

NOTICE
OF
MEETING



MAIDENHEAD DEVELOPMENT CONTROL PANEL

will meet on

WEDNESDAY, 3RD AUGUST, 2016

at

7.00 pm

in the

COUNCIL CHAMBER - TOWN HALL,

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT CONTROL PANEL

COUNCILLOR DAVID BURBAGE (CHAIRMAN),
COUNCILLOR DEREK WILSON (VICE-CHAIRMAN),
COUNCILLORS CLIVE BULLOCK, GERRY CLARK, DAVID COPPINGER,
MAUREEN HUNT, RICHARD KELLAWAY, PHILIP LOVE, DEREK SHARP, ADAM
SMITH, CLAIRE STRETTON AND LEO WALTERS.

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, STUART CARROLL, CARWYN COX, JUDITH
DIMENT, GEOFF HILL, MOHAMMED ILYAS, MJ SAUNDERS AND HARI SHARMA.

Karen Shepherd
Democratic Services Manager
Issued: Tuesday, 26 July 2016

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

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

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

Recording of Meetings – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be available for public viewing on the RBWM website. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

AGENDA

PART 1

ITEM	SUBJECT	WARD	PAGE NO
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.		
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.		3 - 4
3.	<u>MINUTES</u> To confirm the part I minutes of the meeting of 6 July 2016.		5 - 10
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning and Development's report on planning applications received. Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. http://www.rbwm.gov.uk/web/dc_public_apps.htm		11 - 68
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		69 - 70
6.	<u>ENFORCEMENT REPORT - 16/50256 - LAND BETWEEN LIGHTLANDS LANE AND STRANDE VIEW WALK AND STRANDE LANE, COOKHAM.</u>		71 - 82

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

STATEMENT OF THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

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

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Agenda Item 3

MAIDENHEAD DEVELOPMENT CONTROL PANEL

06.07.16

PRESENT: Councillors David Burbage (Chairman), Derek Wilson (Vice-Chairman), Gerry Clark, David Coppinger, Geoff Hill, Maureen Hunt, Richard Kellaway, Philip Love, Adam Smith, Claire Stretton and Leo Walters.

Officers: Tony Carr (Traffic & Road Safety Manager), Rachel Fletcher (Conservation Officer), Jenifer Jackson (Borough Planning Manager), Shilpa Manek, Susan Sharman (Senior Planning Officer) and Matthew Tucker (Solicitor - Shared Legal Solutions)

Also Present but not Members: Councillors Judith Diment and Simon Dudley.

73/15 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Bullock and Sharp. Councillor Hill is substituting.

74/15 DECLARATIONS OF INTEREST

Councillor Burbage declared a personal interest for item 1 as he is a member of Bray Parish Council but attends the meeting with an open mind.

Councillor Dudley declared a non pecuniary interest for item 1 as he is the Chair of Governors at Riverside Primary School, which is the preferred site if there was to be a relocation. Councillor Dudley is also a member of Bray Parish Council but attends the meeting with an open mind for item 1 and he knows the speaker of item 2.

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

Councillor Kellaway declared a personal interest for items 2 and 3 as he is a Member of PRoM.

Councillor Love declared a personal interest for items 2 and 3 as he is a Member of the Maidenhead Town Partnership and PRoM.

Councillor Smith declared a non pecuniary interest for item 1 as he is the Governor at Riverside Primary School, which is the preferred site if there was to be a relocation.

Councillor Stretton declared a personal interest for items 2 and 3 as he is a Member of PRoM.

Councillor Walters declared a personal interest for item 1 as he is a member of Bray Parish Council but attends the meeting with an open mind.

Councillor Wilson declared a personal interest for item 1 as he is a member of Bray Parish Council but attends the meeting with an open mind and also a personal interest for items 2 and 3 as he is a Member of the Maidenhead Town Partnership and PRoM.

75/15 MINUTES

RESOLVED: That the Part I minutes of the meeting of the Maidenhead Development Control Panel held on 8 June 2016 be approved, subject to the clerk checking the note and audio of the meeting and amending the minutes if required.

76/15 PLANNING APPLICATIONS (DECISION)

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be

varied.

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

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

<p>*16/00984/FULL Braywick Court School Hibbert Road Maidenhead SL6 1UU</p>	<p>Construction of part single part two storey school building (Class D1) with associated external works, following demolition of existing buildings.</p> <p>The PANEL VOTED that the application be PERMITTED as per the officers panel update report. The Application was approved subject to amending condition 12 as per the update report.</p> <p>The Officers recommendation was put forward by Councillor Wilson and seconded by Councillor Love.</p> <p>(Ten Councillors voted for Officers recommendation, Councillors Burbage, Clark, Coppinger, Hill, Hunt, Kellaway, Love, Smith, Stretton and Wilson. Councillor Walters abstained from voting.)</p> <p>(Speakers: The Panel was addressed by Sir Michael Alcock, Objector, Councillor Ken Elvin, Bray Parish Council and Gemma Donnelly, Applicant)</p>
<p>*16/00973/FULL Church of Christ Science Marlow Road And The Cloisters Sun Lane Maidenhead</p>	<p>Erection of B1(a) office building with associated landscaping, car parking and cycle parking following demolition of existing buildings.</p> <p>Cllr Stretton put a motion to refuse the application as it failed to comply with Policies DG1 and E10 of the Local Plan and Policies MTC4 and MTC5 of the Area Action Plan which was seconded by Cllr Walters.</p> <p>Two Councillors (Councillors Stretton and Walters) voted for the motion, Eight Councillors (Councillors Burbage, Clark, Coppinger, Hill, Hunt, Kellaway and Smith) voted against the motion and Councillor Love abstained from voting. The motion fell.</p> <p>The Officers recommendation to permit the application was put forward by Councillor Wilson and seconded by Councillor Hill.</p> <p>(Eight Councillors voted for the motion to be permitted, Councillors Burbage, Clark, Coppinger, Hill, Hunt, Kellaway, Smith and Wilson. Councillors Stretton and Walters voted against Officers recommendation and Councillor Love abstained from voting.)</p> <p>The PANEL VOTED that the application be PERMITTED as per the officer's recommendation</p>

	<p>and the panel update report.</p> <p>(Speakers: The Panel was addressed by Kathryn Harlow and Miles Dagnall, Objectors and Asher Ross, Applicants Agent)</p>
<p>*16/01667/FULL Hard Edge 100 - 102 High Street Maidenhead SL6 1PT</p>	<p>Construction of building with retail at ground floor and 1 x 1 bed and 4 x 2 bed flats following demolition of existing building.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officer's report subject to deletion of condition 6 and addition of an archaeology condition.</p> <p>The Officers recommendation was put forward by Councillor Wilson and seconded by Councillor Stretton.</p>
<p>16/01129/FULL 105 Brunel Road Maidenhead SL6 2RU</p>	<p>Erection of 6 x 1 bed flats with associated parking and communal amenity space.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officer's report.</p> <p>The Officers recommendation was put forward by Councillor Wilson and seconded by Councillor Love.</p>
<p>*16/01236/FULL Herons Court Terrys Lane Cookham Maidenhead SL6 9RR</p>	<p>Erection of new detached dwelling following demolition of existing dwelling and buildings.</p> <p>The Borough Planning Manager was asked to provide follow up advice to the applicant. It was also noted that the Officer report erroneously referred to two applications in the planning history which did not relate to this site.</p> <p>Cllr Mrs Hunt moved to approve the motion on the basis that the design was acceptable and the removal of the stables and outbuildings amounted to very special circumstances, this was seconded by Cllr Kellaway. Three Councillors (Councillors Coppinger, Hunt and Kellaway) voted for this motion. Seven Councillors (Councillor Burbage, Hill, Love, Smith, Stretton, Walters and Wilson) voted against the motion and Councillor Clark abstained from voting and the motion fell. During the debate the Borough Planning Manager advised that a pragmatic approach had been taken to not include the volume/additional floor area in the calculation. This was noted by the Panel.</p> <p>The Officers recommendation to refuse the application was put forward by Councillor Wilson and seconded by Councillor Walters.</p> <p>(Eight Councillors voted for Officers recommendation, Councillors Burbage, Clark, Hill, Love, Smith, Stretton, Walters and Wilson. Councillors Coppinger, Hunt and Kellaway abstained</p>

	<p>from voting. There were no votes against the recommendation.)</p> <p>The PANEL VOTED that the application be REFUSED as per the officer's report and the revised reason for refusal 2 in the panel update report.</p> <p>(Speakers: The Panel was addressed by David Ashwandan, Cookham Society and Andrew Scott, Applicant)</p>
<p>*16/01292/FULL Hedsor Cottage 11 Maidenhead Court Park Maidenhead SL6 8HN</p>	<p>Erection of detached dwelling following demolition of existing garage and annexe.</p> <p>The PANEL VOTED that the application be PERMITTED against the officers recommendation and be DELEGATED to the Officers to agree conditions.</p> <p>Councillor Smith put forward a motion that the application be approved contrary to Officer recommendation and this was seconded by Councillor Coppinger. Cllr Smith considers that Policy F1 of the Plan was met as, like an application for a site at Velmead and the Chef Peking which was similar, flood mitigation can be sufficiently provided. Other Members of the Panel agreed that their local knowledge is that there is not a flood issue in this area and the maps held by the Environment Agency are wrong having not been updated to reflect the Jubilee River effect.</p> <p>(Ten Councillors voted for approval of the application, against the officers recommendation, Councillors Burbage, Clark, Coppinger, Hill, Hunt, Kellaway, Love, Smith, Walters and Wilson. Councillors Stretton abstained from voting.)</p> <p>(Speakers: The Panel was addressed by Dierdre Wells, Objector and Nicola Hock, Applicant. Ward Cllr Diment addressed the Panel and raised concern that the proposal fails the sequential and the exceptions test and might set a precedent).</p>
<p>15/03548/FULL St Lukes CE Primary School Cookham Road Maidenhead SL6 7EG</p>	<p>Construction of new staff car park.</p> <p>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officers panel update report. The Application was approved subject to the conditions in the Borough Planning Manager's report.</p> <p>The Officers recommendation was put forward by Councillor Love and seconded by Councillor Kellaway.</p>
<p>16/01360/FULL Cookham Rise</p>	<p>Rear classroom extension.</p>

<p>Primary School High Road Cookham Maidenhead SL6 9JF</p>	<p>The PANEL VOTED UNANIMOUSLY that the application be PERMITTED as per the officers panel update report. The Application was approved subject to the conditions in the Borough Planning Manager's report.</p> <p>The Officers recommendation was put forward by Councillor Clark and seconded by Councillor Kellaway.</p>
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77/15 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

Councillor Hunt enquired about the type “non –determination” on the three Glebeland Farm appeals received. The comments due date was not until 20 July so she was questioning how these can be non determined. Jenifer Jackson explained that through discussions, the applicant had been advised that the applications may be refused. Since the council was out of its 13 week period, the applicants could appeal.

The meeting, which began at 7.00 pm, ended at 9.00 pm

Chairman.....

Date.....

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Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Maidenhead Panel

3rd August 2016

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

Item No. 1 **Application No.** 16/00580/FULL **Recommendation** REF **Page No.** 13
Location: 13 The Terrace Bray Maidenhead SL6 2AR
Proposal: Replacement windows
Applicant: Mr Roux **Member Call-in:** Not applicable **Expiry Date:** 24 May 2016

Item No. 2 **Application No.** 16/01353/FULL **Recommendation** REF **Page No.** 27
Location: Land At Greythatch Terrys Lane Cookham Maidenhead
Proposal: Detached dwelling, parking and amenity space following demolition of existing dwelling
Applicant: Mr And Mrs Collis **Member Call-in:** Cllr MJ Saunders
Cllr Richard Kellaway **Expiry Date:** 1 July 2016

Item No. 3 **Application No.** 16/01672/FULL **Recommendation** REF **Page No.** 39
Location: 4 Thatchers Drive Maidenhead SL6 3PW
Proposal: Part single, part two storey side extension with front dormer.
Applicant: Mr And Mrs Smyth **Member Call-in:** Cllr Paul Brimacombe **Expiry Date:** 5 August 2016

Item No. 4 **Application No.** 16/02026/FULL **Recommendation** PERM **Page No.** 47
Location: 3 Somerford Close Maidenhead SL6 8EJ
Proposal: Single storey front and rear extension, part first floor, part two storey rear extension, two storey side extension with amendments to fenestration.
Applicant: Mr Pachoo **Member Call-in:** Cllr Simon Dudley **Expiry Date:** 9 August 2016

Item No. 5 **Application No.** 16/02047/FULL **Recommendation** PERM **Page No.** 59
Location: Knowl Hill CE Primary School Bath Road Knowl Hill Reading RG10 9UX
Proposal: Construction of detached modular classroom building
Applicant: Isabel Cooke **Member Call-in:** Not applicable **Expiry Date:** 25 August 2016

PLANNING APPEALS Page No. 69

APPEAL DECISION REPORT Page No. 70

ENFORCEMENT REPORT – 16/50256 – Page No. 71
Land between Lightlands Lane and Strande View Walk and Strande Lane, Cookham

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

3 August 2016

Item: 1

Application No.: 16/00580/FULL

Location: 13 The Terrace Bray Maidenhead SL6 2AR

Proposal: Replacement windows

Applicant: Mr Roux

Agent: Not Applicable

Parish/Ward: Bray Parish

If you have a question about this report, please contact: Garry Thornton on 01628 685901 or at garry.thornton@rbwm.gov.uk

1. SUMMARY

- 1.1 Retrospective planning permission is sought for white plastic (PVC) double-glazed windows that have replaced timber windows.
- 1.2 The replacement windows are considered to have a harmful impact upon the appearance of the dwelling and the wider terrace of houses. The replacement windows are therefore considered to be detrimental to the character and appearance of the Conservation Area. The proposal fails to comply with Local Plan policies DG1 and CA2, and the NPPF.

It is recommended that the Panel:

1. Refuses planning permission and;

2. Authorises enforcement action so that the unauthorised windows are removed and replaced with timber frame windows in the style of the original windows within 6 months.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager delegated powers to determine the application or to authorise enforcement action in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is on The Terrace in Bray and is within the Bray Village Conservation Area. The property is a two-storey semi-detached end of terrace house in the middle of the row with a white rendered façade.
- 3.2 13 The Terrace is within the Green Belt and is classed as an important non-listed building. The property is also subject to an Article 4 direction which removes the right to carry out development to front elevations without full planning permission because of the location of the property in the Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 White plastic (PVC) double-glazed windows have been installed to replace the previous timber-framed windows.
- 4.2 There is no relevant planning history relating to this property.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Planning Policy Framework

- 5.1 National Planning Policy Framework: Core planning principles (paragraph 17); Section 7 – Requiring good design; and, Section 12 – Conserving and enhancing the historic environment.

Royal Borough Local Plan

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

	Within settlement area	Green Belt	Conservation Area
Local Plan	DG1	GB2	CA2

- 5.3 None of the supplementary planning documents adopted by the Council are relevant to the proposal.

More information on this document can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

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

•	Bray Village Conservation Area appraisal – view at https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings
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6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Whether the Development Preserves or Enhances Conservation Area;
- ii Impact on the Green Belt;
- iii Impact on Neighbouring Properties;
- iv Enforcement Considerations.

Whether the Development Preserves or Enhances Conservation Area

- 6.2 The Terrace is a block of three terraces of brick built dwellings within Area B of the Conservation Area. The Bray Village Conservation Area Appraisal 2009 (Section 7.10) states that the majority of the buildings within Area B are considered significant and contribute positively towards the character of the Conservation Area. The Terrace, in particular, is significant because it forms a notable and distinctive exception to the majority of buildings within Area B which are nearly all detached.
- 6.3 Section 7.11 of the Bray Village Conservation Area Appraisal highlights the Terrace's visual importance within the Conservation Area due to it forming an attractive elevation when viewed from High Street on the approach into the village from the south.
- 6.4 The dwellings in the Terrace, with the exception of the application site, have windows which share similar widths, heights and positions of glazing bars, aprons and cills. They are all timber-framed with vertical sliding sashes and are all placed within the same position within the recesses of their window openings. As per section 7.16 of the Bray Village Conservation Area Appraisal this all combines to contribute towards a common style which creates a distinct feel along the length of the Terrace.

- 6.5 The replacement windows at Number 13 result in this being the only dwelling on the Terrace with this type of modern, double glazed plastic window which detracts from the traditional appearance of this row of houses. These windows are not sash ones. They are casement windows that are openable outwards; the windows are top hung for both the lower and upper glazed elements. The plastic frames, aprons, cills and glazing bars are more obvious due to the thickness of the plastic.
- 6.6 The replacement windows are considered to be of a poor design which harms the character of the terrace of houses, which in turn has a harmful effect upon the visual amenity of the wider locality via the loss of important visual distinctiveness which contributes to the character of the area.
- 6.7 The proposal would be considered to cause less than substantial harm to the significance of a conservation area which would not be outweighed by any demonstrated public benefits or by securing the asset's optimum viable use as set out in paragraph 134 of the NPPF.
- 6.8 The replacement windows are therefore not considered to comply with National Planning Policy Framework Section 7 (Requiring Good Design), RBWM Local Plan policies DG1 and CA2 or the statutory test as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on the Green Belt

- 6.9 In accordance with national guidance as set out in the NPPF alterations to a building within the Green Belt that do not result in a disproportionate addition over and above the size of the original building, are considered to be appropriate development.
- 6.10 The proposal would not result in a disproportionate addition. As such, the proposal is considered to comply with Green Belt policy.

Impact on Neighbouring Properties

- 6.11 It is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

Enforcement Considerations

- 6.12 Given the level of harm caused to the Conservation Area it would be expedient and in the public interest to serve an enforcement notice to remove the unauthorised windows and to secure their replacement with timber framed windows in the style of the previous windows at this house (see attached photograph appendix E) within 6 months of the serving of the enforcement notice. The action recommended is considered to be proportionate.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Three occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 08/04/2016.

No letters were received supporting the application.

Seven letters were received objecting to the application, five of which were the same statement signed by different individuals. They have been summarised as follows:

Comment	Where in the
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		report this is considered
1.	The application is not inline with the village aesthetic in the terrace. One regarding rendering the archway above the front door and the other the replacement of the windows with modern PVC instead of modern double glassed sash windows.	6.10, 6.11.
2.	<p><i>The following statement was signed by four different interested parties:</i></p> <p>This application directly affects the character of all properties in the Terrace. I don't believe the residents have been informed adequately. I believe this retrospective application is in direct conflict with the Bray Village Conservation Area and the planning policies. Bray is an area of strong historical importance. The Bray Village Conservation Area Appraisal 2009 states that The Terrace is an 'important non-listed building...significant to the Conservation Area'. Section 8.3 of the Appraisal states that, 'Some traditional windows replaced by modern counterparts with different detailing appear rather incongruous.'</p> <p>The replacement windows do not preserve or enhance the character and appearance of the conservation area, they look completely out of place.</p> <p>It is a particular issue that these windows are on a property in the middle of the terrace.</p>	<p>6.3, 6.4, 6.5, 6.10.</p> <p>All statutory notification procedures were followed.</p>
3.	These windows look horrible and devalue the look of the lane.	6.10, 6.11.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Conservation Officer	The proposal would not enhance or sustain the significance of a heritage asset and would have a harmful impact upon local character and distinctiveness as outlined in paragraph 131 of the NPPF. The proposal would be considered to cause less than substantial harm to the significance of a conservation area or areas which is not outweighed by public benefits or securing the asset's optimum viable use as set out in paragraph 134 of the NPPF and would fail to meet the requirements of policy CA2 of the Borough Local Plan and the considerations as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.	6.3, 6.4, 6.5, 6.6.
Bray Village Parish Council	Recommended for refusal, contrary to policy CA2 of the RBWM Local Plan.	6.4, 6.5.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Front elevation
- Appendix C - Side elevation
- Appendix D - Photos of replacement windows
- Appendix E - Photo of original windows

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 AND TO SERVE AN ENFORCEMENT NOTICE

1. The replacement windows are top hung and have plastic frames, aprons, cills and glazing bars rather than the timber-framed, traditional sash type windows previously at this property and that are found in the rest of the terrace of houses. The widths, heights and positions of the glazing bars, aprons and cills of the previous timber windows contributed towards a common style which creates a distinct feel along the length of the Terrace. Therefore the replacement windows at 13 The Terrace are considered to harm the character of the terrace of houses and result a loss of important visual distinctiveness which contributes towards the character of the conservation area. The proposal would be considered to cause less than substantial harm to the significance of a conservation area which would not be outweighed by any demonstrated public benefits or by securing the asset's optimum viable use as set out in paragraph 134 of the NPPF. The replacement windows are not considered to comply with National Planning Policy Framework Section 7 (Requiring Good Design) and Section 12 (Conserving and enhancing the historic environment), RBWM Local Plan policies DG1 and CA2 or the statutory test as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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Appendix A – Site Location Plan

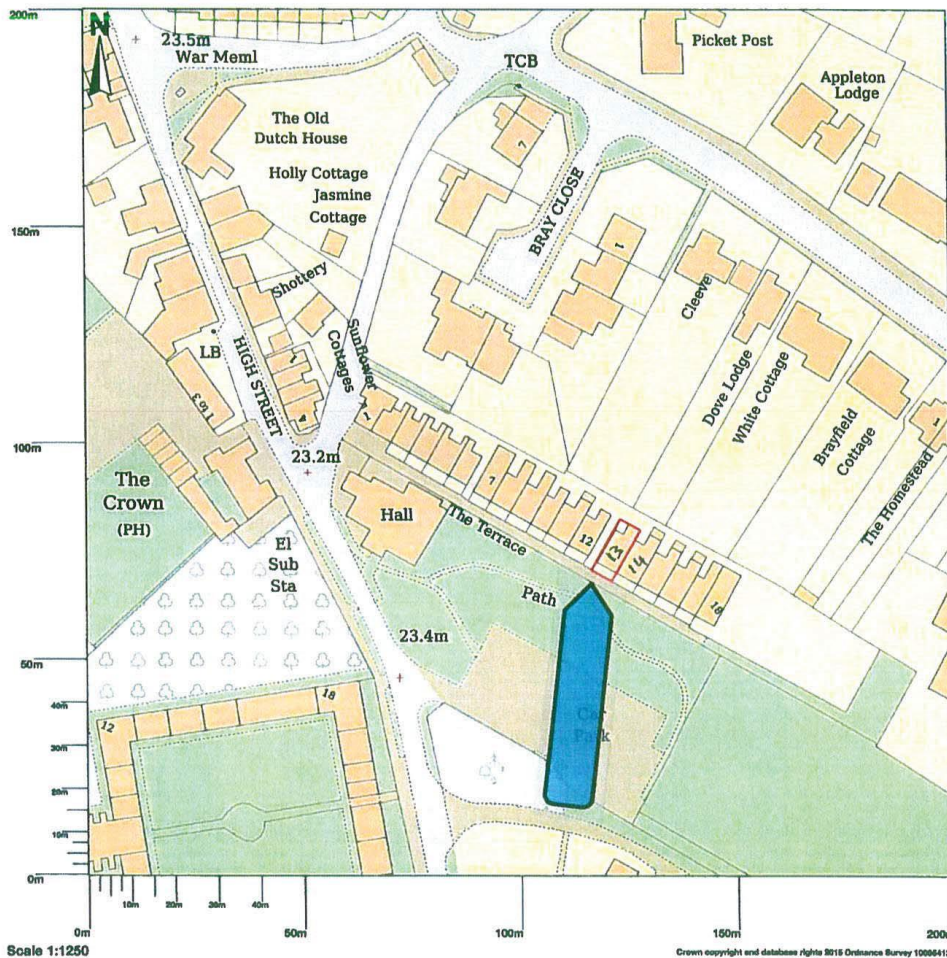


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13 The Terrace, Bray, Maidenhead, SL6 2AR

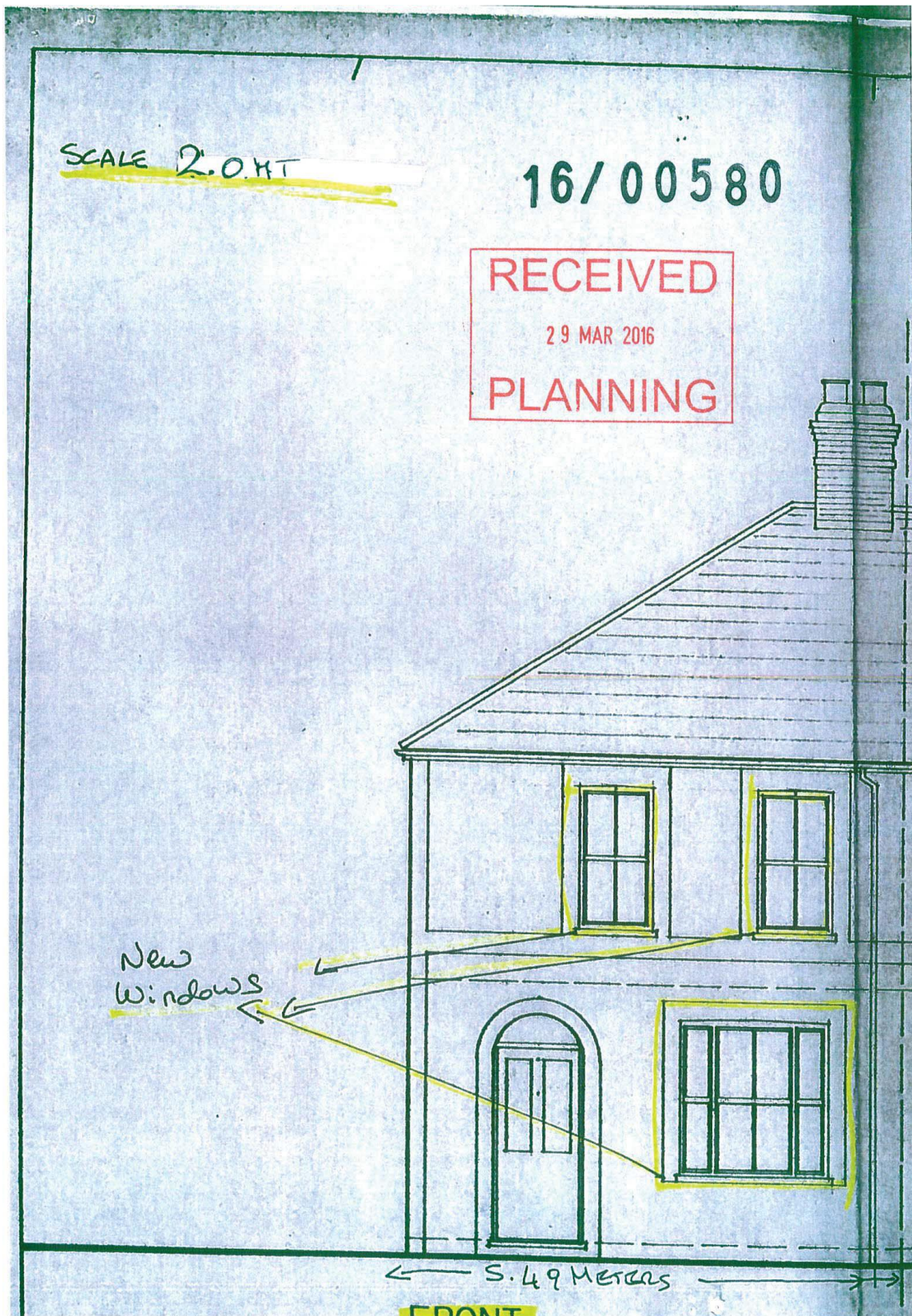


Map shows area bounded by: 490187.0,179358.0,490387.0,179558.0 at a scale of 1:1250. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

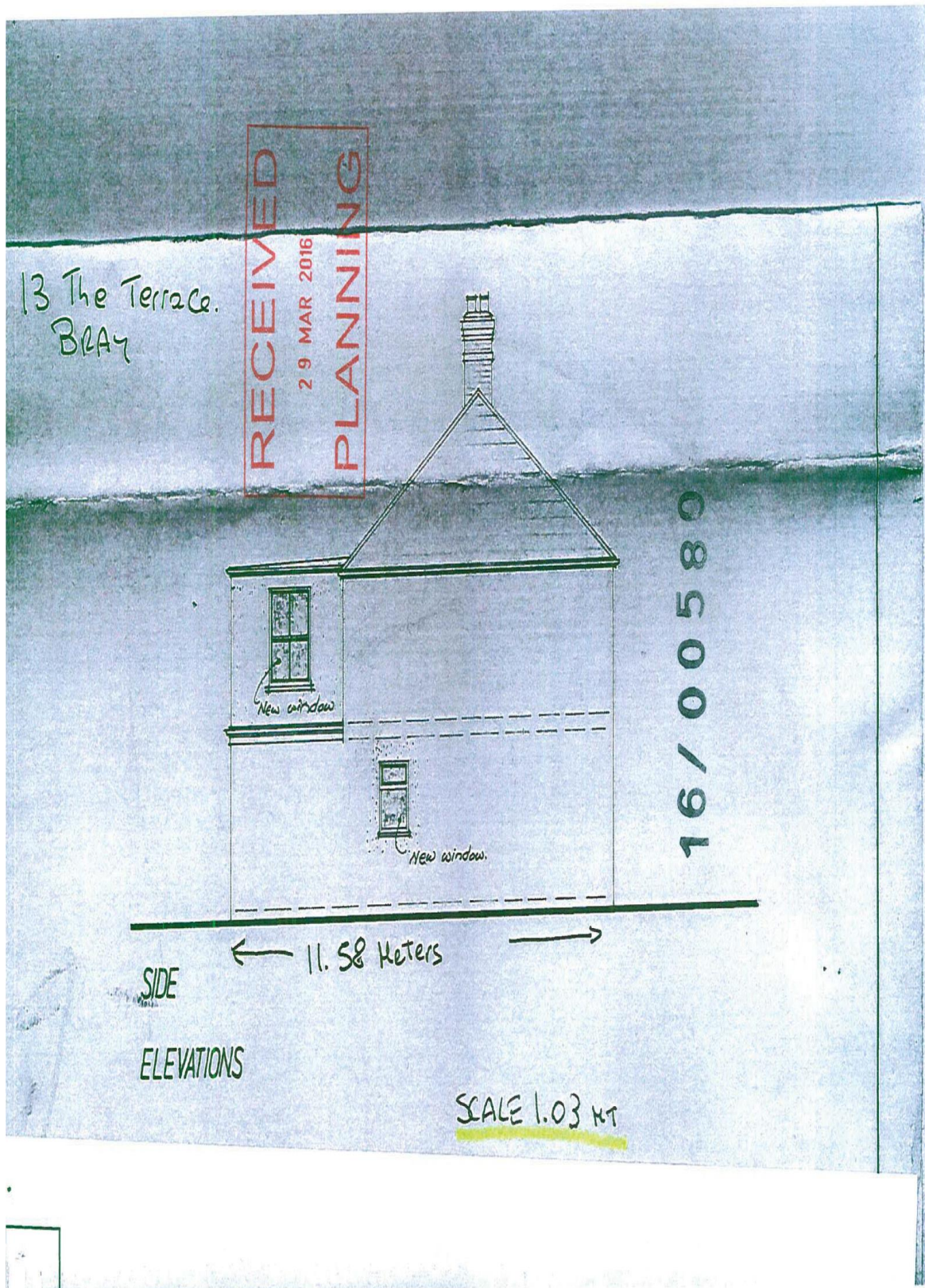
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16/00580

Appendix B – Front Elevation



Appendix C – Side Elevation



Appendix D – Photos of replacement windows







Appendix E – Photo of original windows



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

DEVELOPMENT CONTROL PANEL

3 August 2016

Item: 2

Application No.:	16/01353/FULL
Location:	Land At Greythatch Terrys Lane Cookham Maidenhead
Proposal:	Detached dwelling, parking and amenity space following demolition of existing dwelling
Applicant:	Mr And Mrs Collis
Agent:	Mr Jake Collinge
Parish/Ward:	Cookham Parish

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

1. SUMMARY

- 1.1 The proposal would be a new dwelling in the Green Belt which would be inappropriate development and represents an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt. The applicant contends that the proposal is a replacement dwelling, however, the siting of the dwelling is such that it is not within its curtilage so cannot constitute a replacement of an existing building. Furthermore, due to its siting and the spread of development, the proposal would result in the actual loss of openness across the site.
- 1.2 The applicant has failed to demonstrate there would be no undue loss of, or harm to, trees that would compromise their longevity and would harm the visual amenity of the locality, including the Area of Special Landscape Importance.
- 1.3 No ecology information has been submitted with the application and so the applicant has not demonstrated that the development could be carried out without detriment to protected wildlife.
- 1.4 A case of Very Special Circumstances has not been submitted as the applicant considered the proposal to be a replacement dwelling and therefore appropriate development within the Green Belt. The demolition of the existing house is not considered to outweigh the harm of the proposal to the Green Belt and any other harm to amount to Very Special Circumstance to justify the proposal.
- 1.5 The proposal is considered to be acceptable in terms of impact on neighbouring amenity, highway safety and parking and archaeology.

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

1.	The proposal represents inappropriate development in the Green Belt which is by definition harmful to the Green Belt, and due to its siting and introduction of new development and parking on previously open land, and the increase in spread of development, the proposal would result in actual loss of openness. The proposal represents an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt. No Very Special Circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal.
2.	The incremental spread of piecemeal residential development and loss of openness would be at odds with the rural character of the locality, identified as a feature of the Area of Landscape Importance and Cookham Village Design Statement. The applicant has also failed to demonstrate there would be no undue loss or harm to trees that would compromise their longevity, which would harm the visual amenity of the locality, including the Area of Special Landscape Importance.

3.	In the absence of a survey of bats and other protected wildlife, the application has not demonstrated that it could be carried out without detriment to protected wildlife, contrary to the National Planning Policy Framework.
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2. REASON FOR PANEL DETERMINATION

- The application was called in by Councillor Saunders due to objections by Cookham Parish Council and their request that the application is put before Maidenhead Planning Panel, and Councillor Kellaway to view the proposal on its merits.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 Greythatch Cottage is a modest, single storey building, which has historically been used as ancillary annex accommodation for Greythatch. The property has since become established as a separate independent dwelling. The application site, which comprises of approximately 0.2 hectares of green, open space with hedgerow and trees lies to the southeast of Greythatch Cottage and Greythatch. It currently forms the south-eastern section of the established residential curtilage of Greythatch. To the southeast is Winterfield. Access is off Terry’s Lane. The site lies within Green Belt and an Area of Special Landscape Importance.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
13/02586/CLU	Certificate of lawfulness to determine whether the existing use of the Annex as a separate residential dwelling is lawful.	Approved – 14.10.2013.
14/02023/CPD	Certificate of lawfulness to determine whether a proposed single storey side extension is lawful.	Approved – 04.07.2014.
14/03332/FULL	Single storey front and single storey side extension.	Approved – 03.12.2014.

4.1 The proposal is for the demolition of Greythatch Cottage and the erection of a replacement dwelling, relocated to open land to the south-east of the site. The proposed dwelling is single storey and approximately 5.7m high at main ridge and 2.m at the eaves. The footprint is irregular in shape with the main rectangular section of the house measuring approximately 17m wide and 6m deep. There is a ‘T-shape’ element projecting from the front elevation with the top bar measuring approximately 12.4m wide and 3m deep, and the leg measuring approximately 5m deep and 4.5m wide.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6, 7, 9 and 11

Royal Borough Local Plan

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

Within settlement area	Green Belt	Highways and Parking	Trees
DG1, H10, H11, N1	GB1, GB2, GB3	P4, T5, T7	N6

Supplementary planning documents

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

- Cookham Village Design Statement
- Landscape Character Assessment

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i. Whether proposed development is inappropriate development within Green Belt and the effect of the proposed development on the purposes of the Green Belt, its openness, its visual amenity and the appearance of the surrounding countryside
- ii. Other material considerations
- iii. Planning Balance and the Case of Very special Circumstances

Green Belt

Appropriate Development

- 6.2 The site lies within the Green Belt with the fundamental aim to keep land permanently open as set out in paragraph 79 of the NPPF. Paragraph 89 of the NPPF indicates that with some exceptions the construction of new buildings is inappropriate development in Green Belt. The exceptions include the replacement of a building provided that the new building is in the same use and not materially larger than the one it replaces. Local Plan policy GB1 adopts a broadly similar approach to national policy and sets out the general types of appropriate development in the Green Belt. Policy GB1 only allows for residential development in accordance with policies GB3 to GB5. GB3 is the most relevant and it sets out the limited circumstance when new residential dwellings will be acceptable. This includes proposals that relate to the rebuilding or one-for-one replacement of an existing habitable dwelling.
- 6.3 In this case the proposal is not considered to be a replacement building as it lies outside the established curtilage of the cottage. 13/02586/CLU established the lawfulness of the Greythatch Cottage as a separate residential dwelling and the approved red-line plan which establishes the curtilage does not include the area where the proposed house is sited. As such, the proposal is considered to lie sited outside the plot, and therefore not a replacement. Consequently, the proposal does not comply with the exceptions outlined in paragraph 89 of the NPPF and considered to be inappropriate development. By reason of inappropriateness and in accordance with paragraph 88 of the NPPF the harm to the Green Belt is substantial.

Purpose, Openness and Character of Green Belt

- 6.4 Paragraph 79 of the NPPF states the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Greenbelt are their openness and their permanence. Paragraph 80 goes on to list 5 purposes of the Green Belt. In accordance Local Plan policy GB2 states that permission will not be granted for development if it would have a greater impact on the openness of the Green Belt or purposes of including land in the Green Belt. As inappropriate development in the Green Belt the proposal is by definition harmful to its openness and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. It is considered that the encroachment into the countryside would be substantially harmful to the Green Belt.
- 6.5 In addition to the harm by definition, there will also be physical harm. The proposed house would be the same in height, scale and form to Greythatch Cottage, including the approved extension

(ref: 14/03332/FULL), and so is not considered materially larger or harmful in this respect. However, it is noted that while the applicant proposes to reinstate the land on which the existing cottage sits to greenery it is considered that the proposed relocation of the dwelling to the southeast of the site in between Greythatch to the north and Winterfield to the south would materially harm the open and rural character of the Green Belt. The existing buildings and hardstanding of the site (Greythatch) are predominately concentrated to the north. This clustering and consolidation into one area is considered to limit the urbanising effect and the impact on the open and rural character of the Green Belt. In comparison there is a notable absence of built development in the proposed area of relocation. As such, it is considered that the introduction of a new building, associated hardstanding, residential paraphernalia and parking, and the increased spread of development throughout the site would unacceptably erode the open and rural character of the Green Belt. The introduction of build development in this location would therefore cause a significant degree of harm to the open character and visual amenities of the Green Belt conflict with GB2.

Other Material Considerations

Design and Appearance, Area of Landscape Importance, and Trees

- 6.6 In terms of visual impact on the locality in general the proposed house is similar in appearance to the existing cottage and not considered to be disproportionate or cramped within the plot being offset from the boundary and with over 1,500 square metres of amenity space. However for the reasons outlined in paragraph 6.5 the proposal would result in the loss of openness and would be at odds with the surviving rural character of the locality. The rural character of the area has been identified as a feature of the Area of Landscape Importance in the council's Landscape Character Assessment SPG (Area 11C - Cookham Rise), and the incremental spread of piecemeal residential development has been identified as a negative implication to this special character. Paragraph 4.13.4 of the Landscape Character Assessment states the open, remote and unsettled character of this rural landscape could not accommodate change without significant changes in its character, even changes that are viewed as relatively minor. The Cookham Village Design Statement also identified the unique green setting and rural character, and the well separated or sporadically grouped houses punctuated by meadows or woodlands, and the number of trees as important elements of the character of this locality (Section 9 - Cookham Dean). Guidance 6.4 states that new development should respect the rural or semi-rural character of Cookham and void 'creeping' urbanisation, while Guidance G9.2 states that new development should not be visually harmful to the countryside. As such, the proposal is considered to be contrary to this, and therefore contrary to Core Principle 4 and paragraph 64 of the NPPF, which seeks to secure high quality design that should take the opportunity to improve the character and quality of an area, and Local Plan Policy DG1, H10, H11 and N1 which seeks to resist development that would be incompatible with or cause damage to the character of the area.
- 6.7 There are also a number of trees and shrubs within and forming the boundary of the site, none of which are protected by a Tree Preservation Area, but the Landscape Character Assessment identifies woodland copses as a landscape feature of Area of Special Landscape Importance 11C - Cookham Rise. Therefore while individual trees may not have a high amenity value it is considered that as a group the trees contribute positively to the important verdant character of area and therefore of high amenity value as a group and Guidance G9.2 of the Cookham Village Design Statement states that new development should retain or plant hedges and trees. Local Plan policy N1 states that that development which would detract from the special qualities of that landscape will not be permitted and in particular the council will resist proposals that would result in the loss of tree cover and hedgerow. This is supported by policy N6 that requires new development, where trees are a feature of the site, to retain suitable existing trees wherever practicable. No tree survey or impact assessment has been submitted by the applicant and based on the lack of this information the Local Planning Authority is not satisfied that there would be no undue loss or harm to these trees that would compromise their longevity, contrary to Local Plan Policy N1 or N6.
- 6.8 Neighbouring Amenity
The proposed house would be sited approximately 20m from the shared boundary with Greythatch and approximately 90m from the house, and approximately 10m from the shared boundary with Winterfield and approximately 26m from the house. Given the separation distances

the proposal is not considered to result in undue loss of light, visual intrusion or loss of privacy to these neighbouring properties.

6.9

Access

6.9 Greythatch Cottage and Greythatch currently utilise the main access which is sited to the north of the site. The site also benefits from another access to the south and it is proposed that the proposed cottage will utilise this access. This access can achieve visibility splays of 2.4m x 90m to the left (to the bend) by 2.4m x 70m to the right (due to the curve in the road). Although these splays are below the 215m required it is noted that visibility for this access is an improvement on the visibility achieved at the access to the north. Reducing the amount of vehicular activity from the main existing access can be seen as an improvement due to the poor visibility splays at the access.

6.10 From drawing no. 13/16–01A the proposed site plan shows a set of gates set back by approximately 4m from the carriageway edge. This is below the current standard of 7m to allow a vehicle to safely stop off the highway before gates are opened and closed. However, it is noted that there is room on site to accommodate a 7m set back from the edge of the carriageway and if recommended for approval can be secured by condition.

Parking and Cycle and Refuse Storage

6.11 Adopted Council parking standards require 1 car parking space to be provided for the new dwelling. Drawing no. 13/16–01A shows a large hardstanding area will be able to accommodate the require parking and turning area to enable a vehicle to enter and exit the site in a forward gear. As such the proposal is considered to comply with Local Plan policy P5. Given the size of the plot there is enough room to accommodate cycle and refuse storage. Details can be secured by condition if minded to approval.

Local Highway Infrastructure

6.12 As a replacement dwelling, the proposal is unlikely to cause additional vehicle movements which is significantly over and above the existing situation. It is estimated that a 1 bedroom dwelling has the potential to generate 2 to 4 vehicle movements per day within this location. The proposal is therefore not considered to be unduly impactful on local highway infrastructure.

Archaeology

6.13 As evidenced by Berkshire Archaeology's Historic Environment Record (HER) the application site falls within an area of archaeological significance and buried archaeological remains may be damaged by ground disturbance for the proposed new dwelling, which lies on previously undeveloped land. Paragraph 141 of the NPPF goes on to state 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. On this basis and in accordance with national and local if recommended for approval the implementation of a programme of archaeological works, in accordance with a written scheme of investigation should be secured by condition.

Ecology

6.14 An ecology survey was not submitted with the application and therefore it has not been demonstrated that it could be carried out without detriment to protected wildlife, contrary to Core Policy 7 of the NPPF and with Natural England's Standing Advice.

Planning Balance and the Case of Very special Circumstances

6.15 As stated in National Planning Policy and in the Borough Local Plan, planning permission can only be granted for inappropriate development if there is a case of Very Special Circumstances (VSC) that clearly overcomes the harm to the Green Belt and any other harm. As the applicant considered the proposal to be a replacement dwelling and therefore appropriate development within the Green Belt, no VSC has been put forward to justify the development. However, notwithstanding this it is considered that the significant benefit to openness from the loss of the existing house and reinstatement of the land on which it sat to open land would not clearly

outweigh the substantial harm by definition of inappropriate development and conflict with one of the purposes of the Green Belt and the encroachment into the countryside, the significant harm caused by the physical presence of the new house and associated hardstanding, residential paraphernalia and on previously green, open land. As such, it is considered that Very Special Circumstances has not been demonstrated to justify the development.

- 6.16 The NPPF requires a balancing exercise of benefits against harm. In support of the development, there is significant benefit to openness of the Green Belt from the loss of the existing house and reinstatement of the land to green, open land. The acceptability of the scheme in terms of neighbouring amenity, highways, archaeology is not considered to be a benefit of the proposal as the scheme is required to comply with the Development Plan and so compliance with the plan cannot be then a benefit of the proposal. Support has been given by a local resident as the new house would be more energy efficient, however no information on the green credentials of the new build has been submitted by the applicant and therefore this is not considered to be an evidenced benefit of the scheme and therefore given no weight.
- 6.17 Substantial weight is given against the development by reason of its inappropriateness and conflict with the purpose of the Green Belt, while significant weight is given to actual harm to openness due to the physical presence of the new house and associated hardstanding, residential paraphernalia and on previously green, open land. It is the view of the Local Planning Authority that that the benefits would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, contrary to the adopted Local Plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The Council's Community Infrastructure Levy (CIL) document was subject to examination in March of this year. While this development is likely to place additional pressure on local services and infrastructure, the CIL has not yet been adopted, so the development would not be liable for any financial contributions at this time.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 10 May 2016.

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

Comment		Where in the report this is considered
1.	No significant alteration to the development of the site, no encroachment in Green Belt.	Para. 6.2 – 6.5.
2.	Improved design and appearance of the house.	Para. 6.6 – 6.7.
3.	Would replace old cottage with a more energy efficient building.	Para. 6.16.
4.	No impact to neighbouring amenity.	Para. 6.8.

Other Consultees

Consultee	Comment	Where in the report this is considered
Cookham Parish	Objections on the basis of overdevelopment in Green Belt.	Para. 6.2 – 6.5.

Council		
Local Highway Authority	No objection subject to conditions on parking and turning area in accordance with the approved plans; gates to be set back a distance of least 7m from the edge of the carriageway; no part of the development shall be occupied until the access has been surfaced with a bonded material for a distance of at least 5m from the highway boundary.	Para. 6.9 – 6.12.
Berkshire Archaeology	No objection subject to condition to secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation.	Para. 6.13.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Approved site location plan for 13/02586/CLU
- Appendix C - plan and elevation drawings

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have not been successfully resolved.

10. RECOMMENDED REASONS FOR REFUSAL

1. The proposal represents inappropriate development in the Green Belt which is by definition harmful to the Green Belt, and due to its siting and introduction of new development and parking on previously open land, and the increase in spread of development, the proposal would result in actual loss of openness. The proposal therefore represents an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt. No Very Special Circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reasons for refusal. The proposal is therefore contrary to paragraph 87, 88 and 89 of the National Planning Policy Framework (2012) and saved Policies GB1 and GB3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003).
2. The incremental spread of piecemeal residential development and loss of openness would be at odds with the surviving rural character of the locality, identified as a feature of the Area of Landscape Importance and Cookham Village Design Statement. The applicant has also failed to demonstrate there would be no undue loss or harm to trees that would compromise their longevity, which would harm the visual amenity of the locality, including the Area of Special Landscape Importance. This is contrary to Core Principle 4 and paragraph 64 of the National Planning Policy Framework (2012) and saved Policy DG1, H10, H11, N1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations adopted June 2003), the Landscape Character Assessment SPG (2004), and Cookham Village Design Statement SPD (2013).
3. In the absence of a survey of bats and other protected wildlife, the application has not demonstrated that it could be carried out without detriment to protected wildlife, contrary Core Principle 7 and paragraph 118 of the National Planning Policy Framework.

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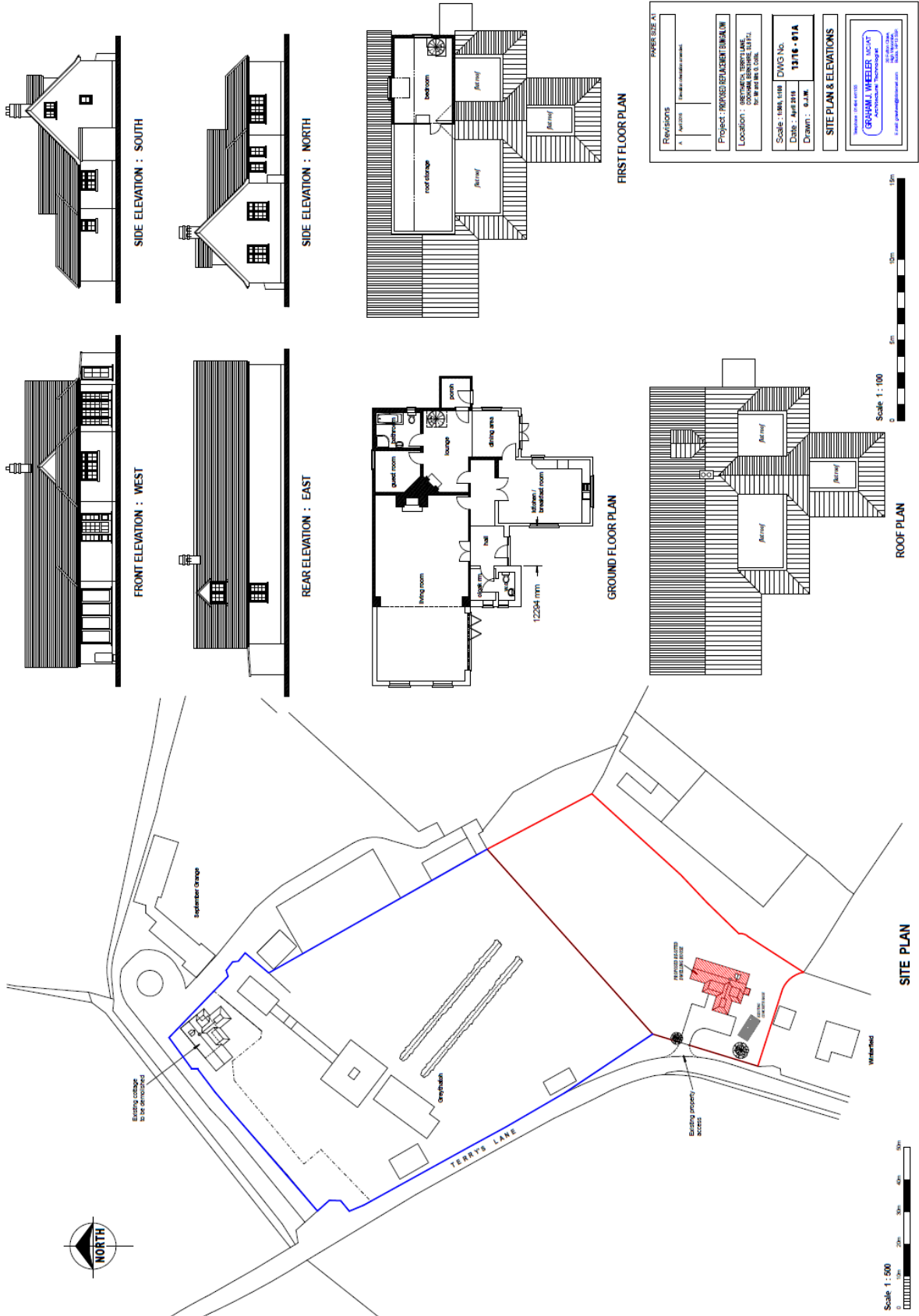
APPENDIX A



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APPENDIX C



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

3 August 2016

Item: 3

Application No.:	16/01672/FULL
Location:	4 Thatchers Drive Maidenhead SL6 3PW
Proposal:	Part single, part two storey side extension with front dormer.
Applicant:	Mr And Mrs Smyth
Agent:	Mrs Joanna Czarnomska
Parish/Ward:	Cox Green Parish
If you have a question about this report, please contact: Hannah Wilson on 01628 683939 or at hannah.wilson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application is for a part two storey, part single storey side extension to the semi-detached dwelling at no. 4 Thatchers Drive, which is part of a predominantly uniform street scene of similar properties.
- 1.2 The unsympathetic scale and incongruous form of proposed side extension is considered to unbalance the pair of semi-detached dwellings (nos. 2 and 4) and would result in a significant loss of the characteristic first floor spacing between these dwellings leading to a cramped appearance of development on this part of the street scene. The proposal would therefore be detrimental to the character of the area and fails to accord with policies DG1 and H14 of the Local Plan.

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

- | | |
|----|--|
| 1. | The proposed side extension at no. 4 would result in the creation of an incongruous built form that would unbalance this pair of semi-detached dwellings in a visually prominent position and would also result in the loss of the characteristic first floor spacing between properties along the road. This would be detrimental to the uniform character of the host dwelling and the street scene along Thatchers Drive. |
|----|--|

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Brimacombe as this is a domestic extension in an area where there are other extensions, for a family with a valid need for more living space and who are prepared to meet the local aesthetic needs of the built environment.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 No. 4 Thatchers Drive is a chalet-style semi-detached dwelling with a linked front dormer and a stepped catslide roof on its front elevation that is a distinctive feature of this type of dwelling on the street scene. The property has a single storey detached garage at the side (adjoining that of no. 6) and a single storey conservatory at the rear.
- 3.2 Thatchers Drive is a cul-de-sac in an open plan residential estate, consisting of semi-detached properties. No. 4 is located at the entrance to the road in a relatively prominent position and forms part of a stepped building line made up of two other semi-detached blocks, all of which are virtually identical in built form when viewed from the front (differentiated only by materials). Many of these dwellings have been extended at the rear but these additions have not significantly altered the distinctive character of the frontages as viewed from the street scene, and where side extensions have taken place (such as at no. 2 Thatchers Drive) these are at single storey level.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application is for a part two storey, part single storey side extension to no. 4. This will incorporate the existing detached garage (which will become a storage room). The proposed extension will maintain the same ridge height and slightly lower eaves height on the front elevation and will incorporate a new front dormer window.
- 4.2 There is no planning history of relevance to the current proposal at the site. It is noted that there are no other two storey side extensions on this type of semi-detached house within the cul-de-sac further from the application site. No. 6 next door has been extended at two storey level but this is at the rear (application 01/37856/FULL).

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Planning Policy Framework

- 5.1 National Planning Policy Framework: Core planning principles (paragraph 17) and Section 7 – Requiring good design.

Royal Borough Local Plan

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

	Within settlement area
Local Plan	DG1 and H14

Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:
 - RBWM Landscape Character Assessment – view using link http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm
 - RBWM Parking Strategy – view using link http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
 - i Impact upon the Character of the Dwelling and the Street Scene
 - ii Impact upon Neighbouring Properties
 - iii Impact on Parking

Impact upon the Character of the Dwelling and the Street Scene

- 6.2 The appearance of a development is a material planning consideration and the National Planning Policy Framework Section 7 (Requiring Good Design) and Local Plan policy DG1 advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. No. 4 Thatchers Drive is located in a relatively prominent position on this open plan street scene close to the junction of Thatchers Drive with Farmers Way, and is visible from some distance along Farmers Way to the west as well as from within the cul-de-sac. The additional width of the proposed side extension at first floor level has been designed to be integral

to the existing built form, with the same ridge and eaves height. However, with the additional width and the insertion of a new front dormer it is considered that the extension will significantly alter the front elevation of no. 4 - which currently matches that of its neighbours of the same dwelling type - and would dominate rather than appear subservient to the existing built form. In addition, the scale and design of the proposal would significantly unbalance the pair of semi-detached houses (no. 2 Thatchers Drive only has a single storey side extension) and as the site is part of a row of virtually identical semi-detached houses on this part of Thatchers Drive, the proposal would therefore appear significantly out of keeping with the uniform character of the road. The prominent position of no. 4 near the road junction would also mean that the detrimental unbalancing impact of the extension would also be more widely visible to the west along Farmers Way.

- 6.3 The proposed side extension would maintain the minimum one metre separation from the side boundary at first floor level required by Local Plan policy H14 to ensure that a harmful terracing impact does not occur. However, it is considered that the additional loss of spacing between nos. 4 and 6 Thatchers Drive would still have a detrimental impact upon the character of the street scene where these semi-detached houses are uniformly spaced with characteristic first floor gaps between each block. By infilling the majority of this space at the side of no. 4 and retaining only the minimum gap to the boundary, the proposal would disrupt the established appearance of the line of dwellings and result in an incongruous and cramped form of development. The significant reduction in this characteristic first floor spacing between nos. 4 and 6 - together with the unbalancing impact of the proposed extension - would therefore be harmful to both the distinctive character of the host dwelling and the wider street scene, which is contrary to policies DG1 and H14 of the Local Plan.
- 6.4 The applicant's agent has supplied examples of other properties in the area (at nos. 8, 27 and 40 Pheasants Croft, which is a separate street off Farmers Way to the southeast) where side extensions to the same type of semi-detached dwelling have taken place. However, the context of these developments differs from that of no. 4 Thatchers Close in that Pheasants Croft has a more varied street scene – not primarily dominated by the same type of semi-detached chalet-bungalow – and all of the sites at nos. 8, 27 and 40 Pheasants Croft have more spacing to the side (nos. 27 and 40 are both sited at the end of the cul-de-sac) and are not part of the same regularly stepped building line as no. 4 Thatchers Way. Each of these applications will have been determined on their own merits and therefore they are not considered to amount to justification for a development at a site on a separate road which is part of a different street scene.
- 6.5 It is noted that the provision of additional parking at the site (see paragraph 6.7) would result in the loss of two existing conifers at the front of the site, but these are not significant landscape features and it is considered that their loss would not have a harmful impact upon the character of the street scene.

Impact upon Neighbouring Properties

- 6.6 No. 6 Thatchers Drive is set back on its plot relative to no. 4 with a detached garage at the side. The closest ground floor window that serves a habitable room (a study) is set back behind the neighbour's existing garage and will not face directly onto the proposed side extension at no. 4; therefore it would not experience a significantly harmful loss of daylight, sunlight or outlook. (Of the two other ground floor side windows, one serves a non-habitable room (a WC) and the other is a secondary window further towards the rear.) This neighbour also has a first floor side window but this has obscured glazing and serves a bathroom, therefore it would not be adversely affected by the proposal. The new side extension will not infringe the 45 or 60 degree daylighting angles from the closest windows to the front of no. 6 and as its additional bulk will be sited near the neighbour's driveway in front of the garage, no detrimental overbearing or overshadowing impact will be caused. The proposed extension will have no flank windows and had the application been recommended for approval the addition of these could be controlled by condition in order to prevent any additional overlooking impact in future.

Impact on Parking

- 6.7 The dwelling would gain a fourth bedroom as a result of the proposal. The existing garage space would be converted and part of the driveway space in front of it would also be lost, however a revised plan has been submitted to show three parking spaces at the front of the dwelling. As such it is considered that the proposal would comply with Local Plan policy P4 and 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).

Other Material Considerations

- 6.8 While part of the reason for the call-in of this application has been given as a need for additional living space, the applicant has not provided any additional information to support their proposal. As such there is no other material consideration that would be considered in the balance and the Development Plan policies should take primacy.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

4 occupiers were notified directly of the application.
The planning officer posted a notice advertising the application at the site 2nd June 2016.

No letters of support or objection were received.

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Cox Green Parish Council	No objection – a condition is requested requiring the retention of off street parking for three spaces as per the submitted plan (to ensure adequate parking provision is maintained).	Para 6.6.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Layout, floor plans and elevations
- Appendix C - Amended Car Parking Layout.

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.

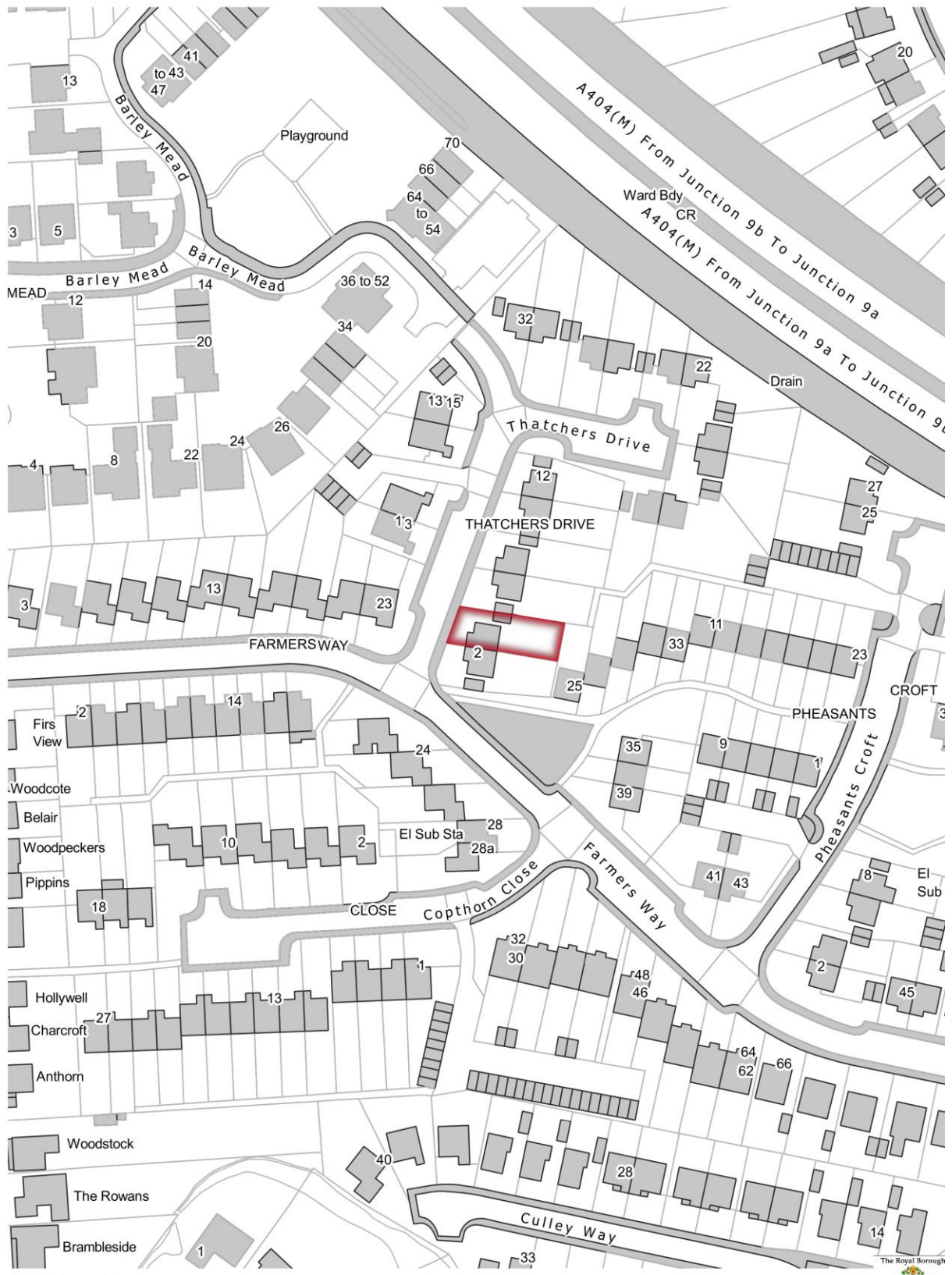
This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have been unsuccessfully resolved.

9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1. The proposed side extension at no. 4 would result in the creation of an incongruous built form that would unbalance this pair of semi-detached dwellings in a visually prominent position and would also result in the loss of the characteristic first floor spacing between properties along the road. This would be detrimental to the uniform character of the host dwelling and the street scene along Thatchers Drive, contrary to policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan and Section 7 of the NPPF.

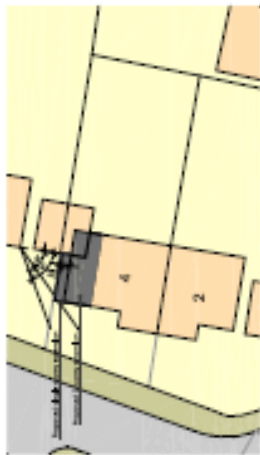
Appendix A



Site location

Appendix B

10/18/2018



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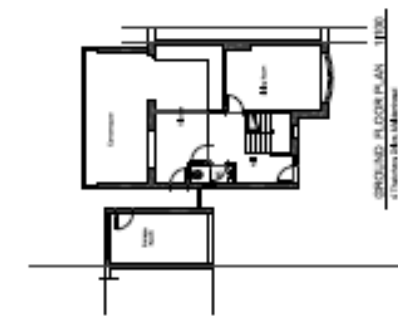
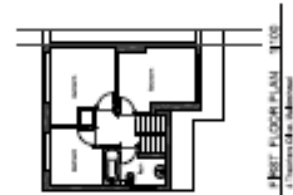
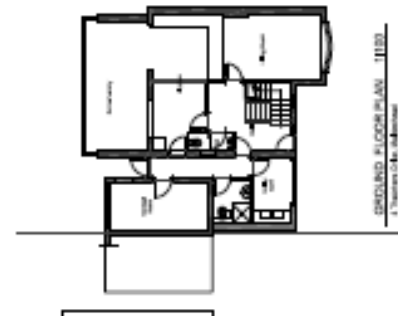
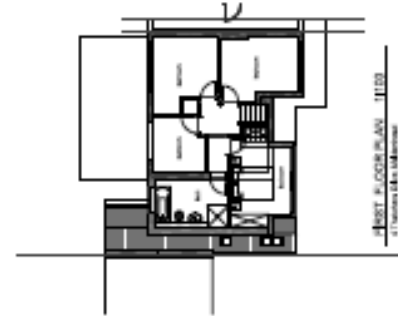
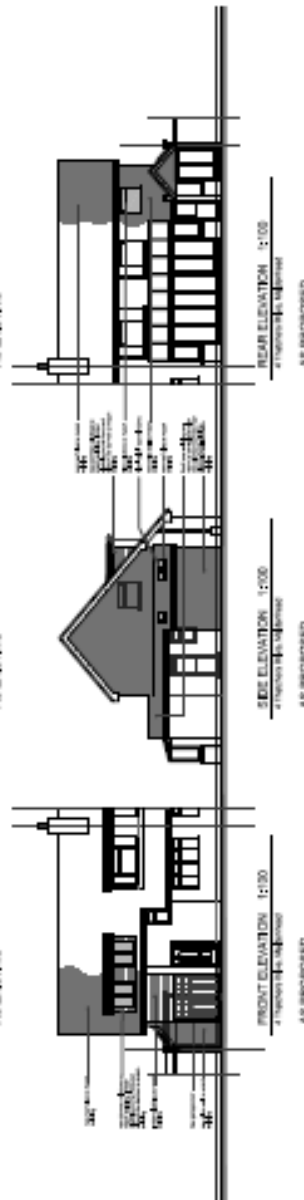
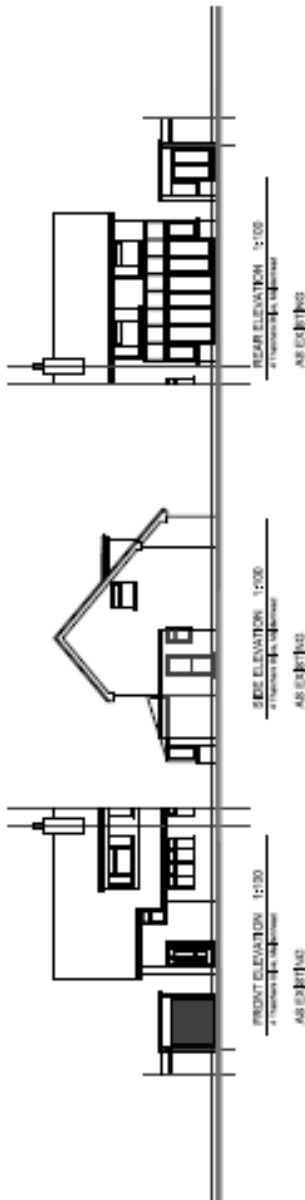


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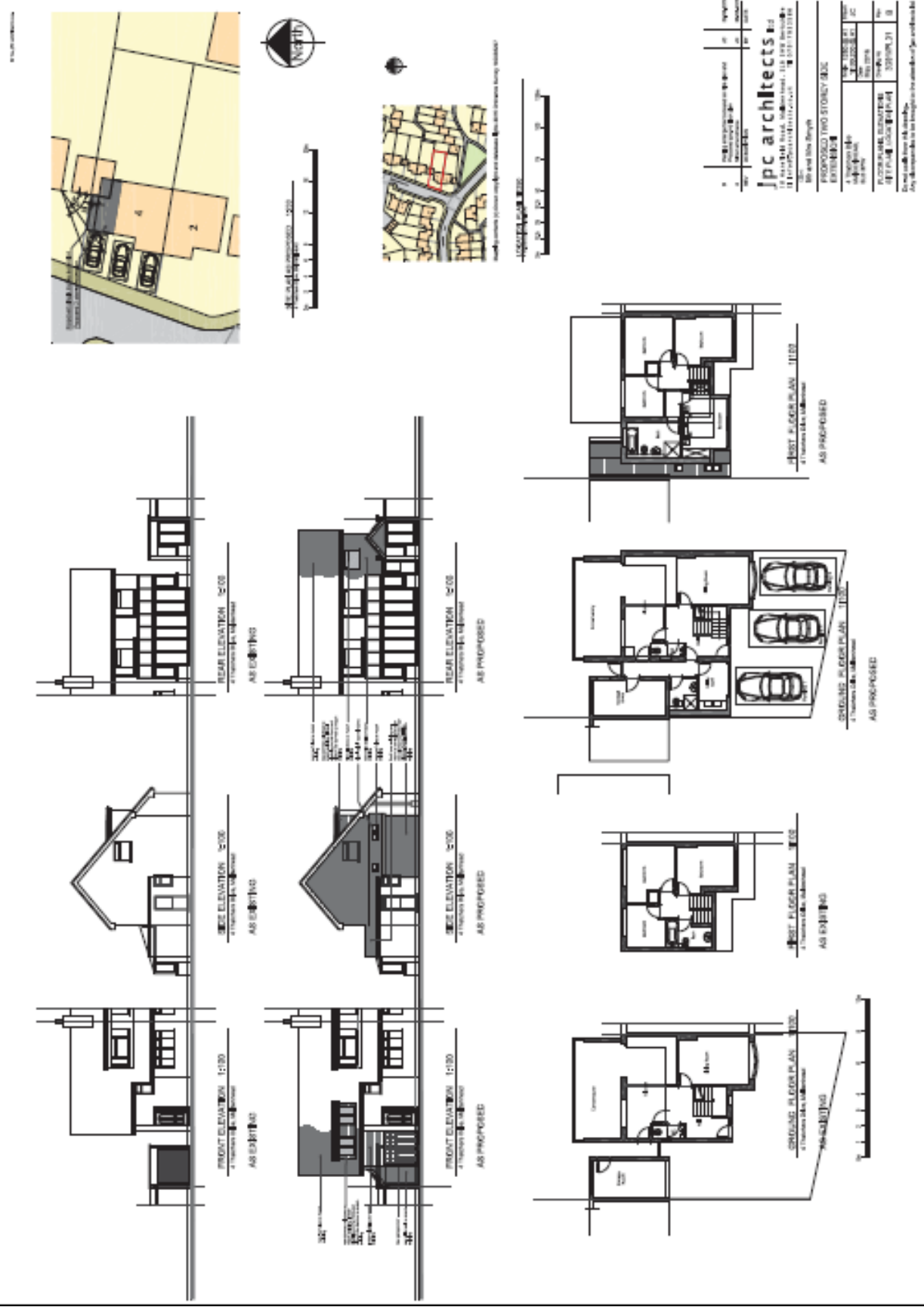
PROPOSED TWO STOREY RES. EXTENSION

PROJECT NO.	2018-001
DATE	10/18/2018
CLIENT	Mr. & Mrs. Singh
LOCATION	11111 148th Avenue, Suite 101, Richmond, BC
SCALE	AS SHOWN
DESIGNER	JPC ARCHITECTS INC.
CHECKED BY	JPC ARCHITECTS INC.
DATE	10/18/2018
PROJECT NO.	2018-001
SCALE	AS SHOWN

Do not scale drawings.
 Any dimensions in the drawings are the standard for the architect.



Appendix C



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

3 August 2016

Item: 4

Application No.:	16/02026/FULL
Location:	3 Somerford Close Maidenhead SL6 8EJ
Proposal:	Single storey front and rear extension, part first floor, part two storey rear extension, two storey side extension with amendments to fenestration.
Applicant:	Mr Pachoo
Agent:	Mr Stephen Varney - Stephen Varner Associates Ltd (SVA)
Parish/Ward:	Maidenhead Riverside Ward
If you have a question about this report, please contact: Hannah Wilson on 01628 683939 or at hannah.wilson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The property is located within the built up area of Maidenhead wherein the principle of development is acceptable. The proposed extensions are considered to be of a scale and design that would not result in a development that would harm the character and appearance of the area. In addition, the proposal meets the Council's design guidelines in respect of safeguarding the amenities of neighbours. Overall, it is considered that the proposal complies with the relevant adopted Local Plan policies and national planning policies.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Dudley due to concerns raised by neighbours about the loss of amenity and proximity to their properties. The call-in has been made if the application is recommended for approval.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The property is a detached dwelling located in a small cul-de-sac, one of four properties (nos. 1-4) along the south side of the road that share a similar built form, although no. 1 has been previously extended to the side. These properties follow an irregular stepped building line, with no. 3 set back slightly relative to no. 2, and these dwellings are on a higher ground level than the road with open plan frontages.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application is for the erection of a two storey side extension and part two storey, part single storey rear extension, together with a single storey front extension and amendments to fenestration. The application is a resubmission of a previous scheme (16/01488/FULL) which included first floor front and rear extensions and was withdrawn following concerns over impact upon the character of the street scene and the effect on the neighbouring property at no. 2 Somerford Close. The first floor front extension has been removed from the new scheme and the rear extension has been changed.
- 4.2 Amended plans have been submitted to correct two of the drawings: one to remove the label 'Option B' from the Proposed (West) Side Elevation, and the other to show the existing single storey rear extension on the Proposed (East) Side Elevation. Re-consultation was not undertaken as these were corrections rather than changes to the proposed scheme.

4.3 Other than the previously withdrawn scheme referred to above there is no other relevant planning history.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Planning Policy Framework

5.1 National Planning Policy Framework: Core planning principles (paragraph 17) and Section 7 – Requiring good design.

Royal Borough Local Plan

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

	Within settlement area
Local Plan	DG1, H14

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – available to view at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact of the proposal on the character and appearance of the area;
- ii The impact on the living conditions of neighbours;
- iii Parking provision.

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

6.2 The appearance of a development is a material planning consideration and the National Planning Policy Framework Section 7 (Requiring Good Design) and Local Plan Policy DG1 advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.

6.3 The two storey side extension to no. 3 would appear integral to the host dwelling and whilst it would enlarge the width of the property, a one metre separation from the side boundary with no. 4 Somerford Close would still be retained. It is considered that this would maintain the spacing between these detached dwellings and would not result in a harmful terracing impact in this instance, which is in accordance with Local Plan policy H14. The single storey front extension (with pitched roof) and pitched roof over the garage would alter the appearance of the frontage similar to what has already taken place at no. 1 Somerford Close, and with its subservient scale the front extension is considered to have an acceptable visual impact upon the appearance of the street scene. The proposed part two storey and part single storey rear extensions will not be visible from the frontage and would only be apparent at a distance from Ray Park Avenue to the west, therefore it is considered that this part of the proposal will have no harmful impact upon the character of the street scene.

The impact on the living conditions of neighbours

- 6.4 The existing garage adjacent to no. 2 Somerford Close will have a pitched roof as a result of the proposal but this would not result in a significant increase in height and on this basis there is considered to be no harmful additional impact upon this neighbour's front-facing windows.
- 6.5 At the rear, the plans show a part two storey, part single storey rear extension with the two storey element set in from the side boundary with no. 2 (the single storey extension on this side is already in existence) by 2m and around 3.1m to the flank wall of this neighbouring property. On this basis the revised proposal will not infringe the 45 and 60 degree daylighting angles from no. 2 Somerford Close's ground floor and first floor windows at the rear, and therefore it is not considered that a significantly harmful loss of daylight would be caused to these habitable rooms.
- 6.6 The proposed two storey rear extension will be set in from the boundary adjacent to no. 2's rear kitchen window and the neighbour's patio area, and as its rearward projection is limited to 2 metres it is not considered that this part of the proposed extension would cause a significant additional overbearing impact upon the neighbouring property. Similarly any additional loss of sunlight to the neighbour's rear windows and patio would only be of very limited duration in the evening and is not considered to be significantly detrimental to justify a reason for refusal.
- 6.7 The side elevation of no. 4 Somerford Close has a glazed kitchen door (which is a secondary light source) and a first floor bathroom window facing the site, neither of which would be significantly affected by the proposed two storey side extension. The proposed part two storey, part single storey rear extension and the front extension on this side of the site will not infringe the 60 degree daylighting angle from this neighbour's front or rear windows and given the small scale of the front extension and the lightweight glazed conservatory that is proposed to be adjacent to the side boundary at the rear, it is not considered that there would be any significant harmful impact caused to this neighbour in terms of loss of daylight, sunlight or outlook. The two storey side extension will have two first floor windows but these will be high level openings and can be conditioned to remain as such in order to protect privacy; the addition of further first floor windows in the side elevations future can also be controlled by condition.

Parking provision

- 6.8 The proposal will not create any additional bedrooms at no. 3 and the existing parking provision (which consists of the integral garage and front driveway space for two cars) will not be affected. The proposal would therefore continue to comply 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.

Other Material Considerations

- 6.9 Part of the front and rear garden of the site lies within Flood Zone 3. However, the proposed extensions to the floor area of the dwelling (the two storey side and part two storey, part single storey rear and front extensions) will not be sited within Flood Zone 3 and therefore policy F1 of the Local Plan does not apply in this instance.
- 6.10 A concern has been raised about potential multiple occupancy of the property, however, there is no indication in the information submitted for this application that this is intended, and the parking requirements for the enlarged dwelling will be met as per the adopted Parking Standards.
- 6.11 There is a Horse Chestnut tree located in the garden of the property at the rear of the application site. The Tree Team were consulted following concerns raised by local residents, however the tree is not protected and the Arboricultural Officer has made no objection to the application on this basis.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

6 occupiers were notified directly of the application. Neighbours were re-consulted due to a correction to the accuracy of the description of the development. At the time of writing the report,

the consultation had not closed (it is due to close on 27th July 2016). Any further comments received will be reported in the update.

The planning officer posted a notice advertising the application at the site on 30th June 2016.

1 letter has been received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	The size and scope of the development will change the character of Somerford Close.	6.2, 6.3.
2.	There are concerns that the property will be in multiple occupancy which will result in insufficient parking at the site.	6.10.

Consultees and organisations

Consultee	Comment	Where in the report this is considered
Trees	No objection.	Noted.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Front elevation
- Appendix C - East side elevation
- Appendix D - Rear elevation
- Appendix E - West side elevation

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 NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used on the external surfaces of the development shall match those of the existing building unless first otherwise agreed in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
3. The first floor window(s) in the west side elevation(s) of the extension shall be of a high level type with a cill level that is a minimum of 1.7m above the finished internal floor level and the

window type shall not be altered without the prior written approval of the Local Planning Authority.

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

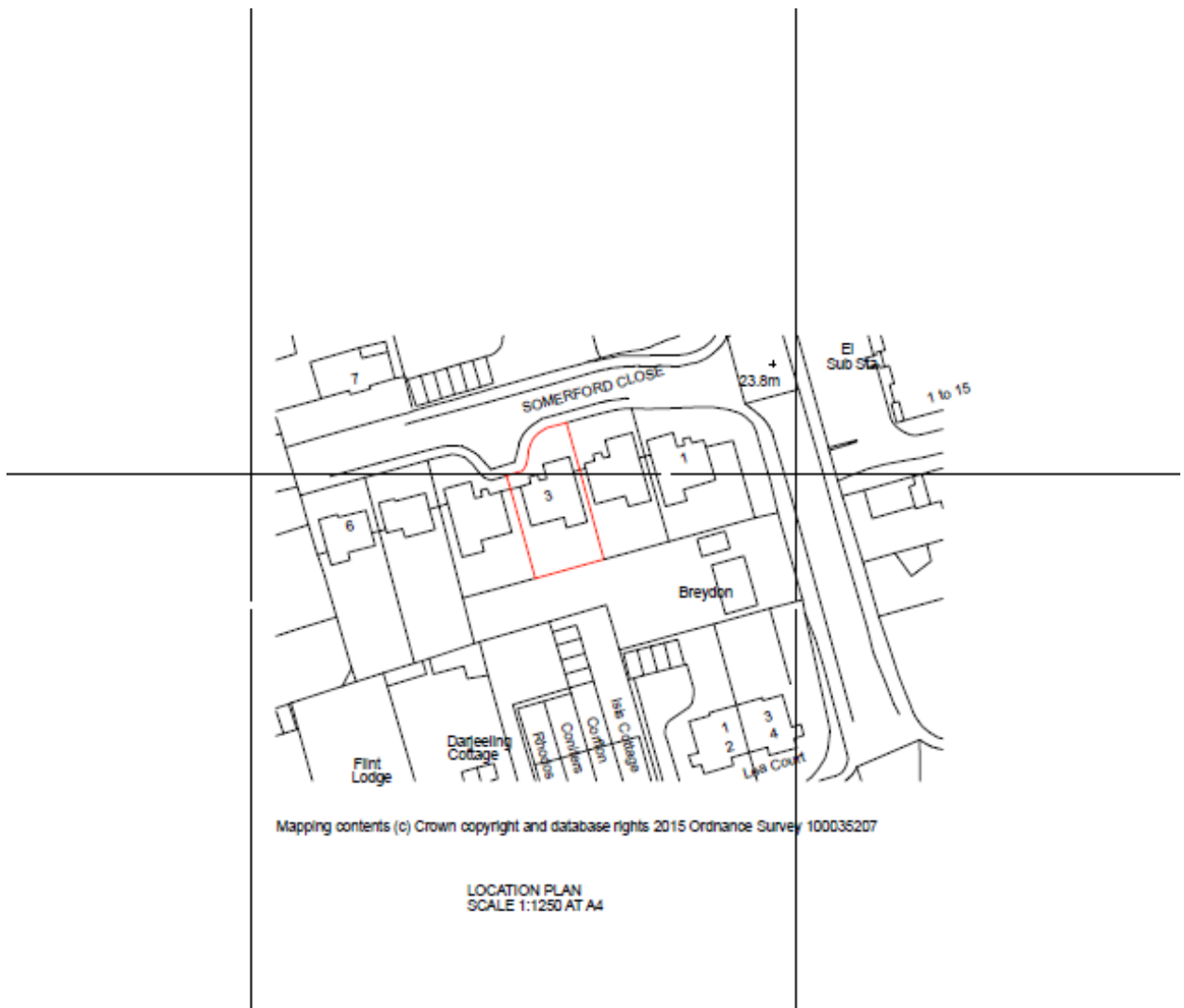
4. No further window(s) shall be inserted at first floor level in the east and west side elevation(s) of the extension without the prior written approval of the Local Planning Authority.

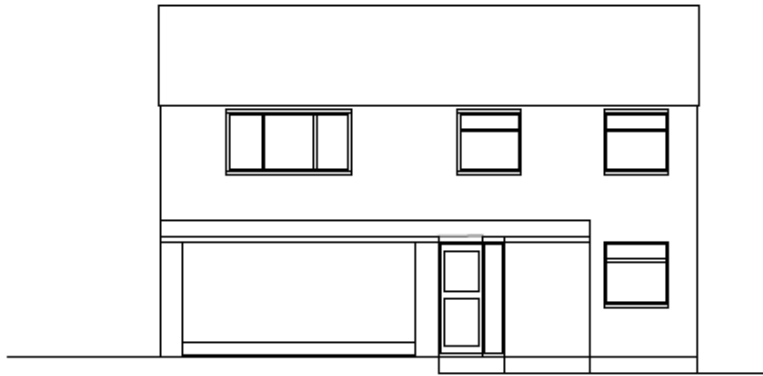
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.

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

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

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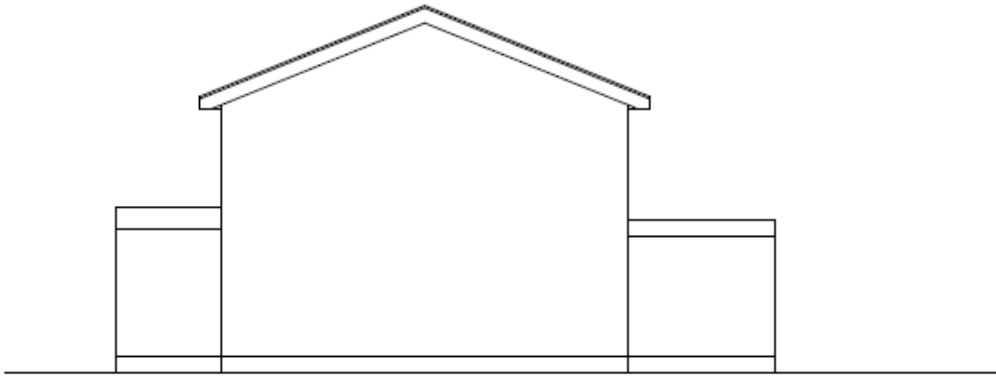




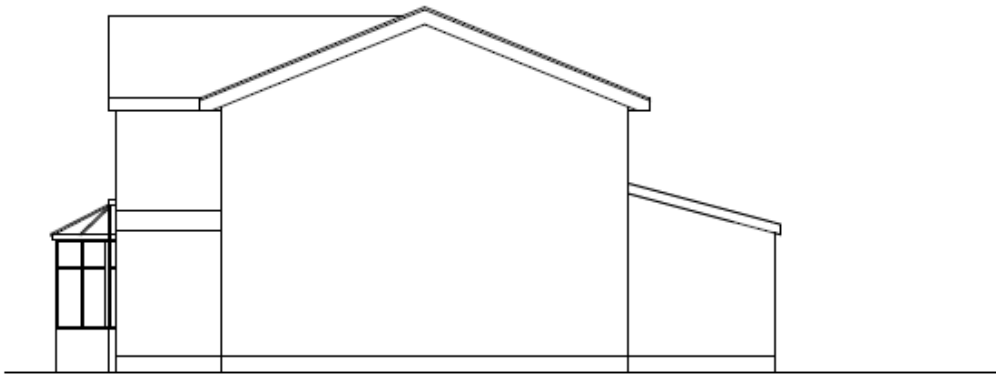
EXISTING FRONT ELEVATION



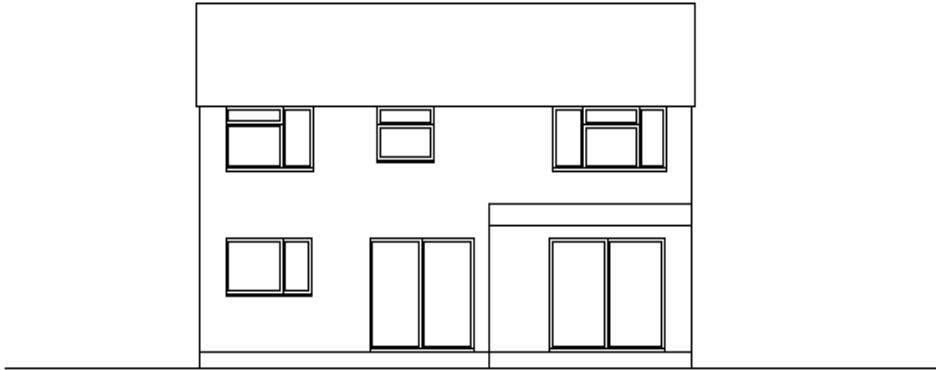
PROPOSED FRONT ELEVATION



EXISTING SIDE ELEVATION



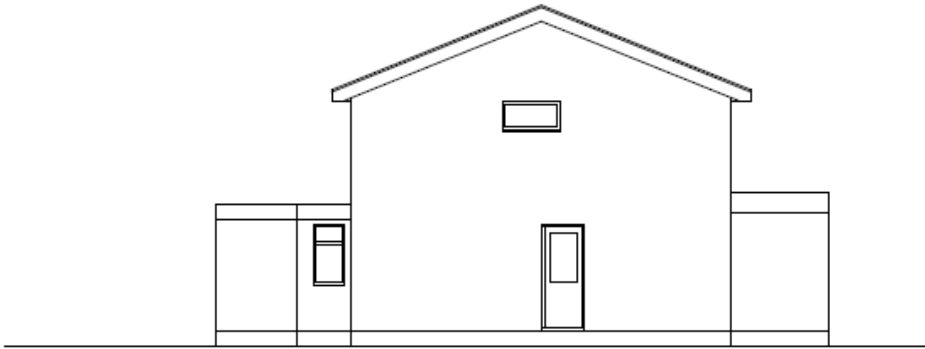
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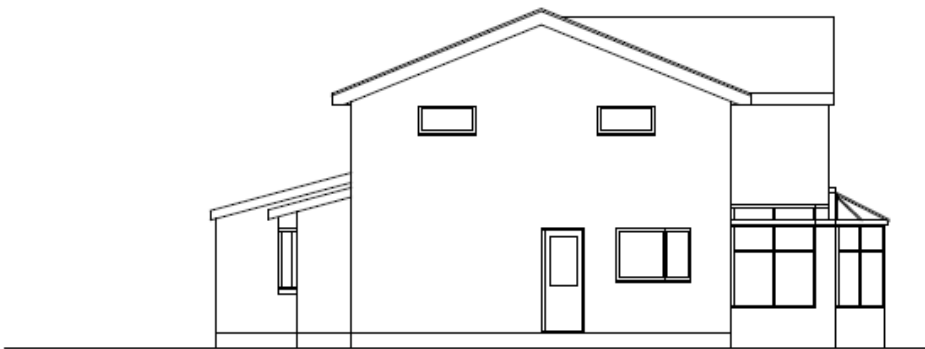
EXISTING REAR ELEVATION



PROPOSED REAR ELEVATION



EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

3 August 2016

Item: 5

Application No.:	16/02047/FULL
Location:	Knowl Hill CE Primary School Bath Road Knowl Hill Reading RG10 9UX
Proposal:	Construction of detached modular classroom building
Applicant:	Isabel Cooke
Agent:	Adrian Rose
Parish/Ward:	Hurley Parish
If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk	

1. SUMMARY

- 1.1 Knowl Hill Primary School is a small school with only 100 pupils, however, due to limited classroom space, different age groups are being taught together at the same time. In addition, due to the need for more places, the school is increasing its intake of pupils (to 124 in September 2016). Although planning permission for a single storey extension to provide an additional classroom was granted earlier this year, construction of this has been delayed and hence the application for a modular building.
- 1.2 The application site is located in the Green Belt and the building is not a type considered to be appropriate in the Green Belt. However, given the temporary nature of the building, only limited weight is attributed to the harm to the Green Belt. On the other side of the planning balance and in line with Government advice, great weight is given to the need to expand the school, which clearly outweighs the harm to the Green Belt, and as such very special circumstances exist in this case to justify approving the application.
- 1.3 The proposal will not harm the character and appearance of the area, nor give rise to the need for additional on-site parking.

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Knowl Hill primary School is located on the south east side of Bath Road, occupying a small site adjacent to St. Peters Church. The main Victorian school building is predominantly single storey and sits back from the road within the south-west corner. There is a small car park accessed immediately off Bath Road and an enclosed playground area. A playing field lies to the north-east. The site is enclosed by 2m high fencing and mature hedgerows.
- 3.2 The site is located in the Green Belt, with open fields to the north, east and south. There sporadic residential and commercial development predominantly to the west of the site.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
15/03782/FULL	Construction of a single storey rear extension following demolition of existing side building and wc block.	Approved. 04.02.16.
07/01148/FULL	Construction of two timber structures (play centre and outdoor classroom).	Approved 28.06.07.

4.1 The application seeks planning permission for a single storey modular building to provide 2 classrooms. The building would be positioned to the north east of the main school building and would measure 16.4m wide, by 8m deep and 3.5m high.

4.2 Knowl Hill Primary School is a small school with 100 pupils, however, due to limited classroom space, different age groups are being taught together at the same time. In addition, due to the need for more places, the school is increasing its intake of pupils (to 124 in September 2016). The longer term plan is that the school will eventually become a one-form entry school, but before this can happen the existing and immediate issue of providing more space needs to be addressed. Planning permission for a single storey extension to provide additional classroom space was granted earlier this year, however, construction of this has been delayed because funding is not available and hence the application for a modular building.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 7, 8 and 9.

Royal Borough Local Plan

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

Green Belt	Highways and Parking
GB1, GB2	P4, T5

Supplementary planning documents

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

- Planning for an Ageing Population

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- 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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the proposal is appropriate development in the Green Belt,
- ii The impact on the character and appearance of the area;

- iii Parking provision;
- iv The planning balance.

Whether the proposal is appropriate in the Green Belt

- 6.2 The application site is located in the Green Belt, wherein new buildings are inappropriate unless they fall within the list of exceptions set out in paragraph 89 of the NPPF. In this case, the proposed building is not a type included in the list of exceptions and therefore, it is inappropriate development in the Green Belt. In addition, the proposed building would result in some loss of openness of the Green Belt.
- 6.3 The NPPF advises that inappropriate development is by definition harmful to the Green Belt and should not be allowed except in very special circumstances. Substantial weight is given to any harm to the Green Belt and 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 Consideration of whether very special circumstances exist to justify approving the proposal is set out under the 'Planning Balance' section of this report.

The impact on the character and appearance of the area

- 6.5 The proposed building will be positioned at the back of the site at least 60m from the Bath Road. Given its siting alongside the existing group of buildings and height (3.5m), together with the substantial boundary screening, it is not considered that the building will harm the character and appearance of the area.

Parking provision

- 6.6 At the time of writing the Highway Authority's comments on the application are awaited. However, while the number of staff will increase by 4 to 15, the existing on site car park has 16 spaces and therefore it is not anticipated that there will be a highway objection on lack of parking.
- 6.7 The Highway Authority's consultation response will be reported in the Panel update.

Planning balance and the case for very special circumstances

- 6.8 In terms of the planning balance, substantial weight is given to the harm caused by reason of the building's inappropriateness. However, it is considered that there is only limited harm to the openness of Green Belt. It is also material to the consideration that this overall harm is limited by the fact that the modular building would only be temporary for 3 years or until the approved extension is built and occupied should that occur within the 3 year temporary period (see condition 1). In addition, the proposal would not harm any of the five purposes of the Green Belt, and as explained further in this report, no other harm will be caused.
- 6.9 In favour of the proposal, the NPPF advises that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local authorities are expected to take a positive approach to meeting this need and should give great weight to the need to create, expand or alter schools.
- 6.10 In weighing up, given the temporary nature of the building only limited weight is given to the harm to the Green Belt while, in line with Government advice, great weight is given to the need to expand the school. In this case, therefore, there are other considerations that clearly outweigh the harm to the Green Belt and as such very special circumstances exist to justify approving the application.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 This type of development is not liable for any financial contributions.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

2 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 14th July 2016.

No letters of representation have been received.

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Hurley Parish Council	Consultation response to follow.	To be reported in Panel update.
Highway Authority	Consultation response to follow.	To be reported in Panel update.

8.1 Sports England has not been consulted in this case as the land on which the building is to be sited is not a playing field as defined in the Town and Country Planning (Development Management Procedure) Order, 2015.

9. APPENDICES TO THIS REPORT

- Appendix A - Site plan
- Appendix B - Front and rear elevations
- Appendix C - Side elevations

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 process. The Case Officer has sought solutions to issues where relevant and possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

10. CONDITIONS IF PERMISSION IS GRANTED

1. The temporary building hereby permitted shall be removed from the land by 3rd August 2019 or before the aforementioned date should first occupation of the extension approved under 15/03782/FULL take place. On removal of the temporary building all works necessary for the reinstatement of the land to its former state within the following three months.
Reason: In the interests of the openness of the Green Belt and highway safety and convenience. Relevant Policies - Local Plan GB1, GB2
2. The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved

details.

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

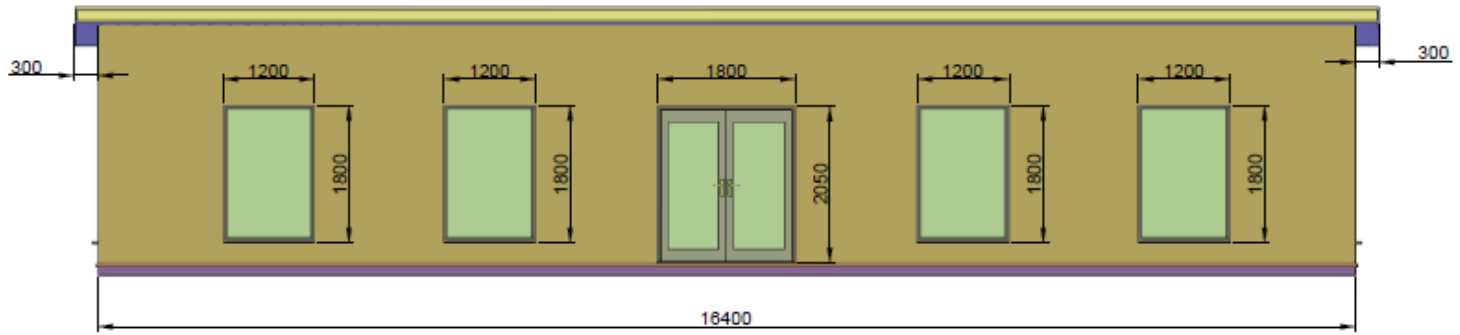
3. The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

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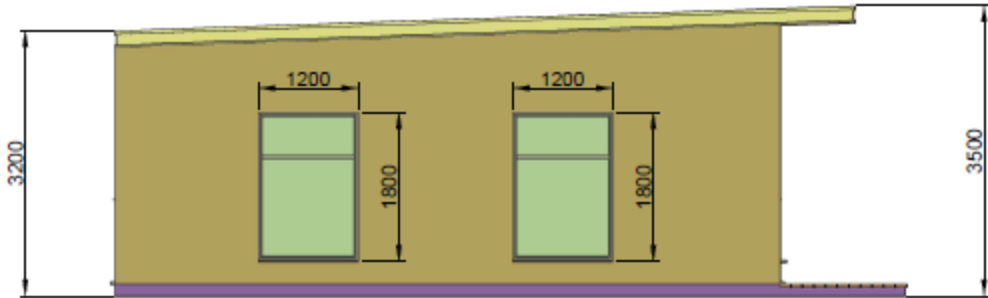
FRONT



BACK

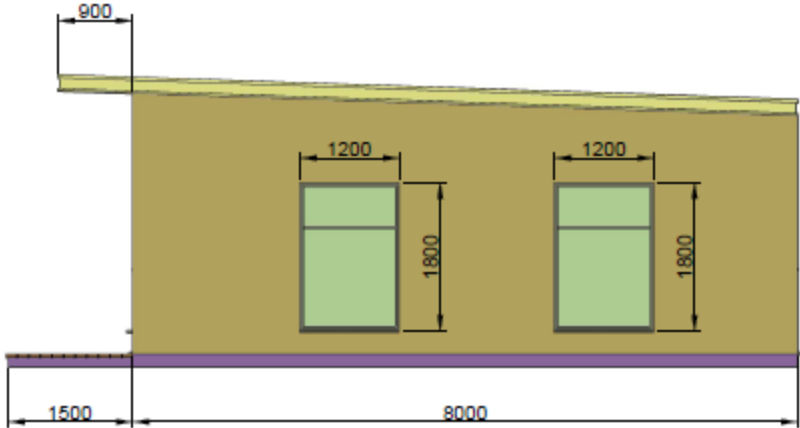


LEFT



67

RIGHT



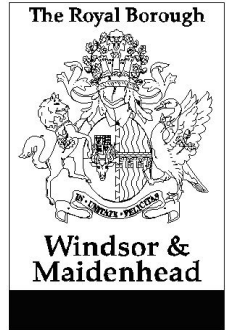
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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD PLANNING COMMITTEE

Planning Appeals Received

24 June 2016 - 21 July 2016

MAIDENHEAD



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

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

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

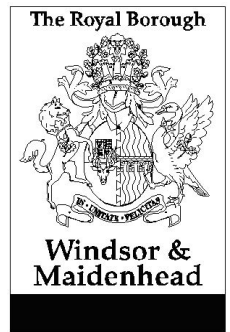
Parish/Ward:
Appeal Ref.: 16/60072/REF **Planning Ref.:** 15/02671/FULL **PIns Ref.:** APP/T0355/W/16/3150215
Date Received: 18 July 2016 **Comments Due:** 22 August 2016
Type: Refusal **Appeal Type:** Written Representation
Description: Erection of two buildings comprising 7 x 1-bed units with access, parking and amenity space
Location: **31 - 33 Belmont Road Maidenhead**
Appellant: Leon Tusz Developments Ltd **c/o Agent:** Mr Jake Collinge - JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

Parish/Ward: Waltham St Lawrence Parish
Appeal Ref.: 16/60075/REF **Planning Ref.:** 16/01154/FULL **PIns Ref.:** APP/T0355/D/16/3153213
Date Received: 18 July 2016 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Two storey front extension and part single storey part two storey rear/side extension
Location: **Foxwood Halls Lane Waltham St Lawrence Reading RG10 0JB**
Appellant: Mr And Mrs Ryan Davis **c/o Agent:** Mr Richard Mears Pure Town Planning Suite 8 Pine Court 36 Gervis Road Bournemouth Dorset BH1 3DH

Appeal Decision Report

24 June 2016 - 21 July 2016

MAIDENHEAD



Appeal Ref.: 16/00040/REF **Planning Ref.:** 15/04112/FULL **Plns Ref.:** APP/T0355/D/16/
3147142

Appellant: Mr Graham Pederson **c/o Agent:** Mr Stuart Keen SKDdesign Ltd Unit 3 Woodlands
Business Park Woodlands Park Avenue Maidenhead SL6 3UA

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

Description: Proposed garage conversion, double carport to the front elevation and single storey rear
extension and widen existing kerb.

Location: **7 Lowbrook Drive Maidenhead SL6 3XT**

Appeal Decision: Dismissed **Decision Date:** 28 June 2016

Main Issue: The Inspector concludes that the proposal would substantially detract from the character and
appearance of both the house and this part of Lowbrook Drive. The Inspector takes note of
the responsibilities under the Equality Act, but nevertheless found that the harm identified in
respect of the first main issue significantly outweighs the benefit.

THE FOLLOWING REPORT IS FOR INFORMATION ONLY

FOR INFORMATION ONLY

ENFORCEMENT REPORT

Reference and Site:

16/50256 – Land between Lightlands Lane and Strande View Walk and Strande Lane, Cookham.

Contravention:

The erection of a building without planning permission.

Person(s) responsible:

Mr Samuel James Driver

Relevant Planning History:

Reference	Description	Decision
16/01289	Certificate of lawfulness to determine whether a moveable poultry shed is lawful.	Refused 14.06.16.
15/02564	Construction of a log cabin for occupation by an agricultural worker in connection with the operation and management of an egg laying poultry farm to be established on the holding for a temporary period of 3 years.	Refused 18.02.16.
15/02565	Erection of one purpose built poultry shed elevated on a raised platform for the keeping of up to 1750 egg laying chickens including a separate integral egg packing room at one end of the building.	Refused 18.02.16.
15/02567	The erection of one purpose built poultry shed elevated on a raised platform for the keeping of up to 1350 egg laying chickens.	Refused 18.02.16.
15/02749	The erection of a general purpose portal framed agricultural storage building for the keeping of hay and straw and a bulk feed storage hopper.	Refused 18.02.16.

Site and Surroundings:

The site is largely an open field located to the east of Lightlands Lane. Open land lies to the north and north-west, while Strande View is to the south-west and Strande Lane to the south. The site is currently occupied by three timber chicken sheds, a timber shed on wheels, a shipping container raised above the ground and timber posts and wire fencing enclosing the public right of way that crosses the site close to the eastern boundary. The site is enclosed by established hedgerows and trees. A line of protected oak trees crosses the field from east to west about 30 metres north of the southern boundary. The site is located in the Green Belt and in an area where there is a high probability of flooding (Flood Zone3).

History:

1. Following a complaint to the Council regarding the erection of a “chicken polytunnel,” an enforcement officer visited the site. The Officer noted that a metal framework had been erected, measuring 32m long (in 16 sections), 3.5m high and 7.6m wide.
2. Given the planning history, it was considered that the metal framework was for a building that required planning permission. Given the planning policy constraints for the site, covered in the previous applications, it was not considered that planning permission would be granted. Accordingly, on the same day as the initial site investigation and while workers were on site still erecting the building, a letter was handed to the land owner advising that the building should be removed by 5pm that day and that failure to do so may result in enforcement action being taken.
3. Land Registry confirms that the land owner is Mr. Samuel James Driver.

Comments:

An enforcement Notice was issued on 21st July 2016 as a matter of urgency as the site is in an area at high risk from flooding and the development was ongoing at the time. As a matter of fact and degree, the erection of the building constitutes development for which express planning permission is required. The building is therefore clearly a breach of planning control which causes harm as it is contrary to the development plan and there are no material considerations which would indicate a contrary view. For these reasons it was considered expedient to take urgent action.

The reasons for taking formal enforcement action and addressing each potential ground of appeal are set out below.

Ground (a) – that planning permission should be granted.

Main issues and policies relevant to the planning merits.

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

	High risk of flooding
Local Plan	F1

Development within the area liable to flood

The site is located in the functional flood plain, Flood Zone 3b, where water has to flow or be stored in times of flood. Only water-compatible uses and essential infrastructure (listed in Table 2 of the Technical Guidance to the NPPF), that has to be there, should be permitted in this zone. As the building is neither water-compatible nor classed as essential infrastructure it should not be permitted on this site.

Ground (b) – that the breach of control alleged has not occurred.

An Enforcement Officer has visited the site and noted the metal framework (the main structure) for the building is substantially complete.

Ground (c) – that there has not been a breach of planning control.

The structure is of a size which is significant in planning terms given its dimensions. It may be capable of movement but it would have a permanent character. The fact that the structure may be capable of being moved is not determinative in establishing permanence. The length of time that the structure would remain *in situ* is sufficient to be of consequence in the planning context, and that degree of permanence is a clear indicator that, for the purposes of the 1990 Act, the structure can be described as a building for development control purposes.

The erection of a new building is not specifically listed in the definitions of ‘building operations’ at section 55(1A) of the Act, but this list is not exhaustive. The erection of a new building falls within the final clause of the definition as being work normally undertaken by a person carrying on business as a builder. The building has been erected on the site and the work involved in the erection of the building amounts to a significant building operation, given its size and permanent nature.

Ground (d) – that at the time the Enforcement Notice was issued it was too late to take enforcement action against the matters stated in the Notice.

The building was substantially complete but still under construction when the Enforcement Notice was issued.

Ground (f) “that the steps required by the notice are excessive and that lesser steps could remedy any injury to amenity that has been caused”.

The requirements of the Notice are the minimum the Council can stipulate to ensure the breach of planning control, and resulting injury to the flood zone, is remedied. The steps required to remedy the injury are reasonable and proportionate to the breach. Any lesser steps would continue to cause harm.

Ground (g) – that the time given to comply with the Notice is too short.

14 days is deemed by the Local Planning Authority to be a reasonable period of time for the requirements of the Notice to be complied with. The development is primarily a metal frame and no specialist contractor or plant is required to carry out the requirements of the Notice.

Recommendation:

ENFORCEMENT ACTION:

- a. Remove from the Land the building in the approximate position shown with the blue coloured cross on the attached plan; and
- b. Remove from the Land all materials associated with the building.

The period of compliance shall be 14 days from when the Notice becomes effective.

The reason for serving the Notice is as follows:

The building has been erected on land that lies within the functional flood plain (Flood Zone 3b), and is a type of development not permitted in this flood zone. The building would impede the flow of flood water, reduce the capacity of the flood plain to store flood water and increase the number of

people or properties at risk from flooding. It is therefore contrary to saved policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and to advice contained in National Planning Policy Guidance on flooding and paragraphs 100 to 103 of the National Planning Policy Framework, March 2012.

AUTHORISED BY:

Jenifer Jackson,
The Council's authorised officer on behalf of Royal Borough of Windsor & Maidenhead.
Town Hall, St Ives Road,
Maidenhead, Berkshire, SL6 1RF
Date: 18 November 2015

Appendix 1: Copy of Enforcement Notice

ISSUED 21st July 2016

THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

ENFORCEMENT NOTICE

Relating to
Land between Lightlands Lane and Strande View Walk and Strande Lane
Cookham



Jenifer Jackson, Borough Planning Manager
Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF

Ref: 16/50256/ENF

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN & COUNTRY PLANNING ACT 1990 (“the Act”)
(as amended by The Planning & Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

THIS IS A FORMAL NOTICE which is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) Section 171A (1) of the Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of this Notice and the enclosures to which it refers contain important additional information.

1. THE LAND TO WHICH THIS NOTICE RELATES

Land between Lightlands Lane and Strande View Walk and Strande Lane, Cookham, shown edged red on the attached plan (“the Land”)

2. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission the erection of a building

3. REASONS FOR ISSUING THIS NOTICE

- a. It appears to the Council that the above breach of planning control has occurred within the last 4 years;
- b. The building has been erected on land that lies within the functional flood plain (Flood Zone 3b), and is a type of development not permitted in this flood zone. The building would impede the flow of flood water, reduce the capacity of the flood plain to store flood water and increase the number of people or properties at risk from flooding. It is therefore contrary to saved policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and to advice contained in National Planning Policy Guidance on flooding and paragraphs 100 to 103 of the National Planning Policy Framework, March 2012.

4. WHAT YOU ARE REQUIRED TO DO

- c. Remove from the Land the building in the approximate position shown with the blue coloured cross on the attached plan; and
- d. Remove from the Land all materials associated with the building.

5. TIME FOR COMPLIANCE

Fourteen days after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 25th August 2016, unless an appeal is made against it beforehand.

DATED: 21st July 2016

SIGNED:

Jenifer Jackson
The Council's authorised officer on behalf
of Royal Borough of Windsor & Maidenhead.
Town Hall,
St Ives Road,
Maidenhead,
Berkshire, SL6 1RF

Ref: 16/50256/ENF

ANNEX

EXPLANATORY NOTES

It is recommended that you read the explanatory notes which follow carefully

Service:

A copy of this enforcement notice has been served on the following persons:

Mr Samuel James Driver

234 Loddonbridge Road

Woodley

RG5 4BS

Mr Samuel James Driver

The Bridge House

Bisham Road

Marlow

SL7 1RP

Your right of appeal

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before the date specified in paragraph 6 of the Notice. Please refer to the enclosed leaflet of information for details of who to contact to obtain information on the appeal process. You can obtain appeal forms and a guidance booklet on the appeal process from The Planning Inspectorate. On receipt of the appeal forms please note:-

- (a) One is for you to send to the Secretary of State if you decide to appeal together with a copy of the enforcement notice.

- (b) The second copy of the appeal form and the notice should be sent to the Council.
- (c) The third copy is for your own records.

NB – Appeals can now also be submitted online via the Planning Portal website (www.planningportal.gov.uk/pcs).

What happens if you do not appeal?

If you do not appeal against this enforcement notice, it will take effect on the date specified in paragraph 6 of the notice, and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in paragraph 5 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Grounds of Appeal

If you appeal against this Enforcement Notice, you must submit to the Secretary of State, either when giving notice of your appeal or within 14 days on which the Secretary of State sends you a notice so requiring, a statement in writing specifying the grounds on which you are appealing against the Enforcement Notice. The written statement should also contain a brief synopsis of the facts on which you propose to rely in support of each of the grounds of appeal

The Grounds of Appeal are set out in section 174 (2) of the Act.

Deemed Application

If you appeal against this Enforcement Notice under Section 174(2)(a) [also known as Ground A] (namely that in respect of the breach of planning control planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged), then a fee is payable.

The payment of the fee arises under Regulation 10 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989, as amended. The fee payable is double that which would ordinarily be payable.

In this instance the total fee payable is £160.00

The full amount should be sent to the Royal Borough of Windsor and Maidenhead, Town Hall, St Ives Road, Maidenhead, SL6 1RF (cheques should be made payable to the Royal Borough of Windsor and Maidenhead)



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