

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

25 October 2017

Item: 6

Application No.:	17/02444/FULL
Location:	Land At Greythatch Terrys Lane Cookham Maidenhead
Proposal:	Detached dwelling with basement, parking, swimming pool, landscaping, amenity and new access following demolition of Greythatch Cottage
Applicant:	Mr & Mrs Collis
Agent:	Mr Jake Collinge
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward

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

1. SUMMARY

- 1.1 The proposal would be a replacement dwelling in the Green Belt which due to its proposed form, bulk and scale would be materially larger than the one its replacing. The proposal would therefore constitute inappropriate development within the Green Belt as outlined under paragraph 89 of the NPPF. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. A case of Very Special Circumstances that would outweigh the harm by inappropriateness has not been demonstrated.
- 1.2 The proposed dwelling by virtue of its design and proposed use of materials would detract from the character and appearance of the area. It would result in the dwelling appearing as an incongruous addition. The proposal is therefore considered to be contrary to local plan policies DG1, H10, H11 and the Cookham Village Design Statement.
- 1.3 The proposal is considered to be acceptable in terms of impact on neighbouring amenity, highway safety and parking and archaeology.

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

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|-----------|---|
| 1. | The proposed replacement dwelling, by reason of its form, bulk and scale, particularly at first floor level, would be materially larger than the one it is replacing. The proposal therefore constitutes inappropriate development as outlined under paragraph 89 of the NPPF and local plan policy GB4. No Very Special Circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal. |
| 2. | The proposed replacement dwelling would, by reason of its design and use of materials, would detract from the character and appearance of the area, contrary to local plan policy DG1, H10, H11 and the Cookham Village Design Statement. |

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor R.J.Kellaway to consider the design merits in light of the Cookham Village Design Statement.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The proposal site comprises of approximately 0.2 hectares of green, open space with hedgerow and trees. The site lies to the southeast of Greythatch Cottage and access is provided off Terry's Lane. It is located on Green Belt land and an Area of Special Landscape Importance.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 There is extant planning permission for a replacement dwelling granted under planning reference 16/01353/FULL and the latest 17/01701/FULL. Therefore the principle of the proposal in the Green Belt and Area of Special Landscape Importance has been established and there is a fall-back position that has a realistic prospect of being built if the proposal scheme is not approved.

4.2 The current proposal is for the a construction of a dwelling with basement, parking, swimming pool, landscaping, amenity and new access following demolition of Greythatch Cottage. The proposal is of a contemporary design. Amended plans were received during the course of the application introducing a pitched element on the cantilever section and also replace the proposed stone with red brick.

4.3

Ref.	Description	Decision and Date
13/02586/CLU	Certificate of lawfulness to determine whether the existing use of the Annex as a separate residential dwelling is lawful	Approved -14.10.2013
14/02023/CPD	Certificate of lawfulness to determine whether a proposed single storey side extension is lawful	Approved - 04.07.2014
14/03332/FULL	Single storey front and single storey side extension	Approved – 03.12.2014
16/01353/FULL	Detached dwelling, parking and amenity space following demolition of existing dwelling	Approved – 31.08.16
17/01354/NMA	Non material amendment to planning permission 16/01353 for additional glazing to the north and east elevations, provision of a roof light in the east facing slope of the building and internal alterations.	Approved – 22.05.17
17/01701/FULL	Detached dwelling with basement, together with parking and amenity space following demolition of Greythatch Cottage (amendment to planning permission 16/01353)	Approved – 12.07.17

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:

Issues	Local Plan Policy	Compliance
Acceptable impact on appearance of area	DG, H10, H11	No

Acceptable impact when viewed from nearby Occupiers	H11	Yes
Maintains acceptable level of daylight and sunlight for nearby occupiers	H11	Yes
Maintains acceptable level of privacy for nearby Residents	H11	Yes
Sufficient parking space available	P4	Yes
Appropriate development in the Green	GB1	No
Acceptable impact on Green Belt	GB2	No
Acceptable impact on trees important to the Area	N6	Yes
Impact on highways safety	T5	Yes

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran June to September with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

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

- Cookham Village Design Statement
- Landscape Character Assessment

More information on these documents can be found at:

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 whether the proposed development is appropriate development within the Green Belt;
- ii impact on the character of the area;
- iii impact on neighbouring amenities;

- iv parking and highways safety;
- v landscaping; and
- vi other considerations.

Whether the proposed development is appropriate development within the Green Belt

- 6.2 The site lies within the Green Belt with the fundamental aim to keep land permanently open as set out in paragraph 79 of the NPPF. Paragraph 89 of the NPPF indicates that with some exceptions the construction of new building is inappropriate development in the Green Belt. One of the exceptions includes the replacement of a building provided that the new building is in the same use and not materially larger than the one it replaces. Local Plan policy GB1 adopts a broadly similar approach to national policy and sets out the general types of appropriate development in the Green Belt. GB1 only allows for residential development in accordance with policies GB3 to GB5. GB3 is the most relevant and it sets out the limited circumstances when new residential dwellings will be acceptable. This includes proposals that relate to the rebuilding or one-for-one replacement of an existing habitable dwelling.
- 6.3 There is no real definition of materially larger provided within the NPPF however it has emerged from various appeal decisions that it is a matter of fact and degree and an assessment should consider all of the relevant circumstances which could include, among other things, the floor area, volume, height and form of the relevant building.
- 6.4 The proposed replacement dwelling would when compared to the existing dwelling have a significantly greater amount of bulk at first floor level. The proposed cantilever addition would introduce a whole new section at first floor level and its design which includes a shallow pitched roof extending up to the ridge would add significant volume at first floor which would be readily visible from all surrounding views of the Green Belt. The agent has put forward the argument that the floorspace of the proposed cantilever section would be the same as the single storey elements at this section of the existing dwelling which are no longer proposed under this revised scheme. However, as the area below the proposed cantilever section would be enclosed on two sides and would be entirely enclosed above, the council considers it reasonable to include this area within any floorspace calculation. This section would not appear to be free from development and would rather contribute to the built form of the site. Whilst it is noted that the existing single storey elements of the dwelling incorporated flat crown roofs, the bulk and volume of these existing aspects that have eaves height of 2.2m are not considered to be comparable to the proposed cantilever addition that has a proposed eaves height of 5.2m. No accommodation is currently provided within the roof of these existing single storey elements however the proposed cantilever section would provide accommodation for a large bedroom and ensuite which in itself demonstrates the additional volume at first floor level. The proposed flat roof dormer window on the east elevation of the dwelling would also be significantly greater in width than the existing dormer window and would further contribute to the additional bulk and volume at first floor level. The basement would be entirely underground and therefore not considered to be harmful to openness of the Green Belt or an encroachment into the countryside.
- 6.5 The ridge height of the main roof of the existing dwelling is 5.5m and that of the proposed dwelling is 5.7m. This is a minimal increase in overall height. The height of the side projecting elements of the existing dwelling which are single storey with flat crown roof range from 2.65m to 4.75m. The height of the proposed side elements including the flat roof single storey elements and the cantilever aspect range from 2.5m to 5.6m. There is therefore a material increase in the height of the side projecting aspect and this increase would mean that they no longer had the appearance of being subordinate to the main dwelling itself and would rather appear as the central focus of the dwelling particular due to their location at the front of the dwelling.
- 6.6 Whilst the assessment of whether a proposal is materially larger is not solely based on the increase in floorspace, it is still considered to be a useful comparison between existing and proposed. From the plans submitted the proposed floorspace of the dwelling would be 353.85sqm and the existing to be 212.8sqm (this includes the basement and the area beneath

the cantilever element). This results in an increase of 141.05sqm which is a percentage increase of 66.2%. Some increase in floorspace for a replacement dwelling can in some cases be considered as acceptable. However, in this case, it is considered that this additional floorspace would add to the harm already identified with regards to additional bulk and volume at first floor level.

- 6.7 Based on the above assessment, it is considered that the proposed replacement dwelling would be materially larger than the one it replaces and therefore constitutes inappropriate development within the Green Belt.
- 6.8 The proposed hard surfacing and an outdoor swimming pool would contribute to the built form of the site. Paragraph 90 of the NPPF states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. One of these includes engineering operations. The proposed hardsurfacing and swimming pool are considered to be engineering operations and as they do not project above ground level they do not have any impact on openness. For this reason they are considered to constitute an appropriate form of development. It should also be noted that these types of development on this land can also be achieved under Permitted Development as it is within the existing curtilage of Greythatch.
- 6.9 No case of Very Special Circumstances have been made that would outweigh the harm identified by inappropriateness.

Impact on the character of the area

- 6.10 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, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. The proposal would incorporate a contemporary design. Whilst it is not considered that the design of the dwelling is of poor quality, it is considered that it would detract from the existing character of the area. The existing dwellings in the vicinity are of traditional design which has been identified in the Cookham Village Design Statement. Guidance G6.2 states that '*new buildings should generally use pitched and gabled roofs, incorporating chimneys if characteristic of the area, and should create good harmonies with the appearance of nearby roofs, by subtle matching or by attractive variations*'. The proposed main roof of the dwelling would be pitched and would harmonise with surrounding developments. However, the proposed shallow pitched roof on the cantilever section which would be the part of the house most visible from the street scene would appear at odds with surrounding developments. The shallowness of the pitched element would also not be comparable with existing examples of pitched roof and would rather introduce a new form of design to the area.
- 6.11 It is also considered that the proposed use of materials would be contrary to the guidance provided within G6.3 which states that '*materials should complement those most commonly used throughout Cookham, i.e. red brick, clay tiles, exposed timbers, white washes or rendering and natural surfacings*'. Whilst red brick is one of the proposed materials this would only be included on sections of the dwelling at ground floor level. The most visible materials would be the zinc roof and timber cladding. The agent has stated that these materials would be comparable with those used for agricultural buildings meaning that they would not detract from the character of the countryside. Whilst it is accepted that the materials are similar to those used for agricultural buildings, the design of the building itself would be at a much grander scale than an agricultural building and the materials alone would not allow the building to appear as an agricultural building. The materials combined with the design of the dwelling would result in a dwelling that would appear incongruous within the existing street scene and its existing character. The proposal is therefore considered contrary to Local Plan Policy DG1, H10, H11 which seeks to resist development that would be incompatible with or cause damage to the character of the area and also to G6.2 and G6.3 of the Cookham VDS.
- 6.12 Furthermore, as there are no other examples of these types of materials for residential dwellings in Cookham, if approved the development could set a precedent for other similar types of

development in Cookham which the Council would find difficult to resist and which would be detrimental the character of the area.

Impact on neighbouring amenities

- 6.13 Due to the spaciousness of the site, the proposed dwelling would be situated at least 15m from all boundaries of the site. All adjoining dwelling are also set on spacious plots of land and are therefore set back from their shared boundaries with the proposal site. For this reason, it is considered that the distances between the proposed dwelling and its neighbouring dwellings and their amenity areas would be sufficient so as to not result in overlooking, loss of outlook, overbearing appearance and loss of light.

Parking provision and highway safety

- 6.14 The Highways Authority was consulted on the proposal and have confirmed that they have no concerns in relation to highway safety. It was considered that the potential traffic generation would not lead to harm to those residing in the area. Conditions have been recommended in relation to the proposed access however the access to the site already exists and therefore it is considered some of the conditions recommended are unsuitable.
- 6.15 Sufficient space would exists on the site to accommodate the car parking for the resulting 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 Highways Authority also considered that sufficient manoeuvring space would exist in relation to the parking provision.

Other Material Considerations

Archaeological Interest in Land

- 6.16 Berkshire Archaeology was consulted on the application and has confirmed that no further investigation is required. Conditions were included on previous permissions seeking further information on the archaeological interest of the site however this current application was supported by a 'Written Scheme of Investigation for an Archaeological Evaluation' which demonstrated that the proposed building footprint at Greythatch is of limited archaeological potential. Berkshire Archaeology acknowledges that this assessment referred to the location of the dwelling as approved under 16/01353/FULL and not the proposed location under this application and that also additional elements such as swimming pool may also have some impacts, however they are content that no further investigation is required based on the information received.

Trees and Landscaping

- 6.17 The landscaping plan submitted demonstrates that the established trees on site that contribute to the character of the area as identified in the Landscape Character Assessment under Area of Special Landscape Importance 11C –Cookham Rise would be retained. Guidance G9.2 of the Cookham Village Design Statement states that new development should retain or plant hedges and trees. Additional trees and hedges are proposed as part of the landscaping plan to both the front and rear of the site.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's Charging Schedule the proposed development would be CIL liable at a rate of £240 per sqm of the chargeable floor area.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 neighbouring occupiers were notified directly of the application and a site notice was posted on 09.08.17.

2 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Continues to be in line with current approved application in terms of massing, volume and habitable area	6.4, 6.5
2.	No objection to modern design as would not impact visual amenity if appropriately screened and if materials are sympathetic to Green Belt	6.9, 6.10
3.	Proposal optimise the usefulness of the property an site	6.17
4.	Attractive addition to the area with low environmental impact	6.9, 6.10

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

Comment		Where in the report this is considered
1.	Out of keeping with existing traditional style dwellings	6.9
2.	Materials proposed conflict with all nearby properties	6.10
3.	Contrary to policy GB3 and Cookham VDS	6.4, 6.10

Other consultees

Consultee	Comment	Where in the report this is considered
Cookham Society	Object on following grounds <ol style="list-style-type: none"> 1. Design unsuitable for the site - rectangular flat roof cantilever element is discordant with other built forms and does not take account of VDS guidance G6.2 and 6.5 2. Increase in bulk through additional 1st floor accommodation 3. palette of material does not match existing materials of village 	6.9, 6.10
Berkshire Archaeology	No further archaeological investigation is required should this new application be permitted and no further action is required.	6.15
Environmental Protection	No objection subject to informatives	Noted
Highways Authority	No objection subject to conditions and informatives	6.13, 6.14
Cookham Parish Council	'Enthusiastically supported'	Noted

9. APPENDICES TO THIS REPORT

- Appendix A – Existing site plan and elevations
- Appendix B – Proposed site plan and elevations
- Appendix C – Proposed Landscape Plan
- Appendix D – Proposed Sketch Views

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed replacement dwelling, by reason of its form, bulk and scale, particularly at first floor level, would be materially larger than the one its replacing. The proposal therefore constitutes inappropriate development as outlined under paragraph 89 of the NPPF and local plan policy GB4. It is not considered that there any very special circumstances that would outweigh the harm by inappropriateness.
- 2 The proposed design and use of materials would detract from the character and appearance of the area, contrary to local plan policy DG1 and the Cookham Village Design Statement.