

# MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 23RD JANUARY, 2019

At 7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
3.	<u>PLANNING APPLICATIONS (DECISION)</u>  To consider the Head of Planning's report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module at <a href="http://www.rbwm.gov.uk/pam/search.jsp">http://www.rbwm.gov.uk/pam/search.jsp</a> .	3 - 8

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## ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD PANEL UPDATE

### Maidenhead Panel

<b>Application No.:</b>	18/02770/OUT
<b>Location:</b>	Field Adjacent To North West Corner of Grove Business Park Waltham Road Maidenhead
<b>Proposal:</b>	Erection of a single storey agricultural barn
<b>Applicant:</b>	Mr & Mrs Smith
<b>Agent:</b>	Tom McArdle
<b>Parish/Ward:</b>	White Waltham Parish/Hurley And Walthams Ward

**If you have a question about this report, please contact:** Sheila Bowen on 01628 796061 or at [sheila.bowen@rbwm.gov.uk](mailto:sheila.bowen@rbwm.gov.uk)

#### 1. SUMMARY

- 1.1 Two conditions concerning noise and lighting are proposed to be added to protect the amenities of any future residential occupiers of land at Grove Business Park in the light of the Neighbourhood Plan policy concerning the future use of the business park.

**It is recommended the Panel grants planning permission with the conditions listed in Section 12 of the main report with the additional conditions in section 3 below.**

#### 2. ADDITIONAL INFORMATION

- 2.1 Further consideration has been given to the protection of the amenities of any potential future residential occupiers of land at Grove Business Park, and two further conditions are proposed concerning control of noise and lighting. It is not considered reasonable to restrict the times that the building can be used, bearing in mind its intended function.

#### 3. ADDITIONAL CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 3.1 Prior to any construction works above ground, details of noise attenuation measures including details of any equipment to be used shall first be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed prior to occupation and thereafter retained.

Reason: To ensure a satisfactory level of amenity for the occupants of all existing and proposed neighbouring properties. Relevant Policies - Local Plan NAP2.

Prior to its installation, details of any external lighting shall first be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed prior to occupation and thereafter retained.

Reason: To ensure a satisfactory level of amenity for the occupants of all existing and proposed neighbouring properties. Relevant Policies - Local Plan NAP2.



**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD  
PANEL UPDATE**

**Maidenhead Panel**

<b>Application No.:</b>	18/03171/FULL
<b>Location:</b>	46 Barn Drive Maidenhead SL6 3PR
<b>Proposal:</b>	Alterations to existing bay window, new front canopy, part single part two story side extension, first floor rear extension with Juliette balcony and alterations to fenestration
<b>Applicant:</b>	Mrs Hull
<b>Agent:</b>	Mr Adrian Collett
<b>Parish/Ward:</b>	Cox Green Parish/Cox Green 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 The objector has presented a Sun Chart and notes to support his case that the first floor rear extension will cause loss of sunlight to his living room. It is acknowledged that there will be some loss of sunlight to this room, however it is considered that this is not sufficient to justify a refusal of the application, and that a refusal would not be likely to be upheld on appeal.

**There is no change to the recommendation in the main report.**

**2. ADDITIONAL INFORMATION**

- 2.1 Further representations have been received from the objector.

**Comments from Interested Parties**

- 2.2 additional comments received, summarised as:

Comment	Officer response	Change to recommendation?
<p><b>Accon identifies no daylight, sunlight impacts. There is no audit path in their report to enable verification. A report at a late stage is evidence in itself of issues of concern. It is addressed to the applicant with disclaimer. Not to council.</b></p> <p>I have run a Sun Chart program which when the 'extension elevation' is appended gives a good indication of No 47 sunlight availability. In winter a small amount of sunlight remains in Mar, Feb and Oct; in summer amounts of sunlight are lost in Sept, Aug and Apr.</p> <p>Applying a 35% elevation (2m above ground level): In percent of APSH that equates to annual sunlight</p>	<p>The consultant's finding was that there would be no significant impact.</p>	<p>No</p>

of 48% now; reducing to 34% with extension.  
\*In percent of APSH that equates to winter sunlight of 12% now; reducing to 2% with extension. Even then half of the 2% is due to the height of the sun in late March.

Much different from Accon sunlight figures with a possible knock on to other measurements. But the above is justified by physical observation. Calculation is only a guide which should confirm physical observation.

It seems to me that flaws in the conclusion of the report are exposed by physical evidence (viewing from inside No 47), bias in reporting and/or generality of measurements (not transparent).

1.\*My sanity check provided by my sketches and the photos mean conclusion of 'no significant impact on sunlight' (serious model error) should read 'post extension there will be minimal winter sunshine for 180 days' to No 47 main lounge living area. Summer sunshine seems less affected (but it is affected) as the sun is higher and it seems to me that if elevation of 50% (ground level) is applied to the sun chart, as perhaps a better comparator to the solar measurement, results would be worse still.

2.I suggest the conclusion is misleading as my major concern is sunlight **INTO** my property (photo) at my main living area for enjoyment of long held amenities. This is an extension which should respect sunlight supporting long enjoyed amenities not seek to restrict it to minimum lighting requirement. The Borough Local Plan comments on sunlight entering windows as important for heating. Diffused light onto a window cannot have the same positive effect on pleasant living environment as direct sunlight.

3.\*\*\*General comment of 'little effect on amenity space' could include that specifically 'seating/patio outside space would be seriously impacted' (as photo).

4.\*\*They could comment on 'no shadow to applicant No 46' (sketch 2) which means that a first floor extension to the north and west boundary of an existing property would not normally be allowed.

5.They could comment on 'creation of a suntrap' (sketch 2) taking an unfair share of sunlight.

6.Perhaps biased by applicant and calculations which are not transparent. It is a mystery if visible evidence is trumped by calculation without explanation.

7.Does not compare quality of light to surrounding dwellings (sketch 2).

8.Does not try to address 'out of character'. The character is that there are no first floor extensions blocking amenities on the Barn Drive development.

<p>There is no uncontested reason to show 'in character'. It is 'out of character'. This is not BRE good design to minimise amenity impact on No 47.</p> <p>9.***Sufficient direct sunlight is particularly required: to support the amenities of sitting behind glass in the winter sun, heating and natural light reading.</p> <p>We are retired so we are on the premises most of the time to enjoy amenities most of the time in the main lounge.</p> <p><b>There are 4 notably important pockets of impact (identified by photos) at the No 47 residence. These need to be viewed from inside No 47 to appreciate the impact.</b></p> <p><b>Daylight and Sunlight Planning: customer guidelines from another council.</b> Maidenhead guideline is not as much detail although probably in the Local Plan.</p> <p>Each application to be assessed on its merits.</p> <p>Potential adverse impact will require the methods of daylighting and sunlighting assessment in the BRE. 'Daylight and sunlight numbers to be viewed flexibly as a result of notable limitations'.</p> <p>Where appropriate demonstrate before and after circumstances.</p> <ul style="list-style-type: none"> <li>A. **Councils require min: a design to minimize overshadow to neighbour; a greater part of overshadow confined to applicants own land.</li> <li>B.*Councils will not support extensions resulting in loss of sunlight for the majority of the day. ***Extensions will be required to provide adequate levels of sunlight.</li> <li>C.***Sunlight in support of existing amenities and unacceptable impacts of configuration are to be considered. Council requirement of 3 hours of sunlight in living rooms mid winter between 9am and 3pm. Met now 'not with extension'</li> </ul> <p><b>Particular identified reasons to request refusal not picked up in the Accon report.</b></p> <p><b>Accon/BRE website says.</b></p> <p><b>BRE reporting is a system to 'aid design which does not disrupt' or 'guidance on how to avoid adverse impacts'. Methodology, measurements and criteria to determine light are non mandatory targets to be viewed with flexibility and as a guide as they all have limitations.</b></p> <p>From Accon 2'nature and effect'. It is therefore important to ensure that buildings to the south of any development do not cause overshadowing to</p>		
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<p>existing dwellings and therefore reduce their capacity to receive sunlight. From Accon 3.2 The BRE report contains guidance on how to design developments, whilst minimising impacts on existing buildings from overshadowing and reduced levels of daylight and sunlight. ****From Accon A2.2 Reasonably sunlit is at least 5% of APSH during the winter.</p> <p><b>I hope the above helps identify sufficient reasons for the planning application to be refused (apparently none identified or explained by Accon report to applicants).</b></p>		
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