

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

6 July 2016

Item: 2

Application No.:	16/00973/FULL
Location:	Church of Christ Science Marlow Road And The Cloisters Sun Lane Maidenhead
Proposal:	Erection of B1(a) office building with associated landscaping, car parking and cycle parking following demolition of existing buildings
Applicant:	Mr Richardson
Agent:	Mr Asher Ross
Parish/Ward:	Belmont Ward
If you have a question about this report, please contact: Daniel Gigg on 01628 796044 or at daniel.gigg@rbwm.gov.uk	

1. SUMMARY

- 1.1 Planning permission is sought for an office building following the demolition of an existing Church and office building. Previously at this site, a five storey office block was refused planning permission in 2014 and subsequently dismissed at appeal in early 2015.
- 1.2 In dismissing the appeal, the Planning Inspector considered the main two impacts of the five storey office were: that the design and scale would not be appropriate, along with the failure to achieve outstanding and distinctive architecture supported by high quality public realm, particularly soft landscaping; and, that the bulk, scale and proximity would have an unacceptably overbearing impact on the outlook from the garden of no. 16 Castle Hill.
- 1.3 The five storey office building would have had a height of between 20m and 22m. It would have been sited close to the back of the footway and would have stretched across the full width of the site. There would have been no space on the frontage of the site to secure soft landscaping.
- 1.4 The current scheme would be four storeys, with a height of between 15.5m and 19m. For the most part, the building would be set away from the back of the footway and angled so as to reduce the overall scale and bulk. It would also allow for planting between the building and the back of the footway.
- 1.5 The building would be more compatible in height to the immediate neighbouring properties of Hanson House and Thames House but it would rise to 19m facing towards the point close to the junction of the Castle Hill roundabout with Marlow Road (referred to as 'the apex'). There will be a parapet around the top of the building which will be angled and will rise upwards to the apex; behind this apex will be a more modern take on a pitched roof. Such a design will help to reduce the overall scale and bulk, like a traditional pitched roof would do. The facades of the building will have interest as a result of the angles, the apex and the deep window reveals; these design aspects will result in a building of outstanding and distinctive architecture.
- 1.6 In addition, there would be space for meaningful planting with a total of 5 fastigate trees and shrub/hedge planting shown indicatively. More detailed landscaping plans and details of up-lighting of the trees will be provided by the applicant in advance of the Panel, so will be reported in the update. This will demonstrate that a high quality public realm will be achieved.
- 1.7 It is considered that the amendments to the building would address the concerns that were raised with the appeal scheme. The building would be of an appropriate design and scale, it would be of outstanding and distinctive architecture and through the additional information relating to the landscaping and lighting the development will be supported by high quality public realm both on- and off- site. In addition, the height of the building and the reduction in the width will ensure that the outlook from the occupiers at no. 16 Castle Hill would not feel enclosing.

- 1.8 In all other respects, the proposals would be acceptable. There would be no objection to the loss of the unoccupied Church building as it has been demonstrated that there is no longer a need for this community facility. In addition, a sufficient amount of parking would be provided within the site and the visibility at the junction with Marlow Road/Sun Lane would be marginally improved compared to the existing. In respect of air quality, contamination, archaeology, drainage and sustainable design and construction the proposals would be acceptable.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the off-site public realm improvements referred to at paragraph 6.15, the Travel Plan and with the conditions listed in Section 9 of this report.
2.	To refuse planning permission if an undertaking to secure the obligations referred to above has not been satisfactorily completed by 8th July 2016 for the reason that the proposed development would not be accompanied by associated infrastructure improvement.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application in the way recommended as the proposal is for more than 1000m² of floor space; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located on the edge of Maidenhead Town Centre. It comprises two buildings – The Cloisters which is an office and the former Church of Christ Science. Vehicular access into the site is from Sun Lane. There is a surface level car park located at the rear of the buildings.
- 3.2 The area is characterised by a mix of residential and commercial buildings. To the north and north east of the site (along Marlow Road) are predominantly offices and there is No. 4 Marlow Road which is a community building. Beyond these buildings on Marlow Road are a mix of apartments and houses. To the east of the site is Kidwells Park. To the south is a landscaped roundabout beyond this is the town centre to the south east and a number of residential properties to the south west and west. Immediately to the south west of the application site is an office building.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The table below sets out the relevant planning history. The most recent scheme relates to an office building that was refused planning permission in 2014 and which was subsequently dismissed at appeal in 2015. These decisions will be referred to Section 6 of this report under the 'key issues'.

Ref.	Description	Decision and Date
402057	Demolition of Church. New Church, library, school and office block.	Withdrawn 17.09.1972
406009	Office building over existing car park.	Withdrawn Date not known
87/00893	Replacement Church Building and erection of office with integral flat.	Approved 21.08.1987
89/00122	Change of use of flat on second floor to offices.	Withdrawn 16.03.1990
89/00123	Use of second floor for offices and ancillary purposes.	Withdrawn 27.06.1990

14/00791	Demolition of existing buildings and construction of a 5 storey office building with parking and landscaping.	Refused 09.06.2014 Dismissed at appeal 03.02.2015 (see Appendix D and E)
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- 4.2 The proposal is to demolish the existing two buildings on the site and to replace these with a 4 storey office building to a height of between 15.5m to 19m. On the ground floor would be parking for 20 vehicles. Also within the car park area of the building would be lockers and showers and plant rooms. The car park would be accessed off Sun Lane. Also on the ground floor on the north east side of the building would be a double height reception with pedestrian access off Marlow Road. The upper 3 floors would be the office accommodation that will total around 2120sqm of floorspace (Gross Internal Area).
- 4.3 The building will not be rectangular in its form, as there will be angles to the building that will give 'deflections' in the facade. The strongest angle that will create a prominent vertical point to the building will be the one facing eastwards towards the southern edge of Kidwells Park; this part of the building will also be the apex. A parapet wall is proposed around the top floor. At the apex will be a low pitched roof which will slope in different directions and will cover around 50% of the overall roof. Within the pitched roof part of the building will be plant. The rest of the roof will be flat and solar panels are proposed on this part of the building.
- 4.4 The building will have a grid form that will be reconstituted stone/natural stone cladding. Within each grid will be a recess of brickwork and aluminium framed, curtain wall glazing. At the ground floor the openings to the car park will be metal security bars with metal mesh behind these. The materials for the pitched roof will be a wire mesh cloth. At the double height entrance, there will not be horizontal stone cladding but instead full height curtain wall glazing.
- 4.5 In front of the south east elevation of the building will be an area of soft landscaping that will be at its deepest 6m. Soft landscaping is also proposed on the north east and north west with the greatest space for planting on the Marlow Road/Sun Lane junction side of the building. A total of 5 fastigate oak trees (planted at a minimum height of 5 to 6.5m) are proposed within the landscaped areas, along with a hornbeam hedge that will be maintained at a height of 1.2m and planted close to the back edge of the adjoining pavement. In addition there will be various shrubs and ground cover plants behind the hedge.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework: Core planning principles (paragraph 17); Section 1 – Building a strong, competitive economy; Section 2 – Ensuring the vitality of town centres; Section 4 – Promoting sustainable transport; Section 7 – Requiring good design; Section 8 – Promoting healthy communities; Section 10 – Meeting the challenge of climate change, flooding and coastal change; and, Section 12 – Conserving and enhancing the historic environment.

Royal Borough Local Plan

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

	Within settlement area	Conservation Area	Listed Building	Highways /Parking issues
Local Plan	DG1	CA2	LB2	T5, P4
Maidenhead Area Action Plan	MTC1, 2, 4, 5, 12			MTC4, 14, 15

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy R2 to R6 - Public Open Space provision
- Sustainable Design and Construction

More information on these documents can be found at:

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

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- Conservation Area appraisal - view at:
http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of the proposals;
- ii The impact on the character and appearance of the area (including heritage assets);
- iii Highway safety and convenience;
- iv Living conditions;
- v Air quality;
- vi Contamination;
- vii Archaeology;
- viii Sustainable design and construction;
- ix Drainage; and,
- x Other material considerations.

The principle of the proposals

Offices

6.2 The application site lies at the edge of the commercial boundary of the town centre. While the area within the commercial boundary is the preferred location for this type of development, the applicant has demonstrated that there are not any reasonably available, more central sites that could be developed. As such the proposal complies with paragraph 24 of the NPPF.

6.3 While this proposed development is not within the commercial boundary, it lies very close to its edge. Given this close proximity, there is a strong likelihood that office workers will use its services and facilities thereby helping to support the vitality and viability of Maidenhead town centre in line with the policies of the NPPF. The NPPF states at paragraph 26 that schemes of over 2,500sqm of floorspace should be accompanied by an Impact Assessment but as the scheme would be below this – and given that there is currently not a locally set threshold – this is not a requirement that the applicant needs to comply with. In addition, the Employment Land

Review for the Borough identifies a need for more offices; the proposals for Grade A offices will help meet the supply requirements for the Maidenhead area.

Loss of the Church

- 6.4 The Church is classed as a community facility. Policy CF1 of the Local Plan states that there is a general shortage and difficulty in obtaining premises for community use; it seeks their retention unless there is no longer a need for them or alternative provision is to be made elsewhere.
- 6.5 The applicant maintains that there is no longer a need for this facility. They state that there has been no change to this situation since the last application was dealt with in 2014 and the Inspector did not raise the loss of the community facility as an issue in the appeal. The applicant's have re-submitted the same letter from their property advisor (dated March 2014) in respect of the marketing that was carried out. It is accepted that the applicant has made a satisfactory case and the following is an extract from the previous Officer's report for the 2014 application *"The Church has been marketed since 2009 across the use class D1 range which includes crèches, vets, education and training centres. Over this period the price for the freehold has been reduced but there has been no serious interest. There has been no interest from education bodies, medical groups/dentists and nursery/day care operators consider that the premises would not suitable due to the lack of outdoor space. In addition two religious organisations expressed interest but would need to make substantial alterations to the building to suit their requirements that it would not be financial viability to take on the premises. Also the premises would have been too large for a veterinary surgery because they only wanted the ground floor. It is therefore considered that there is no longer a need for this facility and as such the redevelopment proposals for an alternative use would not conflict with Policy CF1."*

Impact on the character and appearance of the area

- 6.6 As pointed out by the Inspector, this site is in a prominent location alongside the Castle Hill roundabout, part of the road system that skirts Maidenhead. The AAP identifies the area as a 'Gateway' because it is regarded as an important entrance into the town centre. Within a gateway location, proposals are expected to demonstrate outstanding and distinctive architecture supported by high quality public realm, particularly lighting, landscaping and public art.
- 6.7 The appeal scheme was for a five storey office with a height of between 20m and 22m. It was set close to the back of the footway and would have stretched full width across the site at a distance of over 52m. It would have had a flat roof. The Inspector considered that at the height and bulk proposed that it would sit uneasily alongside its neighbours, particularly the neighbouring dwellings, so it was considered that it would not be compatible with the existing street façade. In addition, the Inspector considered that a distinctive feature of the gateway is the amount of landscaping which provides relief in an otherwise car dominated and un hospitable environment; it was concluded that the building would fail to reflect or build on this feature.
- 6.8 The proposed building would be four storeys. It would have a height of between 15.5m adjacent to both Hanson House and Thames House. The office then rises up to 19m at the point facing Marlow Road. It will extend across the width of the site by around 50m. In terms of its frontage to the Castle Hill roundabout and Marlow Road, the majority of the building will be set back from the pavement.
- 6.9 Around a quarter of the overall width of the building will be built up to the back edge of the pavement for the section adjacent to Hanson House. The building will then extend around 24m and set back from the pavement; there will be a triangular-shaped area of predominantly soft landscaping in front of this part of the building to a maximum length of 6m. The building then extends for 14m towards Sun Lane and set back from the pavement up to 6m at its furthest point; in the area between the back edge of the pavement and the building will be a mix of both planting and paving which will be an equal split between the two types of landscaping.
- 6.10 It is considered that the amended building addresses the concerns of the Inspector. While it will still be a wide building, it will be compatible with the street facade because its scale and bulk has

been reduced significantly. The reduction in the scale and bulk is as a result of a combination of the following factors: the majority of the building being set back from the pavement; the removal of the additional floor and corresponding reduction in height; and the form of the building.

- 6.11 The building will be more compatible with the immediate neighbours with Hanson House standing at 15m and Thames House between 14m to 15m. The tallest part of the office building will be set some distance from these neighbouring offices. The building will have flat roofs to the lower sections of the buildings behind a flat-topped parapet. For the rest of the roof, the angle of the parapet will change to a slope. The sloped section will be from a point where the flat section will terminate and then rising to the 19m high apex of the building. Behind the parapet will be several pitches of roof that will not be highly visible in nearby and medium distance views.
- 6.12 The appeal scheme was a taller building with a flat roof over the full extent of it. The Inspector noted, in referring to Hanson House and Thames House, that these neighbouring buildings have a pitched roof. While the Inspector did not go on to explain his comment on the pitched roofs they were made in the context of scale and bulk arising from the combination of the width, height and flat roof form of the appeal scheme building. It would be reasonable to conclude the Inspector was commenting that pitched roofs help to reduce bulk and scale, and not that a traditional pitched roof is necessary from an architectural point of view. The angled parapet and the several pitched roofs on the current office scheme will help to break up the scale and bulk of the building thereby avoiding a monolithic flat roof.
- 6.13 In addition, the form of the building with the 'deflections' arising from the angled facades will also help to break up the overall scale and bulk because these design elements will give the impression of a less wide building while travelling around because people will view two different planes of wall together. In the appeal scheme the walls were much wider and seen as single planes over a longer distance. In addition, the facades will be a series of grids with re-constituted stone surrounds; within each grid will be two elements – the glazing to the window and to one side of, and over the top of the window, a brickwork panel. These design elements will further help to break up the mass. The form of the building and the design elements will achieve outstanding and distinctive architecture.
- 6.14 In terms of the contribution to the verdant appearance of this part of the town, two existing silver birch trees will be removed but there will be no objection to the loss. This loss will be off-set against the new, fastigiated tree planting; 3 trees are proposed on the frontage of the site, with two positioned along Sun Lane. The Tree Officer comments that the future canopy may conflict with the building. However, a management plan is recommended to ensure that the trees will be kept to a maximum size of canopy (see condition 21). In addition to the tree planting, the applicant is proposing a mix of shrubs and hedges in the triangular shaped planting beds.
- 6.15 It is considered that the level of planting proposed will add to the existing landscaping in a positive way. It will also help to reduce the visual impact of the grilles at the ground floor level that are required to allow for ventilation of the car park. While the submitted landscaping plan with the application shows indicative species and arrangement, the applicant has agreed to provide specific details of all the landscaping such as types of plants, number, density, tree pit sizes and paving materials. In addition, in recognition of Policy MTC5 of the AAP, the applicant will provide full details of a lighting scheme. In addition to mitigate the impact of additional use of the pavements within this part of the town the applicant has agreed to re-pave the area in front of the building from Sun Lane through to the bottom of Castle Hill (in front of the Hanson Offices). The proposal will result in a high quality public realm. Both the details of the landscaping and the up-lighting of the trees will be provided at the panel through the update report which will then require conditions 5 and 18 to be amended to reflect this.
- 6.16 The proposals will be of an appropriate design, scale and bulk set within high quality public realm, so the scheme complies with Local Plan policies E10 and DG1 and AAP policies MTC4 and MTC5.

Highway safety and convenience

- 6.17 For the appeal scheme, which proposed 23 car parking spaces, the main issue that was considered related to the impact on Sun Lane itself and at the junction of Sun Lane with Marlow Road.
- 6.18 At the appeal local residents expressed concern at the speed at which vehicles leave the nearby roundabout and the consequent difficulties for vehicles turning right out of Sun Lane. They also referred to the difficulties caused when vehicles turning left into Sun Lane are confronted by vehicles loading/unloading or picking up/dropping off. Anecdotal evidence from the residents was also raised at the appeal hearing in respect of near misses at this junction and accidents not involving personal injury. Very similar concerns have been raised with this proposal from both residents and a local business.
- 6.19 The Inspector noted that drivers entering and leaving Sun Lane would need to exercise caution in the current situation and the future had the office been approved and subsequently built. The Inspector discounted the additional sightline through the pillars of the Church because these look across the existing car park that could be blocked on occasions. But it was acknowledged that the other sightline to the right along Marlow Road over the public highway (which includes the pavement and frontage leading up to the Church) would not be diminished. The Inspector went on to conclude that while the operation of the Sun Lane junction is not ideal, the proposed development would not lead to any significant loss of highway safety so would comply with the policies of the Development Plan.
- 6.20 The Highways Officer considers that there are existing visibility splays of 2.4m by 30m (to the right) and 2.4m by 90m (to the left). The applicant's Highways Consultant considers that to the right it is marginally greater at 31.5m. The Highways Officer has pointed out that while the applicant's plan has been annotated with a label to show a right hand splay of 2.4m by 32.5m, it is not scaling to the correct dimension. The applicant's Highways Consultant has been asked to check the plans and this will be covered in the update report. However, it is clear from the plans in the Transport Statement in comparing the existing and proposed built form that the visibility would not be diminished. Given the stance taken by the Inspector in the appeal scheme, the visibility would be acceptable once again. Lastly on this aspect of highway safety, it is not considered that the Highway Authority's request for a financial contribution towards anti-skid surfacing on Marlow Road would be reasonable. This is because the visibility would be marginally improved and there is not any evidence of personal injury accidents in the vicinity of the junction.
- 6.21 In addition, it remains the case – as was accepted by the Inspector – that the building will generate only a very low number of net additional trips; the loading/unloading and picking up/dropping off of passengers already occurs on Sun Lane and will not increase significantly; there is no record of personal injury claims at the Sun Lane/Marlow Road junction; and, that the site is in an area of good accessibility to public transport. Also, with respect of the current scheme it will significantly improve visibility at the access into the site from 2.4m by 11.1m to 2m by 25m; the better visibility on Sun Lane is welcome by the Highways Authority. This will be secured by condition 12.
- 6.22 In terms of other highway aspects, the proposal will not materially alter the capacity of the existing roads and within the development the access road to the car park and the gates across the entrance will be acceptable. The Highways Authority considers that one of the proposed twenty parking spaces should be slightly larger to make it useable as it will be adjacent to a solid wall which could restrict access. However, given this highly sustainable location it is considered that even with nineteen useable car parking spaces the level of parking would be acceptable. Furthermore, to help encourage more journeys to and from the site by non-car travel the applicant has agreed that future occupiers of the office will be bound by a Final Travel Plan (FTP) that will set out targets that will need to be achieved. A Framework Travel Plan which will inform the FTP is being amended – at the request of the Highway Authority to address some points that have been raised with the submitted version – and this will be reported on in the update report.
- 6.23 The Highway Authority has questioned whether there would be adequate refuse storage and the arrangements for bin collection. A total of 4 bins could be provided which is considered sufficient

for this office. In terms of bin collection and to avoid a situation of additional refuse storage being outside of the designated area which could reduce the use of the car park, a condition is recommended that will require the submission of a management plan. In terms of cycle parking, 8 cycle stands are proposed on the North West (NW) side of the site. They will be positioned under a canopy that will be attached to the NW side of the building. While an enclosed and lockable bike store would be better, CCTV could be provided to allow for surveillance of the store and the canopy would be sufficient to mitigate most rainfall events. This will be secured by condition 17.

Living conditions

- 6.24 For the appeal scheme, the Inspector considered that the residential occupiers of no. 16 Castle Hill have a spacious outlook because of the pitched roof of the Cloisters and of the church on the application site leave gaps through which the sky and tops of trees can be glimpsed. While noting that the appeal scheme would be 21m at its nearest, the height, bulk and proximity would have an unacceptably overbearing impact on the outlook from this garden and would result in views that were largely cramped and constrained by tall buildings.
- 6.25 For the current office building, it will still be at least 21m from the boundary with no. 16 Castle Hill. The building will come closer to the western boundary than the appeal scheme. However, the reduction in the height of the building from 20m to 22m to 15.5m will reveal more of the sky which will help give a more spacious feel. In addition, the building will not be a solid mass with a cube-like appearance with the tower feature at the northern end which was the form of the appeal scheme. There will be 'deflections' in the West facing elevation and the northern end of the building will be set away from the back edge of the pavement of Sun Lane by 2.5m. For the occupiers of this neighbouring property, they would have an outlook across the site as a result of the angle of the office building and the aforementioned set back thereby giving a clear splay in the North East direction to the edge of Kidwells Park and the canopies of the trees. This would further help with spaciousness of the outlook. A small area of green roof is proposed on the west side of the office and on the roof which could be accessed from the third floor – this will be secured by condition 22. If office workers were to use this area, then it would lead to an unacceptable level of overlooking, so a condition is recommended precluding the use of this area other than for maintenance. As it is considered that the impact on no. 16 would be acceptable it follows that the relationship with the other neighbouring buildings to the west of no. 16 will ensure that a good level of amenity will remain.
- 6.26 To the north and south west of the application site are two office blocks. Occupiers of office blocks cannot expect the same level of amenity as residential occupiers but nevertheless it is considered that the relationships would be acceptable. It is also considered that the comings and goings of those persons using the offices would not be noticeable particularly given the background noise levels primarily from traffic.
- 6.27 It is considered that the proposals would not result in an un-neighbourly development and as such complies with Policy E10 of the Local Plan and Core Planning Principle Bullet Point 4 of the NPPF.

Air quality

- 6.28 The site lies within an air quality management area which has been designated because of the pollutants in the air as a result of vehicular traffic. The assessment of the impact from road traffic on air quality levels is predicted to be of 'negligible significance'. When the scheme is operational the impact on air quality will not be unacceptable and during construction there will be an increase in dust/other pollutants but the impact would only be temporary. On the last application for the larger office development, the Environmental Protection Officer raised no objections. As the vehicular traffic generated by this development would be less than the previous proposal, it would not be unreasonable to conclude that no objection would be raised again. The proposals accord with Policy MTC4 of the AAP and Policy NAP3 of the Local Plan.

Contamination

6.29 As identified with the last application, there may be potential for the site to be contaminated. As such condition 18 is recommended to require identification of the contaminants and any appropriate mitigation to 'clean' the site. This is the correct approach as paragraph 120 of the NPPF states that responsibility for securing safe development rests with the developer and/or landowner. The proposals accord with Policy NAP4 of the Local Plan.

Archaeology

6.30 Given that the application site lies close to the presumed extent of the medieval settlement of Maidenhead there is potential for archaeological remains. The Archaeologist considers that the site is likely to have been disturbed when the Church and The Cloisters were constructed in the late 20th Century. Therefore it is considered in these circumstances that it is appropriate for a condition to require further archaeological investigation (see condition 4). The proposals accord with ARCH2 and ARCH3 of the Local Plan.

Sustainable design and construction

6.31 Policy MTC4 of the AAP requires buildings to be sustainable in their design, construction and operation. In addition, the Council has adopted a Supplementary Planning Document setting out 12 criteria for developments to achieve in order to improve the sustainability performance of buildings. The SPD advises that over its lifetime, a sustainable building will cost less to build, heat and light than a conventional building resulting in economic and environmental gains which will have direct impacts on the sense of well-being of the occupiers and society as a whole.

6.32 The table below sets out how the development complies with 12 criteria:

SPD Requirements	Will the development achieve the requirement?
Requirement 1 <i>For major developments – meet 'very good' BREEAM.</i>	Yes. The 'Energy & Sustainability Statement' sets out that the development will meet this requirement.
Requirement 2 <i>Sustainable design to reduce energy demand.</i>	Yes. The building will be air tight and it will include energy efficient features. It will also feature solar control glass to help with solar gain and cooling.
Requirement 3 <i>On-site renewable energy generation – to secure at least 10% of expected energy demand from on-site renewable or low carbon sources.</i>	Yes. This achieved through heat pumps and photovoltaic panels.
Requirement 4 <i>Water efficiency measures.</i>	The development will incorporate water efficient devices.
Requirement 5 <i>Manage flood risk.</i>	No detail has been provided. The site is not in an area at high risk of flooding. However, in order to reduce surface water runoff in the even of high rainfall periods, a sustainable drainage system will be installed.
Requirement 6 <i>Maintain or enhance biodiversity.</i>	The landscaped areas around the site and the green roof will help to enhance biodiversity.
Requirement 7 <i>Waste, recycling and composting facilities.</i>	Provision is to be made waste and recycling facilities.
Requirement 8 <i>Meets the cycling facility requirements.</i>	Yes sufficient space for cycle parking will be provided.

Requirement 9 <i>Demonstrate air, noise and light pollution are satisfied.</i>	Yes. See paragraph 6.28 regarding air pollution. There would not be any unacceptable noise impacts from plant equipment or general activity. However, conditions are recommended covering the precise details of plant and light.
Requirement 10 <i>Responsibly sourced and recycled material.</i>	Materials will be responsibly sourced.
Requirement 11 <i>Site Waste Management during construction.</i>	A Site Waste Management Plan will be produced and this could be secured by condition 12.
Requirement 12 <i>Site Environmental Management Plans.</i>	This would be covered by condition 11 relation to construction management.

Drainage

- 6.33 A Ministerial Statement from December 2014 confirms the Government's commitment to protecting people from flood risk. This Statement was as a result of an independent review into the causes of the 2007 floods which concluded that sustainable drainage systems (SuDS) were an effective way to reduce the risk of 'flash flooding'. Such flooding occurs when rainwater rapidly flows into the public sewerage and drainage system which then causes overloading and back-up of water to the surface.
- 6.34 The Government has set out minimum standards for the operation of SuDS and expects there to be controls in place for ongoing maintenance over the lifetime of the development. The proposal is to collect the water from the roof which will be transferred to a tank via rainwater downpipes. The Surface Water Management Plan sets out the size of the tank and confirms that the water will be discharged to a sewer. The Local Lead Flood Authority has confirmed that they are content with the arrangements to manage the rain water. A condition is recommended to secure the final details of the drainage system and the future management/maintenance of the system (see condition 9).

Heritage Assets

- 6.35 To the South West and West of the application site is the Castle Hill Conservation Area (CHCA). The views into the part of the CHCA are restricted by the existing buildings. It is considered that this situation would not materially change with the redevelopment of the site. In addition, the views out of the CHCA would not materially change because these are largely confined to short range views. To the South East of the site beyond the Castle Hill roundabout is the Maidenhead Town Centre Conservation Area but the combination of the separation distances along with restricted views from the evergreen vegetation on the roundabout would ensure that the views into and out of the MTCCA would not be significantly affected. The proposals would preserve the setting of the Conservation Areas and as such would accord with Policy CA2 of the Local Plan. In arriving at this conclusion special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.36 The new office building would be a sufficient distance from the listed buildings of 16 and 18 Castle Hill and 4 Marlow Road. The proposals would not affect the setting of these important buildings. In arriving at this conclusion special regard has been paid to the desirability of

preserving the setting or any features of special architectural or historic interest of the nearby listed buildings, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

38 occupiers were notified directly of the application.

The application was advertised in the Maidenhead & Windsor Advertiser 21st April 2016

The planning officer posted a statutory notice advertising the application at the site on 13th April 2016

13 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Not a pleasing building to look at – it is an ugly, rectangular and overbearing design. It will not fit with its neighbours and has no place in a gateway location or the edge of a conservation area. The proposals incorporate a generally plain looking façade with the overall style being an oblong box shape, at a size that will totally dominate the area, and buildings all around it. People passing this building will feel that it was built in the wrong place and that it appears to ‘celebrate austerity’ which is not something that would promote Maidenhead. The hope was that the building would have character that would reflect the style of Maidenhead’s local architectural heritage. A much smaller building with a pitched and tiled roof would be more in keeping with the surroundings and neighbouring buildings. The building would not be in keeping with its prominent location and the rectangular and blocky architectural style is not considered outstanding or distinctive. The objective of a distinctive and architecturally outstanding building at this gateway would not be achieved.	6.6 – 6.16
2.	The existing buildings are very attractive and the houses in Sun Lane are quite lovely with period features and pitched roofs. A number of buildings are listed. The building would sit uneasily and unsympathetic against the listed buildings (Nos. 16-18 Sun Lane). There are other well designed buildings nearby such as at Victoria Place which is surrounded by greenery and have extremely attractive facades. The proposed building would not be in keeping with the area. It will blot the relatively soft edged boundary to the Conservation Area. There will be harsh juxtaposition between new large buildings and listed buildings leading up Castle Hill, contrary to Policy CA2 of the Local Plan.	6.6 – 6.16 and 6.35 – 6.36
3.	The building is still too big, bulky, overbearing and much higher than the existing buildings on the site and around it. At 19m at its highest point it still overbears Hanson House (15m) and Thames House (14-17m). The design has not taken into account the context of the neighbouring houses. The inVentiv Health offices would be overshadowed due to the overbearing height. The plans disguise the overbearing impact and are misleading. A building that matches Handson House would be less likely to dominate the skyline and view from the Castle Hill houses. The building will block views through the site. It will be incompatible with the street façade contrary to Policies	6.6 – 6.16

	E10 and DG1 of the Local Plan.	
4.	Surrounding buildings have a pitched roof which is more pleasing. The new roof would be sloped with a small amount of pitch but essentially looks flat from the rear. The roof would be flat for approximately 50% of its length and the pitched section is of wire mesh which is completely different from the tiled roofs of adjacent buildings. The part that is pitched would be too shallow and out of keeping with the steeply pitched roofs of neighbouring buildings. A point was made by the Inspector that the original proposal lacked a pitched roof. The slight slope will be lost from people walking by it or driving past it with it only visible halfway across Kidwells Park. One resident was made to change a flat roof dormer to a pitched one on a property on Castle Hill. The Council should enforce the same standard.	6.6 – 6.16
5.	Insufficient information has been provided to assess the potential impacts of the proposals on the surrounding area and against planning policy. In particular, the applicant has not provided clear plans of the existing situation.	Throughout the report. Adequate plans have been provided.
6.	Given the location – on the edge of a conservation area, opposite a park and a landscaped roundabout – more greenery and landscaping around the building would be expected. The proposed landscaping is perfunctory and unimaginative e.g. instead of office windows, a ‘living wall’ would improve the rear elevation. It would create a softer, green boundary easing the Conservation Area into the rest of the town. More detailed landscaping and lighting should be provided at this stage, and not left to condition.	6.6 – 6.16
7.	Not enough car parking spaces for the building which will lead to overspill of parking in Sun Lane. This will cause a problem for residents. The proposed car park at West Street is short-stay only which seems to have been overlooked by the Planners. It is also normally full with cars waiting for someone to exit.	6.22
8.	Hazardous turning in and out of Sun Lane due to the reduced visibility. Even though it was determined (at the appeal) not to be a significant problem, the residents of Sun Lane still feel that the increased flow of traffic into and out of Sun Lane which will increase the chances of an accident. Courier and delivery vehicles routinely park on the double yellow lines at the entrance of Sun Lane, leaving cars to swerve to avoid them in a constrained space. Cars park on the green triangle of grass which is evidence of the lack of parking available in this area. Thames House would have a particular concern with the shared access.	6.17 – 6.23
9.	Note the Highways Officers comments about re-locating the stands to a covered, safe and secure location.	6.17 – 6.23
10.	Maidenhead does not need more offices – there are vacant offices all over the town centre. Existing offices should be used first before more are built. Where is the evidence that there is a requirement for more offices?	6.2 – 6.3
11.	The proposal will result in a loss of privacy for neighbouring houses, including no. 16 Castle Hill where there will be 3 floors of windows and at no. 20 Castle Hill which is already overlooked by the inVentiv Health building.	6.24 – 6.27
12.	The building will be large and loom over no. 16 Castle Hill which is the closest residential property. The building has been reduced in height	6.24 – 6.27

	but this is off-set by it moving closer to the West boundary of the site. The Inspector raised concern about the impact no. 16 Castle Hill. Having a view towards Kidwells Park and its trees creates a break between the buildings. The break will be lost. The view will be through to a solid building with no space between the new building and Hanson House. These concerns are also raised by the occupiers of no. 24 Castle Hill on behalf of all residents of Sun Lane. The development would lead to a loss of light to no. 20 Castle Hill. The roof will be 2-3m higher than the existing roofline. The drawings of lines of sight are disingenuous as they are not taken from different points in the garden. Negative impact on sunlight, daylight and overlooking for existing, neighbouring occupiers. The proposals would be contrary to Policy E10 of the Local Plan.	
13.	The traffic will lead to inconvenience and disruption for residents during both the construction and operational phases.	6.17 – 6.23 During construction the impact will be temporary. A condition is recommended covering construction management
14.	The flat roof may mean that additional floors may be added to the building at a later date.	Only the submitted plans can be considered
15.	The concerns raised by the Planning Inspector when turning down the appeal have not been successfully addressed.	Throughout the report
16.	No further marketing report has been provided by the applicant in respect of the Church.	6.4 – 6.5

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways Authority (HA)	Request: clarification in relation to visibility splays shown on the plan; amendments to the cycle parking arrangements; and, amendments to the Framework Travel Plan. However the HA raise no objection subject to conditions.	6.17 – 6.23
Local Lead Flood Authority	The drainage strategy has been amended to give reduction in discharge from the site and the issues with the levels required to drain to a sewer have been addressed. However, a condition is recommended to cover future maintenance of the drainage system.	6.3 – 6.34

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
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Berkshire Archaeology	No objection subject to a condition relating to a programme of archaeological investigation.	6.30
Tree Officer	No objection to the loss of two existing trees but considers that there would not be sufficient space for the new 5 trees.	6.6 – 6.16
Maidenhead Civic Society	The proposals are a great improvement on the previous scheme. Building heights have been significantly reduced and the building line has been set back. Landscaping has been introduced to soften the frontage at street level. But whilst approving of the scaled down height and bulk, the Society would prefer a more architecturally stimulating design. The proposal is rectangular in the extreme and on a landmark gateway the Society would appreciate something more distinctive. The level of parking would be inadequate for the size of building. Local commuters will be using their cars. This is against the backdrop of an ever decreasing supply of parking spaces in Maidenhead.	6.6 – 6.16 6.17 – 6.23

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Floorplans
- Appendix C - Elevations
- Appendix D - Appeal Decision
- Appendix E - Appeal Scheme Elevations

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

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The 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. No development shall take place until samples of the materials to be used on the external surfaces of the development have 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 - The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted June 2003) DG1 and Maidenhead Town Centre Area Action Plan (Adopted September 2011) (herein the 'MTCAAP') MTC4.
3. No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have 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 interest of the visual amenities of the area. Relevant Policy Local Plan DG1 and MTCAAP MTC4.

4. No development, other than to the slab level of the existing buildings and to surface adjacent to the buildings, shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the continued preservation in situ or by record of any archaeological finds. Relevant Policies - Local Plan ARCH2, ARCH4.

5. No development shall commence until details of external lighting to the building have been submitted to and approved in writing by the Local Planning Authority. The external lighting approved shall be under control of light sensor/timer that will enable the light to come on when ambient external light drops at dusk and then turn off as ambient light levels rise at dawn. The development shall be carried out and maintained as such.

Reason: To ensure the building contributes to the visual amenities of the area and because the reasonable protection of the amenities of neighbours is a matter of acknowledged planning importance and part of the principles of good planning practice as set out in national planning policy statement 1. Relevant Policies - Local Plan DG1 and NAP3, and MTCAAP MTC4

6. The development shall be carried out and maintained so as to achieve the reduction in its annual energy demand along with the other sustainability measures as specified in the 'Energy and Sustainability' Statement by Twin and Earth (dated 3 March 2016).

Reason: To ensure that the development is sustainable and makes efficient use of energy to comply with Requirement 1 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. Relevant Policy - MTCAAP MTC4

7. Within 3 months of completion of the development a Building Research Establishment (BRE) issued Post Construction Review Certificate confirming that the non-residential development built has achieved a BREEAM rating of 'Very Good' shall be submitted to the Local Planning Authority.

Reason: The Code Assessor can only confirm that the site wide works are satisfactory when the whole of the development is complete. The Assessor then needs to write a report and submit it to the BRE. The BRE can only then verify the submission and issue Final Code Certificate. This could realistically take 3 months to achieve.

8. No development shall commence until details of the green roof as shown on the approved drawings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and these areas as shown on the approved plans not used for any other purpose.

Reason: To reduce the rate of surface water runoff from the site in order to minimise the risk from flooding to comply with Requirements 5 and 6 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document and in the interests of enhancing biodiversity at the site. Relevant Policies - MTCAAP MTC4

9. No development shall take place until the full drainage scheme for the site to deal with surface water based on the system referred to in the 'Surface Water Management Strategy' by Heine Tillet Steel (dated 15/12/15), along with a management and maintenance plan for the drainage system for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be constructed in accordance with the approved details and subsequently maintained, and the management and maintenance plan shall be implemented for the duration of the development.

Reason: To reduce the rate of surface water run-off in order to minimise the risk from flooding to accord with Requirement 5 of the Royal Borough of Windsor and Maidenhead 'Sustainable Design and Construction Supplementary Planning Document' (June 2009), to minimise the risk of ground water pollution. Relevant Policies - Local Plan, NAP4, AAP MTC4.

10. No development, including any demolition works, shall take place until a Site Waste

Management Plan confirming how any demolition and construction waste arising from the development will be recovered and reused on the site or on other sites, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plan.

Reason: To ensure that the development will include the re-use of limited resources, to ensure that the amount of waste for landfill is reduced and to comply with Requirement 11 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. Relevant Policy - MTCAAP MTC4

11. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works 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 works 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. Relevant Policies - Local Plan T5.
12. No part of the development shall be occupied until: a) visibility splays of 2.4 metres by 32.5 metres have been provided at the access to the junction of Sun Lane and the A308 Marlow Road, and b) visibility splays of 2m by 25m have been provided at the internal access road to Sun Lane. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
13. The gates shown on the approved plans shall open away from the highway and be set back a distance of at least 5 metres from the highway boundary or at least 7 metres from the nearside edge of the carriageway of the adjoining highway. No further gates shall be erected along the internal access road to the car park without the prior written approval of the Local Planning Authority.
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan T5
14. No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
15. No part of the development shall be occupied until the cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles 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 the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
16. No development shall take place until a scheme for the operational management of facilities to be provided for the storage and emptying of refuse and recycling bins and general servicing has been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided and managed in accordance with the approved details and no part of the development shall be occupied until such facilities have been provided.
Reason: To enable satisfactory refuse collection to take place in the interests of highway safety and convenience. Relevant Policies - Local Plan DG1.
17. No development shall commence until a scheme setting out security measures to protect the vehicular access, the car park, the cycle store and the building itself has 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: To ensure a safe and secure environment. Relevant Policies - Local Plan DG1

18. 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 immediately in writing to the Local Planning Authority. Prior to any further works in the affected area, an investigation and risk assessment, remediation scheme and verification report must be undertaken which will be the subject of the approval in writing by the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4; AAP MTC4
19. Irrespective of the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure other than those shown on the approved plans shall be erected on the site without planning permission having first been obtained from the Local Planning Authority.
Reason: To ensure the location, form, design and materials are appropriate for the character and appearance of the area and in the interests of highway safety and convenience. Relevant Policies - Local Plan DG1, AAP MTC4.
20. No development shall take place until full details of both hard and soft landscape works, including tree pit design, have been submitted to and approved in writing by the Local Planning Authority and these 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 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 and such replacement planting will take place for the lifetime of the office development.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1, AAP MTC4, MTC5.
21. Prior to the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for the duration of the office development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover all areas of proposed landscaping, including the maximum tree canopy sizes.
Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Policies - Local Plan DG1, AAP MTC4, MTC5.
22. The flat roof area at third floor level and on top of the roof shall not be used as a balcony, roof garden or similar amenity area and shall only be used for maintenance purposes.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.
23. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the list of plans below.
Reason: For the avoidance of doubt as to the nature of the development permitted.