supplementary Planning Document is currently being drafted, 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.

- 10.16 The application is accompanied by an Energy Statement which follows the methodology set out in the Council's ISPS. The Statement includes calculation of the energy demand and carbon dioxide emissions for regulated and unregulated emissions; calculation of the estimated annual energy costs to occupants and proposals to reduce emissions through energy efficient design of the site (discussed in more detail below).
- 10.17 The development proposes 157 roof-mounted solar PVs which would have a peak power of 70kW and is expected to generate approximately 55MWh of electricity per year. This would achieve the required 12% on-site renewable energy generation, and it is stated that excess energy generated can be exported to the grid. An area for solar PVs is indicated on the proposed plans, although this does not show details of the size and appearance of the PVs. These details can be secured by recommended condition.
- 10.18 The application of the energy hierarchy to the development results in a 36% reduction in carbon emissions over the building regulations Part L 2021 baseline. As the development would not be net-zero, the shortfall to achieving net-zero carbon can be met through a contribution to the Borough's carbon offset fund, which can be secured by legal agreement.
- 10.19 The ISPS also sets out the expectation that post-construction testing and modelling is undertaken to establish any gap between modelled and actual performance. Where such a gap in performance is identified, a Shortfall Contribution would be required. The implementation of post-construction modelling, and the payment of a Shortfall Contribution, if necessary, can also be secured by legal agreement.
- 10.20 The ISPS also states that major development proposals should reduce potential overheating and reliance on air-conditioning systems, which should be demonstrated in accordance with the described cooling hierarchy. The submitted Energy Statement sets out how compliance with the hierarchy will be achieved. Heat distribution infrastructure and building services have been designed to minimise heat loss to spaces. The glazing ratio and g-value of windows have been selected to optimise solar heat gains and natural daylight levels through the year. External shading would be provided by window reveals, with deeper reveals on the south elevation. Passive ventilation and mechanical ventilation with heat recovery units are also provided. Active cooling systems are proposed to mitigate any residual risk of overheating.
- 10.21 In addition to the above, BLP Policy SP2 states that all developments will demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The following measures are required to be incorporated into development:
- Wherever possible, new buildings shall be oriented to maximise opportunities for both natural heating and ventilation and reducing exposure to wind and other elements
 - Proposals involving both new and existing buildings shall demonstrate how they have been designed to maximise resistance and resilience to climate change for example by including measures such as solar shading, thermal mass, heating and ventilation of the building and appropriately coloured materials in areas exposed to direct sunlight, green and brown roofs, green walls etc
 - Use of trees and other planting, where appropriate, as part of green and blue infrastructure schemes, to provide shading of amenity areas, buildings and

streets and to help to connect habitat, designed with native plants that are carefully selected, managed and adaptable to meet the predicted climatic conditions

- All development shall minimise the impact of surface water runoff from the development in the design of the drainage system, and where possible incorporate mitigation and resilience measures of any increases in river flooding levels as a result of climate change.

10.22 In addition to the measures described to reduce carbon emissions in the Energy Statement, the Design and Access Statement sets out in detail how the building has been designed to adapt to and mitigate climate change. The building is proposed to be constructed using structural timber, which has significantly lower embodied carbon than concrete or steel. The building is south facing and has been designed to maximise opportunities for natural daylighting, heating and ventilation. Window sizes on each elevation have also been designed to achieve the optimum balance between daylighting and solar gain, to avoid overheating.

10.23 The building would incorporate an area of green roof measuring 225sqm and proposes new tree planting and landscaping in accordance with the landscape masterplan for the 'One Maidenhead' site. Rain gardens are incorporated into the landscaping proposals to optimise sustainable urban drainage.

10.24 When assessed holistically, the proposals respond positively to the range of policy requirements and material considerations, and the building design has been developed in accordance with the Council's stated priorities and aims in relation to climate change. Subject to the securing the implementation of the proposed energy efficiency measure by recommended condition, and securing the contributions via a legal agreement, the development would comply with the requirements of the ISPS and Policy SP2 of the BLP.

iii. Design and character

10.25 Section 12 of the NPPF is about achieving well-designed places. Paragraph 131 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.

10.26 BLP Policy QP1 states that all new developments should positively contribute to the places in which they are located, and sets out expectations for larger developments, which include that they will provide a harmonious, integrated mix of uses; contribute to the provision of social, natural, transport and utility infrastructure; be designed to facilitate and promote community interaction through the provision of walkable neighbourhoods and attractive public spaces and facilities and routes which encourage walking and cycling; and be of high quality design that fosters a sense of place and contributes to a positive place identity.

10.27 BLP Policy QP1a sets out the aspiration that Maidenhead Town Centre will be renewed and enhanced through a combination of new developments. The policy includes a range of criteria which relate to the design of new development within this area, which includes that new development will help to achieve character and distinctiveness across the town centre, including ensuring that individual developments are appropriate to their settings and contribute towards creating a clear sense of place; deliver high quality architecture and urban design, improving legibility and creating distinct quarters which demonstrate their own individual character and distinctiveness; contribute towards establishing a

strong green infrastructure network; and deliver proposals that are resilient and respond to the challenges of climate change.

- 10.28 BLP Policy QP3 is also relevant and sets out that all development should seek to achieve a high-quality design that improves the character and quality of an area. The policy sets out design principles that development will be expected to achieve, which include that it is climate change resilient; respects and enhances local, natural or historic character of the environment; respects and retains existing high quality townscapes and landscapes and helps create attractive new townscapes and landscapes; incorporates interesting frontages and design details to provide visual interest, particularly at pedestrian level; and provides high quality soft and hard landscaping where appropriate.
- 10.29 The application is supported by a Townscape Visual Impact Appraisal (TVIA) and a Design and Access Statement (DAS), which provides a detailed explanation of the design development and rationale. As explained in the DAS, the applicant has engaged proactively with the Council and the local community through the preparation of the proposals. Extensive pre-application engagement was undertaken with the Council, including a Design Review with Design South East. The proposals have responded positively to feedback that was provided through those processes.
- 10.30 BLP Policy QP3a sets out the approach to the development of tall buildings within the Borough. The policy explains that Maidenhead town centre has the capacity to accommodate buildings of greater height, and that an increase of the general height by up to two storeys above the surrounding context height (up to a maximum of five storeys in total) may be acceptable. The policy goes on to set out a number of urban design principles which will apply to tall buildings, which includes the expectation that they are exceptional forms of development; will only be considered appropriate in areas with high public transport accessibility, a mix of uses and an existing or emerging urban character that can successfully assimilate the scale, height and level of activities of the proposed development; be part of a comprehensive approach to development and placemaking; and must be of the highest design quality. The application of the policy is supported in the Buildings Height and Tall Buildings SPD.
- 10.31 The context height of the site as defined in the Building Heights and Tall Buildings SPD is 9-12 metres (three storeys). Policy QP3a defines a tall building as a building of more than 1.5 times the context height of the surrounding area and the proposed development would therefore constitute a tall building.
- 10.32 The site is located in an area with high public transport accessibility, and in an area with an urban character with a mix of uses. In this respect, the site is a suitable location for a tall building within the Borough. The development, while being considered as a standalone application for planning permission, relates to the comprehensive development of the wider 'One Maidenhead' site, which is subject to an agreed masterplan and outline planning permission.
- 10.33 The SPD contains detailed guidance on tall buildings in specific locations within Maidenhead. The site is located within an area identified as the 'Town Centre Core' in the SPD, where it is acknowledged that there is an opportunity for change in which tall buildings could form part of a comprehensive approach to development to help deliver regeneration in this area and advises that there is potential to increase the context height to five storeys in this part of Maidenhead. The guidance for the 'Town Centre Core' identifies the opportunity for a local landmark building in the location of the site and notes that the extant planning permission for Building C satisfies this role, and that the planning permission for the 'One Maidenhead' site are in broad conformity with the guidance.

10.34 The TVIA submitted in support of the application characterises the existing townscape character, including having regard to the change in emerging character resulting from the implementation of the hybrid consent for the 'One Maidenhead' site and other consented development. There are no key views within or across the site identified in the RBWM Townscape Assessment. The TVIA identifies a range of views within which the site features and concludes that there would be no harmful townscape or visual impacts on these views. The TVIA describes that the proposal would be in keeping with the consented development on the site, and the building would achieve a strong identity for the site having regard to the design, massing, layout, and height strategy for the 'One Maidenhead' site. The TVIA concludes that the development would result in beneficial townscape and visual effects. This conclusion is accepted.

10.35 Having regard to the guidance in the SPD, the proposed development would accord with the principles set out for the 'Town Centre Core'. Further consideration is given below to the detailed urban design principles required of tall buildings as referred to in BLP Policy QP3a.

Layout

10.36 The layout of the proposed development is considered to be an appropriate response to the site, having regard to both the consented development on the wider 'One Maidenhead' site, and the wider surroundings of Maidenhead Town Centre. The proposed development accords with the principles of the masterplan for the 'One Maidenhead' site and would integrate effectively with the consented development in terms of orientation, routes through the site, and the relationship to other buildings on the site.

10.37 The layout of the development would positively address Queen Street and King Street and would provide active frontages along these elevations that are appropriate given their designation as primary shopping frontages and also their role as main connecting routes to Maidenhead town centre. The DAS acknowledges the important role of the site as a key landmark in the arrival to Maidenhead town centre when approaching from the train station to the south. The layout and orientation of the development respond positively to this relationship and the expectation for a local landmark building, and the orientation of the building and siting of the main entrance addressing the station would achieve an appropriate sense of arrival.

Scale, height and massing

10.38 The design approach has paid careful regard to the existing and emerging context in terms of scale. Buildings to the north of the site, within the wider 'One Maidenhead' site, extend to 14 storeys, while existing buildings on the south side of Queen Street are considerably lower at two-three storeys. Buildings on King Street extend to five storeys. The DAS details the exploration of alternative building heights and massing and provides robust justification for the proposed building, which would be six storeys (plus plant accommodated at roof level), stepped down to five storeys on the southern part of the building addressing Queen Street, where a roof terrace would be accommodated. Having regard to the consented development, the proposed development is considered an appropriate response to the context, which would provide a transition between larger buildings to the north and lower buildings to the south, while also avoiding overshadowing of consented development on the 'One Maidenhead' site, and reducing impacts on amenity of existing residential buildings compared to the approved Building C. In these respects, the proposed development would also accord with the urban design principles for tall buildings set out in BLP Policy QP3a.

Detailed design

- 10.39 The building is proposed to be constructed using an expressed timber superstructure, with both large and small format load bearing stone to the elevations. Large format stone would be used at ground floor. The elevational treatment would be characterised by horizontal banding from stone lintels and repeated window openings. Openings would have a unified appearance, but the widths of openings and the depths of reveals would vary across the elevations in response to the orientation. The main entrance would be located on the south western corner, and would be emphasised through a chamfered corner with recessed entrance at ground floor, and full glazing across the corner of the upper storeys. A further chamfered corner with recessed ground floor entrance to provide a secondary main entrance, would be located on the south eastern corner. As described above, a roof terrace would occupy part of the sixth floor, with the remaining area of roof level accommodating a green roof and a solar array.
- 10.40 The proposed development is considered a bold but simple, high quality architectural response to the site, constraints and surrounding context. The proposal references the design principles established through the 'One Maidenhead' masterplan, including chamfered corners, stepped massing and emphasised horizontal banding. As described in the DAS, the development is also considered to be an appropriate response to the wider context of the town centre and Borough described in the contextual analysis of the site. The building would successfully but subtly distinguish between ground floor commercial and upper floor office uses, which would help to reinforce the presence along primary shopping frontages.
- 10.41 The development responds positively to environmental factors, particularly through the careful design of elevational treatment, which as described, varies window widths and reveals in response to aspect in order to maximise opportunities for natural daylighting but minimise risks of overheating.
- 10.42 Plant would be accommodated at ground level and roof level. The ground level plant would be contained within the envelope of the building, so would not be visible. The rooftop plant is proposed to be screened using brown/bronze acoustic louvres, which would be in keeping with the materiality of the building. The specification for the acoustic louvres has been submitted, but further details of its appearance are required, which can be secured by recommended condition. Indicative details of plant have been provided, but further detailed specifications can also be secured by recommended condition, which would also be worded to restrict the height of any plant to ensure it is effectively screened.
- 10.43 The design of the building is informed by a desire to maximise efficiency both of land use and materials. Internally the floor plans maximise useable floor space and allow for future flexibility. The proposed materials would have low levels of embodied carbon, and would be able to be re-used in future. The proposed material palette would be restrained and of a very high quality, whilst relating well to the consented 'One Maidenhead' development. Specific details of materials can be secured by recommended condition.

Landscaping

- 10.44 The proposed hard and soft landscaping strategy, as described in the DAS and shown indicatively on the proposed groundworks plan, would be consistent with the wider landscape masterplan for the 'One Maidenhead' site, and would integrate with the detailed landscape proposals which have been agreed with the Council. As such, the development would contribute to the creation of a new area of public realm at the centre

of the 'One Maidenhead' site, which would be enhanced by the active frontages on the east and north elevations and the potential for 'spill out' from these uses into the public realm. Subject to recommended condition requiring the submission and implementation of detailed hard and soft landscaping proposals and details of lighting, the proposed development would provide high quality landscaping. Public access to and the maintenance of the public realm would be secured through a legal obligation.

10.45 In summary, the proposal would be of a high quality which would be innovative and highly sustainable through its use of structural timber. The layout, scale, height, massing, detailed design and landscaping would be an appropriate response to the context; would be consistent with the 'One Maidenhead' masterplan, and would not compromise the delivery of the hybrid consent for that site; would not have harmful visual townscape or landscape impacts; would provide a good quality environment at street level and contribute to the provision of high quality public realm; and would enhance the character of the area. As detailed in relevant sections below, the development would not result in harm to designated heritage assets or their settings; would be acceptable in respect of amenity and microclimate impacts; and would achieve biodiversity net gain on site. The proposal for a tall building would therefore comply with the guidance within the Building Heights and Tall Buildings SPD and accord with BLP Policy QP3a. Subject to recommended conditions, the development would also comply with BLP policies QP1, QP1a and QP3.

iv. Flooding and drainage

10.46 BLP Policy NR1 sets out that 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 taken into account. In all cases, development should not 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; or reduce the waterways' viability as an ecological network or habitat for notable species of flora or fauna.

10.47 All development proposals should increase the storage capacity of the floodplain where possible; incorporate Sustainable Drainage Systems in order to restrict or reduce surface water runoff; reduce flood risk both within and beyond sites wherever practical; and be constructed with adequate flood resilience and resistance measures suitable for the lifetime of the development.

10.48 The application is accompanied by a Flood Risk Assessment and Drainage Strategy. The application site is wholly in Flood Zone 1 and therefore not located in an area at risk of fluvial flooding, but there are some areas of higher risk of surface water flooding.

10.49 The Drainage Strategy demonstrates that appropriate provision would be made for the management of surface and foul water, and that the development would not give rise to increased flood risk. The Drainage Strategy has also been designed to be compatible with the approved and implemented drainage scheme for the first phase of the One Maidenhead development to the north. The approved drainage scheme for the first phase of the hybrid permission does not rely on land within the current application site.

10.50 The LLFA have confirmed they have no objection to the proposed development, subject to a condition securing a detailed surface water drainage scheme. Subject to the recommended condition, the proposed development would be acceptable in respect of flood risk and drainage and would comply with BLP policy NR1.

v. Impact on heritage assets

10.51 In relation to the historic environment, the NPPF requires proposals to be based upon an informed analysis of the significance of all affected heritage assets (paragraph 200). These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 195).

Designated heritage assets

10.52 In considering whether to grant planning permission, the statutory test in section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires the decision maker to have special regard to the desirability of preserving the setting of listed buildings. In relation to conservation areas, section 72 (1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character of appearance of that area.

10.53 Section 16 of the NPPF is about conserving and enhancing the historic environment. Paragraph 205 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 continues to set out that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 208 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

10.54 BLP Policy HE1 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.

10.55 The application is accompanied by a Heritage Statement. In accordance with paragraph 200 of the NPPF and BLP Policy HE1, the Heritage Statement identifies and describes the historical development of the site and outlines the significance of designated and non-designated heritage assets. There are no heritage assets within the application site. Three Grade II listed structures are identified as having the potential to be impacted by the proposed development: the Grade II listed Clocktower, Grade II listed 25 and 27 Broadway and the Grade II listed stables immediately to the east of 3 and 5 King Street. There are two conservation areas located within the vicinity of the application site: Maidenhead Town Centre and Castle Hill.

10.56 With regard to the impact on listed buildings, the Heritage Statement concludes that the Clocktower would share intervisibility with the proposed development, but having regard to the existing urban setting of the asset, this would represent a neutral change to the setting of the asset. The other listed buildings identified would not share intervisibility with the application site. The proposed development, in terms of its use and wider impacts, would not result in a change to the experiential setting of any the listed buildings. The Heritage Statement concludes that there would be no harm to the setting of any listed buildings.

10.57 With regards to the impact on the identified conservation areas, the assessment of impacts within the Heritage Statement concludes that there would be no perception of the proposed building from either conservation area. The development would be blocked from view from the Town Centre Conservation Area by the larger blocks within the 'One

Maidenhead' development and would have no impact on the significance of the designation. The site is separated from the Castle Hill Conservation Area by interstitial built form, and the development would not be visible from any part of the conservation area. As with the listed buildings, the proposed development, in terms of its use and wider impacts, would not result in a change to the experiential setting of the conservation areas. The Heritage Statement concludes that there would be no impact to the significance of either Conservation Area.

10.58 Overall, it is considered that the proposed development would not result in harm to any designated heritage assets and would preserve the significance of assets and their settings.

Archaeology

10.59 The hybrid planning permission for the 'One Maidenhead' site was subject to a condition requiring approval and implementation of an Archaeological Written Scheme of Investigation and subsequently the approval of an Evaluation Report. Both parts of that condition have been discharged in relation to the site as a whole. The Written Scheme of Investigation was submitted under discharge of condition application ref. 19/00723/CONDIT and approved the location of evaluation trenches.

10.60 The Evaluation Report was submitted under discharge of condition application ref. 19/01014/CONDIT, which was approved. The Evaluation Report concluded that no archaeological features were found in the agreed evaluation trenches. Survival of any features on parts of the site (including the current application site) which were occupied by buildings which have now been demolished was considered limited.

10.61 In light of the previous investigation that has been undertaken on the site, and also having regard to the fallback position of the hybrid permission which would allow the construction of a building on this site without further archaeological investigation, the development is not considered to result in any impacts to archaeological features. The Archaeologist has confirmed that no evaluation is required.

10.62 In summary, the significance of heritage assets and the potential impact of development has been suitably characterised in a manner proportionate to the assets' importance. The special interest of nearby designated heritage assets would be preserved and the development would accord with BLP policy HE1 and Chapter 16 of the NPPF which seek to conserve and enhance heritage assets and their settings.

vi. Parking and Highway Impacts

10.63 Paragraph 116 of the NPPF states that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport. Paragraph 115 states 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.

10.64 BLP Policy IF2 sets out that new development should be located to minimise the distance people travel and the number of vehicle trips generated. The application is supported by a Transport Statement (TS) and an Employment Framework Travel Plan.

10.65 In assessing the proposals, regard has been had to the consideration of the consented development on the 'One Maidenhead' site which, subject to various conditions, was found to raise no significant highway capacity issues and to have no unacceptable

highway safety impacts. The proposed development is not considered to differ materially from the consented scheme in terms of highway considerations. The proposed development would have slightly increased provision of office floorspace (from 7,007sqm to 7,115sqm) and a slight increase in flexible commercial floorspace at ground (from 531sqm to 694 sqm). Access proposals would be unchanged, and parking provision would be consistent with indicative details for Building C as part of the wider 'One Maidenhead' site, which assumed car parking provision would be off-site.

Access

- 10.66 The site is in a highly sustainable location, being within Maidenhead town centre and therefore in close proximity to the full range of facilities and services. The site is also located approximately 150 metres from Maidenhead train station, which provides direct services to London and Reading.
- 10.67 Details of a proposed construction access to the site have not been provided as part of the application, but these details can be secured by recommended condition.
- 10.68 No vehicular parking is proposed within the site, and there would be no vehicular access into the site. A condition is recommended requiring the removal of the existing temporary construction access prior to the occupation of the development.
- 10.69 A scheme of highway works, which includes pavement widening and provision of servicing bays, is to be delivered as part of the 'One Maidenhead' site. These were secured through the S106 legal agreement for the hybrid permission. The specification of these works has been agreed, and a S278 agreement has been entered into with the Highway Authority. However, the agreed scope of works excludes the application site and adjacent highway. Were Building C permitted under the hybrid permission to be delivered, this phase of the development would be required to deliver the remaining highway works that form the continuation along Queen Street. To ensure that the proposed development is consistent with the wider masterplan for the 'One Maidenhead' site, and provides a suitable pedestrian environment, it is also a requirement of the current proposals that a scheme of highway works is secured. A suitably worded obligation would be included in a legal agreement.

Highway impact

- 10.70 During the construction phase, the development has the potential to cause risks to highway safety. This risk can be adequately managed by a recommended condition to secure details of how construction traffic, materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the construction period.
- 10.71 Trip generation for the hybrid permission was assessed on the assumption that a total of 269 car parking spaces would serve the 'One Maidenhead' site, with 189 car parking spaces provided within the podium of buildings A, B and D, with a further 80 spaces to be provided either off-site or delivered as part of Building E under a subsequent reserved matters application.
- 10.72 The submitted TS uses the same trip generation rates (assuming 269 parking spaces) as used in the Transport Assessment for the hybrid permission, accounting for the slight uplift in office and commercial floorspace. The changes in floor area and land use mix result in an increase in daily trips of 65, with the AM and PM peak hours seeing an increase of four and six two-way trips respectively. The TS concludes that given this small increase, it is not necessary to assess the local highway network or junction

capacity in the surrounding area as there would be no material impact on the highway network.

10.73 Furthermore, the actual car parking provision would be a total of 185 car parking spaces across the whole 'One Maidenhead' site, which is a reduction of 80 spaces from the approved hybrid permission, and upon which basis trip generation rates were based. Therefore, the development is likely to result in an overall reduction in trips compared to the approved Building C.

10.74 During the course of the application it has been confirmed that car parking would be provided off-site within existing town centre car parks. There would therefore be no overall increase in car parking spaces within the town centre as a result of the development and any changes in trip rates associated with the use of existing car parks would not have material impact on the highway network.

10.75 As noted above, the consented hybrid permission was assessed as having no unacceptable impacts on the highway network in terms of capacity or highway safety. Given the extant consent for an office and commercial building of a similar quantum of floorspace on the site under the hybrid permission, it can reasonably be concluded that the proposed development would also not give rise to any unacceptable highway impacts. This view is supported by the Highway Authority and no objection is raised.

10.76 The application is accompanied by an Employment Framework Travel Plan, which sets out measures to reduce single occupancy car use and encourage use of sustainable modes of transport. Further details including monitoring and compliance can be secured through a legal agreement.

Car and cycle parking

10.77 As noted above, Building C was approved as part of the hybrid permission on the basis that car parking to serve that part of the 'One Maidenhead' site would either be provided off-site, or within basement parking to be delivered in Building E under subsequent reserved matters consent. The hybrid permission was subject to a condition (Condition 14) requiring the submission and approval of a car parking strategy prior to the occupation of residential units.

10.78 A car parking strategy for buildings A, B, D and E was submitted under application ref. 24/00570/CONDIT. The strategy set out proposed parking provision and management for the residential buildings. For the purposes of the Transport Assessment for the hybrid permission, a residential parking ratio of 0.43 spaces per dwelling was allowed for. This would have resulted in all 189 of the car parking spaces within buildings A, B and D podiums being allocated to the dwellings across buildings A, B, D and E.

10.79 As originally submitted, the application proposed that car parking was to be either provided within the podiums of A, B and D, or off-site in an alternative car park. During the course of the assessment, application ref. 24/00570/CONDIT relating to the car parking strategy for the wider development was approved, which confirmed that all the car parking spaces within the podium would be for residential use. As such, it was subsequently confirmed that car parking for the proposed development which forms part of this application could be provided off-site.

10.80 The Council has confirmed that there is capacity within existing town centre car parks, which are all within walking distance of the site. Monthly, or annual season tickets for these car parks could be purchased by future employees. The development would also not result in increased pressure on on-street residential car parking in the surrounding

area given existing permits and the sites location. Having regard to the highly sustainable location of the site and the range of transport options available to employees, it is concluded that this would make acceptable provision for car parking provision.

10.81 The application proposes the provision of a total of 52 cycle parking spaces to be located within the ground floor of the building. These would be provided through a combination of two-tier and Sheffield stands. A further six Sheffield stands (providing 12 cycle parking spaces) would be provided in the public realm as visitor/short-stay cycle parking. Associated changing and showering facilities would also be located in the ground floor of the building.

10.82 Subject to the provision of further details showing the configuration of cycle stands, which can be secured by recommended condition, the proposals would make adequate provision for cycle parking.

Refuse and servicing

10.83 The application proposes that refuse collection and deliveries would take place on Queen Street, which is considered acceptable in highway terms. Conditions are recommended to secure a refuse and servicing strategy prior to the occupation of the building.

10.84 Subject to the completion of a legal agreement to secure external highway works, and subject to the recommended conditions, the proposed development would be acceptable in respect of access, would not give rise to any unacceptable highway impacts, and would accord with the aim of reducing the need to travel and vehicle trips. As such, the development would comply with BLP Policy IF1 and the NPPF.

vii. Ecology and Biodiversity

10.85 BLP Policy NR2 sets out that development proposals will be expected to maintain, protect and enhance biodiversity, and avoid impacts on habitats and species of principal importance. Development proposals are expected to demonstrate a net gain in biodiversity by quantifiable methods such as the use of a biodiversity metric.

10.86 The application is supported by an Ecological Assessment and Biodiversity Net Gain Assessment.

10.87 The closest locally designated nature conservation site is York Stream and Greenway Corridor Local Wildlife Site, which is located 300m to the east. There is an area of mixed deciduous woodland, which is a priority habitat, 170m to the south west. The Ecological Assessment advises that precautionary measures should be adopted during the construction phase to ensure that any impact of pollution upon these habitats is avoided. This can be secured through a recommended condition requiring the submission of a Construction Ecological Management Plan.

10.88 As part of the extant hybrid consent for the wider 'One Maidenhead' site, the buildings within the site have been demolished and the site is currently a cleared construction site. Given the current condition of the site, the proposed works are considered unlikely to adversely affect any protected or notable wildlife.

10.89 To ensure that external lighting does not adversely affect bats or other light-sensitive wildlife, a wildlife-sensitive lighting scheme should be designed and implemented. This would be secured by recommended condition.

10.90 The Biodiversity Net Gain calculation and assessment describes the on-site baseline ecological habitats, which have a biodiversity value of zero. Post development units have been calculated and the report demonstrates that a net biodiversity gain of 0.29 habitat units (a net gain of 100% in habitat units) can be achieved. The biodiversity gain can be achieved through the planting of urban trees, provision of a green roof, planters at ground level and a rain garden. The onsite biodiversity net gain enhancements would be secured by recommended condition. Furthermore, a condition is also recommended to secure enhancements for biodiversity to include integral bird boxes, tiles or bricks on the new building.

10.91 Subject to the recommended conditions, the proposed development would not have any unacceptable ecological impacts, and would secure a net biodiversity gain, so would comply with Policy NR2 of the BLP.

viii. Environmental considerations

Noise

10.100 BLP Policy EP4 requires that proposals carry out a noise impact assessment for proposals affected by environmental noise, and states that development proposals that generate unacceptable levels of noise and affect quality of life will not be permitted.

10.101 The application is supported by a Noise Assessment which considers noise impacts arising from proposed plant. The Noise Assessment assumes that plant at roof level would be enclosed with acoustic louvres. Details of acoustic louvres to the specification assumed in the Noise Assessment have been provided.

10.102 The noise assessment has been carried out assuming specific plant, although it is not confirmed that this is the plant to be used. On the basis of the plant assumed in the assessment, it has been demonstrated that subject to the recommended mitigation measures, there would be no significant impact to sensitive receptors. However, this is based on hypothetical plant specification. It is therefore recommended that details of plant and machinery accompanied by an updated Noise Assessment including mitigation are provided by condition. Subject to the recommended condition, the proposed development would not have any unacceptable noise impacts and would comply with BLP Policy EP4.

Air quality

10.103 BLP Policy EP2 requires development proposals to demonstrate how they have considered air quality impacts at the earliest stage possible, where appropriate through an air quality impact assessment which should include cumulative impacts. Development proposals are required to demonstrate that they do not significantly affect residents within or adjacent to an Air Quality Management Area (AQMA).

10.104 The application is supported by an Air Quality Assessment (AQA). This concludes that no material changes to air quality effects are predicted as a result of the proposed development when compared to the consented building C.

10.105 In assessing the hybrid planning application it was concluded that the any changes in air quality resulting from the development would be negligible and did not require mitigation. It was assessed that air quality during construction, including dust creation, could be managed via a Construction Environment Management Plan, which was secured by condition.

10.106 The Council's Environmental Protection officer has been consulted on the application and supports the conclusion that there would be no material changes to the original assessment submitted and that any effects on air quality are not significant. The measures for the controlling of dust creation during demolition and construction identified in the AQA are satisfactory and should be included in a Construction Environment Management Plan, which can be secured by recommended condition. Subject to the recommended condition, the development would not have any unacceptable impacts on air quality and would comply with BLP Policy EP2.

Residential amenity

10.107 BLP Policy QP3 requires that development has 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.

10.108 The proposed development has the potential to give rise to impacts on amenity during construction, particularly in terms of noise, vibration and dust. A Framework Construction Environmental Management Plan (CEMP) has been submitted, which sets out the scope of a subsequent detailed CEMP. Subject to approval and implementation of a CEMP that accords with the submitted Framework CEMP to be secured by recommended condition, these impacts can be managed to avoid any harm to amenity.

10.109 The relationship between the proposed building and neighbouring residential properties, including those within the 'One Maidenhead' development, would be similar to that which would have resulted from the approved and extant building C. There would be a degree of overlooking of residential properties, although this would be lessened compared to the consented scheme due to the greater separation between the north elevation of the proposed development and buildings to the north. The reduction in height of the proposed building compared to the consented scheme would also result in a lesser impact. Given the town centre location of the site, acceptable levels of privacy are considered to be lower than those expected in a rural or suburban location. Having regard to the town centre context, and the fallback position of the consented building C, the proposed development is not considered to result in unacceptable impacts of overlooking or loss of privacy that would be harmful to amenity.

10.110 The proposed development would introduce commercial uses at ground floor, the principle of which was established through the extant consent. These uses are considered compatible with the town centre location, and while their introduction may carry some associated impacts in terms of noise and disturbance, given the location, this is not considered to be unacceptable in terms of amenity. Furthermore, separate licensing regimes and environmental health legislation exist under which these impacts can be managed.

10.111 A Daylight, Sunlight and Shading Assessment has been submitted in support of the application. The assessment considers changes to the daylight/sunlight effects of the proposal compared to the approved building C. The Assessment also considers any potential shading effects to the central landscaping and amenity space as a result of the proposal.

10.112 In assessing the proposals for which hybrid consent was granted, it was concluded that the development would result in adverse shading to surrounding residential properties, particularly those on Queen Street, and to amenity areas forming part of the development to a degree that would be harmful to amenity. This harm was considered to weigh against the development in the overall planning balance. However, given

consent was granted, and remains extant, the developer could implement the previously approved building C. It is therefore reasonable to consider this as a baseline for the purposes of assessing amenity impacts.

10.113 The Assessment demonstrates that, due to the overall reduction in height of the proposed building compared to the consented building C, there would be a general improvement to daylight levels of neighbouring residential buildings. The Assessment also tests the residential elements of the other elements of the consented scheme and assesses daylight and sunlight levels to buildings A, B and D. The results indicate no change to the majority of daylight/sunlight levels, with a number of rooms experiencing increases in daylight/sunlight. These improvements are relatively minor, although the mid levels of building A would experience some greater improvements given the increased separation distances and lower overall building height.

10.114 With regards to shading of the amenity space, the assessment shows that 77% of the central amenity space meets the BRE sunlight availability guidance, and an improvement compared to the consented building C.

10.115 Overall, the proposals represent an improvement to the daylight/sunlight impacts on neighbouring properties when compared to the fallback position of the consented building C. Therefore, while the proposals may result in a degree of harm to neighbouring amenity, it would be unreasonable to withhold permission on this basis as a more harmful scheme could be implemented.

Land contamination

10.116 BLP Policy EP5 states that development proposals will be supported where it can be demonstrated that proposals will not cause unacceptable harm to the quality of groundwater or surface water, and that development proposals on or near to land which is or is suspected to be contaminated will be supported where the applicant can demonstrate that there will be no harm arising from the contamination. Proposals will be supported where it can be demonstrated that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.

10.117 Ground investigation, groundwater monitoring and gas monitoring of the site were undertaken in support of the hybrid application. A requirement for further investigations was identified. Remediation and mitigation of contamination risks were secured via a phased condition on the hybrid planning permission. This required the submission of a contamination preliminary risk assessment, a site investigation scheme, a remediation strategy and a verification plan. All but the final phase (verification plan) of that condition have been discharged in relation to the whole 'One Maidenhead' site under discharge of condition application ref. 19/03118/CONDIT. A verification plan has been submitted and approved in relation to Buildings A, B, D and E (ref. 24/00095/CONDIT). There remains a requirement that the verification plan in relation to the current application site be submitted prior to the occupation of any of the development on the site.

10.118 In light of the above, it is considered that through the implementation of the hybrid permission any potential risks from contamination within the site have been identified and proposals for those risks to be remediated and mitigated have been secured. The outstanding verification plan is required to demonstrate that the remediation and mitigation have been implemented within the site. A condition is therefore recommended requiring the submission of the verification plan demonstrating that remediation agreed under application ref. 19/03118/CONDIT has been implemented. Subject to this condition, the development would not result in any harm to human health or the

environment as a result of contamination and the proposals would comply with BLP Policy EP5.

11 COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development would not be liable to pay CIL.

12 CONCLUSION

12.1 The proposed development would accord with the spatial strategy and contribute to meeting the employment and retail needs of the Borough, and would support the renewal and enhancement of Maidenhead town centre. The development is acceptable in principle and would comply with BLP policies SP1, QP1a, ED1, TR1, TR3 and TR6.

12.2 The building design has been developed in accordance with the Council's stated priorities and aims in relation to climate change and subject to the completion of a legal agreement to secure financial contributions to off-set carbon emissions, the development would comply with the requirements of the ISPS and BLP Policy SP2.

12.3 The proposals would be of a suitably high design standard for development that would be defined as a tall building, and would make a positive contribution to the streetscene and townscape, as well as integrating positively with the extant development on the One Maidenhead site.

12.4 Subject to the completion of a legal agreement to secure off-site highway works, a Travel Plan, carbon monitoring and off-set contributions, and access to and maintenance of the public realm, and subject to the recommended conditions, the proposals would not be harmful in respect of heritage assets, highway safety, amenity, ecology, flood risk and drainage, or environmental considerations.

12.5 The proposed development is considered to be acceptable and in accordance with the development plan.

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 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 All floors except the ground floor of the building shall be used for office use falling within Class E g) i) and ii) and for no other purposes including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order).

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre without impacting on the residential amenity of existing and future occupiers.

3 The ground floor of the development hereby approved shall be used for the following uses only:

Uses ancillary to the upper floor office (Use Class E g) i) and E g) ii)) use;
Commercial uses falling within Class E a) and b); and
Use as a public house, wine bar, or drinking establishment (Sui Generis) or drinking establishment with expanded food provision (Sui Generis)

and for no other purposes including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order revoking or re-enacting that Order).

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre without impacting on the residential amenity of existing and future occupiers.

- 4 Notwithstanding the provisions of Classes G, H and MA of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any Order revoking or re-enacting that Order) there shall be no change of use of the development hereby permitted without the prior grant of planning permission.

Reason: To ensure that the mix of uses to support the mixed use redevelopment of this site and to encourage the vitality and viability of this part of Maidenhead Town Centre without impacting on the residential amenity of existing and future occupiers.

- 5 No development above fifth floor level shall take place until details of the solar PV panels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained thereafter in accordance with the approved details and in accordance with the details set out in the Energy Statement dated November 2023.

Reason: To help mitigate climate change in accordance with the Interim Sustainability Position Statement. Relevant Policy - Local Plan SP2.

- 6 No external façade works (to include full structural elements beyond the frame) shall commence until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy QP3.

- 7 Prior to first occupation, all carbon reduction energy efficiency measures shall be implemented in accordance with the Energy Statement hereby approved and a Verification Report shall be submitted to the Local Planning Authority and approved in writing. The Verification Report shall demonstrate (with photographic evidence) that the energy efficiency measures have been implemented. These measures shall be retained and maintained as such thereafter in accordance with the Energy Statement and Verification Report.

Reason: To ensure high standards of sustainable design and construction. Relevant Policy - Borough Local Plan SP2.

- 8 No external façade works (to include full structural elements beyond the frame) shall commence until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority. This shall include a schedule of undertaking the proposed works including the public open space and new pedestrian routes. The hard and soft landscaping shall be designed so as to integrate with the approved landscaping for application ref. 18/01576/FULL.

The approved works shall be carried out as approved within the first planting season

following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Borough Local Plan QP3.

- 9 No development above fifth floor level shall take place until details of the acoustic screening to rooftop plant and roof balustrading have first been submitted to and approved in writing by the Local Planning Authority. The acoustic screening shall be to the technical standards specified in the submitted 'Acoustic+ www.configuredplatforms.co.uk' specifications, or as otherwise agreed through details of plant and noise mitigation submitted in compliance with condition 9. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy - Borough Local Plan QP3.

- 10 No development shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- Supporting calculations confirming compliance with the Non-Statutory Standards for Sustainable Drainage Systems; and,
- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.

The surface water drainage system shall be implemented and maintained in accordance with the approved details and retained thereafter.

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Policies - Borough Local Plan NR1.

- 11 Prior to the commencement of the development hereby approved, a Management Plan (phase specific or otherwise) showing how construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the construction period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the construction or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance with the NPPF and Borough Local Plan policies QP3 and IF2.

- 12 Prior to the occupation of the development hereby approved, the existing vehicular construction access to the highway shall be permanently stopped up in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic in accordance

with the NPPF and Borough Local Plan policies QP3 and IF2.

- 13 No part of the development shall be occupied until cycle parking facilities for at least 52 cycle parking spaces and 12 visitor cycle parking spaces have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for use in association with the development at all times.

Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage sustainable modes of transport in accordance with Borough Local Plan policy IF2.

- 14 No part of the development shall be occupied until the refuse bin storage areas and recycling facilities shown on the approved plans have been implemented and until a refuse and servicing strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in complete accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety and the free flow of traffic in accordance with the NPPF and Borough Local Plan policies QP3 and IF2.

- 15 No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP (Biodiversity) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impacts of the development on biodiversity in accordance with the NPPF and Local Plan Policy EP3.

- 16 Prior to the commencement of development above slab level full details of a Biodiversity Net Gain (BNG) Plan for onsite delivery, monitoring of Biodiversity Net Gain, and a Habitat Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plans shall be in accordance with the Biodiversity Net Gain Assessment (Stantec, October 2023) and shall include (but not be limited to) the following:

- a) A habitat management plan;
- b) Long term aims and objectives for habitats and species;
- c) Detailed management prescriptions and operations for newly created habitats, locations, timing, frequency, durations, methods, specialist expertise (if required), specialist tools/ machinery or equipment and personnel as required to meet the stated

- aims and objectives;
- d) A detailed prescription and specification for the management of the new habitats;
- e) Details of any management requirements for species specific habitat enhancements;
- f) Annual work schedule for at least a 30-year period;
- g) Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives;
- h) Details of proposed reporting to the council and council ecologist and proposed review and remediation mechanism;
- i) Proposed costs and resourcing and legal responsibilities;

The Biodiversity Gain and Habitat Management Plan shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of a net gain for biodiversity, in accordance with the NPPF and Borough Local Plan policy NR2.

- 17 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include integral bird boxes, tiles or bricks on the new building, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed as approved.
- Reason: To incorporate biodiversity in and around developments in accordance with the NPPF and Borough Local Plan policy NR2.

- 18 No development above first floor level shall commence until a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the Local Planning Authority. The report (if external lighting is to be installed) shall include the following figures and appendices:

- A layout plan with beam orientation;
- A schedule of equipment;
- Measures to avoid glare; and,
- An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and locations of bird and bat boxes.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with the NPPF and Local Plan Policy EP3.

- 19 No development above slab level shall take place until details of the mechanical services and external plant to be provided and a strategy for the installation of external plant and equipment have been submitted to and approved in writing by the Local Planning Authority. The mechanical services and external plant shall be designed in accordance with the measures in the approved Energy Statement. The installation strategy shall ensure that any flue or ducting shall be fully integrated into the building hereby approved, and that any rooftop external plant does not project above the height of the approved acoustic louvres.

Concurrent with the submission of details of mechanical services and external plant, and prior to any development above slab level, a noise assessment of the proposed mechanical services and external plant, prepared in accordance with BS4142 (2019) 'Method for rating and assessing industrial and commercial sound' shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include any mitigation measures necessary to ensure that levels of noise arising from the proposed mechanical services do not adversely affect surrounding properties. Thereafter the development shall be implemented and maintained in accordance with

the approved details, including mitigation measures.

Reason: In the interests of visual amenity and the amenities of surrounding occupiers.
Relevant policies - Borough Local Plan QP3, EP2 and EP4.

- 20 Prior to the occupation of any part of the development hereby approved, the remediation scheme previously approved under application ref.19/03118/CONDIT shall be carried out in full insofar as it relates to the application site.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved.

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

Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan EP5.

- 21 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.