

NOTICE
OF
MEETING



MAIDENHEAD DEVELOPMENT CONTROL PANEL

will meet on

MONDAY, 19TH DECEMBER, 2016

at

7.00 pm

in the

DESBOROUGH SUITE - 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 STUART CARROLL, PAUL BRIMACOMBE, CARWYN COX,
JUDITH DIMENT, MOHAMMED ILYAS, GEOFF HILL, MJ SAUNDERS, HARI SHARMA
AND LISA TARGOWSKA

Karen Shepherd
Democratic Services Manager
Issued: Friday, 9 December 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 23 November 2016.		5 - 6
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Borough Planning Managers 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		7 - 134
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		135 - 138

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

23.11.16

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

Officers: Jenifer Jackson (Head of Planning), Shilpa Manek, Susan Sharman (Senior Planning Officer) and Matthew Tucker (Solicitor - Shared Legal Solutions)

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100/15 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Kellaway and Walters. Councillor Hill was substituting.

101/15 DECLARATIONS OF INTEREST

No declarations of interest recorded.

102/15 MINUTES

The Chairman requested the addition of named vote for the first motion on item 3 to be included.

The minutes of the meeting on 26 October 2016 were **UNANIMOUSLY AGREED**.

103/15 PLANNING APPLICATIONS (DECISION)

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

The Panel considered the Borough Planning Manager'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>Item 1 16/01884/VAR</p> <p>Bears Copse Plough Lane West End Waltham St Lawrence Reading RG10 0NN</p>	<p><i>Erection of an agricultural barn (retrospective) as approved under planning permission 11/00341 (allowed on appeal) without complying with condition 1(use as agricultural purpose only) to remove the condition.</i></p> <p>Councillor Hunt put forward a motion to refuse the Officer's recommendation. This was seconded by Councillor Hill.</p> <p>Two Councillors (Councillors Hill and Hunt) voted for the motion, Six Councillors (Councillors Clark, Coppinger, Love, Smith, Stretton and Wilson) voted against the motion. Councillors Burbage, Bullock and Sharp abstained from voting. The motion fell.</p> <p>The Officers recommendation to permit the application was put forward by Councillor Coppinger and seconded by Councillor Wilson.</p>
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	<p>Seven Councillors (Councillors Clark, Coppinger, Hill, Love, Smith, Stretton and Wilson) voted for the motion. Four Councillors abstained from voting (Councillors Burbage, Bullock, Hunt and Sharp).</p> <p>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the officer's recommendation.</p> <p>(Speakers: The Panel was addressed by Councillor Clive Scott-Hopkins, Parish Councillor and Mr Thomas Rumble, Applicants Agent).</p>
<p>Item 2 16/03024/VAR</p> <p>Old Linkside Shoppenhangers Road Maidenhead SL6 2QD</p>	<p><i>Erection of 10 x 2 bed flats with access, parking, landscaping, and ancillary works following demolition of house of planning permission 14/00501 (allowed on appeal) without complying with condition 2 (approved drawings) to replace some of the approved drawings.</i></p> <p>The PANEL VOTED UNANIMOUSLY that the application be DEFERRED AND DELEGATED to the Head of Planning subject to completion of Legal agreement and to check whether obscure glazing to balconies is necessary and if so this needs to be level 3 or above.</p> <p>The Officers recommendation was put forward by Councillor Smith and seconded by Councillor Wilson.</p> <p>(Speakers: The Panel was addressed by Mr Adam Arnold, Objector).</p>

104/15 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions and congratulated Officers.

The meeting, which began at 7.00 pm, ended at 7.40 pm

Chairman.....

Date.....

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Maidenhead Panel

19th December 2016

INDEX

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

Item No.	1	Application No.	16/01411/FULL	Recommendation	WR	Page No.	9
Location:	Land To North And East of Cookham Nursery School Station Hill Cookham Maidenhead						
Proposal:	Erection of 4 No. dwellings with associated access works, public open space, car parking and landscaping to include on site parking area for nursery staff and additional parking for the residents of Roman Lea.						
Applicant:	Oakford Homes	Member Call-in:	Cllr Saunders	Expiry Date:	30 June 2016		
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Item No.	2	Application No.	16/02300/FULL	Recommendation	REF	Page No.	37
Location:	Open Space Between Terrys Lane And Poundfield Lane Cookham Maidenhead						
Proposal:	Erection of 28 x dwellings with associated works						
Applicant:	Ms McHardy - Berkeley Homes (Western) Ltd	Member Call-in:	Cllr Saunders	Expiry Date:	24 October 2016		
<hr/>							
Item No.	3	Application No.	16/02730/FULL	Recommendation	REF	Page No.	71
Location:	Land To Rear of Stable Cottage Poundfield Lane Cookham Maidenhead						
Proposal:	Erection of dwelling with detached double garage						
Applicant:	Mr And Mrs Kent	Member Call-in:	N/A	Expiry Date:	14 October 2016		
<hr/>							
Item No.	4	Application No.	16/03011/FULL	Recommendation	PERM	Page No.	91
Location:	17 Castle Hill Maidenhead SL6 4AD						
Proposal:	Demolition of existing dwelling and replacement with 12no. apartments and modifications to existing gatehouse (retained as a 1-bedroom dwelling), associated parking and landscaping						

Applicant: Mr Murray **Member Call-in:** N/A **Expiry Date:** 5 January 2017

Item No. 5 **Application No.** 16/03184/ADV **Recommendation** PERM **Page No.** 113

Location: Holyport College Ascot Road Holyport Maidenhead SL6 3LE

Proposal: Consent to display one double-sided non-illuminated monolith sign at the site entrance

Applicant: Mr Bell **Member Call-in:** Cllr Walters **Expiry Date:** 25 November 2016

Item No. 6 **Application No.** 16/03346/FULL **Recommendation** REF **Page No.** 119

Location: White House 66 And Land At White House 66 Altwood Road Maidenhead

Proposal: Erection of new dwelling with new access onto Altwood Road and new front brick boundary wall and railings, new pedestrian entrance and landscaping following removal of existing timber fence at White House, 66 Altwood Road.

Applicant: Mr Dash **Member Call-in:** Cllr Claire Stretton **Expiry Date:** 7 December 2016

Planning Appeals Received

Page No. 135

Appeal Decision Report

Page No. 136

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 1

Application No.:	16/01411/FULL
Location:	Land To North And East of Cookham Nursery School Station Hill Cookham Maidenhead
Proposal:	Erection of 4 No. dwellings with associated access works, public open space, car parking and landscaping to include on site parking area for nursery staff and additional parking for the residents of Roman Lea.
Applicant:	Oakford Homes
Agent:	Mr Paul Thomas
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward

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 This application is the subject of a non-determination appeal. As such, it is not for the Council to formally determine the application, but to advise the Planning Inspectorate of what decision it would have reached had an appeal not been made.
- 1.2 The application relates to an area of land, known locally as the Pony Field, which itself forms part of a larger area known as Poundfield. Poundfield has a lengthy and complex planning history, which reflects the pressure to build on it. Details of this history are set out further in the report, but the current situation is that the land, including the application site, is not within the designated Green Belt boundary. The application site is however within the Cookham High Street Conservation Area.
- 1.3 The application has attracted considerable public interest, not least because Cookham is strongly associated with the British painter, Sir Stanley Spencer. Given the unique circumstances of this site and the interest in the application, external experts have been consulted specifically in relation to heritage and design matters. Their advice is clear; the association of Cookham with the work of Sir Stanley Spencer puts the Cookham High Street Conservation Area at an international level of importance.
- 1.4 The building of 4 dwellings, together with the associated drives, garages etc, on this site would cause substantial harm to an exceptionally significant heritage asset. National Planning Policy advises that, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, planning permission should be refused.
- 1.5 The Tree Officer has advised that the proposed cartshed garage adjacent to the eastern boundary can not be implemented without having a detrimental impact on the health and visual amenity of the principal trees along this boundary in both the short and long term. These principal trees contribute positively to the character and appearance of the area, provide screening to the site and are subject to a Tree Preservation Order.
- 1.6 The Highway Authority has raised no objections to the parking provision and layout, and has advised that the additional parking proposed along Roman Lea and within the site for nursery staff is a highway benefit. Archaeological issues have been fully investigated and raise no objections. The Council's Ecologist has raised no objections to the proposal subject to conditions.
- 1.7 The proposed development would contribute to the supply of housing in the Royal Borough.

- 1.8 Paragraph 133 of the NPPF advises that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In terms of public benefits, it is acknowledged that the proposal would contribute to the Borough's housing stock, which represents a benefit of the scheme. However, while the proposed designation of the site as a Local Green Space in the emerging Borough Local Plan cannot be afforded any weight at this stage, it is clear from the evidence provided that the proposal would substantially harm the Cookham High Street Conservation Area and all that it entails. This Conservation Area is an exceptionally significant heritage asset and the benefits of providing a further 4 dwellings to the Royal Borough's housing does not outweigh the substantial harm caused.

It is recommended the Panel refuses planning permission for the following summarised reason (the full reason is identified in Section 10 of this report):	
1.	Substantial harm to the Cookham High Street Conservation Area which is an exceptionally significant heritage asset. No substantial public benefits exist to outweigh the harm to the heritage asset. Contrary to policies DG1, CA2, LB2 RBWM LP, G4.5 and G14.1 of the Cookham VDS and paragraph 133 of the NPPF.
2.	The proposal would have an adverse impact on important trees along the boundary of the application site, causing detrimental harm to the character and appearance of the Conservation Area. Contrary to Local Plan policies N6, DG1 and CA2 and paragraph 109 of the NPPF.
3.	Loss of open space and loss of open space with historical significance, which is valued by the community and offers an open space enjoyed for its tranquillity in the heart of the settlement. Contrary to NPPF paragraph 74.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor. Saunders irrespective of the recommendation by the Head of Planning for the reason: Substantial objections, including contradiction of the unanimous Council decision on 23 February 2016 to seek Local Green Space status for 'Poundfield' and the closing paragraph in the 2001 Court of Appeal judgement, which otherwise technically prevented RBWM's decision to designate 'Poundfield' as Green Belt but also stated '*The appellants can have small cause only, to rejoice. Other rigorous planning controls will still apply to the land and there can be little expectation of any extensive planning permissions. The Cookham Society and others interested in this area need not be too concerned.*'

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises an irregular shaped parcel of land located on the north side of Station Hill, Cookham at the junction with Maidenhead Road and The Pound. The site area is approximately 0.43ha. The site currently has no buildings or structures above ground, but is fenced. The site rises from south to north by approximately 2 metres, the paddock land to the north rising perceptively towards a flatter area at the top of the hill approximately 20m above the site.
- 3.2 The site has an open frontage to Station Hill of approximately 33m. Directly opposite this is a mini roundabout at the junction with Maidenhead Road which although an historic route is, by virtue of twentieth century development, a suburban residential road. At the south eastern corner where Pound Field Lane joins The Pound is Anchor Court, a 2.5 storey apartment block in a Victorian/Edwardian style with Victorian sash windows, tile hanging and steeply sloping gabled roofs. Behind this are an amenity area and a car park. On the eastern boundary is Pound Field Lane, a bridleway of approximately 70m. Roman Lea road runs approximately 85m along the site's western boundary. To the north-east is a field hedge line separating the enclosed site from the more open paddock land to the north. Adjacent to the application site, to the south-west, is Cookham Day Nursery which is an early post-war structure of a modern design.
- 3.3 The application site is located within the Cookham High Street Conservation Area

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 As the application site is included within the area of land known as 'Poundfield', its planning history is lengthy. The table below therefore sets out a summary of this, in particular how the current designation of site, in planning terms, has been arrived at.

Date	Application / Event	Decision/outcome
1967 - 1973	Four planning applications for residential development refused planning permission.	Appeals were dismissed on highway grounds. All Inspectors and the Minister at the time accepted that the site was physically suitable for residential development.
1985	Berkshire County Council adopted the Green Belt Local Plan for Berkshire.	Poundfield excluded on the ground that the site's suitability for development had been established by a series of appeals (subject to the resolution of access difficulties) and thus to transfer to the Green Belt was not appropriate.
1985	Draft Maidenhead and District Local Plan allocated land at Poundfield for housing.	This Plan was not adopted.
1989	Outline planning permission sought for two alternative residential development schemes on the Poundfield site.	Both schemes proposed 25 sheltered housing units, together with either 88 or 66 houses.
21 April 1991	The Secretary of State dismissed both appeals.	The Planning Inspector recommended that planning permission be granted, however the Secretary of State disagreed.
1992	Draft Berkshire Structure Plan deposited.	Poundfield excluded from the Green Belt. This Plan was later adopted in 1995.
1993	RBWM published its consultation draft for the new Local Plan.	Two main fields to the east of Poundfield Lane were designated as Areas of Important Urban Open Space. Cookham Conservation Area was extended to include the houses to the west of the Lane.
1994	Deposit draft of the new Local Plan published with Green Belt boundary revisions.	The Plan identified Poundfield within the Green Belt.
1995	Appellants object to the proposed Green Belt boundary revisions.	An Inspector hears the objections but proposes no modifications.
30 July 1999	RBWM adopt the Royal Borough of Windsor and Maidenhead Local Plan/	The Plan includes land at Poundfield within the Green Belt for the first time.
31 March 2000	Appellant's application to the High Court, pursuant to s287 of the Town and Country Planning Act 1990, to quash the Local Plan in respect of the Objection Site (which includes the land forming the current application site). Permission to appeal is granted because of the potential wider importance of the matter.	The Local Plan is adopted and land at Poundfield (hereinafter referred to as the Objections Site) is Green Belt for the time being.
7 February 2001	Appeal allowed and the RBWM decision to adopt the Local Plan was quashed in so far as it relates to the Objection Site.	The extent of the Objection Site is identified by a plan attached to the Court Order dated 7 th February 2001. (see Appendix F)
3 March 2001	RBWM submit an application seeking leave to appeal the decision of the Court of Appeal.	
25 July 2001	RBWM application for leave to appeal is denied by the House	

	of Lords Appeal Committee.	
2001	All the land within the Poundfield area which had been identified in the 1999 Local Plan as Green Belt (including the current application site) was removed from the Green Belt.	The land removed from the Green Belt designation mistakenly included land which did not fall within the Objection Site. RBWM had incorrectly removed land which had lawfully been designated Green Belt from the Green Belt boundary.
September 2001	Land outside of the Green Belt within the Poundfield area, but outside of the Objection Site, that had been mistakenly taken out, is reinstated.	
2014	RBWM receives an allegation that land within the Objection Site which in 2001 did not belong to the Appellants should be returned to the Green Belt.	The Court had ordered that the Local Plan should be quashed insofar as it relates to the Objection Site. The fact that parts of the Objection Site were not owned by the appellants was not relevant to the decision reached by the Court. Although the judgement refers to the appellant's land, the application related to the Objection Site and the Court order specifically states that the Local Plan be quashed in respect of the Objection Site. If the Council were to amend the Green Belt boundary to only exclude from the Green Belt land within the Objection Site owned by the appellants, it would be in breach of the Court.
25 th November 2014	Legal advice obtained confirms that RBWM was correct to exclude all the land in the Objection Site from the Green Belt.	Further legal advice on the matter has confirmed that the Court's decision applied to all land within the Objection Site, regardless of its ownership. The application site was correctly removed from the Green Belt pursuant to the Court order.
December 2014 and January 2015	Legal opinions sought maintain the advice that RBWM was correct to exclude all the land in the Objection Site (including the application site) from the Green Belt.	

- 4.2 The application seeks planning permission for 4 dwellings, comprising three 4 bedroom dwellings and one 2 bedroom property. In addition to providing parking for the development itself, parking (7 spaces) is also proposed for staff from the adjacent nursery together with 11 layby spaces and a turning area for residents along Roman Lea. The site would be accessed from a new arm off the existing roundabout at the Station Hill, The Pound and Maidenhead Road junction. Public open space would be provided at the front of the site, adjacent to the new access.
- 4.3 The proposal is to erect a 2 storey detached farm house and a range of 3 barn style homes arranged in the form of a farmstead. The farmhouse would face south across an enclosed yard with the main barns and cowshed range arranged on the west and south sides respectively. The east side would be partially enclosed by a range of cartshed garages.
- 4.4 The proposed farm house is a simple 3 bay house, such as may have been built in the late 18th or early 19th Century. It has a steeply pitched straight gabled roof with simple roof detailing in brickwork, and with the gable ends buttressed by chimney stacks symmetrically placed on the ridgeline at either end. The tripartite windows to the front elevation have stone surrounds and there is a church style porch. There are 2 single storey elements; a lean-to off-shot to the right hand side and a hipped garden room extension to the left rear. The tallest building on the site, the farm house has a ridge height of 9m and an eaves height of 5m.
- 4.5 Units 2, 3 and 4 consist of a range of "barn conversions". Plots 2 and 3 have low eaves, generally of 3m, with the main gabled-ended pitched roof having a ridge height of 8m. Plot 4 is

lower, with a 2m eave height and 6.5m ridge height. Detailing on these units has been kept simple with areas of full height glazing to the ground floor, large areas of ground and first floor glazing constrained to the gable ends, and flush conservation grade rooflights with black frames set into the roof slopes where necessary, generally facing into the courtyard. Glazing is supplemented by a limited use of apex glazing at high level.

- 4.6 Proposed materials include a locally appropriate multi-red stock brick facing for the farm house and barn bases, natural timber boarding for the barn style houses, a dark good quality clay tile to help blend the roofs into the landscape and natural slate for the subsidiary cartshed range.
- 4.7 Automatically opening garage doors and a forecourt apron is proposed to prevent vehicles parking outside the garages.
- 4.8 The proposal includes the development of a strip of land along the western boundary of the site to provide 11 layby parking spaces and a small turning area for residents of Roman Lea. In addition, the frontage of the site, adjacent to the proposed access, would be replaced by an area of public open space, approximately 33m wide (including the access) and approximately 16m deep, the maintenance of which would be secured through a Section 106 legal agreement.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 6, 7, 8, 11 and 12 and paragraphs 14 and 17.

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees & Hedgerows	Conservation
DG1, H10, H11	P4, T5	N6, N7	CA1, CA2, LB2

Supplementary planning documents

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

- Cookham Village Design Statement, including sections G4.5 and G14.1.

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 Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Whether the principle of development is acceptable;
- ii The impact of the proposal on the Cookham High Street Conservation Area (excluding the impact on trees which is covered in point vi);
- iii The impact on the living conditions of neighbours;

- iv Parking provision and highway safety;
- v Ecological issues;
- vi The impact on trees;
- vii Archaeological issues;
- viii Impact on open space;
- ix Other material considerations, and
- x The planning balance.

The principle of development

- 6.2 Section 14 of the NPPF advises that there is a presumption in favour of sustainable development and that for decision taking this means, unless material considerations indicate otherwise and where development plan policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted. A footnote to section 14 provides examples of specific policies where development might be restricted; these include land designated as Green Belt, Local Green Space and designated heritage sites.
- 6.3 The table in section 4.1 of this report concludes that the application site is not in the Green Belt. However, the site is located within the Cookham High Street Conservation Area, which is a designated heritage asset. The site's location within a designated heritage asset does not preclude development, but requires that the specific policies relating to that designation (in this case the policies set out in Section 12 of the NPPF), be complied with.

The impact on the Cookham High Street Conservation Area

- 6.4 Given the unique circumstances of Poundfield, in which the application site is located, and the level of public interest in this site and application, the Head of Planning commissioned two independent consultants to advise specifically on the heritage and design aspects of the proposal.
- 6.5 The Cookham High Street Conservation Area was originally designated in 1969 by Berkshire County Council. In 1991 the boundaries were reviewed and enlarged to incorporate new areas. The boundaries were further reviewed and extended in 2002. There are six listed buildings in proximity to the Pony Field, all Grade II: Englefield House; Hayden's Cottage; Old Oak Cottage; Old Timbers; Old Farmhouse and the Granary at Old Farmhouse. The Cookham Nursery School (1949) designed by architect John Stillman as a model of educational architecture is a non-designated heritage asset.
- 6.6 Nationally listed buildings are by virtue of this designation of national significance. All of the buildings in the vicinity of the proposed development are designated Grade II and of moderate-high significance.
- 6.7 The Pony Field and Poundfield together create an important wedge of green space between the ancient village of Cookham and the nineteenth-century and later development around the railway (Cookham Rise). The low-lying nursery school in its substantial grounds contributes to this sense of space. Taken as a whole this space is of high significance for historical, aesthetic and communal reasons. Historically it is significant as an area of agricultural land immediately adjacent to the village. It is an important space for maintaining the visual integrity and setting of the historic village of Cookham and separating it from later development. The space is valued by residents and visitors as an open space.

6.8 Views are an important element of the significance of the Conservation Area. Upon entering the village from Maidenhead Road, the first view is of the wedge of open land (the Pony Field) which has a semi-rural appearance, although appreciation is harmed by the large number of permanent and temporary signs, reflecting local campaigns, cultural and community events, on the fencing fronting the highway and the somewhat out-of-scale residential block to the east of Poundfield Lane. This view is of moderate-high significance on aesthetic grounds, though it could be improved with better management. Standing between Anchor Court and the Nursery School opens up a panoramic view towards Roman Lea in the west, past the low lying Nursery School, up the hill to Poundfield and towards the large trees at Englefield House. This view has moderate-high significance.

6.9 Sir Stanley Spencer

“A Village in Heaven”: Stanley Spencer’s Cookham

The reputation of Sir Stanley Spencer (1881-1959) as an outstanding 20th-century artist continues to grow. Observation of real life, an ambivalent attitude to the self, and a deep spirituality pervade Spencer’s paintings. His use of Cookham as the setting for so many visionary subjects makes the village a popular destination for aficionados. The paintings however are not always accurate depictions of the village; he was not afraid to exercise artistic licence to aid his narratives. Many details in the smaller canvases are recognisable views and are as direct as many of his bold portraits. In other pictures, however, artistic liberties are taken so that the spirit of the place is captured. It is this spirit which designation as a conservation area serves to protect.

6.10 Spencer painted more than 100 pictures in and around Cookham. Spencer’s deep attachment for Cookham as a ‘village made in heaven’ and a place where he felt divine intervention happened, contribute to his standing out from his contemporaries. Many of the artist’s Cookham-related works depict views, scenes, facades and other details.

6.11 The association of Cookham with Sir Stanley Spencer raises the significance of the Conservation Area to an international level. Poundfield, and Englefield House are particularly important in this respect not just for the preservation of particular views, but as a key element in Spencer’s inspiration, the world in which he lived and the world that he created in his art.

6.12 Cookham has high significance as an ancient settlement and river crossing. There is little evidence of archaeological remains in the Pony Field and in this respect the area’s evidential value is low. However, the distinctive layout of the village, the distribution of buildings, and the absence of buildings (gaps between buildings or groups of buildings) is particularly significant.

6.13 The proposal is for four dwellings with access and garaging in the form of a farmhouse and associated outbuildings on land known as the Pony Field adjacent to Cookham Nursery School, Poundfield Land and Roman Lea.

6.14 The NPPF requires that,

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”

6.15 The applicant’s Heritage Statement describes the heritage assets affected in an appropriate level of detail, but the section on significance has no scale against which significance is judged and does not refer to the heritage values set out in Historic England’s Conservation Principles (Evidential, Historical, Aesthetic and Communal). The assessment of significance states that, “Despite its openness, the site is of insufficient scale to provide a meaningful degree of separation between the conservation area and Cookham Rise to the west.” In fact the site is in the Conservation Area, not separating the Conservation Area from Cookham Rise. Although the Heritage Statement says that “The rural village setting has been eroded particularly at the western end by progressive suburban development”, the gap represented by the site has been

largely unaltered since the building of the Edwardian houses in Roman Lea, with the single exception of the modest Nursery School built in 1949. The section entitled Heritage Impact Assessment makes little attempt to assess the impact of the proposal. There is no attempt to address the loss of space or views and no understanding of the harm caused to historic farmsteads by the insertion of a faux-farmyard into a street with several listed buildings which the Heritage Statement describes as "...cottages or former farmhouses that would have originally been set within a village or rural setting."

- 6.16 The design of the development is described as being in the form of a farmstead, consisting of a farmhouse, barn, cart sheds and one other unidentified building. As a representation of a farm with 'barns' converted to residential use, the design is unconvincing. Farmhouses do not usually face into the working farmyard. The facade of the house would face the highway with the service buildings behind or to the side. The design of the 'barn' is particularly inauthentic. Cart bays do not usually rise to the same height as the ridge of the 'barn' roof. It is not usual to have cart bays on both sides of a barn. The very large barn doors that a cart bay is designed to accommodate are only needed on the entrance side as the cart will be full going in, unloaded in the barn, and empty going out. What is required however is that the cart can drive through the barn, so even if there were two cart bays, they would have to line up with one another, which they do not here.
- 6.17 The NPPF states that,
- 132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification....*
- 133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss....*
- 134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*
- 138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*
- 6.18 The listed buildings are of moderate-high significance. No listed building is being physically changed, though the setting of these listed buildings (farmhouses, cottages and a granary) within a rural historic village would be diminished. The setting of the non-designated Cookham Nursery School would also be impacted.
- 6.19 Space has been identified as being of high significance in this part of the conservation area. The proposed development would result in the loss of the visual gap between The Pound, part of the historic settlement of Cookham, and the nineteenth-century and later settlement around the railway. What space remains would be totally altered in that what is now an open field would become a managed open space adjacent to the highway. This represents a major impact on a heritage asset of high significance.
- 6.20 There are a number of views available across the Pony Field. It is the first view of the village when approached from Maidenhead via the B4447. The proposed development would eliminate these views. This represents a major impact on a heritage asset of moderate-high significance.

- 6.21 The Cookham High Street Conservation Area is of international significance on account of its association with Sir Stanley Spencer and his work. Although there are no known paintings by Spencer of the Pony Field, it is continuous with Poundfield which is important for an understanding of the work of the artist. The loss of space and would be harmful to the setting of Spencer's work in Cookham.
- 6.22 The design of the development as an imitation of an historic farmstead that has been converted for residential use is the creation of a false history. The design is an inaccurate representation of a farmstead. It falsifies history in a location where history is important. This false farm would be standing just a short distance from the listed Old Farmhouse and the Granary at Old Farmhouse. The false history of this pretend farm undermines the real history of Cookham.
- 6.23 The character of the area, which a conservation area is intended to preserve and enhance, would be totally changed by this development. The filling in of this gap would create a continuous street frontage linking two historic settlements.
- 6.24 The NPPF sets out 12 Core principles
Para 17 Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: [Bullet 10] conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations
- 6.25 The Pony Field makes a positive contribution to the high significance of the Cookham High Street Conservation Area. The proposed development would:
- Create a false history by building a faux-farmstead in a sensitive location;
 - Eliminate the important gap between the ancient settlement of Cookham and the nineteenth-century and later settlement around the railway;
 - Eliminate the view across the Pony Field to the higher ground of Poundfield, the setting and inspiration for some of Stanley Spencer's most important paintings.
- 6.26 The proposal represents substantial harm to the high significance of the Cookham High Street Conservation Area. The NPPF (133) indicates that a proposal causing substantial harm should be refused unless the harm is outweighed by the public benefit. The proposal does not represent a substantial public benefit.
- 6.27 The main issues raised specific to the proposal are that:
- 6.28 The form of development, described as a farmstead, seems incongruous with surrounding development and there would appear to be no reference or precedent for this in the immediate area. It fails to relate to the patterns of development that define the character of the surrounding area. The site has an established street to the west but the proposal turns its back on it. The siting of car parking to the front of the site results in a weak relationship to Station Road and The Pound. The development would appear as a relatively large building plot in a backland setting and is considered out of character with the surrounding development.
- 6.29 The farmstead is a highly stylised proposition in both layout and appearance in contrast to the surrounding housing, which is generally arranged in a regular street fronting pattern, with some good examples of architecture representative of when it was built, as well as an amount of pastiche or vernacular. The development is set back from public routes and somewhat inward looking and therefore its roof profile would be most apparent. Whilst no issue is taken in terms of its vernacular pitch form or materiality, the development would appear as a relatively large building plot in a backland setting and is considered out of character with the surrounding scale of development.
- 6.30 The form and scale of development would result in filling in the gap and the substantial loss of the green wedge, which would detrimental to the open character of the land, which is an important

characteristic of the Conservation Area at this point. The development would fail to preserve or enhance the character and appearance of the Conservation Area.

The impact on the living conditions of neighbours

- 6.31 The application site is surrounded by residential properties; Anchor Court is a flatted development that lies to the east, houses along Maidenhead Road to the south and Roman Lea to the west.
- 6.32 At its closest point, the dwelling on plot 4 would be approximately 28m from the corner of Anchor Court. Given this separation distance and the dwelling's siting to the north-west and orientation, the proposal would not harm the living conditions of the occupiers in Anchor Court by reason of loss of privacy, loss of daylight or by appearing overbearing. Similarly, the properties along Maidenhead Road are at least 60m away from the proposed building and, as such, would be unaffected by the development.
- 6.33 At its closest point, the dwelling on plot 2 would be approximately 21m from No.8 Roman Lea. Given this separation distance, the dwelling would not result in any loss of light to or appear overbearing when viewed from No.8 Roman Lea. Three roof lights are proposed to plot 2, but these would not cause any loss of privacy to any of the properties along Roman Lea.

Parking provision and highway safety

- 6.34 The Highway Authority has provided the following advice:
- 6.35 Station Hill is subject to a 30mph speed limit and forms a priority roundabout with The Pound and Maidenhead Road. The site is located to the north of Station Hill and bounded on two sides by Roman Lea to the west and Poundfield Lane to the east. In the immediate vicinity, on street parking is prohibited along the site frontage and through to The Pound and Maidenhead Road. The site boundary also abuts Cookham Nursery School. Roman Lea is a private street that serves some 15 residential dwellings and has a carriageway width that varies between 3.6 and 5.50 metres. The private street effectively operates as a single carriageway, due to the presence of cars parked along its eastern boundary. Roman Lea offers limited opportunities for vehicles to turn and leave in a forward gear.
- 6.36 Permission is sought to construct 4 dwellings served by a gated access directly off the north side of the roundabout. The proposals include the provision of 7 car parking spaces for the neighbouring property, Cookham Nursery School. The development also proposes the provision of 11 car parking spaces along the eastern boundary of Roman Lea. Based upon site observations, on street parking already occurs along the eastern side of Roman Lea. The proposal would increase the width of the existing carriageway, with the added benefit of enabling two-way vehicular flow to occur across this section whilst allowing vehicles to continue to park on Roman Lea. An additional benefit is the introduction of a turning facility directly opposite number 12/13 Roman Lea, which would allow cars to turn at the end of Roman Lea. In highway terms, these improvements are considered to be a highway gain.
- 6.37 The Borough Parking Strategy sets a requirement of 3 spaces for a 4 bedroom unit and 2 spaces for a 2/3 bedroom unit. Plot 1 is a detached 4 bedroom unit which is provided with 4 car parking spaces – 2 surface spaces with 2 spaces in a garage block. Plot 2, a terraced 4 bedroom unit has 2 spaces in the detached garage block and Plot 3, a terraced 4 bedroom unit, would have a double integral garage. To comply with the Parking Strategy Plots 2 and 3 should both be provided with 3 car parking spaces. However, the submitted layout plan, indicates that there is sufficient room within the site to satisfy the Borough's parking requirement. Plot 4 is a 2 bedroom terraced dwelling with 2 spaces in a car port. As the car port is bounded on three sides the minimum internal dimension should be 6.0 x 6.0m. This could be covered by a suitably worded planning condition.
- 6.38 In addition to the residential parking, the applicant proposes providing 7 spaces for the nursery and for visitors during evenings and weekends. In highway terms this could potentially lead to a reduction in on street parking in the immediate vicinity.

- 6.39 The plans show a shared cycle and bin storage facility attached to the side of the garage block. It is questionable whether this facility is sufficient in size to accommodate both uses. However, given that there is sufficient room within the site this could also be covered by a planning condition. The submission includes a plan demonstrating that sufficient space is provided to allow refuse and service vehicles to enter, manoeuvre within the site and leave in a forward gear.
- 6.40 The submission is accompanied by a Transport Statement, normally required for residential developments ranging between 50 and 80 units. Based upon a worst case scenario the traffic generated would result in 4 additional trips during the *am* and *pm* peak periods. The assessment of the traffic impact arising from the proposal infers that there would be an imperceptible effect on the operation of the roundabout. Having assessed the Transport Statement and visited the site, the Highway Authority considers that the development would have a negligible effect on traffic in the immediate and surrounding area. The introduction of the 4th arm onto the roundabout, together with the maintenance of the access, driveway and parking areas, would need to be secured by way of a Section 106 legal agreement. With regard to the gated entrance to the site, the gates should either be removed or a vehicle pressure pad opening system should be installed; the Highway Authority would not support an arrangement which forces vehicles to reverse onto the public highway if access is denied. This could be sufficiently addressed by way of a planning condition.
- 6.41 The Highway Authority raises no objections subject to the inclusion of conditions to any approval relating to the submission of details of the access to be submitted and approved prior to commencement, the submission and approval of a Construction Management Plan, details of the parking spaces, cycle parking facilities and refuse storage area, and gates to open away from the highway and include a vehicular pressure pad system to open.

Third party review of the submitted Transport Statement

- 6.42 The Cookham Society has commissioned its own review of the Transport Statement submitted with the application (Report by ADL Traffic Engineering Ltd, August 2016). The report concludes that the proposal should be refused on the following grounds:
- ∩ Lack of accurate assessment of The Pound/Maidenhead Road mini-roundabout and its interaction with Poundfield Lane which is considered to be very critical;
 - ∩ An addition of a new arm to this roundabout would therefore result in increased vehicular movements and manoeuvres which could increase the likelihood of conflicts, which is a major highway safety concern. This would also result in likely pedestrian and cycle safety concerns, arising from uncertainty about where traffic is heading towards;
 - ∩ By not providing speed reduction facilities at the roundabout, this could result in possible collisions that may involve other non-motorised users and therefore the impact of the proposal is considered to be severe.
 - ∩ The traffic generation methodology is flawed in relation to the proposed houses as well as the nursery traffic and the ARCADY for the mini-roundabout has not been validated against observed queues;
 - ∩ No justification has been provided on the provision of seven car parking spaces for the nursery. No measures have been proposed to ensure that these seven spaces would be used by the nursery staff only;
 - ∩ A gated vehicular site access could result in vehicles reversing onto the mini roundabout since there is no turning area on the site access for the vehicles to turn around, thus resulting in further increased risk of accidents at this roundabout.
- 6.43 The report concludes that the cumulative impact of the proposed residential development is severe and hence should be refused on transport and safety grounds based on the NPPF's severity test: "32. *All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take*

account of whether: • Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

6.44 This third party submission has been assessed by the Highways Officer who has provided a comprehensive rebuttal to the issues raised. In short, the response stresses that the proposal is for four dwellings only, the traffic generation for which would be imperceptible and unlikely to cause harm to those that reside or commute in the area. A number of the issues raised could be sufficiently addressed by planning conditions and, as advised in The Department for Transport Guidance on Transport Assessment, proposals for less than 50 dwellings do not require a Transport Statement.

Ecological issues

6.45 An extended Phase 1 habitat survey, bat and reptile surveys and detailed landscaping proposals have been assessed by the Council's Ecologist.

6.46 A bat activity survey was undertaken at an optimal time of year to determine the value of the site for commuting and foraging bats. The site was assessed as being of local value for commuting bats and negligible value for foraging bats. The majority of the site comprises grassland which is of low value for commuting bats, although the scrub in the north will be removed and therefore a small area of commuting habitat is to be lost. In order to mitigate for this, the applicant's ecologist has provided some recommendations for site enhancement for bats including boundary hedgerow planting, native species planting, sensitive lighting and installation of bat boxes/ tubes into the new properties.

6.47 The mosaic of habitats on site were recorded as providing suitable habitat for reptiles. All native species of reptile are protected from killing and injury under the Wildlife and Countryside Act (1981) as amended. In addition, all common native species of reptile are Species of Principal Importance under Section 41 of the NERC Act 2006 and receive further protection through national planning policy. A reptile survey was undertaken at an optimal time of year with a low population of slow worms at the site being recorded. A reptile mitigation strategy was prepared and included details of exclusion of reptiles from the site, the translocation process, post translocation works and enhancements of the receptor site for reptiles. The strategy did not contain details of a receptor site although the updated Phase 1 habitat survey has provided a location for this. The applicant's ecologist has recommended that the receptor site is managed and enhanced for reptiles. The reptile mitigation strategy should be updated to include further information regarding the receptor site including its management and enhancement.

6.48 The site was assessed as having low potential to support great crested newts in their terrestrial phase. Great crested newts receive full legal protection under the Conservation of Species and Habitats Regulations 2010 (as amended) and the Wildlife and Countryside Act 1981 (as amended). This makes it illegal to deliberately injure, kill, capture or disturb a great crested newt, or to damage, destroy or obstruct any places used for shelter and protection. There are three suitable water bodies which had the potential to support great crested newts, the closest being 270m from the site. The applicant's ecologist has undertaken Natural England's Risk Assessment for great crested newts and concluded that given the distance from the potential breeding ponds and the small amount of suitable habitat lost, the development is highly unlikely to cause an offense under legislation protecting great crested newts. As a precaution, the applicant's ecologist has recommended that a non-licensed method statement is prepared for great crested newts and followed during development.

6.49 No badgers or signs of badgers were recorded during the extended Phase 1 habitat survey, although the habitats on site were recorded as providing moderate potential to support this species. It is recommended that as badgers are highly mobile animals, that immediately prior to development works, a check of the hedgerows and scrub for badgers is undertaken, to ensure badgers have not moved onto the site.

6.50 The scrub and hedgerow boundaries on site were recorded as having high potential to support breeding birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended. The ecology report makes reference to the protection of breeding birds during development including removal of vegetation outside the breeding bird

season (which spans from March to August inclusive) or else vegetation clearance should be undertaken immediately subsequent to checks by an experienced ecologist.

- 6.51 Paragraph 109 of the NPPF states that: *“The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”*. In addition, Section 40 of the Natural Environment and Rural Communities Act 2006 states that *“Every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.
- 6.52 The ecology reports and landscape plan provide details of a number of ecological enhancements which are to be incorporated into the proposed development and include wildlife friendly planting and installation of roosting opportunities for bats, breeding opportunities for birds and insect boxes. In addition, it is important to maintain movement of wildlife across the site and to the wider area and therefore it is recommended that should close board fencing be used for boundary treatments, suitable sized holes should be provided at the base in order to allow for the migration of wildlife.
- 6.53 The Council’s Ecologist has raised no objections to the proposal subject to suitably worded planning conditions, where necessary, to cover the ecological issues referred to above.

The impact on trees

- 6.54 As the application site is located within the Conservation Area the trees within it are afforded protection. In addition, the trees on the northern and eastern boundaries are subject to a tree preservation order TPO 060/1991.
- 6.55 The Council’s tree officer has advised that the tree survey, whilst broadly accurate, does not include the larger mix of species present in the hedgerows along the northern and eastern boundaries, nor the walnut tree growing close to the eastern boundary, all of which are covered by the TPO. The proposed cartshed garages are shown to be positioned 2.5m away from the eastern boundary, however, this would not provide sufficient space to construct and maintain the building and retain the larger boundary trees. As such, the proposal would have a detrimental impact on the health and visual amenity of the principal trees along this boundary in both the short and long term. These principal trees contribute positively to the character and appearance of the area, provide screening to the site and are subject to a Tree Preservation Order; Harm to them is contrary to saved policies N6, DG1 and CA2 of the Local Plan and paragraph 109 of the NPPF.

Archaeological issues

- 6.56 An archaeological desk-based report was submitted with the application. The report noted the significance of Cookham in the Saxon period, including the discovery of a Saxon inhumation cemetery in the 19th century at Noah’s Ark, 600m north of the application site and the discovery in 2008 of possible Mid-Saxon (6th – 7th century AD) settlement remains at Spencers (now The White Oak), less than 200m to the east of the application site.
- 6.57 While this is not a large site (0.43ha), the proposal represents a significant development within the context of Cookham, on previously undeveloped land. In view of the site’s archaeological potential, Berkshire Archaeology initially considered that there was insufficient evidence to understand the potential impact of the proposal on the buried archaeological heritage. Berkshire Archaeology therefore advised that prior to determining the application, further information be obtained through field evaluation, through exploratory trial trenching.
- 6.58 Following Berkshire Archaeology’s initial advice, an exploratory archaeological field evaluation was undertaken at the application site in accordance with Paragraph 128 of the NPPF. The field evaluation was undertaken in accordance with a written scheme of investigation provided to and approved by Berkshire Archaeology.

- 6.59 Three exploratory archaeological trial trenches were excavated within the site. The trenches recorded a sequence of flinty, clayey gravel, below a clay silt hillwash between 0.15m and 0.9m thick, below subsoil and topsoil. Two features were recorded, only one of which was considered to have an archaeological origin. A linear feature was recorded buried below the hillwash and cutting through the gravel. It contained no finds and *‘it was decided that it was most likely of glacial [non-human] origins’*. The second feature was a pit, most likely of 20th-century date. The hillwash indicates agricultural activity upslope from this site but no finds of any period were recovered from this deposit to indicate the date of its deposition. As regards past disturbance, the report of the exploratory works concludes *‘there is little in the way of post-depositional impact upon the site. Disturbance has been limited due to the site’s continued use as open fields’*.
- 6.60 The results of this exercise provide clarity on the site’s archaeological potential and provide sufficient information to enable an informed decision to be made in determining this planning application. The results of the field evaluation have established that the archaeological potential of the application area is limited. On this basis, Berkshire Archaeology has advised that sufficient information has now been submitted in order to enable the implications of the proposed development on the buried archaeological heritage to be assessed from a position of knowledge. There are, therefore, no grounds to object to the proposal on archaeological grounds and, should the scheme be permitted, no further archaeological mitigation would be sought, provided the proposed scheme remains unchanged.

Impact on open space

- 6.61 The NPPF states that, “access to high quality open spaces... make an important contribution to the health and well-being of communities” (paragraph 73) and that “open space should not be built on”, unless it is surplus to requirements, can be replaced by an equivalent or better open space, or if the need for the development would clearly outweigh the loss (paragraph 74). Annex 2 of the NPPF explains that the term ‘open space’ means all open space of public value, which offers important opportunities for sport and recreation and can act as a visual amenity.
- 6.62 It is clear from the Cookham Village Design Statement and numerous representations received for this application, that Poundfield is highly valued by local residents. It is not only appreciated for its beauty, but provides a tranquil space within the settlement that is clearly important to the community’s well-being. This significance is acknowledged in the Draft Borough Local Plan, which designates Poundfield as a Local Green Space, (the only designation of its kind within the Royal Borough), affording it special protection from inappropriate development. The proposed development would substantially harm the experience of this open space and is therefore contrary to paragraph 74 of the NPPF.

Other Material Considerations

The impact on the Public Right of Way

- 6.63 The Rights of Way Officer has advised that Poundfield Lane, which runs alongside the eastern boundary of the application site, is a public right of way (Public Footpath 45 Cookham). The Lane forms a link in various circular walks and an access route to the wider countryside to the north.
- 6.64 As noted in the Visual Impact Assessment submitted with the application, the application site is visible from this public footpath. However, views into the site from Poundfield Lane are partially screened by existing boundary vegetation, and this screening will be further enhanced by additional planting as set out in the application. Longer views into the site from the wider public rights of way network to the north are almost entirely screened by existing vegetation.
- 6.65 The proposal does not entail the creation of any accesses onto the public footpath, or any vehicular use of the public footpath.
- 6.66 Although there will remain some partial views into the site from parts of Poundfield Lane, (in particular, the cart shed garage will be visible), the adverse effect this will have on the amenity value of the footpath is not considered so severe as to justify an objection to the application on public rights of way grounds.

Housing Land Supply

- 6.67 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.68 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

Local Green Space designation

- 6.69 A petition was received by the Council in January of this year and presented at the Full Council meeting on the 23rd February requesting the designation of the Poundfield area in Cookham, including the land adjacent to the nursery school, as a Local Green Space in the new Borough Local Plan (BLP). In response, the Full Council endorsed this designation, recognising Poundfield's importance as a peaceful and tranquil space within the settlement and this is now reflected in sections 14.14.4, 14.14.5 and Policy NE5 of the Draft Borough Local Plan. As a Local Green Space, Poundfield will be afforded special protection from inappropriate development that will only be permitted in very special circumstances.

The Planning Balance

- 6.70 Paragraph 133 of the NPPF advises that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.
- 6.71 In terms of public benefits, it is acknowledged that the proposal would contribute to the Borough's housing stock, which represents a significant benefit of the scheme. However, while the proposed designation of the site as a Local Green Space in the emerging Borough Local Plan cannot be afforded weight at this stage, it is clear from the evidence provided that the proposal would substantially harm the Cookham High Street Conservation Area and all that it entails. This Conservation Area is an exceptionally significant heritage asset and the benefits of providing a further 4 dwellings to the Royal Borough's housing does not outweigh the substantial harm caused.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be £200,880.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

24 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 13 May 2016.

2 letters were received supporting the application, summarised as:

Comment	Where in the report this is considered
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1.	Poundfield is currently and has been for many years an area of wasteland, which does not do the village justice.	Noted.
2.	Please to see parking and drop off for the nursery school adjacent to the field.	6.33
3.	It will remove the eyesore of the pony field that has been a blot on Cookham for many years.	Noted.
4.	Will remove the clear danger of an accident involving a child due to the indiscriminate, illegal parking in the roads near the nursery school.	6.33
5.	I am fed up with a vocal minority who are deluging us with banners, petitions, mailshots etc. They do not represent the majority of Cookham residents. If the same nimbyism had prevailed in the past, Cookham as we know it would not exist.	Noted.
6.	The Poundfield fields are hardly used by residents – many would be hard pressed to identify them on a map, and there are much better areas to walk close by. The only people actually adversely affected by the proposed development are the very few houses that overlook the site – and they do not “own the view”.	Noted.
7.	There are no real grounds under planning regulations for rejecting the development.	6.79- 6.80

533 letters were received objecting to the application, (of which 233 (44%) were from people living outside of Cookham) summarised as:

Comment		Where in the report this is considered
1.	This will spoil local country walks and the unique history and atmosphere of Cookham. This is a beautiful and tranquil part of the village.	6.4 – 6.30, 6.61 – 6.62
2.	Building in an unspoilt rural field in a village environment is not a sensitive development.	6.4 – 6.30
3.	There has been opposition to building on Poundfield for decades.	4.1
4.	There is zero benefit for the community. The community cherish it.	Noted.
5.	Destruction of our nature and wildlife is incredibly upsetting. The hedgerows and meadows provide important havens for wildlife.	6.45 – 6.53
6.	Cookham is a village – part of that character is the greenery. The pony field is a beautiful wedge of greenery and should be retained as green space for all to enjoy.	6.4 – 6.30
7.	The new buildings will dominate the row of Edwardian houses on Roman Lea.	6.31 – 6.33
8.	The site is central to the village, passed and enjoyed by many local residents and visitors every day.	Noted.
9.	The Pound is so dangerous already and this will make it worse.	6.34 – 6.44
10.	Tiny open space – who would maintain it?	This would be covered by a S106 legal agreement.
11.	Increased risk to pedestrians from the 4 th proposed spoke onto the roundabout.	6.34 – 6.44
12.	The Cookham Village Design Statement is an adopted Supplementary Planning Document. If used correctly, the application	6.61 – 6.62

	should be refused.	
13.	The site entrance will have to be heavily lit.	This could be cover by a planning condition.
14.	The site parking is totally inadequate.	6.34
15.	Why has this not been put forward as a housing site in the Local Plan?	Policy issue.
16.	Poundfield was a major subject depicted in Stanley Spencer's landscape work. The development will change this forever, spoiling it for future generations. This is part of Cookham's heritage.	6.4 – 6.30
17.	This is a change of use from agriculture to housing – the application has not been described as such.	Noted.
18.	Contrary to Policy CA2 of the Local Plan. Harmful to views that contribute to the conservation area.	6.4 – 6.30
19.	Contrary to guidance in the Cookham VDS. The VDS makes clear how important the land is.	6.4 – 6.30
20.	Cookham will lose so much wildlife and heritage.	6.4 – 6.30 6.45 – 6.53
21.	There are not enough primary school places in the area, the doctors are already at breaking point and the drainage and sewerage works are old. This is will to the over stretched local infrastructure.	7.1
22.	Residents of Roman Lea do not want the parking spaces on offer. The bribe offered to us is not acceptable.	Noted.
23.	Who wants a public open space on a busy roundabout?	Noted.
24.	Please leave out village alone.	Noted.
25.	This area was designated Green Belt, but its removal from this state had no justification.	4.1
26.	There is huge support for the site's green space designation. The Council has pledged its unequivocal support to make this area a Local Green Space.	6.61 – 6.62
27.	The application should not even be considered.	Noted.
28.	This is an important site for Saxon remains	6.56 – 6.60
29.	This will exacerbate the traffic problems in the village – adding to congestion and causing delays.	6.34 – 6.44
30.	Should be protected as the site is in a conservation area. It is not appropriate to build in this area.	6.4 – 6.30
31.	There must be many brownfield sites which could be developed to provide housing rather than destroying the countryside.	Noted.
32.	The Council has never identified this site for housing.	Noted.
33.	Cookham's attraction to visitors would be significantly diminished if this housing estate goes ahead.	Noted.
34.	This space is important to the footpaths of Cookham and how they are enjoyed.	6.61 – 6.62
35.	The proposal will spoil views from Maidenhead Road.	6.4 – 6.30
36.	The frontage of the development is a blank wall and highly unattractive.	Noted.

37.	This is encroachment of development across an essential natural corridor.	6.45 – 6.53
38.	Please can you come up with a Plan that makes it clear that Poundfield is not to be developed.	6.61 – 6.62
39.	The view of Cookham Village from the top of the hill will be totally spoilt.	6.4 – 6.30
40.	The parking proposed for the nursery will be used by the occupiers of the new houses, leading to further on-street parking.	6.34 – 6.44
41.	The site is important to the setting of listed buildings and the Conservation Area.	6.4 – 6.30
42.	This is a tranquil green space, where families, community groups, dog walkers, cyclists and horse-riders enjoy the countryside and admire the beautiful scenery.	6.62, 6.69
43.	The people of Cookham have fought for over 50 years to preserve Poundfield and over 1600 people have signed a petition to have it formally protected as a Local Green Space.	4.1 6.62
44.	We are not nimby's – we just want to protect this beautiful green space	Noted.
45.	The population of the village will increase and therefore levels of pollution in the area will increase.	Noted.
46.	The Cookham Society, our local MP and 3 local councillors have spoken clearly and convincingly for no development.	Noted.

Consultees (non-statutory)

Consultee	Comment	Where in the report this is considered
Cookham Parish Council	<p>At a public meeting on Tues 24th May 2016 attended by more than 65 residents who raised numerous strongly held concerns about the proposal, the Planning Committee of Cookham Parish Council voted unanimously to object to the above application based on the following grounds:</p> <p>Contrary to RBWM's agreement that Poundfield should be designated as a Local Green Space in the forthcoming Borough Local Plan</p> <p>Inappropriate development in the Conservation Area (CA1-6) leading to an adverse impact on the setting of heritage and listed properties.</p> <p>Known existing evidence of possible archaeological remains on the site although no archaeological report has been included with the proposal.</p> <p>Adverse impact on flora and fauna with the loss of vital habitat.</p> <p>Adverse impact on traffic at a busy junction.</p> <p>The 'Community Gains' stated in the proposal regarding parking and open space provision are not valid.</p> <p>No evidence that the proposal meets any local housing need.</p> <p>Contrary to VDS Guidance</p> <p>The VDS states categorically that the role of Poundfield in providing a green wedge separating the Pound from</p>	6.2 – 6.62

	<p>Station Hill area should not be compromised. The following specific Guidance points would be overturned if the application is approved.</p> <p>G2.1 Location and setting G4.5 Poundfield G6.4 Rural and semi-rural G6.14 Walls G8.2 Cookham Rise and Station Hill G11.1 Cookham's homecoming routes</p>	
The Cookham Society	<p>The Society strongly opposes the application. The site has planning history going back some 50 years. In recent years this land has no longer been seen as having development potential, indeed in the 1990's the Borough sought to have it and the adjacent land to the north and north-east placed within the Green Belt and this would have occurred had not the Court of Appeal ruled against it. It has become consistent Borough policy that this area shall remain undeveloped. On the 23rd February the Council unanimously endorsed the proposed designation of this land as part of a Local Green space in the emerging Borough Local Plan, in recognition of the role the land plays for the community in providing a link between the developed parts of the village and the open countryside. To grant planning permission would therefore be inconsistent with established Borough policy.</p> <p>There are 5 Grade 2 Listed Buildings within the vicinity of this land and it lies within the Cookham High Street Conservation Area, which was reviewed as recently as 2002. The Planning Act and NPPF make clear the requirement to preserve Designated Heritage Assets and this obligation extends not only to buildings but to their settings and to open land within Conservation Areas. The duty imposed is quite clear and reinforced by several recent court judgements, such as Barnwell Manor Wind Energy Ltd v East Northants DC (2014) and R (Forge Field Society) v Seven Oaks DC (2014).</p> <p>In this instance the proposal entails not only the erection of 4 houses but also a garage block, large areas of communal hard standing and a considerable amount of surfaced parking space and roadway would transform an open space, which is an inherent character of the area and setting of the listed buildings nearby. This would bear no relationship whatever to the designated heritage assets which are required to be protected.</p> <p>The Borough's own Local Plan policy CA2(6) states that the Council will not grant permission for development on sites which form important open spaces within the conservation area, or sites which by their openness form part of the essential character of the conservation area. The Society and local people in Cookham fully expect the Royal borough to adhere to this policy in determining this application.</p>	6.2 – 6.62
Conservation	Objection – would cause substantial harm to an exceptionally significant heritage asset.	6.4 – 6.30
Highway Authority	Advice summarised in main report. No objections, subject to conditions.	6.34 – 6.44
Ecology	Advice summarised in main report. No objections, subject	6.45 – 6.53

	to conditions.	
Trees	Advice summarised in main report. Recommends refusal.	6.54 – 6.55
Archaeology	Advice summarised in main report. No objections.	6.56 – 6.60
PROW	Advice summarised in main report. No objections.	6.63 – 6.66
Environmental Protection	No objections subject to informatives being attached at any approval in respect to dust and smoke controls, and permitted hours of construction working.	Noted.
Thames Water	<p>No objection – Summary of advice: Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.</p> <p>Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the planning application.</p>	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site layout plan
- Appendix C – Farmhouse elevations
- Appendix D – Barn houses elevations
- Appendix E – Cartshed garages
- Appendix F – Plan of Objection Site (referred to in 4.1)

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.

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposal, by reason of its siting, scale and design, will lead to substantial harm to the Cookham High Street Conservation Area, which is an exceptionally significant heritage asset. The NPPF advises local planning authorities to refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In this case, no substantial public benefits exist that outweigh the harm to the heritage asset. The proposal is therefore contrary to saved policies DG1, CA2, and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted in June 2003), G4.5 and G14.1 of the Cookham Village Design Statement SPD (Adopted May 2013) and

paragraph 133 of the NPPF.

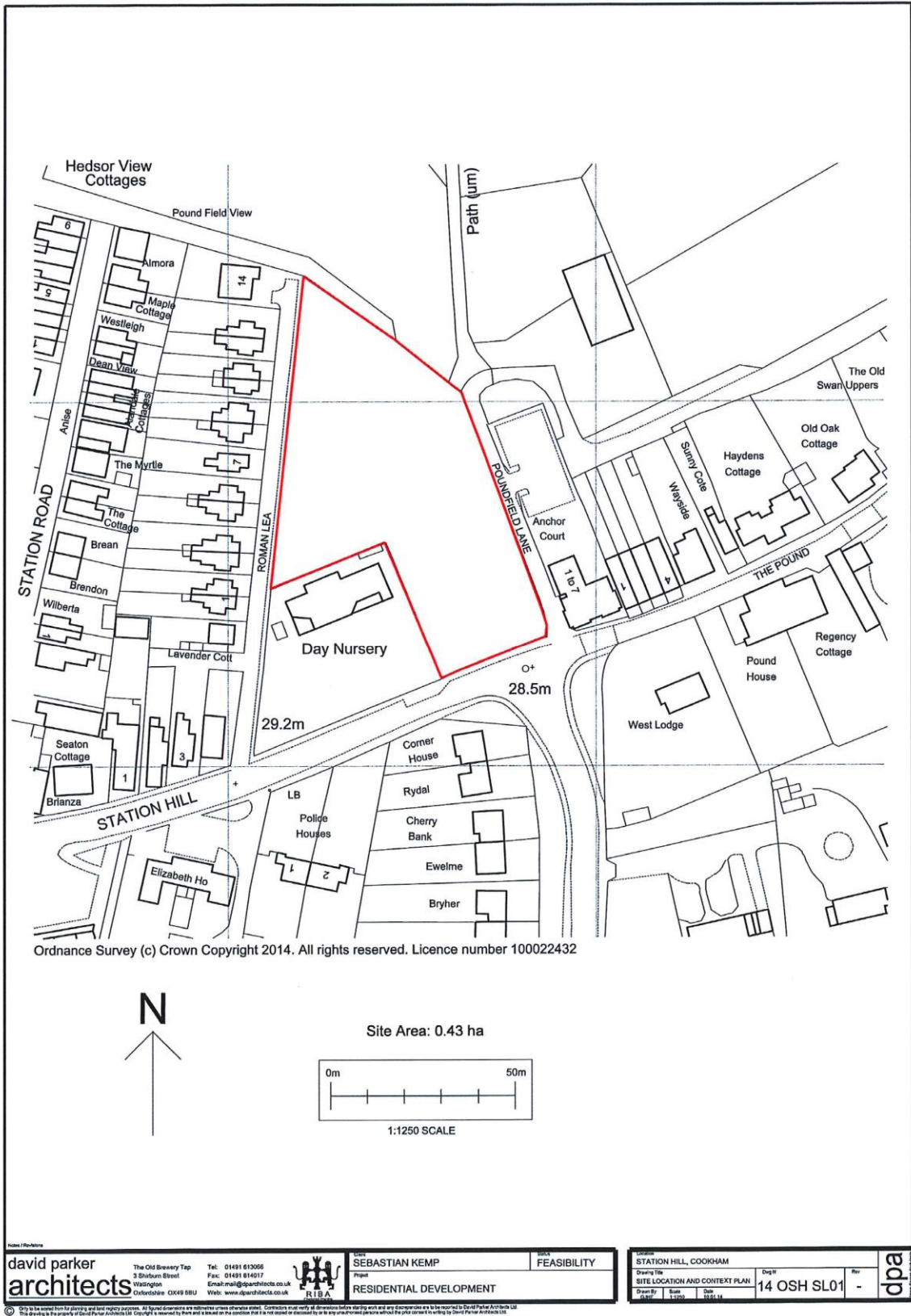
- 2 The siting of the proposed cartshed garages in close proximity to boundary trees would not be provided with sufficient space to construct and maintain the building and retain the larger boundary trees. As such, the proposal would have a detrimental impact on the health and visual amenity of the principal trees along this boundary in both the short and long term. These principal trees contribute positively to the character and appearance of the area, provide screening to the site and are subject to a Tree Preservation Order. Harm to or loss of these important trees is contrary to saved policies N6, DG1 and CA2 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraph 109 of the National Planning Policy Framework, 2012.
- 3 The proposed development, by reason of its siting, would result in the loss of important open space and open space with historical significance. This open space offers a place enjoyed for its tranquility in the heart of the settlement and is highly valued by the community. The proposal would substantially harm the experience of this open space and is therefore contrary to paragraph 74 of the NPPF.

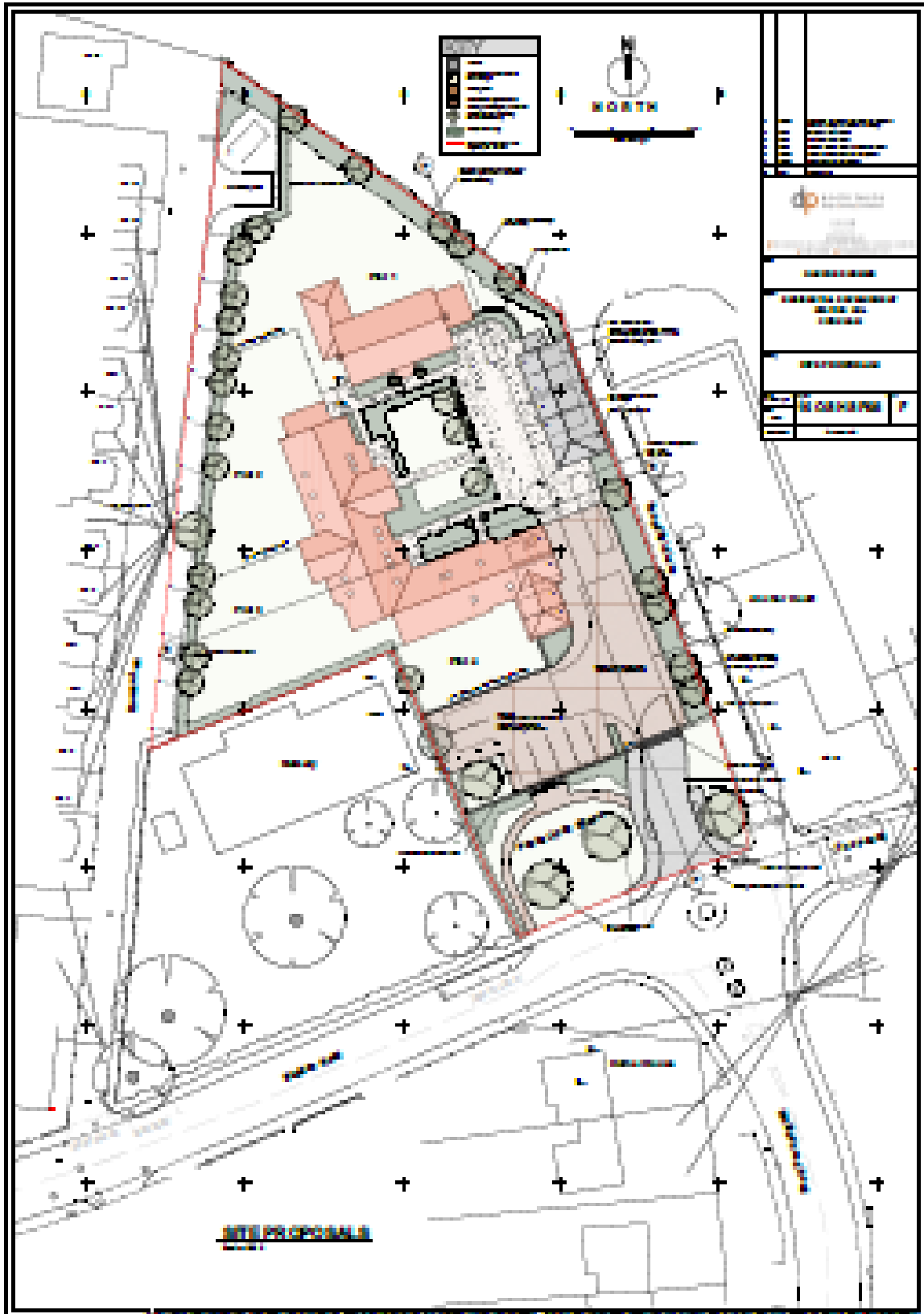
Informatives

- 1 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.

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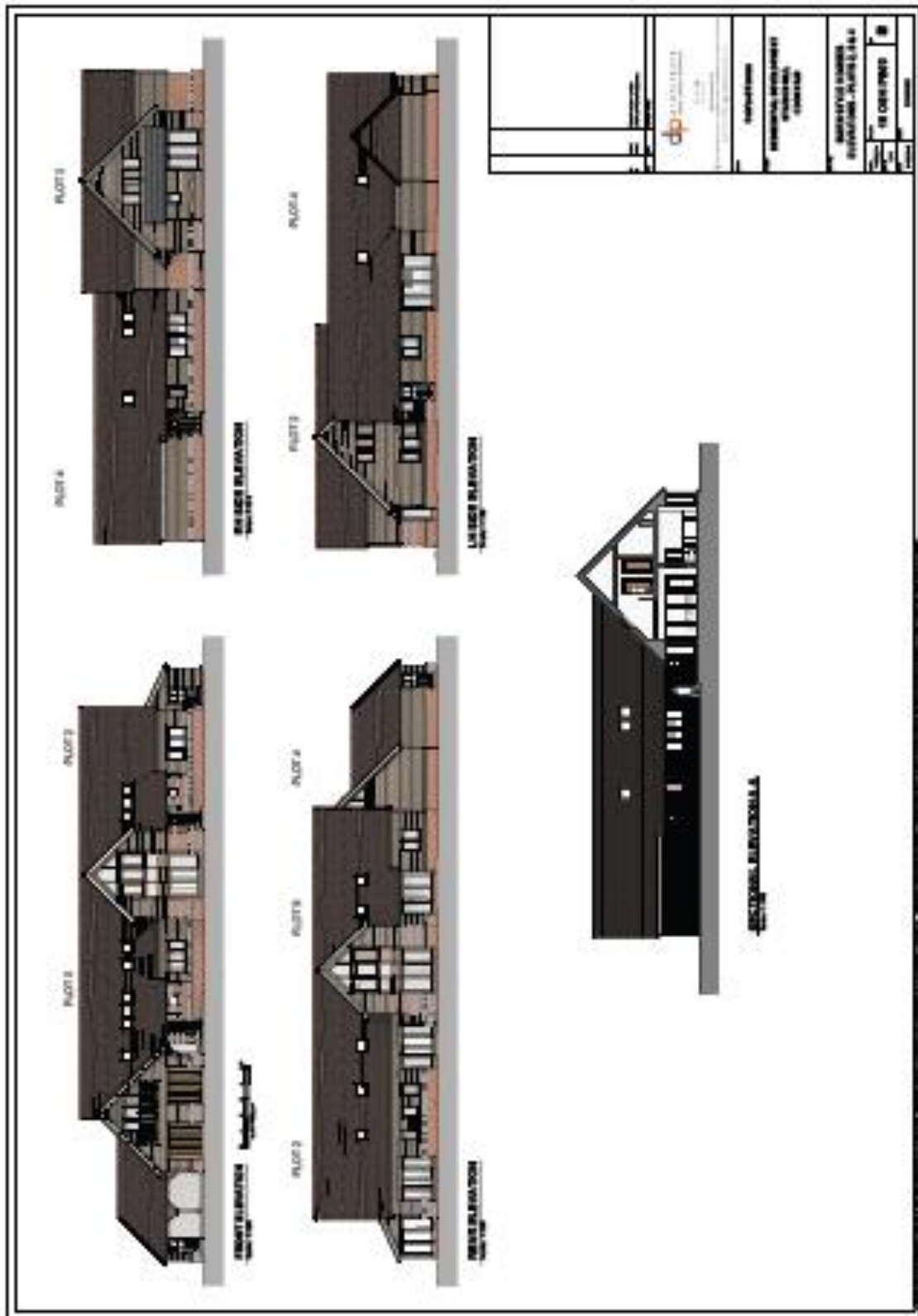
Appendix A








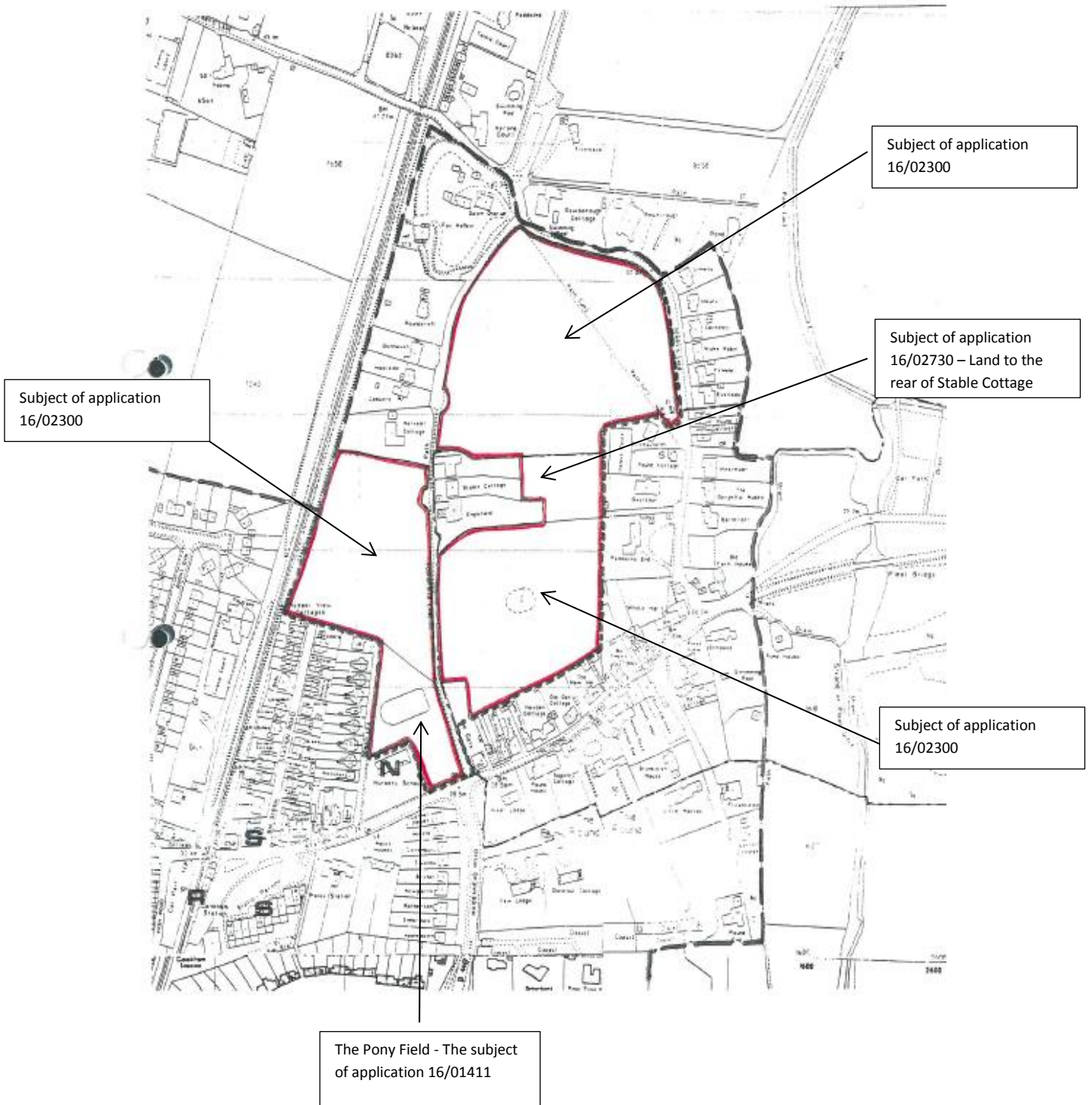
Appendix D



Architectural drawings for a building. The top row shows two elevations: 'Front Elevation' and 'Side Elevation'. The middle row shows a '3D Perspective' of the building. The bottom row shows a 'Floor Plan' with a north arrow and a note: 'Floor Plan shows the layout of the building'. A title block on the right contains the following information:

 DESIGN PARTNERS ARCHITECTS 1111 11th Street San Francisco, CA 94103	
PROJECT: 1111 11th Street 1111 11th Street San Francisco, CA 94103	
DATE: 11/11/11	
SCALE: 1/8" = 1'-0"	

Appendix F – Extent of ‘Objection Site’



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 2

Application No.:	16/02300/FULL
Location:	Open Space Between Terrys Lane And Poundfield Lane Cookham Maidenhead
Proposal:	Erection of 28 x dwellings with associated works
Applicant:	Ms McHardy - Berkeley Homes (Western) Ltd
Agent:	Mr Nik Lyzba - JPPC Chartered Town Planners
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward
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 This application relates to an area of open land known as Poundfield. Poundfield has a lengthy and complex planning history, which reflects the pressure to build on it and, while it is not within the Green Belt, it is located within the Cookham High Street Conservation Area.
- 1.2 The application has attracted considerable public interest, not least because Cookham is strongly associated with the British painter, Sir Stanley Spencer, whose works feature Poundfield. Given the unique circumstances of this land and the interest in the application, external experts have been consulted specifically in relation to heritage and design matters. The advice received is clear; the association of Cookham with the work of Sir Stanley Spencer, an internationally appreciated artist, is comparable with Stratford-upon-Avon and Shakespeare or Dedham Vale with Constable. The location of Poundfield within the Conservation Area thus puts it at an international level of importance.
- 1.3 The building of 28 dwellings, together with the associated drives, garages etc, on this site would cause substantial harm to an exceptionally significant heritage asset. National Planning Policy advises that, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, planning permission should be refused.
- 1.4 A large number of local residents and visitors to Poundfield have made representations on the application expressing their concerns on the impact of the development on their enjoyment and experience of the public footpaths that cross the site. This concern is shared by the Council's Public Rights of Way Officer, who recommends permission is refused due to the significant adverse effect on the amenity value of the footpaths the loss of important high quality open space and
- 1.5 In regard to ecological matters, trees, archaeology and surface water drainage, insufficient information has been submitted with the application. This information is material to the consideration of the proposal and is therefore required to be submitted and agreed prior to a formal determination being made. These may be matters that can be sufficiently addressed but, in the absence of detailed information, officers advising on these matters are unable to support the proposal.
- 1.6 The proposal would contribute to the housing supply in the Royal Borough, both in terms of actual houses from the development and from a contribution of circa £1.6m towards the provision of affordable housing. It is not considered that the proposed development would adversely affect the living conditions of any neighbours and the Highway Authority has not raised any objections to the proposal as the development will not result in a severe adverse impact on the local highway network.

- 1.7 Paragraph 133 of the NPPF advises that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In terms of public benefits, it is acknowledged that the proposal would contribute to the Borough's housing stock, which represents a significant benefit of the scheme. However, while the proposed designation of the site as a Local Green Space in the emerging Borough Local Plan cannot be afforded any weight at this stage, it is clear from the evidence provided that the proposal would substantially harm the Cookham High Street Conservation Area and all that it entails. This Conservation Area is an exceptionally significant heritage asset; the harm caused by the proposal is significant and demonstrable, and the benefits of providing a further 28 dwellings to the Royal Borough's housing does not outweigh the substantial harm caused.

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.	Substantial harm to the Cookham High Street Conservation Area which is an exceptionally significant heritage asset. No substantial public benefits exist to outweigh the harm to the heritage asset. Contrary to policies DG1, CA2, LB2 RBWM LP, G4.5 and G14.1 of the Cookham VDS and paragraph 133 of the NPPF.
2.	Post development views from Footpaths 44 and 45 would have a significant adverse effect on the amenity value of the footpath, both in terms of noise disturbance and visual impact. Contrary to policy R14 of the Local Plan. The proposal would result in the loss of important high quality open space, contrary to paragraph 74 of the NPPF.
3.	In the absence of a reptile survey, it has not been demonstrated to the satisfaction of the LPA that the proposal would not harm protected reptiles on the site, contrary to paragraph 118 of the NPPF.
4.	The scheme fails to adequately secure the protection of important protected trees which contribute positively to the character and appearance of the area, contrary to policies N6, DG1 and H11 of the Local Plan.
5.	In the absence of an adequate evaluation the proposal would likely adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to Policy ARCH3 of the Local Plan.
6.	In the absence of information to demonstrate otherwise, the proposal does not provide adequate sustainable drainage measures and therefore is has not been demonstrated to the satisfaction of the LPA that the development would not lead to an increase in flood risk elsewhere. Contrary to paragraph 103 of the NPPF.
7.	In the absence of a satisfactorily completed unilateral undertaking, the proposal fails to provide affordable housing, contrary to policy H3 of the Local Plan.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor. M.J. Saunders due to the Parish Council Planning Committee objections and their request for call-in.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located within an area known as 'Poundfield', located to the north of The Pound. It is irregularly shaped and consists of open fields covering an area of approximately 4.95 hectares. The site is intersected by Poundfield Lane running north to south with another public footpath diagonally crossing the site from the north to the east. The fields are enclosed by hedgerows and trees and the land falls gradually from the north to the south.

- 3.2 The site is bounded to the north and east by Terry's Lane. The western boundary is formed by Poundfield Lane (an unmade-up road) and the railway line. The southern boundary adjoins residential development along Station Road and the 'pony field', (the subject of planning application 16/01411), together with the rear of properties fronting The Pound.
- 3.3 The north part of the site is separated from the south part by three properties that lie on the east side of Poundfield Lane outside the application boundary. These include Englefield House, a Grade II listed building made famous in a number of Stanley Spencer's paintings. A number of listed buildings along The Pound also adjoin the site. Residential properties to the east (along Terry's Lane) and west (along Poundfield Lane) face into the site.
- 3.4 The application site has a rural and undeveloped character and is identified in the 'Cookham Village Design Statement' (adopted SPD, May 2013) as an important 'green wedge' separating The Pound from the Station Hill area and Cookham Rise.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission for 28 dwellings. Plots 1 to 17 are positioned on the south-west section of the site, to the north of Station Road, south of properties on the west side of Poundfield Lane and to the east of the railway line. The properties on plots 1 to 3 form a terrace of three bedroom houses, Plots 4 to 9 and plots 14 to 17 are three bedroom semi-detached houses, plots 10 and 11 are five bedroom detached houses, plot 12 a four bedroom house and plot 13 a two bedroom flat. These properties would be accessed from a new road created by extending Poundfield Lane.
- 4.2 5 detached houses (plots 18 to 22) are proposed to be located in the south east portion of the site, backing onto properties facing The Pound. Plots 18 to 21 are five bedroom houses, while the house on plot 22 has 6 bedrooms and each would be served by a detached double garage. Access to this section of the site would be from the extended Poundfield Lane that would run parallel to and cross the public footpath.
- 4.3 Four detached houses (plots 23 to 26) are proposed to be positioned on the rising land between Terry's Lane and the public footpath that diagonally crosses the site. Access to these properties would be from Terry's Lane. Plot 23 would be occupied by a 5 bedroom house, approximately 14.7m wide, 8.8m deep with a ridge height of 9.9m. The houses proposed on plots 24 and 25 would also have 5 bedrooms and are of a similar design and size, each measuring approximately 12.5m wide, 15m deep and 9.2m high. Each of these three houses would be served by a detached double garage. Plot 26 is also a 5 bedroom house, approximately 16m wide, 14m deep and 9.6m high, with a detached triple garage.
- 4.4 Plots 27 and 28 are proposed to be positioned on the east side of Poundfield Lane, opposite the existing residential properties located on the west side. These would both have 6 bedrooms and be approximately 18.5m wide, 13.5m deep and 10m high. Each of these properties would have a detached triple garage and be accessed directly off Poundfield Lane.
- 4.5 The proposal includes an area of public open space to the north of the site between Poundfield Lane and Terry's Lane, with a new public footpath crossing the open space to connect the existing public rights of way. An area of open space is also proposed to the front of plots 18 to 22, which will include a new 'Spencer' Cedar.
- 4.6 The application site is included within the area of land known as 'Poundfield', which has a lengthy planning history. The table below sets out a summary of this.

Date	Application / Event	Decision/outcome
1967 - 1973	Four planning applications for residential development refused planning permission.	Appeals were dismissed on highway grounds. All Inspectors and the Minister at the time accepted that the site was physically suitable for residential development.
1985	Berkshire County Council adopted the Green Belt Local Plan for Berkshire.	Poundfield excluded on the ground that the site's suitability for development had been established by a series of appeals (subject to the resolution of access difficulties) and thus to transfer to the Green Belt was not appropriate.
1985	Draft Maidenhead and District Local Plan allocated land at Poundfield for housing.	This Plan was not adopted.
1989	Outline planning permission sought for two alternative residential development schemes on the Poundfield site.	Both schemes proposed 25 sheltered housing units, together with either 88 or 66 houses.
21 April 1991	The Secretary of State dismissed both appeals.	The Planning Inspector recommended that planning permission be granted, however the Secretary of State disagreed.
1992	Draft Berkshire Structure Plan deposited.	Poundfield excluded from the Green Belt. This Plan was later adopted in 1995.
1993	RBWM published its consultation draft for the new Local Plan.	Two main fields to the east of Poundfield Lane were designated as Areas of Important Urban Open Space. Cookham Conservation Area was extended to include the houses to the west of the Lane.
1994	Deposit draft of the new Local Plan published with Green Belt boundary revisions.	The Plan identified Poundfield within the Green Belt.
1995	Appellants object to the proposed Green Belt boundary revisions.	An Inspector hears the objections but proposes no modifications.
30 July 1999	RBWM adopt the Royal Borough of Windsor and Maidenhead Local Plan/	The Plan includes land at Poundfield within the Green Belt for the first time.
31 March 2000	Appellant's application to the High Court, pursuant to s287 of the Town and Country Planning Act 1990, to quash the Local Plan in respect of the Objection Site (which includes the land forming the current application site). Permission to appeal is granted because of the potential wider importance of the matter.	The Local Plan is adopted and land at Poundfield (hereinafter referred to as the Objections Site) is Green Belt for the time being.
7 February 2001	Appeal allowed and the RBWM decision to adopt the Local Plan was quashed in so far as it relates to the Objection Site.	The extent of the Objection Site is identified by a plan attached to the Court Order dated 7 th February 2001. (see Appendix F)

3 March 2001	RBWM submit an application seeking leave to appeal the decision of the Court of Appeal.	
25 July 2001	RBWM application for leave to appeal is denied by the House of Lords Appeal Committee.	
2001	All the land within the Poundfield area which had been identified in the 1999 Local Plan as Green Belt (including the current application site) was removed from the Green Belt.	The land removed from the Green Belt designation mistakenly included land which did not fall within the Objection Site. RBWM had incorrectly removed land which had lawfully been designated Green Belt from the Green Belt boundary.
September 2001	Land outside of the Green Belt within the Poundfield area, but outside of the Objection Site, that had been mistakenly taken out, is reinstated.	
2014	RBWM receives an allegation that land within the Objection Site which in 2001 did not belong to the Appellants should be returned to the Green Belt.	The Court had ordered that the Local Plan should be quashed insofar as it relates to the Objection Site. The fact that parts of the Objection Site were not owned by the appellants was not relevant to the decision reached by the Court. Although the judgement refers to the appellant's land, the application related to the Objection Site and the Court order specifically states that the Local Plan be quashed in respect of the Objection Site. If the Council were to amend the Green Belt boundary to only exclude from the Green Belt land within the Objection Site owned by the appellants, it would be in breach of the Court.
25 th November 2014	Legal advice obtained confirms that RBWM was correct to exclude all the land in the Objection Site from the Green Belt.	Further legal advice on the matter has confirmed that the Court's decision applied to all land within the Objection Site, regardless of its ownership. The application site was correctly removed from the Green Belt pursuant to the Court order.
December 2014 and January 2015	Legal opinions sought maintain the advice that RBWM was correct to exclude all the land in the Objection Site (including the application site) from the Green Belt.	

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6, 7, 8, 10, 11 and 12.

Royal Borough Local Plan

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

Within settlement area	Heritage	Highways and Parking	Trees
DG1, H3, H10, H11.	CA2, LB2, ARCH3	P4, T5	N6

These policies can be found at

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

Supplementary planning documents

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

- Cookham Village Design Statement, Adopted May 2013 – Policy G4.5.

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 Townscape Assessment
- RBWM Parking Strategy
- RBWM Affordable Housing

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 The principle of development;
- ii The impact on the Cookham High Street Conservation Area;
- iii The impact on the living conditions of neighbours adjoining the site and future occupiers of the development;
- iv Highway safety and parking provision;
- v The impact on the public rights of way and open space;
- vi Ecological issues;
- vii The impact on trees;
- viii Archaeological issues;
- ix Other material considerations, and
- x The planning balance

The principle of development

- 6.2 Section 14 of the NPPF advises that there is a presumption in favour of sustainable development and that for decision taking this means, unless material considerations indicate otherwise and where development plan policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted. A footnote to section 14 provides examples of specific policies where development might be restricted; these include land designated as Green Belt, Local Green Space and designated heritage sites.
- 6.3 The planning history table in section 4.1 of this report concludes that the application site is not in the Green Belt. However, the site is located within the Cookham High Street Conservation Area, which is a designated heritage asset. This designation does not preclude development, but instead requires that the specific policies relating to that designation (in this case the policies set out in Section 12 of the NPPF), be complied with.

The impact on the Cookham High Street Conservation Area

- 6.4 Given the unique circumstances of Poundfield and the level of public interest in this site and application, the Head of Planning commissioned two independent consultants to advise specifically on the heritage and design aspects of the proposal.
- 6.5 The Cookham High Street Conservation Area was originally designated in 1969 by Berkshire County Council. In 1991 the boundaries were reviewed and enlarged to incorporate new areas. The boundaries were further reviewed and extended in 2002. There are seven listed buildings in close proximity to Poundfield all Grade II: Englefield House; Pound Cottage; Old Farmhouse; Granary at Old Farmhouse; Hayden's Cottage; Old Oak Cottage; and Old Timbers. The Cookham Nursery School (1949) designed by architect John Stillman as a model of educational architecture is a non-designated heritage asset.
- 6.6 Nationally listed buildings are by virtue of this designation of national significance. All the listed buildings in the vicinity of the proposed development are designated Grade II and of moderate-high significance. The proposals do not impact directly on any of these buildings. They do, however, impact on the setting of some of these listed buildings. Most of the impacted listed buildings were originally farm buildings or accommodation for those working on the land. Their wider setting is the rural land in which they were built. Poundfield represents an important relic of that land. More specifically some of the older listed houses facing onto The Pound would have had access to the land behind which would serve as a croft to sustain the occupants of the house. Thus, the agricultural land behind these houses is an important part of their setting.
- 6.7 Poundfield creates an important wedge of green space between the ancient village of Cookham and the nineteenth-century and later development around the railway (Cookham Rise). Taken as a whole this space is of high significance for historical, aesthetic and communal reasons. Historically it is significant as an area of agricultural land immediately adjacent to the village. The land continues to be used for grazing, which maintains its essentially rural character. It is an important space for maintaining the visual integrity and setting of the historic village of Cookham and separating it from later development. The space is valued by residents and visitors as an open space for walking and cycling. Its associations with Sir Stanley Spencer raise its significance to an international level.
- 6.8 Views are an important element of the significance of the Conservation Area. The views up Poundfield Lane and into the field behind the houses on The Pound in the East are of moderate to high significance on aesthetic and communal grounds. The raised land of Poundfield provides opportunity for panoramic views from Poundfield across the village towards Cliveden in the distance. The applicant's heritage statement identifies this as a narrow view cone towards the distant hills, not giving enough weight to the open field in the foreground or the view to Terry's Lane in the middle distance. This view has high significance on the grounds of its aesthetic and communal value. Any views there might have been from this point to the junction with Terry's

Lane have been obstructed by the unmanaged hedge. The view from the top of the footpath is now channelled between two unmanaged hedges. This taken together with the tunnel of hawthorns flanking the footpath across the field deprives the public of access to the view that inspired Spencer's painting Poundfield (1935). Nevertheless the view towards the garden of Englefield House is of high significance for historical and aesthetic reasons.

- 6.9 There are no views from the footpath across Poundfield for most of its length because of the dense planting of hawthorn on either side. However there are wide views of Poundfield from the bottom of the footpath looking up the hill towards Poundfield Lane and into the field north of the footpath. For aesthetic and communal reasons these views are of moderate-high significance.
- 6.10 There are a number of views associated with the artist Sir Stanley Spencer (see below) these are all of high significance for aesthetic and historical reasons.
- 6.11 "A Village in Heaven": Stanley Spencer's Cookham
The reputation of Sir Stanley Spencer (1881-1959) as an outstanding 20th-century artist continues to grow. His work spans two world wars and, as the first war is commemorated, his individual approach to his experiences in Macedonia resonate in a war-averse society. The conservation of his significant frescoes and panels in the Sandham Memorial Chapel at Burghclere in Berkshire in 2014, has highlighted his unique blend of the mundane and practical with the sublime and the spiritual.
- 6.12 Observation of real life, an ambivalent attitude to the self, and a deep spirituality pervade Spencer's paintings. His use of Cookham as the setting for so many visionary subjects makes the village a popular destination for aficionados. The paintings however are not always accurate depictions of the village; he was not afraid to exercise artistic licence to aid his narratives. Many details in the smaller canvases are recognisable views and are as direct as many of his bold portraits. In other pictures, however, artistic liberties are taken so that the spirit of the place is captured. It is this spirit which the designation as a conservation area serves to protect.
- 6.13 Spencer painted more than 100 pictures in and around Cookham. Spencer's deep attachment for Cookham as a 'village made in heaven' and a place where he felt divine intervention happened, contribute to his standing out from his contemporaries. Many of the artist's Cookham-related works depict views, scenes, facades and other details. Of particular importance are the landscapes painted around Poundfield and Englefield House.
- 6.14 The association of Cookham with Sir Stanley Spencer raises the significance of the Conservation Area to an international level. Poundfield, and Englefield House are particularly important in this respect not just for the preservation of particular views, but as a key element in Spencer's inspiration, the world in which he lived and the world that he created in his art.
- 6.15 The proposal is for the building of twenty-eight houses on the land know as Poundfield in Cookham. The development (houses, gardens and access roads) would cover the majority of the land. Most houses are laid out in cul-de-sacs. There would be two areas of open space.
- 6.16 The NPPF requires that,
"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary."
- 6.17 The Heritage Statement largely characterises the Conservation Area in terms of its interesting buildings. In terms of space, mention is made of the Moor, but no mention of Marsh Meadow (the authors may be combining the two). There is no discussion of the contribution that Poundfield makes as an important space within the Conservation Area or the character of that space.

- 6.18 The Statement quotes the Conservation Area Appraisal, “The scenes and settings painted have both artistic and historic relevance and thus should be preserved and enhanced as part of the conservation area.” The Secretary of State’s comment from 1991 is also quoted, “...the area as an amenity should be valued for its Spencer connection as well as in its own right.”
- 6.19 ‘*Terry’s Lane*’: The Heritage Statement points out that the hedge has not been maintained and that the view is effectively lost. Thus, they argue, “in the present day this view is of limited significance”.
‘*Pound Field*’: The cedar has gone “thereby somewhat affecting its significance”. Similarly to Terry’s Lane, “...trees that have grown up within Pound Field prevent this view from being appreciated from Terry’s Lane and from the Footpath. Consequently to see the view at present one has to gain access to the private field.” The section concludes with the statement that the view remained highly significant in the “local context”. A fairer assessment would be that it is nationally if not internationally significant. ‘*Scarecrow*’: Accompanied by a photograph taken from the wrong position. The real location is much closer to the site than claimed. It is clearly from high ground and in a garden (hence the subject matter!), probably from a garden on Terry’s Lane possibly Rowborough. ‘*Englefield House*’ and ‘*Cookham from Englefield House*’: The statement identifies these as highly significant but of no relevance for this application.
- 6.20 The Heritage Statement interprets the significance of Spencer only to the extent that the image created by the artist can be recognised in the landscape today. It goes on to comment that the loss of a large and prominent tree and the planting of new trees reduces the significance of Poundfield in respect of its connection with Stanley Spencer.
- 6.21 The significance of Spencer for the Conservation Area is at the highest possible level. To understand this one only has to ask what distinguishes Cookham from any other village conservation area in RBWM. The answer is Stanley Spencer. Stanley Spencer’s use of Cookham as the subject and inspiration for so much of his art lifts the Cookham High Street Conservation Area to national or even international significance. The association of this place with the work of such an internationally appreciated artist is comparable with Stratford-upon-Avon and Shakespeare or Dedham Vale with Constable. It cannot be reduced to dots on a map with a view cone. The Heritage Statement fails to adequately identify and describe the significance of Spencer’s contribution to the heritage asset at an appropriate level.
- 6.22 The Heritage Statement describes an area called The Poundfield Area. It characterises The Pound as an area of urban development, to say that there has been some development along the edge of the open space behind and that further development is following in this tradition. It even describes the open spaces as providing a setting for the area’s building thus minimising its value in its own right. It describes the houses in Terry’s Lane as having a suburban appearance and those on Poundfield Lane as having a somewhat suburban feel. This is used to justify the scheme to build a suburban development on this site. Whilst it is true that some of these houses share an architectural style similar to that used in many mid-twentieth century suburbs, the layout is not suburban. Houses are built either individually or in small groups. They are built along existing routes. They are not planned like a suburb with streets that are purely residential or cul-de-sacs.
- 6.23 If on the other hand one sees Poundfield as being distinct from The Pound and sees it alongside other large areas of open land within the Conservation Area the Moor and Marsh Meadow (as many of Spencer’s paintings do)- then its value as a publicly accessible open space is apparent. This reflects the history and development of Cookham. It is then much more difficult to justify large-scale suburban development.
- 6.24 For Englefield House, it would seem that the Heritage Statement relies on estate agent’s on-line details to establish significance. No access seems to have been secured. The Heritage Statement describes some negative features such as the two adjoining houses, the modern copse and the tall fences and gates. The fences, hedges and gates are reversible. The modern copse has been planted relatively recently. Because access to the site does not appear to have

been gained they seem unaware that the house has a three-bay facade with conservatory facing east towards the garden with views across the Conservation Area to the hills beyond.

- 6.25 The assessments of significance for the listed houses and cottages on The Pound are formulaic, emphasise the facade onto the street over the more informal back of the houses and ignores the importance of the farmland behind these cottages for their setting. The listing description emphasises the facades as a means of identification, not because this is all that is important. The Heritage Statement also makes no mention of the way in which this urban development has taken place. This is development along a historic street frontage with services and croft land behind.
- 6.26 In terms of views, the Heritage Statement makes only a very limited selection. Using numbering from the Heritage Statement, view 2 will be almost entirely lost, view 1 will have houses in the middle distance, and view 3 will be lost if the Ponyfield development goes ahead (separate application).
- 6.27 The Heritage Statement underestimates the importance of the setting of Englefield House. It emphasises harm to significance by existing interventions that, whilst regrettable, could be reversed. If these were removed then the development would have an even greater impact on the house and its setting. The statement also underestimates the significance of backland for the setting of Listed buildings in the Pound and the impact that the proposed development would have on that setting.
- 6.28 The NPPF states that,
- 132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification....*
- 133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...*
- 134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*
- 138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*
- 6.29 The listed buildings are of moderate-high significance. No building is being physically changed though the setting of several is impacted. This represents a modest impact on heritage assets of moderate-high significance.
- 6.30 Space is of high significance in this part of the conservation area. The proposed development would result in the loss of most of the space within this part of the Conservation Area. What space remains would be totally altered in that what is now rural land used for grazing would become a managed public open space with perimeter vehicular access roads and paths. This represents a major impact on the heritage asset.
- 6.31 There are a large number of views available in and around Poundfield. Many of these are of moderate-high significance and some of high significance. The proposed development would impact negatively on all of these views. The panoramic view from Poundfield Lane north of the

modern Anchor Court would be almost entirely filled with houses. The view from further up Poundfield Lane across the field and village towards Cliveden would have new houses in the near and middle distance. The reverse view from the junction of Terry's Lane and the footpath across Poundfield would have an enclave of houses on the right and houses east of Poundfield Lane only partly shielded by trees. The view depicted in Spencer's painting Terry's Lane (1932) would be dominated by large houses. This represents a major impact on the heritage asset as the views would be totally altered. The mitigation of public access to what remains of the field and the planting of a replacement tree for the one made famous in Spencer's paintings is neither appropriate nor adequate.

- 6.32 The Cookham High Street Conservation Area and Poundfield specifically are of international significance on account of their association with Sir Stanley Spencer and his work. The proposed development would have a major impact on a heritage asset of high significance.
- 6.33 The character of the area, which a conservation area is intended to preserve and enhance, would be totally changed by this development. An area of rural and semi-rural open space with houses of various periods around its periphery on established roads, would be given over to a suburban residential development of cul-de-sacs.
- 6.34 The Conservation Area is exceptionally significant, in large part because of its association with Sir Stanley Spencer. The NPPF states that
"127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest."
- 6.35 In respect of the design of the proposed scheme, the main issues are:
- 6.36 The proposed houses are generally of two typologies: 14 large detached houses of ornate period pastiche appearance 'grand vernacular facades' as described in the Heritage Statement, mostly 2 – 2.5 storeys with hipped, crown roofs and occupying the majority of the development area; and 14 smaller and simpler semi-detached 2 storey houses characterised by red brick and steeply pitched roofs.
- 6.37 The Conservation Area contains a wide range of buildings dating from the Norman period to the present. While there are numerous examples of more recent houses in a vernacular style, architecture representative of distinct eras, including a number of listed buildings and some good examples of late Arts and Crafts and more contemporary houses prevail.
- 6.38 It is noted that the character of the Conservation Area also includes new houses from time to time. The scale of development proposed, 28 houses and all sharing a vernacular style to the extent that the houses have more in common with each other than with the existing housing in the area, will have a significant impact on the established character of the area, and will dilute the very rich variety of building styles and materials reflecting the various stages of the village's development. It will fail to protect or enhance the character and appearance of the Conservation Area.
- 6.39 The development proposes a number of changes along Terry's Lane and its junction with Poundfield Lane. These include widening parts of the lane to accommodate four passing places, providing a new footpath to link to the footpaths crossing the site and reconfiguring the junction to form a formal bellmouth and wider carriageway. While these works may be considered to be improvements in terms of highway safety, they would involve the loss of grass verges and established hedgerow and trees which make an important contribution to the rural character of the area.
- 6.40 It is clear that the proposal, by reason of its siting, scale and design, will lead to substantial harm to the Cookham High Street Conservation Area, which is an exceptionally significant heritage asset. Paragraph 133 of the NPPF advises local planning authorities to refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.

The impact on the living conditions of neighbours adjoining the site and future occupiers of the development

- 6.41 The north side of No. 6 Hedsor View Cottages lies approximately 10m from the side of the proposed house on Plot 1. Although positioned at a slightly higher level than the cottage, given this separation distance, the lack of windows on the side of plot 1 and the fact that the cottage sits behind the proposed house, there would be no demonstrable harm caused to No. 6 Hedsor View Cottages by reason of lack of privacy, loss of light or by appearing overbearing.
- 6.42 'Almora' on Station Road lies to the south of the flat proposed on plot 13, with a gap of approximately 15m between the properties. A small study window is proposed in the south elevation of the flat, but because of the separation distance and orientation of the properties, this will not cause direct loss of privacy to 'Almora'. The gap between the properties also ensures that the development proposed on plot 13 will not appear overbearing when viewed from 'Almora', nor result in loss of light to this property.
- 6.43 The rear of plots 14 and 15 would be approximately 22m from the side of 'Pound Field View' on Roman Lea. This separation distance together with reinforced boundary planting will ensure that there would be no loss of privacy to 'Pound Field View'. This property would also not be adversely affected from the proposed development in terms of loss of light or from the new houses having an overbearing impact.
- 6.44 In terms of plots 18 to 22, the closest house in this area of development to neighbouring properties would be on plot 22, which would be approximately 40m from 'Paddocks End' located off Terry's Lane. The proposed first floor balcony would be orientated towards the end of the rear garden to 'Old Timbers' on The Pound and, as such, no loss of privacy will occur. The separation distances between the proposed development on plots 18 to 22 and properties along The Pound and off Terry's Lane ensures that no harm from loss of light or from an overbearing impact will be caused.
- 6.45 The rear or flank elevations of the houses on plots 23 to 26 would be over 20m from the front elevations of properties facing Terry's Lane towards the development. This separation distance, together with boundary screening ensures that no loss of privacy, loss of light or overbearing impact that may demonstrably harm residential amenities will be caused. Plots 27 and 28 would be positioned over 35m away from the closest properties along Poundfield Lane and behind an established tree boundary. As such, these new houses would not harm the living conditions of any neighbouring properties.
- 6.46 The layout of the development means that none of the proposed houses would be adversely affected by each other, nor by any properties adjoining the application site. Each house is provided with adequate to good private amenity space.
- 6.47 Overall, the proposal provides for sufficient living conditions for the future occupiers of the development and would not harm the living conditions of any neighbours.

Highway safety and parking provision

- 6.48 The application site can loosely be described as being bounded by The Pound, Terry's Lane and a railway line. Poundfield Lane is a private road that runs from north to south along the site's western boundary, forming an alternative link between The Pound and Terry's Lane. Poundfield Lane is one of the two footpaths that cross the application site. At its southern section Poundfield Lane has access off The Pound which is positioned approximately 8m east off the Station Hill and The Pound/Maidenhead Road mini roundabout.
- 6.49 Poundfield serves as an access for several dwellings that front The Pound as well as Anchor Court. At its northern point the road forms bifurcated/split junction with Terry's Lane. The visibility splays at this junction, especially to the left (north) are wholly below the standard for a National Speed limit, and indeed for speeds in the order of 30mph. This is primarily due to the horizontal and vertical alignment of the highway. To improve this, the development proposes to remove the vegetated 'island' that currently exists at this junction and part of the hedge line to the east.

- 6.50 The Pound (B4447) is a relatively narrow highway offering limited pedestrian permeability across its length; There is a narrow footway to the north, plus a narrow strip along the south side. The road itself links two small roundabouts; the first at the T junction with Station Hill, the B4447 The Pound and Maidenhead Road; the second T junction with Terry's Lane and the B4447 The Pound/Highway Street. The Pound is subject to a 20mph speed limit which is further enforced by speed tables. The restricted nature of the road results in congested and limited pedestrian and vehicular movements across its length, especially during peak periods.
- 6.51 Terry's Lane is a public highway that links the B4447 The Pound to Winter Hill. Terry's Lane is subject to a 30mph speed limit between its junction with The Pound and approximately 15m north of the site's existing access off Terry's Lane. Heading north beyond the site access the speed limit changes to the National Speed limit.
- 6.52 The development complies with the Royal Borough's Parking Strategy, currently set at 2 spaces for a 2/3 bed unit and 3 for a 4 or more bedroom dwellings.
- 6.53 In terms of refuse collection, from the information provided it is unclear how this will operate in respect of the properties on plots 23 to 26, and the plans for the remaining plots suggest that the swept path analysis has been performed using different sized refuse vehicles for various parts of the site layout. Advice from the Borough's Waste Management Department on the type of refuse vehicle that currently operates in the area should be sought, and the plans amended accordingly. However, it is considered that the appropriate refuse vehicles could be adequately accommodated within the site so as not to materially affect the layout of the scheme.
- 6.54 The internal access roads range in width from 4.1 to 4.8m. Along the main spine road leading to plots 1 to 22, the carriageway measures 4.8m wide. This width is also reflected along bends but needs to be widened to accommodate the swept path. This should not materially affect the layout of the scheme. Although the Transport Statement (TS) remarks that the existing route of Poundfield Lane will not be altered or obstructed, the new spine road does cut across the public footpath.
- 6.55 The applicant states in the TS that to mitigate the impact of the development traffic on Terry's Lane the proposal includes a series of localised widening of the carriageway and the introduction of a footway on the east side of Terry's Lane. Based upon the Borough's maps, the majority of the areas considered for these improvements falls within the site's curtilage, and therefore would have to be secured by way of a Section 38 and 278 of the Highways Act (1980). However, the section east of Terry's Lane between Poundside and Westmoor, which is being considered for widening and the new footway, is owned by the adjoining properties. The applicant would need to seek their consent to undertake these improvements. While these improvements are welcomed by the Highway Authority, it should be noted that these are not considered necessary to make the scheme acceptable in highway terms and are not acceptable in planning terms.
- 6.56 In order to assess the current traffic flows in the immediate area the applicant installed automatic counts at the junction of The Pound and Terry's Lane and on Terry's Lane, east of its junction with Poundfield Lane. Traffic flows on Terry's Lane varies between 429 and 604 with a weekly average flow of 486 trips per day. During the *am* and *pm* peak periods the average trips are 46 and 50. The applicant's survey revealed that The Pound carries 883 vehicles in morning peak and 766 in the evening peak.
- 6.57 To assess the impact of the potential traffic generation from the development the applicant has interrogated the TRICS database. The results suggest that the development could generate 144 vehicular trips per day, or 18 and 20 during the *am* and *pm* peak periods respectively. The Borough's own figures show traffic generation of 186 trips per day and *am* and *pm* trips of 21 and 24 respectively. Nevertheless, the implications are that during the *am* and *pm* peak periods the development would lead to a traffic increase of approximately 2% during the morning peak period and 3% during the evening peak period.
- 6.58 The observations of the traffic distribution pattern revealed that a large percentage of traffic (58% in the morning) turns left from Terry's Lane and heads in an easterly direction towards Cookham. As such, a maximum of 42% of morning traffic turns right along The Pound (this may be less if

traffic goes north towards Winter Hill). In terms of actual numbers, this equates to 10 vehicles turning left and 8 turning right in the *am* peak period.

- 6.59 It should be emphasised that the above percentages are based upon a worst case scenario by assuming **all** the trips associated with the development will turn right onto Terry's Lane and head southeast towards The Pound; no traffic from the development will head in a north westerly direction towards Cookham Dean.
- 6.60 The Transport Statement makes reference to Paragraph 32 of the National Planning Policy Framework which states that, "*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*" The Highway Authority acknowledges the concerns raised by locals, which in highway terms are primarily centred on the constrained nature of The Pound and the poor pedestrian facility it provides. Nevertheless, to refuse on traffic and safety grounds, it would need to be demonstrated that an increase of 2% to 3% in vehicular activity is severe.
- 6.61 Although the development will result in an increase in vehicular activity on Terry's Lane, this will not result in a severe impact on the local highway network. The applicant also proposes some highway improvement measures which will benefit existing residents as well as new and this is welcomed by the Highway Authority, (although it should be noted those works are not acceptable to the Local Planning Authority due to their impact on trees, hedges and the overall character of the area). For these reasons, the Highway Authority has no objections to the proposal subject to conditions in respect of access arrangements, construction management plan, parking provision, visibility splays and details of refuse facilities.

The impact on the public rights of way and open space

- 6.62 There are two public footpaths crossing the application site: Footpath 44 Cookham and Footpath 45 Cookham (Poundfield Lane.) These two footpaths are very-well used public rights of way, as they form links in a number of circular routes that are easily accessible from residential areas in the immediate vicinity and from Cookham railway station. In particular, these two public footpaths provide good connections (via Footpaths 33, 36 and 41 on the opposite side of Terry's Lane) to the wider countryside to the north and east, including the Thames Path National Trail and Cookham Moor.
- 6.63 Saved Policy R14 of the Local Plan states that "The Borough Council will safeguard and enhance the public rights of way network and recreational cycle routes." It is notable that no reference is made in any of the documents submitted with the application. However, reference is made to the public footpaths in the Design and Access Statement (July 2016), Transport Statement (June 2016) and Landscape and Visual Impact Assessment (July 2016).
- 6.64 In discussing the visual impact of the proposed development, the Landscape and Visual Impact Assessment (LVIA) that:
- 3.81 It can be concluded that sensitive visual receptors most likely to be affected by the development on the site are:
- ☐ The walkers using the public footpath within the site where they have open views across the site, the site towards listed buildings or locally valued features in the Conservation Area;
 - ☐ Residents fronting onto Terry's Lane and Poundfield Lane;
 - ☐ Residents overlooking the site at Roman Lea, Station Road and The Pound.
- 6.65 Table 2 on page 21 of the LVIA states that the "Value of view" and "Sensitivity of view" from public footpath 44, public footpath 45 (north) and public footpath 45 (south) is "High" for all three of these locations. However, the assessment in Table 4 (page 28) concludes that the long term effect of development on views from these existing public footpaths is "Moderate/beneficial".
- 6.66 Footpath 44 runs from Terry's lane (adjacent to 'Pound Cottage' and 'Tremayne') diagonally north-west across the site to connect with the Poundfield Lane/Terry's lane junction. On entering Footpath 44 from Terry's Lane, walkers currently have open views to the north across the field identified for plots 23 to 26. Post-development views from this part of Footpath 44 would be

views of houses, garages, the “Terry’s Close” access road, parked cars etc. Walking north-west along the footpath, the views east would be partially screened by the existing Cherry tree belt, although there would continue to be partial views of Terry’s Close properties from most of the length of footpath, particularly when the trees and hedges are not in full view.

- 6.67 Vehicles accessing the properties along Terry’s Close access road would also have a significant adverse effect on the amenity value of the southern part of Footpath 44, both in terms of visual impact and traffic noise.
- 6.68 Shortly after entering the site from the south, along Footpath 45 (Poundfield Lane), walkers currently have open views to the north-west, over the field identified for plots 1 to 17, and partial views to the east over the field identified for plots 18 to 22. The proposed new access road between these new areas of development would cross the public footpath at this location. Walking north along Footpath 45 (Poundfield Lane), views to the west over plots 1 to 17 and the access road would be partially screened by existing vegetation, although there would continue to be partial views, particularly when the trees and hedges are not in full leaf. On emerging from the ‘enclosed’ section of Footpath 45 and from the central section of the footpath, there are open views to the south-west across the field where plots 1 to 17 would be sited.
- 6.69 Post-development views from these parts of Footpath 45 would be views of houses, garages, parked cars etc, as well as the access road parallel to the central section of Poundfield Lane, and the access road between the areas for plots 1 to 17 and plots 18 to 22, where walkers using the footpath will need to cross this road.
- 6.70 The northern section of Poundfield Lane would form the sole access for vehicles accessing plots 1 to 22. Plots 27 and 28 would also have driveway accesses onto this part of the Lane. The additional vehicular traffic along this section of Footpath 45 resulting from the development would have a significant adverse effect on the amenity value of the footpath, both in terms of noise disturbance and visual impact.
- 6.71 The proposal as submitted includes the creation of a new public footpath across the southern part of the proposed new Poundfield open space. Whilst it is acknowledged that this proposed new footpath would provide a valuable new link in the public rights of way network, it is recommended that if the Planning Panel is minded to approve the development, the proposed footpath along the north-western side of the open space should similarly be dedicated as a public footpath.
- 6.72 The current proposal makes no provision for enhancements to public rights of way for equestrians or cyclists. Bearing the large number of horses stabled in Cookham and the increasing popularity of cycling, it is recommended that if the Planning Panel is minded to approve the development, Poundfield Lane should be upgraded from Public Footpath to Public Bridleway, for its entire length from The Pound to Terry’s Lane, thereby enabling use of Poundfield Lane by horse riders and cyclists as well as walkers. This would provide horse riders and cyclists with an alternative to using the narrow section of Terry’s Lane, between the junction with The Pound and the junction with Poundfield Lane, and would be consistent with Policy R14 of the Local Plan and policies in the adopted ‘Public Rights of way management and Improvement Plan 2016-2026, which seek to improve links within the existing cycle network and improve links between bridleways, restricted byways and byways.
- 6.73 The Public Rights of Way Officer has recommended that the application is refused as it is contrary to Policy R14 of the Local Plan and paragraph 75 of the NPPF.
- 6.74 The NPPF states that, “access to high quality open spaces... make an important contribution to the health and well-being of communities” (paragraph 73) and that “open space should not be built on”, unless it is surplus to requirements, can be replaced by an equivalent or better open space, or if the need for the development would clearly outweigh the loss (paragraph 74). Annex 2 of the NPPF explains that the term ‘open space’ means all open space of public value, which offers important opportunities for sport and recreation and can act as a visual amenity.
- 6.75 It is clear from the Cookham Village Design Statement and numerous representations received for this application, that Poundfield is highly valued by local residents. It is not only appreciated

for its beauty, but provides a tranquil space within the settlement that is clearly important to the community's well-being. This significance is acknowledged in the Draft Borough Local Plan, which designates Poundfield as a Local Green Space, (the only designation of its kind within the Royal Borough), affording it special protection from inappropriate development. The proposed development would substantially harm the experience of this open space and is therefore contrary to paragraph 74 of the NPPF.

Ecological issues

- 6.76 The Council's ecologist undertook a site visit with the applicant's ecologist earlier this year to advise on the surveys being undertaken. At that time, a reptile survey was not necessary as the majority of the site was heavily grazed to a short sward and did not have potential to support reptiles. However, since then the grazing has ceased in some areas and the grass has grown up and tussocky and has become more suitable to support reptiles. In addition, some ecological information for the adjoining site (the subject of application 16/01411) has confirmed the presence of slow worms there, and it is likely that they can move freely between the two sites. A reptile survey is therefore required to be undertaken at the site between Terrys Lane and Poundfield Lane and if reptiles are found, that a mitigation strategy be produced.
- 6.77 Paragraph 99 of the ODPM Circular 06/2005 states "*It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision*".
- 6.78 Although the mitigation may be acceptable, having no information regarding the species or population size of reptiles at the site, it cannot be guaranteed that killing or injury of reptiles can be avoided and that the potential harm to reptiles can be adequately mitigated. It is recommended that a survey is undertaken, and if required a translocation/ mitigation strategy updated and provided prior to the determination of the application in order to safeguard reptiles.
- 6.79 As it stands, in the absence of a reptile survey, the proposal is contrary to paragraph 118 of the NPPF.

The impact on trees

- 6.80 The majority of the trees impacted by this development are growing on the site boundaries both within and adjacent to the site. These boundary trees include large individual specimens and mature hedgerows that are of particular visual importance as landscape features. The trees have a very high collective value and make an important visual contribution to the wider locality and add significantly to the character and appearance of the Conservation Area.
- 6.81 Due to the proximity of the trees to the development a detailed tree protection plan and arboricultural method statement is required before the impact of the application on trees can be fully considered. This should include details for the ailment of utility apparatus (including drainage).
- 6.82 The loss of the hawthorn (T99), damson (T101) and a field maple from the group G3 and the short section of hedge at the southern end of H4 will not have a significant impact on the visual amenity of the area and could be mitigated through replacement planting elsewhere on the site. No objection is raised to the planting proposed in the Illustrative landscape plan however a more detailed plan will need to be provided in order to access the proposed planting in the vicinity of plots 1-17 and 23-26 and this could be secured by condition if the Panel were minded to approve the application.
- 6.83 The proposed loss of the two 10m sections of group G13 to provide individual entrances to plots 27 and 28 is not acceptable. Whilst the proposed driveways have been located to avoid the largest trees in the group they will create large gaps in this important group of trees that is subject to tree preservation order 060/1991.
- 6.84 Sections of G9 are shown to be removed as part of the highway work associated with the development. The extent of this work is unclear from the plans but it appears to have a significant

impact on the hedgerow to the north of the site. In the absence of full details for these works and the measures to protect the adjacent trees the works to the highway would have a detrimental impact on the character of the area.

- 6.85 Although some effort has been made to position the development away from trees, several of the buildings have been located in close proximity to existing trees which could result in excessive pressure during the construction works or post completion demands for their removal. From the information on the tree removals plan the buildings on plots 1-10, 14, 15, 17 and 26 would appear to be most affected.
- 6.86 As noted in paragraph 5.2 of British Standard 5837 2012 Trees in relation to design, demolition and construction recommendations (BS5837) relevant constraints should be plotted around each of the A, B and C trees. This would include an indication of the potential obstruction of daylight and sunlight that can significantly affect potential living conditions. Plots 1-9, 14-17, 28 and 26 are all located in close proximity to boundary trees that could overshadow the proposed new properties and gardens.
- 6.87 As noted above more detailed arboricultural information including a tree protection plan and an updated arboricultural method statement produced in accordance with British Standard 5837:2012 Trees in relation to design, demolition and construction are required to fully assess the impact of the development on trees protected by a tree preservation order and growing within a Conservation Area. In the absence of this information, the scheme fails to adequately secure the protection of important protected trees which contribute positively to the character and appearance of the area contrary to policies N6, DG1 and H11 of the Local Plan.

Archaeological issues

- 6.88 In accordance with Paragraph 128 of the NPPF, the applicant has submitted with their application an archaeological desk-based assessment prepared by Foundations Archaeology (Report No. 1109, dated July 2016). The archaeological desk-based assessment presents the archaeological background to the application area and assesses its archaeological potential and the likely impacts of the development proposal on the buried archaeological heritage. The document usefully reviews data held on Berkshire Archaeology's Historic Environment Record, aerial photographs and historic mapping.
- 6.89 While no known heritage assets are recorded within the application area, the assessment considers its potential to contain buried archaeological remains. The prehistoric potential of the Middle Thames Valley, within which the site sits, is noted, while the report correctly sets out the importance of Cookham in the early medieval (Saxon) period and states:
'The evidence points to Cookham village being a Saxon foundation, possibly dating back to the 7th century. If the core of the Saxon period settlement is located around Holy Trinity Church and Odney, as has been suggested by Astill, then the locus of settlement was nearly 700m to the east of the site. Critically, however, six Saxon inhumation burials were found during the 19th century within 300m of the site and a Saxon inhumation burial has been found in one of the Bronze Age barrows at Cock Marsh. This evidence points to Saxon activity in the landscape that may pre-date the establishment of Cookham Village. While no other Saxon activity has been recorded within the study area, it is possible, although not likely, that the cemetery could extend into the site, or other evidence of Saxon activity could be present within it.' (Paragraph 9.6).
- 6.90 The above statement significantly overlooks the discovery in 2008 of Early to Middle Saxon (6th – 7th century AD) occupation, in the form of pits and a gully containing pottery and animal bone, some 50m to the east of the site at Spencers (now The White Oak) on The Pound. It is therefore clear that much remains to be understood about the location, nature and development of the regionally important Saxon settlement at Cookham.
- 6.91 As regards an assessment of previous land use, the report concludes:
'...the site appears only to have been subjected to ploughing. While this may have disturbed, altered or truncated archaeological deposits closer to the surface, any more deeply buried deposits may have survived relatively intact. The conditions of preservation would, therefore appear to be good.' (Paragraph 9.2).

- 6.92 In assessing the potential significance of any buried archaeological remains within the site, the assessment concludes as regards prehistoric remains:
'Features related to settlement, funerary practices or industrial activity would have high significance, but the presence of these is considered much less likely.' (Paragraph 10.2).
- 6.93 As regards any Saxon remains, the assessment concludes:
'Saxon period features would have much higher significance. Agricultural features such as pits, field boundaries and gullies and ditches would have moderate significance because they are likely to contribute to regional research questions about Saxon period activity in the wider landscape and may even have wider importance. The presence of evidence for settlement or industrial activity would have much higher significance. If Saxon burials were to be found then their significance would be high, particularly if they were from the early period as they could inform national debates. While the presence of burials is by no means a certainty, their presence cannot be discounted entirely. Nor can the possibility of features related to settlement or evidence for industrial activity being present within the site.' (Paragraph 10.4).
- 6.94 The report also assesses the likely impacts of the development proposals and states that *'excavation of footings for the residential units and the garages, the digging of trenches for drainage and services and the stripping of areas for the access road and drives would necessitate considerable below ground disturbance that could affect any buried archaeological resources present within the site'*.
- 6.95 The report concludes that:
'The conclusion of this report is that the impact of the proposals on all known and unknown heritage assets amount to less than substantial harm as defined by the provisions of NPPF and Local Planning Policy.' (Paragraph 12.4).
- 6.96 Berkshire Archaeology has advised that the assessment report rightly notes the regional significance of Cookham in the Saxon period, including the discovery of a Saxon inhumation cemetery in the 19th century at Noah's Ark, 600m north of the application site and the discovery in 2008 of possible Mid-Saxon (6th – 7th century AD) settlement remains at Spencers (now The White Oak), some 50m to the east of the application site. This is a significant development proposal covering some 4.95ha of previously undeveloped land. It is inherent in the contents of the desk-based assessment report that the archaeology of the site is unknown but there is a potential for significant buried remains to be present, which would be adversely impacted by the development proposals. Therefore the conclusion of the report that the impact of the proposals on heritage assets will amount to less than substantial harm is not substantiated.
- 6.97 In Berkshire Archaeology's view there is currently insufficient evidence to understand the potential impact of the proposal on the buried archaeological heritage. The application should therefore not be determined until further information is obtained through field evaluation. This is anticipated by the applicant's archaeological consultant, who states:
'This report represents the first stage of the pre-planning permission archaeological investigations recommended in NPPF12. This archaeological assessment will therefore form the basis for any further archaeological work, such as field evaluation' (Paragraphs 2.1 and 2.2)
- 6.98 Berkshire Archaeology's advice is in accordance with Paragraph 128 of the NPPF which states:
'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'
- 6.99 Historic England's Good Practice Advice on Managing the Historic Environment - Note 2 states (paragraphs 30 and 31) that some heritage assets:
'...will currently hold only archaeological interest, in that nothing substantial may be known about the site and yet there is a credible expectation that investigation may yield something of strong enough interest to justify some level of protection. For sites with archaeological interest, whether

designated or not, the benefits of conserving them are a material consideration when considering planning applications for development’.

- 6.100 Policy Arch 3 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted June 2003) also states that:
‘Planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites and monuments of unknown importance and areas of high potential unless adequate evaluation enabling the full implications of the development on matters of archaeological interest is carried out by the developer prior to the determination of the application’.
- 6.101 It is recommended that the evaluation takes the form of exploratory trial trenching in those areas of the proposal that will impact on buried archaeological remains. In the absence of an adequate evaluation the proposal would likely adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to Policy ARCH 3 of the Local Plan

Other material considerations

- 6.102 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that the relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. The proposal would make a significant contribution to the supply of housing in the Borough.
- 6.103 Policy H3 of the Local Plan, requires applications where the site is 0.5 hectares or over or schemes proposing 15 or more dwellings, to provide at least 30% of the total number of dwellings proposed as affordable housing, (defined as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market). In this case, the applicant is not proposing any of the houses on site to be made available for affordable housing and therefore a sum of £1,667,987.00 is required to provide this off-site to comply with Policy H3. This is secured by way of unilateral undertaking which, at the time of writing, has yet to be completed and submitted to the Council.
- 6.104 With regard to surface water drainage, the submitted Flood Risk Assessment and Surface Water Drainage Strategy prepared by RSK, (R1(3) dated July 2016, is acceptable in principle. However, insufficient detail has been provided to demonstrate how surface water runoff from the individual parts of the site will be dealt with. The main concern relates to the area to the west of the site (plots 1 to 17) and the area to the south east of the site (plots 18 to 22) where there is relatively little room to incorporate sustainable drainage measures. While the submitted Flood Risk Assessment indicates that a number of exploratory trial holes have been undertaken on site no details of the ground conditions encountered have been supplied. Without this information it is difficult to assess the feasibility of the proposed sustainable drainage measures to be provided throughout the site. Details of the proposed maintenance arrangements to be put in place to ensure the future operation of the proposed sustainable drainage system should also be provided, including how it will be managed and funded in the future. As it stands, in the absence of this information it has not been demonstrated that the proposal would not lead to an increase in flood risk elsewhere and is therefore contrary to paragraph 103 of the NPPF.
- 6.105 A petition was received by the Council in January of this year and presented at the Full Council meeting on the 23rd February requesting the designation of the Poundfield area in Cookham, including the land adjacent to the nursery school, as a Local Green Space in the new Borough Local Plan (BLP). In response, the Full Council endorsed this designation, recognising Poundfield’s importance as a peaceful and tranquil space within the settlement and this is now reflected in sections 14.14.4, 14.14.5 and Policy NE5 of the Draft Borough Local Plan. As a Local Green Space, Poundfield will be afforded special protection from inappropriate development that will only be permitted in very special circumstances.

The Planning Balance

- 6.106 As explained earlier in this report, paragraph 133 of the NPPF advises that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.
- 6.107 In terms of public benefits, it is acknowledged that the proposal would contribute to the Borough's housing stock, which represents a significant benefit of the scheme. However, while the proposed designation of the site as a Local Green Space in the emerging Borough Local Plan cannot be afforded any weight at this stage, it is clear from the evidence provided that the proposal would substantially harm the Cookham High Street Conservation Area and all that it entails. This Conservation Area is an exceptionally significant heritage asset and the benefits of providing a further 28 dwellings to the Royal Borough's housing does not outweigh the substantial harm caused.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. The tariff payable for this development is £1,511,952.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

75 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 28th August 2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 4th August 2016.

2 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	I hope the Planning Committee will give every consideration to the critical lack of housing in the area and that this development will provide homes for 28 families. Opponents to the scheme will no doubt claim there are plenty of other suitable sites, but history has shown this not to be the case.	6.102
2.	I am aware of the well funded campaign against the Poundfield development. However, I feel that Cookham has to make its contribution to the country's housing needs and losing this untidy 'cabbage patch' is so much better than taking proper green belt to do our bit.	6.102

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

Comment		Where in the report this is considered
1.	The Council has never identified Poundfield as suitable for development, but is supporting its designation as a Local Green Space in the Borough Local Plan. The Council should therefore not be approving this application. By designating this area as a Local Green Space, the Borough has already acknowledged the importance of this space.	6.105
2.	This is an integral green wedge of the Cookham Conservation Area.	6.4 – 6.40
3.	Our local MP and PM has always been supportive of retaining this beautiful part of Cookham countryside.	Noted

4.	Poundfield is an integral part of the history of Cookham, much loved and painted by Sir Stanley Spencer.	6.4 – 6.40
5.	Poundfield is an unspoilt and beautiful place where many children and adults can experience nature and the countryside. It represents a lovely retreat for families and the surrounding footpaths are used by many walkers and horse riders.	6.74 – 6.75
6.	The area supports a plethora of wildlife.	6.76 – 6.79
7.	Other land that is more accessible should be considered.	Noted
8.	The traffic going through The Pound is already unbearable during commuter times and the re-routing alternatives offered will not alleviate this	6.48 – 6.61
9.	If this land is developed, RBWM will destroy Stanley Spencer's legacy.	6.107
10.	People love to experience the beauty of Poundfield – its greenness and openness. This should be nurtured for future generations.	6.107
11.	If developed, part of Cookham's heritage, history and character would be lost to concrete and cars.	6.4 – 6.40
12.	Poundfield is in a Conservation Area – this development would be a blot on the landscape. Its conservation status should give it the protection it deserves.	6.4 – 6.40, 6.107
13.	To build houses on land immortalised by Stanley Spencer would be a travesty and Cookham would become a suburb of Maidenhead rather than the beautiful village it is today.	6.107
14.	Poundfield is a peaceful, tranquil and unspoilt place – it is so important to our beautiful village.	6.4 – 6.40
15.	As the Cookham Village Design statement says, Cookham is defined by its green spaces.	6.4 – 6.40, 6.74 – 6.75
16.	The proposed development would put further strain on already overstretched services, schools and the medical centre.	7.1
17.	This is our countryside and we want it to remain unspoilt for people and wildlife.	Noted
18.	People from all over the country come and soak up the beauty of Poundfield which is currently unimpeded by traffic.	Noted
19.	The number of new homes gained would be small, but the loss to the environment great.	6.106 – 6.107
20.	Poundfield prevents sprawl of development which has harmed the character of many villages.	Noted
21.	The additional traffic would damage the conservation area and increase the risk to people.	6.5 - 6.61
22.	We are not NIMBY's – we are not ashamed of saying how proud we are of this beautiful area of green space.	Noted
23.	The inhabitants of Cookham have fought to save Poundfield for nearly 50 years.	Section 4 – Planning History table
24.	It provides a safe short cut to the river.	6.62 – 6.75
25.	The development would erase what is an important part of the spiritual essence of what Cookham means to many people. Poundfield is unsurpassed and irreplaceable.	Noted
26.	How can it be argued that building on this open space will enhance and positively contribute to the area?	6.107
27.	The development will change the structure and feel of The Cookhams.	6.4 – 6.40
28.	The proposal to open up some of the site for public use contradicts the essence of Poundfield, turning the area into a housing development with a small public manicured space that will totally destroy the rural aspect of the space.	6.4 – 6.40
29.	This will turn the area into a suburban landscape with a mass of houses, roads and footpaths.	6.4 – 6.40
30.	Terry's Lane is a popular cycle route and is far too narrow and dangerous to cope with the increase in volume of traffic.	6.48 – 6.61

31.	It is vital that the green space between Cookham Rise and Cookham Village is maintained to keep the identity of the village. Cookham attracts many visitors which helps local businesses.	Noted
32.	There is a significant risk to road safety at The Pound / Terry's Lane junction.	6.48 – 6.61
33.	Poundfield is the setting of several landscape paintings by local artist Sir Stanley Spencer, who has attained national and international renown. Spencer did not paint these fields as being full of houses and people.	6.4 – 6.40
34.	This will have a huge impact on traffic in the local area – adding to congestion with dangerous implications (particularly for the elderly and children.	6.48 – 6.51
35.	Poundfield is of archaeological importance, with Saxon remains being found in this area.	6.88 – 6.101
36.	The development will be detrimental to the local ecosystem. The site currently supports and abundance of wildlife.	6.76 – 6.79
37.	Where is the demand for housing in this price bracket?	Noted
38.	The local infrastructure cannot support this development.	7.1
39.	This goes against the guidance in the Cookham VDS.	Noted
40.	To approve this would undermine the democratic process whereby over 1600 residents, the Parish Council and Borough Council have all supported Poundfield being designated in the Borough Local Plan as a Local Green Space.	6.107
41.	Poundfield is a piece of Spencer's "Heaven on Earth"	6.4 – 6.40
42.	As a resident of Terry's Lane, I cannot see how the future increase in traffic, let alone construction vehicles, is remotely feasible. The plans to provide passing places does not solve the issue of congestion and numerous near misses at the entrance to Terrys Lane. There is also no solution to where the road becomes single track, with a de-restricted speed limit and blind corner halfway up the lane. This lane has no pavement for pedestrians, nor does it have any street lighting.	6.48 – 6.61
43.	The proposal will harm the setting of important listed buildings.	6.4 – 6.40
44.	We are the current custodians of this beautiful Conservation Area and it is our duty to protect this area for future generations.	6.107
45.	Do not let this speculative development sneak in before the Local Green Space is formally confirmed.	Noted
46.	Residents and visitors are able to walk in the footsteps of a world class artist, which is a rare thing.	6.4 – 6.40
47.	This development does not meet any social housing need, but is an over-priced 'executive' housing estate.	6.103
48.	The traffic situation in Cookham is already stretched to its limits. The roads cannot take anymore. The Pound is a bottleneck at peak hours and the additional traffic will bring traffic to a standstill.	6.50 – 6.63
49.	The submitted road safety audit is unreliable. It was carried out on a Saturday evening, so should not be described as "evening peak". It was also conducted during the school holidays so there was no school traffic and there would have been less commuter traffic.	6.48 – 6.61
50.	The traffic counts were undertaken at the end of January, so do not take account of the seasonal tourist traffic. The submission makes unsubstantiated statements in terms of safety and accessibility.	6.48 – 6.61
51.	The proposed 28 properties will roughly double the traffic from the Poundfield lower Terrys Lane area.	6.48 – 6.61
52.	All of the local primary schools are oversubscribed.	7.1
53.	The proposed development will lead to loss of light to 9 Hedsor View Cottages, lead to a dramatic increase in noise and result in loss of privacy. There are also concerns about whether drainage from the site would be sufficient.	6.41
54.	The application does not address the need for affordable housing.	6.109

55.	The land is in the draft local plan as a green space and therefore the timing of this application can be regarded as a calculated attempt to overcome democratic processes.	6.105
56.	The proposed residences are of a poor and unimaginative design.	6.4 – 6.40
57.	The development will increase the risk from surface water runoff.	6.104
58.	This will overload the local infrastructure.	7.1
59.	Berkeley Homes' application adopts the ludicrous view that they are doing Cookham a favour by opening up an inaccessible part of Cookham – but it is not inaccessible, it is surrounded by footpaths.	6.62 – 6.75
60.	This is a change of use of the land but the application does not explicitly state this.	Noted
61.	The increase in traffic will undoubtedly lead to more accidents, particularly along The Pound.	6.48 – 6.61
62.	Any development on Poundfield could be judged very harshly by posterity. Poundfield was a major subject depicted in Stanley Spencer's landscape work. It is important that the landscape at Poundfield that he painted is able to be appreciated by future generations in the context of his work. Increasingly he is being recognised as one of the top British artists of the twentieth century. His influence on Lucian Freud is now universally understood. It would be regrettable for development to take place on a site which is so important to an artist whose work is being consistently revalued and reconsidered by the international art community.	6.4 – 6.40
62.	Stanley Spencer Gallery: These scenes painted by Stanley Spencer are known and loved by people all over the world and to build on them would be an act of vandalism. They draw people from near and far to Cookham to see the sights that he painted. Future generations would be aghast and appalled if this highly valued feature of our countryside and artistic heritage was ruined. Development in Poundfield would detract from what Cookham is as a village, a community and a tourist destination.	6.4 – 6.40
63.	Southampton City Art Gallery: The gallery holds 4 works by Stanley Spencer, including 'Poundfield, Cookham'. That Cookham where he painted practically all his subjects looks today almost exactly as it did during his lifetime means that it is a sort of living museum for his life and work. It is hugely important that people can inhabit and be inspired by his environment. It would be a big cultural mistake if Poundfield were to be built on, for this unique place with so many important British art historical associations would be changed forever	6.4 – 6.40

	<p>Tate Britain: Spencer is one of Britain's most important painters and his work is rooted in the village and surrounding landscape of Cookham which forms the setting for most of his work. It is especially valuable that his work can be appreciated alongside identifiable places in Cookham which still look today much as they did in Spencer's time, enriching the experience of his art and providing a focus for visitors to the village.</p> <p>Tate's 'Terrys Lane, Cookham, 1932', which Spencer described as a regular childhood walk he would take with his brother and 'Poundfield Cookham' (Southampton Art Gallery) is an artistically significant landscape in the same way as Constable Country. Developing this site would destroy this historic view forever and impoverish the understanding of Spencer's work.</p> <p>Tate strongly supports the initiatives to protect the site from development.</p>	6.4 – 6.40
64.	<p>Ashmolean Museum of Art and Archaeology, University of Oxford: Poundfield is very closely associated with one of the greatest English painters of the 20th Century, Sir Stanley Spencer. It is surprising to discover how few specific localities have such strong associations with a single artist, because since the 18th Century most artists have travelled extensively in this country and abroad, and only a few have enjoyed the intense familiarity of a single place.</p> <p>During his student days, Stanley Spencer was known as Cookham and he is indelibly associated with the village which he described as a "kind of earthly paradise". There are very few such places left in England.</p>	6.4 – 6.40
65.	<p>Slade School of Fine Art, University College London: Objects from a national heritage art historical point of view. Cookham is a source of pilgrimage for artists, art historians and appreciating visitors nationally and internationally, where there is a visible, direct link still existing between Spencer's paintings and the village itself. To develop Poundfield would be to irreversibly alter the character of this unique setting, thereby diminishing a key aspect of Cookham Village's historic appeal and our national heritage.</p>	6.4 – 6.40
66.	<p>Royal Academy of Arts, London: Fully support the efforts to preserve Poundfield in Cookham and prevent the proposed housing development on the site. It is important to anyone who loves art that the atmosphere of a place so important to British painting is preserved.</p>	6.4 – 6.40
67.	<p>University of Glasgow: Poundfield gives an extraordinary valuable and particular atmosphere to Cookham which would be substantially debased were these buildings to be erected. The connection between Spencer and the village scape of Cookham is unique, going beyond even the kind of connections attached to for example Constable Country. Cookham has of course changed since Spencer's death. This is to be expected, but the fundamental aspect is still one he would recognise. The proposed change is too brutal and wholly out of keeping with the responsible stewardship of the place.</p>	6.4 – 6.40

68.	The University of Adelaide: Australian and New Zealand art galleries hold large numbers of Stanley Spencer works many of which feature Cookham, and Australians not infrequently travel to Cookham to see and appreciate the location of these paintings. It would be a major cultural error if Poundfield were to be built on.	6.4 – 6.40
69.	The Fitzwilliam Museum, Cambridge: I hope the Planning Department of the Royal Borough uses their power to halt this regrettable and potentially damaging development.	6.4 – 6.40
70.	University of Melbourne: Poundfield is the site of many paintings by the globally renowned British painter Sir Stanley Spencer CBE. Spencer painted five well renowned images of this beautiful place between 1914 and 1935 and it continued to inspire him until his death in 1959. Cookham was Spencer's 'heaven on earth' and he is indelibly linked to the village in a way that can only be compared with Constable's association with Dedham Vale.	6.4 – 6.40

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No objections, subject to planning conditions.	6.48 – 6.61
Lead Local Flood Authority	Insufficient information to demonstrate that the development would have adequate surface water drainage measures.	6.104

Other consultees

Consultee	Comment	Where in the report this is considered
Cookham Parish Council	At a public meeting on Tues 9th August 2016 attended by more than 100 residents who raised numerous strongly held concerns about the proposal, the Planning Committee of Cookham Parish Council voted unanimously to object in the strongest possible terms to the above application based on the following grounds: Contrary to RBWM's agreement that Poundfield should be designated as a Local Green Space in the forthcoming Borough Local Plan; Inappropriate development in the Conservation Area (CA1-6) leading to an adverse impact on the setting of heritage and listed properties; Known existing evidence of possible archaeological remains on the site although no archaeological report has been made public; Adverse impact on flora and fauna with the loss of vital habitat; The views across the site have been immortalised in Stanley Spencer's iconic paintings and should be preserved; The access and egress to the site is not fit for purpose for the substantial increase in traffic flow and will result in congestion; No evidence that the proposal meets any local housing need; Contrary to VDS Guidance	6.4 – 6.101

	The VDS states categorically that the role of Poundfield in providing a green wedge separating the Pound from Station Hill area should not be compromised. The following specific Guidance points would be overturned if the application is approved. G2.1 Location and setting G4.5 Poundfield G6.4 Rural and semi-rural G6.14 Walls G8.2 Cookham Rise and Station Hill G11.1 Cookham's homecoming routes	
Conservation	Objection – would cause substantial harm to an exceptionally significant heritage asset.	6.4 – 6.40
Public Rights of Way Officer	Objection - Post development views from Footpaths 44 and 45 would have a significant adverse effect on the amenity value of the footpath, both in terms of noise disturbance and visual impact. Contrary to policy R14 of the Local Plan.	6.62 – 6.73
Ecology Officer	Objection - lack of a reptile survey therefore the impact of the proposal on slow worms (protected species) is unknown.	6.76 – 6.79
Tree Officer	Objection - The scheme fails to adequately secure the protection of important protected trees which contribute positively to the character and appearance of the area contrary to policies N6, DG1 and H11 of the Local Plan.	6.80 – 6.87
Berkshire Archaeology	Objection - In the absence of an adequate evaluation the proposal would likely adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to Policy ARCH 3 of the Local Plan.	6.88 – 6.101
Ramblers	The development will have a very detrimental effect on the public rights of way in the area and will spoil open views from Cookham footpaths FP44 and FP45. The additional access for vehicular use would inconvenience footpath users. These footpaths are an important asset which we would seek to enhance not degrade.	6.62 – 6.73
Environmental Protection	No objections subject to conditions relating to hours of operations; plant, equipment and machinery maintenance; reversing sirens or beepers and; dust emissions.	Noted.
National Grid	National Grid has apparatus in the vicinity of the application site which may be affected by the development. Please inform National Grid of the Council's decision.	Noted.
Thames Water	No objections.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site layout plan
- Appendix C – Plots 1 to 3 elevations
- Appendix D – Plots 4 to 5 elevations
- Appendix E – Plot 10 elevations
- Appendix F – Plots 11 and 20 elevations
- Appendix G – Plot 21 elevations
- Appendix H – Plots 22 and 28 elevations
- Appendix I – Plot 23 elevations

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

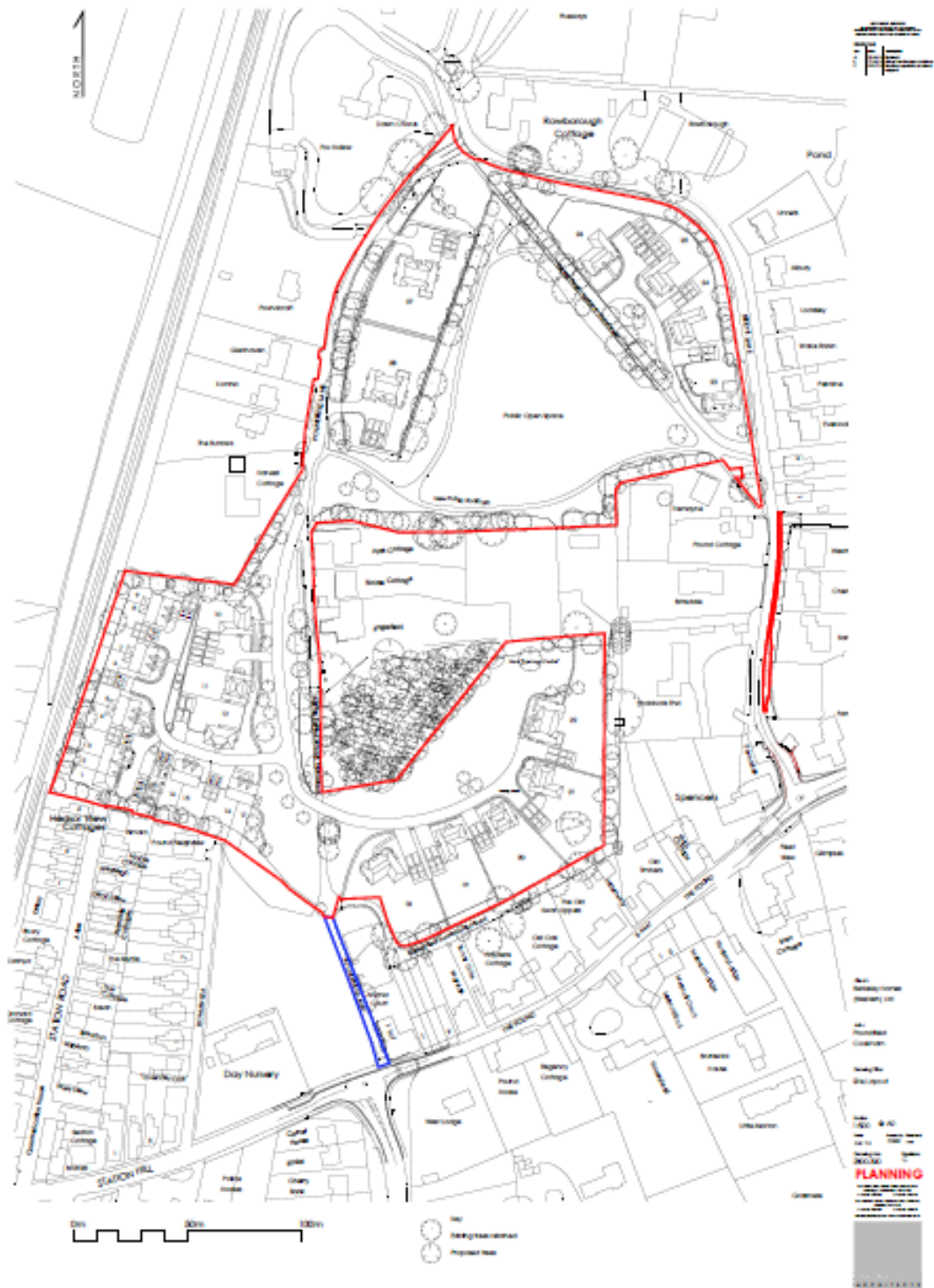
- 1 The proposal, by reason of its siting, scale and design, will lead to substantial harm to the Cookham High Street Conservation Area, which is an exceptionally significant heritage asset. The NPPF advises local planning authorities to refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In this case, no substantial public benefits exist that outweigh the harm to the heritage asset. The proposal is therefore contrary to saved policies DG1, CA2, and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted in June 2003), policies G4.5 and G14.1 of the Cookham Village Design Statement SPD (Adopted May 2013) and paragraph 133 of the NPPF.
- 2 The proposal by reason of its siting, scale and design would result in the loss of important high quality open space and have a significant adverse effect on the amenity value of the public footpaths crossing the site, both in terms of noise disturbance and visual impact. This is contrary to paragraph 74 of the NPPF and saved policy R14 of the Local Plan respectively.
- 3 In the absence of a reptile survey, it has not been demonstrated to the satisfaction of the Local Plan Authority that the proposal would not harm protected reptiles on the site, contrary to paragraph 118 of the NPPF.
- 4 It has not been demonstrated to the satisfaction of the LPA that the scheme would adequately secure the protection of important protected trees on the site which contribute positively to the character and appearance of the area, contrary to saved policies N6, DG1 and H11 of the Local Plan.
- 5 In the absence of an adequate evaluation, it has not been demonstrated to the satisfaction of the LPA that the proposal would not adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to saved policy ARCH3 of the Local Plan.
- 6 In the absence of information to demonstrate otherwise, the proposal does not provide adequate sustainable drainage measures and therefore it has not been demonstrated to the satisfaction of the LPA that the development would not lead to an increase in flood risk elsewhere, contrary to paragraph 103 of the NPPF.
- 7 In the absence of a satisfactorily completed unilateral undertaking, the proposal fails to provide affordable housing, contrary to saved policy H3 of the Local Plan.

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Appendix A



Appendix B



Appendices C & D



NOTE
 1. All elevations are shown from the front of the plot.
 2. All elevations are shown from the front of the plot.
 3. All elevations are shown from the front of the plot.
 4. All elevations are shown from the front of the plot.
 5. All elevations are shown from the front of the plot.

REVISIONS

No.	Date	Description

Client: Berkeley Homes (Western) Ltd
 Job: Poundfield Cookham
 Drawing Title: Plans and Elevations Type A1 Plots 1-3
 Scale: 1:100 @ A1
 Date: May 16 2016
 Drawing No: 2800.302 Revision: A
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NOTE
 1. All elevations are shown from the front of the plot.
 2. All elevations are shown from the front of the plot.
 3. All elevations are shown from the front of the plot.
 4. All elevations are shown from the front of the plot.
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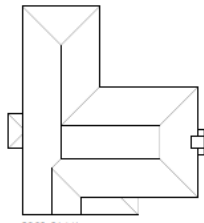
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No.	Date	Description

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 Job: Poundfield Cookham
 Drawing Title: Plans and Elevations Type A1 Plots 4-5
 Scale: 1:100 @ A1
 Date: May 16 2016
 Drawing No: 2800.303 Revision: A
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Appendices E & F



ROOF PLAN

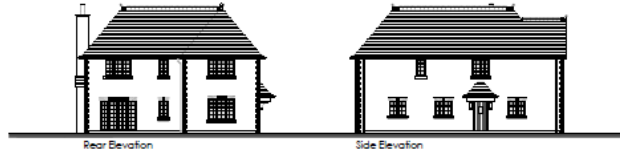


FIRST FLOOR PLAN



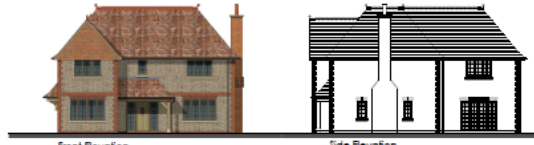
GROUND FLOOR PLAN

Plot 10



Rear Elevation

Side Elevation



Front Elevation

Side Elevation

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REVISIONS

No.	Date	Description

Client: Berkeley Homes (Western) Ltd

Site: Poundfield Cookham

Drawing Title: Plans and Elevations

Plot 10

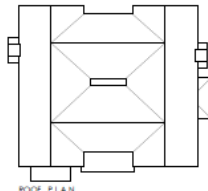
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Date: May 16. Drawn by: CHAK SC

Drawing No: 2800.306 Revision: B

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ROOF PLAN

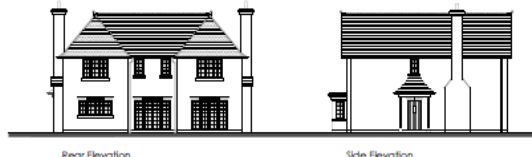
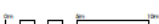


FIRST FLOOR PLAN



GROUND FLOOR PLAN

Plot 11&20



Rear Elevation

Side Elevation



Front Elevation

Side Elevation

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REVISIONS

No.	Date	Description

Client: Berkeley Homes (Western) Ltd

Site: Poundfield Cookham

Drawing Title: Plans and Elevations

Plot 11 & 20

Scale: 1:100 @ A1

Date: May 16. Drawn by: CHAK SC

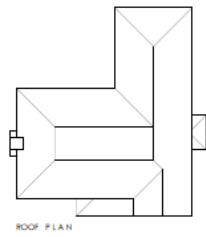
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Appendices G & H



ROOF PLAN

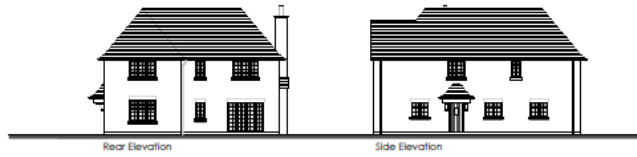


FIRST FLOOR PLAN



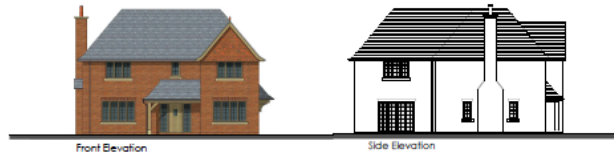
GROUND FLOOR PLAN

Plot 21



Rear Elevation

Side Elevation



Front Elevation

Side Elevation

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REVISIONS

No.	Date	Description
1		

Client: Berkeley Homes (Western) Ltd

Site: Poundfield Cookham

Drawing Title: Plans and Elevations

Plot 21

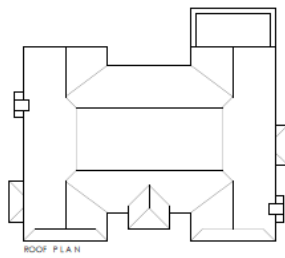
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Date: May 16 Issue: CIVAK SC

Drawing No: 2800.314 Revision: A

PLANNING

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ROOF PLAN

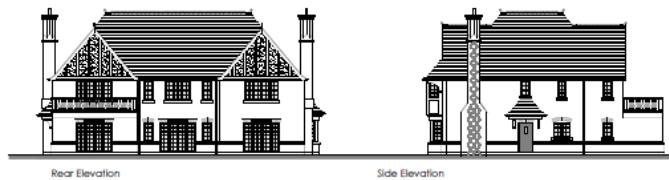


FIRST FLOOR PLAN



GROUND FLOOR PLAN

Plot 22 & 28



Rear Elevation

Side Elevation



Front Elevation

Side Elevation

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REVISIONS

No.	Date	Description
1		

Client: Berkeley Homes (Western) Ltd

Site: Poundfield Cookham

Drawing Title: Plans and Elevations

Plot 22 & 28

Scale: 1:100 @ A1

Date: May 16 Issue: CIVAK SC

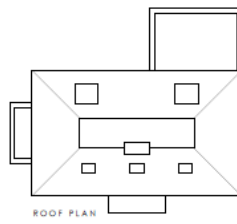
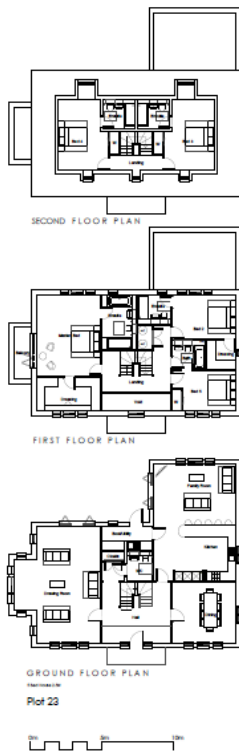
Drawing No: 2800.315 Revision: B

PLANNING

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Appendix I



KEY

Architectural symbols and their corresponding descriptions.

Client: Berkeley Homes (Western) Ltd

Job: Poundfield Cookham

Drawing Title: Plans and Elevations

Plot 23

Scale: 1:100 @ A1

Date: May 16, 2016

Drawing No: 2800.316

Revision: A

PLANNING

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JHB HARWOOD ARCHITECTS

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 3

Application No.:	16/02730/FULL
Location:	Land To Rear of Stable Cottage Poundfield Lane Cookham Maidenhead
Proposal:	Erection of dwelling with detached double garage
Applicant:	Mr And Mrs Kent
Agent:	Mrs Ged Brockett - The Complete Oak Home
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward
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 The application site forms part of a larger area known as Poundfield. Poundfield has a lengthy and complex planning history, which reflects the pressure to build on it. Details of this history are set out further in the report, but the current situation is that the land, including the application site, is not within the designated Green Belt boundary. The application site is however within the Cookham High Street Conservation Area.
- 1.2 The Conservation expert consulted on this application has advised that the association of Cookham with the work of Sir Stanley Spencer puts the Cookham High Street Conservation Area at an international level of importance. For this reason building a dwelling on this site would cause substantial harm to an exceptionally significant heritage asset. National Planning Policy advises that, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, planning permission should be refused.
- 1.3 Paragraph 133 of the NPPF advises that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In terms of public benefits, it is acknowledged that the proposal would contribute to the Borough's housing stock. However, while the proposed designation of the site as a Local Green Space in the emerging Borough Local Plan cannot be afforded any weight at this stage, it is clear from the evidence provided that the proposal would substantially harm the Cookham High Street Conservation Area and all that it entails. This Conservation Area is an exceptionally significant heritage asset and the benefits of providing 1 dwelling to the Royal Borough's housing stock does not outweigh the substantial harm caused.

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.	Substantial harm to the Cookham High Street Conservation Area which is an exceptionally significant heritage asset. No substantial public benefits exist to outweigh the harm to the heritage asset. Contrary to policies DG1, CA2, LB2 RBWM LP, G4.5 and G14.1 of the Cookham Village Design Statement SPD (Adopted May 2013) and paragraph 133 of the NPPF.
2.	In the absence of an adequate evaluation the proposal would likely adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to Policy ARCH3 of the Local Plan.
3.	Would result in loss of open space that is highly valued by the community as a place of tranquillity in the heart of the settlement. The proposal would substantially harm the visual amenity and enjoyment of the place and is therefore contrary to paragraph 74 of the NPPF.

2. REASON FOR PANEL DETERMINATION

- The Head of Planning considers it appropriate that the Panel determines the application.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises part of the extended rear garden of Stable Cottage, Poundfield Lane. The land is approximately 0.18 hectares, laid to lawn and enclosed by fences, hedges and trees. Access to the site is via a single width drive off Terry's Lane.
- 3.2 The site is located in an area of land known as Poundfield and once formed part of the garden of Englefield House, a Grade II listed building. Stable Cottage is located in the Green Belt but the application site is not. It is however within the Cookham High Street Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission for a detached four bedroom house with a linked detached workshop and double garage. The dwelling would be positioned towards the northern boundary and measures 18.3m wide, 9.9m deep and approximately 8m high, plus the attached single storey garage/workshop measures 9.4m by 6.8m deep. The proposed dwelling has been designed to have the appearance of a converted barn.
- 4.2 As the application site is included within the area of land known as 'Poundfield', its planning history is lengthy. The table below therefore sets out a summary of this:

Date	Application / Event	Decision/outcome
1967 - 1973	Four planning applications for residential development refused planning permission.	Appeals were dismissed on highway grounds. All Inspectors and the Minister at the time accepted that the site was physically suitable for residential development.
1985	Berkshire County Council adopted the Green Belt Local Plan for Berkshire.	Poundfield excluded on the ground that the site's suitability for development had been established by a series of appeals (subject to the resolution of access difficulties) and thus to transfer to the Green Belt was not appropriate.
1985	Draft Maidenhead and District Local Plan allocated land at Poundfield for housing.	This Plan was not adopted.
1989	Outline planning permission sought for two alternative residential development schemes on the Poundfield site.	Both schemes proposed 25 sheltered housing units, together with either 88 or 66 houses.
21 April 1991	The Secretary of State dismissed both appeals.	The Planning Inspector recommended that planning permission be granted, however the Secretary of State disagreed.
1992	Draft Berkshire Structure Plan deposited.	Poundfield excluded from the Green Belt. This Plan was later adopted in 1995.
1993	RBWM published its consultation draft for the new Local Plan.	Two main fields to the east of Poundfield Lane were designated as Areas of Important Urban Open Space. Cookham Conservation Area was extended to include the houses to the west of the Lane.
1994	Deposit draft of the new Local Plan published with Green Belt boundary revisions.	The Plan identified Poundfield within the Green Belt.
1995	Appellants object to the proposed Green Belt boundary revisions.	An Inspector hears the objections but proposes no modifications.
30 July 1999	RBWM adopt the Royal Borough of Windsor and Maidenhead Local Plan/	The Plan includes land at Poundfield within the Green Belt for the first time.
31 March 2000	Appellant's application to the High Court, pursuant to s287 of the Town and Country Planning Act 1990, to quash the Local Plan in respect of the Objection Site (which includes the land forming the current application site). Permission to appeal is granted because of the potential wider importance of the matter.	The Local Plan is adopted and land at Poundfield (hereinafter referred to as the Objections Site) is Green Belt for the time being.
7 February 2001	Appeal allowed and the RBWM decision to adopt the Local Plan was quashed in so far as it relates to the Objection Site.	The extent of the Objection Site is identified by a plan attached to the Court Order dated 7 th February 2001 and includes the application site.

3 March 2001	RBWM submit an application seeking leave to appeal the decision of the Court of Appeal.	
25 July 2001	RBWM application for leave to appeal is denied by the House of Lords Appeal Committee.	
2001	All the land within the Poundfield area which had been identified in the 1999 Local Plan as Green Belt (including the current application site) was removed from the Green Belt.	The land removed from the Green Belt designation mistakenly included land which did not fall within the Objection Site. RBWM had incorrectly removed land which had lawfully been designated Green Belt from the Green Belt boundary.
September 2001	Land outside of the Green Belt within the Poundfield area, but outside of the Objection Site, that had been mistakenly taken out, is reinstated.	
July 2007	Application 07/01333 Planning permission granted for the erection of a timber outbuilding.	The assessment of this application was on the basis of Green Belt policy, (as well as the policy in respect of the Conservation Area). It was incorrect to assess the proposal in terms of Green Belt policy as the site was not in the Green Belt, but formed part of the Objection Site.
2014	RBWM receives an allegation that land within the Objection Site which in 2001 did not belong to the Appellants should be returned to the Green Belt.	The Court had ordered that the Local Plan should be quashed insofar as it relates to the Objection Site. The fact that parts of the Objection Site were not owned by the appellants was not relevant to the decision reached by the Court. Although the judgement refers to the appellant's land, the application related to the Objection Site and the Court order specifically states that the Local Plan be quashed in respect of the Objection Site. If the Council were to amend the Green Belt boundary to only exclude from the Green Belt land within the Objection Site owned by the appellants, it would be in breach of the Court.
25 th November 2014	Legal advice obtained confirms that RBWM was correct to exclude all the land in the Objection Site from the Green Belt.	Further legal advice on the matter has confirmed that the Court's decision applied to all land within the Objection Site, regardless of its ownership. The application site was correctly removed from the Green Belt pursuant to the Court order.
December 2014 and January 2015	Legal opinions sought maintain the advice that RBWM was correct to exclude all the land in the Objection Site (including the application site) from the Green Belt.	

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6, 7, 8, 11 and 12 and paragraphs 14 and 17.

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees & Hedgerows	Conservation
DG1, H10, H11	P4, T5	N6, N7	CA1, CA2, LB2

These policies can be found at

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

Supplementary planning documents

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

- Cookham Village Design Statement, Adopted May2013, including sections G4.5 and G14.1.

More information on this document 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 Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The principle of development;
- ii The impact of the proposal on the Cookham High Street Conservation Area;
- iii The impact on the living conditions of neighbours;
- iv Parking provision and highway safety;
- v Archaeological impact;
- vi Ecological impact;
- vii The impact on trees;
- viii Impact on open space;

ix Other material considerations and;

x The planning balance.

The principle of development

- 6.2 Section 14 of the NPPF advises that there is a presumption in favour of sustainable development and that for decision taking this means, unless material considerations indicate otherwise and where development plan policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted. A footnote to section 14 provides examples of specific policies where development might be restricted; these include land designated as Green Belt, Local Green Space and designated heritage sites.
- 6.3 The table in section 4.2 of this report concludes that the application site is not in the Green Belt. However, the site is located within the Cookham High Street Conservation Area, which is a designated heritage asset. The site's location within a designated heritage asset does not preclude development, but requires that the specific policies relating to that designation (in this case the policies set out in Section 12 of the NPPF), be complied with.

The impact on the Cookham High Street Conservation Area

- 6.4 The Cookham High Street Conservation Area was originally designated in 1969 by Berkshire County Council. In 1991 the boundaries were reviewed and enlarged to incorporate new areas. The boundaries were further reviewed and extended in 2002. There are two listed buildings in close proximity to the site, both Grade II: Englefield House and Pound Cottage.
- 6.5 Nationally listed buildings are by virtue of this designation of national significance. Both of the buildings in the vicinity of the proposed development are designated Grade II and of moderate-high significance.
- 6.6 The Poundfield, Pony Field and the original garden of Englefield house (which this application originally formed part of), when taken together, create an important wedge of green space between the ancient village of Cookham and the nineteenth-century and later development around the railway (Cookham Rise). Taken as a whole this space is of high significance for historical, aesthetic and communal reasons. It is an important space for maintaining the visual integrity and setting of the historic village of Cookham and separating it from later development. The space is valued by locals and visitors as an open space for walking and cycling. Its associations with Sir Stanley Spencer raise its significance to an international level. The proposed development site is also significant as being part of the original curtilage of Englefield House and thus part of its setting.
- 6.7 Views are an important element of the significance of the conservation area. The raised land of Poundfield provides opportunity for panoramic views across the village towards Cliveden in the distance. These views are available from public vantage points on Poundfield Lane and from Englefield House and its garden. These views are all of high significance for aesthetic and historical reasons.
- 6.8 The view that inspired the painting *Poundfield* (1935) by Sir Stanley Spencer includes Poundfield, the garden of Englefield House including the very prominent tree and houses beyond. Although the painting is not always topographically accurate, and the large prominent cedar tree has since been felled, this view is of the highest significance.
- 6.9 The reputation of Sir Stanley Spencer (1881-1959) as an outstanding 20th-century artist continues to grow. Observation of real life, an ambivalent attitude to the self, and a deep spirituality pervade Spencer's paintings. His use of Cookham as the setting for so many visionary subjects makes the village a popular destination for aficionados. The paintings however are not always accurate depictions of the village; he was not afraid to exercise artistic licence to aid his narratives. Many details in the smaller canvases are recognisable views and are as direct as

many of his bold portraits. In other pictures, however, artistic liberties are taken so that the spirit of the place is captured. It is this spirit which designation as a conservation area serves to protect.

- 6.10 Spencer painted more than 100 pictures in and around Cookham. Spencer's deep attachment for Cookham as a 'village made in heaven' and a place where he felt divine intervention happened, contribute to his standing out from his contemporaries. Many of the artist's Cookham-related works depict views, scenes, façades and other details. Of particular importance are the landscapes painted around Poundfield and Englefield House.
- 6.11 The association of Cookham with Sir Stanley Spencer raises the significance of the Conservation Area to an international level. Poundfield, and Englefield House are particularly important in this respect not just for the preservation of particular views, but as a key element in Spencer's inspiration, the world in which he lived and the world that he created in his art.
- 6.12 The proposal is to build a detached house in the land behind Stable Cottage, formerly part of the extensive garden of Englefield House. The NPPF requires that,
"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary."
- 6.13 The applicant's Heritage Statement contends that the proposed development does not lie within the setting of the listed Englefield House on the grounds that: the original garden of Englefield House has been subdivided and that hedges and trees will make it invisible. However, as the Heritage Statement itself points out, "The OS sheets 1888-1913 show Englefield House and its outbuildings to be the only structures in the immediate vicinity, with its grounds extending eastwards towards Terry's Lane. The application site, now within the residential curtilage of Stable Cottage, has always been within such a curtilage." This would seem an argument for why the site is within the setting of the listed building. The Heritage Statement goes on to observe that, "While the impact of a development on a listed building or its setting extends beyond what might be seen, visual appraisal is significant." I would agree with this statement. I would not, however, concede that there would be no view of the proposed residence from Englefield House. I think it is likely to be visible from the main first floor room which looks over the site.
- 6.14 The Heritage Statement makes the extraordinary claim that "As backland/garden land it makes no particular contribution to the conservation area." Space is a key quality of this part of the Conservation Area. As is apparent in the OS map quoted above, historic development is confined to the periphery of the wider Poundfield area (Pony Field, fields behind houses on The Pound, former garden of Englefield House, Poundfield north of Englefield House and between Poundfield Lane and the railway). All of these individual fields and gardens contribute to a continuous open space. This pattern of development around the periphery has been maintained into modern times. The only exception being the small stables adjoining this site. This is on a similar scale to some of the cattle sheds scattered across the Poundfield.
- 6.15 Non-designated Heritage Assets - the Spencer Factor: This section concentrates almost entirely on Spencer's painting *Poundfield*. However, it begins with the unsubstantiated statement that, "The expansion of the conservation area, north of the application site was prompted as much by the Court of Appeal's ruling on the Green Belt boundary as by the need to protect views already retained for posterity through Spencer's work." Is the Heritage Statement arguing that because Spencer recorded the view 'for posterity' in a painting it does not need to be conserved? Furthermore, the Heritage Statement suggests that the northern part of Poundfield should be recognised as a non-designated heritage asset rather than as part of the Conservation Area. The fact that the Heritage Statement is suggesting that the area be removed from designation as a conservation area is surely *prima facie* evidence of harm to the heritage asset.

- 6.16 The Heritage Statement correctly observes that, “The painting includes a good deal of artistic licence, notably the introduction of buildings into the landscape....” It then goes on to make the claim that, “The positioning of the proposed new dwelling to the rear of Stable Cottage would, ironically, be truer to the painting than Spencer might have envisaged, although the garage of the new house,... would be lower than the building in the painting....” It goes on to say that, “The new dwelling would, in a strange way, fulfil Spencer’s view of the scene...”. One must question whether the heritage asset has been “assessed using appropriate expertise” as required by the NPPF.
- 6.17 The heritage statement concludes that no harm has been caused to the listed buildings or the Conservation Area. Furthermore, that as the painting *Poundfield* is ‘idealistic’ the development causes no harm.
- 6.18 The NPPF states that,
- 132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification....*
- 133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss....*
- 134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*
- 138. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*
- 6.19 The listed buildings are of moderate-high significance. No building is being physically changed though the setting of Englefield House, in particular, is impacted. The new house would stand within the historic curtilage of the listed building. This is clearly within its setting. The applicant’s Heritage Statement argues that the new house would not be visible from the listed building. I am not satisfied that this is the case. It seems probable that the proposed development would be visible from the upstairs, east facing, windows of Englefield House. These are the principal bedrooms and were clearly designed to benefit from this view. This represents a substantial impact on a heritage asset of moderate-high significance.
- 6.20 Space is of high significance in this part of the conservation area. The former garden of Englefield House, of which the proposed development site is part, is an important part of that space. The garden (now gardens) run across the Poundfield from Poundfield Lane to Terry’s Lane. The original house and outbuildings stood at the top of the sloping site. Despite the fact that this is a garden, separating two fields, the whole area reads as one open space. To build a house in the middle of this space would represent substantial harm to a heritage asset of high significance. It is important to stress that Spencer’s painting *Poundfield* depicts not just a view, it depicts a space, and a sense of place. Compromising that space would be harmful to a heritage asset of high significance.
- 6.21 There are a many views available in and around Poundfield. Several are of moderate-high significance and some are of high significance. The proposed development would impact most on the view depicted in Spencer’s painting *Poundfield* (1935). The argument in the applicant’s

Heritage Statement that this would in some way make the view more like Spencer's painting is ridiculous. The argument that the view has changed since 1935 and is thus somehow no longer significant is perhaps even more preposterous. Building a house in such a location would constitute major harm to a heritage asset of high significance.

6.22 The Cookham High Street Conservation Area and the Poundfield specifically are of international significance on account of their association with Sir Stanley Spencer and his work. The proposed development would have a major impact on a heritage asset of high significance.

6.23 The character of the area, which a conservation area is intended to preserve and enhance, would be significantly changed by this development. An area of rural and semi-rural open space with houses of various periods around its periphery on established roads, would be divided into two fields with no visual connection between them. This would be harmful to the character and appearance of the Conservation Area.

6.24 NPPF sets out 12 Core principles

Para 17. Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: [Bullet 10] conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

6.25 The former garden of Englefield House makes a positive contribution to the high significance of the Cookham High Street Conservation Area. Although it has, since the building of the house, divided the greater part of the Poundfield into two parts, its openness allows the space to be read as one open space. Cookham and the whole of the Poundfield area is significant for its association with the work of Sir Stanley Spencer. The proposed development site features in one of his most important paintings (*Poundfield* 1935). The garden of Englefield House (of which the site was part) features in several others. The association of Cookham with Spencer is even closer than that between Constable and Dedham Vale. This is not just a question of preserving or enhancing the character and appearance of a conservation area, or assessing harm to the setting of a listed building. This conservation area is internationally significant because of its association with the artist. This particular site especially so. The applicant's heritage statement fails to recognize the significance of the heritage asset and states that (7.10) "In an area with a recognised housing shortage, the provision of even a single new dwelling would be of public benefit, when the harm to the conservation area is not only not substantial it is of no real significance."

6.26 The proposal represents substantial harm to the high significance of the Cookham High Street Conservation Area. The NPPF (133) indicates that a proposal causing substantial harm should be refused unless the harm is outweighed by the public benefit. The proposal does not represent a substantial public benefit.

6.27 The main design issues raised are:

6.28 The Design and Access Statement describes a simple form building echoing a simple linear barn structure. It is constructed in brick and timber cladding with pitched roof in clay tile and timber clad gables. The proposal is a substantial part-two, part-single storey building, it stretches east-west across the site and the two-story part occupies half the width (approximately 20m). The height (approximately 8m) and scale of the building is such that the upper part roof is likely to be visible particularly in leafless times of the year. It is noted that a number of the trees along the northern boundary of the site that provide screening are to be removed.

6.29 Notwithstanding existing screen planting, it is likely that the building would be noticeable as an urbanising feature at a particularly sensitive location and would therefore harm views and open space characteristics, and be detrimental to the character and appearance of the Conservation Area.

The impact on the living conditions of neighbours

- 6.30 The proposed dwelling would be at least 55m away from the closest residential property. Given this separation distance and the contained nature of the site, the proposal would not harm the living conditions in respect of loss of privacy, loss of light or by having an overbearing appearance when viewed from the neighbours.

Parking provision and highway safety

- 6.31 Terry's Lane is subject to a 30mph and 60mph speed limit, however the site falls within the 30mph speed limit. The road is not street lit and does not have any form of traffic calming. There is an existing access to the site that would be retained, with the existing gates to be set 5m back from Terry's Lane. The existing visibility splays are at 38m in each direction. The development has the potential generate between 8 – 16 vehicle movements per day.
- 6.32 The construction of a 4 bedroom dwelling would require the need for 3 parking spaces. The site provides sufficient parking and turning space to satisfy the Borough's requirement, together with a double garage. The plans show that there is enough room to accommodate cycle storage, although the applicant would be required to submit details of the refuse/recycling arrangements.
- 6.33 The Highway Authority has no objections to the proposal subject to a parking condition.

Archaeological impact

- 6.34 In accordance with Paragraph 128 of the NPPF, the applicant has submitted with their application an archaeological desk-based assessment prepared by Thames Valley Archaeological Services (TVAS, dated May 2016). The archaeological desk-based assessment presents the archaeological background to the application area and assesses its archaeological potential and the likely impacts of the development proposal on the buried archaeological heritage.
- 6.35 While no known heritage assets are recorded within the application area, the assessment considers its potential to contain buried archaeological remains. The prehistoric potential of the Middle Thames Valley, within which the site sits, is noted and the report goes on (page 7) to state: *'A watching brief at Spencers [now The White Oak], The Pound, not far [100m] to the south of the proposal site yielded struck flint and Late Neolithic [3,000 – 1,800 BC] grooved ware pottery, some of which was found in a small pit that was possibly of this date.'*
- 6.36 The report also sets out the importance of Cookham in the Saxon period and states (page 7): *'Cookham is thought to have middle Saxon origins and to have had a minster church by the 8th century AD...It was long thought that the focus of the Saxon settlement was around the medieval church...Recent fieldwork at Spencers, The Pound, has however revealed Saxon deposits, which has complicated what was thought to be known about the early topography of the village, suggesting that the original settlement may have been bi-focal with activity in the Poundfield area also. The location of a Saxon cemetery on the line of the railway north of Poundfield further supports the suggestion of Saxon settlement on the west side of Cookham Moor and at least one of the barrows on Cock Marsh contained an additional Saxon burial.'*
- 6.37 As regards an assessment of previous land use, the report states (page 15): *'From the earliest cartographic sources it is clear that this area north of The Pound has been just outside the edge of the medieval and post-medieval village and there is no evidence that the proposal site was used for anything other than agricultural purposes...There is therefore unlikely to have been significant disturbance of any surviving below-ground archaeological remains.'* In conclusion the assessment states (page 15): *'It may be necessary to provide further information about the potential of the site from field observations in order to draw up a scheme to mitigate the impact of development on any belowground archaeological deposits if necessary. If requested, a scheme for this evaluation will need to be drawn up and approved by the archaeological advisers to the Royal Borough...'*
- 6.38 Berkshire Archaeology has advised that the assessment report rightly notes the regional significance of Cookham in the Saxon period, including the discovery of a Saxon inhumation cemetery in the 19th century at Noah's Ark, 450m north of the application site and the discovery

in 2008 of possible Middle Saxon (6th – 7th century AD) settlement remains at Spencers (now The White Oak), some 100m to the south-east of the application site.

- 6.39 While this is not a large scale development proposal, it clearly falls in an area of high archaeological potential within previously undeveloped land. It is inherent in the contents of the desk-based assessment report that the archaeology of the site is unknown but there is a potential for significant buried remains to be present, which would be adversely impacted by the development proposals. In Berkshire Archaeology's view there is, therefore, currently insufficient evidence to understand the potential impact of the proposal on the buried archaeological heritage. The application should therefore not be determined until further information is obtained through field evaluation. This is anticipated by the applicant's archaeological consultant as set out on page 15 of their desk-based assessment report.
- 6.40 Berkshire Archaeology's advice is in accordance with Paragraph 128 of the NPPF which states that *'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting...Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'*
- 6.41 Historic England's Good Practice Advice on Managing the Historic Environment - Note 2 states (paragraphs 30 and 31) that some heritage assets *'...will currently hold only archaeological interest, in that nothing substantial may be known about the site and yet there is a credible expectation that investigation may yield something of strong enough interest to justify some level of protection. For sites with archaeological interest, whether designated or not, the benefits of conserving them are a material consideration when considering planning applications for development'*.
- 6.42 Policy Arch 3 of the Royal Borough of Windsor and Maidenhead Local Plan (adopted June 2003) also states that *'Planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites and monuments of unknown importance and areas of high potential unless adequate evaluation enabling the full implications of the development on matters of archaeological interest is carried out by the developer prior to the determination of the application'*.
- 6.43 It is recommended that the evaluation takes the form of exploratory trial trenching in those areas of the proposal that will impact on buried archaeological remains. Should the Royal Borough not be minded to follow our advice, we would strongly recommend that a condition requiring a programme of archaeological work is attached should the proposal be permitted.

Ecological impact

- 6.44 The submitted Preliminary Ecological Appraisal (Phase 1 Habitat and Ecology Survey) of Land to Rear of Stable Cottage, Poundfield Lane, Cookham, Berkshire (CGO Ecology Limited, August 2016) has been assessed by the Council's Ecologist.
- 6.45 In terms of protected species, no evidence of bats, badgers, dormice, great crested newts or important invertebrates were recorded during the ecology survey. A small area of habitat suitable to support reptiles was recorded around the base of the hedgerows. All native species of reptile are protected from killing and injury under the Wildlife and Countryside Act (1981) as amended. In addition, all common native species of reptile are Species of Principal Importance under Section 41 of the NERC Act 2006 and receive further protection through national planning policy. It is understood that all hedgerows are to be retained and that a new hedgerow is proposed in order to increase connectivity around the site and therefore no further survey or mitigation is required with regards to reptiles. Should large areas of the hedgerows be removed, it is recommended that a reptile mitigation strategy is prepared in order to safeguard reptiles during development.
- 6.46 The trees and hedgerows on site have the potential to support breeding birds. Breeding birds, their eggs and active nests are protected under the Wildlife and Countryside Act 1981, as amended. The applicant's ecologist has provided recommendations for the protection of breeding birds during development including removal of vegetation outside the breeding bird season (which spans from March to August inclusive).

Should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice be incorporated into a suitably worded condition or Informative Note.

- 6.47 Paragraph 109 of the NPPF states that: “The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”. In addition, Section 40 of the Natural Environment and Rural Communities Act 2006 states that “Every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.
- 6.48 The applicant’s ecologist has recommended a number of biodiversity enhancements for the site including installation of bird and bat boxes, wildlife friendly planting, hedgehog friendly fencing and sensitive lighting. Should the Local Planning Authority be minded to grant planning permission, it is recommended that a suitably worded planning condition is included requiring the applicant to incorporate all the of biodiversity enhancements recommended within the ecology report.

The impact on trees

- 6.49 The Tree Officer has advised that there are no arboricultural objections to the proposed development. If the planning department is minded to grant planning permission for the proposed dwelling it is recommended that conditions in relation to tree protection, tree replacement and landscaping are imposed.

Impact on open space

- 6.50 The NPPF states that, “access to high quality open spaces... make an important contribution to the health and well-being of communities” (paragraph 73) and that “open space should not be built on”, unless it is surplus to requirements, can be replaced by an equivalent or better open space, or if the need for the development would clearly outweigh the loss (paragraph 74). Annex 2 of the NPPF explains that the term ‘open space’ means all open space of public value, which offers important opportunities for sport and recreation and can act as a visual amenity. This undeveloped site makes an important contribution to the open space in the area, which is highly valued by the community. Building on this site would cause substantial harm to the visual amenity and community’s enjoyment of the place, and is contrary to paragraph 74 of the NPPF.

Other Material Considerations

Housing Land Supply

- 6.51 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites. It is acknowledge that this scheme would make a contribution to the Borough’s housing stock, which weighs in its favour.

The planning balance

- 6.52 Paragraph 133 of the NPPF advises that where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.
- 6.53 In terms of public benefits, it is acknowledged that the proposal would contribute to the Borough’s housing stock. However, while the proposed designation of the site as a Local Green Space in the emerging Borough Local Plan cannot be afforded weight at this stage, it is clear from the evidence provided that the proposal would substantially harm the Cookham High Street Conservation Area and all that it entails. This Conservation Area is an exceptionally significant

heritage asset and the benefits of providing 1 dwelling to the Royal Borough's housing stock does not outweigh the substantial harm caused.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. The tariff payable for this development is to be advised.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

19 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 15th September 2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 1st September 2016.

No letters were received supporting the application

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

Comment	Where in the report this is considered
1. This land has never been identified as suitable for housing.	4.2
2. The Council has voted unanimously for this site to be included in a designated Local Green Space.	6.53
3. The developers are relying on local 'protest fatigue' to play the planning system.	Noted.
4. This is backland development.	6.4 – 6.29
5. The site is part of the setting for some of Sir Stanley Spencer's iconic landscape paintings. Views inside and across the site are important both for their amenity value and connections with Stanley Spencer. The development will block important views.	6.4 – 6.29
6. In 1991 the then Secretary of State made clear that the setting of the listed buildings could be harmed by development on Poundfield.	4.2
7. The boundary line for site is incorrect and part of the lane (drive) is owned by the neighbours at Paddocks End. This lane is not strong enough to take further traffic and it requires suitable drainage. Concern relating to the potential damage the development may have on Paddocks End.	This is not a planning matter.
8. There is a restrictive covenant with the land, which prohibits the owners building on it.	This is not a planning matter.
9. Will lead to an increase in traffic on the already congested country lanes.	6.31 – 6.33
10. Will add to the burden on local services.	7.1
11. The loss of open land will be significant, yet only one home will be provided which is insignificant in terms of housing needs.	6.53
12. The site is in the Green Belt – There are no very special circumstances to warrant the proposal.	4.2
13. The applicants have objected to the other Poundfield applications, but their objections apply equally to their own application – seems hypocritical.	Noted
14. The development would have an overbearing impact on the neighbouring properties.	6.30
15. Saxon remains could be on the site.	6.34 – 6.43
16. Loss of trees including a large mature Ash.	6.49
17. Loss of an important wildlife habitat.	6.44 – 6.48

18.	The proposed dwelling is completely out of keeping and character in relation to the listed cottage on Terry's lane and proposes considerable and disproportionate bulk and mass in relation to the other bungalows and cottages on the west side of Terry's Lane.	6.4 – 6.29
19.	This needs to be preserved and protected for the good of everyone.	6.53
20.	The site is within the Conservation Area. The proposal is contrary to Policy CA2 of the Local Plan and the Cookham Village Design Statement.	Reasons 1 and 3.
21.	The proposed construction is simply morally wrong for the residents of Cookham.	Noted

Consultee responses

Consultee	Comment	Where in the report this is considered
Cookham Parish Council	Overdevelopment in area considered to be vital Open Green Space.	6.4 – 6.29
The Cookham Society	Objects – Contrary to Policy CA2 of the Local Plan and the Cookham Village Design Statement. Will be overbearing and out of keeping with rural surroundings. Will harm the setting of Englefield House, a Grade II Listed building. Will harm several views painted by Sir Stanley Spencer.	6.4 – 6.29
Conservation	Objection – would cause substantial harm to an exceptionally significant heritage asset.	6.4 – 6.29
Highway Authority	No objection, subject to a parking condition.	6.31 – 6.33
Berkshire Archaeology	Inadequate evaluation of archaeological importance.	6.34 – 6.43
Ecology Officer	No objection subject to conditions.	6.44 – 6.48
Tree Officer	No objection subject to conditions.	6.49
Environmental Protection	No objection subject to informatives in respect of dust control, smoke control and permitted hours of construction.	Noted

9. APPENDICES TO THIS REPORT

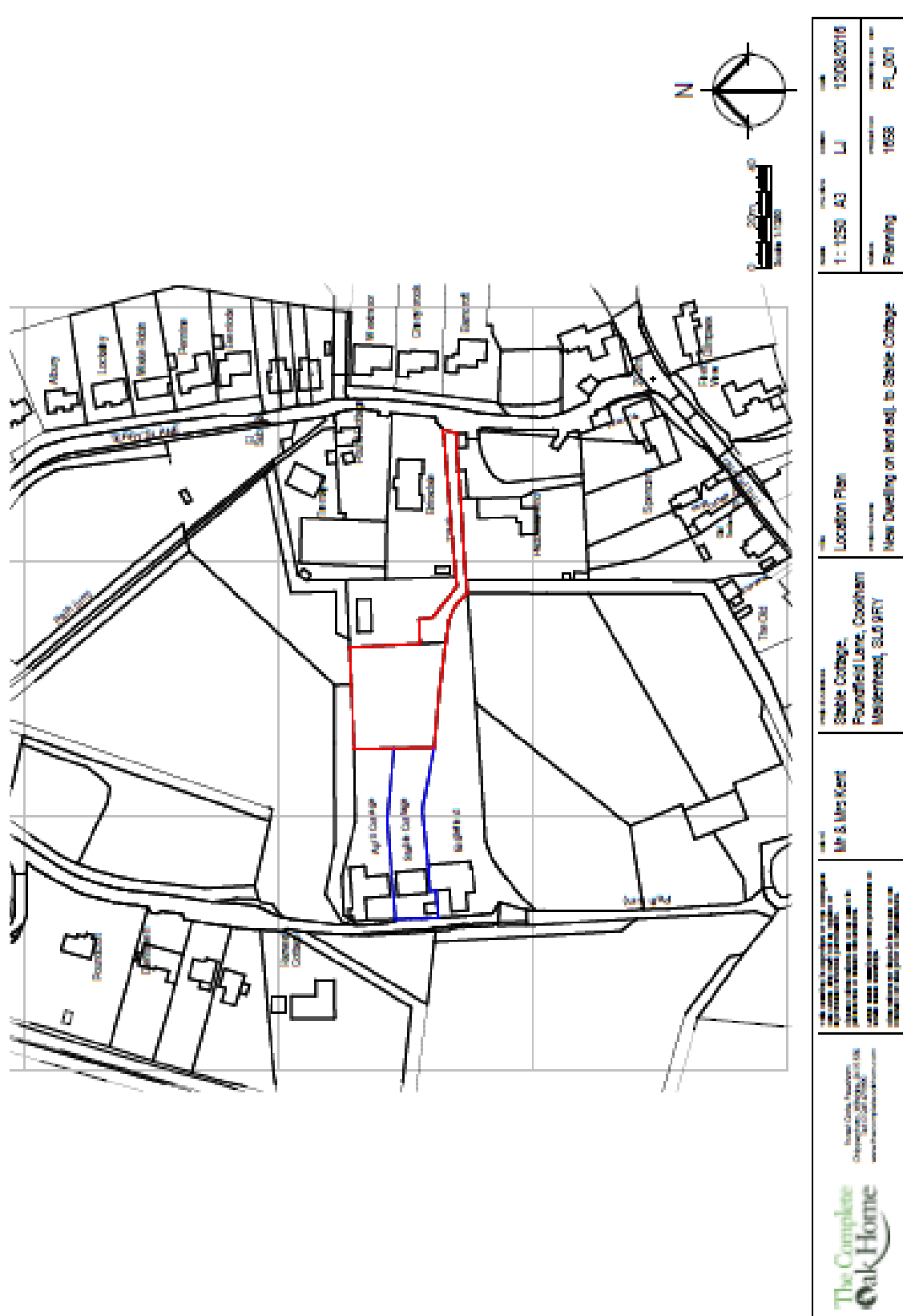
- Appendix A - Site location plan
- Appendix B – Site layout plan
- Appendix C – Front elevation
- Appendix D – Rear elevation

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

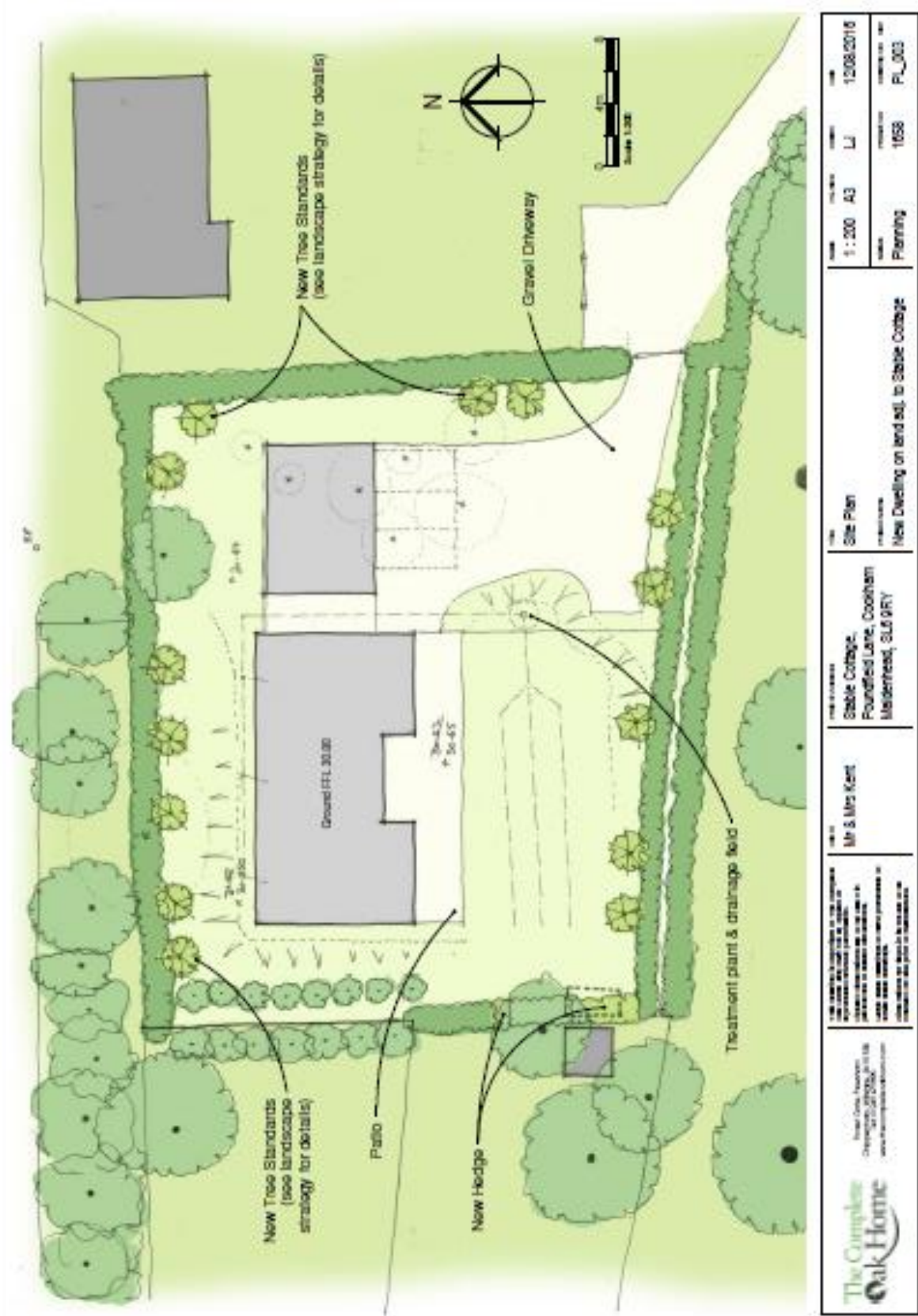
- 1 The proposal, by reason of its siting and scale, will lead to substantial harm to the Cookham High Street Conservation Area, which is an exceptionally significant heritage asset. The NPPF advises local planning authorities to refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. In this case, no substantial public benefits exist that outweigh the harm to the heritage asset. The proposal is therefore contrary to saved policies DG1, CA2, and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted in June 2003), G4.5 and G14.1 of the Cookham Village Design Statement SPD (Adopted May 2013) and paragraph 133 of the NPPF.
- 2 In the absence of an adequate evaluation, it has not been demonstrated to the satisfaction of the local planning authority that the proposal would not adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to saved policy ARCH3 of the Local Plan.
- 3 The proposed development, by reason of its siting, would result in loss of open space that

contributes to important open space with historical significance that is highly valued by the community as a place of tranquillity in the heart of the settlement. The proposal would substantially harm the visual amenity and enjoyment of the place and is therefore contrary to paragraph 74 of the NPPF.

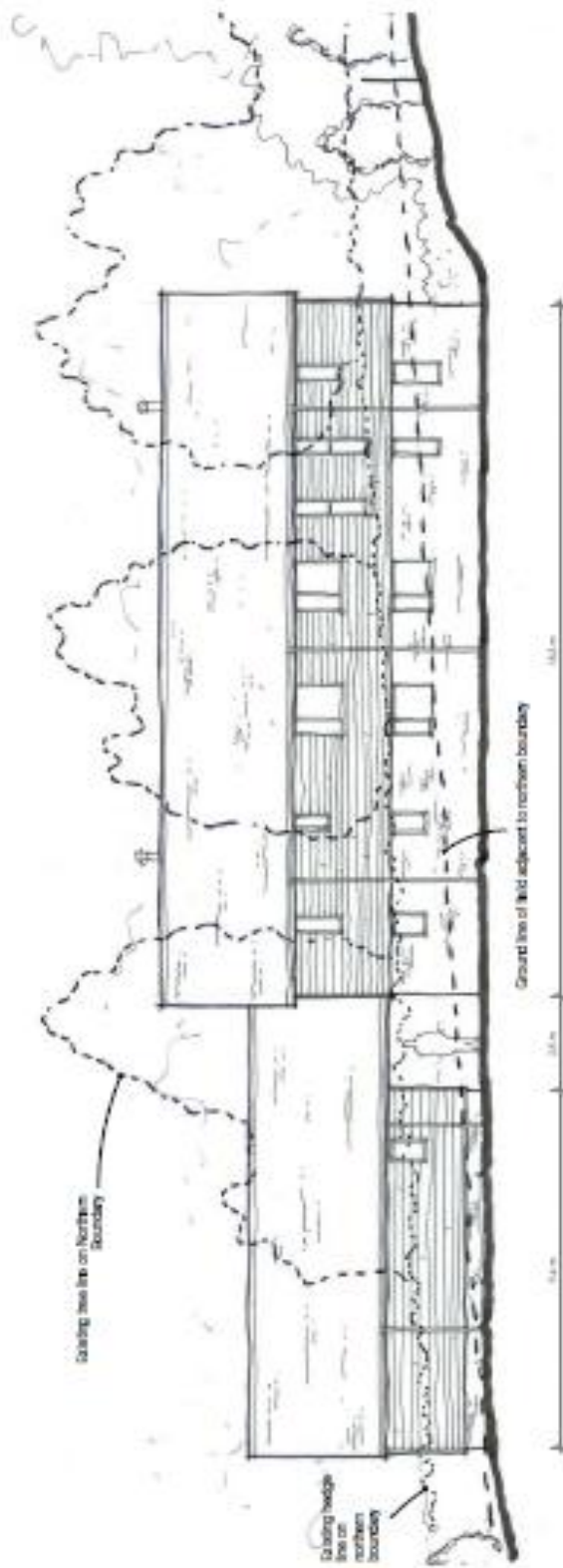
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<p>Scale 1: 1050 A3 LJ</p> <p>Date 15/08/2018</p> <p>Author Planning</p> <p>Project No. 1058</p> <p>Revision No. PL_001</p>	<p>Title Location Plan</p> <p>Project Name New Dwelling on land adj. to Stable Cobble</p>	<p>Site Address Stable Cobble, Fountain Lane, Cootham Maldenhead, SU3 9RT</p>	<p>Client Mr & Mrs Kent</p>	<p>Notes This plan is for information only and is not to be used for any other purpose without the written consent of The Complete Oak Home. It is not to be used for any other purpose without the written consent of The Complete Oak Home.</p>	<p>The Complete Oak Home Local Planning Services Complete Oak Home Ltd www.completeoakhome.com</p>
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<p>The Complete Oak Home Local Craft, Traditional Cherrywood, 2025, 1118 www.thecompleteoakhome.com</p>	<p>1:200 A3</p> <p>1:200 A3</p> <p>1:200 A3</p>	<p>1208/2018</p> <p>1208/2018</p> <p>1208/2018</p>	<p>1058</p> <p>1058</p> <p>1058</p>	<p>PL003</p> <p>PL003</p> <p>PL003</p>



Scale 1:100

 <p>Local Craftsmen Chesterfield, Derbyshire, UK www.thecompleteoakhome.com</p>	<p>Mr & Mrs Kent</p>	<p>Stable Cottage, Poundfield Lane, Coocham Mansfield, SLE6 9YU</p>	<p>North Elevation New Dwelling on land adj. to Stable Cottage</p>	<p>DATE: 1:100 AJ LJ 12/08/2010</p>
				<p>PROJECT NO: 1058</p>

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 4

Application No.:	16/03011/FULL
Location:	17 Castle Hill Maidenhead SL6 4AD
Proposal:	Demolition of existing dwelling and replacement with 12no. apartments and modifications to existing gatehouse (retained as a 1-bedroom dwelling), associated parking and landscaping
Applicant:	Mr Murray
Agent:	Mr T Rumble
Parish/Ward:	Maidenhead Unparished/Boyn Hill Ward

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 redevelopment of the site for housing would boost the Borough's supply of housing and be of clear benefit.
- 1.2 17 Castle Hill and The Gatehouse are not considered to be of any particular architectural merit or historic interest and therefore unworthy of listing and so the loss of no. 17 and the partial demolition of The Gatehouse are considered to result in less than substantial harm to Castle Hill Conservation Area provided that the replacement building and alterations to The Gatehouse preserves and enhances its special character. The new building will be substantial in size but following negotiation and amendments to the form, design and detailing it will assimilate well into its surroundings. The bulk and mass will be 'broken up' through its form and the use of a stepping arrangement to the facades, architectural features and materials. Its appearance would also reflect Castle Hill Conservation Area and wider locality with a good level of detailing throughout the facades. It is therefore considered to preserve the character and appearance of the area. Neighbours have been consulted on these changes and any further comments received will be reported in the panel update.
- 1.3 The new building and Gatehouse extension has been sited and designed to ensure it will not significantly affect the living conditions of existing occupiers of neighbouring properties. While an increase in use of Folly Way which is over and above the existing situation, the number of trips is not considered to result in a materially harmful level of noise and disturbance to justify refusal.
- 1.4 There would be an increase in vehicular movements along Folly Way, which is a shared surface. Folly Way ranges from 5.94m to 6.0m wide and based upon the Borough's design standard a 4.80m path can be used as a shared surface, while National Guidelines from Department of Transport in Manual for Streets states that a 4.10m wide path is sufficient for two cars to pass. As such, it is considered that Folly Way is acceptable in respect of highway safety and flow in this respect. Parking meets the adopted, maximum parking standards of the Council.
- 1.5 The proposal is considered acceptable in relation to trees, ecology, sustainable drainage, archaeology.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.
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2. REASON FOR PANEL DETERMINATION

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

Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site, measuring 0.1 hectares, is located on the east side of Grenfell Road and south Castle Hill (A4). The site currently comprises of a detached, two-storey single family dwelling house in an arts and crafts style, dating from the 1920s. To the southwest of the site is a Gatehouse, dating c.1890, which is castle-like in appearance with arches across the main entrance. This building contains a self-contained flat. Neither buildings are listed, but both lie within the Castle Hill Conservation Area. There are also a number of listed buildings on the opposite (north) side of Castle Hill including no. 2, 4, 7 and 9 Castle Hill.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposal is for the demolition of the existing house and erection of a new two-storey building with accommodation in the roof space, comprising of 12 x 2-bed residential flats. Communal amenity space for the flats would be located to the east, fronting onto Castle Hill, while a parking area providing 13 car parking and turning spaces would be located to the west of the building. The access to the site is via the existing vehicular access onto Grenfell Road via Folly Way. It is intended to reinstate the former pedestrian gateway onto Castle Hill at the south eastern corner of the site. The proposal also includes the refurbishment of the existing Gatehouse, which is currently a 1-bedroom dwelling. This includes the removal of the first floor level which extends across the access and an extension to the Gatehouse to the north-west.

4.2

Reference	Proposal	Decision
13/02836/CAC	Consent to demolish a boundary wall within a conservation area	Approved - 18.11.2013
13/02784/FULL	Rebuilding of existing first floor structure over gate entry and ground floor and first floor side extensions	Approved – 18.11.2013
13/00701/FULL	Four dormer windows to loft conversion	Approved - 15.04.2013
11/01242/FULL	First Floor side and single storey side extension the Gatehouse	Approved – 01.07.2011
10/00542/FULL	Four dormer windows to loft conversion	Approved – 10.05.2010
00/35116/FULL	Single storey rear extension, installation of two no. dormer windows to side elevation, two storey bay window to front elevation and erection of a front porch	Approved – 03.04.2000
99/34207/FULL	Single storey and two storey rear extension, and two storey front bay window	Approved – 24.08.1999

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

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

National Planning Policy Framework Sections 6, 7, 11 and 12

Royal Borough Local Plan

Within settlement area	Highways and Parking	Trees
DG1, CA2, LB2, ARCH3, ARCH4, H10, H11, Plan NAP4	P4, T5, T7	N6

These policies can be found at
https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Other Local Strategies or Publications

- 5.2 Other Strategies or publications relevant to the proposal are:
- RBWM Parking Strategy which can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning
 - Conservation Area Map which can be found at:
https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Principle of Development
- ii Design and Appearance
- iii Amenity for Neighbouring Properties
- iv Highway and Parking Issues
- v Other Material Considerations

Principle of Development

6.2 The aim to significantly boost the supply of housing represents a key element of national planning policy, as set out at NPPF paragraph 47, and in this context the net gain of housing within an urban area would be a clear benefit of the scheme and therefore acceptable in principle, subject to other considerations.

Design and Appearance

6.3 The NPPF requires development to be of good design and take the opportunity for improving the character and quality of an area and the way it functions. Development should optimise the potential of the site to accommodate development and respond to the local character and history of local surroundings and should be visually attractive. Local Plan policy H10 and H11 require new residential schemes to display high standards of design and landscaping in order to create attractive safe and diverse residential areas and where possible to enhance the existing environment. Permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area. Furthermore, as the site is located in Castle Hill Conservation Area policy CA2 is relevant and requires the retention of any buildings that contribute to the distinctive character of the conservation area; new development to enhance or preserve the character of appearance of the area; and new buildings and extensions to be of a high design which is sympathetic in terms of siting, proportions, scale, form, height, materials and detailing to adjacent buildings and the area in general.

The Demolition of 17 Castle Hill and Part Demolition of The Gatehouse

6.4 Located within Castle Hill Conservation Area, 17 Castle Hill and The Gatehouse are designated Heritage Assets. To accord with paragraph 128 of the NPPF an assessment on the impact to the heritage asset to establish the level of harm is required. In this case, while no. 17 Castle Hill and The Gatehouse are attractive buildings it is not considered to be of any particular architectural or historic interest and therefore unworthy of listing. As such, the total loss of no. 17 and the partial demolition of The Gatehouse are considered to result in less than substantial harm to Castle Hill Conservation Area provided that the replacement building and alterations to The Gatehouse preserves and enhances its special character.

Pattern of Development and Density

- 6.5 The buildings in the area predominately comprise a mixture of detached houses, mews and terrace houses, and multi-storey residential blocks. In general these multi-storey blocks are modern, but sit within the pre-existing curtilage of their predecessors. In this context the redevelopment of the site for a block of flats is not considered to be unduly out of keeping. It is also considered that the proposed footprint of the new building is proportionate to the plot. There is no objection to the 'c' shape which is considered to be an efficient use of space and would also help break-up visual mass and bulk. In respect of bulk and mass there would be sufficient space around the building so as not to appear overly cramped within the site. The communal amenity space is located to the north-east edge of the site fronting Castle Hill and the proposal seeks to retain the existing boundary treatment that partly comprises of trees and mature vegetation, which is welcome given the existing green edge along this road. As such, the proposed pattern of development and density sufficiently preserves the character of Castle Hill Conservation Area and wider locality.

Building Design

- 6.6 As originally proposed there were concerns over the building's height, wall dormers, narrow width gables, and tall windows. This resulted in a vertical emphasis, resulting in a building that appeared disproportionately tall, which would have been at odds with the prevailing horizontal emphasis that characterises buildings within the locality. Following negotiation a revised scheme was submitted that reduced the overall height by 0.6m and the eaves were lowered by approximately 1m. The dormers were also re-sited so that they sit within the roof slope, widened and with shorter windows. These alterations results in more balanced proportions and harmonious appearance. The proposal still incorporates a crown roof. While there are examples within the wider locality, it is considered that crown roofs are not particularly characteristic of the area, but given its 'c' shape and the pitch the crown roof and its bulk is not considered to be overly prominent in this case.
- 6.7 There is a more defined style on the north side of Castle Hill with the older houses within the Conservation Area being in a Classical style. The character to the south is more difficult to categorise but appears to be in the style of Victorian architecture. As originally submitted the general style of the proposed building appears to be in the style of arts and crafts which is considered to be appropriate with the Victorian character of this part of Castle Hill Conservation Area. The revised plans included detailing such as horizontal banding, which reinforces the more horizontal emphasis to the building when compared to the submitted drawing. A stronger, more imposing porch to reflect those within the Castle Hill Conservation Area and wider area has also been included. Given that architectural detailing is fundamental to achieving a high quality arts and crafts building that would preserve/enhance the character of the conservation area and wider locality, it is recommended that such detailing and details of all external materials be secured by conditions 2 and 4.
- 6.8 In relation to the Gatehouse, it is considered that the scale and design of the first floor extension is not disproportionate or out keeping with the host. The ad-hoc placement, size and style of windows are also considered to be acceptable given the existing ad-hoc appearance which forms part of its character. Details of materials and architectural detailing would be secured by conditions 2 and 4.

Streetscene and Setting

- 6.9 While the scale of the new build is substantially larger than the existing dwelling, it is not considered to be unduly obtrusive or intrusive from Castle Hill or Folly Way. The building is set back from the public highway, and the 'c' shape, stepped façade and architectural detailing including gables and bay windows is considered to sufficiently break up visual bulk and mass. It is also noted that the site is not particularly prominent within the Castle Hill streetscene, which is a main thoroughfare, given the changes in ground level between the site and public highway and existing screening from the brick wall and mature vegetation along the Castle Hill boundary. As it traverses the area from east to west, Castle Hill roadway lies in a cutting, and as a result front gardens and houses stand at a considerable height above the road. The boundary wall and

vegetation along Castle Hill, which provides substantial screening from Castle Hill, is also considered to be a key feature of Castle Hill Conservation Area and proposed to be retained.

- 6.10 The proposal is considered proportionate to the plot and the space around the building is considered to provide an adequate setting for the proposed building. The proposal incorporates a lawn area and proposes to retain the existing wall and mature vegetation along the north-east and southern boundary. This is considered to provide an acceptable interface with Castle Hill, makes a positive contribution to Castle Hill Conservation Area, and would not harm the setting of the Listed Buildings opposite. Details of landscaping and its maintenance can be secured by condition 7.
- 6.11 Overall, the proposal is considered to meet the aims and objectives of the NPPF and Local Plan policies DG1, CA2, H10 and H1, and in reaching this conclusion the Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the Castle Hill Conservation Area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Neighbouring Amenity

- 6.12 Core Principle 4 of the NPPF seeks to secure a good standard of amenity for existing and future occupants, while Local Plan policy H11 states that new development will not be permitted if it causes damage to the amenity of the area.

Castle Hill Terrace

- 6.13 The road separates the site from properties on the northern side of Castle Hill at Castle Hill Terrace with a separation distance of approximately 22m. At this distance the proposal would not significantly harm the outlook from these houses or lead to an unacceptable loss of daylight/sunlight or privacy.

19 Castle Hill

- 6.14 There is a separation distance of approximately 15m between the nearest proposed elevation, and 19 Castle Hill. Due to the 'c' shape the nearest elevation is also the narrowest and angles away from the shared boundary, the house at no. 19 and their main garden area. As such it is not considered to significantly harm the outlook for this neighbouring property or result in undue loss of daylight/sunlight or loss of privacy.

118A Grenfell Road

- 6.15 The proposal is not considered to result in undue loss of amenity to this property in terms of loss of light, visual intrusion or loss of privacy given the separation distance of approximately 11m from the nearest proposed elevation to the shared boundary and the pitched roof, double garage and link extension at no. 118A to the front of the property and along the shared boundary.

Lavender and Jasmine Cottage, Folly Way

- 6.16 Lavender and Jasmine Cottage is separated from the site by Folly Way, which measures approximately 3.5m in width, while the proposed building is offset from the shared boundary with Folly Way by approximately 6.5m at its closest point, but due to the shape and orientation of the building the mass and bulk would recede from this closest point to a distance of approximately 11m. Therefore, while there would be an increase in presence of built development when seen from Lavender and Jasmine Cottage it is not considered that the proposal would result in undue visual intrusion or loss of daylight/sunlight to these neighbouring properties. In terms of privacy, there are new windows which would face Lavender and Jasmine Cottage but given that these windows would face the front of Lavender and Jasmine Cottage, the 6.5 to 11m separation distance from the shared boundary and Folly Way, it is not considered to result in an undue loss of privacy.

Castle Mews

- 6.17 The existing first floor to The Gatehouse sits over the entrance way to the site and extends approximately 3.5m along the shared boundary with no. 8 Castle Mews. It is proposed to remove the existing first floor over the entrance and extend approximately 5.8m further along the boundary with no. 8 Castle Mews at first floor level. The proposed extension would enclose an approximate 2.3m gap that currently exists between the end of the existing first floor at the Gatehouse and the front elevation of no. 8 Castle Mews but this is not considered to be unduly harmful to neighbouring amenity in terms of visual intrusion or loss of light as the additional mass subtend a 45 degree angle taken from the mid-point of the nearest window. The extension also stops short of the first floor side window to the flank elevation at no. 8 and would not extend across it. No rear windows are proposed that would look directly into this neighbouring site.
- 6.18 Local residents have raised concerns over the increase in noise and disturbance to the properties forming Castle Mews as their rear windows and gardens back onto Folly Way. The rear garden from the rear of the houses to the rear boundary measures approximately 6.7m in depth. The proposal would result in an increase in use of Folly Way with a potential to generate between 48 and 96 vehicular trips per day. While this is an increase over the existing situation, the number of trips is not considered to result in a materially harmful level of noise and disturbance to justify refusal.

Highway and Parking Issues

Access

- 6.19 Local Plan policy T5 states that all development proposals shall comply with adopted highway design standards. Concerns were raised by local residents over the creation of a 'crossroad' on Grenfell Road as Folly way is opposite Boyn Hill Avenue. The visibility at the access for vehicles and pedestrian with Folly Way and Grenfell Road are as existing and are acceptable. Furthermore, National Guidelines from Department of Transport in Manual for Streets consider that 'crossroads' minimise diversion from desire line for pedestrians when crossing the street and they make it easier to create permeable and legible street networks.
- 6.20 Concerns have also been raised by local residents over the intensification of use of Folly Way and the potential for conflict between vehicles and pedestrians, and vehicles travelling in the opposite direction. A typical development of this size has the potential to generate between 48 and 96 vehicular trips per day. Folly Way ranges from 5.94m to 6.0m wide and is a shared surface (a path without a defined footway but shared by both pedestrian and motorist). Based upon the Borough's design standard a 4.80m path can be used as a shared surface, while National Guidelines from Department of Transport in Manual for Streets states that a 4.10m wide path is sufficient for two cars to pass, whilst a 4.80m width is sufficient for a large vehicle and a car to pass. As such, it is considered that Folly Way is acceptable in respect of highway safety and flow in this respect.

Parking and Servicing

- 6.21 Local plan policy requires development to meet adopted parking standards, while policy T7 seeks to ensure that development makes appropriate provision for cyclists. The development comprises of 12 x 2-bed flats and retains the existing 1-bed unit at the Gatehouse. With reference to car parking spaces, the proposal meets the adopted parking standards of the Council with 13 spaces. The Borough's current Parking Strategy 2004 is a maximum standard with no allowance given for visitor/delivery parking space. In terms of cycle parking, two cycle storage facilities are proposed at the site. Further details to show that adequate cycle parking can be accommodated within the two proposed stores and approval of such details can be secured by condition 11.
- 6.22 Waste and recycling stores are also proposed at the site. To ensure the stores can accommodate the adequate number and sizes of bins further details can be secured and approved by condition 12. Currently the refuse collection for 17 Castle Hill and the residential properties in Castle Mews are undertaken by refuse vehicles reversing along Folly Way from Grenfell Road. This development proposes no change to the current refuse servicing, and given that this is the existing arrangement it is not considered to warrant refusal on this basis. In relation to delivery

vehicles, the size of vehicles associated with online deliveries range between 5.0 and 6.4m and turning of these vehicles can be accommodated within the proposed turning area within the site.

Impact on Local Highway Infrastructure

- 6.23 Given the number of trips that the development is likely to generate the development would not have a severe impact on the local highway infrastructure. It complies with paragraph 32 of the NPPF.

Other Material Considerations

Archaeology

- 6.24 Paragraph 132 of the NPPF states that in determining planning applications, Local Planning Authorities should take into account the significance of a designated heritage asset and great weight should be given to the asset's conservation. Local plan policy ARCH3 states that planning permission would not be granted for proposals likely to adversely affect archaeological sites and areas of high potential unless adequate evaluation enabling the full implication are understood, while ARCH4 states that where elevation of a site demonstrates the presence of archaeological remains which do not merit permanent in situ preservation, provision should be made for an appropriate level of archaeological investigation excavation, recording and off-site preservation / publication.
- 6.25 The application site lies within an area of archaeological potential as evidenced by Berkshire Archaeology's Historic Environment Record (HER). The remains of Castle Hill Roman Villa is recorded as lying less than 150m to the west of no. 17 Castle Hill, however the precise details of the location and extent of the villa are unclear. Archaeological evidence for a Roman building has however certainly been found since at 161 Grenfell Road. In addition, to the east of No. 17 Castle Hill, the HER notes prehistoric remains were discovered when the railway cutting for the branch line from Maidenhead to Marlow was constructed. The proposals provide for new development outside of the footprint of the existing dwelling and this has the potential to impact on important buried remains. In view of the archaeological potential of this site and in accordance with planning policy, it is therefore recommended that if planning permission is granted this should be subject to condition 8 to secure the implementation of a programme of archaeological works, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority. This condition is necessary to make the development acceptable.

Sustainable Drainage

- 6.26 As the proposal is for more than 10 units, and a major development, sustainable drainage systems should be provided unless demonstrated to be inappropriate. In this case, the information submitted for the design principle and sustainable drainage techniques, in particular the use of infiltration, are acceptable. Further details on the management regime have been provided including confirmation that maintenance arrangements would be managed by a private management company. Implementation and maintenance can be secured by condition 14.

Trees

- 6.27 The garden area to the eastern side of the site is predominately grassed with a mixture of trees and shrubs around its periphery. As the site lies within a conservation area the trees are protected by the provision in section 211 of the Town and Country Planning Act 1990, while Local Plan policy N6 states the where practicable plans for new development should retain suitable trees and include proposed landscaping and appropriate tree planning. Where the amenity value of trees outweighs the justification for development, planning permission may be refused. An Arboricultural Report has been submitted which contains a Tree Survey and Arboricultural Impact Assessment which shows 3 trees to be removed within the site (trees no. 17, 27 and 30) and 8 trees along the eastern boundary to allow for the restoration of the pedestrian access to Castle Hill (trees no. 1 to 6, 18 and 19). These trees have been categorised

as grade 'c', which are classified as trees of low quality with limited merit, low landscape benefits and no cultural value. As such, their loss is considered acceptable. Removal of the trees within the site will have no material effect upon the public views, and it is proposed that the trees along the eastern boundary are replaced. Replacement trees can be secured by condition 6. The proposed building utilises the existing footprint and therefore been designed to impact on existing trees. The means of tree protection can be secured by condition 5. It is therefore that there is an acceptable impact on trees.

Ecology

- 6.28 An ecology walk-over survey was undertaken at the site in April 2016 to determine the existence and location of any ecological valuable areas and any evidence of protected species. The site, dominated by buildings and amenity grassland is considered overall to be of low ecological value and no evidence of badgers, bats or amphibians were recorded.

Housing Land Supply

- 6.29 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPFF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.30 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy (CIL) contribution in line with the Council's Charging Schedule. The required CIL payment for the proposed development would be £100 per square metre.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

19 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 23 November 2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 27 October 2016.

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

Comment		Where in the report this is considered
1.	Inadequate access for the intensification of use due to the increase in number of vehicles and insufficient width leading to an increase in chance for conflict between opposite travelling vehicles, and between vehicles and pedestrians as Folly Way is also a footpath and rear gates of Castle Mews back onto Folly Way	Para. 6.19 - 6.20
2.	Insufficient parking, no turning area for dustbin lorry, no provision for delivery vehicle parking	Para. 6.21 - 6.22

3.	Impact on local infrastructure	RBWM have adopted its Community Infrastructure Levy (CIL) and the application is CIL liable. CIL is a levy that local authorities can charge on new development in their area. The money raised can be used to fund a wide range of infrastructure such as transport schemes, schools and open space. See paragraph 7.1
4.	Loss of an attractive property, the arch to the Gatehouse is in keeping with the character of the area and should be kept	Para. 6.4
5.	The proposal would result in a substantial building that will harm the character and appearance of the conservation area. A flatted development and proposed density is out of keeping with the area	Para. 6.5 - 6.11
6.	Loss of privacy due to increase in number of windows and number of windows at an elevated height that overlook neighbouring properties. Loss of privacy due to loss of screening from existing trees / vegetation.	Para. 6.12 – 6.17
7.	Loss of light and visual intrusion to neighbouring properties due to siting, height and bulk of proposal.	Para. 6.12 – 6.17
8.	Noise and disturbances to rear gardens and bedrooms at Castle Mews properties due to intensification of use and vehicles entering and leaving the development. Concerns over the type of future residents leading to more increase in movements late at night / early morning.	Para. 6.18
9.	Noise, disturbance from construction / construction vehicles.	Can be controlled by a Construction Management Plan, and Environmental Protection. Recommended that informatives in relation to dust and smoke controls, and hours of construction
10.	Loss of trees and vegetation	6.27
11.	Lack of affordable housing.	Local Plan policy H3 requires Affordable Housing provision for sites of 0.5HA or for schemes proposing 15 or more net additional dwellings. The site measures approximate 0.15HA and the scheme is for 12 apartments and the retention of an existing residential unit at the Gatehouse following the demotion of no.17. As such, policy H3 is not applicable.
12.	Land ownership/ right of way / private covenant issues	Dealt with under separate legislation and therefore not a material planning consideration
13.	Impact on property prices	Not a material planning consideration

14.	No objection subject to confirmation in writing by the applicant that costs connecting no.19 to the mains system will be covered by the applicant and that there will be no disruption to the egress of sewerage and waste water from no. 19 during the construction of the new development	Private matter between the applicant and occupants/owners of no. 19 Castle Hill and therefore not a material planning consideration.
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Other consultees

Consultee	Comment	Where in the report this is considered
Maidenhead Civic Society	To incorporate 12 apartments in the proposed block it is necessary to construct three storeys, which results in an overbearing, visually intrusive structure due to its height and bulk. Furthermore, despite the retention of the mature trees on the boundary, the new building will be visible from Castle Hill. The proposal should be reduced to 8 apartments in a two storey block. The number of parking spaces should be retained at 12 - giving 1.5 per apartment, rather than 1.0 as proposed.	6.5 to 6.11, 6.21
Conservation Officer	No objections to the loss of the existing house or part of the gatehouse. The amended scheme is considered to be a sufficient improvement, particularly the reduction in height and alterations to the dormers so that they sit within the roofslope and above the eaves. The inclusion of stronger porches are welcomed as they are considered to be a feature within the Castle Hill Conservation Area.	Para. 6.3 to 6.11
Tree Officer	No objection subject to conditions relating to tree protection, tree retention / replacement and landscaping scheme.	Para. 6.27 and conditions 5, 6 and 7
Berkshire Archaeology	No objections subject to a condition to secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation as the site is located within a area of archaeological potential.	Para. 6.24 and condition 8
Environmental Protection	Situated south west to the site is unknown filled ground. Therefore in the event that unexpected soil contamination is found after development has begun, development must be halted and reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.	Condition 13
Local Highway Authority	No objection subject to conditions relating to a construction management plan, provision of vehicle parking spaces in accordance with approved drawings, cycle parking and refused bin storage.	Para. 6.19 - 6.23 and conditions 9, 10, 11 and 12
Lead Local	Further information on the maintenance of the	Para. 6.26 and condition

9. APPENDICES TO THIS REPORT

- ☐ Appendix A – Site location plan
- ☐ Appendix B – Proposed site layout
- ☐ Appendix C – Proposed floor plans and elevations

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1, CA2, H10
- 3 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1.
- 4 No development shall take place until full architectural detailed drawings at a scale of not less than 1:20 (elevations, plans and sections) of windows (including surrounds), doors, down pipes, gutters, vents, soffits, eaves, cornices, ridge details to roofs, chimneys, porches, balustrades, bands of materials, decorative timber cladding and any other decorative features have been submitted to, and approved in writing by, the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Royal Borough of Windsor and Maidenhead Local Plan DG1, CA2
- 5 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 6 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 7 No development shall take place until full details of both hard and soft landscape works, have

been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

- 8 No development, other than demolition to ground level (i.e. excluding the grubbing out of foundations) shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority

Reason: To ensure the continued preservation in situ or by record of any finds made in this area of archaeological interest. Relevant Policies - Local Plan ARCH2, ARCH4.

- 9 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

- 10 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

- 11 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 12 No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

- 13 In the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- 14 The approved surface water drainage system contained in the Drainage Assessment by C & A Consulting Engineers Ltd dated 2 June 2016 and email from Woolf Bond Planning dated 14 November 2016 shall be implemented in accordance with the approved detailed design prior to the use of the building commencing, and maintained thereafter.
Reason: To ensure that the principles of sustainable drainage are incorporated into the proposed development and that the risk of flooding is not increased.
- 15 No further window(s) shall be inserted at first floor level or above in the south elevation(s) of the building 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.
- 16 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

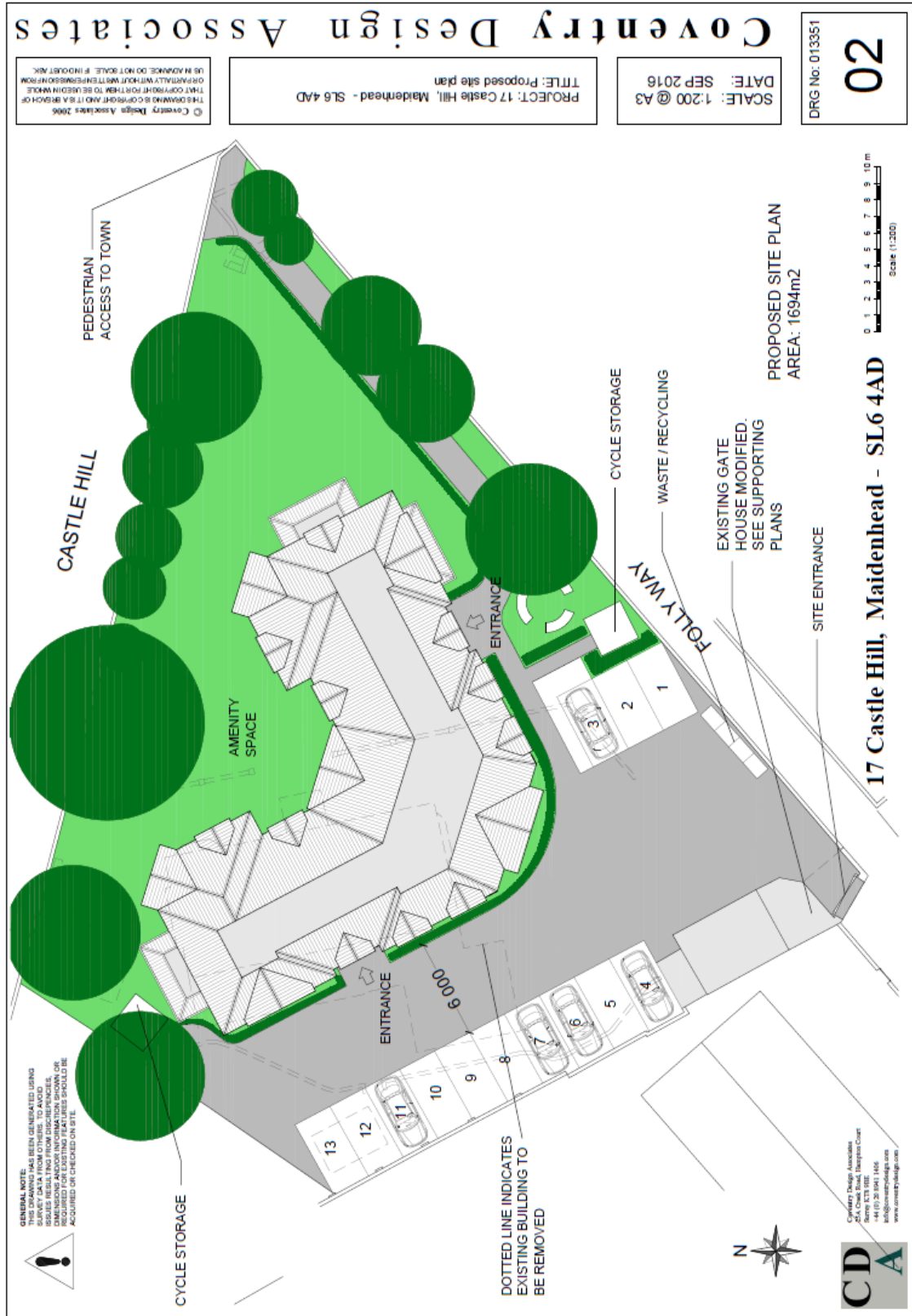
- 1 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 2 The applicant should be aware the permitted hours of construction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

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Appendix A – Site Location Plan



Appendix B - Proposed Site Layout



Coventry Design Associates

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PROJECT: 17 Castle Hill, Maidenhead - SL6 4AD
 TITLE: Proposed ground and first floor plans

SCALE: 1:200 @ A3
 DATE: DEC 2016

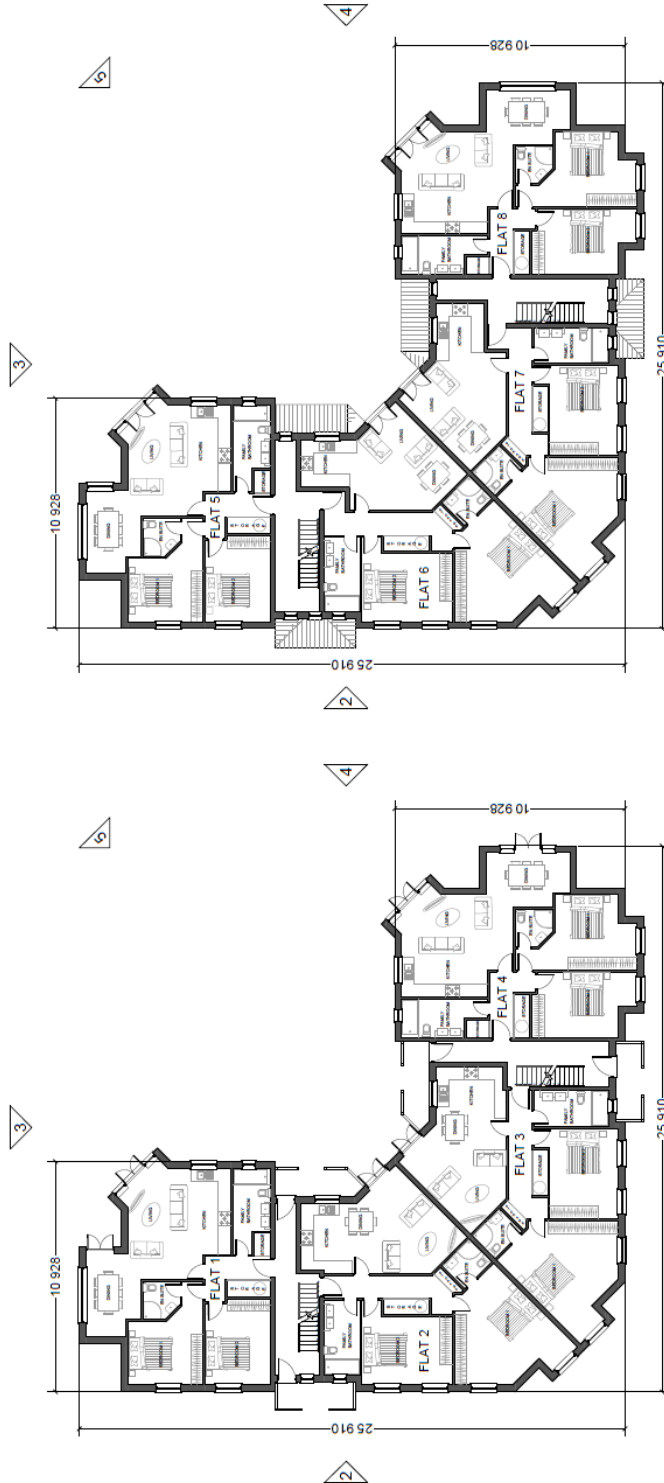
DRG No: 013351

03b

GROSS INTERNAL AREAS

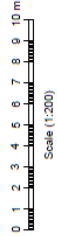
- FLAT 1 - 78.00m²
- FLAT 2 - 84.00m²
- FLAT 3 - 84.00m²
- FLAT 4 - 78.00m²
- FLAT 5 - 78.00m²
- FLAT 6 - 83.00m²
- FLAT 7 - 83.00m²
- FLAT 8 - 78.00m²

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FIRST FLOOR PLAN

GROUND FLOOR PLAN



Coventry Design Associates
 2/A, Crank Road, Sharnbrook Court
 Sandy, MK53 9BE
 Tel: (0) 20 8941 1465
 Fax: (0) 20 8941 1466
 www.coventry-design.com



17 Castle Hill, Maidenhead - SL6 4AD

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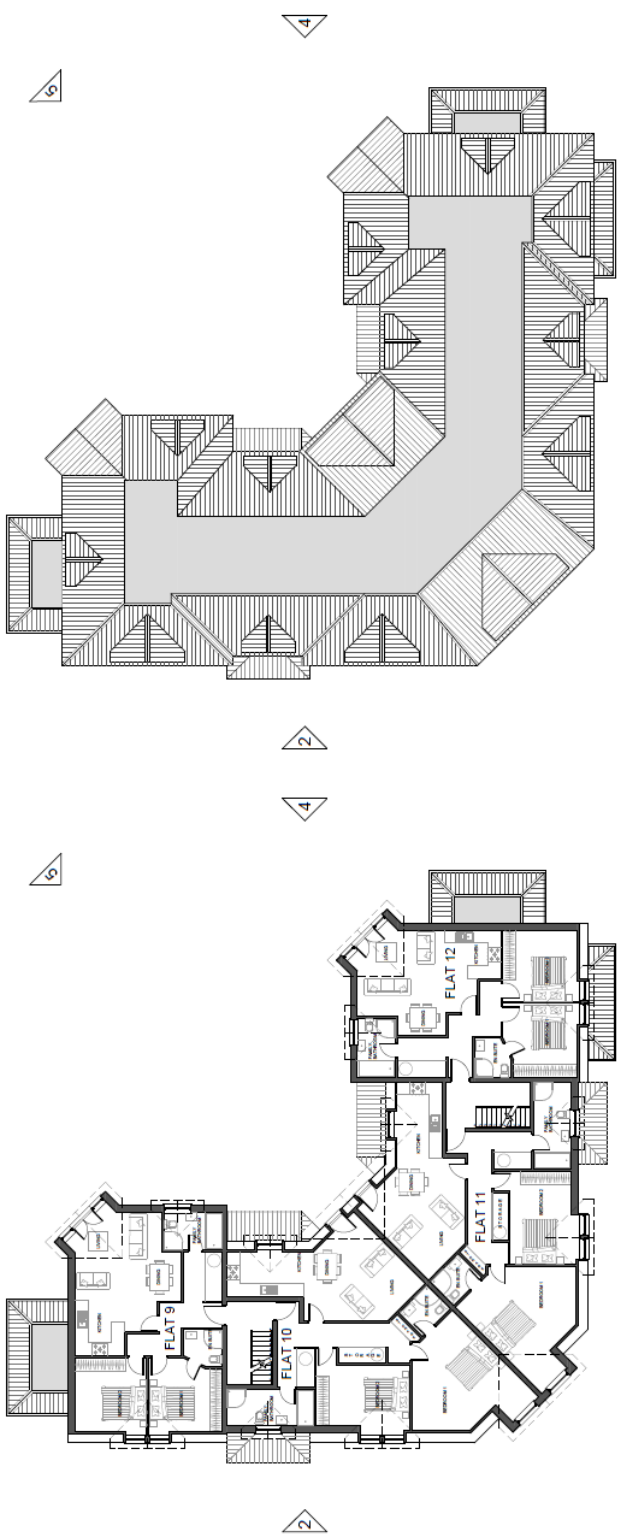
PROJECT: 17 Castle Hill, Maidenhead - SL6 4AD
 TITLE: Proposed second floor and roof plans

SCALE: 1:200 @ A3
 DATE: DEC 2016

DRG No: 013351
04b

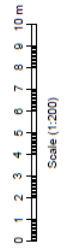
GROSS INTERNAL AREAS
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 FLAT 10 - 85.00m²
 FLAT 11 - 85.00m²
 FLAT 12 - 67.00m²

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ROOF PLAN

SECOND FLOOR PLAN



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17 Castle Hill, Maidenhead - SL6 4AD



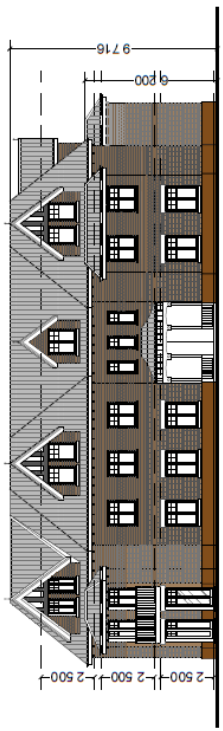
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PROJECT: 17 Castle Hill, Maidenhead - SL6 4AD
 TITLE: Proposed elevations 1, 2, 3 and 4

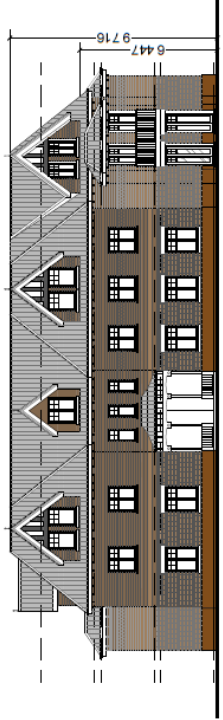
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 DATE: DEC 2016

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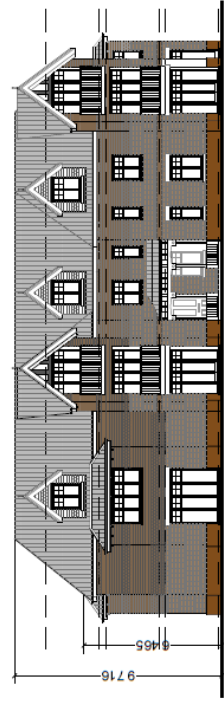
ELEVATION 1



ELEVATION 2



ELEVATION 3

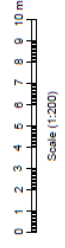


ELEVATION 4



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17 Castle Hill, Maidenhead - SL6 4AD

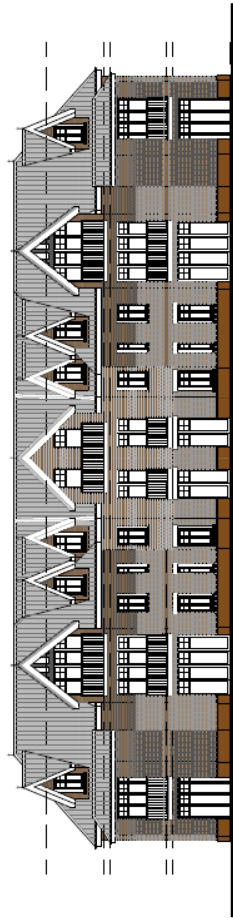
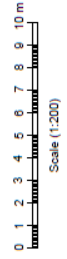


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PROJECT: 17 Castle Hill, Maidenhead - SL6 4AD
TITLE: Proposed elevation 5

SCALE: 1:200 @ A3
DATE: DEC 2016

DRG No: 013351
14a



ELEVATION 5

17 Castle Hill, Maidenhead - SL6 4AD

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 5

Application No.:	16/03184/ADV
Location:	Holyport College Ascot Road Holyport Maidenhead SL6 3LE
Proposal:	Consent to display one double-sided non-illuminated monolith sign at the site entrance
Applicant:	Mr Bell
Agent:	Mr Paul Lovelock
Parish/Ward:	Bray Parish/Bray Ward

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 The proposed entrance sign has been reduced in size and is now considered to have an acceptable impact on the visual amenities of the area. Additionally the proposed advertisement is not considered to be detrimental to public or highway safety given its siting subject to the receipt of an amended plan confirming the exact siting of the sign.

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 Walters in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located on the south east side of the Ascot Road on the corner with Forest Green Road. Holyport College is situated on the site of the former Holyport Manor School. The existing School was redeveloped and extended in 2013/2014.
- 3.2 Holyport College opened in September 2014 and is a state funded day and boarding school for pupils ages 11 – 19 years.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
13/00287	The redevelopment of the former Holyport Manor School to provide a new secondary school comprising 3 new buildings and the retention, refurbishment and demolition of the existing structures.	Approved 24.05.2013
16/00972/FULL	Single storey extension to dining hall and single storey extension to sports hall	Approved 14.06.2016

- 4.1 The application is for consent to display 1x non-illuminated sign at the entrance to Holyport College along the A330 Ascot Road. Amended plan PL59918 shows that the proposed sign has been reduced in height from 2.8m to 1.8m in height, and in width from 1.2m to 1m. The sign would be powder coated aluminium with vinyl graphics. Due to the large scale of the sign location plan and its level of detail officers however cannot be certain that the sign would be 2.4m from the carriageway edge as required by highways. An amended plan has therefore been requested and will be reported in the Panel Update.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

	Advert Consent
Local Plan	ADV1

6. EXPLANATION OF RECOMMENDATION

6.1 Advertisements may only be controlled with regard to two material considerations:

- o Amenity – The effect of advertisement(s) on the appearance of buildings or the immediate vicinity of where they are displayed; and
- o Public safety – matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians, or distraction of drivers or confusion with traffic signs.

6.2 Therefore the key issues for consideration are:

- i whether the design of the proposed sign is acceptable in terms of the impact on the character and appearance of the buildings or immediate vicinity;
- ii whether the proposal would have an acceptable impact on public safety;

Impact on the Visual Amenities of the Area

6.3 Following a site visit, the Planning Officer has established that the existing boundary fence of Holyport College is 1.97m high. Amended drawing PL59918 reduces the proposed sign to 1.8m in height (from the original 2.8m) and to 1m in width (from the original 1.2m). This reduction in size and scale would ensure that the proposed advertisement would be lower in height than the existing boundary fence and, as a result, would not be considered to be overly dominant or intrusive.

6.4 The proposed advertisement would therefore be considered to comply with RBWM Local Plan Policy ADV1 as due to its limited size and siting it would not be considered to out of keeping with the style or character of Holyport College or its rural surroundings.

Acceptable impact on public safety

6.5 The Highway Officer has no objection to the proposed advertisement subject to the outer edge of the sign being positioned at least 2.4m from the carriageway edge in order to protect the visibility splays at the site entrance. An amended plan to demonstrate this has been requested.

6.6 Subject to confirmation that the sign would be set back at least 2.4m from the carriageway edge the proposed new advertisement sign would not be detrimental to public safety by reason of design, size, colour or position, and would comply with RBWM Local Plan Policy ADV1

7. CONSULTATIONS CARRIED OUT

7.1 Comments from interested parties

2 neighbouring occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 24/10/2016.

Two letters of support were received relating to the application, summarised as follows:

Comment		Where in the report this is considered
1.	<p>Holyport College does not look like a school as you drive past: it could be an office block or industrial unit.</p> <p>A sign outside will highlight the fact that it is a school and encourage road users to slow down. I believe that this sign will make the road safer.</p> <p>This sign will not affect the open and rural character of the countryside.</p> <p>Having a sign outside a school is common practice.</p>	6.3
2.	<p>The addition of a sign will be a positive addition and will improve safety given that passing cars may not even be aware that it is a school.</p> <p>The sign will not impact on the road or be obtrusive in any way.</p>	6.6 6.6

7.2 Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Parish Council	Recommended for refusal – This is inappropriate development which will have an impact on the openness of the Green Belt (GB1) and would not be compatible with the street scene (H14).	Applications of this type are not considered against GB1 or H14 in accordance with the Advertisement Regulations
Highways	No objection.	Noted

8. APPENDICES TO THIS REPORT

- Appendix A – Plans
- Appendix B – Site location plan

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

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

- 3 Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No part of the development shall be commenced until it has been confirmed that the proposed advertisement would be positioned over 2.4m from the edge of the carriageway. All dimensions are to be measured from the edge of the carriageway.

**Jobri - Holyport College
Entrance Monolith**



Reference PL59818	Account Manager P. Lovebeck	Date 02/09/2016	Version 3 (06/12/2016)	Designed by C Munday email: cmunday@dma signs.co.uk
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External Signage

Monolith - Option 1



Sign Number: 1

Quantity: 1 off

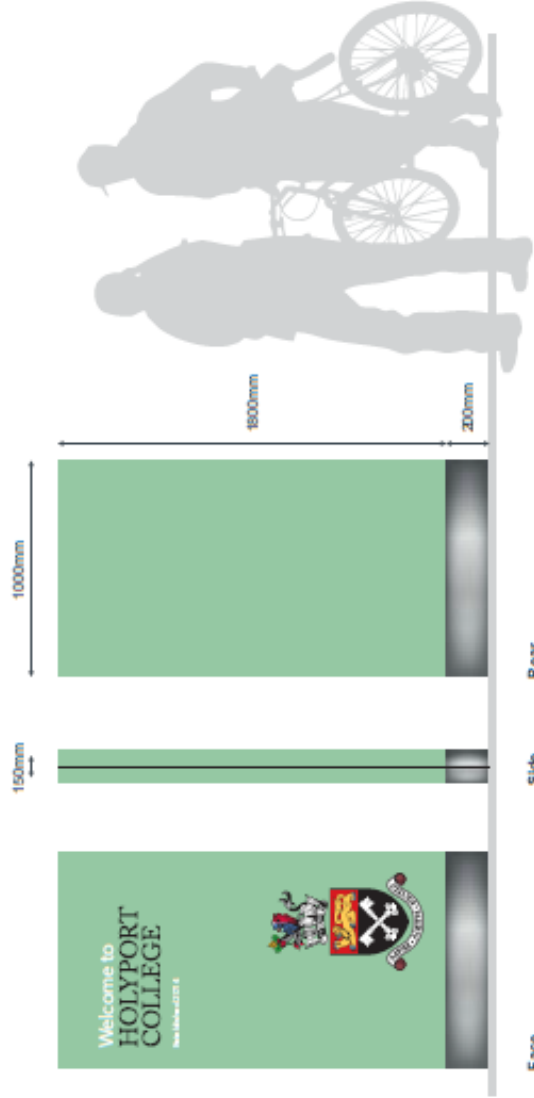
Description:
Double sided 3mm aluminium non illuminated free-standing including brushed six plinth, with digitally printed vinyl with satin laminate applied to both sides.

Internal steel support structure with extended legs @ 3000mm long overall (1000mm allowed for planting) coated one stdRAL colour all over

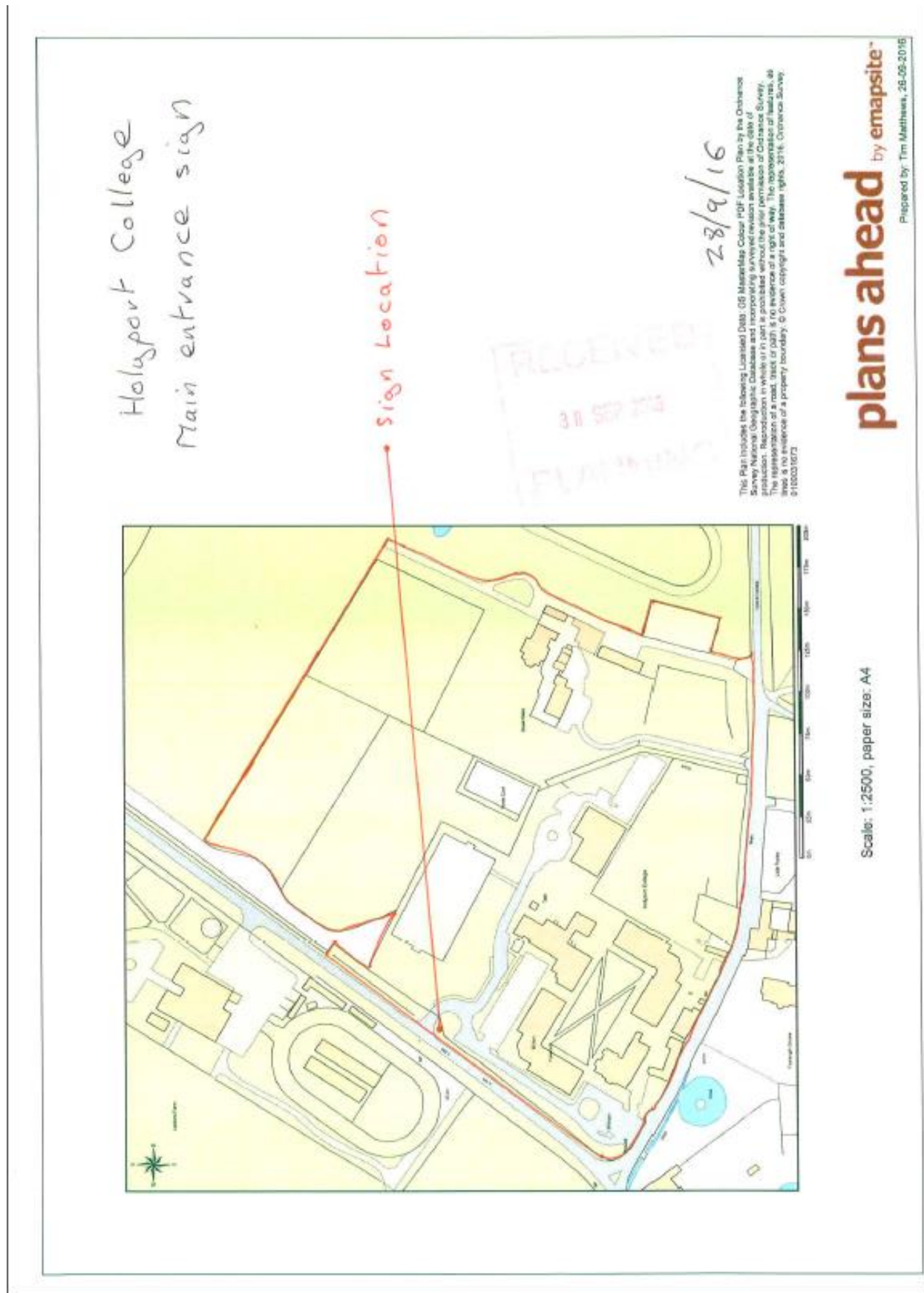
Colours:

-  Elton Blue (colour to be matched)
-  Black
-  White

Proposed location:



Appendix B



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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 6

Application No.:	16/03346/FULL
Location:	White House 66 And Land At White House 66 Altwood Road Maidenhead
Proposal:	Erection of new dwelling with new access onto Altwood Road and new front brick boundary wall and railings, new pedestrian entrance and landscaping following removal of existing timber fence at White House, 66 Altwood Road.
Applicant:	Mr Dash
Agent:	Mr Paul Butt
Parish/Ward:	Maidenhead Unparished/Boyn Hill Ward
If you have a question about this report, please contact: Sheila Bowen on 01628 796061 or at sheila.bowen@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for a new house and new boundary treatment in the curtilage of a Grade II Listed Building. The site lies in the Altwood Road Conservation Area, and is not in the Green Belt. The proposal would cause less than substantial harm to the significance of the listed building which is not outweighed by public benefits or securing the asset's optimum viable use as set out in paragraph 134 of the National Planning Policy Framework and would fail to meet the requirements of Policy LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Amendments Adopted June 2003) and the considerations as set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.2 The proposed development would also lead to the early demise of a number of trees which are protected by being in a Conservation Area, through root compaction, direct branch contact and construction activity, and there would be significant post development pressure to detrimentally reduce or fell the western boundary trees due to future concerns relating to restriction of light, dominance, and perceived danger from falling limbs. The building will also incur marginally into the root protection area of a dominant lime tree covered by a Tree Preservation Order 042/1997/T1. The proposal will therefore harm the sylvan character of the area, and is contrary to Policy N6 of the Local Plan. The proposal would preserve the special interest of the Altwood Road Conservation Area. The proposal therefore complies with Policy CA2 of the Local Plan.

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 would cause less than substantial harm to the significance of the listed building which is not outweighed by public benefits or securing the asset's optimum viable use as set out in paragraph 134 of the National Planning Policy Framework and would fail to meet the requirements of Policy LB2 of the Local Plan and the considerations as set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the contribution the development would make towards addressing housing supply issues would not outweigh the significant and demonstrable harm that the scheme would cause as identified above and detailed in reason 2.
2.	The proposed development would lead to the early demise of a number of trees which are protected by being in a Conservation Area through root compaction, direct branch contact and construction activity, and there would be significant post development pressure to detrimentally reduce or fell the western boundary trees due to future concerns relating to restriction of light, dominance, and perceived danger from falling limbs. The building will also incur marginally into the root protection area of a dominant lime tree covered by a Tree Preservation Order 042/1997/T1. The

<p>proposal will therefore harm the sylvan character of the area, and is contrary to Policy N6 of the Local Plan.</p>
--

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Claire Stretton, only if the recommendation of the Head of Planning is to refuse. In the public interest for the Panel to consider the opportunities arising from the application to enhance the setting of the Listed Building and the character and appearance of this part of the Conservation Area.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site measures approximately 0.17 ha and lies in the Altwood Road Conservation Area. It is within the curtilage of the White House, a Grade II Listed Building. The plot has a number of mature and important trees including Ash, Lawson Cypress, Oak and Lime trees. There is a 1.8m close boarded timber fence which runs along the front boundary of the White House. A public footpath runs along the rear of the site. The wide side garden in which the proposed house would be built forms part of the historic setting of the listed building. The White House dates from the eighteenth century, and is roughcast with a parapet and hipped mansard old tile roof. It has been extended to the right in the past. It holds a degree of communal value as the last remaining gentry house within the historic hamlet. Its current grounds offer some positive contribution to the asset’s significance.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

16/00442 Erection of new dwelling with new access onto Altwood Refused 11.5.2016
 Road and new front brick boundary wall and railings,
 new pedestrian entrance and landscaping following
 removal of existing timber fence at White House, 66
 Altwood Road.

4.1 The proposal is for a new house and new driveway, together with a new low wall with railings above along the frontage of the site to replace the current close boarded fencing as previously proposed and refused. This submission however includes a follow-up heritage assessment which puts forward the case that the proposal does not harm the conservation area. As well the replacement of the timber fencing along the front boundary to the new dwelling with yew hedging and the replanting of trees from within the grounds of White House to a position more prominent in the conservation area closer to the front boundary of the White House.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Paragraphs 17, 56, 58, 60, 61, 64, 126, 129, 131, 132, 134

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Listed Building	Conservation Area	Trees
DG1, H10, H11	P4, T5	LB2	CA2	N6

These policies can be found at https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

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

More information on these documents can be found at:

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

- Altwood Road Conservation Area Appraisal

More information on this document can be found at:

https://www3.rbwm.gov.uk/downloads/file/969/appraisal_altwood_road_maidenhead

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i the impact on the listed building;
- ii whether the proposal preserves or enhances the conservation area;
- iii the acceptability of the design of the house and the impact on neighbours;
- iv the impact on trees; and
- v the impact on highway safety and the sufficiency of parking.

Listed Building

- 6.2 The Council must, in considering this planning application, have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The White House's significance is gleaned from its age, architectural style, timber-frame construction and most likely interior layout, together with extensions illustrative of changing social needs, and as an example of a gentry house once located in a rural position away from a settlement. The immediate setting of the house is important even in its limited nature as it allows the house to sit within a comparatively spacious, green and leafy plot distinct from other dwellings in Altwood Road because of this. The space to the east and rear of the house can be appreciated and experienced within the grounds but to a lesser extent along Altwood Road due to the high boundary treatment and vegetation which obscures full views of the spaciousness.
- 6.3 Historic England's guide 'The setting of Heritage Assets' Good Practice Advice in Planning: 3 (2015) advises that setting does not depend on how many people will be able to appreciate a certain element of setting and as such private land which is not seen from a public vantage point due to ownership or being obscured, such as by fencing and vegetation in this instance, would not diminish the importance of that setting.
- 6.4 It is considered that the immediate setting and gardens of the White House are the last gasps of the much larger, open setting that the house once stood within. Any further diminishing of this would cause less than substantial harm to the significance of the White House by almost choking the large house in an even more constrained plot than the historical subdivision has resulted in. The historical subdivision of the land associated with the White House has harmed the setting and significance of the house. The existing grounds around the house aids the status of the country house to be in some small part retained and which therefore is important to the understanding of the property and its significance. The benefits of the front boundary treatment, while clearly better than the existing close boarded fence, do not outweigh the harm that would be caused by reducing further still the land associated with the house, nor would the provision of a new well designed residential unit. The proposal does not comply with Policy LB2 of the Local Plan and the relevant provisions of the NPPF.

Conservation Area

- 6.5 The Council has to pay special attention to the desirability of preserving or enhancing the character or appearance of the Altwood Road Conservation Area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The spacious residential plots identified within the conservation area would be maintained with this proposal, as the plots for The White House and for the new house would still be large. The character and appearance of the conservation area would be enhanced through the proposed boundary treatments along the frontage, namely the wall with railings above and the new stretch of hedging, which would be a great improvement on the current close boarded fence. The proposed form and design of the house is one which is in sympathy with the character of the area. These points are made in the Supplemental Built Heritage Statement submitted with the current application, and the Conservation Officer agrees with the assessment, so a reason for refusal based on impact on the Conservation Area is no longer proposed. The proposal complies with Policy CA2 of the Local Plan.

Design of the House and Neighbour Impact

- 6.6 The design of the house is considered to be compatible with the character of the area and the street scene. The proposed house would not cause loss of light or privacy to its immediate neighbours, Dolphin Cottage and The White House, nor would it be overbearing, so there would be no harm to the amenities of the immediate neighbouring houses. The loss of some of the intervening trees would affect views across the site from Dolphin Cottage, which are currently of trees, but it is not considered that this, in itself, would harm its amenities. The proposed house would not be so close to Dolphin Cottage to affect its foundations, as it would be 8m away at the closest. The proposal therefore complies with Policies H10, H11 and DG1 of the Local Plan and the relevant provisions of the NPPF.

Trees

- 6.7 The proposed development would lead to the early demise of a number of trees which are protected by being in a Conservation Area, through root compaction, direct branch contact and construction activity, and there would be significant post development pressure to detrimentally reduce or fell the western boundary trees due to future concerns relating to restriction of light, dominance, and perceived danger from falling limbs. The building will also incur marginally into the root protection area of a dominant lime tree covered by a Tree Preservation Order 042/1997/T1. Although the no-dig method proposed for the driveway is to be commended, it would still not overcome the harm already identified. The proposal will therefore harm the sylvan character of the area, and is contrary to Policy N6 of the Local Plan.

Highway Safety and Parking

- 6.8 There are no objections to the proposal from a highway safety point of view, as adequate visibility splays can be provided. Sufficient parking space would be provided on site for the size of house proposed.

Other Material Considerations

Housing Land Supply

- 6.9 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The Borough Council cannot demonstrate a 5 year housing land supply.

- 6.10 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. It is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, contrary to the adopted local and neighbourhood plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be £24,177.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

20 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 3.11.2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 17.11.2016.

One letter was received supporting the application, summarised as:

Comment	Where in the report this is considered
1. We support the application for the same reasons as we supported the previous application.	-
2. Many other applications have been approved in the conservation area. It should not remain static and should be allowed to evolve and change.	6.5
3. The proposal has the merit of improving the street scene whilst retaining all the trees of significant importance, planting new ones, and protecting the retained trees.	6.4-6.7
4. It will sit comfortably within its plot without causing harm to the character of the Grade II Listed White House by making use of the existing mature hedge, hence not infringing on the generous immediate garden.	6.2-6.4
5. It would make a minor contribution to the Council's housing land supply.	6.9-6.10
6. It would provide employment during the construction phase	-
7. It would constitute a sustainable development to the Altwood Road conservation area.	6.9-6.10

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

Comment	Where in the report this is considered
1. The conservation area appraisal recognises "the special character in the area is very much defined by the spacious nature of the house plots. New build in garden plots and increased densities of housing could easily destroy the openness of the area, and the removal of prominent trees, hedges and boundary walls would also have a huge impact on the special character".(2)	6.5
2. The proposed house would be bigger than Dolphin Cottage, is still too near to both houses. The Listed Building requires space around it.	6.2-4, 6.6
3. It will harm the foundations of Dolphin Cottage and increase the subsidence.	6.6
4. We will lose the unique setting.	6.2-6.7
5. Building will damage the trees and greenery, and the wildlife it supports, including wood pigeons, kites, robins, finches and others.(5)	6.7
Will spoil the genuine period feel of The White House.	6.2-4

	Will add up to 4 extra cars to the already busy traffic from 3 schools and a very active church. (2)	6.8
	The new scheme replaces a short stretch of fence with a hedge, and the addition of semi-mature trees. These public benefits do not make any meaningful difference to the consideration of this proposal, and do not outweigh the harm to the significance of the Listed Building and the Conservation Area.	6.2-4
	The updated Arboricultural Report proposes the no-dig construction method for the new driveway; however, this is no different to what was previously proposed.	6.7
	There is no guarantee that all protected trees will be saved, and there will be pressure to fell or reduce many of the trees on the boundary with Dolphin Cottage, which will impact the occupant's enjoyment of her property.	6.6, 6.7
	The spaciousness of the White House's plot is of paramount importance to the nature and character of the Conservation Area.	6.2-6.5
	There has been no sub-division of plots on the north side of Altwood Road for over 100 years.	6.2-4
	The proposal would result in a continual line of development from no. 66 – no. 78 (save for the gap at no. 74), not in keeping with the overriding character of spaciousness.	6.2-6.5
	The new dwelling would be only marginally set back from The White House.	6.2-4
	The removal of the fence is not dependant upon the new house and could be undertaken at any time irrespective of the outcome of this application.(2)	6.2-4
	The proposal is contrary to Policy CA2 of the Local Plan, the Altwood Road Conservation Area Appraisal, Section 12 of the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which confirms that 'special attention should be paid to the desirability of preserving or enhancing the character or appearance' of Conservation Areas.	6.5
	The significance of the Conservation Area would be irrevocably eroded due to the impact that this development would have upon its character and appearance.(3)	6.5
	It is important that the open land which forms the setting of the Listed Building remains, and building on it would have a detrimental impact upon the setting of the Listed Building.	6.2-4
	Impact on Dolphin Cottage: It would be built within 2 to 3 metres of the boundary, and would have a detrimental impact, especially since there is likely to be a serious loss of trees.(3)	6.6-6.7
	There is likely to be a serious loss of trees, either now or in the near future, contrary to Policy N6 of the Local Plan. (2)	6.7
	It is wrong to build a new house in this beautiful conservation area.	6.5
	It goes against conservation area guidance.	6.5
	The White House is THE manor house from Tittle Row, when it was a hamlet. It is a conservation area and adding more new builds to the leafy road is not right.	6.2-6.5
	The White House featured prominently in the Conservation Area Appraisal, and the idea of building a new dwelling in the garden would undermine policy.	6.5
	It would damage the Conservation Area and the Listed Building.(3)	6.2-6.5
	Aside from the history and heritage, it would have a negative impact on both the visual aspect and traffic congestion.	6.6, 6.8
	It would detract from the elegance of the listed White House, a cherished feature in its setting.	6.2-6.4

	Would spoil the significance of the listed building, which is not outweighed by public benefits or securing the asset's optimum viable use as set out in Paragraph 134 of the NPPF, also Policy LB2 of the Local Plan and considerations set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.	6.2-6.4
	Maidenhead Civic Society: The previous reasons for refusal still apply. The setting of the listed building would be adversely damaged. There would be risk and/or loss to trees. The development would not preserve and enhance the character of the Conservation Area. The spacious neighbouring large plots will be adversely impacted by the sub division of this site. The proximity to no. 68. This principle has already been established by the refusal of an earlier proposal to split up the large plot at no. 74 – a decision that was upheld on appeal.	6.2-6.6

Consultees

Consultee	Comment	Where in the report this is considered
Highways Officer	No objection	
Conservation Officer (comments reproduced in full)	<p>What must be weighed up is whether the public benefits of the proposal outweigh the harm to the significance of the heritage asset through the negative change to setting through the proposed new house that would reduce the large remaining undeveloped grounds the property currently resides within.</p> <p>Not all elements of setting add positively to significance, and it is my view that the subdivision of the grounds of the White House to achieve a housing plot, any further than what has occurred, would not add positively to the significance of the listed building. The new dwelling that was created within the grounds of the White House was constructed after the listing of the dwelling (listed 27th February 1950), however when the original permission was granted (in 1986) no consultation with a conservation specialist was taken. At that point, not only was setting of historic environment not as well understood as it is today, the legislation to protect the setting of listed buildings was not in its current form (i.e. The Planning (Listed Buildings and Conservation Areas) Act 1990 had not been enacted requiring the setting of listed buildings to be protected in the same way the current legislation requires).</p> <p>I would also highlight that the existing landscaping features of hedgerow and mature lime do not diminish the extent of setting, namely all of what is left, that I consider to be important to the significance of the house.</p> <p>In this instance, it can be considered that the development of the land which is now the conservation area in fact has caused harm to the special interest of the White House. Except that the building was listed with the development of the conservation area already having occurred, so one may not rightly say that. But one can say that the special interest of the house is likely to be greater significance if the conservation area development had not occurred, because its historical setting would have been retained.</p>	6.2-6.6

I acknowledge that this application proposes two additional elements to the earlier refused scheme; the replacement of the timber fencing along the front boundary to the new dwelling with yew hedging and the replanting of trees from within the grounds of White House to a position more prominent in the conservation area closer to the front boundary of the White House. I agree with the applicant that these would be enhancements to the character and appearance of the conservation area (mature trees are a prominent positive feature of the conservation area which is identified in the appraisal). They would be some enhancement to the setting of the listed building, but it would be of a very low degree.

As per the earlier scheme, I concur that there would be less than substantial harm to the setting of the listed building White House. I agree that the proposed new boundary treatment at the front of White House would improve the setting of White House, the repositioning of trees would be a very small enhancement as would the extended yew hedge along the frontage of the new house. Furthermore, the proposals would overall and on balance enhance the character and appearance of the conservation area. I concur that the extended setting of White House has a reduced positive contribution to the building's significance (i.e. the houses developed outside of the historic plot) and its immediate setting has a positive contribution.

I agree with the Heritage Statement that the White House's significance is gleaned from its age, architectural style, timber-frame construction and most likely interior layout, together with extensions illustrative of changing social needs, and as an example of a gentry house once located in a rural position away from a settlement. The immediate setting of the house is, in my view, important even in its limited nature for it allows the house to sit within a comparatively spacious, green and leafy plot distinct from other dwellings in Altwood Road because of this. The space to the east and rear of the house can be appreciated and experienced within the grounds but to a lesser extent along Altwood Road due to the high boundary treatment and vegetation which obscures full views of the spaciousness. Historic England's guide 'The Setting of Heritage Assets' Good Practice Advice in Planning:3 (2015) advises that setting does not depend on how many people will be able to appreciate a certain element of setting and as such private land which is not seen from a public vantage point due to ownership or being obscured, such as by fencing and vegetation in this instance, would not diminish the importance of that setting.

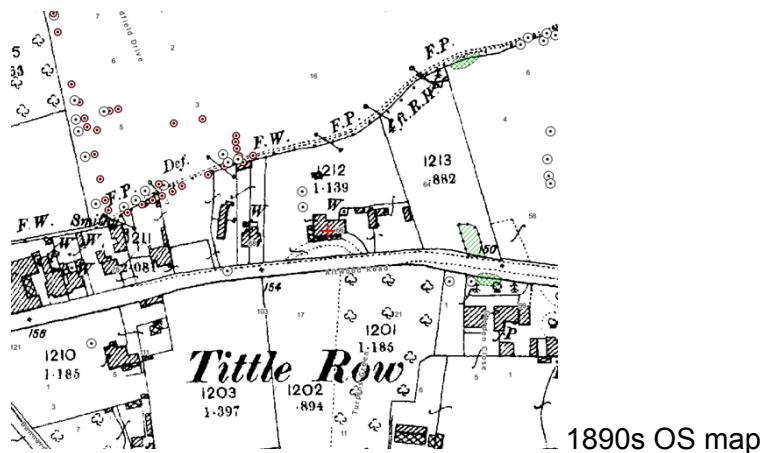
However, I disagree that the new dwelling on land currently associated with White House would result in a negligible level of harm by continuation of historic plot subdivision when weighed up with the proposed boundary treatment, and planting enhancements, although I accept that the much larger 'grounds' including adjacent fields have been dramatically reduced over the life of White House. My view is that the immediate setting and gardens of White House are the last gasps of the much larger, open setting that the

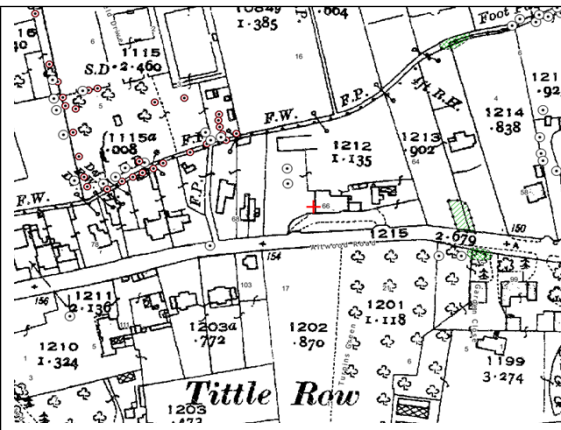
house once stood within. Any further diminishing of this would, in my view, cause less than substantial harm to the significance of White House by almost choking the large house in an even more constrained plot than the historical subdivision has resulted in. In my view, the historical subdivision of the land associated with or which provided a rural setting to the White House is not merely a fact but has harmed the setting and the significance of the house. The existing grounds around the house aids the status of the country house to be in some small part retained and which therefore is important to the understanding of the property and in my view its significance. The benefits of the front boundary treatment and planting to the setting of White House do not outweigh the harm that would be caused by reducing further still the land associated with the house.

My view is that the spacious residential plots identified within the conservation area appraisal would be maintained with this proposal. My view is that the character and appearance of the conservation area would be enhanced through the proposed boundary treatments and planting. The proposed form and design of the house is, in my view, one which is in sympathy to the character of the area. However, in weighing up the harm against the benefits as required by paragraph 134 of the NPPF, my view is that the less than substantial harm to the setting of White House by a new dwelling in the land would not be outweighed by the boundary treatment and planting enhancements to setting of the listed building and conservation area or the provision of a new, well designed residential unit.

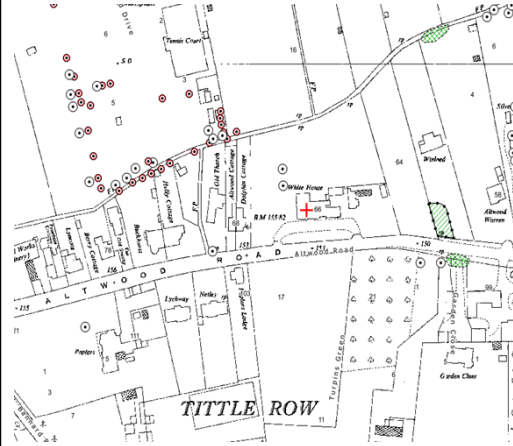
Therefore, my conclusion is that the application should, on balance, be refused.

For information see historical map progression below:

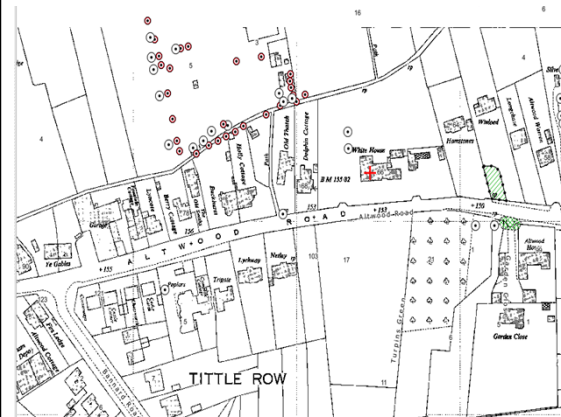




1930s OS map




1950s OS map



1960s OS map



1970s OS map

	 <p>OS map</p> <p>Current</p>	
Tree Officer	Objection, as summarised in the report.	6.7

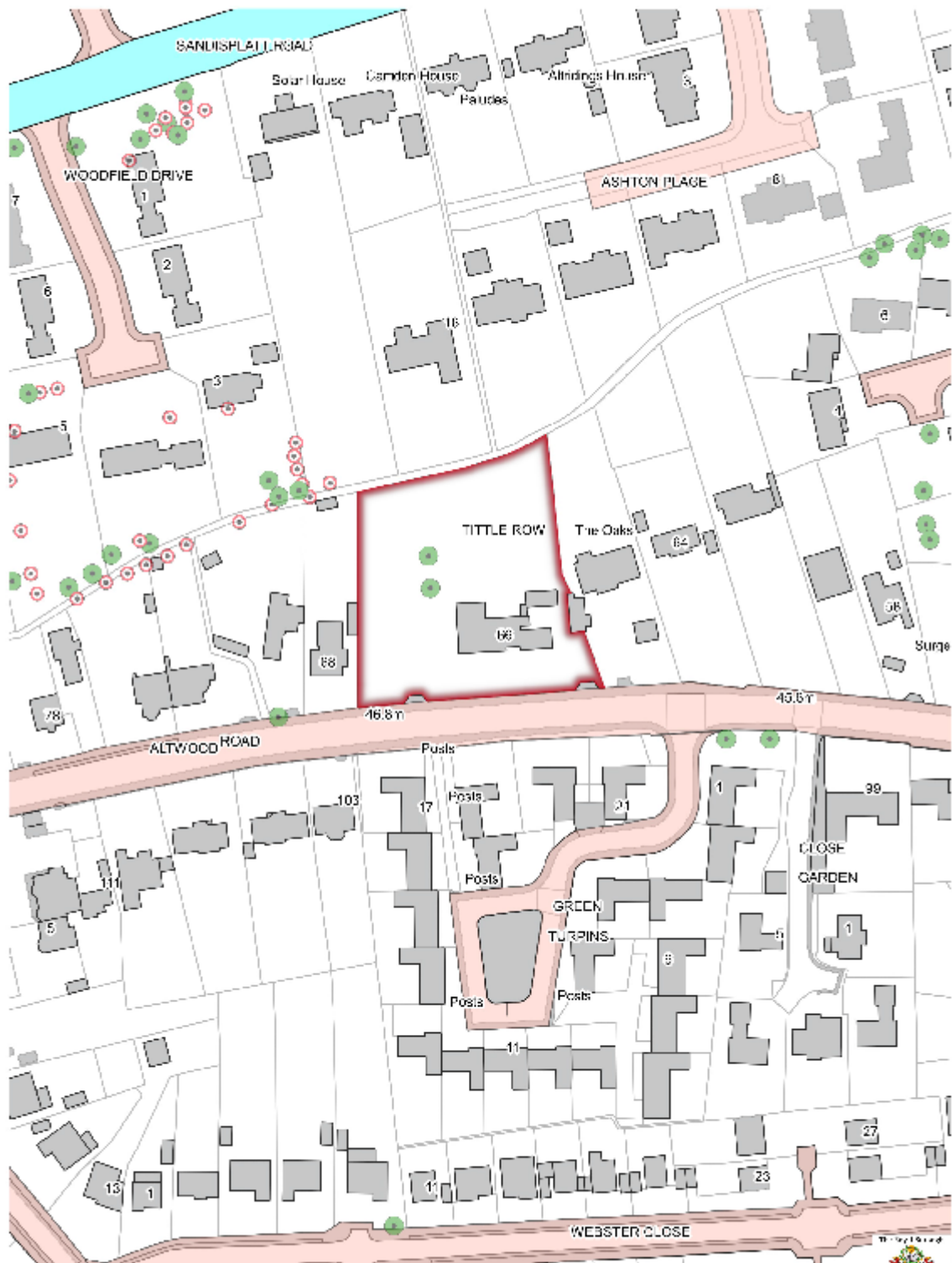
9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Plans and Elevations
- Appendix C - Elevations
- Appendix D – Tree and Root Protection Zones

10. REASONS RECOMMENDED FOR REFUSAL

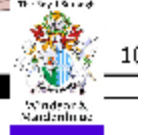
- 1 The proposal would cause less than substantial harm to the significance of the listed building which is not outweighed by public benefits or securing the asset's optimum viable use as set out in paragraph 134 of the National Planning Policy Framework and would fail to meet the requirements of Policy LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Amendments Adopted June 2003) and the considerations as set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the contribution the development would make towards addressing housing supply issues would not outweigh the significant and demonstrable harm that the scheme would cause as identified above and detailed in reason 2.
- 2 The proposed development would lead to the early demise of a number of trees which are protected by being in a Conservation Area through root compaction, direct branch contact and construction activity, and there would be significant post development pressure to detrimentally reduce or fell the western boundary trees due to future concerns relating to restriction of light, dominance, and perceived danger from falling limbs. The building will also incur marginally into the root protection area of a dominant lime tree covered by a Tree Preservation Order 042/1997/T1. The proposal will therefore harm the sylvan character of the area, and is contrary to Policy N6 of the Local Plan.

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Scale @ A4 1:1,250



Appendix A



IMPORTANT:
Do not scale from this drawing - use Equest dimensions only. Unless otherwise noted all dimensions are given in millimetres.
All dimensions must be verified on site before the commencement of work or the fabrication of any item. Any discrepancies must be reported to the Architect.
This drawing and design is copyright and must not be reproduced in part or in whole without prior written consent.
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GENERAL NOTES:

REV	DATE	AMENDMENTS
0	15/02/16	Dimensions revised

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JOB: Proposed development for
The White House, 95, Alwood Road,
Maidenhead
for Mr. B. Dash

TITLE: Elevations

SCALE: 1:100 at A3 **JOB NO.:** 1376

DATE: FEBRUARY 2016 **DRAWING NO.:** 11B

Appendix C



ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE



MAIDENHEAD DEVELOPMENT CONTROL PANEL

Planning Appeals Received

11 November 2016 - 9 December 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

Ward:

Parish:

Appeal Ref.: 16/60102/REF **Planning Ref.:** 16/01700/FULL **PIns Ref.:** APP/T0355/D/16/3159482

Date Received: 18 November 2016 **Comments Due:** Not Applicable

Type: Refusal **Appeal Type:** Householder

Description: Two storey side and rear extension

Location: **3 Golden Ball Lane Maidenhead SL6 6NW**

Appellant: Mr Nigel Braithwaite **c/o Agent:** Mr Michael Drake Michael Drake Architects Ltd 83 Greenbank Road Greenbank Bristol BS5 6HE

Ward:

Parish:

Appeal Ref.: 16/60103/REF **Planning Ref.:** 15/02885/FULL **PIns Ref.:** APP/T0355/W/16/3158516

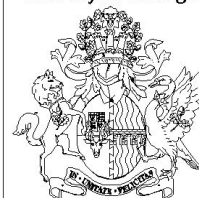
Date Received: 29 November 2016 **Comments Due:** 3 January 2017

Type: Refusal **Appeal Type:** Hearing

Description: Change of use of land for the stationing of 2 gypsy caravan pitches for residential purposes with the formation of hardstanding, construction of 2 utility/dayrooms

Location: **Land Rear of Stratton Cottages Fifield Road Fifield Maidenhead**

Appellant: Ms Sandra Bull **c/o Agent:** Mr Matthew Green Green Planning Studio Ltd Unit D Lunesdale Shrewsbury Upton Magna SY4 4TT



Appeal Decision Report

9 November 2016 - 9 December 2016

MAIDENHEAD

Appeal Ref.: 15/00069/REF **Planning Ref.:** 15/00522/FULL **Plns Ref.:** APP/T0355/W/15/3
131046

Appellant: Mr Wayne Owen **c/o Agent:** Mr Matthew Green Green Planning Studio Ltd Unit D Lunesdale Shrewsbury Upton Magna SY4 4TT

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

Description: Change of use of land for stations of caravans for residential purposes for 2 no gypsy pitches together with the formation of hardstanding and day rooms ancillary to the use. (Retrospective).

Location: **Brayfield Stables Windsor Road Water Oakley Windsor SL4 5UJ**

Appeal Decision: Allowed **Decision Date:** 11 November 2016

Main Issue: The proposal would have harmful implications for the Green Belt in terms of inappropriateness, erosion of the openness of the Green Belt and encroachment in the countryside. In accordance with national policy this harm is given substantial weight. The site is accessible to local services and the scale of the development would dominate the settled community. There would be some social and economic benefits from a settled base and there would be limited harm to the rural character and appearance of the countryside. However, the Council cannot demonstrate a 5 year supply of deliverable traveller sites. There is a clear and immediate need to accommodate gypsies in the Borough and region and there is no immediate prospect that unmet need will be satisfied in the immediate future. There are no other sites at the current times and if the families were forced to leave the site it is likely they would resort to living on an unauthorised roadside encampment, which is not conducive to their health and well being. However, the Inspector was not persuaded that a permanent permission for the development should be granted.

Appeal Ref.: 15/00070/ENF **Enforcement Ref.:** 14/50179/ENF **Plns Ref.:** APP/T0355/C/15/3
131044

Appellant: Mr Lee Cooper And Mr Wayne Owen **c/o Agent:** Mr Matthew Green Green Planning Studio Ltd Unit D Lunesdale Shrewsbury Upton Magna SY4 4TT

Decision Type: Issue Notice **Officer Recommendation:** Issue Notice

Description: Appeal against the Enforcement Notice: Condition 4 of the appeal decision (planning application: 10/00461) has not been complied with.

Location: **Brayfield Stables Windsor Road Water Oakley Windsor SL4 5UJ**

Appeal Decision: Part Allowed **Decision Date:** 11 November 2016

Main Issue: The appeals succeeds on grounds (f) works required to comply with the Notice and (g) compliance period but otherwise the Notice is upheld subject to corrections and variations in the terms in the formal decisions.

Appeal Ref.: 16/60079/REF **Planning Ref.:** 15/03965/FULL **Plns Ref.:** APP/T0355/W/16/3
152866

Appellant: Mr And Mrs R Ting **c/o Agent:** Mr Bob Berry Bob Berry Architect Ltd Dell Cottage Horsemoor Lane Winchmore Hill Amersham Bucks HP7 0PL

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

Description: Construction of porch, single storey rear extension, first and second floor front extension, first and second floor rear extension, with new lift location and amendments to fenestration's

Location: **White Lodge Bisham Road Bisham Marlow SL7 1RP**

Appeal Decision: Dismissed **Decision Date:** 9 November 2016

Main Issue: The Inspector agreed with the Council that the proposal would result in a disproportionate addition to the building that amounted to inappropriate development in the Green Belt and that the application failed the Sequential Test.

Appeal Ref.: 16/60085/NOND **Planning Ref.:** 16/00321/FULL **Plns Ref.:** APP/T0355/W/16/3
ET 154520

Appellant: Nascot Homes Ltd **c/o Agent:** Mr Nicholas Cobbold Bell Cornwell Partnership Oakview House Station Road Hook Hampshire RG27 9TP

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

Description: Construction of 6 x apartments and 4 x dwellings following demolition of existing dwelling.

Location: **33 Cannon Court Road Maidenhead**

Appeal Decision: Dismissed **Decision Date:** 7 December 2016

Main Issue: The apartment building to the front would appear greater in scale than the building and neighbouring residential development and the under-croft access, elaborate detailing, and extend of parking to the front would be out of keeping. To the rear, the proposed buildings and hardstanding would result in a substantial loss of the existing green open area that is characteristic of neighbouring plots and their scale would also be substantial at odds with the development pattern, along the western side of Cannon Court Road. There would be actual and perception of loss of privacy and increase in noise and disturbance from the parking area to no. 35 Cannon Court Road to the detriment of their amenity

Appeal Ref.: 16/60087/REF **Planning Ref.:** 16/01347/FULL **Plns Ref.:** APP/T0355/D/16/
3157641

Appellant: Mr Ian Affleck **c/o Agent:** Mr Freddy Felix Studio Felix Ltd 14 Mellor Close Walton On Thames KT12 3RX

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

Description: First floor side extension.

Location: **Westwood House Walgrove Gardens White Waltham Maidenhead SL6 3SL**

Appeal Decision: Dismissed **Decision Date:** 17 November 2016

Main Issue: The proposal would appear visually as more of a continuation of the existing bulk of the property than as a subservient addition to it. The proposal would clearly add to the perceived bulk of the property. Whilst the extension would be comparatively modest it is nonetheless significant with regard to the particular context in which it is proposed. Consequently in terms of size relative to the property at present, and with regard to the scale, bulk, and the prominence of the proposal, the Inspectors view of the proposal would on balance amount to a disproportionate addition to the original dwelling. The proposal would result in harm to the Green Belt by virtue of being inappropriate development. Further harm would result from its effect upon the openness of the Green Belt, albeit that this additional harm would be limited. Paragraph 88 of the Framework requires that any harm to the Green Belt is given substantial weight, and that very special circumstances justifying harmful development will not exist unless any harm is clearly outweighed by other considerations. Very special circumstances have not been demonstrated, and the proposal therefore does not accord with the approach in saved policy GB1 of the Local Plan and with relevant elements of the Framework.

Appeal Ref.: 16/60095/REF **Planning Ref.:** 16/01317/FULL **Plns Ref.:** APP/T0355/D/16/3159328
Appellant: Miss G Shepherd **c/o Agent:** Mr Eric Bolton Newtown House Newtown Road Henley On Thames Oxon RG9 1HG
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Single storey front and rear extensions
Location: **4 Choseley Road Knowl Hill Reading RG10 9YT**
Appeal Decision: Allowed **Decision Date:** 21 November 2016

Main Issue: The Inspector found that the daylight and sunlight and outlook of 4A will not be materially harmed, because of the distance from their conservatory and because of their timber shed, and the 1.8m fence, and because of the flat roof of the proposed extension. The light entering the kitchen of 2A would not be reduced to an unacceptable degree because of the height of the proposed extension. Their outlook would not be reduced to an unacceptable degree. The amount of west sunlight to the garden of 2A would not be reduced to a harmful degree. The outlook from the garden would not be changed to a harmful degree, nor would the extension be overbearing. The proposal would not harm the amenities of the neighbours in terms of light and outlook.

Appeal Ref.: 16/60096/REF **Planning Ref.:** 16/01491/FULL **Plns Ref.:** APP/T0355/D/16/3157893
Appellant: Mr Craig Irvine 4 Gordon Road Maidenhead SL6 6BT
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Part single, part two storey side extension and widening of front access following demolition of existing garage and 2 No. sheds.
Location: **4 Gordon Road Maidenhead SL6 6BT**
Appeal Decision: Allowed **Decision Date:** 21 November 2016

Main Issue: The Inspector concludes that from their visit to the site and the surrounding streets, they do not consider that the number of parking spaces for the proposed development would be unreasonable nor would it result in unsustainable pressure on the street parking in the area. Furthermore, the site is in a relatively sustainable location, within walking distance of the railway station and the town centre.
