

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

9 May 2018

Item: 1

<b>Application No.:</b>	17/03477/FULL
<b>Location:</b>	Site of Former Sewage Works Terrys Lane Cookham Maidenhead
<b>Proposal:</b>	Construction of a new dwelling following removal of redundant sewerage works and associated infrastructure
<b>Applicant:</b>	Mr & Mrs Richards
<b>Agent:</b>	Mr Al Morrow
<b>Parish/Ward:</b>	Cookham Parish/Bisham And Cookham Ward
<b>If you have a question about this report, please contact:</b> Josh McLean on 01628 796044 or at <a href="mailto:josh.mclean@rbwm.gov.uk">josh.mclean@rbwm.gov.uk</a>	

**1. SUMMARY**

1.1 This application was deferred by the Panel for two cycles to:

- Seek information on whether this proposal comprises an innovative design;
- Give the applicants the opportunity to amend the overall size of the building and its location in the landscape; and
- Explore the existence of a pipe in The Strand and any issues surrounding this (raised by Maidenhead Waterways).

1.2 The applicant has provided further information/justification to address the first point of the panel's request for additional information above. This has been submitted in the form of a short focussed design document. The Council's Conservation Officer has commented on this submission as follows:- Having looked at the submission including the recently submitted design justification, I agree with the Council's view on the design, size and massing of the building as outlined in the case officer's report. Re the justification, whilst the design is interesting and carefully considered, the building will be extremely large, and the two storey element would be very prominent and a potentially incongruous feature when viewed from the south and east, although the tree screening on the eastern boundary is likely to filter its visual impact on the adjacent Conservation Area. The overall design of the house, whilst of good quality would be neither exceptional nor innovative, as this general design approach is quite commonly used to conceal large buildings in rural or semi-rural settings. The removal of the existing redundant structures would almost certainly improve the site, however, I am not convinced that the new building, hard surfaced forecourt area and circular solar panel unit would significantly enhance its immediate setting. The use of large areas of flint and slate could also potentially appear quite harsh if not carefully chosen and implemented, A "softer" coloured pallet of natural materials would be preferred in this location. In relation to the second point above regarding the proposal's size and location, the applicant's agent has made it clear that they consider that the building is appropriate for the site in terms of its scale, and taking into account its bespoke design have stated that, in their view, it cannot easily be reduced in size without it being completely redesigned. The applicant therefore does not wish to amend the size or location of the proposed development. In relation to the third point above regarding the pipe in The Strand, the applicant's agent has stated that because it is situated on land outside of the applicant's control they are therefore unable to assist in this matter.

1.3 The proposal comprises the redevelopment of a previously developed site, but it would have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development on the site. The proposal therefore constitutes inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and it should not be approved except in very special circumstances.

- 1.4 The proposal would not comply with Paragraph 55 of the NPPF concerning isolated homes in the countryside, because although unusual, its design is not considered to be truly outstanding or innovative. It is considered that the design has evolved in order to try and overcome the site constraints rather than amounting to an exceptional or innovative design on its own merits. Furthermore it would be extremely large and intrusive, and is not sensitive to the defining characteristics in the local area, namely open countryside, and would not significantly enhance its immediate setting;
- 1.5 The proposed access drive would be partly in an area at high risk of flooding, Flood Zone 3, and in the absence of a dry means of escape for vehicular traffic, the proposal puts people at risk from flooding;
- 1.6 The development is sited in an area defined as the Setting of the Thames, and the proposal would harm the open nature of the landscape in this area;
- 1.7 The development would be within the buffer area of the Cookham High Street Conservation Area, and to build on this site would not preserve the special interest of this heritage asset;
- 1.8 The site is adjacent to a public right of way, and the proposal would harm the tranquil rural ambience of the right of way for its users by having an urbanising effect;
- 1.9 The proposal to remediate any contaminated land found on the site is to be welcomed, but this is not an overriding factor in favour of the proposed development.
- 1.10 The factors preyed in aid of the proposal by the applicants as Very Special Circumstances, when considered cumulatively, are not considered to outweigh the in-principle harm to the Green Belt and the other identified harm to justify the grant of planning permission.

**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 proposed development on previously developed land would have a greater impact on the openness of the Green Belt than the existing development on the site. Furthermore it would be contrary to the purposes of including land in the Green Belt, in particular it would add to the urban sprawl outside of the built up area and would encroach on the countryside. The proposal is therefore inappropriate development in the Green Belt, and is contrary to Policies GB1 and GB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), and Paragraph 89 of the NPPF. No very special circumstances exist that would outweigh the harm to the Green Belt and the other harm identified in the following reasons for refusal.
2.	The proposal would create an extensive and intrusive new building with associated domestic paraphernalia in open countryside which is a designated Area of Special Landscape Importance because of its notable quality resulting from the cutting of the Thames through the southern extension of the Chilterns. The existing former sewage works has only low structures above ground, and currently has little impact on the landscape, while the proposed new building would have a much greater impact. The proposal is therefore contrary to Policy N1 of the Local Plan.
3.	The site is within the Setting of the Thames, and the proposed extensive new building would harm the open views which characterise this sensitive area, and would adversely affect the character and the setting of the river in this rural area. The proposal is therefore contrary to Policy N2 of the Local Plan.
4.	Part of the access drive serving the property is in an area at high risk of flooding, Flood Zone 3. The proposal that safe means of escape at times of flood can be achieved by using a pedestrian gate onto the adjacent golf course is not considered acceptable as escape could not be made by car. Also, access by emergency services could not be achieved at times of flood. The proposal therefore puts additional people at risk from flooding and is contrary to Policy F1 of the Local Plan.

5.	The site and access drive is close to parts of the Borough's public rights of way network. The proposed large house with its associated domestic paraphernalia, and the re-instating of the existing concrete drive for vehicular traffic would detract from the quiet rural atmosphere of the footpaths, and would have an unwelcome urbanising effect on their ambience. The proposal is therefore contrary to Policy R14 of the Local Plan.
6.	Without the submission of an acceptable foul water drainage scheme, the proposed development on this site would pose an unacceptable risk to the environment, contrary to Policy NAP4.

## 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Kellaway that irrespective of the recommendation of the Head of Planning, the application be referred to “*consider this application on its merits as it is a very unusual site.*”

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a former sewage treatment works situated in the Green Belt, partly in Flood Zones 2 and 3, in the setting of the Thames, in an Area of Special Landscape Importance, in the buffer to the Cookham High Street Conservation Area, and adjacent to a public right of way. It is contaminated land. It is adjacent to Winter Hill Golf Club. It is reached by a concrete track leading from a small car park off Terrys Lane in Cookham. It is set on sloping land ranging from level ground on its Eastern borders up to a total elevation of 6m above the maximum local flood levels on the SW corner. The golf course slopes upwards further to approximately 20m above the boundary level.
- 3.2 The area is partly either overbuilt with concrete structures and coal slag/ clinker in-filled tanks, or natural grassland with some structures up to 0.6m high; however, the remains of the permanent structures and fixed surface structures have partly blended into the landscape in the process of time. Mature trees and hedgerows border the boundaries on all sides.

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

- 4.1 The proposal is for a part single, part two storey dwelling incorporating a basement of elongated curvilinear design with a partial green roof and slates. The proposal also includes associated parking areas and landscaping, concentrated solar power unit and reed bed for sewage treatment. The proposed building would measure 67m by 54m with an open central element, with parts of it being at ground level of the highest part of the site, and parts of it being two–storeys and 7m in height. Access to the site would be retained via the existing track.
- 4.2 The site has the following planning history:

Ref.	Description	Decision
17/02336/FULL	Erection of a new dwelling following removal of redundant sewerage works and associated infrastructure	Withdrawn 09.10.2017

## 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:

Design and impact on surrounding area	Green Belt	Highways and Parking	Flood Risk	Public Rights of way	Cookham Village Design Statement
DG1, H10, H11, CA2, N1, N2	GB1, GB2	P4, T5	F1	R14	G6.1, G6.2, G6.3, G6.4, G6.5, G6.13A, G6.13B, G6.16, G6.22

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)

### 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
Acceptable impact on River Thames corridor	SP4
Manages flood risk and waterways	NR1
Makes suitable provision for infrastructure	IF1

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 (BLP) Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

This document can be found at:

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

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the proposal accords with Green Belt policy;
- ii Impact on an Area of Special Landscape Importance;
- iii The setting of the Thames;
- iv Flooding;

- v Impact on the setting of Cookham High Street Conservation Area;
- vi Impact on the adjacent public right of way;
- vii The adequacy of parking on the site and the impact on highway safety in the area;
- viii Contaminated Land; and
- ix Planning balance, other material considerations and an assessment of VSC.

### **Issue 1 – Green Belt**

- 6.2 Policy GB1 of the Local Plan details the development that can be considered as appropriate in the Green Belt. Residential development must be in accordance with policy GB3. Policy GB3 states a presumption against residential development, except in the following cases:
- 1) The proposal relates to infilling within the boundaries of a recognised settlement, as defined on the proposals map;
  - 2) there is a proven need for a new dwelling ancillary to an existing agricultural or forestry use on the site;
  - 3) The proposal relates to the creation of a subordinate dwelling where this is formed either within the existing structure of the dwelling, by an extension to the existing dwelling or the conversion of an existing dwelling;
  - 4) The proposal relates to the one-for-one replacement of any existing habitable dwelling provided it is not materially larger than the existing;
  - 5) The proposal meets all the requirements of Policy H4 (Affordable Housing in Rural Areas) which is only applicable to sites within recognised Green Belt settlements;
  - 6) The re-use of a building in accordance with Policy GB8.
- 6.3 Policy SP5 of the BLP Submission Version makes it clear that proposals will be permitted where they are, amongst other things, consistent with the exceptions listed in national planning policy. Paragraph 89 of the NPPF supersedes policy GB3 of the Local Plan and has the following relevant category of new buildings in the Green Belt which are not inappropriate development: limited infilling or partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
- 6.4 Although the remains of the structures have partly blended into the landscape, it is considered that there are sufficient remains/ structures on site to be classified as previously developed land. However, it is considered that the proposal would have a greater impact on the openness of the Green Belt than the existing development on site. This is because the proposal involves an extensive part single, part two-storey building up to 7m in height, where currently there are only either below ground level structures, or structures with a height of some 0.6m or less above ground. Furthermore, the addition of a house on the site would be contrary to some of the purposes of including land in the Green Belt. In particular, the proposal would add to urban sprawl outside of the built-up area, it would encroach into the countryside, it would contribute to merging neighbouring towns, and it would not preserve the setting and special interest of Cookham High Street Conservation Area. The proposal is therefore inappropriate development in the Green Belt, causes harm in principle and other harm would result as set out above.
- 6.5 The NPPF states in paragraph 87 that, “as with previous Green Belt policy, inappropriate development, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances.” These very special circumstances (VSC) must clearly outweigh the harm caused to the Green Belt by reason of its inappropriateness and any other harm caused. The applicant has made a case for VSC and this is considered at the end of the report under the ‘Planning Balance’ after consideration of all the other issues.

## **Issue 2 – Impact on the Area of Special Landscape Importance**

- 6.6 The cutting of the Thames through the southern extension of the Chilterns has produced a landscape of notable quality of importance. It is one of the river's most striking and attractive stretches. The area comprises the majority of the rural area to the north-west of Maidenhead and Cookham. The area is relatively free from both sporadic and intrusive development. It has therefore been designated in the Local Plan as an 'Area of Special Landscape Importance', to protect it from adverse development and landscape change. Within policy N1 of the Local Plan, development within areas of special landscape importance should not detract from the special qualities of that landscape in respect to local and long distance views, loss of tree cover or hedgerow or adversely affect the ecological value of the area or formal landscape features and their settings.
- 6.7 Given the siting of the proposed dwelling within the former sewage treatment plant site, which is at a lower level than that of the adjacent golf course and taking account of the existing vegetation screening on the boundaries of the site and topography of the land, there are limited long distance views of the site; however, it would be visible in local views and from the golf course and also from the river. The proposal would result in a new building in the open countryside with its associated domestic paraphernalia, and this would be intrusive and would detract from the special qualities of this area and would therefore be contrary to Policy N1 of the Local Plan and to Policy SP3 of the BLP Submission Version.

## **Issue 3 – Impact on the Setting of the Thames**

- 6.8 Policy N2 of the Local Plan states that the Council will conserve and enhance the setting of the Thames, and will not permit development which would adversely affect the character and setting of the river in both urban and rural locations. It includes the protection of important views of and from the river. In this case, the views in this area are essentially open, with the absence of buildings, and the introduction of a new building would harm these open views and thus the character and setting of the river. The proposal is therefore contrary to Policy N2 and Policy SP4 of the BLP Submission Version.

## **Issue 4 - Flooding**

- 6.9 Approximately one third of the site is located in Flood Zone 2 – an area of medium risk of flooding. The proposed dwelling is completely sited outside this zone. However, part of the access driveway lies in Flood Zone 3, at high risk of flooding, so this cannot be used as a means of escape. The applicants have put forward the case that escape can be made by means of a pedestrian gate onto the adjacent golf course which is on higher ground. However, this is not considered to be satisfactory as it would be necessary to evacuate the site by car rather than on foot because of the distances involved. The proposal therefore puts more people at risk of flooding. In addition, it would not be practical for emergency vehicles to access the site at times of flood, which also puts the inhabitants of the house at further risk at times of flooding. The proposal is therefore contrary to Policy F1 of the Local Plan, Policy NR1 of the BLP Submission Version and the relevant paragraphs (100-103) of the NPPF.

## **Issue 5 – Impact on setting of the Conservation Area**

- 6.10 The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.11 Policy CA2 of the Local Plan requires that new development affecting conservation areas should enhance or preserve the character or appearance of the area. It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. In this case, the site is in proximity to the Cookham High Street Conservation Area but, on balance, would not impact on its character or appearance due to the distance from it and the intervening tree screen.

## **Issue 6 –Impact on Rights of Way**

- 6.12 Policy R14 of the Local Plan states that the Council will safeguard and enhance the public rights of way network, and in particular will resist proposals which would prejudice the route or detract from users' enjoyment of it. There are a number of public footpaths in the vicinity of the site, including one which runs along the eastern boundary. Although the removal of the remaining elements of the former sewage treatment plant would be welcomed as an enhancement to the footpath, it is considered that the introduction of a large private house, with its associated domestic paraphernalia and parking would detract from the quiet rural atmosphere of the footpaths, and would have an unwelcome urbanising effect on their ambience. The proposal is therefore considered to be contrary to Policy R14.

## **Issue 7 – Parking and highways matters**

- 6.13 Access to the site is via a concrete road previously used by heavy plant accessing the sewage works. The road joins onto Terry's Lane at a point where several accesses meet including access to The Meadows. Considering the current use of the access road by users of the car park and the historic use of the sewage works the proposal is not anticipated to result in any significant highway impact. It is acknowledged that visibility to the south-east is poor; however, there have been no reported incidents in the last 10 years and therefore it is not considered to be a point of highway safety concern.
- 6.14 The proposal is for a 5 bedroom dwelling and proposes to provide 7 underground parking spaces. This satisfies the Borough's current parking standards.
- 6.15 The site is located a significant distance from the nearest public highway where refuse collection would take place. Current refuse standards require a carrying distance of no more than 30m for the occupant and 25m for the refuse operative. It is noted that the site would not comply with this and therefore should the application be approved, a condition requiring the submission of a refuse collection strategy should be attached.
- 6.16 Overall, the Highway's Officer raises no objection to the proposed development.

## **Issue 8 – Contaminated Land**

- 6.17 The site is identified on the Local Plan Proposals Map as being contaminated land. The proposed remediation of this contamination is welcomed and The Environmental Protection Officer has reviewed the application and has raised no objections subject to a condition requiring that the development be carried out as part of an approved scheme of remediation.

## **Issue 9 – Planning Balance and other material considerations**

### **The Case of Very Special Circumstances (VSC)**

- 6.18 As stated in the NPPF and in the Borough Local Plan, planning permission can only be granted for inappropriate development if there is a case of Very Special Circumstances that clearly overcomes the harm to the Green Belt and any other harm. It has been concluded that the development constitutes an inappropriate form of development which is harmful by definition and substantial weight needs to be given to this harm.
- 6.19 The VSC case put forward by the applicant is as follows:
1. *Ground breaking provision of on-site renewable energy;*
  2. *Improving the appearance of the site;*
  3. *Remediation of contamination;*
  4. *Removal of above ground structures and hard surfacing;*
  5. *The high quality of the building design;*
  6. *Landscape enhancements; and*
  7. *Biodiversity enhancements.*

- 6.20 The VSC set out above is expanded on as part of the applicant's submission. An assessment of these VSC is provided below:

### **Assessment of VSC**

- 6.21 While the collection of solar energy has become standardised, the applicant is contending that the proposed Concentrated Solar Power (CSP) method proposed in this application is innovative and new. It is usually typified with large scale schemes but has been adapted to suit small scale applications and it is more beneficial in terms of energy generation than conventional solar panels. However, whilst these benefits are highlighted there are a number of weaknesses in that solar energy has limited availability and it is proposed to supplement the deficit with the use of conventional PV panels to ensure that sufficient energy is generated for the dwelling. In considering how much weight to afford this, it is noted that this would form a small part of the proposal but not necessarily a vital one. Therefore it is considered that only limited weight can be attributed to the principle of the use of this technology. In addition, in order to accommodate this technology on site, it is proposed to have an overall diameter of 18m with solar collecting mirrors mounted on a pole like structure. The outline drawing provided illustrates that these mirrors would gradually increase in overall height forming a tower like structure. Given that the site is located within the Green Belt, in an area of Special Landscape Importance and within the setting of the Thames, there are obviously visual concerns regarding how this would integrate within the landscape; it would be considered to constitute inappropriate development in itself causing harm to the Green Belt
- 6.22 The proposed improvement of the appearance of the site is welcomed, however this benefit is not considered to outweigh the inappropriateness of the development in the Green Belt or other issues raised. Limited weight is given to this element.
- 6.23 The proposed remediation of the contaminated site is welcomed, however the site would be required to be remediated in order to make the development acceptable in any case and therefore no weight is given to this element.
- 6.24 The proposed removal of structures and hard surfacing is acknowledged as improving the current site condition and as a VSC is considered to have moderate weight in the necessary balancing exercise.
- 6.25 In this case, it is not considered that the design of the proposed dwelling is truly outstanding or innovative. Whilst it is acknowledged that the proposed design is interesting in terms of its contemporary form and appearance, it is not considered to be ground breaking or of national significance. Such designs that would be considered to meet the criteria of NPPF paragraph 55 are normally ground breaking and of national significance. The use of the CSP technology is addressed in the paragraph above. It is considered that the design of the proposal has been predominately dictated by its Green Belt designation, the needs of the applicant and the site constraints of restricting the new development to within the plant area as opposed to the specific characteristics of the site and local area such as topography and landscaping. While the applicant justifies their view that the dwelling is innovative because it is significantly cantilevered, organic in form and is significantly earth sheltered. However, it is not considered that these individual elements are exceptional in their own right. Furthermore, the proposed building would be overly large. This is not considered to amount to VSC.
- 6.26 The proposed landscape enhancements are not considered to hold significant weight sufficient to outweigh the inappropriateness of the Green Belt or other issues raised. Limited weight is given to this element.
- 6.27 The proposed intention to enhance biodiversity is welcomed but is not considered to hold significant weight to outweigh the inappropriateness of the development or the other harm highlighted. Limited weight is given to this element.
- 6.28 It is accepted that this is an unusual site. However, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined on the basis of the development plan unless material considerations indicate otherwise. The Development Plan



position is that new development is considered to be inappropriate and to result in substantial harm to the Green Belt unless VSC are submitted that would outweigh that in principle harm and any other harm. Overall (and considered cumulatively) the submitted VSC, whilst there are some benefits to each of those raised, are not considered to hold substantive weight to merit very special circumstances in Green Belt terms to overcome the harm caused by the inappropriateness of the development, and any other harm, which is contrary to national and local policy. Whilst it is acknowledged that this is an existing former sewage treatment plant, the provision of this new dwelling in addition to its access and associated residential paraphernalia and increase in level of activity, including travel to and from the 7 parking spaces, would have a greater impact on the openness of the Green Belt which would encroach further into its open nature, clearly conflicting with the purposes of including land in the Green Belt. Overall, the harm to the Green Belt by reason of the inappropriateness of the development is substantial and the other harm that would result is significant. On balance whilst some limited weight can be attributed to the VSC when considered cumulatively, this is not considered to outweigh the overall harm caused by the inappropriateness of the development and any other harm.

## **Other Material Considerations**

### **6.29 Housing Land Supply**

Paragraphs 7 and 14 of the 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.

The objectively assessed housing need of 712 dwellings per annum is set out in the Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) (2016). Work is progressing to prepare the Borough Local Plan that sets out a stepped housing trajectory over the plan period (2013-2033). A five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.

### **6.30 Foul Drainage**

The proposed foul drainage arrangements are similar to the arrangement previously proposed. As part of the previously withdrawn application, the Environment Agency commented:

*"The proposed development proposes a method of foul water disposal through a reed bed system. The site is situated in Source Protection Zone 2 which is designated for the protection of potable water used for human drinking water supplies, and a Principle Aquifer. The installation of private sewage treatment facilities within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems. Whilst a reed bed may be an appropriate polishing step between discharge of waste water from a package sewage treatment plant and infiltration to ground or discharge to surface water, it is not likely to be an appropriate option for treatment of raw sewage in this location. Reed beds supplied with nutrients soon become overgrown and without a robust maintenance and management plan can soon become ineffective as the biomass grows to clog the pond structure containing the reeds. Discharge of raw sewage could potentially flow off the surface of the tightly packed mass of rhizomes and discharge into the top of the aquifer surrounding the reed bed.*

*The proposed development will therefore only be acceptable if the following **planning condition** is included on any planning permission. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.*

**Condition** *The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use. **Reason:** To ensure that the proposed scheme does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework.' "*

A foul water drainage scheme has not been submitted and therefore as the Environment Agency has stated that the development will only be acceptable with the inclusion of the above condition and such information has not been provided, the proposed development on this site poses an unacceptable risk to the environment.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

9 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 30.11.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 30.11.2017.

2 letters were received to the application, one stating a clear objection and the other raising various issues with the proposal, summarised as follows:

Comment		Where in the report this is considered
1.	Access route is limited and restricted.	6.13 – 6.16
2.	Site backs onto the golf course and could conflict with stray balls falling within the garden of the new house. We would not want complaints from the owner.	It is assumed that the proposed new occupier of the dwelling would be aware of the golf course and any necessary implications.
3.	Site is located within the Green Belt and is open in nature.	6.2 – 6.5
4.	Inappropriate development in the Green Belt.	6.2 – 6.5
5.	Adverse impacts on Rights of Way and access to the countryside.	6.12
6.	There are no exceptional circumstances that justify encroachment into Green Belt.	6.18 – 6.28

### Statutory consultees

Consultee	Comment	Where in the report this is considered
<b>Cookham Parish Council</b>	<b>Advise RBWM that there should be conditions requiring that:</b> 1. This property is not visible from either bank of the Thames, at any point along the Thames throughout the year in perpetuity. 2. The decontamination of the site is done completely. <b>&amp; in the absence of those conditions we would Object.</b>	
<b>Highways, Parks and</b>	This is a resubmission of withdrawn application 17/02336, and as there are no changes to the application in terms of	6.12

<b>Countryside (Public Rights of Way comments)</b>	<p>the impact of the proposed development on the public rights of way network my comments remain unchanged from my comments on application 17/02336.</p> <p>Comments from 17/02336 stated:</p> <p>A number of public footpaths pass close to the application site. In particular, Footpath 36 Cookham passes directly alongside the application site, and also alongside much of the access route to the application site. These public footpaths are very heavily used as they form a network or circular routes, and connect to the Thames Path National Trail.</p> <p>Saved Policy R14 states The Borough Council will safeguard and enhance the public rights of way network and recreational cycle routes.</p> <p>Notwithstanding the screening provided by boundary vegetation, I am of the view that the proposed new buildings, access road, parking and associated domestic paraphernalia would have a significant adverse impact on views from Footpath 36 in particular, and also on the quiet and tranquil setting of the other public footpaths in the vicinity. It is recommended that the application is refused, as it is contrary to Policy R14 of the Local Plan.</p>	
<b>East Berks Ramblers</b>	<p>We, East Berks Ramblers, have some concerns with regard to this application to put a large dwelling on the site of the old Thames Water sewage works.</p> <ol style="list-style-type: none"> <li>1. Although the site may be considered to be a Brownfield, redundant industrial site, and hence suitable for redevelopment, it is in the Green Belt and distant from any other developed areas.</li> </ol> <p>We therefore maintain that it would be inappropriate development in the Green Belt.</p> <ol style="list-style-type: none"> <li>2. Two well used public rights of way, Cookham footpaths 36 and 41, border the site on the eastern and southern boundaries respectively. These paths currently enjoy views of the countryside bordering on, for example, Marsh Meadow (a public open space). The proposed dwelling being very close to footpath 36, would be visible over a lot of the length of the path.</li> </ol> <p>The detrimental effect on public rights of way is contrary to Saved Policy R14 of the Local Plan.</p> <ol style="list-style-type: none"> <li>3. The public have used the concrete track from the car park off Terrys Lane to the sewage works over a number of years, since the closure of the Works. Although the track is on private land, access on foot was common, since the track affords a more convenient access to footpath 36 (and hence to Marsh Meadow and the Thames). Footpath 41, which is nearby and runs parallel to the track, is</li> </ol>	<p>Assessment of Green Belt is addressed in paragraphs 6.2 – 6.5</p> <p>Assessment of impact on Public Rights of Way is addressed in paragraph in 6.12</p>

	<p>narrow, steep and often muddy. The developers propose to incorporate the track into the access drive, so it would no longer be available to the public.</p> <p>East Berks Ramblers object to the application unless these concerns are addressed.</p>	
<b>Highways Officer</b>	<p><b>Road Classification</b> Terry's Lane (C8832) is an unnumbered, classified rural lane.</p> <p><b>The Site and the Surrounding Area</b> The site, Former Sewage Works, is located within Cookham. Land use in the vicinity of the site is predominantly agricultural. The nearest frequently serviced railway station, Maidenhead, is located approximately 5km to the south. The site is therefore considered to be located within a location of poor accessibility.</p> <p><b>Access Arrangement</b> Access to the site is via a concrete road previously used by heavy plant accessing the sewage works. The road joins onto Terry's lane at a point where several accesses meet including access to The Meadows. The access to the site is currently used by users of an informal car park to the south of Winter Hill golf club.</p> <p>Considering the current use of the access road by users of the car park and the historic use of the sewage works the proposal is not anticipated to create any significant impacts to the local highway network in regards to access. It is acknowledged that visibility to the south-east is poor however, there have been no reported incidents in the last 10 years therefore this is not considered to be a point of highway safety concern.</p> <p><b>Parking Provision/requirement</b> As outlined in paragraph 1.2.2, the site is located within an area of poor accessibility. The application includes the provision of seven parking spaces, which satisfies the Royal Borough of Windsor and Maidenhead (RBWM) current parking standards.</p> <p><b>Traffic Generation</b> The proposal consists of a 4 bedroom dwelling with office facilities, it is therefore estimated that the proposal will produce 12 two-way vehicle trips daily.</p> <p><b>Cycle Provision</b> Although the application has not specifically allocated cycle parking provision, the site is considered to have sufficient covered storage space to accommodate several bicycles.</p> <p><b>Refuse Provision</b> The site is located a significant distance from the</p>	<p>Comments noted. Highways section addressed in paragraphs 6.13 – 6.16</p>

	<p>nearest public highway where refuse collection would take place. Current refuse standards require a carrying distance of no more than 30m for the occupant and 25m for the refuse operative. It is noted that the site will not comply with this therefore a refuse collection strategy should be provided.</p> <p><b>Summary</b> Recommended for approval subject to the following conditions.</p> <p><b>Conditions</b> No part of the development shall be occupied until a refuse collection and storage strategy has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.</p> <p>Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1</p>	
Environmental Protection Officer	<p>I refer to the above-mentioned full planning application and would recommend that, should planning permission be granted, the following conditions be attached to the consent notice.</p> <p><b><u>Conditions</u></b></p> <p><b>EN110 Contaminated Land</b> Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.</p> <p><b>1. <u>Site Characterisation</u></b></p> <p>An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:</p> <ul style="list-style-type: none"> <li>• a survey of the extent, scale and nature of</li> </ul>	<p>Comments noted.</p> <p>Section on contaminated land found in paragraph 6.17</p>

	<p>contamination;</p> <ul style="list-style-type: none"> <li>• as assessment of the potential risks to:</li> <li>• human health</li> <li>• property (existing or proposed) including buildings, crops, livestock, adjoining land,</li> <li>• groundwater and surface waters,</li> <li>• ecological systems,</li> <li>• archaeological sites and ancient monuments:</li> <li>• an appraisal of remedial options, and proposal of preferred option(s).</li> </ul> <p>This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11'.</p> <p><b><u>2. Submission of Remediation Scheme.</u></b></p> <p>A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p><b><u>3. Implementation of Approved Remediation Scheme.</u></b></p> <p>The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.</p> <p><b><u>4. Reporting Unexpected Contamination</u></b></p> <p>In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is the subject of the approval in writing of the Local Planning Authority.</p>	
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Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

#### **5. Long Term Monitoring and Maintenance**

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of (x) years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.

#### **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

#### **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

	<p>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 <b>no</b> fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal.</p> <p>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.</p> <p>The applicant should be aware the <b>permitted hours of construction working</b> in the Authority are as follows:</p> <p>Monday-Friday                      08.00-18.00  Saturday                                08.00-13.00  No working on Sundays or Bank Holidays.</p>	
<b>Berkshire Archaeology</b>	<p>Thank you for consulting Berkshire Archaeology regarding the above application. Berkshire Archaeology is part of Reading Borough Council's Museum and Town Hall Services and provides historic environment advice to the five unitary authorities of Bracknell Forest Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead, Slough Borough Council and Wokingham Borough Council. This consultation response relates solely to the buried archaeological heritage and advice relating to the historic built environment and historic landscape is provided by the Royal Borough's Conservation Officer.</p> <p>Berkshire Archaeology responded to the previous, similar, withdrawn, application 17/02336/FULL for this site. The current proposal is not materially different to the previous application as regards its impact on the buried archaeological heritage. Berkshire Archaeology therefore re-iterates its previous advice as follows.</p> <p>There are potential archaeological implications with this proposal. Berkshire Archaeology's Historic Environment Record (BAHER) records an Early Saxon (AD 400 – 600) inhumation cemetery 200m to the west of the former sewage works at Cookham. The location of the cemetery is shown on the plan on page 10 of the Planning, Heritage and Sequential Test Statement (Phillips Planning Services Ltd, dated July 2017) accompanying the application, which otherwise does not consider the archaeological potential of the application area.</p> <p>The Victoria County History of Berkshire (Vol. 1, p. 242) notes that '<i>...several antiquities of iron from Cookham, lower down the river, were exhibited to the Archaeological Institute in 1858, comprising a sword, two spearheads, the blade of a dagger or knife and parts of two shield-bosses</i></p>	Comments noted.



*of the usual form. They were found four years previously [in 1854] during the construction of a railway from Maidenhead to Wycombe at a place called Noah's Ark on the hill about half a mile north of the railway station... Six human skeletons were found near these relicts but they lay in a bed of gravel 9 feet below the surface and were possibly not contemporary [with the weaponry]'. These remains appear to represent a cemetery of unknown extent, while the associated settlement and fields of those buried in this cemetery will lie somewhere nearby.*

Indeed evidence for Saxon remains was recorded during archaeological investigations to the south of the former sewage works in 2008. An archaeological watching brief during the construction of extensions to the rear of Spencers (now The White Oak) recorded a surprisingly high number of buried archaeological remains and finds. These included pits and a ditch containing Early to Middle (6th – 7th century AD) pottery and a pit containing Saxo-Norman (10th – 11th-century AD) pottery.

The importance of the wider Cookham area during the Saxon period is attested by a further Saxon inhumation inserted within one of the earlier Bronze Age burial mounds at Cock Marsh while the settlement of Cookham also has Saxon origins. The settlement is thought to have been founded in the Middle Saxon (7th and 8th century AD) period and to have had a minster church by the 8<sup>th</sup> century AD. The archaeological evidence from 'Noah's Ark' and Spencers points to a more complex development for the settlement at Cookham and demonstrates the archaeological potential of the area around The Pound and Terrys Lane.

This application for a new dwelling therefore has potential archaeological implications. It is acknowledged that the application site has largely been previously disturbed by the construction and use of the former sewage works. However there are areas of the site, especially along the western fringes and that part of the site closest to the known inhumation burials, which appears to have avoided past disturbance.

Given the potential significance of any Saxon remains, especially the potential for the presence of inhumation burials which would require removal under licence, it is recommended that the following condition is attached to any planning consent granted in order to mitigate the impacts of development. This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities should *'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'*:

**Condition:**

No development shall take place within the application area until the applicant has secured the implementation of

	<p>a programme of archaeological works, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority</p> <p><b>Reason:</b> The site lies within an area of archaeological potential; specifically it lies close to a Saxon inhumation cemetery within an area of archaeological importance. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with Paragraph 141 of the NPPF and local plan policy.</p> <p>The scope of any archaeological investigation will depend on the level of potential ground disturbance. Berkshire Archaeology would be pleased to discuss with the applicant the scope of any investigation, should permission be granted. It is likely that archaeological monitoring during construction in areas outside of the structures of the former sewage works may be appropriate. However the it may be desirable to excavate one or two trial trenches at an early stage in order to address the risk, especially of human remains, which would require detailed investigation should the scheme be permitted.</p>	
<b>The Cookham Society</b>	<p>We write to object to this application. This is one of the most sensitive sites in Cookham. It lies between the golf course and Marsh Meadow and is remote from any existing housing. It is in the Green Belt; an Area of Special Landscape Importance; and the Setting of the Thames. It is very close to and viewed from the southern part of Marsh Meadow which is in the Cookham High Street Conservation Area. It is also viewed from the Thames, the towpath (footpath 60) and other footpaths (notably 36, 39 and 40). Although not actually in the Conservation Area it should be noted that CA2 requires “....the protection of views that contribute to the distinctive nature of the Conservation Area”. We suggest that the views of the chalk slope and scarp from the river and the floodplain are particularly important ones.</p> <p>The property proposed is an interesting and somewhat unusual design. It is however a two storey building in parts with a sloping slate roof; over 65.0m long; and with large areas of reflective glazing on the river elevation. This is an immense and totally inappropriate structure to attempt to build in such a sensitive site.</p> <p>The sewage works here was closed about 25 years ago and the mechanical equipment was removed. As far as we have been able to ascertain there were never any permanent above ground buildings. The abandoned tanks and filter beds are all low level or below ground. We believe that over time the remains of the structures have blended into the landscape and the site should not therefore be classed as Previously Developed Land. However, if the Borough does determine that this is PDL we request that a similar approach is used to that adopted for Woodlands Farm (Application No 15/03388) to ensure</p>	<p>Impact on Green Belt is addressed in paragraphs 6.2 – 6.5</p> <p>Impact on Area of Special Landscape Importance addressed in paragraph 6.6 – 6.7</p> <p>Impact on setting of the Thames addressed in paragraph 6.8</p>

	<p>the openness of the Green Belt is not damaged by any construction and that any building permitted should be entirely within the envelope of previous buildings proven to have been on the site.</p> <p>We request that you refuse this application.</p>	
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## 9. APPENDICES TO THIS REPORT

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

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

- 1 The proposed development on previously developed land would have a greater impact on the openness of the Green Belt than the existing development on the site. Furthermore it would be contrary to the purposes of including land in the Green Belt, in particular it would add to the urban sprawl outside of the built up area and would encroach on the countryside. The proposal is therefore inappropriate development in the Green Belt, and is contrary to Policies GB1 and GB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003), policy SP5 of the Borough Local Plan Submission Version and Paragraph 89 of the NPPF. Very special circumstances do not exist which would outweigh this harm.
- 2 The proposal would create an extensive and intrusive new building with associated domestic paraphernalia in open countryside which is a designated Area of Special Landscape Importance because of its notable quality caused by the cutting of the Thames through the southern extension of the Chilterns. The existing former sewage works has only low structures above ground, and currently has little impact on the landscape, while the proposed new building would have a much greater impact. The proposal is therefore contrary to Policy N1 of the Local Plan and to policy SP3 of the Borough Local Plan Submission Version.
- 3 The site is within the Setting of the Thames, and the proposed extensive new building would harm the open views which characterise this sensitive area, and would adversely affect the character and the setting of the river in this rural area. The proposal is therefore contrary to Policy N2 of the Local Plan and policy SP4 of the Borough Local Plan Submission Version.
- 4 Part of the access drive serving the property is in an area at high risk of flooding, Flood Zone 3. The proposal that safe means of escape at times of flood can be achieved by using a pedestrian gate onto the adjacent golf course is not considered acceptable as escape could not be made by car. Also, access by emergency services could not be achieved at times of flood. The proposal therefore puts additional people at risk from flooding and is contrary to Policy F1 of the Local Plan and to policy NR1 of the Borough Local Plan Submission Version.
- 5 The site and access drive is close to parts of the Borough's public rights of way network. The proposed large house and its domestic paraphernalia, and the re-instating of the existing concrete drive for vehicular traffic would detract from the quiet rural atmosphere of the footpaths, and would have an unwelcome urbanising effect on their ambience. The proposal is therefore contrary to Policy R14 of the Local Plan.
- 6 Without the submission of a foul water drainage scheme, the proposed development on this site would pose an unacceptable risk to the environment through the potential for the development to discharge into and contaminate a designated Source Protection Zone for the protection of potable water used for human drinking supplies, and a Principal Aquifer, contrary to Policy NAP4 of the Local Plan.



## notes

**notes**  
All works must conform to NDS Specifications, manufacturers recommendations, British Standards, Codes of Practice, Local Authority regulations and to the satisfaction of the owners and Architect. Please note that if drawing conflict with any of these documents/titles, contractor is to advise architect.



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project	Cookham STW, Maidenhead, Berkshire
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drawing title **proposed site plan**

scale 1:500@A1 date July 2017 drawn by RZ

status	for information	for tender	for construction
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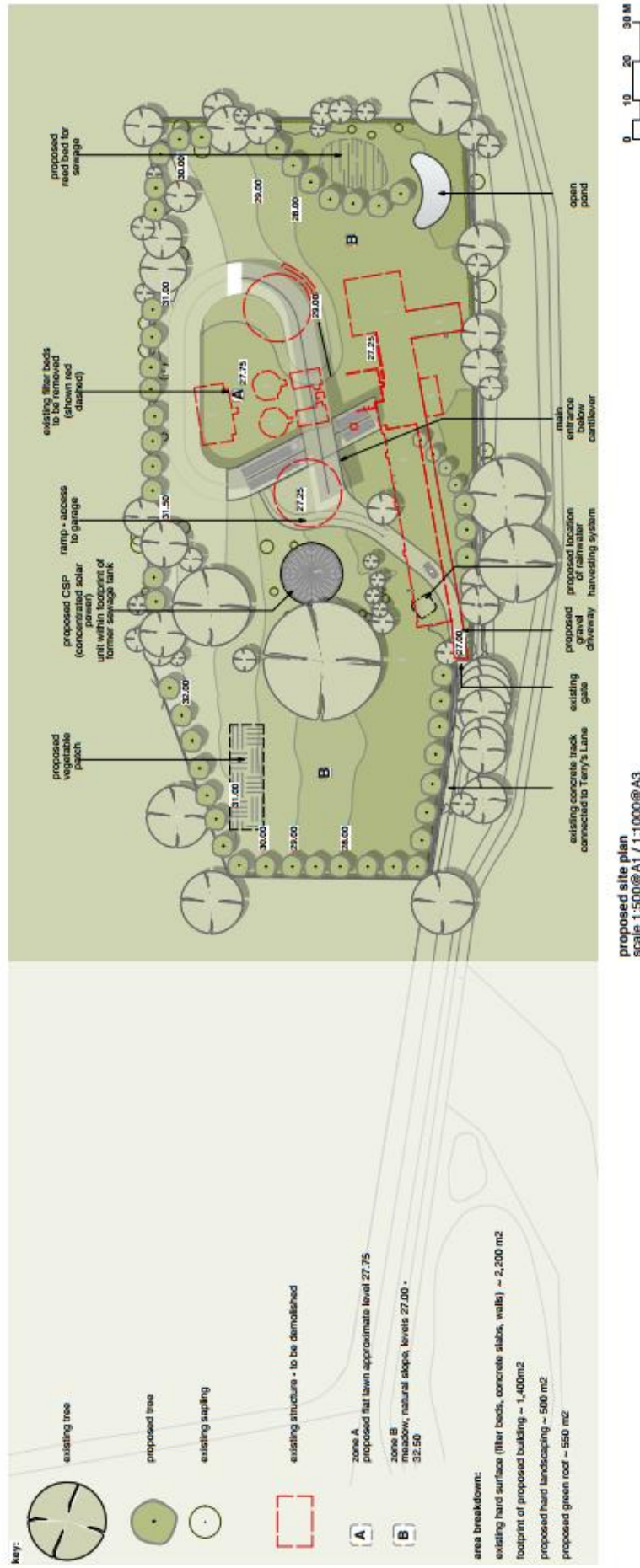
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**1741.03.01**

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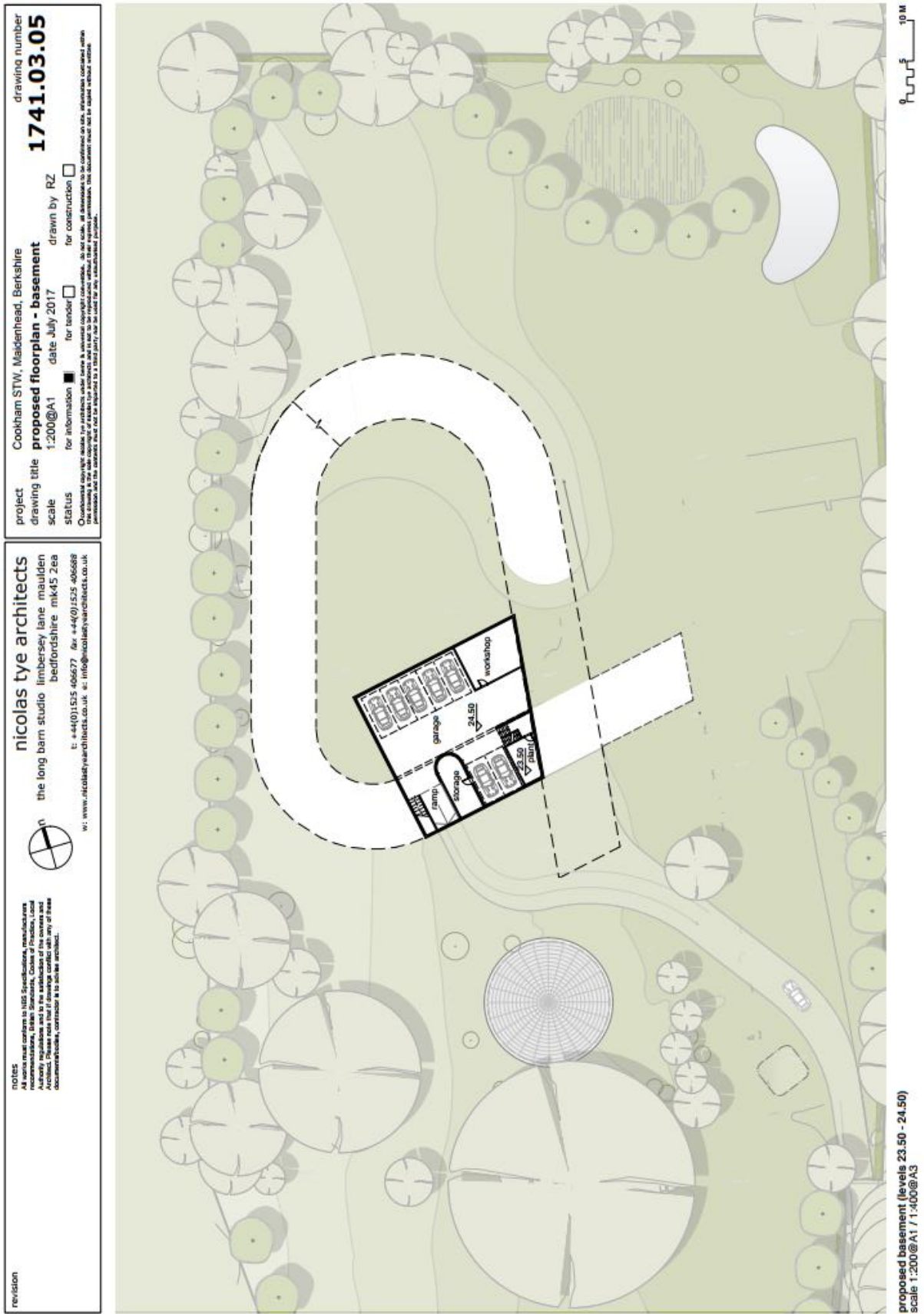
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 consent.



proposed site plan  
scale 1:500 @ A1 / 1:1000 @ A3

APPENDIX B – PLANS AND ELEVATIONS





notes

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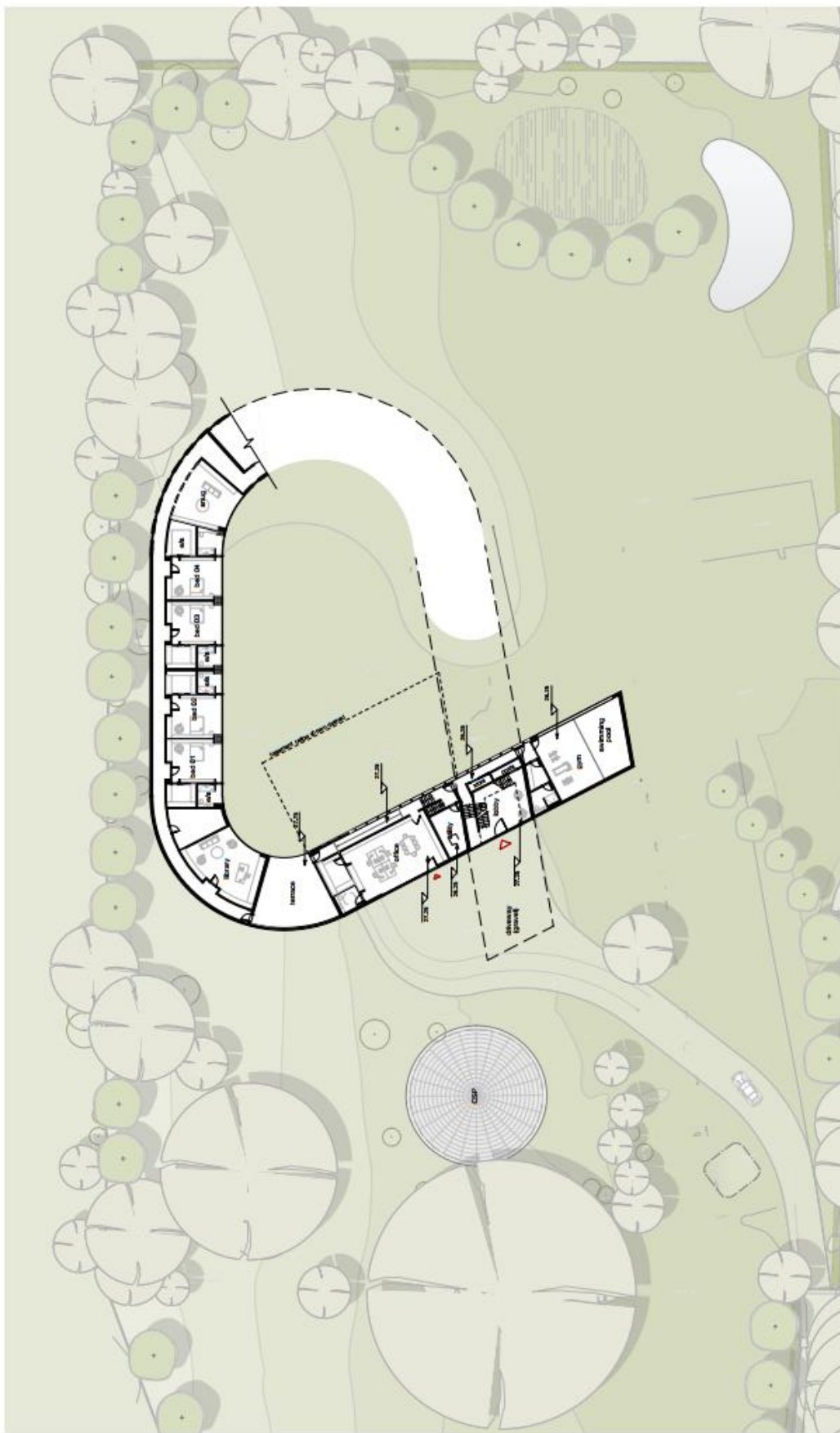
project  
Cookham STW, Maidenhead, Berkshire

drawing title	proposed floorplan (levels 26.25-27.75)	1741.03.02

scale 1:200@A1 date July 2017 drawn by RZ

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proposed floorplan (levels 26.25 - 27.75)  
scale 1:200@A1 / 1:400@A3



revision

notes

All work must conform to NBS Specifications, manufacturers' instructions and the relevant Building Regulations and the Building Act 1984. The Architect shall be responsible for the coordination of the design and construction of the building. The Architect shall be responsible for the coordination of the design and construction of the building. The Architect shall be responsible for the coordination of the design and construction of the building.



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project

Cookham STW, Maidenhead, Berkshire

drawing title

proposed floorplan (levels 27.75-30.50)

scale

1:200@A1

status

for information ☒ for tender ☐ for construction ☐

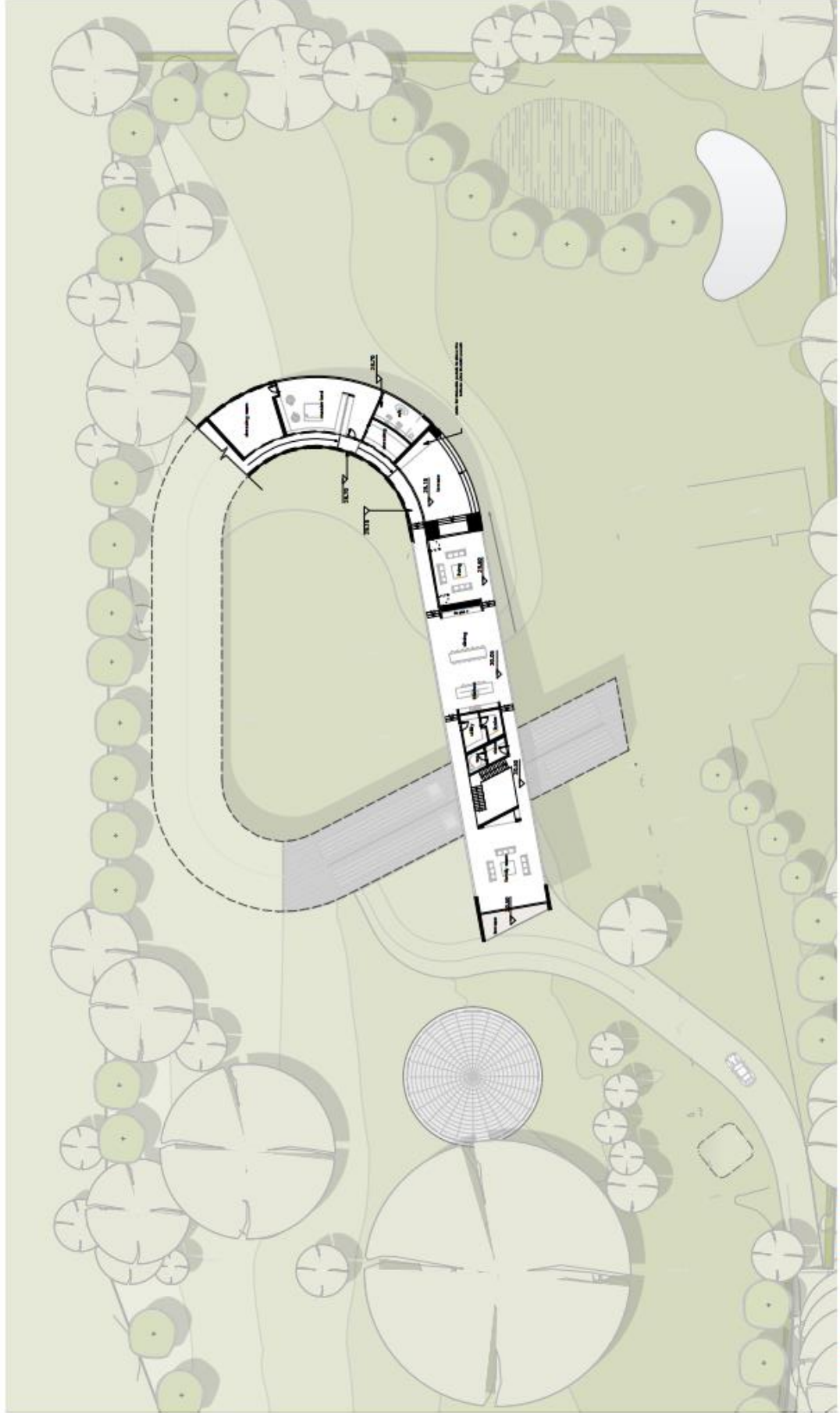
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proposed floorplan (levels 27.75 - 30.50)  
scale 1:200@A1 / 1:400@A3





revision

NOTES

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project Cookham STW, Maidenhead, Berkshire

drawing title **proposed roofplan**

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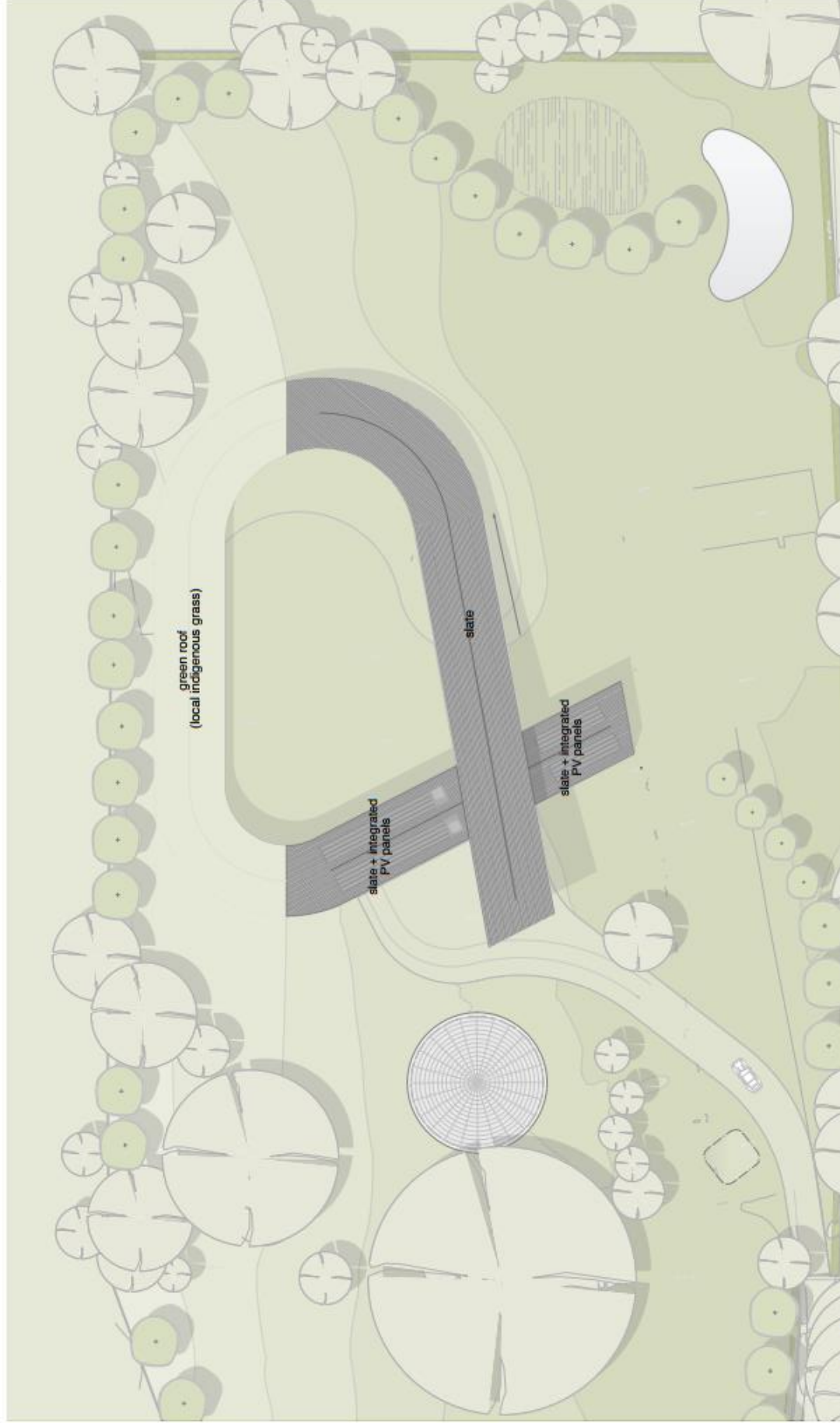
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proposed roof plan  
scale 1:200@A1 / 1:400@A3

10 M

revision

notes

All work must conform to BS5: Specifications, manufacturers instructions and to the relevant Building Regulations. Cookham Studio Architects. Please note that if drawings conflict with any of these documents, the latter shall prevail.

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for tender  
for construction

Cookham STW, Maidenhead, Berkshire

proposed sections

as shown

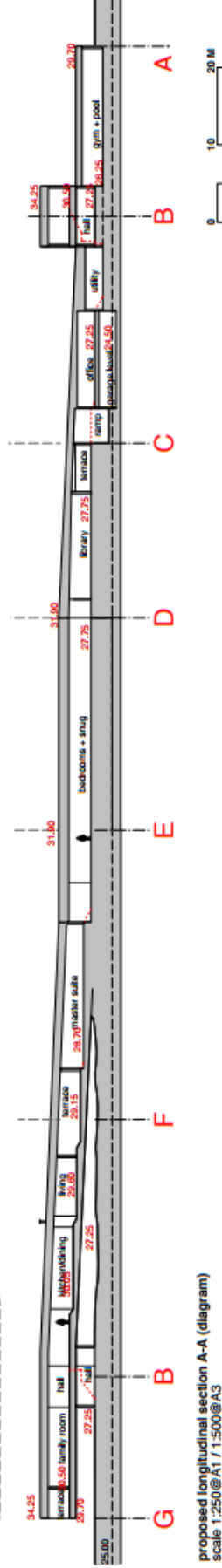
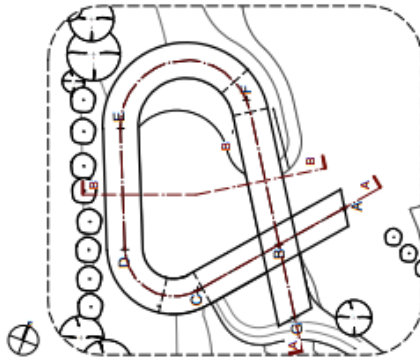
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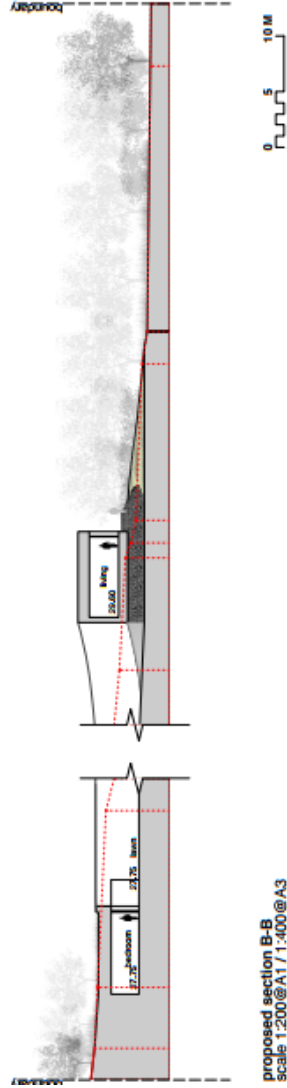
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key plan



proposed longitudinal section A-A (diagram)

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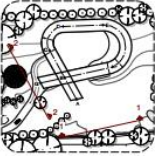


proposed section B-B

scale 1:200 @ A1 / 1:400 @ A3

revision	<b>notes</b> All notes must conform to NBS Specifications, manufacturers recommendations, British Standards, Codes of Practice, Local Authority regulations and to the satisfaction of the owner and Architect. Please note that if drawings conflict with any of these documents, contractor is to advise architect.	<b>nicolas tye architects</b> the long barn studio limbersey lane maulden bedfordshire mk45 2ea t: +44(0)1525 406677 fax: +44(0)1525 406688 w: www.nicolastyearchitects.co.uk e: info@nicolastyearchitects.co.uk	project Cookham STW, Maidenhead, Berkshire drawing title <b>proposed elevations - 1</b> scale 1:200@A1 date July 2017 drawn by RZ status for information <input checked="" type="checkbox"/> for tender <input type="checkbox"/> for construction <input type="checkbox"/>	drawing number <b>1741.03.07</b> <small>Quantitative drawings made by architects under licence &amp; intellectual copyright reserved. All not scale. All dimensions to be confirmed on site. Information contained within this drawing is the sole copyright of nicolas tye architects and is not to be reproduced without their express permission. This document must not be copied without written permission and the contents must not be regarded as a third party not be used for any unauthorised purpose.</small>
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key plan



proposed elevation 1-1 / scale 1:200@A1 / 1:400@A3 /

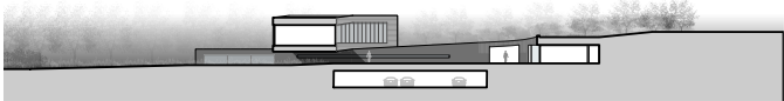
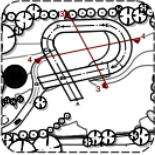


proposed elevation 2-2 / scale 1:200@A1 / 1:400@A3 /



revision	<b>notes</b> All notes must conform to NBS Specifications, manufacturers recommendations, British Standards, Codes of Practice, Local Authority regulations and to the satisfaction of the owner and Architect. Please note that if drawings conflict with any of these documents, contractor is to advise architect.	<b>nicolas tye architects</b> the long barn studio limbersey lane maulden bedfordshire mk45 2ea t: +44(0)1525 406677 fax: +44(0)1525 406688 w: www.nicolastyearchitects.co.uk e: info@nicolastyearchitects.co.uk	project Cookham STW, Maidenhead, Berkshire drawing title <b>proposed elevations - 2</b> scale 1:200@A1 date July 2017 drawn by RZ status for information <input checked="" type="checkbox"/> for tender <input type="checkbox"/> for construction <input type="checkbox"/>	drawing number <b>1741.03.08</b> <small>Quantitative drawings made by architects under licence &amp; intellectual copyright reserved. All not scale. All dimensions to be confirmed on site. Information contained within this drawing is the sole copyright of nicolas tye architects and is not to be reproduced without their express permission. This document must not be copied without written permission and the contents must not be regarded as a third party not be used for any unauthorised purpose.</small>
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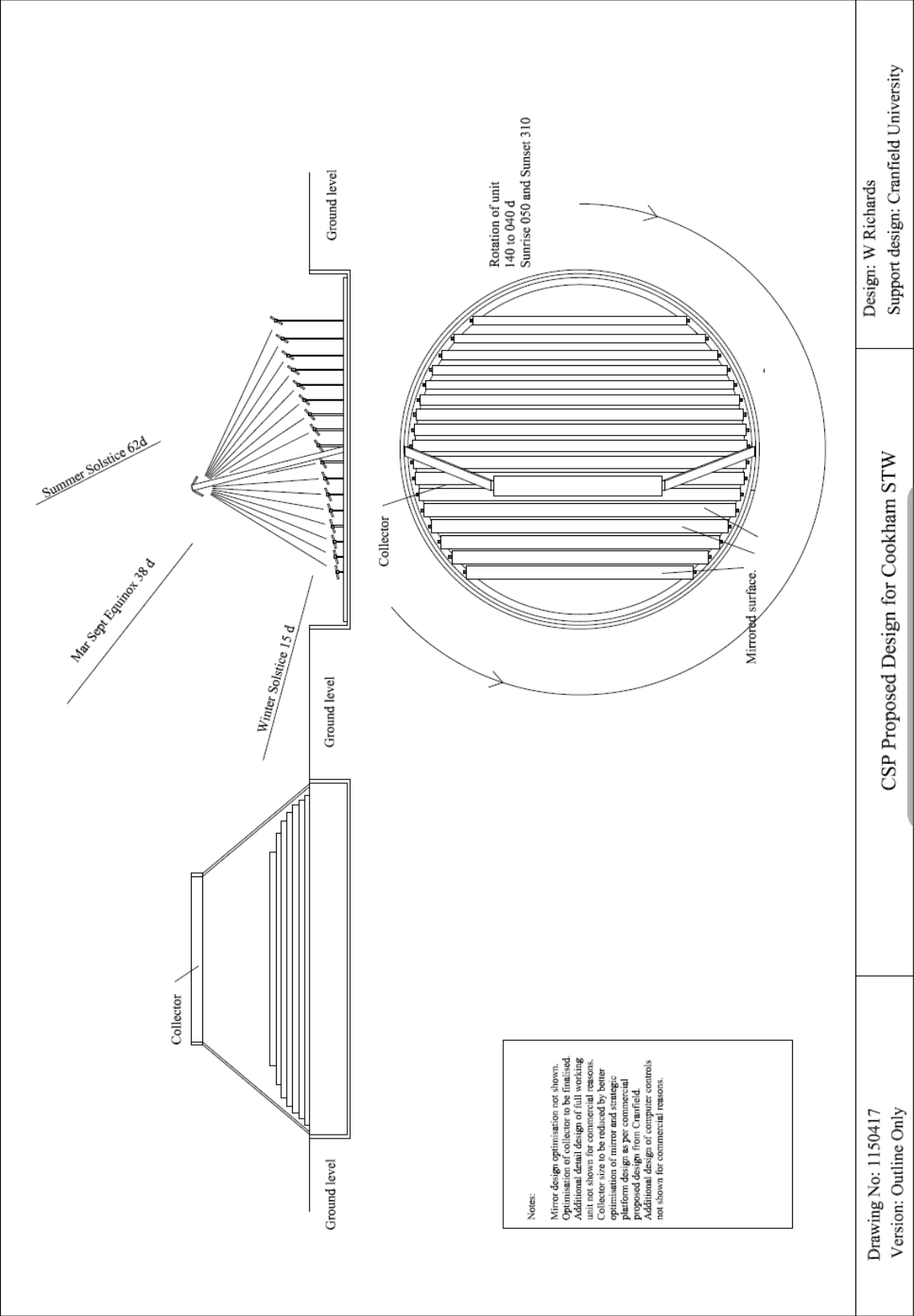
key plan



proposed elevation 3-3 / scale 1:200@A1 / 1:400@A3 /



proposed elevation 4-4 / scale 1:200@A1 / 1:400@A3 /







APPENDIX C – CGIS

revision

NOTES  
All works must conform to NIS Specifications, manufactured to the standards of the relevant British Standards and the Authority responsible and to the satisfaction of the owners and Architect. Please note that if drawings conflict with any of these documents, the contract shall prevail.

project  
Cookham STW, Maidenhead, Berkshire

drawing title  
proposed CGIs - key plan

scale  
1:1000

status  
for information

date  
July 2017

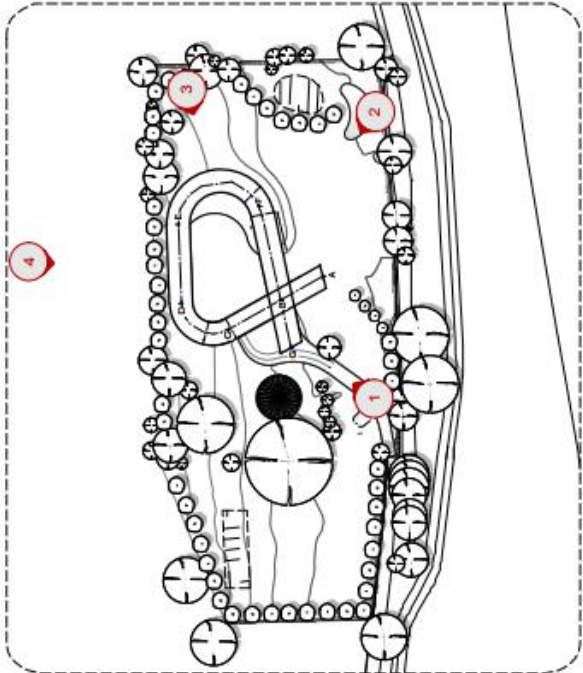
for tender

for construction

drawing number  
1741.03.09

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

9 May 2018

Item: 2

<b>Application No.:</b>	18/00446/FULL
<b>Location:</b>	Pawz And Bonez Unit 31 Lower Mount Farm Long Lane Cookham Maidenhead SL6 9EE
<b>Proposal:</b>	Change of use of land to a canine day care facility (sui generis) including stationing of a temporary cabin and associated parking(retrospective).
<b>Applicant:</b>	Ms Howell
<b>Agent:</b>	Mr Duncan Gibson
<b>Parish/Ward:</b>	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](mailto:alys.hughes@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 Planning permission is sought retrospectively for the change of use of land to a canine day care facility (sui generis) including stationing of a temporary cabin and associated parking.
- 1.2 The proposal constitutes inappropriate development within the Green Belt. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. In this case, it is considered that very special circumstances exist that outweigh the harm identified by inappropriateness and any other harm.

**It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.**

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor MJ Saunders if recommended for approval.

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

- 3.1 The proposal site consists of land situated south of Long Lane and west of Switchback Road North. The site is accessed from Long Lane which is a shared access with other units at Lower Mount Farm. The site is situated on Green Belt land.

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

- 4.1 Planning permission is sought retrospectively for the change of use of land to a canine day care facility (sui generis) including the stationing of a temporary cabin and associated parking. The temporary cabin measures 3m x 12m and is 2.8m high.
- 4.2 The operation has the capacity to accommodate up to 15 dogs at any one time. Dogs have use of the circa 0.35 hectare enclosed field during set periods of the day at which time they are under constant supervision by at least two members of staff. The temporary cabin is used as an administrative centre for the use, used to admit and discharge dogs at either end of the day and to accommodate them when they are not outside being exercised. The cabin also has a single staff toilet and washing facilities.
- 4.3 The application has resulted from an enforcement case. There is no relevant planning history for the site.

## 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	Green Belt
DG1, H10, H11	P4, T5	GB1, GB2

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)

#### 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

#### 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 Whether the proposal is an appropriate form of development within the Green Belt and if not, whether very special circumstances exist.



- ii impact on the character and appearance of the area.
- iii impact on surrounding amenities.
- iv highway safety and parking provision.
- v planning balance

**Issue 1 – whether the proposal is an appropriate form of development within the Green Belt and if not, whether very special circumstances exists**

- 6.2 The proposal site is situated within the Green Belt wherein development is restricted to protect its open and undeveloped character. Paragraph 89 of the NPPF states that the construction of new buildings within the Green Belt should be regarded as inappropriate development. Paragraph 89 goes on to list certain exceptions to inappropriate development. Paragraph 90 also lists certain other forms of development which are considered appropriate provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. Local Plan policies GB1 and GB2 are largely consistent with the NPPF.
- 6.3 The proposed development falls outside of the categories identified as exceptions to inappropriate developments under both paragraphs 89 and 90 of the NPPF. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. 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.
- 6.4 The onus is on the applicant to demonstrate that very special circumstances (VSC) exist. The supporting statement sets out the applicant's VSC case, which can be summarised as follows:
- The use requires a meaningful expanse of private open land which is well separated from residential properties and which would simply not be available in urban/settlement areas and is only available in a Green Belt location
  - The use utilises an existing area of hard-surfacing, requires no permanent structures and therefore ensures long term maintenance of openness
  - The use provides service to and means of employment for local community that could not be provided in a non-green belt location
  - Temporary building sits alongside and within the curtilage of the existing much larger buildings and does not protrude as built form into the wider openness
  - Means of enclosing the exercise area is non-intrusive and is easily removed when no longer required. Fencing was erected under permitted development and thus could be retained in situ regardless of the outcome of the application
  - Traffic generation and general activity levels are low
  - Adopts existing access from public highway and uses existing hardstanding for car parking
  - Promotes the rural economy and aids the farm diversification agenda.
- 6.5 The change of use would result in limited material harm to openness. Any actual harm to the Green Belt is somewhat mitigated by the use of an area of existing hard-surfacing, the limited number of structures associated with the use and the fact that the appearance of the temporary building would itself be mitigated by it being viewed against the backdrop of the existing adjacent building. Moreover, the proposal would not materially conflict with the purposes of including land within the Green Belt.
- 6.6 It is considered that a non-Green Belt location within the locality would not be acceptable given the nature of the use in terms of the requisite space requirements and the potential for noise and disturbance.
- 6.7 The use of the site can be restricted to canine day care by virtue of a planning condition (recommended condition 1). This would ensure that the site and the temporary building could not be converted to any more harmful uses in the future.

- 6.8 In light of the above and subject to conditions, it is considered that Very Special Circumstances to outweigh the harm identified by definition, and any other harm, do exist in this case. In this regard the proposal is considered to comply with policy SP5 of the Borough Local Plan Submission Version.

### **Issue 2 – impact on the character and appearance of the area**

- 6.10 The overall scale and design of the temporary building would not appear out of character with the general character of the area particularly due to its positioning next to commercial units at Lower Mount Farm. All dogs, before being accepted, have a 2-3 hour assessment in which their socialisation skills are checked and poorly socialised, noisy or aggressive dogs are not accepted which keeps the barking/noise level to a minimum.
- 6.11 Whilst the fencing around the site results in the separation of the land, as mentioned in the VSC put forward, this could be retained as Permitted Development.

### **Issue 3 – impact on neighbouring amenities**

- 6.12 The proposal site does not directly adjoin any residential amenity areas and the nearest residential uses are situated on the northern side of Long Lane. It is considered that there would be a sufficient level of distance between the site and these residential properties so as to not have any significant impact in terms of noise and general disturbance.

### **Issue 4 – highways safety and parking**

- 6.13 The site would be accessed by an existing access to Lower Mount Farm. The Highways Authority have been consulted on this and have confirmed that the proposal raises no highway concerns in terms of the intensification of the existing access.
- 6.14 In terms of parking provision, it is considered that there is sufficient space to the front and side of the cabin to accommodate the demands of staff and people dropping off and collecting their dogs.

### **Issue 5 – planning balance**

- 6.15 In light of the above assessment and as outlined under paragraph 88 of the NPPF, the proposal is considered to outweigh the potential harm to the Green Belt by reason of inappropriateness through very special circumstances outlined under Issue 1 and no other harm has been identified.

### **Other considerations**

7. Significant weight is to be accorded to the relevant Borough Local Plan Submission Version policies in this case. The above application is considered to comply with the relevant policies listed within the Development Plan and the Borough Local Plan Submission Version.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

No letters were received from the one neighbouring site directly notified or as a result of a site notice posted on the 05.03.18 along Long Lane.

### **Statutory consultees**

Consultee	Comment	Where in the report this is considered
Parish	'Objection to change of use which is unacceptable and	Noted. Issue 1

Council:	incompatible in/with a highly sensitive open countryside green belt location, and should not enable any activity or use other than agricultural or aesthetically similar, including through subsequently permitted or enabled further changes of use; however, without expressing concern for the specific business use intended in this application which is deemed compatible, i.e. strictly temporary buildings for use as a day time kennels'.	
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#### Other consultees

Consultee	Comment	Where in the report this is considered
Highways Authority	'Proposal raised no highway concerns'.	6.11

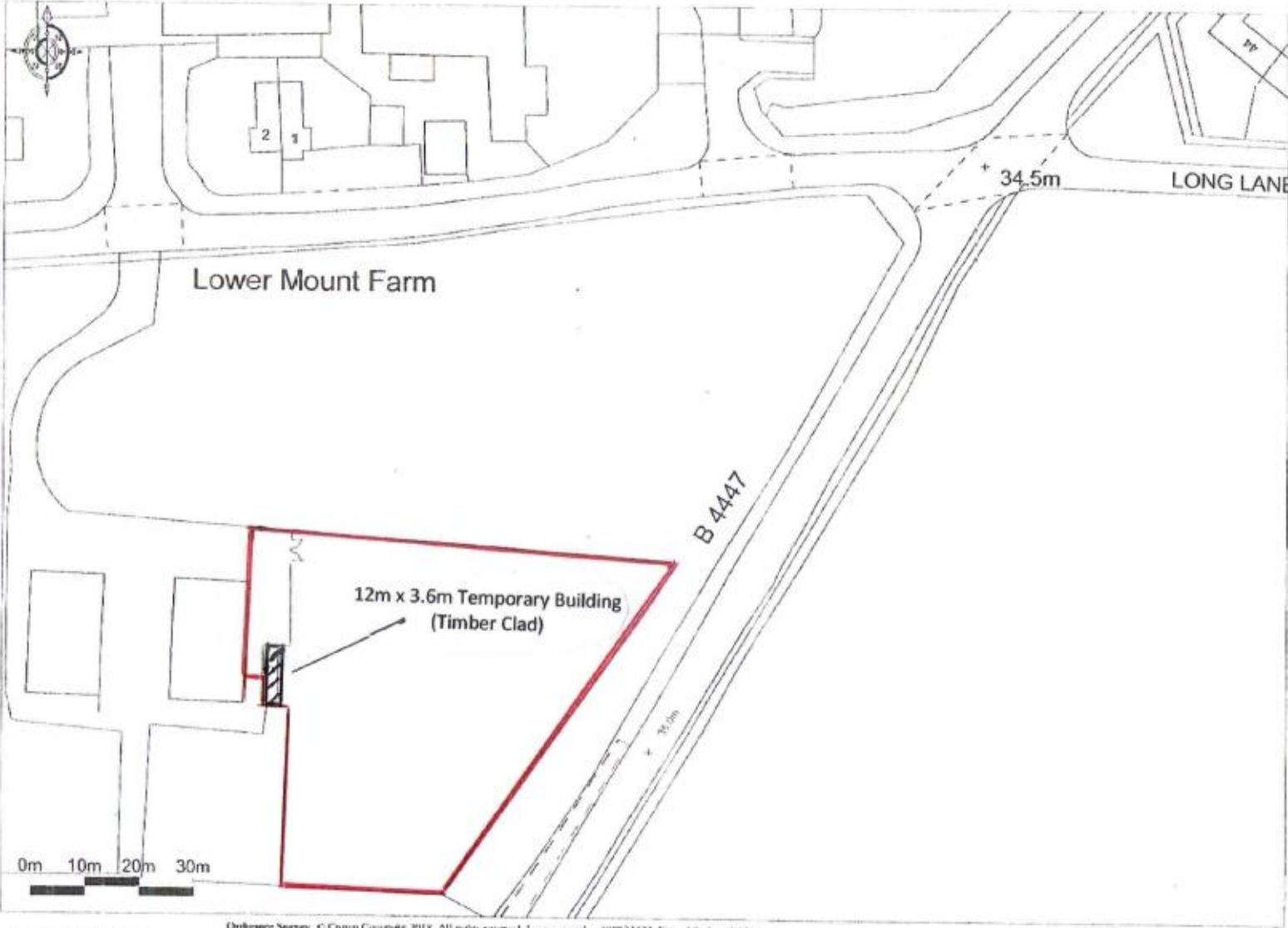
## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Measurements of temporary structure

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The use hereby permitted shall be limited to a canine day care facility only.  
Reason: To protect the Green Belt from encroachment; Relevant Policies - Local Plan GB1
- 2 The temporary equipment used for the purposes of exercising and training of dogs on site shall be cleared from the training area of the site when not in use.  
Reason: To protect the Green Belt from encroachment; Relevant Policies - Local Plan GB1.
- 3 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.

Appendix A – Site location plan



## PHOTOGRAPHS OF TIMBER CLAD PORTACABIN STYLE TEMPORARY BUILDING



North Elevation – 3 m wide x 2.8m high



East Elevation (with retail barn behind) 12m wide x 2.8m high

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

9 May 2018

Item: 3

<b>Application No.:</b>	18/00582/FULL
<b>Location:</b>	20 And Land At 20 Kelsey Close Maidenhead
<b>Proposal:</b>	New dwelling with associated parking and single storey rear extension to the existing dwelling
<b>Applicant:</b>	Mrs Steel
<b>Agent:</b>	Mr David King
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green Ward
<b>If you have a question about this report, please contact:</b> Alys Hughes on 01628 796040 or at <a href="mailto:alys.hughes@rbwm.gov.uk">alys.hughes@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 Planning permission is sought for a new dwelling with associated parking and single storey rear extension to the existing dwelling
- 1.2 The proposed dwelling by reason of its siting, scale, design, proportions and form, would appear as an incongruous addition, to the detriment of the character and appearance of the street scene and would result in an overdevelopment of the site. It would also have a detrimental impact on the amenities of the neighbouring dwellings, appearing obtrusive.
- 1.3 The scheme is not considered to comply with National guidance and the Council's adopted policies and standards and refusal is therefore recommended.

**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 proposed dwelling, by reason of its layout, scale and siting would appear as a visually incongruous addition within this part of the street scene, which would disrupt and appear at odds with the prevalent pattern and layout of development within Kelsey Close. The proposal would result in an overdevelopment of the site. The scheme conflicts with Paragraphs 17 (Core Planning Principle 4), 56, 58, 61 and 64 of the National Planning Policy Framework (NPPF) and policies DG1, H10 and H11 of the RBWM Local Plan 1999 (Incorporating Alterations Adopted 2003). |
| 2. | The proposal, by reason of its siting and proximity to the shared boundaries, would appear obtrusive when viewed from the first floor windows of no.20 and also the rear amenity area of no.22 Kelsey Close. The proposal would therefore be contrary to Policies H10 and H11 of the Local Plan and paragraph 17 (4) of the NPPF.  |

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Brimcombe irrespective of officer recommendation

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

- 3.1 The application site is located on the north western side of Kelsey Close which is a small cul-de-sac of detached and semi-detached suburban style dwellings and chalet bungalows. The road is accessed via Gainsborough Drive.

- 3.2 The surrounding area is predominantly residential in character and the dwellings within this area are defined as 'late 20<sup>th</sup> Century suburbs' within the Townscape Character Assessment. All dwellings follow the same building line and the majority have off-street parking to the front.

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

- 4.1 The application seeks consent for the erection of a detached dwelling and a single storey rear extension to no.20 Kelsey Close.
- 4.2 The proposed dwelling would be set back 7m from the front boundary of the site directly to the front of the proposed dwelling and 8.5m behind the front elevation of no.20. The dwelling would be 6m wide and 8m deep and would accommodate two bedrooms. Two parking spaces for the proposed dwelling would be provided to its front.
- 4.3 A single storey rear extension is also proposed to be erected on the rear of no.20 Kelsey Close which would extend from the rear elevation by 4m across the full width of the dwelling. Existing parking provision for no.20 would remain which is within the garage and on the drive way to its front.

#### **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)

##### **Borough Local Plan: Submission Version**

Issue	Local Plan Policy
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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

##### **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 principle of development
- ii impact on the character and appearance of the area
- iii impact on the amenities of neighbouring properties
- iv highway safety and parking provision
- v other considerations

### **Issue 1 – principle of development**

6.2 The proposal site is situated within the developed area of Maidenhead wherein the sub-division of a plot is not in itself objectionable in principle provided that the proposed development would be in keeping with the character of the area and would not be harmful to the amenities of neighbouring occupiers or any other interests of acknowledged importance.

### **Issue 2 – impact on the character and appearance of the area**

6.3 Policy H10 of the Local Plan states that in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the local area. The character of Kelsey Close towards the north western end, where the site is situated, consists mainly of semi-detached dwellings. Dwellings have sizeable gardens and the spacing between dwellings is fairly consistent. An exception to this is the spacing between no.20 and no.22 Kelsey Close with a distance of approximately 12m between both dwellings. This is due to the location of a hammer-head turning area at the end of the close.

6.4 The proposed dwelling would be similar in scale to the neighbouring dwellings however its form would differ, being a detached dwelling in between semi-detached dwellings. As there are other examples of detached dwellings along Kelsey Close, it would be difficult to object to its proposed form alone.

6.5 However the positioning of the dwelling in relation to the existing dwellings would be considered harmful to the character of the area. The proposed dwelling would be set back behind the existing building line by 8.5m. The proposal would therefore be inconsistent with the existing pattern of development and would draw attention away from its existing uniform layout. The Townscape Character Assessment also recommends that new developments should respect the existing building line, including the retention of grass verges and front gardens. Furthermore, the positioning of the dwelling behind the existing garage of no.20 would result in the garage becoming a more prominent feature in the street scene.

6.6 The sub-division of the plot would also be considered harmful, resulting in two smaller plots that would have limited spacing. Space to the front of the dwelling would also be limited, reducing opportunities to introduce soft landscaping to soften the appearance of the development. The proposal is considered to result in an overdevelopment of the plot, significantly increasing the density of the plot, contrary to the density of the immediate area.

- 6.7 The National Planning Policy Framework (NPPF) states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Whilst the proposed height, design, use of materials, and the general appearance of the proposed dwelling would accord with the surrounding development, the siting of the dwelling and the overdevelopment of the plot would represent poor quality design, resulting in a form of development that would appear cramped and be readily identifiable as an addition to the street scene rather than blend in with it.
- 6.8 In light of the above assessment, the proposal is not considered to be compatible with the character of Kelsey Close and the immediate surrounding area and would therefore be harmful to the character and amenity of the local area, contrary to policies H11 and DG1 of the Local Plan, policy SP3 of the Borough Development Plan Submission Version and the Core Principles of the NPPF (requiring good design).

### **Issue 3 – impact on the amenities of neighbouring properties.**

- 6.9 With regards to the impact on the amenities of no.20 Kelsey Close, it is proposed to erect a single storey rear extension on the rear elevation of this property. At present, no single storey extension exists and the proposed new dwelling would breach the 45 degree light angle when measured from the nearest habitable room window on the ground floor of no. 20. The dwelling would also appear overbearing from its rear amenity area. However, if permission is granted, it could be made subject to an appropriate condition that the proposed single storey rear extension must be substantially completed prior to the construction of the new dwelling.
- 6.10 Even with the single storey rear extension in place, it is still considered that the proposed new dwelling would appear obtrusive from the first floor windows of no.20. The dwelling would only marginally breach the 60 degree light angle when taken from the nearest habitable room at first floor level at no. 20 and therefore it is not considered that there would be any significant loss of light. However, the projection of the proposed dwelling by 6m beyond the rear elevation of no.20 at first floor level would result in a loss of outlook with the dwelling appearing obtrusive and overdominant when viewed from no. 20. This would be further exacerbated by the proposed dwelling being set back only 1m from the shared boundary.
- 6.11 The proposed new dwelling would not breach the 60 or 45 degree light angles when measured from the midpoint of the nearest habitable room windows of neighbouring dwelling no.22. However, again it is considered that the position of the dwelling and its proximity to the shared boundary would result in it appearing unduly prominent and overbearing when viewed from the rear amenity areas of this dwelling.
- 6.12 As no flank windows are proposed, it is not considered that the dwelling would permit any unacceptable level of overlooking. If permission is granted, it would be reasonable to include a condition to prevent any windows from being inserted in the flank elevations of the dwelling in order to protect the privacy of neighbouring dwellings.
- 6.13 In light of the above, the proposal is considered to have a detrimental impact on the amenities of both immediate neighbouring dwelling's occupants by virtue of its positioning and due to it appearing unduly prominent and overbearing from their private amenity areas.

### **Issue 4 – highways safety and parking provision**

- 6.14 The Highways Authority have been consulted on the proposal and have not raised any objection to the proposed access to the site and do not consider that the proposal would result in a significant increase in vehicle trips that would negatively impact the local highway network.
- 6.15 Both the proposed and the existing dwelling would generate a need for two off-street parking spaces each in accordance 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. Two parking spaces have been allocated to the front of the proposed dwelling. The Highways Authority have been consulted on the application and have questioned whether the second

parking space is accessible due to the adjacent boundary wall. However, it would appear from the site plan that this boundary wall is to be removed. The two parking spaces at 20 Kelsey Close would remain as existing.

- 6.16 The Highways Authority have also confirmed that the bin store situated adjacent to the proposed parking bays is acceptable. No bin store has been indicated on the plan to serve the existing dwelling. There is limited space to the front of the dwelling to provide this. This limited amount of space on site to provide sufficient bin storage is another indication that the proposal represents an overdevelopment of the site.

## **Issue 5 - Other Material Considerations**

### Housing Land Supply

- 6.17 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 housing applications 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 5 year supply of deliverable housing sites. The Borough Local Plan Submission Version sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated against this proposed stepped trajectory.
- 6.18 Significant weight is to be accorded to the relevant Borough Local Plan Submission Version policies in this case. The above application has been assessed in accordance with these relevant policies.

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

- 7.1 In line with the Council's Charging Schedule the proposed development would be CIL liable. The required CIL payment for the proposed development would be £100 per square metre on the chargeable floor area. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

14 neighbouring occupiers were notified directly of the application and a site notice was posted to the front of the site on 15.03.18

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

Comment		Where in the report this is considered
1.	Similar to previously refused application	Noted
2.	Increase in traffic in the cul-de-sac	6.14
3.	Out of character with existing semi-detached dwellings	6.4
4.	Unacceptable impact on no.22	6.11
5.	Overdevelopment of the site	Issue 2
6	Increased demand for parking	6.15
7	Result in loss of screening between the cul-de-sac and A404	Landscaping plan could be included as condition if permission was recommended
8	Set a precedent for other similar developments	Noted

9	Only bin store for proposed new dwelling is shown	See 6.16
10	Design of both properties suggest that they will be let to multiple tenants resulting in further parking issues	The proposal complies with the parking requirement in relation to the proposed number of bedrooms. See 6.15.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	<p>‘-overdevelopment of the site  1.Out of keeping with the street scene  1. The proposal would introduce a terracing effect contrary to the established design of the locality and wider Ockwells Estate  2. - the proposal would result in an unneighbourly impact upon the residential amenities of the neighbouring properties by virtue of the overbearance of the proposal’s bulk and mass.  Note: it is unclear from the plans as to the parking arrangements for the existing property as the garage’s rear door appears to exit onto the proposed property’.</p>	Issues 2, 3 and 4

### Other consultees

Consultee	Comment	Where in the report this is considered
Environment Protection	No objection subject to conditions/informatives	Noted
Highways Authority	Recommended approval subject to conditions	Issue 4

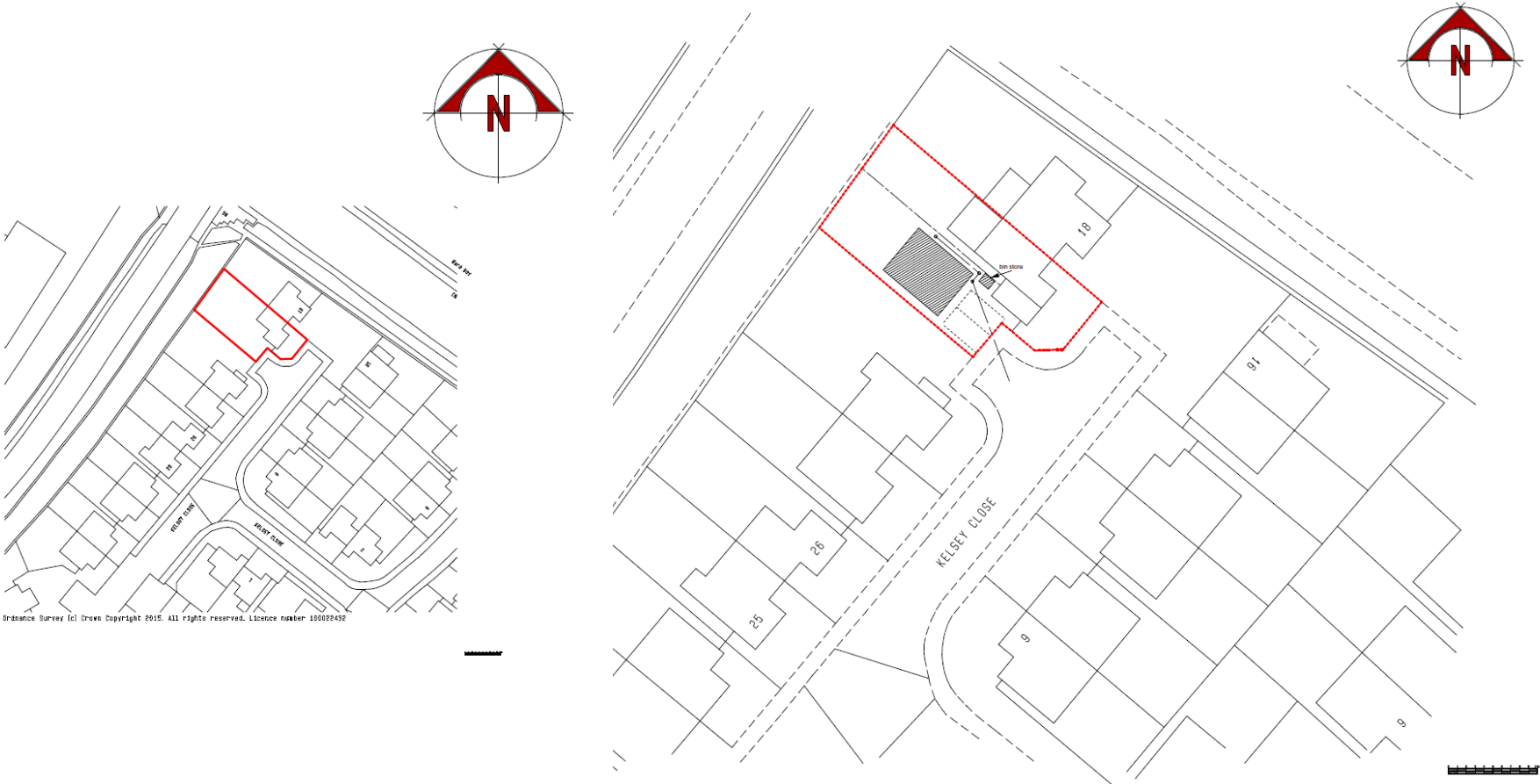
## 9. APPENDICES TO THIS REPORT

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

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

- 1 The proposed dwelling, by reason of its layout, scale and siting would appear as a visually incongruous addition within this part of the street scene, which would disrupt and appear at odds with the prevalent pattern and layout of development within Kelsey Close. The proposal would result in an overdevelopment of the site. The scheme therefore conflicts with Paragraphs 17 (Core Planning Principle 4), 56, 58, 61 and 64 of the National Planning Policy Framework (NPPF), policies DG1, H10 and H11 of the RBWM Local Plan 1999 (Incorporating Alterations Adopted 2003) and policy SP3 of the Borough Local Plan Submission Version.
- 2 The proposal, by reason of its siting and proximity to the shared boundaries, would appear obtrusive when viewed from the first floor windows of no.20 and also the rear amenity area of no.22. The proposal would therefore be contrary to Policies H10 and H11 of the Local Plan and paragraph 17 (4) of the NPPF.

Appendix A – Site location and site layout plan



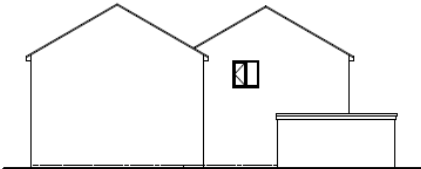
Appendix B – Proposed elevations and floor plans



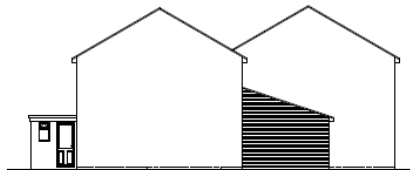
FRONT ELEVATION



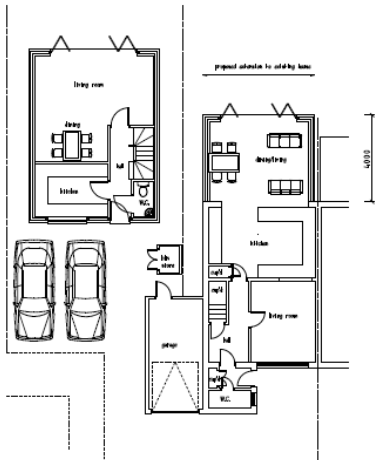
REAR ELEVATION



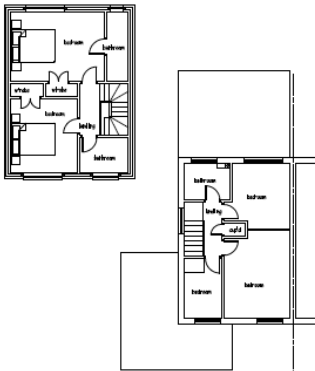
SIDE ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



bin store



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

9 May 2018

Item: 4

<b>Application No.:</b>	18/00775/FULL
<b>Location:</b>	White House Star Lane Reading RG10 9XY
<b>Proposal:</b>	Two storey side and single storey side extension following demolition of lean to kitchen/garage
<b>Applicant:</b>	Mr And Mrs Murray
<b>Agent:</b>	Mr Kevin Mosley
<b>Parish/Ward:</b>	Hurley Parish/Hurley And Walthams Ward
<b>If you have a question about this report, please contact:</b> Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 This site is in the Green Belt and the size of the proposed extension to the house would be disproportionate to the size of the original dwelling, with an 84.5% increase in floor area. Consequently the proposal represents inappropriate development in the Green Belt. There are no very special circumstances relevant to this case that would outweigh this in principle harm.

**It is recommended the Panel refuses planning permission for the reason set out in Section 9 of this report.**

**It is recommended the Panel refuses planning permission for the following summarised reason (the full reasons are identified in Section 9 of this report):**

- |    |  |
|----|--|
| 1. | The size of the proposed extension would be disproportionate to the size of the original dwelling, with an 84.5% increase in floor area, so the proposal represents inappropriate development in the Green Belt. There are no very special circumstances that would outweigh this in principle harm. |
|----|--|

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor Hunt for the following reason: In the interest of the public to discuss % increase of a dwelling with removal of garage.

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

- 3.1 The application site is located on the east side of Star Lane within the Green Belt. The site comprises a detached house which has previously been extended to provide a double garage.
- 3.2 The street scene of Star Lane is characterised by a variety of different sized dwellings of varied architectural styles and finishes.

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

- 4.1 The proposal is to demolish the garage extension and an original kitchen/dining room, and to build a 2 storey and part single storey extension to the side and rear of the property. The extension would not be as wide as the existing garage, but would project 4.7m to the rear of the house.

Ref.	Description	Decision and Date
5511/63	Garage and fuel store	Approved 31.7.1963
97/32048	Change of use of one room in house as a consulting room for homeopathy personal to Mrs B Meech	Approved 5.1.1998
16/00383	Two storey side extension, new garage, store and log store following demolition of existing lean to extensions	Refused 30.3.2016
17/01432	Two storey side/rear extension following demolition of the existing garage	Refused 7.7.2017

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

### Royal Borough Local Plan

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

	House extensions	Green Belt	Parking
Local Plan	DG1 H14	GB1, GB2, GB4	P4

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)

### 5.2 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

### Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:



- RBWM Parking Strategy – view using link at paragraph 5.2

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Impact on the Green Belt
- ii Visual impact of the proposed development on the host dwelling and locality in general
- iii Neighbour impact
- iv Parking provision

### **Green Belt**

- 6.2 Local Plan Policy GB4 identifies that within the Green Belt, residential extensions that do not result in a disproportionate addition over and above the size of the original dwelling, are considered to be appropriate development in the context of Policy GB1. Proposals that are disproportionate are considered as inappropriate development which is by definition harmful to the Green Belt. Within the subtext of Policy GB4 it is stated that the floor space will be a guiding factor in assessing whether a proposal is in accordance with the policy. However, percentage increases are not the sole determining factor. The bulk and scale of the proposals, their effect on the openness and the purposes of the Green Belt and their impact on the general appearance of the area, as well as the individual property, will all be considered in assessing a proposal. Relevant Local Plan policies are considered to generally accord with the NPPF and policies SP1 and SP5 of the Borough Local Plan Submission (BLP) Version are considered to accord fully with the NPPF.
- 6.3 Paragraph 89 of the NPPF lists the exceptions to the presumption against the construction of new buildings in the Green Belt. Relevant to the consideration of this application, bullet 3 of paragraph 89 refers to 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'
- 6.4 The original dwellinghouse had a floorspace of 155 sqm. It was subsequently extended by 36 sqm, a 23% increase. This proposal would involve the demolition of 63 sqm and add a further 158 sqm, leading to a total increase of 131 sqm, which would be an 84.5% increase. On floorspace alone, the proposal clearly represents a disproportionate addition over and above the size of the original dwellinghouse and thus would not comply with paragraph 89 of the NPPF, the relevant green belt policies of the BLP Submission Version or with Policy GB4 of the Council's Local Plan. It should also be noted that a previous proposal, reference 17/01432, for an extension of 111 sqm, which comprised an increase of 71.6% in floor-space, was refused under delegated powers, and this current proposal is larger than that.
- 6.5 In addition to floor area, the proposal by reason of its siting, height, depth and mass would result in a large increase in bulk of the original dwelling. Both Local Plan policies and paragraph 79 of the NPPF advises that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The result of the floorspace increase and the substantial increase in volume would present a mass and scale that would be disproportionate to the original dwelling, representing inappropriate development and which would also materially harm the openness of the Green Belt.
- 6.6 The NPPF advises that inappropriate development is by definition harmful and should not be approved unless very special circumstances (VSC) exist. VSC will not exist unless other considerations clearly outweigh the harm to the Green Belt and other harm. In this case the applicant has failed to demonstrate VSC and none are apparent. Therefore the proposal is contrary to Policy GB1 of the Local Plan, policies SP1 and SP5 of the BLP Submission Version and Section 9 of the NPPF.

Floorspace of original house or at 1/7/1947	155.00	sq. metres	
Extensions added prior to current application	36.00	sq. metres	23.23%
Current proposal	158.00	sq. metres	
Floorspace to be demolished	63.00	sq. metres	
Total Floorspace added	131.00	sq. metres	84.52%

### Visual Impact

- 6.7 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 7 (Requiring Good Design), policy SP3 of the BLP Submission Version 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.
- 6.8 The properties within Star Lane are each unique in their design; their designs are considered to compliment a tranquil, rural residential settlement. The street scene within the immediate vicinity is characterised by detached dwellings of varying architectural styles and finishes.
- 6.9 It is considered that the proposed works would harmonise with the style of the host dwelling, and would not have a detrimental impact on the street scene. Therefore, the proposal is considered to respect the appearance and design of the host dwelling and the appearance and character of the street scene would not be harmed.

### Neighbour Impact

- 6.10 Given the distance to the nearest neighbouring dwellings, it is considered that the proposal would not harm the amenities of the neighbours. The proposed works would not result in a loss of light or have an adverse impact with regards to overlooking or loss of privacy, nor appear overbearing when viewed from the neighbouring properties.

### Parking

- 6.11 The proposed works would result in a 4 bedroom dwellinghouse which would require off street parking provision for 3 vehicles, and would include the loss of the double garage. The site has ample parking provision for more than 3 vehicles. Therefore the parking at the application site would remain in line with the parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

## Other Material Considerations

- 6.12 The Councillor who called this application to Panel wanted the matter of the percentage increase to be discussed in the context of the removal of the garage. As is explained in this report, the garage was not original to the dwelling, but was built following permission in 1963. Although it has been there a long time, it is not original, and the test for Policy GB4 and Paragraph 89 of the NPPF is the comparison with the original dwelling. Its removal has been taken into account in the calculations of floor area increase as set out above. Furthermore, its removal does not amount to the very special circumstances necessary to justify the extension in the Green Belt.
- 6.13 Significant weight is to be accorded to the relevant Borough Local Plan Submission Version policies in this case and the compliance or otherwise of this proposal with the relevant policies is detailed in the above report.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 27.3.2018

No comments were received

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Hurley Parish Council:	No objection	N/A

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing plans
- Appendix C – Proposed plans

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. 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.

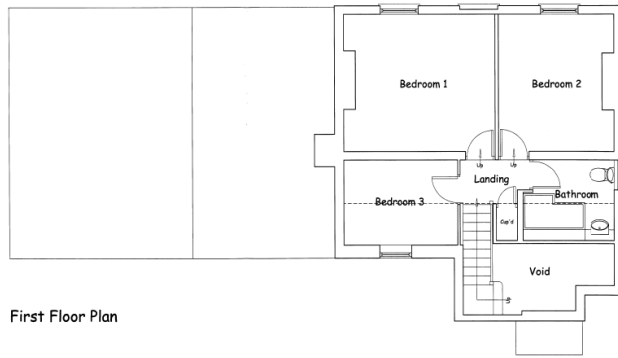
In this case the issues have been unsuccessfully resolved.

## 9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

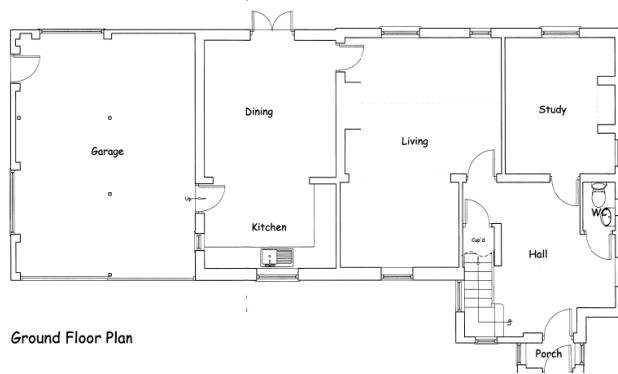
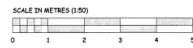
- 1 The proposed works would result in a total floorspace increase of the dwelling of 131 sq. metres, which would represent a total percentage increase of 84.5% over and above the original dwellinghouse. Therefore, the proposal, by reason of its siting, size, mass and floorspace, would result in a disproportionate addition over and above the size of the original dwellinghouse. As such, the proposal would be contrary to paragraph 89 of the National Planning Policy Framework (NPPF) and therefore would represent inappropriate development in the Green Belt which would result in substantial harm to the Green Belt. Paragraph 88 of the NPPF advises that inappropriate

development in the Green Belt should not be approved except in very special circumstances. In this case, the applicant has failed to demonstrate that there are any other considerations that would clearly outweigh the harm to the Green Belt, and, as such, no very special circumstances exist. Accordingly, the proposal is contrary to saved Policies GB1, GB2(A) and GB4 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003), Policies SP1 and SP5 of the Borough Local Plan Submission Version and paragraphs 87, 88 and 89 of the National Planning Policy Framework, March 2012.

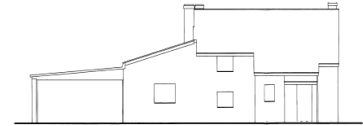




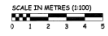
First Floor Plan



Ground Floor Plan



Front Elevation



Side Elevation



Rear Elevation



Side Elevation

