

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL**

will meet on

**TUESDAY, 6TH JUNE, 2017**

at

**7.00 pm**

in the

**COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD**

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

COUNCILLOR DAVID BURBAGE (CHAIRMAN)  
COUNCILLOR DEREK WILSON (VICE-CHAIRMAN)  
COUNCILLORS CLIVE BULLOCK, MAUREEN HUNT, RICHARD KELLAWAY,  
PAUL LION, PHILIP LOVE, DEREK SHARP AND ADAM SMITH

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, CARWYN COX, JUDITH DIMENT, GEOFF HILL,  
MOHAMMED ILYAS, MARION MILLS, MJ SAUNDERS AND HARI SHARMA

Karen Shepherd  
Democratic Services Manager  
Issued: Friday, 26 May 2017

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) – if you are viewing this on the website and there are appendices you are unable to access, please contact the Panel Administrator **Shilpa Manek** 01628 796310, or [democratic.services@rbwm.gov.uk](mailto:democratic.services@rbwm.gov.uk)

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## AGENDA

### PART 1

ITEM	SUBJECT	WARD	PAGE NO
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		5 - 6
3.	<u>MINUTES</u> To confirm the part I minutes of the last meeting.		7 - 8
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning's report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. <a href="http://www.rbwm.gov.uk/web/dc_public_apps.htm">http://www.rbwm.gov.uk/web/dc_public_apps.htm</a>		9 - 72
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		73 - 76
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC</u> To consider passing the following resolution:-  "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 7 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"		

**PART II PRIVATE MEETING**

ITEM	SUBJECT	WARD	PAGE NO
7.	<u>MINUTES</u>  To confirm the Part II minutes of the last meeting.  <b><i>(Not for publication by virtue of Paragraph 1, 2, 3, 4, 5, 6, 7, 7a, 7b, 7c of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b>		77 - 78
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## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' means a discussion by the members of meeting. In order to avoid any accusations of taking part in the discussion or vote, Members should move to the public area or leave the room once they have made any representations. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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# Agenda Item 3

## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

10.05.17

PRESENT: Councillors David Burbage (Chairman), Derek Wilson (Vice-Chairman), Gerry Clark, Judith Diment, Maureen Hunt, Richard Kellaway, Philip Love, Derek Sharp, Adam Smith and Leo Walters.

Officers: Victoria Gibson (Development Management Team Manager), Jenifer Jackson (Head of Planning), Mary Kilner (Head of Law and Governance) and Shilpa Manek

135/15 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillor Bullock. Councillor Diment was substituting.

136/15 DECLARATIONS OF INTEREST

Councillor Hunt declared a personal interest for item 3 as she owns a property on St Ives Road.

Councillors Kellaway, Love and D Wilson, all declared a personal interest in items 2 and 3 as they are Council representatives on the Maidenhead Town Partnership and Partnership for the Rejuvenation of Maidenhead (PRoM).

137/15 MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 12 April 2017 be approved.**

138/15 PLANNING APPLICATIONS (DECISION)

The Panel considered the Head of Planning's report on planning applications and received updates in relation to a number of applications, following the publication of the agenda.

NB: \*Updates were received in relation to planning applications marked with an asterisk.

<b>Item 1</b> <b>17/00656/FULL</b>  <b>Rousbury</b> <b>Shoppenhangers Road</b> <b>Maidenhead</b> <b>SL6 2PZ</b>	<b>Construction of five apartments with associated parking following demolition of existing property.</b>  The Officers recommendation to permit the application was put forward by Councillor D Wilson and seconded by Councillor Walters.  <b>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officer's recommendation.</b>
<b>Item 2</b> <b>17/00717/VAR</b>  <b>John West House</b> <b>Unit 5</b> <b>The Quadrant</b> <b>Howarth Road</b> <b>Maidenhead</b> <b>SL6 1AP</b>	<i>Variation of Condition 2 (Seasonal Restriction) of planning permission 16/02659/FULL to allow year-round opening.</i> The Officers recommendation to permit the application was put forward by Councillor Clark and seconded by Councillor Kellaway.  <b>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officer's recommendation.</b>

<p><b>Item 3</b> <b>17/01159/LBC</b></p> <p><b>Maidenhead</b>      <b>Public</b> <b>Library</b> <b>St Ives Road</b> <b>Maidenhead</b> <b>SL6 1QU</b></p>	<p><b>Consent to install three acoustic meeting pods.</b></p> <p>The Officers recommendation to permit the application was put forward by Councillor Love and seconded by Councillor Wilson.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officer's recommendation.</b></p>
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139/15 ESSENTIAL MONITORING REPORTS (MONITORING)  
The Panel noted the appeal decisions.

140/15 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion Takes place on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

The meeting, which began at 7.00 pm, ended at 7.35 pm

Chairman.....

Date.....



# Agenda Item 4

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Maidenhead Panel

6th June 2017

#### INDEX

APP = Approval  
CLU = Certificate of Lawful Use  
DD = Defer and Delegate  
DLA = Defer Legal Agreement  
PERM = Permit  
PNR = Prior Approval Not Required  
REF = Refusal  
WA = Would Have Approved  
WR = Would Have Refused

<b>Item No.</b>	1	<b>Application No.</b>	16/01292/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>	11
<b>Location:</b>	Hedsor Cottage 11 Maidenhead Court Park Maidenhead SL6 8HN						
<b>Proposal:</b>	Erection of detached dwelling following demolition of existing garage and annexe						
<b>Applicant:</b>	Mrs Hock	<b>Member Call-in:</b>	Cllr Diment	<b>Expiry Date:</b>	13 July 2016		
<hr/>							
<b>Item No.</b>	2	<b>Application No.</b>	16/03138/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	25
<b>Location:</b>	Land At 29 Cranbrook Drive Maidenhead						
<b>Proposal:</b>	New dwelling following demolition of existing extension and garage at No. 29 Cranbrook Drive						
<b>Applicant:</b>	Mr And Mrs Crown	<b>Member Call-in:</b>	Cllr Derek Sharp	<b>Expiry Date:</b>	22 December 2016		
<hr/>							
<b>Item No.</b>	3	<b>Application No.</b>	17/00680/REM	<b>Recommendation</b>	PERM	<b>Page No.</b>	37
<b>Location:</b>	Land West of Crown Lane Including Part Hines Meadow Car Park And La Roche And The Colonnade High Street Maidenhead						
<b>Proposal:</b>	Reserved matters (Landscaping) for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762/OUT and varied by 15/04274/VAR [varied as follows: without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed].						
<b>Applicant:</b>	Shanly Homes	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	9 June 2017		

**Item No.** 4      **Application No.** 17/01102/FULL      **Recommendation** REF      **Page No.** 49  
**Location:** Huston Cottage Moneyrow Green Holyport Maidenhead SL6 2ND  
**Proposal:** Installation of 7 No. dormer windows  
**Applicant:** Mr & Mrs Stannard      **Member Call-in:** Cllr Coppinger      **Expiry Date:** 13 June 2017

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**Item No.** 5      **Application No.** 17/01224/FULL      **Recommendation** DD      **Page No.** 63  
**Location:** Riverside Primary School And Nursery Donnington Gardens Maidenhead SL6 7JA  
**Proposal:** Provision of 2 additional classrooms.  
**Applicant:** Mrs Pfeiffer      **Member Call-in:** Not applicable      **Expiry Date:** 23 June 2017

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**Appeal Decision Report**      **Page No. 73**  
**Planning Appeals Received**      **Page No. 75**  
**Part II Minutes**      **Page No. 77**

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 June 2017

Item: 1

<b>Application No.:</b>	16/01292/FULL
<b>Location:</b>	Hedsor Cottage 11 Maidenhead Court Park Maidenhead SL6 8HN
<b>Proposal:</b>	Erection of detached dwelling following demolition of existing garage and annexe
<b>Applicant:</b>	Mrs Hock
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	/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](mailto:antonia.liu@rbwm.gov.uk)

## 1. SUMMARY

- 1.1 The Local Planning Authority took the decision to grant planning permission for the erection of a detached dwelling following the demolition of the existing garage and annex and creation of a new vehicular access at Hedsor Cottage on 6 July 2016. A Judicial Review was undertaken and the application has been reverted back to Maidenhead Planning Panel for determination following a Consent Order, dated 7 March 2017, to quash the grant of planning permission as the Council failed to apply relevant paragraphs 101 – 103 of the NPPF in determining the planning application. The Consent Order is available on the Council's website.
- 1.2 The applicant has submitted a revised Sequential Assessment and Flood Risk Assessment for consideration. The proposal is considered to pass the Sequential Test and the application of the Exception Test is not considered necessary. However, the Flood Risk Assessment and addendum fails to demonstrate that safe access and egress from the proposal to an area wholly outside of the 1% Annual Exceedance Probability plus climate change flood extent can be achieved. At the time of writing, comments from the Environment Agency on the addendum are still pending and will be reported in an update.
- 1.3 The proposal is considered acceptable in terms of impact on character and appearance, impact on neighbours, and highway safety and parking.

**It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):**

- |    |  |
|----|--|
| 1. | The proposal fails to demonstrate that the development can provide appropriate safe access and egress for future occupants. The proposal is therefore contrary to paragraph 103 of the NPPF. |
|----|--|

## 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Diment due to concerns over bulk, scale and positioning of the development.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 This application comprises of a large plot containing a large two-storey detached dwelling, which is set further back into the plot than the adjacent houses, with a single-storey triple garage and adjoining outbuilding sited to the front of the main house. The site is situated within a residential area which is located in Flood Zone 2 and 3a. The boundary of Maidenhead Settlement cuts across the rear garden of the site, with Green Belt to the west.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
14/00609/FULL	Part two part single storey rear extension with new front porch and associated alterations	Approved – 07.04.2014
14/03999/FULL	Erection of detached dwelling following demolition of existing garage and annexe and creation of new vehicular access	Refused – 11.03.2015
93/00857/FULL	Change of use of agricultural land to residential	Approved – 31.03.1993
93/00854/FULL	Detached single storey building to house swimming pool	Refused – 28.12.1993
92/00795/FULL	Single storey extension to garage to form garden and pool store	Approved – 01.04.1992
91/00869/FULL	Pitched tiled roof to existing garage	Approved – 31.03.1991
87/00874/FULL	Erection of two storey front extension	Approved – 10.11.1987

- 4.1 The proposal for a new detached dwelling following the subdivision of the existing plot and demolition of the existing garage and annex is the same as the previously refused scheme under 14/03999/FULL, which was refused on the grounds that it would lead to an unacceptable risk to people in the event of a flood.
- 4.2 This application was granted planning permission, on the basis that flood mitigation can be sufficiently provided and local knowledge is that there is not a flood issue in this area and the maps held by the Environment Agency are wrong having not been updated to reflect the Jubilee River effect. The application has been reverted back to the Council for determination following a Consent Order (7 March 2017) to quash the grant of planning permission as relevant paragraphs 101 – 103 of the NPPF were not correctly applied in determining the planning application. The application has to now be freshly considered.

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 6, 7 and 10.

##### Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Flood Risk	Trees
DG1, H10, H11	P4, T5	F1	N6

##### Supplementary planning documents

- 5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:
- Sustainable Design and Construction
  - Planning for an Ageing Population

More information on these documents can be found at:  
[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](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 Parking Strategy - view at:  
[http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- i Principle of Development
  - ii Flood Risk
  - iii Character of the Area
  - iv Impact on Neighbours and Future Occupiers
  - v Highway Safety and Parking
  - vi Other Material Considerations

### **Principle of Development**

- 6.2 The site is situated within an established residential area within Maidenhead. Development in such areas is acceptable in principle provided that the provisions of the NPPF and Local Plan policies can be satisfied.

### **Flood Risk**

- 6.3 According to flooding data provided by the Environment Agency and the Council's Strategic Flood Risk Assessment (SFRA), the application site is located within Flood Zone 2 (medium probability of flooding) and Flood Zone 3a (high probability of flooding). The proposed dwelling would be sited on the part of the site in Flood Zone 2, but surrounded by Flood Zone 3a
- 6.4 The EA has commented that the site falls within Flood Zone 3. Clarification has been requested, but in the absence of further explanation the proposal has been assessed in the context outlined in paragraph 6.3. Additionally, at the time of writing, comments from the EA on the FRA addendum have not yet been received. These will be reported in an update.

### Sequential Test

- 6.5 In accordance with paragraphs 101 to 102 of the NPPF the proposed residential development must successfully pass a flood risk sequential test in order to direct development to the lowest risk areas of flooding first, before land in the medium and high probability of flooding classifications. A revised Sequential Assessment has been submitted by the applicant which uses the most recent version of the Council's Strategic Housing Land Availability Assessment (SHLAA) (January 2014) to identifying potential housing sites within the Borough. Sites which are comparable in areas and potential yield have been identified based on Appendix D – Small Site Under 0.25ha of the SHLAA, which is considered to be acceptable. An analysis has also been undertaken determining whether these sites had a realistic prospect of being successful in securing new residential development and whether they would be reasonably available to the developer. Following this analysis, the sequential assessment concludes that there are no other sites within the Borough with a lower risk and of a similar size that are available for the proposal. As no alternative and available sites appropriate to the development were found the application is considered to pass the sequential test.

### Exception Test

- 6.6 Paragraph 102 of the NPPF states that if, following the application of the Sequential Test, it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. As the proposed dwelling would be located within Flood Zone 2 the submitted Flood Risk Assessment (FRA) states that the Exception Test is not required in accordance with Table 3 of the NPPG.

## Flood Risk Assessment

- 6.7 Paragraph 103 of the NPPF states Local Planning Authorities should only consider development appropriate in areas of risk of flooding where, informed by a site-specific flood risk assessment, it can be demonstrated that the most vulnerable development is located in areas of lowest flood risk within the site unless there are overriding reasons to prefer a different location; development is appropriately flood resilient and resistant, including safe access and escape routes where required and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems. A FRA by AA Environmental Ltd dated December 2014, and FRA addendum dated October 2016 to be read in conjunction have been submitted to support the application.
- 6.8 It is acknowledged that the proposed dwelling is sited on within Flood Zone 2, which is the area of lowest flood risk within the site. The proposal is therefore considered to be acceptable in this respect.
- 6.9 In terms of resilience and resistance, the finished floor levels of the development are required to be set 300mm above the 1% annual probability flood level with an appropriate allowance for climate change. Specific guidance for the Thames Area by the EA states that a basic approach of applying climate change would be acceptable for a minor development with a more vulnerable flood risk classification in Flood Zone 2. The basic approach is to add an allowance to the 'design flood' peak levels to account for potential climate change impacts. For a more vulnerable development in Flood Zone 2 this is the central to higher central climate change allowance. Given the sensitive location it is considered that the use of higher central allowance is appropriate in this instance. The higher central allowance for the River Thames is 700mm. Therefore, when applied to the 1% Annual Exceedance Probability event with an appropriate allowance for climate change then the flood level is estimated to be 25.30m. The proposed finished floor level set at 25.85m AOD, as indicated in the revised FRA is therefore considered compliant. The revised FRA also outlines a number of measures have also been incorporated into the design of the building including raised electrical services and water resistant materials, which are considered acceptable. However, in accordance with FD2320/TR2 and the NPPG the submitted FRA fails to demonstrate that the development can provide appropriate safe access and egress for future occupants with a 'very low' hazard rating from the development to an area wholly outside of the 1% AEP plus allowance for climate change flood extent.
- 6.10 It is noted that a route to a 'dry island' has been identified which comprises of a residential area known as Maidenhead Court by following the road southwards for approximately 25m. However, by reason of its size and residential nature it is considered that the 'dry island' would be unable to adequately provide essential supplies and facilities i.e. food, drinking water, shelter and medical treatment to occupants throughout the duration of a prolonged flood event. Consequently it would be likely that emergency services would be called upon to move occupants, especially those less able. The NPPG states that the emergency services are unlikely to regard developments that increase the scale of any rescue that might be required as being safe. Due to the failure to provide a safe access and egress the proposal would therefore increase the number of people at risk from flooding, would result in an unacceptable risk to the health and safety of the occupants during a flood event, and would place an increased burden on the emergency services during a time of flood, contrary to paragraph 103 of the NPPF.
- 6.11 The applicant considers that the flood risk can be satisfactorily mitigated by the submitted Flood Evacuation Plan. The Council does not normally accept reliance on Flood Evacuation / Management Plans as there is no guarantee that people would / could heed warnings to vacate or be aware of the time duration of flooding at the time of any warning. Therefore, it is considered essential that a safe route of access and egress from the development to an area wholly outside the 1% Annual Exceedance Probability (AEP) plus allowance for climate change flood extent can be provided and maintained during flood events. The applicant has identified a number of recent cases where the Council has adopted Flood Evacuation / Management Plans to overcome flood risk however each application is considered on its own merits and it is considered that there are no specific circumstances or material considerations that would support sole reliance on a Flood Evacuation Plan.

- 6.12 It follows that as the proposal fails to demonstrate that flood risk can be safely managed during a 1 in 100 flood event then the proposal would not be safe when considering any additional residual risk, which the SFRA defines as a measure of outstanding flood risks and uncertainties that have not been explicitly quantified and or accounted for.

### **Character of the Area**

- 6.13 Maidenhead Court Park is an attractive residential area which is characterised by detached dwellings set within relatively modest to large plots with landscaped frontages which gives a spacious, verdant appearance. In terms of the style of dwellings there is a mixture of bungalows, two storey dwellings to two and a half storey dwellings ranging from Edwardian style to later twentieth century suburban housing.
- 6.14 The left side of Maidenhead Court Park from No's 3 to 17 is sited approximately in line with one another with the exception of Hedsor Place and Redlands Cottage which are set significantly further back from the road. The new dwelling would be sited fronting Maidenhead Court Park to the front of Hedsor Place and in the gap between no. 9 and no. 13 Maidenhead Court Park, approximately in line with these two adjacent properties. While the proposal would result in a tandem development, due to its siting to the front it is considered that the new house would read as a continuation of the prevailing building line along this section of Maidenhead Court Park and therefore acceptable in this case. Following subdivision, the resultant plot for the existing house at Hedsor Place would still be large in size and comparable with plot within the locality. The plot for the proposed house would be smaller, but the house is not considered to be cramped being offset from the boundaries, with over 150sqm of amenity space to the rear and there would be sufficient space to accommodate soft landscaping along its frontage. If recommended for approval a landscaping scheme could be secured by condition to mitigate the loss of existing greenery to the front of Hedsor Place and maintain the existing verdant character of the street. The space between the new house and shared flank boundary with no. 9 Maidenhead Court Park would be narrower than the prevailing gaps between buildings along this section of Maidenhead Court Park, but it is considered that the 1.5m gap and hipped roof would maintain the sense of space between buildings and present visual terracing. The scale of the proposal and the lower eaves design is considered to result in a dwelling that sits comfortably between both the existing neighbours, which comprises of a two storey and two and half storey dwelling.
- 6.15 In terms of the design of the dwelling, it incorporates similar features to that of Hedsor Place with the roof design and double fronted gables.
- 6.16 For these reasons the proposed dwelling is considered to be of a high quality design that would be in keeping with the character and appearance of the area in accordance with Local Plan Policies DG1, H10 and H11 and the provisions of the NPPF in this respect.

### **Impact on Neighbouring Amenity and Future Occupiers**

- 6.17 The proposed dwelling would be sited approximately in-line with no. 9 and 13 Maidenhead Court Park and would not extend significantly further forwards or rearwards of these adjoining houses. It is therefore not considered to result in a significant loss of light to or visual intrusion when viewed from their rear and front windows or neighbouring gardens. It is noted that no. 9 Maidenhead Court has a number of ground-floor and first-floor side windows on the northwest elevation. On the ground floor there is a window serving a kitchen, but as this kitchen window is north facing and not the only source of natural light or outlook with another kitchen window on the southwest elevation, this relationship is considered acceptable. The remaining ground floor windows serve non-habitable rooms. With regards to the first-floor, the proposal dwelling would not intrude through a 25 degree taken from the mid-point of these side-facing windows and therefore unlikely to result in an undue loss of light or visual overbearing to the detriment of neighbouring amenity. With regards to no. 13 Maidenhead Court Park there are no side window to the main house on the southeast elevation, with only a high level, ground floor window serving the adjoining garage. As this is a non-habitable room, the proposal is not considered to result in undue harm to neighbouring amenity in this respect.

- 6.18 A first floor window is proposed on the southeast elevation of the proposed house which would face no. 9 Maidenhead Court Park. However, this would serve an en-suite and if it had been recommended for approval a condition could be attached to any permission granted to ensure that the window was obscurely glazed and non opening to a level of 1.7m above finished floor level. Windows to the front and rear elevation are not considered to result in an undue loss of privacy which materially differ or add to existing levels of overlooking. Concerns have been raised over loss of privacy from a proposed balcony, but no balcony is shown on the proposed floor plan or elevations (drawing ref: D1418/PL02 B and D1418/PL03 A). A distance of 24 metres would be maintained between Hedsor Place and the proposed dwelling from front to rear which would be considered sufficient to prevent any issues in respect to overlooking and loss of privacy.
- 6.19 The proposed dwelling would be of an appropriate size, there would be sufficient levels of natural light to serve the main living area and an appropriate level of private amenity size. It is considered that the proposed redevelopment would provide a good living environment for future occupiers.
- 6.20 Concerns were also raised over undue levels of smell from the proposal given its proximity to the neighbouring house at no. 9, but given that it is one unit and its residential nature it is not considered that the proposal would generate unreasonable levels of smell or other disturbances such as noise. Overall, the proposal is considered to meet the aims and objectives Core Planning Principle 4 of the NPPF.

### **Highway Safety and Parking**

- 6.21 Maidenhead Court Park is an adopted residential street which is approximately 6.0m wide and subject to a local 30mph speed restriction. There is a 2.2m wide footway adjacent to the proposed access point and a 2.0m wide verge and 1.3m wide footway opposite. The existing dwelling (Hedsor Place) has an in-out drive arrangement. It is proposed to utilise the centrally located access point to serve the new development and construct a new access further to the north in order to serve Hedsor Place. The proposed access to the existing and proposed house would achieve stopping sight distances of 2.4 x 43 metres each way, in compliance with the principles as set out in Manual for Streets, and so there are no objections in terms of visibility. The redundant southernmost access point would need to be stopped up for use by vehicles and the adjoining footway/verge crossover reinstated, which could be secured by condition.
- 6.22 The proposed car parking layout for the proposed house would provide adequate parking and turning facilities for two cars which would meet the Council's adopted Parking Standards for a 3-bed house. In addition, while the proposal involves the loss of garages for Hedsor Place, sufficient parking and turning would be retained for the existing 4-bed dwelling to the front of the house.
- 6.23 The proposed development would result in an increase in 6-12 vehicle movements per day, but would not be substantial enough to have a negative impact on highway safety and the local road network.
- 6.24 Overall, the proposal is considered to meet the aims and objectives of Local Plan policy P4 and T5.

### **Other Material Considerations**

#### Trees

- 6.25 The proposal would result in the loss of a tree, but it is not protected and not considered to contribute significantly to visual amenity. As such there are no objections to its loss.

#### Contaminated Land

- 6.26 The site is located on old gravel pit however there is no objection to the development subject to a condition if minded to approve in the event that unexpected soil contamination is found after development has begun.



## Precedents

- 6.27 Concerns have been raised over the lawful status of the garage and annex and the precedence of build development in this location. Attention has also been drawn by local residents to planning applications within the locality to support their objection. The lawfulness of the garage and annex is a separate issue to this application, and the proposed house is assessed on its own merits.

## Housing Land Supply

- 6.28 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.29 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. However having regard to the 'tilted' balance requested by paragraph 14 of the NPPF it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwelling would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, in particular flood risk for the reasons in paragraph 6.3 – 6.12.

## **7. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 7.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The required CIL payment for the proposed development would be £100 per sqm based upon the chargeable residential floor area.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

4 occupiers were originally notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 2.06.2016.

17 letters of objection were originally received including 3 letters reiterating concerns, summarised as:

Comment		Where in the report this is considered
1.	Out of character within the streetscene and wider locality due to the smaller plot size following subdivision; inconsistent siting with the uniform building line / there is no consistent building line and therefore attempts to unify it would be harmful; excessive bulk and poor design of the house; incongruous spacing between building; and lack of front garden with little space for planting contrary to the existing verdant character.	Para. 6.13 – 6.16
2.	Overdevelopment of the site resulting in a cramped development. Density is too high and out of keeping with low density locality.	Para. 6.14
3.	Increase in flood risk, no safe access or egress, application has previously been refused on this basis.	Para. 6.3 – 6.12
4.	Dominant and overbearing, overlook to neighbouring property, smells from new residential property would result in harm to neighbouring amenity	Para. 6.17 – 6.20
5.	Loss of a tree, loss of existing greenery / vegetation to the front of	Para. 6.14 and

	Hedsor Place.	6.25
6.	Sited on an old gravel pit, raising concerns over land contamination.	Para. 6.26
7.	Additional drive and insufficient parking, resulting in on-street parking, would be detrimental to character and highway safety.	Para. 6.21 – 6.24
8.	Need for housing - local policies should not be disregarded in light of NPPF. Development would not make a significant contribution to housing need. Maidenhead is already building housing to meet demand.	Para. 6.28 – 6.29
9.	Inaccurate streetscene, and objector has produced an alternative streetscene for consideration.	Officers do not rely on streetscenes in assessing the merits of a proposal.
10.	Loss of view of Hedsor Place which is an attractive building.	Not a material planning consideration
11.	Precedent for tandem development, planning applications for similar development has been refused.	Each application must be considered on its own merits
12.	Garages and annex are not authorised, and the garage and annex should not set a precedent for build development in this location.	Each application must be considered on its own merits
13.	Issues relating to party wall, damage neighbouring properties / foundations.	Not a material planning consideration

Following the Consent Order, 15 occupiers were re-notified. 23 letters were received. Below are additional concerns not covered by summary above:

Comment		Where in the report this is considered
1.	Application should not have been allowed to continue after the High Court Judgement.	The application has been reverted back to the Council for determination by the High Court.  The application has not been withdrawn by the applicant, and the application does not fall under any of the criteria outlined in Section 70B of the Town and Country Planning Act 1990 (as amended).
2.	High Court agrees that the proposal is inappropriate development in a flood plain and out of keeping with the environment	A judicial review is the process of challenging the lawfulness of decisions of public authorities, and was not a comment on the merits of the decision.
3.	The SHLAA (Appendix D) dates from 2014 and only provides an illustration of some of the available sites at the time of writing. On this basis the Sequential Test	The SHLAA used in the Sequential assessment is the most recent, and in the absence of a 5-year land

	has not been met.	supply report for the Borough the SHLAA is the primary document for determining sites that are available, suitable and deliverable. Local Plan policy H2 also identifies sites, but has been acknowledged that the site identified under H2 are not comparable in terms of size and yield.
	As a result of higher finished floor levels, the proposed building would be taller than neighbouring houses which would be overbearing and overly dominant.	As a result of applying 300mm above the 1:100 year plus climate change allowance level (25.85m AOD) there are no external changes proposed to the proposed dwelling as originally submitted.
	Inadequate re-consultation.	Statutory consultation has been undertaken.

### Other Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Awaiting comments on the submitted FRA addendum.  The original FRA failed to demonstrate 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.	Will be reported in an update.  Para. 6.7 – 6.13
Maidenhead Civic Society	Harm to streetscene, obscuring view of attractive existing house, break in building line, tandem development.	Para. 6.15.
Environmental Protection	No objection subject to condition related contaminated remediation in the event that unexpected soil contamination is found after development has begun, and informatives relating to dust and smoke control and hours of construction.	Para. 6.27
Local Highway Authority	No objection subject to the following conditions: <ol style="list-style-type: none"> <li>1. HA03A (new &amp; altered access to be provided as per approved drawing numbered D1418/PL01)</li> <li>2. HA9A (parking/turning layout as per Drwg. No. D1418/PL01)</li> <li>3. The existing southernmost access point to the site shall be stopped up and abandoned for use by vehicles immediately the new access arrangements being first brought into use. The adjoining footway and verge shall be reinstated</li> </ol> In addition, it is recommended that the following highway informatives be attached to any planning consent: <ol style="list-style-type: none"> <li>1. HI04 (highway licence for new northern access;</li> </ol>	Para. 6.22 – 6.25

	<p>central access alterations and stopping up of southern access works)</p> <p>2. HI06 (recovery of costs re: any damage caused to footways/verges)</p> <p>3. HI07 (recovery of costs re: any damage caused to the public highway)</p>	
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**9. APPENDICES TO THIS REPORT**

- Appendix A – Site Location Plan
- Appendix B – Site Layout
- Appendix C – Proposed Plans and 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 NPPF.

In this case the issues have not been successfully resolved.

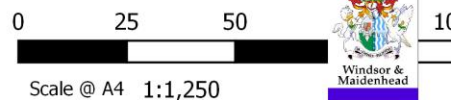
**10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

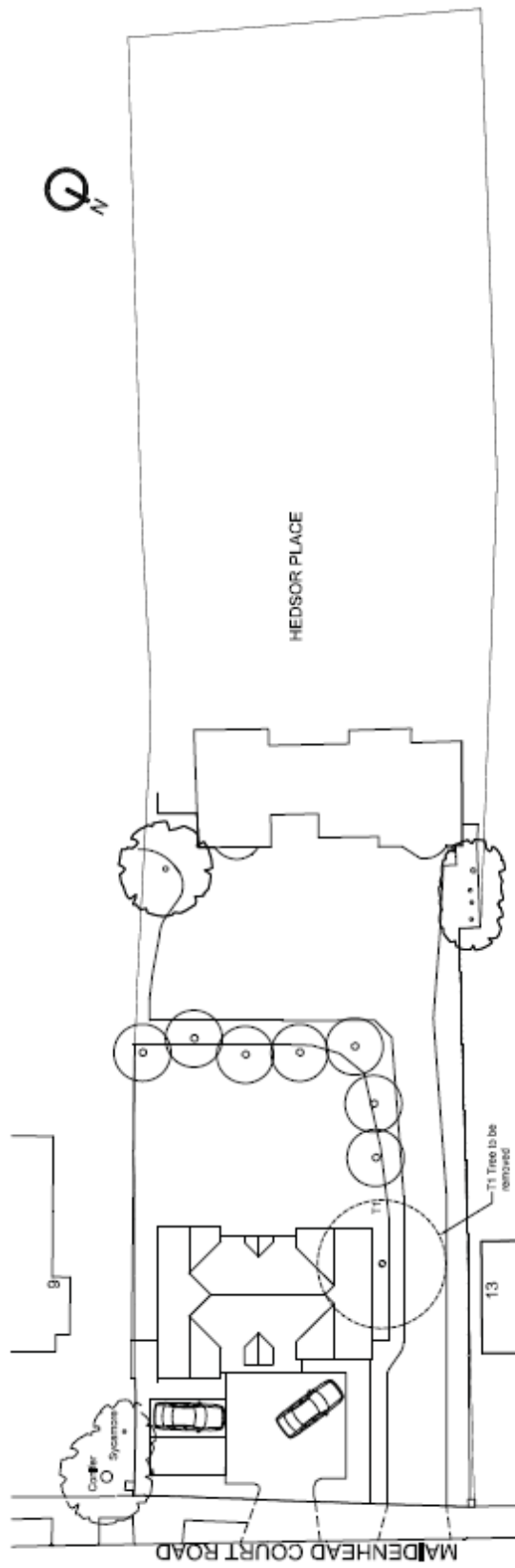
- 1 The proposal fails to demonstrate that the development can provide appropriate safe access and egress for future occupants to an area wholly outside of the 1% AEP with an appropriate allowance for climate change flood extent. The proposal is therefore contrary to paragraph 103 of the National Planning Policy Framework.

Appendix A



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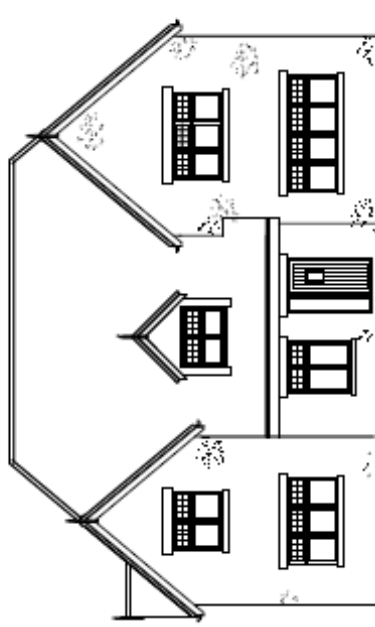


Site Plan  
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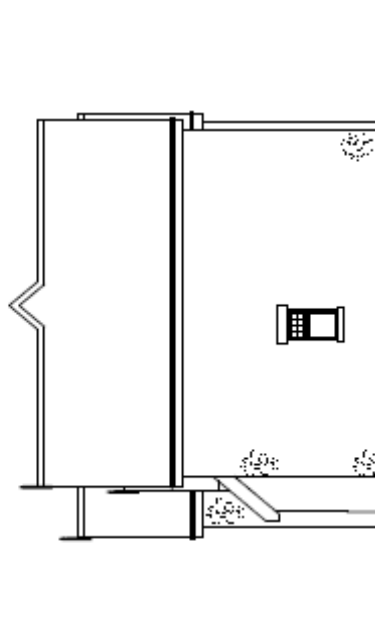
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 Title: PROPOSED BLOCK PLAN  
 Drawing Number: D1418/PL01  
 Date: NOV '14  
 Status: AN AS STATED AT 100mm long  
 Revision:

**Artichoke**  
 Architectural Developments Limited  
 71, Cliver Hill Road, Windsor, SL4 4DE  
 01753 830 422 • 07793 318 035  
 info@artichoke.co.uk

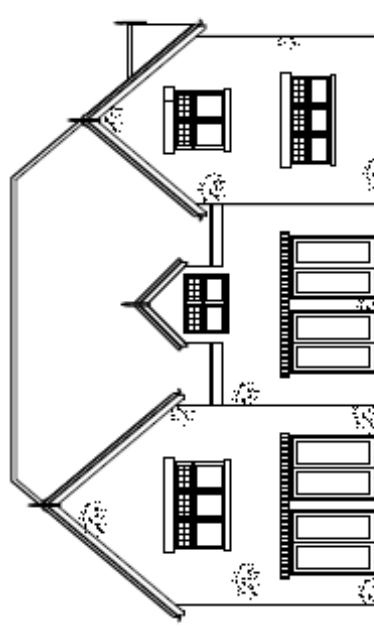




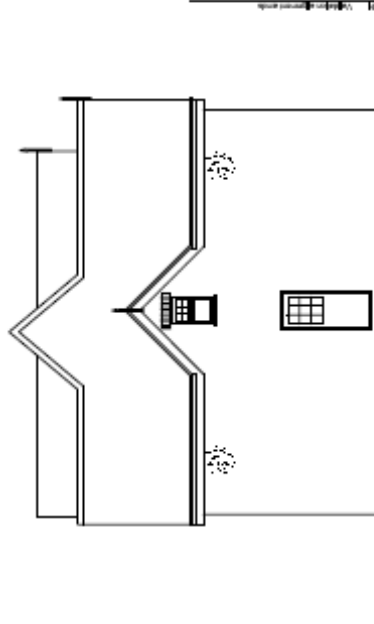
PROPOSED FRONT ELEVATION Scale 1:100



PROPOSED SIDE ELEVATION Scale 1:100



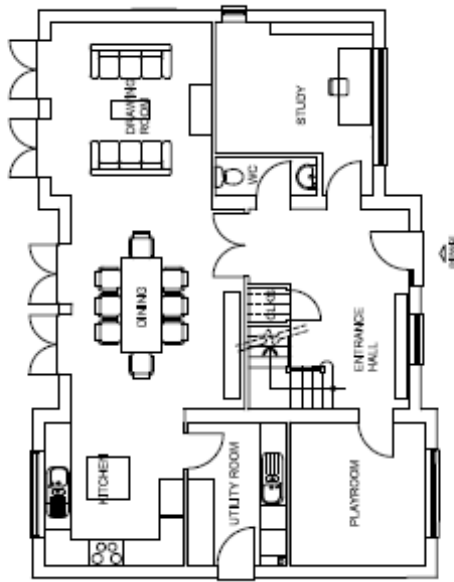
PROPOSED REAR ELEVATION Scale 1:100



PROPOSED SIDE ELEVATION Scale 1:100

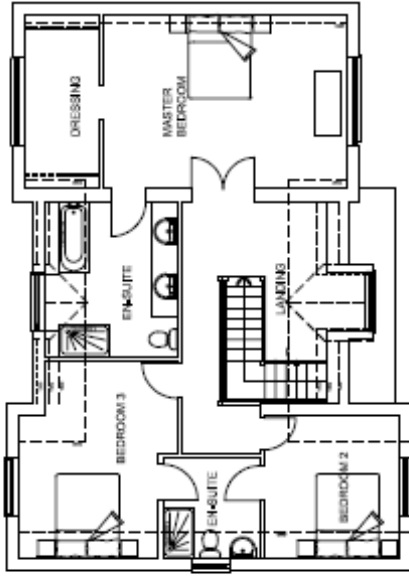
**FOR PLANNING**  
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 11 MAIDENHEAD  
 COURT PARK, SL5 8HN  
 Title: PROPOSED  
 ELEVATIONS  
 Drawing number: D1418/PL03  
 Date: NOV '14  
 Scale: A1  
 Size: 216 x 297mm (2 x 100mm long)

**Artichoke**  
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 info@artichoke.co.uk



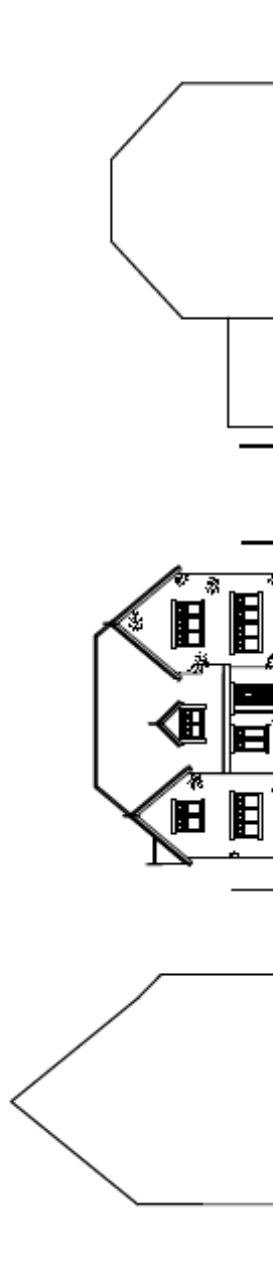
PROPOSED GROUND FLOOR PLAN

Scale 1:100



PROPOSED FIRST FLOOR PLAN

Scale 1:100



INDICATIVE STREET SCENE

Scale 1:200



Project: LAND AT HEDSOR PL  
11 MAIDENHEAD COURT PARK, SL6 8HN  
Title: PROPOSED PLANS & STREET ELEVATION  
Drawing Number: D1418/PL02  
Date: NOV '14  
Scale: 1:100  
Author: AN AS STATED AS  
Info: For details, 100m long





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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 June 2017

Item: 2

<b>Application No.:</b>	16/03138/FULL
<b>Location:</b>	Land At 29 Cranbrook Drive Maidenhead
<b>Proposal:</b>	New dwelling following demolition of existing extension and garage at No. 29 Cranbrook Drive
<b>Applicant:</b>	Mr And Mrs Crown
<b>Agent:</b>	Mrs Antonia Lewis
<b>Parish/Ward:</b>	Maidenhead Unparished/Furze Platt Ward

<b>If you have a question about this report, please contact:</b> Greg Lester on 01628 682955 or at greg.lester@rbwm.gov.uk
--

**1. SUMMARY**

- 1.1 The proposal seeks planning permission for the erection of a detached three bedroom dwelling on part of the existing garden area of no. 29 Cranbrook Drive following the demolition of the existing garage and single storey side extension.
- 1.2 It is considered that the proposed dwelling, on balance, is of an acceptable design and scale and would not result in a negative impact on the character or appearance of the area.
- 1.3 The proposed dwelling due to its siting and distance from existing properties would not result in demonstrable harm to the residential amenities of the adjacent occupiers.
- 1.4 Sufficient parking provision is made on site to cater for both the existing and proposed dwellings.

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.</b>
--

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Derek Sharp due to the amount of local interest generated by the proposal.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site is located on Cranbrook Drive to the north side of No. 29, on its existing garden area. A garage and single storey extension to the existing dwelling occupy the site and would be demolished. The existing property has a mix of semi-mature shrubs and trees to the boundary, with the rear garden area laid to lawn. The north boundary is bounded by a walkway that serves to access the rear of properties to the north and interconnects with properties to the east.
- 3.2 Properties in the area comprise a mixture of dwelling types. The site of the proposed forms part of a development of detached properties set back from the road, with parking to the front, and garages located within the spacious garden to the side/rear. Properties to the north are terraced and have smaller south facing gardens.
- 3.3 The existing property has adequate parking to the front of at least 3 cars, excluding the existing garage.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal seeks full planning permission for the erection of a two storey detached three bedroom dwelling of a Georgian style to reflect that of the existing dwelling, and associated hard surfacing to provide two parking spaces.
- 4.2 The proposal would result in the demolition of the existing garage and single storey side extension (north elevation), with parking provision for both the existing dwelling and proposed dwelling to be provided to the front elevation. The existing dwelling would be provided with 3 parking spaces and the proposed new dwelling would be provided with 2 parking spaces.
- 4.3 The proposed dwelling would be approximately 9 metres in width, with a depth reduced to 7.2 metres following the submission of amended plans, and a height of 7.4 metres to the ridge.
- 4.4 A previous application submitted for outline planning permission (00/36283/OUT) was refused for failing to respect the spacious character of the area.

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections

##### Royal Borough Local Plan

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

Within settlement area	Highways and Parking
DG1, H10, H11	P4, T5

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

##### Supplementary planning documents

##### Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

#### 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i The impact on the character and appearance of the area
- ii The impact on residential amenity
- iii Parking and highway safety

##### The impact on the character and appearance of the area

- 6.2 The appearance of a development is a material planning consideration. Local Plan Policy H11 identifies that in established residential areas, planning permission will not be granted for schemes that introduce a scale of density of new development, which would be incompatible with

or cause damage to the character and amenity of the area. In addition, Local Plan Policy H10 identifies that new residential development schemes will be required to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas, and where possible, to enhance the existing environment.

- 6.3 The application site is in an area which comprises of detached dwellings of varying sizes. Properties are set within spacious plots; however, there is variety in the separation between dwellings. The proposed dwelling is located approximately 3.5 metres from the side wall of the existing dwelling at no.29, and occupies a plot measuring approximately 27.5 metres in depth and approximately 12 metres in width, narrowing to 10.5 metres. This is comparable to the existing dwellings where separation distances between the side elevations vary from 2-3 metres and plot sizes are generally approximately 30 metres in depth and around 15-17 metres in width. The proposed dwelling is set in line at both the front and rear elevations with the property at no.29, and has a revised layout from the scheme that was previously refused, resulting in a more open and spacious appearance, and whilst it is not as spacious as the other plots that are to be found in the locality, it is not considered that the proposal would appear cramped within the plot. Adequate amenity space is also provided. The proposed new dwelling as a result would occupy a plot similar in size to those of the existing detached properties and would maintain the set back from the road and footway. Whilst the garage has been omitted, and the original garage demolished, there would be no requirement in terms of planning for the applicant to retain their garage, which could be demolished without planning permission. It is not considered that the proposed layout, design or mass of the property would be harmful to the character of the area. Whilst a number of objections referred to the proposal setting a precedent for allowing further infill dwellings, it should be noted that each application will be assessed on its merits and that no two applications are the same.
- 6.4 A number of letters received from neighbouring occupiers referred to restrictive covenants that were placed upon the development, restricting amongst other things the erection of separate units of accommodation. Whilst these restrictive covenants may be present within the property deeds, these are matters that are separate to the grant of planning permission. It does not preclude the determination of the current application, nor prevent the granting of planning permission. In the event the applicant is in breach of a restrictive covenant, civil proceedings may be undertaken by the relevant developer/management body. This is not a planning matter.

#### **The impact on residential amenity**

- 6.5 The existing layout of the estate provides for detached dwellings in reasonably sized plots, providing a spacious look and feel. Properties have also been provided with a garage, which is generally set to the side/behind the property in the garden. The proposal would introduce a new dwelling in the space to the north side of the existing dwelling at no.29, closing the gap with the row of terraced properties to the north. The gap would reduce from 29 metres from the north elevation (two storey) of no.29 to the south elevation of properties to the north, to approximately 17 metres to the side of the proposed new dwelling. It should be noted that the existing garage serving no.29 Cranbrook Drive is located a similar distance from the rear elevation of those properties to the north, although this is of single storey construction with an apex roof.
- 6.6 At present the properties to the north do not have any windows facing them. The proposed new dwelling proposed no new openings in the north elevation. Any new windows in the north elevation can be conditioned to prevent the insertion of additional windows without the need to first obtain planning permission. Whilst the new dwelling will introduce windows to the rear (east) elevation, due to the existing dwelling already being in a position where the property to the east, 1 Avondale, is overlooked from the first floor windows to a degree, being partially obscured by a garage, it is not considered that the addition of the new dwelling would result in a materially greater level of overlooking than currently exists. It is noted that the proposed dwelling would be closer to the terraced properties to the north, but any overlooking from the rear windows would be oblique and not direct and is unlikely to result in demonstrable harm to residential amenity.
- 6.7 Whilst it is noted that objections have been made with regard to an increase in noise, the intervening alleyway can be used as a thoroughfare and any additional noise from a residential

dwelling is considered unlikely to materially impact on the residential amenity of neighbouring occupiers.

- 6.8 The proposed new dwelling will occupy a greater footprint than the existing garage, and whilst it will be set in from the boundary of the site by 1 metres, it's overall height is significantly greater than the existing single storey garage, giving the new dwelling the possibility to negatively impact the amount of light received by the properties to the north, and also result in an overbearing impact. It is considered that the proposed dwelling being set in from the boundary will assist in reducing the impact to the properties to the north, and the intervening passageway will further offset any impact. However, due to the orientation of the properties it is considered there will be some loss of light to the gardens of 27 and 25 Cranbrook Drive, although it is not considered that this would be so significant as to warrant a recommendation for refusal. The introduction of a two storey gabled wall in close proximity to the boundary with the neighbouring properties also has the potential to introduce an overbearing impact on those dwellings that would be opposite the dwelling, namely 25 and 27 Cranbrook Drive. However, the proposed dwelling is set in 1 metre from the boundary, and the intervening passageway is approximately 3 metres in width, giving a buffer of approximately 4 metres to the proposed dwelling from the boundary of the properties to the north. Whilst the outlook would change with the introduction of a two storey dwelling, it is considered the gap between the boundary and the dwelling would provide some relief and a significant adverse impact on residential amenity is not considered to be likely. It is therefore considered, on balance, that the proposed new dwelling would be unlikely to demonstrably harm residential amenity.

### **Parking and highway safety**

- 6.9 Both the existing dwelling and the proposed new dwelling benefit from dropped kerbs. The proposed plans show that the existing dwelling will be provided 3 spaces and the proposed new dwelling 2 spaces. It is considered that the proposals provide sufficient space on site to accommodate the car parking for the resulting dwelling and the existing dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004. The Local Highway Authority raised no objection to the scheme.
- 6.10 A number of objections were received referring to the parking on the street of vehicles associated with the existing dwelling, and whilst this would have the potential to impact on visibility of vehicles emerging from the driveways of both the existing and proposed dwelling, there are currently no restrictions to prevent parking on the highway, such as double yellow lines. In the event vehicles are causing an obstruction this would be dealt with under separate legislation and is not relevant to the determination of the current application. It is also not considered the proposal would have an adverse impact on highway safety.
- 6.11 It is noted that no provision has been made on the plans for a cycle store or bin store. It is considered these could be reasonably required via a suitably worded planning condition.

## **7. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 7.1 The proposal is CIL liable; however the applicant has submitted a Self Build Exemption Claim Form.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

10 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 4 November 2016.

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

Comment		Where in the report this is considered
1.	Neighbours did not inform me of their intentions.	Noted
2.	Noise, disturbance, overbearing nature of the development	6.5 - .6.9
3.	Loss of daylight and privacy/overlooking	6.6, 6.8
4.	Highway impacts/Insufficient parking	6.9 – 6.10
5.	Contrary to requirements of deeds	6.4
6.	Openness of estate will be negatively impacted	6.2, 6.3
7.	Would set a precedent for more gardens to be used for building	6.3
8.	Garage is used as a photographic studio	Not a material planning consideration
9.	Vehicles park on the road.	6.9-6.10
10.	Damage would result to the existing house from removing extension.	Noted.

1 letter was also received in support of the application, making the following comments:

1. Sufficient space between buildings
2. Acceptable visibility for cars emerging
3. Adequate parking provision is made

### Consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objection subject to informatives.	Noted
Local Highway Authority	The Highways Authority offers no objection to the proposal subject to a condition regarding the provision of one site parking. (see condition3)	6.9-6.11

### Other Consultees

Consultee	Comment	Where in the report this is considered
Maidenhead Civic Society	The site is too small for subdivision and the current proposals would result in a cramped form of development with a scale and form that is unneighbourly. There would be a loss of sunlight in the adjacent rear gardens to the north, which would be overshadowed.	6.2-6.4

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

## 10. 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

- 3 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking 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. Relevant Policies - Local Plan P4, DG1.

- 4 No window(s) shall be inserted at first floor level in the north elevation(s) of the dwelling hereby permitted without the prior written approval of the Local Planning Authority.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.

- 5 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.

## **Informatives**

- 1 Dust Control Informative (Non-Standard)The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control:London working group on Air Pollution Planning and the Environment (APPLE):London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities
- 2 Smoke Control Informative (Non-Standard)The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal.The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
- 3 The applicant should be aware the permitted hours of construction working in the Authority are as follows:Monday-Friday 08.00-18.00Saturday 08.00-13.00No working on Sundays or Bank Holidays.
- 4 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

- 5 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 6 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.
- 7 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

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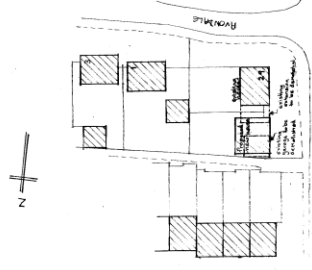
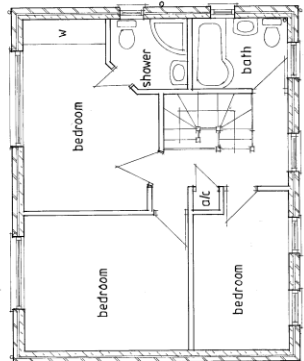
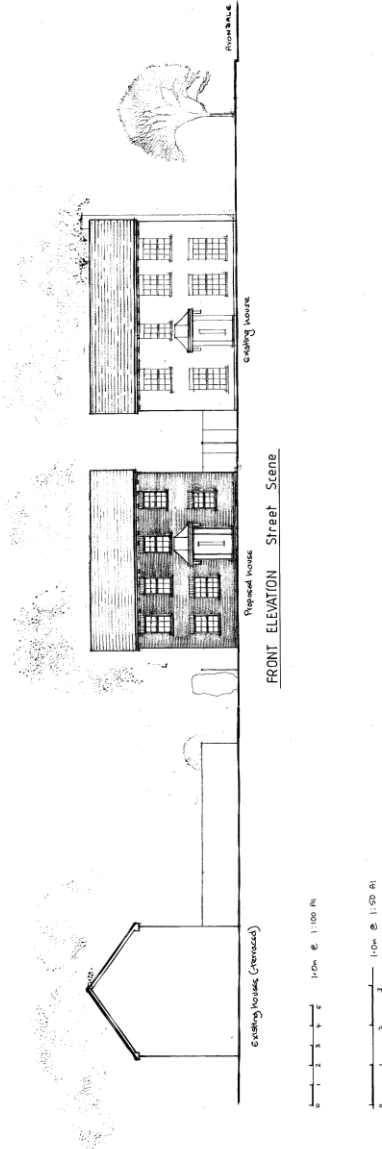
Appendix A



**16/03138**

LOCATION PLAN 1:1250

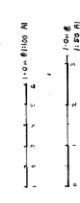
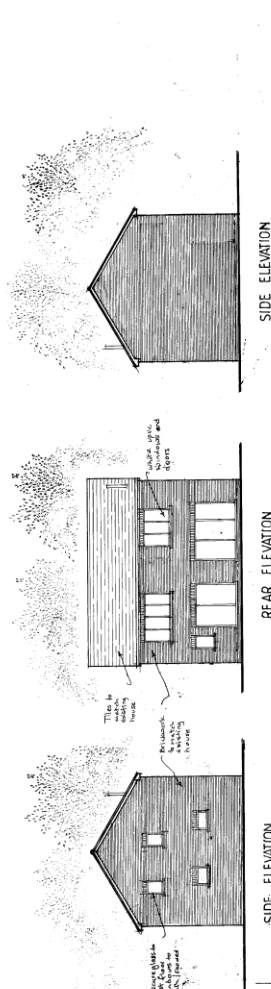
RECEIVED



**A.M.L. Design Partnership**  
 10000 Highway 100, Suite 100  
 Dallas, TX 75243  
 Tel: 972.443.8877  
 Fax: 972.443.8878  
 www.amldesign.com

MR. & MRS. M. COOK  
 Home Proposed new design adjacent  
 to existing house on Ryan Road  
 10000 Highway 100, Suite 100  
 Dallas, TX 75243  
 Project description - STREET SCENE  
 BLOCK PLAN  
 Date: 2016  
 Scale: 1:500 1:100  
 M/C/03

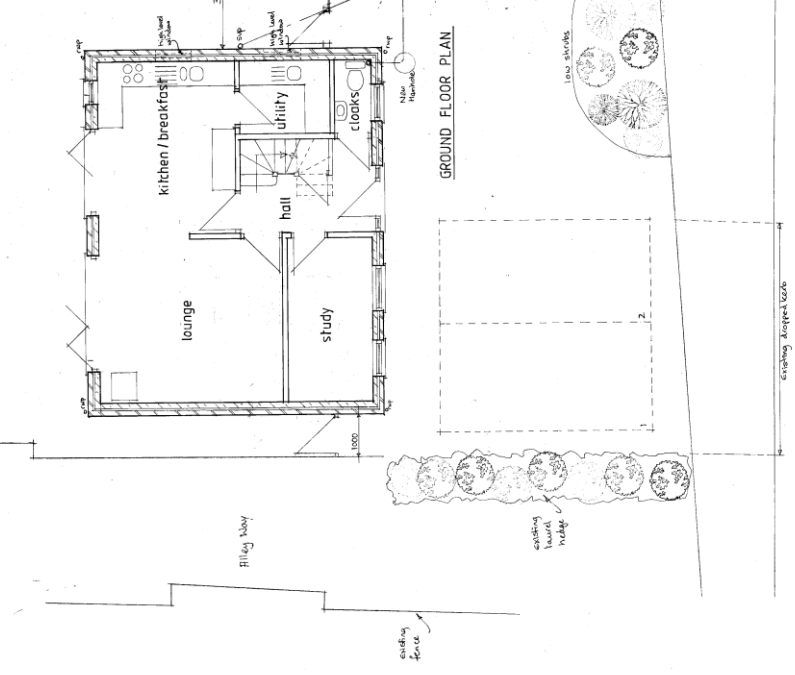
Block Plan 1:500  
 Attached to allow for reduction  
 in depth to meet zoning  
 code.



SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN

**A M L Design Partnership**  
 Architectural Design and Planning  
 10111 10th Street  
 Dallas, TX 75243  
 Phone: 972.382.1234  
 Fax: 972.382.1235  
 Email: info@aml-design.com  
 Website: www.aml-design.com

Client: MR & MRS H. C. GUNN  
 Project: Proposed new house adjacent to 271 Crankwood Drive, Dallas, TX 75243  
 Drawing: Ground Floor Plan  
 Date: March 2016  
 Scale: 1:50  
 Drawing No: HC 102A

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 June 2017

Item: 3

<b>Application No.:</b>	17/00680/REM
<b>Location:</b>	Land West of Crown Lane Including Part Hines Meadow Car Park And La Roche And The Colonnade High Street Maidenhead
<b>Proposal:</b>	Reserved matters (Landscaping) for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m <sup>2</sup> of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762/OUT and varied by 15/04274/VAR [varied as follows: without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed].
<b>Applicant:</b>	Shanly Homes
<b>Agent:</b>	Mrs Rosalind Gall
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward

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

## 1. SUMMARY

- 1.1 Outline planning permission was granted in 2014 and varied in 2016 for the redevelopment of the land to the north of the High Street in Maidenhead Town Centre. This is referred to as Phase 3 of the Chapel Arches development and will be a mixed use scheme with commercial uses on the ground floor and residential development above. The three buildings within the scheme will flank the York Stream, the High Street and Crown Lane. The Outline permission approved the access, layout, scale and appearance of the development.
- 1.2 Between the buildings both within and outside of the application site are spaces and pedestrian lanes and pavements ('the Public Realm'). Within the Public Realm would – as proposed by this landscaping reserved matters application – be paving materials, street furniture and planting. Both the hard and soft landscaping would ensure that Phase 3 of the Chapel Arches development would be high quality and would complement the Public Realm improvements that have already taken place in the pedestrianised part of the High Street and West Street. The landscaping within the Chapel Arches development will help to bring about a co-ordinated palette of materials, street furniture and planting across the town's streets and spaces. The landscaping proposed for the communal areas for future residents of the development and the green roofs to the buildings would also be acceptable that would contribute towards good living conditions and biodiversity enhancement.

**It is recommended the Panel grants approval of the Landscaping Reserved Matters with the conditions listed in Section 9 of this report.**

## 2. REASON FOR PANEL DETERMINATION

- The application site includes land owned by the Council. The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site contains a number of commercial premises including shops, beauticians and takeaways within the building known as 'The Colonnade'. To the north of The Colonnade was a private leisure centre building which has been demolished and the two storey wing of The Hines Meadow Public Car Park. Through the middle of the site are the York Stream and The Green Way. Outline Planning Permission has been granted on this site for the last Phase of the Chapel Arches development (Phase 3). The Chapel Arches development is a residential-led mixed use development to both the north and south of the High Street.
- 3.2 Phases 1 and 2 of the Chapel Arches development to the South of the High Street are largely built. The alterations to the York Stream are under construction by the Maidenhead Waterways Group to the north and south of Phase 3 of the Chapel Arches development.
- 3.3 Phases 1, 2 and 3 will be 'linked' together through renewed paving and planting in the High Street, the improved waterway and pieces of public art.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history is set out below:

Ref.	Description	Decision and Date
12/02762	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow Car Park, La Roche and The Colonnade to include 162 apartments, 363sqm of B1 office floorspace, 1045sqm of retail space and 987sqm of restaurant/café space, creation of basement car parking, a new footbridge over the York Stream and replacement of existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway.	Approved. May 2014.
15/03582	Reserved Matters application for landscaping	Approved. July 2016.
15/04274	Outline application with landscaping reserved for redevelopment following demolition of part of Hines Meadow car park, La Roche and The Colonnade to include 162 apartments, 363m2 of Class B1 office space, 1045sqm of retail space (Class A1) and 987sqm of restaurant/cafe space (Class A3), creation of basement car parking, a new footbridge over York Stream and the replacement of the existing vehicle bridge to the existing car park, new pedestrian links, landscaping and alterations to the waterway to create a new public realm as approved under planning permission 12/02762 without complying with condition 1 (approved plans) to replace two plans and 65 (completion of waterways) to vary to the following, No dwelling within Block A (as identified on plan 747-2000E) shall be occupied until the works to the York Stream shown on plans 747-2000E and 747-3000B have been completed.	Approved. August 2016.

- 4.2 Reserved Matters for landscaping has already been approved for the Outline planning permission. The varied Outline planning permission of 2016 enlarged the width of the waterway within the central part of the development. As such, the current Reserved Matters application addresses this change in the proposals.

4.3 The landscaping proposed is considered in more detail in Section 6 below. The proposals comprise of paving materials, street furniture and planting within the development.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections – Core Planning Principles and Section 7 ‘Requiring good design’.

### Royal Borough Local Plan and Maidenhead Town Centre Area Action Plan

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

Within settlement area	
	✓
Local Plan	DG1
Maidenhead Area Action Plan	OA5, MTC1, MTC2, MTC3, MTC4

### Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:

## 6. EXPLANATION OF RECOMMENDATION

6.1 Outline planning permission has been granted which approved at that time matters of scale, layout, appearance and access with landscaping reserved for future consideration. The submitted Reserved Matters application is for landscaping with the key issue for consideration being:

- i The impact on the character and appearance of the area.

### Character and appearance of the area

6.2 This application sets out the detailed proposals for the hard and soft landscaping works to pedestrian lanes, pavements and spaces (referred to as ‘the Public Realm’) within the development and also for the communal areas for the future residents of the development. Green roofs are also proposed to the floors of the buildings. It should be noted that they are almost identical to the landscaping details previous approved on the first Reserved Matters application. The only difference is that the enlarged waterway that was approved under the varied outline planning permission would result in less paved area on the lower levels either side of it. Notwithstanding this, the following is an assessment of the proposals set out in this current application.

6.3 The Public Realm which will flank the waterway at both the lower and upper levels will be a smooth, dark grey sett (antique) that will have a similar appearance to the central ‘tram line’ of paving that is found on the pedestrianised part of the High Street in the town centre. Marking the edges of these dark grey setts will be a slightly different grey coloured tumbled sett and alongside the waterway a bullnose concrete edge. Within this part of the Public Realm will be street furniture comprising of signs, benches and bins.

- 6.4 For the pavements between the buildings and both the High Street and Crown Lane, the paving to be used would be granite slabs in both silver grey, mid grey and green. The part of Crown Lane from the roundabout to the Hines Meadow Car Park and the basement car parking for Block B will be tarmac. The vehicular entrance to Block A will be paved with a concrete grey sett. Bollards are proposed along the pavement (West side) of Crown Lane.
- 6.5 Soft landscaping is proposed throughout the Public Realm. A line of trees is proposed to identify the Green Way route. Green Way signage, taken from the Council's Signage Strategy, will also be used to help with legibility for users of the town and this important route alongside the York Stream.
- 6.6 The Council has produced a Public Realm Strategy and sub-strategies of a 'Materials Masterplan' and 'Street Furniture' to bring about a co-ordinated approach to improvements to the town centre's streets and spaces primarily for those that are owned and controlled by the Council. While the Public Realm within The Chapel Arches development will be privately owned, there's a right of access over the streets and spaces. The proposals in this application will ensure the co-ordinated approach to the Public Realm is carried through into this development ensuring high quality for both the wider town centre and the development itself.
- 6.7 The hard and soft landscaping for the communal areas for the apartments will result in a good level of amenity for future occupiers and the green roofs to the buildings will help with biodiversity enhancement.
- 6.8 Overall the proposals are acceptable and comply with both national and local planning policies.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

279 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 13<sup>th</sup> April 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 20<sup>th</sup> April 2017.

1 letter has been received from the local community.

	Comment	Where in the report this is considered
1.	Support the redevelopment. Would like confirmation that any public parking that is lost will be replaced elsewhere. Local businesses need this parking in order to continue to operate in Maidenhead.	This is not a relevant matter for the Reserved Matters application. The loss of the car parking was addressed under the original outline planning permission (as varied). The Planning History part of this report provides the relevant application references.



## Other consultees

Consultee	Comment	Where in the report this is considered
Historic England	Do not wish to offer any comments. Suggest that the views of your specialist conservation and archaeological advisers are sought.	
Runnymede Borough Council	No objection.	Noted.
Wokingham Borough Council	No observations.	Noted.
Natural England	The proposed amendments are unlikely to have significantly different impacts on the natural environment compared to the Outline Planning Permission.	Agreed.
Highways England	No objection.	Noted.
RBWM Environmental Protection	No objection.	Noted.
RBWM LLFA	No objection.	Noted.
Archaeologist	No comment to make.	Noted.
RBWM Tree Officer	The main part of the landscaping remains unchanged from the previous plans. If trees are proposed on the green roofs further information should be provided and green roofs are not usually compatible as amenity space for future occupiers. Details of the green roofs should be provided. The advice of a landscape architect should be sought.	The trees on the original plans have been removed and the benches re-located to hardstanding on the roof of Block C. The outdoor space for future residents of the development would be acceptable. A condition is recommended to secure the full details of the green roofs.

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – hard and soft landscaping plans

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 Unless otherwise agreed in writing, the soft landscape works shall be carried out in accordance with the 'Typical Landscape Specification' (dated Jan 2016) by aspect landscape planning.  
Reason: To ensure satisfactory landscaping in the interests of visual amenity and the character and appearance of the area, and in the interests of biodiversity enhancement. Relevant Policies - Local Plan DG1, Maidenhead Town Centre Area Action Plan MTC1, MTC2, MTC3, MTC4, OA5
- 2 Notwithstanding the submitted the 'Typical Landscape Specification', no development shall commence until full details of the irrigation system to be used to water and feed the planting

across the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved irrigation system and thereafter shall be retained.

Reason: To ensure satisfactory landscaping in the interests of visual amenity and the character and appearance of the area, and in the interests of biodiversity enhancement. Relevant Policies - Local Plan DG1, Maidenhead Town Centre Area Action Plan MTC1, MTC2, MTC3, MTC4, OA5

- 3 All hard landscaping shall be carried out in accordance with the construction details as set out in plan no. 1166/95-19.

Reason: To ensure satisfactory landscaping in the interests of visual amenity and the character and appearance of the area, and in the interests of biodiversity enhancement. Relevant Policies - Local Plan DG1, Maidenhead Town Centre Area Action Plan MTC1, MTC2, MTC3, MTC4, OA5

- 4 No development shall commence until details of the green roof, including irrigation and any rainwater harvesting, have been submitted to, and approved in writing by, the Local Planning Authority. The green roof and rainwater harvesting shall be provided in accordance with the approved details and retained as such thereafter.

Reason: To ensure satisfactory landscaping in the interests of visual amenity and the character and appearance of the area, and in the interests of biodiversity enhancement. Relevant Policies - Local Plan DG1, Maidenhead Town Centre Area Action Plan MTC1, MTC2, MTC3, MTC4, OA5

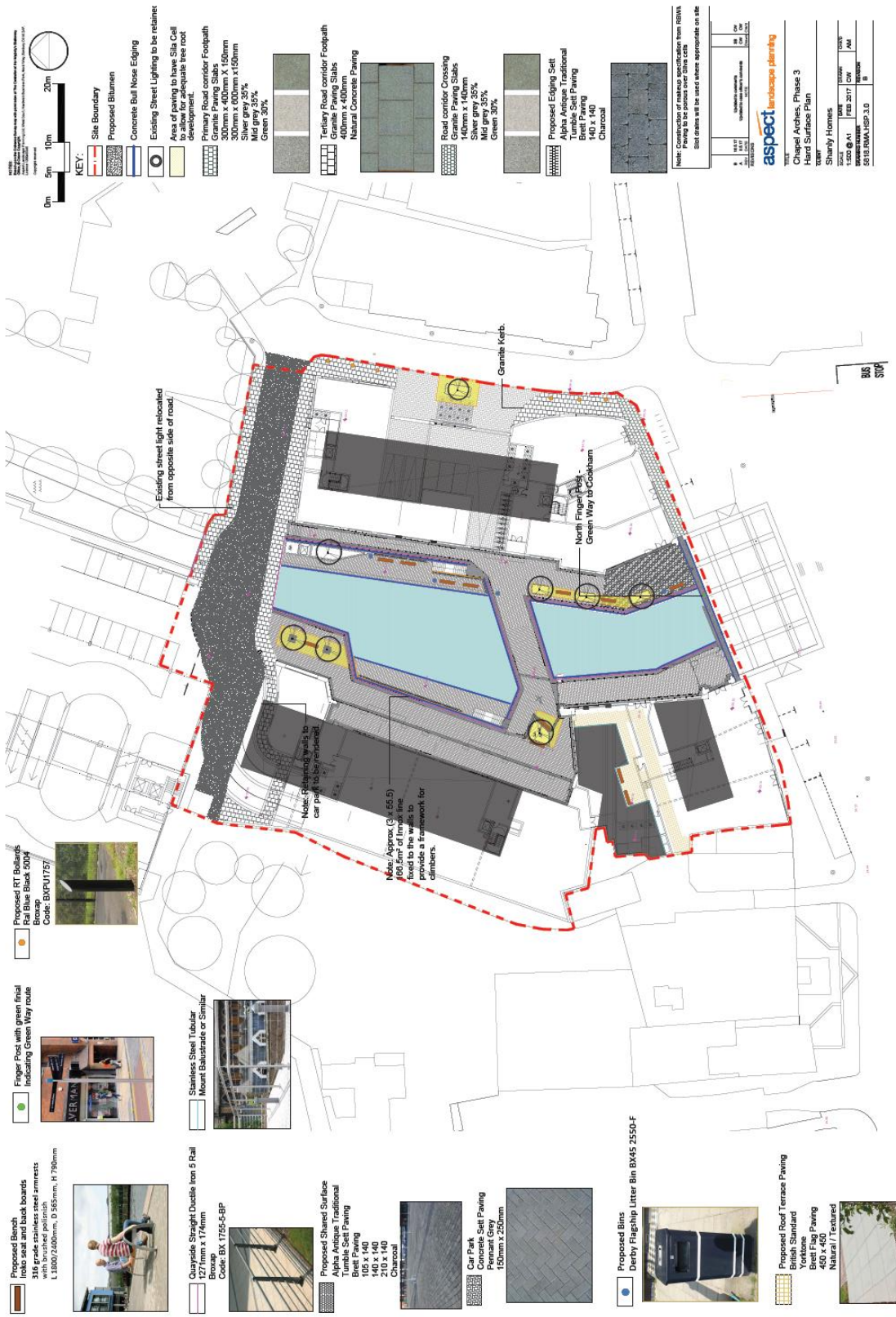
- 5 The landscaping hereby permitted shall be carried out in accordance with the approved plans listed below.

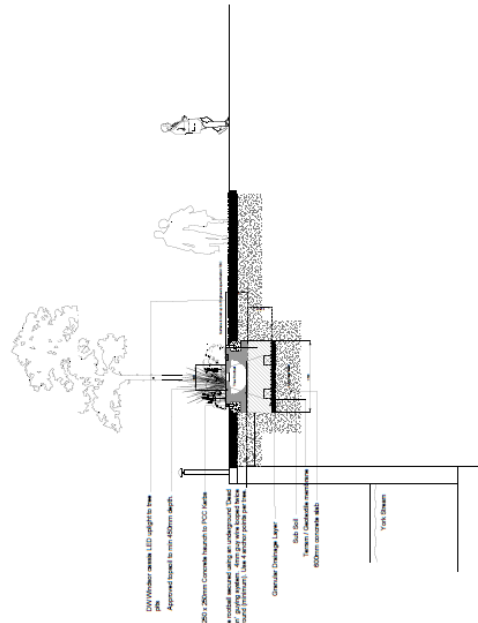
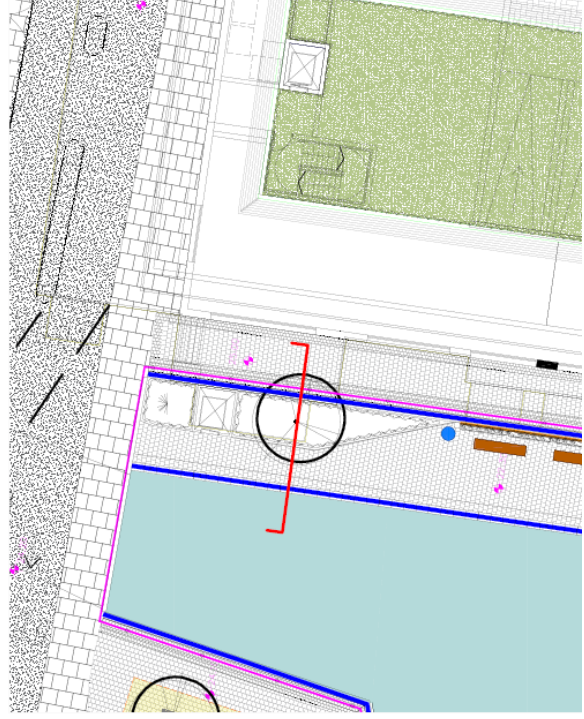
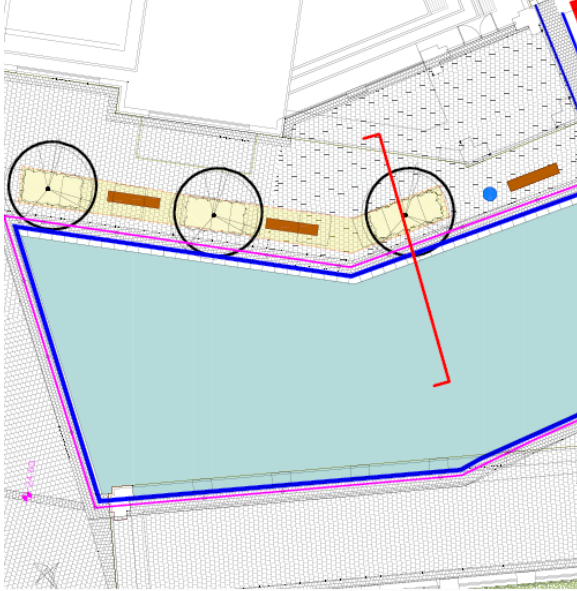
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Appendix A – Site Location Plan

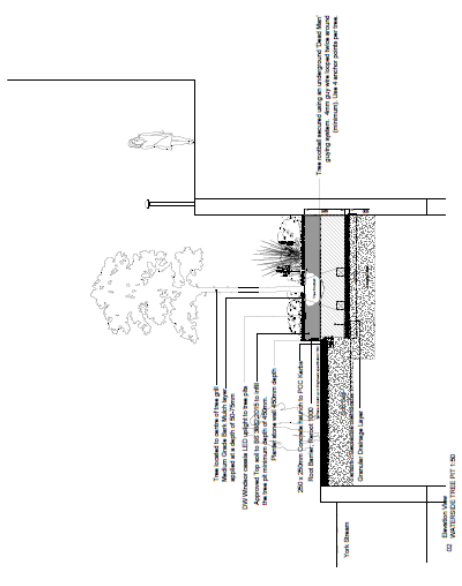


# Appendix B – Hard and Soft Landscaping





01 PUBLIC REALM TREE PIT L&S



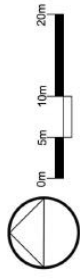
02 UNDERGROUND TREE PIT L&S

DATE	ISSUE	REVISION

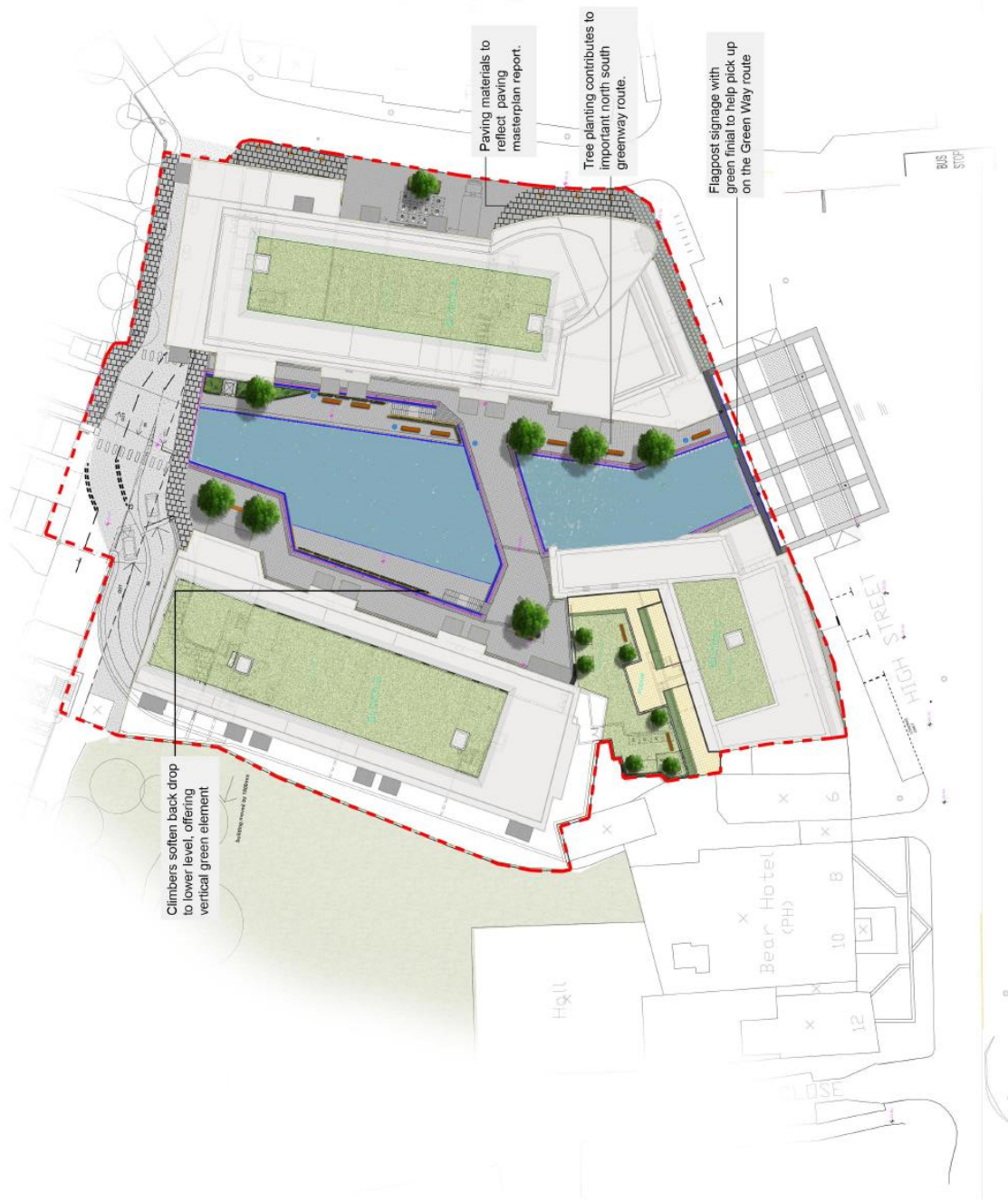
**aspect** landscape planning  
 SITE: Chapel Arches, Phase 3  
 DRAWING: Tree Pit Details  
 CLIENT: Shantly Homes  
 PROJECT NO: 11/000/A1  
 DRAWING NO: FEB 2017  
 DRAWN BY: CW  
 CHECKED BY: JAU  
 PROJECT LOCATION: 5518 RMA TPD 4.0  
 PROJECT TYPE: RESIDENTIAL



NOTES:  
 1. This plan shows the proposed site layout and landscaping for the Chapel Arches Phase 3 development.  
 2. The site is located at the corner of High Street and Chapel Arches Road, Bear Park, Belfast, BT9 5AP.  
 3. The site is bounded by High Street to the north, Chapel Arches Road to the east, and the existing site boundary to the south and west.  
 4. The site is currently a mix of residential and commercial buildings.  
 5. The proposed development will consist of a mix of residential and commercial buildings, including a hotel, offices, and retail units.  
 6. The proposed landscaping will include a mix of trees, shrubs, and groundcover plants, as well as seating, signage, and other amenity features.  
 7. The proposed paving materials will be selected to reflect the masterplan report.  
 8. The proposed tree planting will contribute to an important north-south greenway route.  
 9. The proposed flagpost signage will help to pick up the Green Way route on High Street.  
 10. The proposed climber back drop will soften the drop to a lower level, offering a vertical green element.  
 11. The proposed paving materials will be selected to reflect the masterplan report.  
 12. The proposed tree planting will contribute to an important north-south greenway route.  
 13. The proposed flagpost signage will help to pick up the Green Way route on High Street.  
 14. The proposed climber back drop will soften the drop to a lower level, offering a vertical green element.



- Key:
- Application Site Boundary
  - Proposed Trees
  - Proposed Climbers
  - Proposed Seating
  - Signpost location
  - Green roof
  - Proposed Bin
  - Proposed Bollard
  - Balcony



REVISED		DATE	BY	CHKD
A.	28.03.17			
Updated to comments				
NOTE				
REVISED				

**aspect landscape planning**

TITLE  
 Chapel Arches Phase 3  
 Landscape Overview Plan

CLIENT  
 Shanly Homes

SCALE  
 1:500 @ A3

DATE  
 FEB 2017

DRAWN  
 SB

CHKD  
 CJ

DRAWING NUMBER  
 5518 RMA, LM, 1

REVISION  
 A





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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 June 2017

Item: 4

<b>Application No.:</b>	17/01102/FULL
<b>Location:</b>	Huston Cottage Moneyrow Green Holyport Maidenhead SL6 2ND
<b>Proposal:</b>	Installation of 7 No. dormer windows
<b>Applicant:</b>	Mr & Mrs Stannard
<b>Agent:</b>	JSA Architects Limited
<b>Parish/Ward:</b>	Bray Parish/Bray Ward

**If you have a question about this report, please contact:** Alys Hughes on 01628 796040 or at [alys.hughes@rbwm.gov.uk](mailto:alys.hughes@rbwm.gov.uk)

**1. SUMMARY**

1.1 The proposed development would result in a disproportionate addition (242%) over and above the original dwelling and is therefore considered inappropriate development in the Green Belt. Furthermore the proposal would reduce openness across the site. In the absence of any very special circumstance which would clearly overcome this harm the proposal is recommended for refusal.

**It is recommended the Panel refuses planning permission for the following summarised reasons (with the full reasons identified in Section 10 of this report):**

1.	<b>The proposed enlargement of the roof would result in a disproportionate addition to the original bungalow at Huston Cottage and therefore represents inappropriate development within the Green Belt that would harm its openness. It is not considered that very special circumstances exist that clearly outweigh this harm and the proposal is therefore contrary to saved policies GB1, GB2 and GB4 of the Local Plan and Section 9 of the National Planning Policy Framework.</b>
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**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Coppinger in the public interest should the application be recommended for refusal.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

3.1 The proposal site consists of a single storey detached bungalow, which is set back from the road with a gravel driveway and partly screened by hedging on the front of the site. The property forms part of a linear pattern of development along Moneyrow Green and this part of the road is characterised by detached chalet-style bungalows which vary in height and design. Most have large plots and follow a regular building line which is set back from the road, giving the area a spacious, semi-rural appearance. To the rear of the site are open fields and a public footpath runs along the north side of the site between Huston Cottage and Brambles.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

4.1 The proposal is for the proposed installation of 7 dormer windows (three at the front and four at the rear). The windows would serve ensuite bathrooms and a landing at the front and bedrooms at the back. This application is in connection with planning permission 16/02866/FULL as the proposed dormers would be an addition to the already approved roof infill/extension.

- 4.2 Huston Cottage was previously extended in 1995 (application reference 95/00480/FULL; alternative reference 429265) with a side and rear extension which almost doubled its floor area (a 94% increase). The original dwelling is understood to have had a floor area of 65m<sup>2</sup>, which was considered to be so small that the large extension was justified on the basis that it would make the dwelling capable of providing living accommodation to modern standards.
- 4.3 In 2006 an application was made to alter the ridge height of the bungalow to form habitable accommodation in the loft space with front and rear dormer windows (application 06/01440/FULL). This application, which would have resulted in the formation of a part-hipped roof 2.1 metres higher than the existing ridge height (from 5.2 to 7.3 metres), was refused on the grounds that its height and bulk (amounting to a 175% increase over the floor area of the original) would represent a disproportionate addition to the original dwelling which would be harmful to the character of the Green Belt. The application was later also dismissed at appeal (appeal reference 06/00223/REF; PINS reference APP/T0355/A/06/2028093) with the Inspector commenting that: *“the extended property would be no higher than the adjoining dwelling, Firside, or some other houses in the road. However, the proposal would in my view significantly increase the bulk if the building when seen from Money Row Green. I consider that it would as a result have an adverse effect on the openness of the Green Belt”* (paragraph 5 of the Inspector’s report).
- 4.4 Following this in 2007, a revised application for the raising of the roof to provide first floor accommodation was made (reference 07/01598/FULL). This application differed from the previous scheme in that it did not include any dormer windows, instead proposing a part-hipped roof with Velux roof lights that would be 1.2 metres lower than the previous refused scheme (an increase of 5.2 to 6.1 metres). This revised scheme represented an increase in floor area of 149% over that of the original dwelling and was acknowledged to be less bulky due to the removal of the dormers. However, it was still considered that the proposed additional bulk and increase in height would amount to a disproportionate increase in the scale of Huston Cottage and the application was refused on the same basis of harm to the Green Belt. The subsequent appeal (appeal reference 08/60041/REF; PINS reference APP/T0355/A/08/2064681) was also dismissed, the Inspector noting that: *“whilst I appreciate that the current proposals represent a reduction in scale in relation to those previously considered by my colleague ... they would still result in an increase in the height of the ridge when viewed side-on from the north. The result would be, in my view, and notwithstanding the scale and relationship of the adjacent properties, a reduction in the openness of the Green Belt”* (paragraph 6 of the Inspector’s report).
- 4.5 A more recent application for a single storey rear extension at the site (09/00551/FULL) was also refused on the basis of causing harm to the open character of the Green Belt through a disproportionate increase over the scale of the original dwelling, as it would have represented a cumulative increase of 115% (taking into account the 94% already added in 1995). A garage conversion was allowed at the property in 2009 (09/01659/VAR) but this did not represent any increase in floor area and thus would not have resulted in any additional impact upon the Green Belt.
- 4.6 In 2016 an application for proposed roof enlargement through the enclosure within the valley of the two existing pitched roofs (16/02866/FULL) was approved as it was not considered to constitute a disproportionate addition. This extension resulted in an increase of approximately 73.8sqm, a 113% increase over the original property without including the 94% that has already been added. If this application was to be implemented, the total cumulative increase in floor area would stand at 134.9sqm or 207.5%.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Sections

#### Royal Borough Local Plan

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

Within settlement	Parking	Green Belt	Public Rights of Way
-------------------	---------	------------	----------------------

area			
DG1, H14	P4,	GB1, GB2, GB3, GB4	R14

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i impact upon the Green Belt
- ii impact upon the character of host dwelling and the street scene
- iii impact on neighbouring properties
- iv impact on parking

### Impact upon the Green Belt

6.2 The site is located in the Green Belt. The NPPF emphasises that the most important characteristic of the Green Belt is its openness (paragraph 79 and where there is a presumption against inappropriate development). However, there are exceptions for particular types of development, including alterations to buildings provided that this does not result in disproportionate additions to the original building (paragraph 89). Local Plan policies GB1, GB2 and GB4 state that limited extensions to existing dwellings can be acceptable if they do not lead to a disproportionate addition over and above the size of the original dwelling and if they do not have a greater impact on the openness of the Green Belt than the existing use.

6.3 As discussed in section 4, Huston Cottage was previously extended in 1995 with a single storey side and rear extension which added 94% to the floor area of the original bungalow. In addition to this, a proposed extension to the roof granted in 2016 would result in an approximate further increase of 73.8m<sup>2</sup> bringing the current total cumulative increase in floorspace to 134.9m<sup>2</sup>, or 207.5%.

6.4 The proposed dormer windows would further increase the floorspace of the dwelling adding 22.88sqm more usable floorspace within the roof bringing the total percentage increase in floorspace to approximately 242.7%. However, policy GB4 does note that percentage increase is not the sole determining factor in assessing impact on the Green Belt and that the scale and bulk of the proposal must also be taken into account.

6.5 The dwelling is set back from the road and is partially screened by front boundary hedging and by the existing bulk of Firside to the South, but is more visible from the north. The proposed dormer windows would be visible from Moneyrow Green and would add further bulk and volume to the roof of the dwellinghouse as approved under 16/02866/FULL which would be visible to the side of the dwelling when looking south along the street scene through the wider gap between Brambles and the application site. Although relatively small in scale, the dormers would form a key feature of the roof and would draw attention to the accommodation within the roofspace,

altering its design from a bungalow to a chalet bungalow. It is therefore considered that the proposal combined with previous additions to the dwelling would have a detrimental impact on the character and openness of the Green Belt.

- 6.6 The applicant has mentioned that the proposal is required to improve access, safety and comfort to a disabled family member, increasing the outlook and level of natural daylight received, and improving living conditions. However, previous appeal decisions show that only rarely is it the case that personal circumstances will be viewed as being a very special circumstance and in this instance it has not been clearly demonstrated that the proposal is essential on health or other grounds (see Lichfield 27/01/2011). Furthermore, under 16/02866/FULL no concerns were raised with regards to the level of natural light and outlook that would be received by the proposed accommodation within the roof. The NPPF states that substantial weight should be given to any harm to the Green Belt and it is not considered that very special circumstances have been shown to exist which would outweigh the harm that the proposal would cause.
- 6.7 Reference has also been made by the applicant to other dwellings in the vicinity that incorporate dormer windows. Whilst this area is characterised by chalet-style bungalows - some of which are larger and/or higher than Huston Cottage, paragraph 2.1.26 of the Local Plan mentions the history of development at the site, not at other properties and the context of these applications will inevitably differ from that proposed at Huston Cottage. Each of these applications will have been determined on its own merits, as acknowledged by the previous Planning Inspectors who did not consider that other forms of development at the neighbouring properties served as justification for allowing the proposed enlargements of the roof at the application site. This is still considered to be the case with the current scheme.
- 6.8 The NPPF indicates that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt (paragraph 88). 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. As discussed above, it is considered that the applicant has not demonstrated that there are any very special circumstances which would overcome the presumption against inappropriate development in the Green Belt. Although additional floor area by itself is not a sole determining factor, when taken together with the additional bulk and scale of the development – which remains disproportionately large and would therefore have a significant impact upon the scale of the dwelling and the openness of the site – the current proposal is still considered to represent an inappropriate development in the Green Belt. The proposal is therefore contrary to policies GB1, GB2 (a) and GB4 of the Local Plan and Section 9 of the NPPF, and refusal is recommended on this basis.

#### **Impact upon the character of the host dwelling and the street scene**

- 6.9 The appearance of a development is a material planning consideration and the National Planning Policy Framework Section 7 (Requiring Good Design) and Local Plan Policy DG1 advised that all development should seek to achieve a high quality of design that improves the character and quality of an area. As previously noted, the proposed dormers would be visible from the front of the site and to the north from the public footpath. Whilst the dormers would increase the bulk and volume of the roof, resulting in the dwelling appearing more prominent from the street scene, due to their proposed design and setting within the roof, it is not considered that this would be to the detriment of the character of the street scene. There are other examples of dormer windows present in the vicinity. As such the proposal is considered to comply with policies DG1 and H14 of the Local Plan.

#### **Impact on neighbouring properties**

- 6.10 The proposed dormers would add further bulk to the roof of Huston Cottage. However it is not considered that they would affect the gardens or front and rear windows of either of the immediate neighbouring dwellings (Brambles to the north or Firside to the south) in terms of appearance and outlook as they would not project beyond the rear elevation of Firside and would be set back from the Brambles by the public footpath in-between both sites. The dormers are also proposed to be set in from the edge of the roof meaning that they would be set back from

the shared flank boundaries of the site. In terms of overlooking, the outlook of the proposed windows would be directed towards the front and rear amenity areas of the site and there would be no direct view towards the amenity areas of either neighbouring dwellings or the rooflights situated in the flank roof slope of Firside.

In light of the above, it is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

### Impact on parking

- 6.11 Sufficient space would remain on the driveway at the front of the site to accommodate the car parking for the resulting four-bedroom dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

Three occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 27.04.17.

One letter was received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Dormer windows are more in keeping with neighbouring properties than the previously approved velux windows	6.9
2.	The sq ft of the accommodation in the roof is not altered	6.4
3.	Precedence for dormers already set	6.7
4.	Dormer windows are more suitable than velux windows for older generation	Not a material planning consideration

One letter was received objecting the application, summarised as:

Comment		Where in the report this is considered
1.	Proposal would result in overlooking and loss of privacy to neighbouring dwelling 'Firside'.	6.10

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish	Recommend for approval with the conditions both the ensuite dormer windows at the front of the property have level 3 fenestration	6.10

No other correspondences were received at time of drafting report.

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan

- Appendix B – Planning Layout
- Appendix C – Existing elevations
- Appendix D - Proposed elevations
- Appendix E - Floor plans
- Appendix F – Previous schemes refused at appeal

## **10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 By virtue of its additional bulk and cumulative increase in floor area over that of the original dwelling, the proposed dormers would result in a disproportionate addition over and above the size of the original bungalow at Huston Cottage, contrary to saved policy GB4 of the Royal Borough of Windsor and Maidenhead Local Plan (incorporating alterations adopted June 2003). The proposal therefore represents inappropriate development within the Green Belt that would harm its openness and it is not considered that very special circumstances exist that clearly outweigh this harm. The proposal is therefore contrary to saved policies GB1, GB2 and GB4 of the Local Plan and Section 9 of the National Planning Policy Framework.

Appendix A – Site location plan



Appendix B – Planning Layout



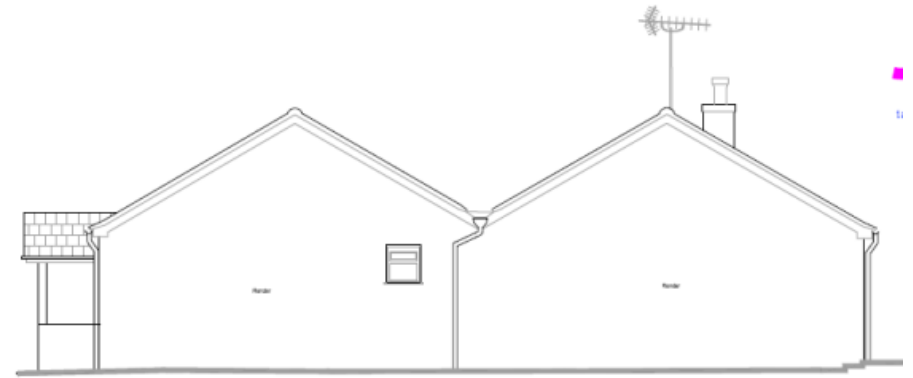


Appendix C – Existing elevations

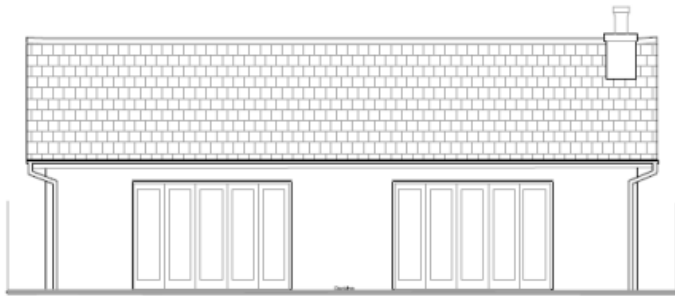
57



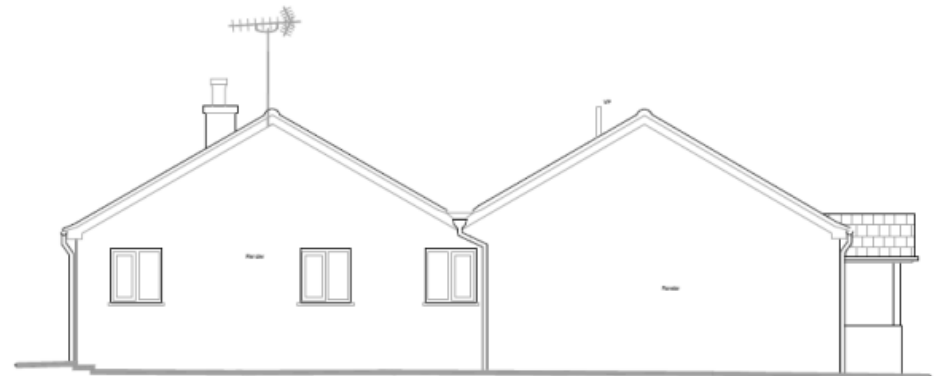
Front Elevation



East Elevation



Rear Elevation

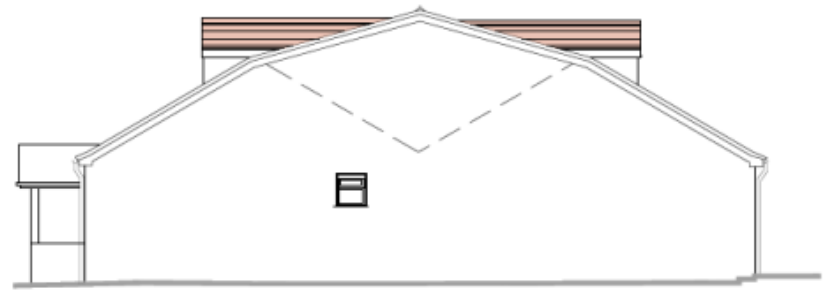


West Elevation

Appendix D – Proposed elevations



Front Elevation



East Elevation



Rear Elevation

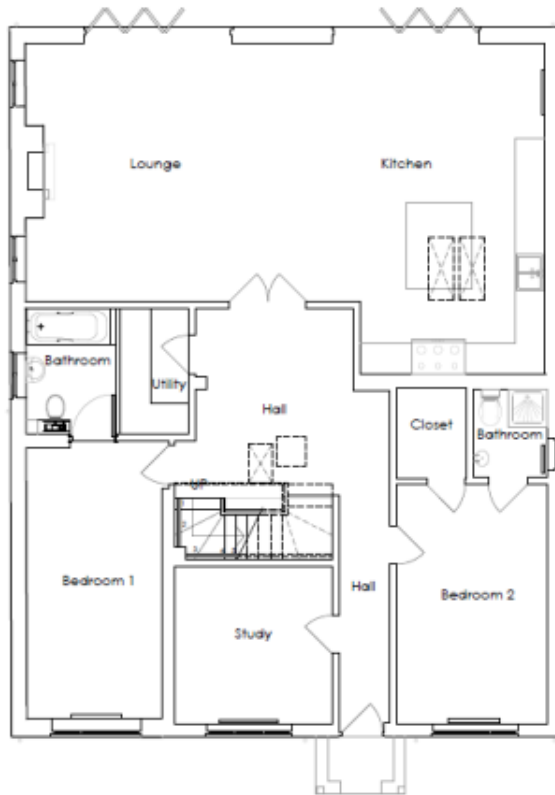


West Elevation

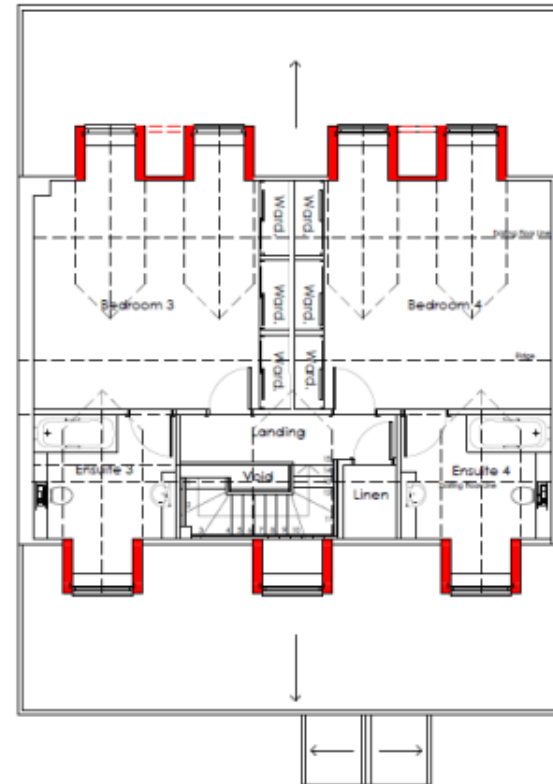
Key

	New Glazing
	New Roof
	New Dormer

Appendix E – Floor plans



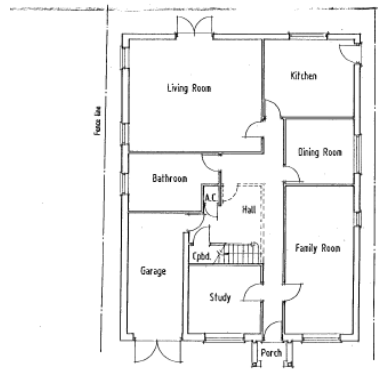
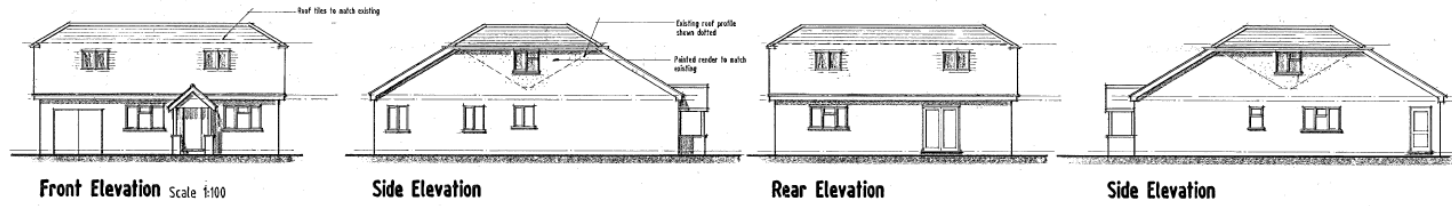
Ground Floor Plan



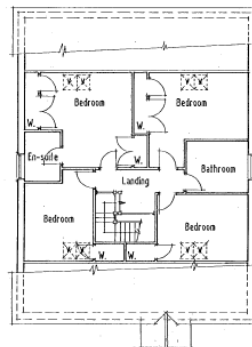
First Floor Plan

Appendix F – Previous schemes refused at appeal

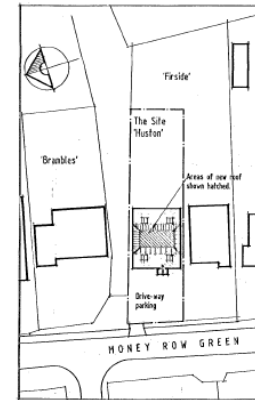
07/01598/FULL



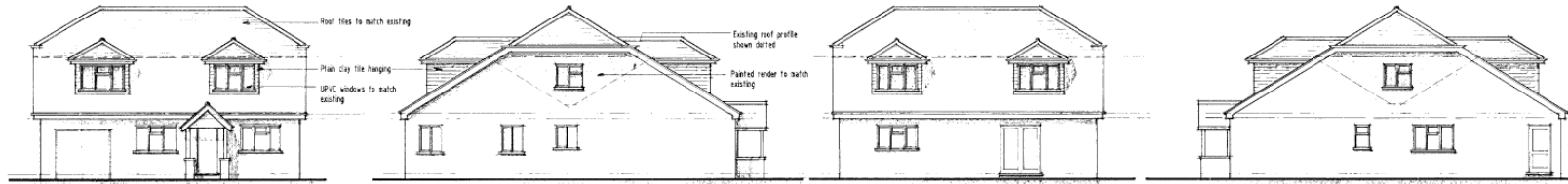
Ground Floor Plan Scale 1:100



First Floor Plan



Site Plan Scale 1:500



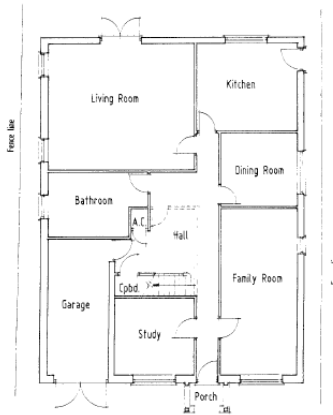
**Front Elevation** Scale 1:100

**Side Elevation**

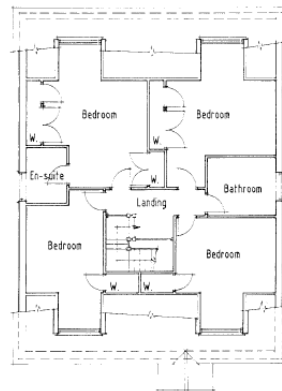
**Rear Elevation**

**Side Elevation**

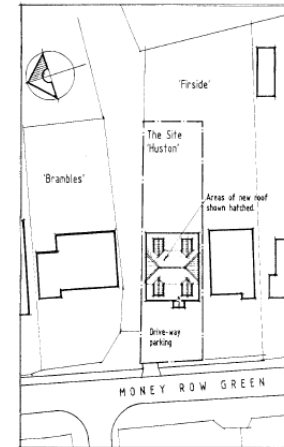
61



**Ground Floor Plan** Scale 1:100



**First Floor Plan**



**Site Plan** Scale 1:500

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

6 June 2017

Item: 5

<b>Application No.:</b>	17/01224/FULL
<b>Location:</b>	Riverside Primary School And Nursery Donnington Gardens Maidenhead SL6 7JA
<b>Proposal:</b>	Provision of 2 additional classrooms.
<b>Applicant:</b>	Mrs Pfeiffer
<b>Agent:</b>	Paul Ansell
<b>Parish/Ward:</b>	Maidenhead Unparished/Maidenhead Riverside Ward

**If you have a question about this report, please contact:** Victoria Gibson on 01628 685693 or at [victoria.gibson@rbwm.gov.uk](mailto:victoria.gibson@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 It is proposed to install a double portacabin classroom at Riverside Primary School to help provide temporary accommodation for pupils attending Braywick School whilst their building works are carried out.
- 1.2 The single storey building would be sited well within the site's boundaries and would not harm neighbouring amenity or the character and appearance of the area.
- 1.3 2 additional car parking spaces would be provided in the car park which complies with the Council's standards. Whilst there will be more children attending the school it is only for a temporary period till Sept 2018. Once the pupils of Braywick school have left the site, the classrooms will be used for additional space for the existing children at Riverside Primary School.

**It is recommended the Panel Defer and Delegate approval of the application with the conditions listed in Section 10 of this report subject to no neighbour comments being received by 13<sup>th</sup> June raising new material considerations that have not been covered in this report.**

**2. REASON FOR PANEL DETERMINATION**

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

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 Riverside Primary School is sited within a predominately residential area within the settlement of Maidenhead. The existing buildings are well contained within the site and are predominantly single storey. There are currently 2 entrances to the site from North Dean Road and Donnington Gardens.

**4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 Riverside Primary school is currently growing from a 1 form to a 2 form entry school – it was permanently expanded from 30 to 60 places per year group from September 2014. This increase is against the back-drop of rising pupil numbers in the local area, and the shortage of local sites for additional school provision. Because they have had low numbers for several years, the numbers actually attending Riverside school has been low enough that 4 classrooms were empty a couple of years ago when Braywick Court school was searching for a temporary home. However Riverside School is now filling up to closer to its Planned Admission Number of 60

places in most year groups, so those empty classrooms will gradually be required for Riverside classes.

- 4.2 Braywick Court Primary school is being re-built in Braywick Park – involving the complete demolition of the existing building prior to the building of the new school. This has meant that the school needed to relocate somewhere for the duration of the building works. As Riverside school had some empty classrooms, Braywick Court School has moved temporarily into part of the site, and are operating as a separate school in one wing of the building. Riverside was the only primary school in Maidenhead that had empty classrooms, and after a long search for an alternative location, was deemed to be the only place that Braywick Court could sensibly be accommodated.
- 4.3 Unfortunately, despite having gained planning approval in July 2016, the building work for Braywick Court has not progressed as quickly as the Education Funding Agency programme indicated it would, so Braywick Court now need to stay at Riverside for another academic year – i.e. up to Sept 2018. Their lease with RBWM allowed for this possibility, with the assurance that an extra classroom would be provided for Riverside School if necessary. They had hoped to have left by Sept 2017. This extra year means that both Riverside and Braywick schools will have an extra class of 30 pupils each to accommodate. The extra children are not negated by classes leaving, as Braywick is building up its year groups from the bottom – so no-one is leaving – and Riverside’s top year group has 30 children, but the bottom group will have 60.
- 4.4 Riverside is also filling up in year groups higher up the school, because they are becoming more popular, and may therefore grow to 60 pupils in a year group where currently there are only 30 pupils, but legally there could be up to 60. The school has indicated that the threshold of pupil numbers in the growing year group has already exceeded the point where they will need to divide the pupils into two class groups. This means that Riverside will need a further classroom for September 2017.

For clarification, in September 2017:

1. Braywick Court will have 30 pupils in each of years R, 1, 2, 3 – so needs 4 classrooms and hall space.
  2. Riverside will have 30 pupils in years 6, 4, and up to 60 pupils in years R,1,2,3,5 – so they would need 12 classrooms and hall space. (Year 5 had a bulge class taking them to 60, prior to the permanent expansion.)
- 4.5 There are already 14 classrooms in total, so to make 16; two more are required to give each school sufficient space. The two new ones will both be used by Riverside. This involves the schools sharing the hall space, which is possible for PE activities.

<b>Ref.</b>	<b>Description</b>	<b>Decision and Date</b>
14/00950/FULL	Construction of classroom block single storey extension; WC and library single storey extensions; provision of external canopy to relocated Nursery room; removal of single storey dining room and kitchen block; installation of solar panels to roof of school hall; and access, parking and landscaping works	Application Permitted 24.06.2014
10/01712/FULL	Erection of a storage unit	Application Permitted 09.09.2010
08/02938/FULL	Construction of a new footpath and access	Application Permitted 08.01.2009



08/02010/FULL	Erection of a covered walkway between the dining room and the main school	Application Permitted 18.09.2008
07/01562/FULL	Construction of a detached kitchen/dining	Application Permitted 26.07.2007

- 4.6 The classrooms are to be located on the same plot as the old modular kitchen / dining room block was sited on the east side of the site. The building is a single storey block of two classrooms, with toilets and cloaks areas and is of a modular construction with a mono-pitch powder coated metal skin panel roof, external walls of SIPS panels clad with Western Red Cedar with UPVC windows and aluminium doors in anthracite grey. The building would have an overall height of 3.2 metres and would be 18.5m long and 7m wide.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections: 4 (Promoting sustainable development), 7 (Promoting good design) and 8 (Promoting healthy communities).

### Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees	Aircraft noise
DG1, CF2, CF3	P4, T5	N6	NAP2

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- Impact on the character and appearance of the area
- Highway Implications
- Impact on neighbouring amenity

### Impact on the character and appearance of the area

- 6.2 The proposed building is single storey in nature and would be sited over 30 metres from the nearest boundary of the site. The proposal would not have a detrimental impact on the street scheme or character and appearance of the area.

## Highway Implications

- 6.3 In parking terms the proposal attracts a demand for 2 parking spaces which are provided within the school curtilage. Given the temporary nature of the increase in pupil numbers due to the temporary use by Braywick School any increase in traffic is not considered sufficiently severe to warrant refusal of this application. The Highway Authority raises no objection.

## Impact on neighbouring amenity

- 6.4 The proposed single storey building would be sited 30 metres away from the boundary with the nearest neighbouring property and as such the proposal would not have a harmful impact on neighbouring amenity.

## Other Material Considerations

- 6.5 The proposal would not result in loss of playing fields. Furthermore, given its proposed siting where a building was previously sited it would not result in the loss of biodiversity.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The proposal is not CIL liable.

## 8. 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 17<sup>th</sup> May 2017.

No letters of support or objection have been received.

### Other consultees

Consultee	Comment	Where in the report this is considered
Highways	No objections	6.3

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Plan and elevation drawings

## 10. 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).

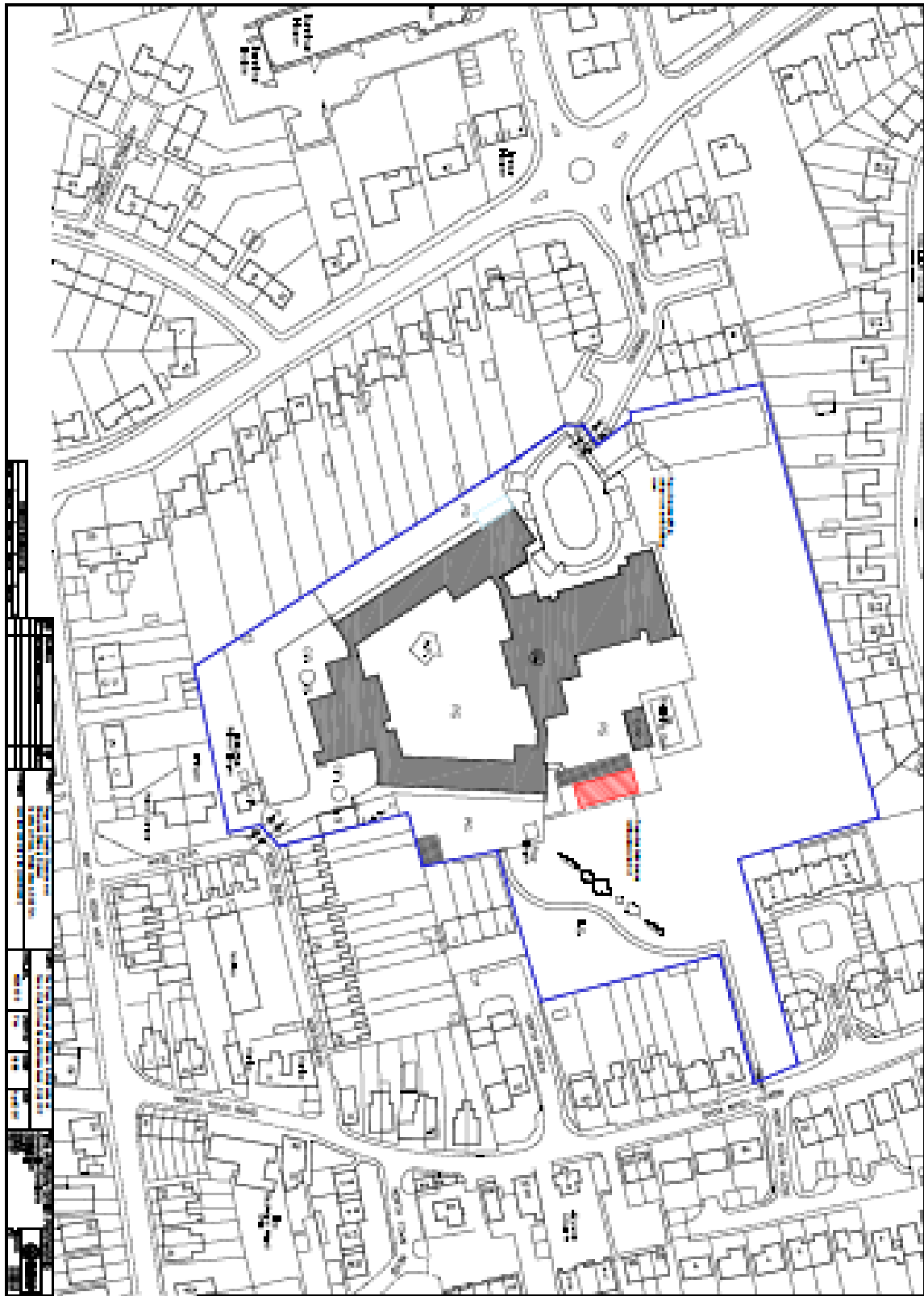
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

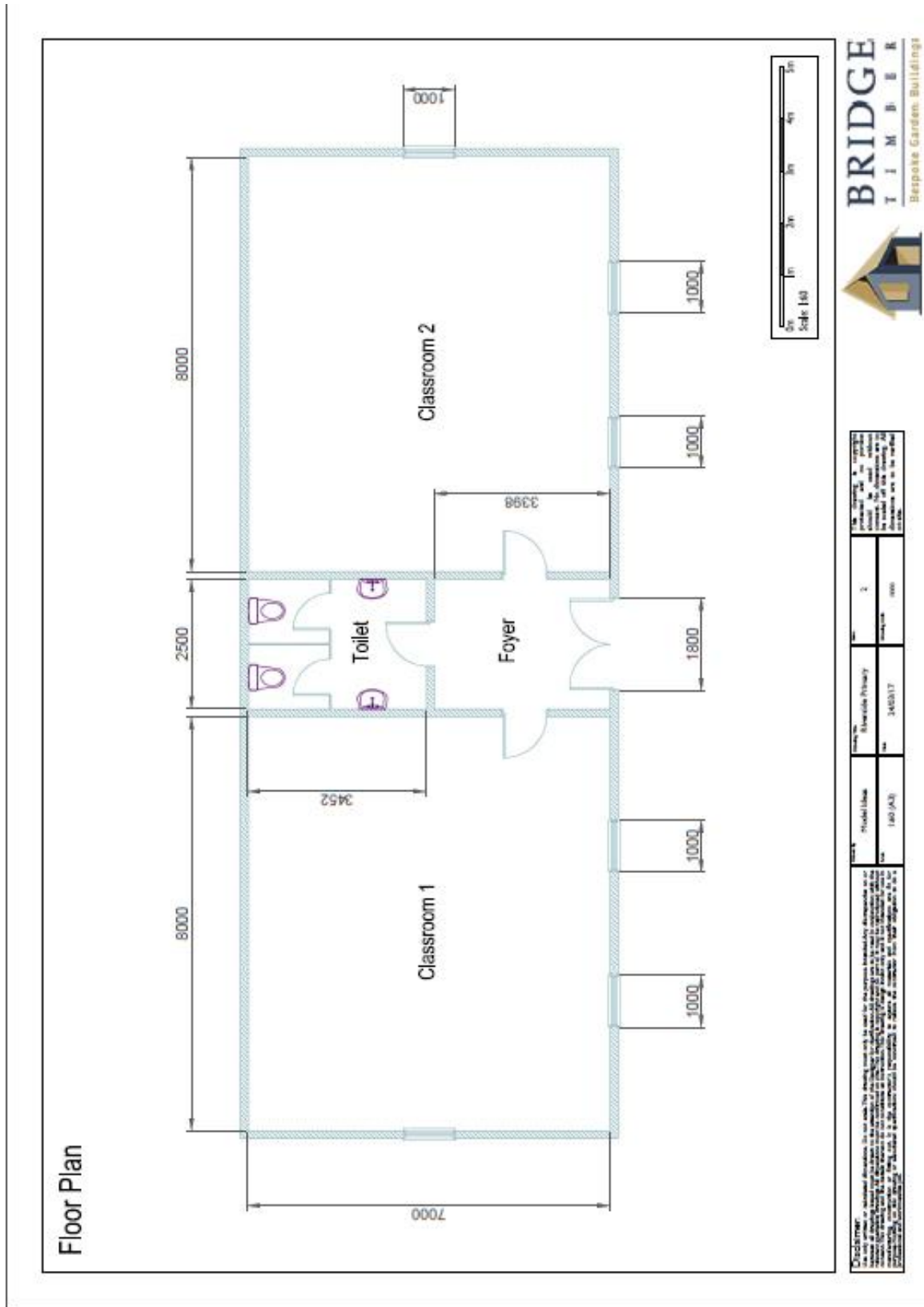
- 3 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
  
- 4 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.

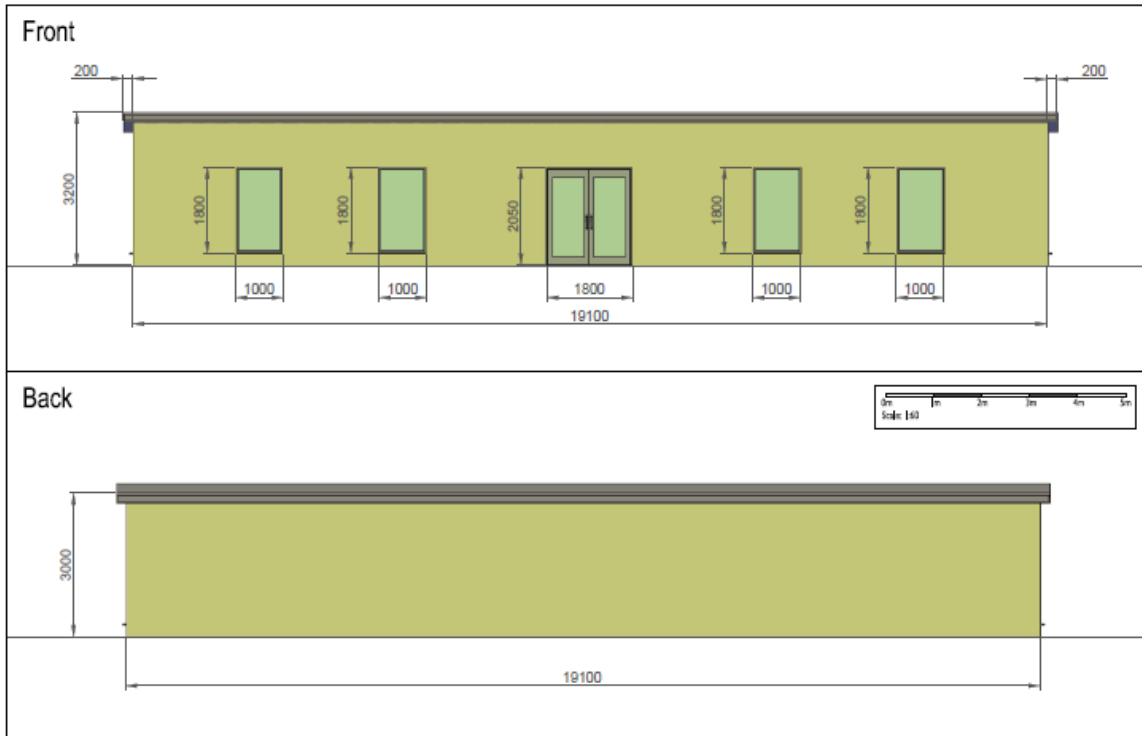
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Appendix A – Location Plan

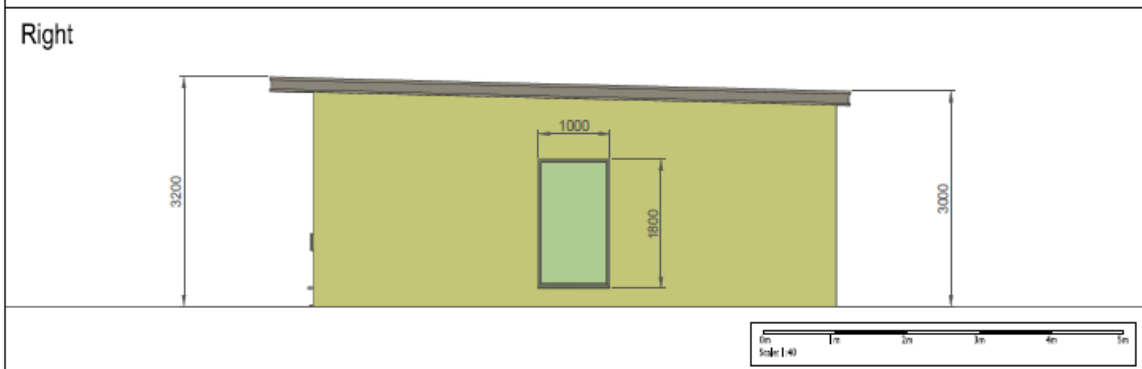
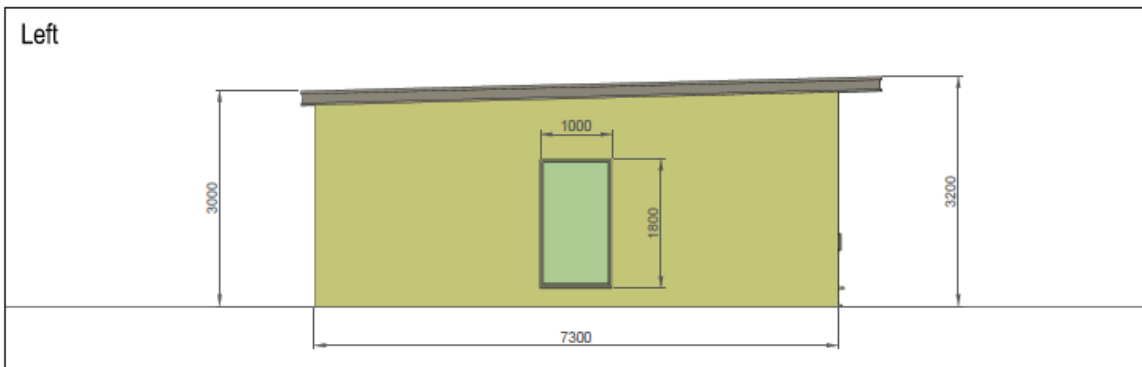


Appendix B – Floor plans and Elevations





<p><b>Customer:</b>          Use only for reference or estimated dimensions. Do not rely on this drawing for construction. This drawing is for informational purposes only. The customer is responsible for providing accurate site information and ensuring that the building is constructed in accordance with all applicable codes and regulations. The customer is also responsible for obtaining all necessary permits and approvals. The customer is not responsible for any errors or omissions in this drawing.</p>	Model Name	Revision	Primary	Rev	2	1/24
	140 (A3)	345317	xxxxxx	xxxxxx		



<p><b>Customer:</b>          Use only for reference or estimated dimensions. Do not rely on this drawing for construction. This drawing is for informational purposes only. The customer is responsible for providing accurate site information and ensuring that the building is constructed in accordance with all applicable codes and regulations. The customer is also responsible for obtaining all necessary permits and approvals. The customer is not responsible for any errors or omissions in this drawing.</p>	Model Name	Revision	Primary	Rev	2	1/24
	140 (A3)	345317	xxxxxx	xxxxxx		



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## Appeal Decision Report

27 April 2017 - 25 May 2017

### MAIDENHEAD

www.rbwm.gov.uk



Royal Borough  
of Windsor &  
Maidenhead

**Appeal Ref.:** 16/60110/REF      **Planning Ref.:** 16/02059/FULL      **Plns Ref.:** APP/T0355/D/16/3161134

**Appellant:** Mr N Collett **c/o Agent:** Ms Nicola Broderick NMB Planning Ltd 124 Horton Road Datchet Slough SL3 9HE

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Single storey side extension, rear dormer to facilitate a loft conversion, 1 No. rear roof light and alterations to fenestration.

**Location:** **3 Willant Close Maidenhead SL6 3NL**

**Appeal Decision:** Allowed      **Decision Date:** 27 April 2017

**Main Issue:** The Inspector found that the proposal would have an acceptable effect upon the character and appearance of the existing bungalow and the surrounding area. This would comply with Local Plan Policies DG1 and H14. This would represent good design as required by paragraph 56 of the National Planning Policy Framework.

**Appeal Ref.:** 17/60014/NOND      **Planning Ref.:** 16/01411/FULL      **Plns Ref.:** APP/T0355/W/16/3162882

**Appellant:** Oakford Homes **c/o Agent:** Mr Alistair Harris Wyg Plc First Floor The Pavilion Grange Drive Hedge End SO30 2AF

**Decision Type:** Committee      **Officer Recommendation:** Would Have Refused

**Description:** Erection of 4 No. dwellings with associated access works, public open space, car parking and landscaping to include on site parking area for nursery staff and additional parking for the residents of Roman Lea.

**Location:** **Land To North And East of Cookham Nursery School Station Hill Cookham Maidenhead**

**Appeal Decision:** Dismissed      **Decision Date:** 28 April 2017

**Main Issue:** The appeal was considered on three grounds in line with the Council's Panel report advising it would have refused the application on 1) the impact on the character and appearance of the area, 2) the impact on trees and 3) the loss of open space. The Inspector considered that the Cookham High Street Conservation Area to be significantly enhanced by the areas of open space. The appeal site clearly visually and physically separates The Pound from Cookham Rise and contributes to the rural setting of the village as part of the network of open spaces in and around the settlement. The proposal would involve the undeniable development of land which forms an important part of the character of the Conservation Area. Views from the south would be affected and the scheme would join up the two areas of the village. This would adversely affect both the character and appearance of the area. The Inspector did not consider that the proposal would harm important trees in the area, nor did he consider that it would harm the setting of any listed buildings. When considering the size of the site, the Inspector was not convinced that the proposal would reach the high bar of causing substantial harm to the character and appearance of the Conservation Area. However, the proposal would neither enhance or preserve the CA and would cause less than substantial harm to the CA. The public benefits of the scheme do not outweigh the harm. The Planning Inspector was not convinced that the proposal would be contrary to paragraph 74 of the NPPF in respect to the loss of open space as the site is not publicly accessible.

**Appeal Ref.:** 17/60023/REF      **Planning Ref.:** 16/02663/FULL      **Plns Ref.:** APP/T0355/W/17/3168222  
**Appellant:** Mr Peter Prior - Summerleaze Ltd c/o Agent: Ms Jan Molyneux Molyneux Planning 38 The Lawns Brill Aylesbury Buckinghamshire HP18 9SN  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Installation of 2 x air conditioning units (retrospective)  
**Location:** **Barn Office Sheephouse Farm Sheephouse Road Maidenhead SL6 8HJ**  
**Appeal Decision:** Dismissed      **Decision Date:** 22 May 2017

**Main Issue:** The air conditioning units do not correspond with any of the exceptions to inappropriate development listed in paragraph 89 of the Framework. While both paragraph 90 of the Framework and Policy GB1 of the Local Plan permit engineering operations which maintain openness and do not conflict with the purposes of including land within the Green Belt, the Inspector determined that the air conditioning units are structures which constitute buildings. As such, they are not engineering operations. The proposal is inappropriate development which, by definition, is harmful to the Green Belt. There is little information to indicate that there are other considerations which should be taken into account in support of the proposal. Therefore, based on the evidence, the substantial weight given to Green Belt harm is not clearly outweighed by other considerations sufficient to demonstrate very special circumstances. The proposal would conflict with Policy GB1 of the Local Plan and the provisions of the Framework which seek to protect the Green Belt.

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**Appeal Ref.:** 17/60027/NOND ET      **Planning Ref.:** 16/01621/FULL      **Plns Ref.:** APP/T0355/W/17/3167276  
**Appellant:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW  
**Decision Type:** Delegated      **Officer Recommendation:** Would Have Refused  
**Description:** Detached dwelling with parking and amenity space following demolition of existing outbuildings  
**Location:** **Land At Sunnyside Lock Lane Maidenhead**  
**Appeal Decision:** Dismissed      **Decision Date:** 24 May 2017

**Main Issue:** The Inspector found significant material harm to the character and appearance of the surrounding area and to the living conditions of the occupiers of neighbouring properties, as well as unacceptable living conditions for future occupiers. Overall the Inspector found that the adverse impacts of the scheme would significantly and demonstrably outweigh its benefits.

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## Planning Appeals Received

28 April 2017 - 25 May 2017

### MAIDENHEAD

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email [teame1@pins.gsi.gov.uk](mailto:teame1@pins.gsi.gov.uk)

**Other appeals:** The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email [teamp13@pins.gsi.gov.uk](mailto:teamp13@pins.gsi.gov.uk)

**Ward:**  
**Parish:** Bray Parish  
**Appeal Ref.:** 17/60043/REF      **Planning Ref.:** 16/03423/FULL      **PIns Ref.:** APP/T0355/D/17/3170933  
**Date Received:** 2 May 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Two storey side, first floor side and single storey rear extension (amendment to planning permission 15/00122).  
**Location:** **37 The Bingham's Maidenhead SL6 2ES**  
**Appellant:** S Puri **c/o Agent:** Mr Duncan Gibson Duncan Gibson Consultancy 74 Parsonage Lane Windsor Berkshire SL4 5EN

**Ward:**  
**Parish:** Bray Parish  
**Appeal Ref.:** 17/60044/REF      **Planning Ref.:** 16/03680/FULL      **PIns Ref.:** APP/T0355/D/17/3170221  
**Date Received:** 2 May 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Two storey rear extension.  
**Location:** **Willow Place Oakley Green Road Oakley Green Windsor SL4 4PZ**  
**Appellant:** Mr A Richards **c/o Agent:** Mr David Bates Domus Design Associates The Gatehouse Sonning Lane Sonning Reading RG4 6ST

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 17/60047/REF      **Planning Ref.:** 16/03011/FULL      **PIns Ref.:** APP/T0355/W/17/3171818  
**Date Received:** 3 May 2017      **Comments Due:** 7 June 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Demolition of existing dwelling and replacement with 12no. apartments and modifications to existing gatehouse (retained as a 1-bedroom dwelling), associated parking and landscaping  
**Location:** **17 Castle Hill Maidenhead SL6 4AD**  
**Appellant:** Mr G Murray **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 17/60050/REF      **Planning Ref.:** 16/03923/FULL      **PIns Ref.:** APP/T0355/W/17/3173633  
**Date Received:** 15 May 2017      **Comments Due:** 19 June 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Conversion of existing store and undercroft parking to 1 x 1 bedroom flat, new bin and cycle store and associated parking and landscaping  
**Location:** **Danish Court 3 - 5 St Peters Road Maidenhead SL6 7QU**

**Appellant:** Mr Rashid **c/o Agent:** Miss Emma Runesson JSA Architects Ltd Tavistock House Waltham Road Maidenhead SL6 3NH

**Ward:**  
**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 17/60051/REF      **Planning Ref.:** 16/01769/FULL      **Plns Ref.:** APP/T0355/W/17/3  
168858  
**Date Received:** 17 May 2017      **Comments Due:** 21 June 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Change of use to separate dwelling.  
**Location:** **The Lodge Boathouse Court Road Maidenhead**  
**Appellant:** Mr Anthony Tanner The Lodge Court Road Maidenhead SL6 8LQ

**Ward:**  
**Parish:** Bisham Parish  
**Appeal Ref.:** 17/60053/ENF      **Enforcement Ref.:** 16/50097/ENF      **Plns Ref.:** APP/T0355/C/1  
7/3171088  
**Date Received:** 19 May 2017      **Comments Due:** 30 June 2017  
**Type:** Enforcement Appeal      **Appeal Type:** Inquiry  
**Description:** Appeal against the Enforcement Notice: Without planning permission the material change of use of the land from the keeping of horses for recreational use, including stabling and grazing of horses, and training and exercising of horses in the approved ménage; to a commercial stud farm and livery with residential occupation.  
**Location:** **Fairview Stables Darlings Lane Maidenhead SL6 6PB**  
**Appellant:** Mr Robert Johnston **c/o Agent:** Mr John A Andrews John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY

**Appeal Ref.:** 17/60030/REF      **Planning Ref.:** 16/03431/FULL      **Plns Ref.:** APP/T0355/D/17/  
3168766  
**Appellant:** Mr Nassar Ali **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Detached outbuilding (retrospective)  
**Location:** **22 Ray Lea Close Maidenhead SL6 8QW**  
**Appeal Decision:** Dismissed      **Decision Date:** 4 May 2017

**Main Issue:** Character and Appearance: The proposed outbuilding, combined with the existing rear extensions would fail to respect and would materially detract from the spacious and verdant character and appearance of the back garden environment and the estate as a whole. This harm would outweigh the benefits for the Appellant and his family that would result from the provision of the proposed gym. The proposed outbuilding would undermine and have a materially harmful impact on the character and appearance of the area. It would therefore conflict with policy DG1 of the Local Plan and the NPPF. Living Conditions: The proposed resultant private garden area would be unacceptably poor in relation to quantity and usability and would result in an unsatisfactory living environment for the occupiers of the host property. Accordingly, the scheme would conflict with the NPPF which, amongst other things, seeks to ensure that new development is of a high quality design and that a good standard of amenity is provided for all existing and future occupants of land and buildings. Living Conditions of Neighbouring Properties: The proposed outbuilding, together with the existing rear extensions, would unacceptably harm the living conditions of the occupiers of No.23 due to their overbearing visual impact, contrary to the NPPF. Flood Risk: The Inspector concluded on the fourth main issue that the Appellant has failed to demonstrate that the proposal would not increase the risk of flooding for people and property in the area. It would therefore conflict with policy F1 of the Local Plan and the NPPF.

# Agenda Item 7

By virtue of paragraph(s) 1, 2, 3, 4, 5, 6, 7, 7a, 7b, 7c of Part 1 of Schedule 12A of the Local Government Act 1972.

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