

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE

Maidenhead Panel

Application No.:	16/01292/FULL
Location:	Hedsor Cottage 11 Maidenhead Court Park Maidenhead SL6 8HN
Proposal:	Erection of detached dwelling following demolition of existing garage and annexe
Applicant:	Mrs Hock
Agent:	Not Applicable
Parish/Ward:	Maidenhead Riverside Ward

If you have a question about this report, please contact: **Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk**

1. SUMMARY

- 1.1** Since writing the main report for application 16/01292/FULL comments from the Environment Agency, and 3 additional letters from local residents who have previously objected, have been received

There is no change to the recommendation for refusal in the main report, but the reasons recommended for refusal are amended as discussed in Section 2.1 and set out in Section 3 below.

2. ADDITIONAL INFORMATION

- 2.1** The Environment Agency (EA) has objected to the proposal on the basis of an unacceptable Flood Risk Assessment (FRA) by AA Environmental Limited, titled Hedsor Place Maidenhead Flood Risk Assessment and dated 15 December 2014. Paragraph 6.5 of the main report states that the existing ground floor levels of the annexe will be maintained for the new dwelling at 25.43m which is 0.58 metres above the 1 in 100 year (plus climate change) flood level. However, the EA has advised that current allowances for climate change were published on 19 February 2016 and the design of the proposed development and the submitted FRA are based on the previous allowance for climate change which were published in 2013. The application does not fall into any category outlined in the NPPG for any leeway in the transition period, and therefore an assessment should be based on the 2016 allowances for climate change. As such, the applicant has failed to demonstrate through a site-specific FRA that the finished floor levels of the development are set 300mm above the 1% annual probability flood level with an appropriate allowance for climate change and that there is no loss of flood water storage within the 1% annual probability flood extent with an appropriate allowance for climate change. If there is deemed to be a loss of flood water storage it will need to be directly compensated for, or if this is impossible, to detail how associated risks from the chosen form of mitigation can be minimised. This is necessary to prevent the new development reducing flood plain storage and displacing flood waters, thereby increasing flood risk elsewhere. The development therefore fails to demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and so fails the exception test, which is contrary to paragraph 102 and 103 of the NPPF and Local Plan policy F1.

Comments from Interested Parties

- 2.3** Additional comments received, summarised as:

Comment	Officer response	Change to recommendation?
Scale, height, forward siting, lack of landscaping to the front and narrower offset from the flank boundary would resulting in harm to local character.	Para. 6.11 of the main report	No
Inaccurate streetscene and has produced alternative streetscene for consideration.	Officers do not rely on streetscenes in assessing the merits of a proposal. The streetscene has been included in the panel presentation at the request of the objector / registered speaker.	No
Loss of privacy to no. 9 Maidenhead Court Road	Para. 6.15 of the main report	No
The loss of existing tree	Para. 6.22 of the main report	No
Support the recommended reason for refusal on flooding which supported by recent appeal decisions	Para. 6.3 – 6.9 of the main report	No

Other Consultees

2.4 The following additional consultation comments have been received:

Comment	Officer response	Change to recommendation?
<u>Environment Agency</u> Objects as per comments in paragraph 2.1	Noted	No but reason for refusal amended as per wording in section 3

3. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

The application site lies within an area at high and medium risk from flooding and the proposal fails the Exception Test as it would not provide wider sustainability benefits to the community that outweigh flood risk and fails to demonstrate that it would not be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere. The proposal is therefore contrary to saved Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraph 102 and 103 of the NPPF.

