

Summer 2010

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Planning Matters

Incorporating Building Control Consultancy News— Insight Onsite

The Summer Issue



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Welcome to this issue

Welcome to another edition of Planning Matters. Since I last wrote we have a new Coalition Government. I believe we are far more aware of the economic realities facing the country. Planning is not immune from this situation but we have been in preparation for the inevitable cuts for some time. We have worked hard in the last year to reduce our costs by over 10% whilst ensuring no adverse effects to frontline services. Rather, the end of year figures to 31st March 2010 indicate an improvement in performance as well as improving customer satisfaction levels. Whilst we continue to work as productively as possible, and to ensure value for money, we are also conscious of the need to spend time understanding our various customer requirements and to adapt where possible.



More detail is outlined elsewhere but the headlines are to changes in the planning system

- The abolition of regional spatial strategies
- Return decision making powers on housing and planning to local councils
- Replace the current Local Development Framework system with one which truly reflects Local Plans and is built out of a collaborative approach

In effect we are being encouraged to start plans in consultation with neighbourhoods, approach residents to take part, provide good local data so that the neighbourhoods form their vision based on relevant information and incorporate local neighbourhood plans within the final plan unless there are strong grounds for modifying them. We welcome this opportunity to take our Core Strategy forward in this new, more local, way. However, this and the other changes outlined below should not be seen as a charter for halting development. The Government have also made it clear that they are seeking to increase house building in way that naturally meets local demand.

What this means for us is greater control over our destiny and the ability to shape appropriate levels and forms of development. In this way I do believe the changes represent a real opportunity for the Royal Borough and yourselves to influence communities growth. You will hear more later in terms of how we intend to develop our Core Strategy (Local Plan). Given that we already were one of the Authorities' promoting localism and challenging the regional approach we are in a good position to go forward in this "brave new world".

Finally, I would draw your attention the Government's proposal to allow a presumption in favour of Sustainable Development if there is no relevant Local Plan in place. This reiterates earlier messages regarding a need for development to be as sustainable as possible in order to minimise effects on society. Whilst I note the debate continues to "hot up" regarding how mankind is responsible for the climate changes we are experiencing, the need for sustainability will continue. It is this belief that is not only applicable to the sustainable design agenda but informs our approach to having buildings working more efficiently and ensuring the Unit creates as small a carbon footprint as possible.

I hope you enjoy the rest of the magazine and as ever if you have any comments please send them to me at tim.slaney@rbwm.gov.uk

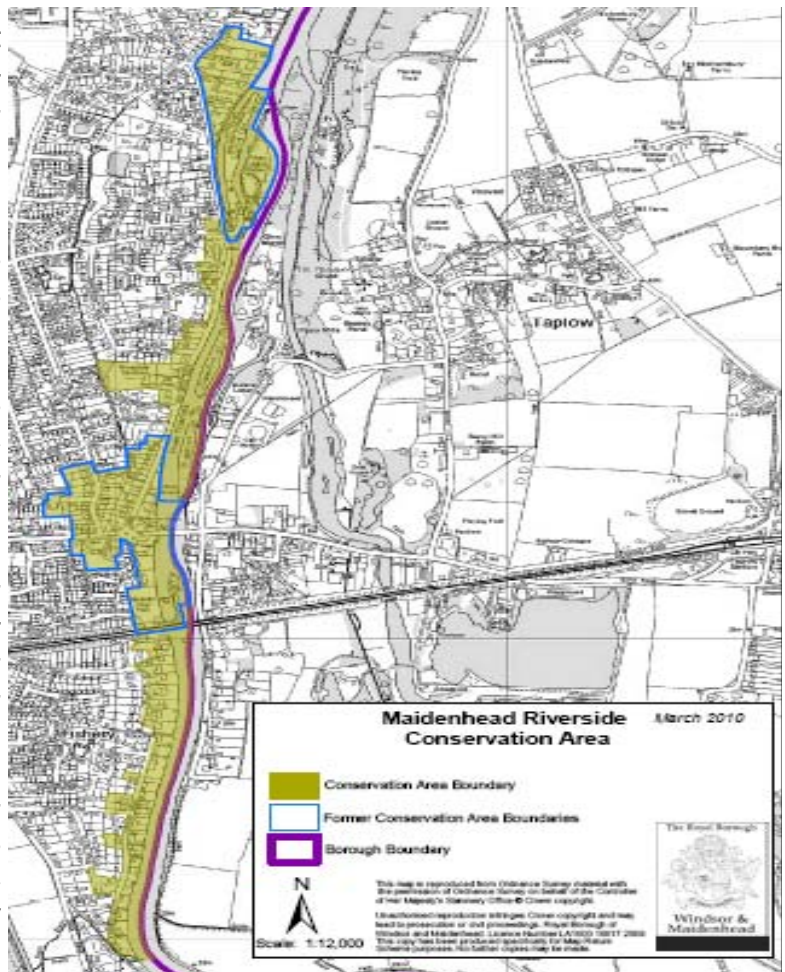
Tim Slaney (Head of Planning & Development)

Riverside Conservation Area Extension Approved

Following public consultations in recent months regarding this extension, the proposal was considered at Cabinet on Thursday 24th June 2010 and the Maidenhead Riverside Conservation Area has now been approved. The extended area includes and links up the two existing conservation areas around Maidenhead Bridge, and at Boulter's Lock.

The new Conservation Area now extends from the northern end of Ray Mill Island, south along the riverside. It includes Riverside Gardens and the promenade down to Maidenhead Bridge. The area then goes on past Guards Club Island and the Brunel Railway Bridge continuing to include the riverside properties on Chantry Road and Fisheries Road, ending just north of the Bray Village Cricket Ground.

The Riverside work is part of an ongoing programme to produce up-to-date appraisals for all 27 conservation areas in the borough, with nine having been adopted since May 2008.



Halting the Grab for Gardens



Greg Clark the new Minister for Decentralisation has announced immediate changes to the Planning Policy Statement 3 on Housing to change the definition of private gardens from previously developed land (Brownfield) to Greenfield status.

This means that the practice of buying up large properties with extensive gardens and replacing them by building 2-3 dwellings in the same space will now be under the direct control of local planning authorities.

In addition Mr Clark has also deleted from the policy the recommended minimum density of 30 dwellings per hectare.

The changes have been hailed by a number of organisations that have been actively campaigning against this style of development, known as "garden grabbing" which has allowed for the systematic overdevelopment of suburban roads often leading to a major change in the appearance of areas that the planning authorities were unable to control. Projects have even been undertaken to build on allotments and even cricket pitches in order to meet the housing target.

The downside of course is that developers will turn their attention to developing into the edges of towns and encroaching into the green belt to maintain housing developments to meet demand, notably in the South-east. In response to this Eric Pickles, the Secretary for Communities and Local Government, has advised that the government will shortly be abolishing regional strategies and devolving the decisions over housing supply back to local authorities.

Who's Who in HDC

A large proportion of all the 3,000 plus applications we consider every year affect the highway in some manner. This can range from ensuring that drivers views are not obscured by hedging and fences up to adding whole new streets and estates. Whenever an application is received which affects the highway the planning case officer can consult the Highways Development Control team.



This team consists of 4 officers, 2 highways officers Mel Andrews and Bob Weingarth, an administrator, Carol Verdaguer and a team leader Graham Brewster (from left to right above).

While the team cannot decide an application, they can put forward advice and conditions based on whether the development will adversely affect the highway or driving conditions. Their deliberations will relate to one or more of:

- Visibility -Vehicles using a new or changed access, need adequate, unobstructed visibility of traffic, pedestrians and cyclists. Depending on the speed of traffic on that road. .
- Turning traffic -where a new or changed access is proposed particularly on a fast and/or busy section of road, turning traffic can be a danger to highway safety.
- Design –new development will be required to be designed in accordance with the RBWM Design Guide. This guide reflects the government’s aspirations set out in their “Manual for Streets”.
- Increased capacity - where existing roads and in particular junctions are at capacity, further development can cause congestion . Developers considering development in urban areas will often be required to provide either a Transport Assessment or Transport Statement as part of their application. These should be undertaken in accordance with “Guidance on Transport Assessment” published by the Department for Transport.
- Parking -where a development has insufficient or too much parking for the traffic that it will generate, consideration will be given as to the effect on the adjoining highways. Transport Assessments should also cover this point.

The team can also advise as to the placement of roundabouts, traffic lights, car parks, and pedestrian crossings. Under section 278 of the Highways Act 1980, developers can be asked to contribute to the maintenance of such provisions. If your application may affect a highway we urge you to discuss your plans with the team at the earliest opportunity to avoid delays in the process.

Not Very Appealing

Appeals are time consuming and can be expensive. With the Council winning three quarters of appeals against it so far this year and increasingly having its costs paid by appellants, applicants are likely to be better served by discussing alternative options rather than submitting an appeal as a first reaction to a refused application.



If the Council refuses your application, in the first instance please seek advice from us as to how the scheme can be changed to secure planning permission. In most instances this can lead to permission being granted and is the cheapest and quickest way to resolve outstanding concerns.

Information about our pre-application advice, including how we can provide guidance for making your building much more sustainable can be found on our website at::

http://uk.sitestat.com/rbwm/rbwm/s?pdf_17721&ns_type=pdf&ns_url=http://www.rbwm.gov.uk/public/guide_5a.pdf

Appellants can of course also be made to pay the Council's costs if they behave unreasonably at appeal. Recent examples of where the Council's costs have been awarded include where policies relating to the Green Belt or flood risk have been clearly breached or appeals have been withdrawn.

In all instances where the Council has claimed costs they have been awarded, so please remember to think carefully before submitting an appeal and be sure it is a last resort.

Borough schools are shining STaRS



A significant milestone has been reached by borough schools in their efforts to encourage pupils, parents and staff to find greener ways to travel to and from school. All of the borough's schools now have travel plans – designed by the whole school community to meet their particular needs. For example at Oakfield First in Windsor and Cookham Rise Primary bollards have been installed outside the

school gates to prevent parking on the pavement. A new cycle path adjacent to the A4 in west Maidenhead as a result of the Newlands Girls' travel plan is benefitting not only local schoolchildren but also residents.

A large measure of the success is due to the popular School Travel Reward Scheme (STaRS) in which children collect stamps for walking, cycling or scooting to school that can be redeemed for rewards such as karate, tennis, golf lessons or swimming. The rewards are changed every school year to keep the scheme fresh. The scheme has proved so successful that it has now been adopted by Slough as well.

Borough schools traditionally do well in the Berkshire-wide School Travel Excellence Programme (STEP) awards. Last year three of the main awards went to our schools, proving their enthusiasm in implementing their travel plans.

Independent schools are now taking up the challenge. St George's and Upton House in Windsor and Winbury in Maidenhead have developed travel plans and taken up the STaRS scheme, with others under discussion. St George's has introduced a park and stride scheme, with parents parking in King Edward VII car park and walking their children to the school gate. As a result there has been a marked reduction in congestion outside the school and fewer cars in the school grounds.



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Cllr Colin Rayner, lead member for highways and streetcare, said: "With around half of our primary school children being taken to school by car, this puts a lot of additional vehicles on local roads. By encouraging more families to walk, cycle or scoot to school, we can cut congestion and pollution and improve road safety..."

Businesses interested in sponsoring the STaRS scheme can contact the transport policy team on 01628 796943.

Insight Onsite: News from Building Control Consultancy



Certificate No. FS 32097



CUSTOMER SERVICE EXCELLENCE

Customers can register on the 'guests' area on the new LABC web site to gain access to LABC Guidance Notes, publications and helpful information/links to



Welcome to Insight Onsite

There are a number of important Building Regulation amendments that are coming into force later this year, and this edition summarises the main changes following the recent publication of the new Approved Documents.



I am pleased to inform you that Building Control has now moved offices from Tinkers Lane to the Town Hall in Maidenhead. Our new location will further strengthen the level of service that we currently provide, and will further improve the contact with other RBWM services. Our main contact telephone number 01628 796870 will remain for booking all appointments and site inspections.

Jason White (Head of Building Control Consultancy)

New Approved Documents published

The following Approved Documents (ADs) will be coming into effect from 1st October 2010. These can be downloaded from the [Planning Portal](#) and the main technical changes are summarised below:

F1 – Means of Ventilation

All fixed mechanical ventilation systems will need to be commissioned and a commissioning notice given to Building Control. For mechanical systems installed in new dwellings, air flow rates will need to be measured on site and a notice given to Building Control.

J – Combustion appliances and fuel storage systems

New guidance has been included for visual inspection of concealed flues. This will ensure flues can be properly inspected both at commissioning and subsequent servicing. Guidance has also been introduced to warn of the release of carbon monoxide, and this requirement will apply where a new or replacement fixed solid fuel appliance is installed.

L1A – Conservation of fuel and power in new dwellings

The current exemption for extensions has been amended to grant the exemption only where existing walls, windows or doors are retained

- or are replaced if removed. The heating system should not be extended into the new conservatory or porch area.

The annual CO₂ emission rate of the completed dwelling must not exceed the notional target set, with an additional overall improvement of 25% compared with the current Regulations.

Revised guidance is provided for avoiding thermal bridging at construction joints. New provisions are also introduced to limit heat loss from a swimming pool basin.

L1B & L2B– Conservation of fuel and power

The main technical changes comprise of a general strengthening of standards that are considered reasonable for work on thermal elements, controlled fittings and controlled services in existing dwellings.

L2A – Conservation of fuel and power in new buildings other than dwellings

The notional building that is used to determine the TER (Target CO₂ Emission Rate), must be the same size and shape as the actual building, and constructed to a concurrent specification with no improvement factor. Developers will still have freedom to vary their specification - provided that the same overall level of CO₂ emissions is achieved or improved.

Insight Onsite: News from Building Control Consultancy

Building Control Recognized at LABC Awards

RBWM Building Control Consultancy won two awards at this recent event held at Jurys Inn Milton Keynes.



Congratulations goes to Nitesh Pankhania, Building Control Consultant, who picked up the category : Best Educational Project Horticultural and Science Building Berkshire College of Agriculture Burchetts Green.

Berkshire College of Agriculture is a regional college for land based education and training. The College is built around a Grade 1 listed Mansion House, set in landscaped parkland within the green belt.

The building had to include a working environment which was easy to maintain, provide the maximum daylight to all areas, environmentally friendly, fuel efficient and blend in with the rural surroundings.



Congratulations also go to Avtar Obhi, Building Control Consultant, Best Housing - Large Developer - Copper Horse Court, Hatch Lane Windsor. This development is a clever utilisation of space and design to provide 13 excellent properties of varying budgets to supply the high demand for accommodation.



The dwellings have been designed to fit into the surroundings of a conservation area and are unique in that measures have been used to provide quality and character but also be energy efficient and affordable to run.

This is great news for Building Control and is well-deserved recognition for the team's continued professionalism and commitment to maintaining high standards of service.

The LABC awards recognise those projects completed by local authority building control bodies where developers have experienced an excellent working relationship with the building control team.

In addition the judges look for excellent quality in construction, innovation and a real sense of customer care and satisfaction shown by all of the construction team.

RBWM will now be finalists in these two categories at the 'National LABC Built-In Quality' Awards to be held in London later this year.



Planning Matters



Contributions are always welcome for inclusion in Planning Matters. We are also pleased to have feedback on articles and welcome your comments. Please contact Paul Blissett (Planning) on 01628-796660 or by email at planning.maidenhead@rbwm.gov.uk

Planning Matters is the official publication of the Planning & Development Service of the Royal Borough of Windsor and Maidenhead. Published articles and images may not necessarily represent the official policy of the council



To support your Building Control application with RBWM, please refer to the services provided by LABC New Home Warranty. LABC NHW can provide you with a complete range of developer services to further support your build from start to finish. They can offer from a range of structural warranties for both residential and commercial developments, provide 'Code for Sustainable Homes' assessments, and on-site Acoustic and Air Pressure testing.

Please note that these services can only be used where you are using Local Authority Building Control - for more information please see.....

<http://www.labcnewhomewarranty.co.uk>

Thinking of a Conservatory?



PLANNING
PORTAL

If you are then it may be worth your while to nip over to the Planning Portal where a new mini-guide covering all aspects of planning permission for conservatories has been added to the Interactive House web page. The guide can be found at

www.planningportal.gov.uk/uploads/miniguides/conservatory/conservatories.html



A message From Cllr. Alison Knight (Lead Member for Planning & Development)

I was very impressed with the speed of the new coalition in starting to deliver on its promises. It seems only a matter of hours from David and Nick meeting in the garden of No. 10 to the announcement that Home Information Packs (HIPs) were to be abolished.

The pack which required sellers to compile a range of information about their property before they could put it up for sale has been proving a burden to the housing market, causing sellers to pay out hundreds of pounds for the packs which did little to improve the conveyancing process. Already we are seeing an increase, around 13% in May, in the number of properties coming onto the market as sellers no longer have to bear this cost.

Even though the pack is no longer required, sellers must still provide an Energy Performance Certificate, although they don't have to purchase this in advance of putting the house up for sale. This is in keeping with our views that houses should be sustainable in their energy use and will help to promote the "greening" of the housing supply.

I hope you all have an enjoyable summer.