

NOTICE  
OF  
MEETING

**MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL**

will meet on

**WEDNESDAY, 12TH APRIL, 2017**

at

**7.00 pm**

in the

**COUNCIL CHAMBER - TOWN HALL,**

TO: MEMBERS OF THE MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

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

SUBSTITUTE MEMBERS

COUNCILLORS PAUL BRIMACOMBE, STUART CARROLL, CARWYN COX,  
JUDITH DIMENT, GEOFF HILL, MOHAMMED ILYAS, MARION MILLS, MJ SAUNDERS,  
HARI SHARMA AND LISA TARGOWSKA

Karen Shepherd  
Democratic Services Manager  
Issued: Tuesday, 4 April 2017

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](http://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](mailto: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.		5 - 6
3.	<u>MINUTES</u> To confirm the part I minutes of the meeting of 15 March 2017.		7 - 12
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning's report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. <a href="http://www.rbwm.gov.uk/web/dc_public_apps.htm">http://www.rbwm.gov.uk/web/dc_public_apps.htm</a>		13 - 56
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Appeals Decision Report and Planning Appeals Received.		57 - 60
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC</u> To consider passing the following resolution:-  "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 6 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"		

## PART II PRIVATE MEETING

ITEM	SUBJECT	WARD	PAGE NO
7.	<u>ENFORCEMENT REPORT - THE SNOOTY FOX - WARREN ROW ROAD - WARREN ROW - READING</u>  To consider the above report.  <b><i>(Not for publication by virtue of Paragraph 1, 2, 5, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b>		61 - 82
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## **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' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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' means a discussion by the members of meeting. In order to avoid any accusations of taking part in the discussion or vote, Members should move to the public area or leave the room once they have made any representations. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

# Agenda Item 3

## MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

15.03.17

PRESENT: Councillors David Burbage (Chairman), Derek Wilson (Vice-Chairman), Clive Bullock, Gerry Clark, Maureen Hunt, Richard Kellaway, Philip Love, Derek Sharp, Adam Smith, Claire Stretton, Leo Walters and Paul Brimacombe.

Officers: Tony Carr (Traffic & Road Safety Manager), Victoria Gibson (Development Management Team Manager), Jenifer Jackson (Head of Planning), Mary Kilner (Head of Law and Governance), Helen Leonard (Arboricultural Co-ordinator (Trees)), Shilpa Manek, Susan Sharman (Senior Planning Officer) and Matthew Tucker (Solicitor - Shared Legal Solutions)

Also Present: Councillors Saunders and Sharma.

### 123/15 APOLOGIES FOR ABSENCE

Apologies for absence received from Councillor David Coppinger. Councillor Brimacombe will be substituting.

### 124/15 DECLARATIONS OF INTEREST

Councillor Brimacombe declared a personal interest for item 3 and was attending the meeting with an open mind.

Councillor Burbage declared a prejudicial interest for item 4 and would leave the room during discussion and voting. Councillor Burbage also declared a personal interest as a member of Bray Parish Council.

Councillor Hunt declared a prejudicial interest for item 4 and would leave the room during discussion and voting.

Councillor Kellaway declared a personal interest for item 4 and was attending the meeting with an open mind.

Councillor Love declared a prejudicial interest for item 4 and would leave the room during discussion and voting.

Councillor Smith declared a personal interest for item 2 and was attending the meeting with an open mind.

Councillor Walters declared a personal interest as a member of Bray Parish Council.

Councillor Wilson declared a personal interest as a member of Bray Parish Council.

### 125/15 MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 15 February 2017 be approved.**

### 126/15 PLANNING APPLICATIONS (DECISION)

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

The Panel considered the Head of Planning'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><b>Item 1</b> <b>*16/02025/FULL</b></p> <p><b>Cliveden Shopping Centre</b> <b>Shifford Crescent</b> <b>Maidenhead</b></p> <p style="text-align: right;"><b>View</b></p>	<p><b>Erection of a nursery with associated parking and improvements to existing parking layout and landscaping, together with fascia improvements to existing parade building and relocation of mobile library facility.</b></p> <p>Councillor Sharp put forward a motion to refuse the application as there was insufficient turning space within the site to allow service vehicles to exit the site onto Switchback North Road safely. Accordingly, the proposal, by reason of the siting of the day nursery, would lead to a situation that would be detrimental to highway and pedestrian safety and the free flow of traffic. This was seconded by Councillor Love.</p> <p>Four Councillors voted for this motion (Councillors Kellaway, Love, Sharp and Stretton). Six Councillors voted against this motion (Councillors Burbage, Clark, Hunt, Smith, Walters and Wilson). Councillors Brimacombe and Bullock abstained from voting. This motion fell.</p> <p>Councillor Wilson put forward a motion to permit the application. This was seconded by Councillor Clark. Five Councillors voted for this motion (Councillors Burbage, Clark, Smith, Walters and Wilson). Four Councillors voted against this motion (Councillors Kellaway, Love, Sharp and Stretton). Councillors Brimacombe, Bullock and Hunt abstained from voting.</p> <p><b>The PANEL VOTED that the application be APPROVED as per the officer's recommendation.</b></p> <p>(Speakers: The Panel was addressed by David Howells, Applicant)</p>
<p><b>Item 2</b> <b>16/02278/FULL</b></p> <p><b>Holyport College</b> <b>Ascot Road</b> <b>Holyport Maidenhead</b> <b>SL6 3LE</b></p>	<p><i>2 No. Steel storage containers.</i></p> <p>The Officers recommendation to permit the application was put forward by Councillor Love and seconded by Councillor Stretton.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the officer's recommendation.</b></p>
<p><b>Item 3</b> <b>*16/02416/FULL</b></p> <p><b>Brill House</b> <b>Mercia Road</b> <b>Maidenhead</b></p>	<p><b>Erection of 7 x dwellings and building consisting of 5 x 1 bed flats and 1 x 6 bed HMO dwelling, following demolition of existing building.</b></p> <p>The officer's recommendation to permit the</p>



<p><b>SL6 3DU</b></p>	<p>Application was put forward by Councillor Wilson and seconded by Councillor Smith.</p> <p>A named vote was taken, six Councillors (Councillors Burbage, Clark, Hunt, Smith, Walters and Wilson) voted for the motion. Councillors Bullock, Kellaway and Love voted against the motion. Councillors Brimacombe, Sharp and Stretton abstained from voting.</p> <p><b>The PANEL VOTED that the application be APPROVED as per the officer's recommendation.</b></p> <p><i>(Speakers: The Panel was addressed by David Maskell, Objector).</i></p>
<p><b>*Item 4 16/02814/FULL</b></p> <p><b>Land At BCA And Bordered By Main Buildings To North And Dellars Copse To South Burchetts Green Road Burchetts Green Maidenhead</b></p>	<p><b>Development of a care village comprising of a 50 bedroom care home, village care and wellbeing centre, 26 assisted living units, 82 independent living units, landscaping, parking and associated new access drive.</b></p> <p>Councillor Kellaway put forward a motion to approve the application on the following grounds :</p> <ul style="list-style-type: none"> <li>• Restoring a Grade I listed building, financially securing BCA and reducing its debt and the provision of units for the elderly residents in the borough constituted a case of VSC.</li> <li>• The potential harm to the Green Belt by reason of inappropriateness, and any other harm, was considered to be clearly outweighed by the above considerations.</li> <li>• It was also concluded that there was only a minor impact to the Heritage Asset given the sports hall building.</li> <li>• The loss of trees was disputed as any lost trees would be replaced.</li> <li>• No harm to character and appearance, proposal constitutes a good design.</li> <li>• No harm would be caused to wildlife and protected species.</li> <li>• Flood risk would not be increased.</li> </ul> <p>This was seconded by Councillor Sharp.</p> <p>Six Councillors (Councillors Brimacombe, Bullock, Clark, Kellaway, Sharp and Stretton) voted for the motion. Councillors Smith, Walters and Wilson voted against the motion. Councillors Burbage,</p>

	<p>Hunt and Love were not present in the room and did not vote.</p> <p><b>The PANEL VOTED that the application be DEFERRED AND DELEGATED against the officer's recommendation, subject to:</b></p> <ul style="list-style-type: none"> <li><b>i) conditions delegated to Head of Planning;</b></li> <li><b>ii) a legal agreement being secured by Head of Planning securing necessary Heads of Terms and</b></li> <li><b>iii) no call in by NPCU.</b></li> </ul> <p>(Speakers: The Panel was addressed by Mrs Annie Keene, Mr Tom Weiss, Dr David Hammond and Ms Delia Higgins, Objectors, Councillor Mrs McLaren, Hurley Parish Council and Gillian May, Douglas Bond and George Garbett, Applicants)</p>
<p><b>Item 5</b> 16/03461/FULL</p> <p><i>Ockwells Country Park</i> <i>Ockwells Road</i> <b>Maidenhead</b></p>	<p><i>Change of Use of land from agricultural/grazing to Public Open Space.</i></p> <p>The Officers recommendation to permit the application was put forward by Councillor Walters and seconded by Councillor Bullock.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the officer's recommendation.</b></p>
<p><i>Item 6</i> 17/00142/FULL</p> <p><i>Newlands Girls School Farm Road</i> <b>Maidenhead SL6 5JB</b></p>	<p><b>Two storey extension to existing science block with associated alterations and glazed roof over existing courtyard adjacent to the library.</b></p> <p>The Officers recommendation to permit the application was put forward by Councillor Wilson and seconded by Councillor Kellaway.</p> <p><b>The PANEL VOTED UNANIMOUSLY that the application be APPROVED as per the officer's recommendation.</b></p>
<p><b>Item 7</b> *17/00357/FULL</p> <p><i>Herons Court</i> <i>Terrys Lane</i> <b>Cookham Maidenhead SL6 9RR</b></p>	<p><b>Construction of a new three storey dwelling following the demolition of existing dwelling and outbuildings.</b></p> <p>Councillor Kellaway put forward a motion to approve the application. This was seconded by Councillor Clark.</p> <p>Ten Councillors (Councillors Brimacombe, Bullock, Burbage, Clark, Hunt, Kellaway, Love, Sharp, Smith and Stretton) voted for the motion. Councillors Walters and Wilson voted against the motion.</p>

	<p>The PANEL VOTED that the application be APPROVED against the officer's recommendation as the relocation of the house to a less prominent position and the demolition of all the outbuildings resulted in a lack of harm to openness, furthermore the new access offered a highway improvement. These considerations were considered to clearly outweigh the harm to the green belt and therefore amounted to VSC. Furthermore the conditions were delegated to officers for the removal of PD rights.</p> <p>(Speakers: The Panel was addressed by Mr Paul Newman and Mr Andrew Scott, Applicants).</p>
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127/15 ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the appeal decisions.

The meeting, which began at 7.00 pm, ended at 10.00 pm

Chairman.....

Date.....

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## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Maidenhead Panel

12th April 2017

#### 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

<b>Item No.</b>	1	<b>Application No.</b>	17/00129/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>
						<b>15</b>
<b>Location:</b>	Challen's Chickens Land Adjacent Honey House Winter Hill Road Cookham Maidenhead SL6 6PJ					
<b>Proposal:</b>	Construction of 3x dwellings with garages following demolition of existing poultry /egg plant and silo					
<b>Applicant:</b>	Mr Challen	<b>Member Call-in:</b>	Cllr Kellaway	<b>Expiry Date:</b>	21 April 2017	

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<b>Item No.</b>	2	<b>Application No.</b>	17/00191/OUT	<b>Recommendation</b>	PERM	<b>Page No.</b>
						<b>27</b>
<b>Location:</b>	20 And 24 Braywick Road Maidenhead					
<b>Proposal:</b>	Outline application (access and layout) with other matters reserved for the erection of two-storey 7No. dwellings with access, parking and amenity space following the demolition of existing dwelling					
<b>Applicant:</b>	Mr Collinge	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	3 March 2017	

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<b>Item No.</b>	3	<b>Application No.</b>	17/00322/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>
						<b>39</b>
<b>Location:</b>	49 Switchback Road Maidenhead SL6 7QX					
<b>Proposal:</b>	3 No. detached dwellings with associated access and parking following demolition of existing dwelling					
<b>Applicant:</b>	Waltham Homes Ltd	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	28 <sup>th</sup> March 2017	

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<b>Item No.</b>	4	<b>Application No.</b>	17/00686/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>
						<b>51</b>
<b>Location:</b>	Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead					
<b>Proposal:</b>	Construction of a pair of detached cottages.					
<b>Applicant:</b>	Mrs Pickering	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	1 May 2017	

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Appeal Decision Report  
 Planning Appeals Received

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

12 April 2017

Item: 1

<b>Application No.:</b>	17/00129/FULL
<b>Location:</b>	Challen's Chickens Land Adjacent Honey House Winter Hill Road Cookham Maidenhead SL6 6PJ
<b>Proposal:</b>	Construction of 3x dwellings with garages following demolition of existing poultry /egg plant and silo
<b>Applicant:</b>	Mr Challen
<b>Agent:</b>	Mr Lawrence Jones - Barrister At Law
<b>Parish/Ward:</b>	Bisham Parish/Bisham And Cookham Ward

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

## 1. SUMMARY

- 1.1 The proposal for 3 dwellings is inappropriate development in Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. Due to the scale and bulk the proposed dwellings are also considered to erode actual openness. As such, the harm as a result of the development is considered to be substantial. The scale, form, mass and bulk of the development would reduce openness and have an adverse effect on the character of the area, including the Area of Special Landscape Importance. It is not considered that a case for VSC has been demonstrated.

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

- |    |   |
|----|---|
| 1. | The proposal represents inappropriate development and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. No Very Special Circumstances have been demonstrated that clearly overcomes the harm to the Green Belt and any other harm.   |
| 2. | Due to its scale, height, form, mass and bulk the proposal would result in the loss of actual openness across the site representing an intrusion/encroachment into the countryside which would conflict with one of the main purposes and open character of the Green Belt, and harm the open character of this Area of Special Landscape Importance and locality in general. |

## 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Kellaway to consider all the options available in a green belt site.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, measuring approximately 0.42ha, is located in a gap in a relatively isolated row of houses set in a wider rural setting. An access track serves the row of houses, linking to the main carriage way of Winter Hill Road by Honey House at the north end and The Brackens towards the southern end. The site is located within Green Belt and an Area of Special Landscape Importance.

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

- 4.1 The proposal comprises of the erection of 3 x 5-bed detached houses following the demolition of the existing poultry / egg plant and silo.

- 4.2 6 of the 7 houses to the south of the application site were built under a pre-war consent for 10 houses before the introduction of the planning system introduced by the 1947 Town and Country Planning Act. The foundations of the house immediately to the south of the application site had been laid and therefore its permission remained valid. A Revocation Order cancelling permission for the 3 unbuilt houses on the application site was confirmed in 1947. Planning permission for the house to the north (originally Penn Cottage, now Honey House), was granted in 1953.
- 4.3 There is a history of refusals for residential development on the application site from 1956 which is as follows:

Planning Reference	Proposal	Decision
2658/56	Erection of 5 houses	Refused – 02.01.1956
2706/57	Erection of 1 house	Refused – 02.01.1957
5324/62	Erection of 4 houses	Refused 31.01.1963  Appeal Dismissed
411553	Erection of 2 houses	Refused – 15.05.1980  Appeal – Dismissed
10/00259/FULL	Erection of 3 houses	Refused – 08.04.2010  Appeal – Dismissed
12/02898/FULL	Siting of farmworkers caravan and parking space	Refused – 13.12.2012

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

- 5.1 National Planning Policy Framework Sections 6, 7, 9, 11.

### 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
GB1, GB2, GB3, N1, DG1, H10, H11, ARCH2, ARCH 4	P4, T5	N6

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Supplementary planning documents

- 5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:
- Cookham Village Design Statement
  - Landscape Character Assessment

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

### Other Local Strategies or Publications

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

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)



## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- i Green Belt / Principle of Development
  - ii Character and Appearance
  - iii Residential Amenity
  - iv Highway and Parking
  - v Archaeology
  - vi Other Material Considerations

### **Green Belt**

#### Appropriate Development

- 6.2 The site is located within the Green Belt and paragraph 89 of the NPPF states that the construction of new buildings is inappropriate within the Green Belt with some exceptions. One of these exceptions is the limited infilling or the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt than the existing development nor conflict with the purposes of including land within it. However, the definition of 'previously developed land' in the NPPF excludes land that has been occupied by agriculture or forestry buildings. Being occupied by an existing agricultural use the site is therefore not 'previously development land' in this respect. The other exceptions relate buildings for agriculture or forestry, facilities for outdoor sport and recreation, extensions or alterations of a building, replacement buildings, limited infilling in villages and limited affordable housing and therefore not applicable in this case.
- 6.3 Consequently, the proposal is inappropriate development within Green Belt and paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt. Inappropriate development should not be approved except in Very Special Circumstance (VSC) that clearly overcomes the harm to the Green Belt and any other harm. The applicant has made a case for VSC and this is considered at the end of the report under 'Planning Balance and the Case of Very Special Circumstances'.

#### Purpose and Open Character of Green Belt

- 6.4 Paragraph 79 of the NPPF states the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open and the essential characteristics of the Green Belt are their openness and their permanence. Local Plan policy GB2(a) states that planning permission will not be granted for new development or the redevelopment of buildings within the Green Belt if it would have a greater impact on the openness of the Green Belt or the purposes of including land in it than the existing development on site. As inappropriate development, the proposal is by definition harmful to its openness and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'.
- 6.5 In relation to actual harm to openness it is considered that openness means the absence of buildings or development. The proposal includes the removal of the existing poultry and egg plant and silo, and any agricultural PD buildings and structures will have to be removed if the agricultural use ceases. To undertake a comparison between the existing development and the proposed information on the existing footprint and volume of the existing buildings / structures has been requested from the applicant, but at the time of writing this has not been provided. However, with each house measuring approximately 13.5m in width, 7.5 to 15m in depth, and 5m / 8m (eaves / ridge) it is clear that the 3 new dwellings would be materially larger than the existing buildings and structures on site. Furthermore, with the exception of the silo, the existing buildings and structures are single storey and low level and therefore would have a significantly

lesser visual impact than the two storey houses. The proposal is therefore considered to materially erode the actual openness of the Green Belt.

- 6.6 For these reasons the proposal is considered contrary to paragraph 79 of the NPPF and Local Plan policy GB2(a). In accordance with paragraph 88 of the NPPF, together with its inappropriateness, the harm caused by reason of the encroachment into the countryside and loss of openness should be given substantial weight.

### **Character and Appearance**

- 6.7 The NPPF attaches great importance to the design and states it is proper to promote or reinforce local distinctiveness. Local Plan policy DG1 sets out design guidelines to which the Council will have regard in assessing development proposals. Policy H10 requires new residential development to display high standards of design and landscaping. Policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area. The site lies within an Area of Landscape Importance and therefore Local Plan policy N1 is also relevant. Policy N1 states with Areas of Landscape Importance, development which would detract from the special qualities of that landscape would not be permitted. The Council's Landscape Character Assessment identifies Winter Hill as 'Settled Wooded Chalk Knolls' the key characteristics of which are undulating wood covered landform with pronounced knolls contrasting with areas of open chalkland in adjacent landscapes. Other key characteristics include mixed farmland with paddocks and larger fields of arable in more flatter, open areas and village greens and extensive areas of common land (wood and open pasture).
- 6.8 The proposed dwellings would be sited in a gap in a row of houses located on relatively open, flat land with larger fields of arable to the north and west, and Cookham Dean Common to the east. In this context, openness is considered to be an important visual component of the locality. The siting of the proposed dwellings would respect the existing building line, and the limits of the group would not be extended. However, being 2 storeys it is considered that the bulk of the proposed houses would be significantly larger than the nearby houses which are predominately chalet style bungalows. The form, which includes gable roofs and a large gable projection to the front of the houses, increases its visual bulk and prominence. Together with the material scale of development on the site in comparison to the existing buildings and structures, the proposal is considered to reduce openness and have an adverse effect on the open character of the area including the Area of Special Landscape Importance, contrary to the NPPF, Local Plan policies DG1, H11 and N1 and Policy G6.1 Building Form and context of the Cookham Village Design Statement.

### **Residential Amenity**

- 6.9 Core Principle 4 requires new development to secure good amenity for all, while Local Plan policy H11 states that planning permission will not be granted for schemes which would cause damage to the amenity of the area.
- 6.10 While sited approximately in line with the existing houses, the proposed houses would project further rearwards than the adjacent houses at Weathertop to the south and Honey House to the north, but due to the proposed depth of the projection and offset from the flank boundaries, the rearward projection would not intrude through a 45 or 60 degree line taken from the centre of the nearest window serving a habitable room of adjoining properties. As such, the proposal is not considered to be unduly harmful to the residential amenity of Weathertop and Honey House in terms of loss of light or visual intrusion. There would be an increase in visual presence when viewed from adjoining gardens, but due to the limited rearward projection would not warrant refusal in this respect. Flank windows are proposed first floor level, but serving a non-habitable room (a bathroom) it is not considered to introduce an unreasonable level of overlooking into neighbouring sites. Rooflights are also proposed on the flank roof slope, but given the height above the internal floor level and their upwards angle these are not considered to result in undue loss of privacy.

- 6.11 Concerns have been raised over noise and disturbance from an increase in traffic to and from the application site. No substantive information has been provided by the applicant on the existing agricultural activities on site resulting in uncertainties over existing traffic figures. However, 3 5-bed residential units have the potential to generate between 15 and 45 vehicle movements per day which is not considered excessive or to result in unreasonable levels of noise and disturbance to neighbouring properties.
- 6.12 Overall, it is considered that the proposal is considered compliant with Core Principle 4 and Local Plan policy H11.

### **Highways and Parking**

- 6.13 Local Plan policy T5 requires all development proposals to comply with the Council's adopted highway design standards. Access from the site to the public highway at Winter Hill Road is derived by way of an existing shared gravel drive, which is wide enough to permit two-way vehicular movements. There is also an acceptable level of visibility at the shared private access road junction with Winter Hill Road.
- 6.14 The internal shared access arrangement does not make provision for service delivery vehicles and visitor cars to turn around so such vehicles can enter and leave in forward gear. However, there is scope for a formal turning area to be provided as part of the development and if recommended for approved it is considered such a facility could be secured by way of a planning condition.
- 6.15 Local Plan policy P4 requires all development proposals to comply with the Council's adopted parking standards. In accordance 3 spaces per unit is required. It is considered that there is sufficient space on site to provide the required parking. If recommended for approval, a parking layout could be secured by a suitable planning condition.
- 6.16 The proposal has the potential to generate traffic of between 15 and 45 vehicle movements per day, which is not considered to have a significant impact on highway safety nor result in undue pressure on the local highway infrastructure network.
- 6.17 There is a public footpath running along the northern boundary of Honey House. Given the separation distance the proposal is unlikely to have any significant impact on this public right of way.

### **Archaeology**

- 6.18 The site is located in an area of archaeological interest as evidenced by Berkshire Archaeology's Historic Environment Record (HER) and besides from the existing structures of the chicken farm the site largely comprises of previously undeveloped land. The NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. Local Plan policy ARCH2 and ARCH4 are broadly in line with the NPPF requirements. As such, if the proposal had been recommended for approval this would have been subject to a condition to secure a programme of archaeological work to record and advance understanding of the significance of any heritage assets.

### **Other Material Considerations**

#### Housing Land Supply

- 6.19 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.

- 6.20 It is acknowledge that this scheme would make a contribution to the Borough's housing stock. However, it is the view of the Local Planning Authority 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 consisted with the NPPF, and to the development plan as a whole.

#### Sustainable Location

- 6.21 Concerns have been raised by a local resident over its distance to local facilities and services. This is not considered to warrant refusal on this basis given the need for housing within the Borough.

#### **Planning Balance and the Case of Very Special Circumstances**

- 6.22 The NPPF states that inappropriate development is by definition harmful to the Green Belt, and should not be approved except in very special circumstances (VSC). In accordance with guidance contained in the NPPF a balancing exercise needs to be undertaken on whether by reason of inappropriateness and any other harm is clearly outweighed by other considerations which would amount to VSC necessary to justify the development.
- 6.23 It has been concluded that the harm caused by reason of inappropriate development, conflict with one of the purposes of the Green Belt through encroachment into the countryside, and loss of actual openness should be afforded substantial weight against the development. Significant weight is also given against the proposal in terms of harm to the character and appearance of the Area of Special Landscape Importance and visual amenity in general.
- 6.24 There is an acceptable impact in terms of residential amenity, highways and parking, and archaeology but as policy requirements this is afforded no weight. The provision of additional housing is given significant weight for the proposal.
- 6.25 The applicant has put forward the benefit to residential amenity from the loss of agriculture. Environmental Protection has confirmed that there have been complaints about the site relating to odour and general nuisance, and it not established to be a statutory nuisance it is considered that the loss of the chicken farm to residential amenity would be a benefit in this respect. This benefit is given moderate weight for the proposal. The applicant has also stated that should planning permission for the residential development not be forthcoming there is an intention to expand and intensifying the agriculture use including more poultry houses, and duck breeding station. Little to no evidence has been provided by the applicant to support this statement, therefore based on this lack of information and consequent uncertainly this consideration is afforded limited weight.
- 6.26 In balancing all these factors together it is considered that in this case the benefits do not clearly outweigh the harm that have been identified. Very special circumstances needed to justify the development are not considered to exist.

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

- 7.1 In line with the Council's Charging Schedule, if approved the proposed development would be CIL liable. The required CIL payment for the proposed development would be at a rate of £240 per square metre on the chargeable floorspace.

#### **8. CONSULTATIONS CARRIED OUT**

##### **Comments from interested parties**

2 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 14 February 2017.

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

Comment		Where in the report this is considered
1.	Inappropriate development in Green Belt	Para. 6.2 – 6.3
2.	Harm to openness of Green Belt	Para. 6.4 – 6.6
3.	Unsustainable location due to distance from facilities and services	Para. 6.21
4.	Harm to Special Landscape Importance	Para. 6.7 – 6.8
5.	Inadequate access and increase in traffic to the detriment of highway safety	Para. 6.13 - 6.17
6.	Noise and disturbance from traffic to the detriment of neighbouring amenity	Para. 6.11
7.	Increase in hardstanding, resulting in increase in flooding	The site is not located within a Flood Zone nor a critical drainage area
8.	Inadequate drains / sewage infrastructure	Not a material planning consideration
9.	Unauthorised access over land belonging to Honey House, causing damage to property	Not a material planning consideration

#### Other consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objections subject to informatives relating to dust control, smoke control and permitted hours of construction	Noted
Local Highway Authority	No objections subject to conditions to secure an acceptable parking layout, turning facility, and construction management plan.	Para. 6.13 – 6.17
Berkshire Archaeology	No objections subject to a condition to secure the implementation of a programme of archaeological works to be submitted to and approved by the Local Planning Authority	Para. 6.18
Bisham Parish Council	Objects to the proposal due to its conflict with Green Belt policy.	Para. 6.2 – 6.6
Cookham Parish Council	Objects to the proposal due to its conflict with Green Belt policy.	Para. 6.2 – 6.6
Cookham Society	Objects to the proposal, which is inappropriate development in Green Belt and contrary to Green Belt policy.	Para. 6.2 – 6.6

#### 9. APPENDICES TO THIS REPORT

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

#### 10. RECOMMENDED FOR REFUSAL

- 1 The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment'. No Very Special Circumstances have been demonstrated that clearly overcomes the harm to the Green Belt and any other harm. The proposal is therefore contrary to paragraph 87, 88 and 89 of the National Planning Policy Framework (2012) and saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003).
  
- 2 Due to its scale, height, form, mass and bulk the proposal would erode openness within the Green Belt, and the open character of the Area of Special Landscape Importance and locality in general. This is contrary to paragraph 60, 79 and 80 of the National Planning Policy Framework, Policies Local Plan policies DG1, H11 and N1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and Landscape Character Assessment for the Royal Borough of Windsor and Maidenhead (2004) and Policy G6.1 of the Cookham Village Design Statement (2013).

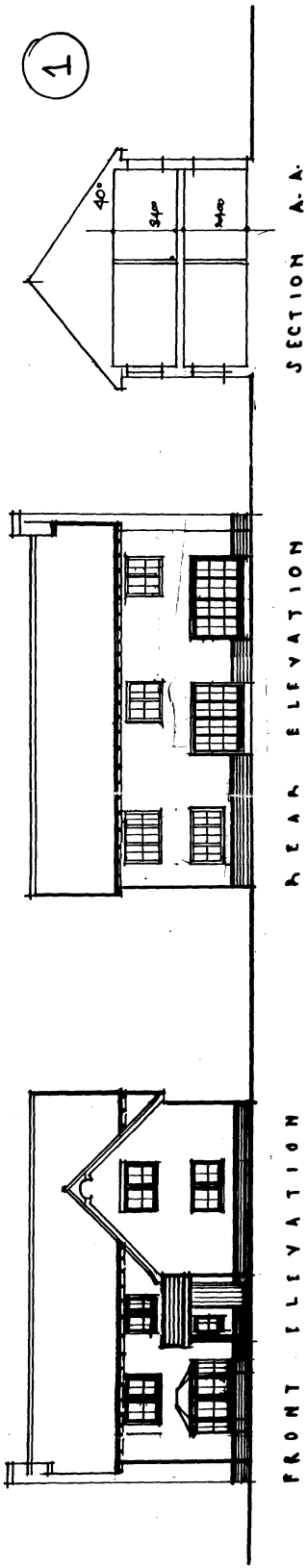
Appendix A – Location Plan and Site Layout







Appendix B – Proposed Plans and Elevations



SECTION A-A

REAR ELEVATION

FRONT ELEVATION

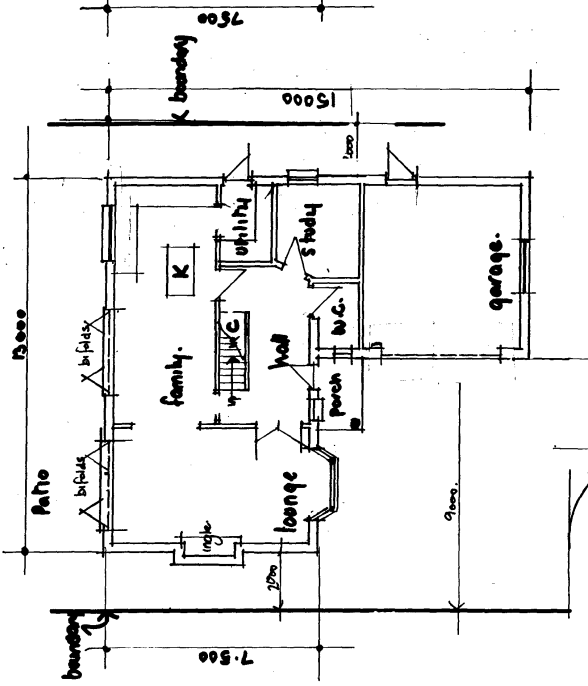
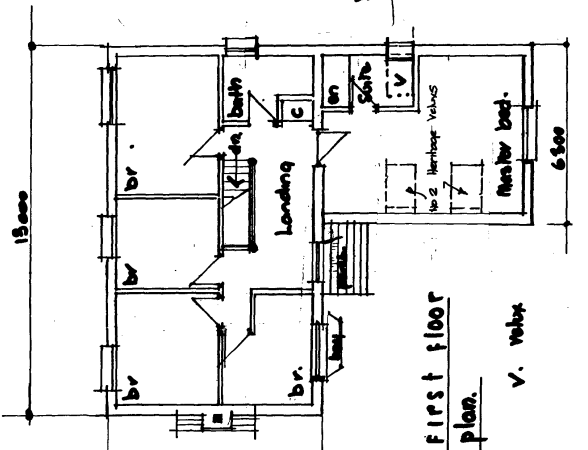
RECEIVED  
20 JAN 2017  
PLANNING

**MATERIALS (externals)**

**PLOT 1 + 3.**  
 Roof Slate Grey Marley. fibs.  
 All brick elevations.  
 Exposed eaves bridlewood rafters.  
 Black r.w.p. + gutters.  
 Oak farmhouse windows. + doors.  
 Brickwork. See illustrations.

**PLOT 2:**  
 Tile Antique Brown Plain tile.  
 Cream Sandtex to plain lime.  
 Pink facings as plot 1 + 2.  
 Caves and windows/doors as plots 1+2.  
 Black grille + a.p.s. Furniture style oak windows.  
 Materials: Onhave mix. brick paviours 15 drive. Forming. Post + rail + dk green. chainlink. 12m high 75 Sides. Field gate Auto access gates to each house. Red gravel parking areas for visitors.  
 \* Garden. Lawn + put free planting.

Reasons 24/17 wrong posters.



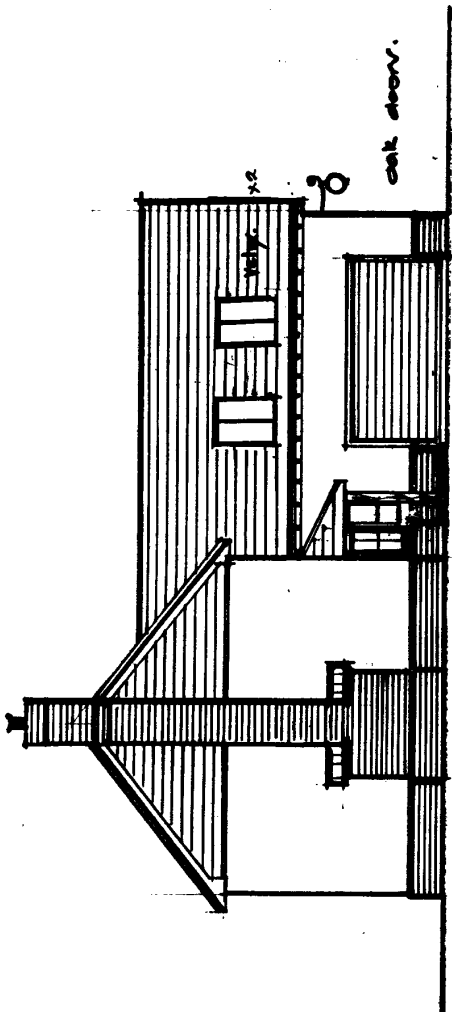
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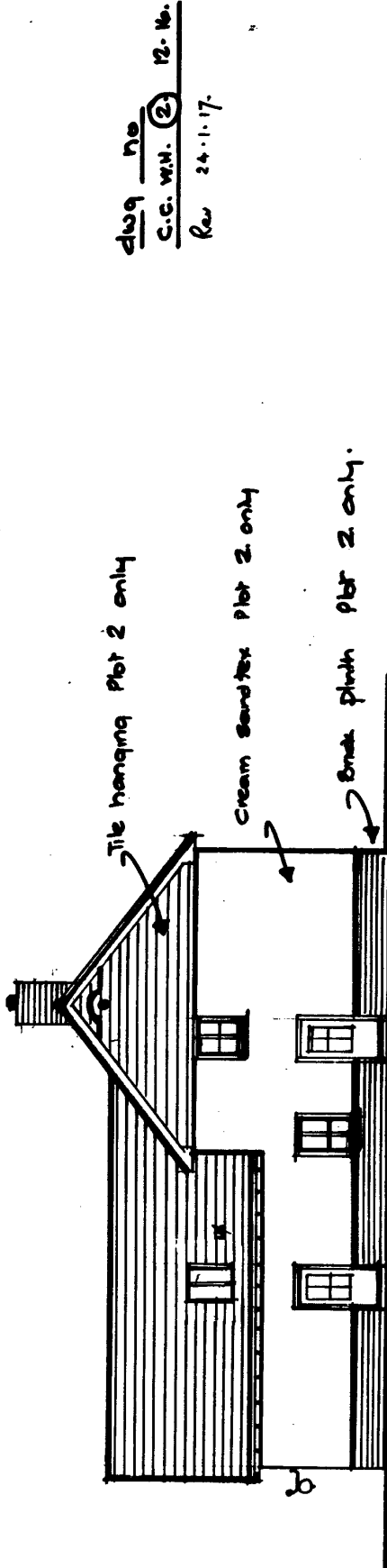
(2)

No 2.  
Elevations.

Plots 1 + 2 All facing brickwork.  
mm red antique blues.



S O U T H   S I D E



N O R T H   S I D E

dwg no  
C.G. W.N. (2) 12. No.  
Rev 24.1.17.

P L O T   N O   2

Scale 1:100th.  
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**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

12 April 2017

Item: 2

<b>Application No.:</b>	17/00191/OUT
<b>Location:</b>	20 And 24 Braywick Road Maidenhead
<b>Proposal:</b>	Outline application (access and layout) with other matters reserved for the erection of two-storey 7No. dwellings with access, parking and amenity space following the demolition of existing dwelling
<b>Applicant:</b>	Mr Collinge
<b>Agent:</b>	Mr Jake Collinge
<b>Parish/Ward:</b>	Maidenhead Unparished/Oldfield Ward

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 The application site is located within the built-up area of Maidenhead on the outskirts of the town centre. The proposal has been revised since the previous application to ensure the scale of the development will be in-keeping with the prevailing character of the area. The proposal will not harm the living conditions of any neighbours and would contribute 5 houses to the supply of housing in the Royal Borough.
- 1.2 The proposed houses on plots 5 and 7 would be in close proximity to protected trees and the tree officer has objected to the application. However, it is considered that, as the dwellings would be outside the root protection areas and managed canopy spreads of the relevant trees, and any works to these trees would require consent from the Council, the potential harm arising from the development is outweighed by the benefits of it.

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.</b>
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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 application site is located on the west side of Braywick Road, close to its junction with Rushington Avenue and Stafferton Way. The site is approximately 0.39 hectares and currently comprises the plots for two detached houses. The land rises from east to west and there is a protected oak tree in the south-west corner of the site and a protected walnut tree in the north-west corner. There is also a protected oak tree at the rear of the neighbouring property at 18 Braywick Road that overhangs the application site.
- 3.2 The west side of Braywick Road is predominantly characterised by medium-sized detached and individually designed houses. The application site is surrounded by residential properties.

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

Application	Proposal	Decision
16/02349/OUT	Outline application (access) with other matters	Appeal pending for non-

	reserved, for the erection of 8 detached two-storey dwellings with access, parking and amenity space following the demolition of the 2 existing dwellings.	determination. Would have refused 13.02.17.
16/03948/OUT	Outline application (access) with other matters reserved for the erection of 8 dwellings, comprising 2 detached two-storey dwellings and 3 pairs of two-storey semi-detached dwellings with access, parking and amenity space following the demolition of the 2 existing dwellings.	Refused 24.03.17.

- 4.1 The application seeks outline permission for the demolition of two houses and replacement with 7 two-storey dwellings, (comprising 1 pair of semi-detached and 5 detached properties), Four houses would be positioned at the front directly facing Braywick Road with the remaining three to the rear.
- 4.2 An access drive would run between the plots at the front and is to be considered as part of this application, together with the layout of the development, which includes the position of the parking associated with the development. Appearance, Landscaping and scale are reserved matters.

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

- 5.1 National Planning Policy Framework Sections 6 and 7.

### 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
DG1, H10, H11	P4, T5	N6

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Other Local Strategies or Publications

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

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

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- The impact of the proposal on the character and appearance of the area;
- The impact on the living conditions of future occupiers and existing neighbours;
- Parking provision and highway safety;
- The impact on trees;
- Archaeological impact;

- vi Air quality management;
- vii Community Infrastructure Levy;
- viii Other material considerations; and
- ix The Planning Balance.

### **The impact on the character and appearance of the area**

- 6.2 The application site is located within the built up area of Maidenhead wherein the principle of development is acceptable. The site is positioned on the west side of Braywick Road and is currently occupied by two large houses set within spacious grounds. Established trees run along the rear of the site where it adjoins properties in Rushington Avenue.
- 6.3 The application site is located in an area described, in the Council's Townscape Assessment, as being a 'Leafy Residential Suburb'. Built form in these areas is characterised by suburban style detached two storey houses on medium to large plots. Architectural styles are broadly consistent in terms of their built form, spacing between buildings and lack of on-street parking. The leafy suburban character is reinforced by well established private gardens, including mature trees and shrubs and there is a well-defined interface between the public/private realm.
- 6.4 A large section of the residential stretch of Braywick Road, towards the southern end, is positioned behind a service road, such that the context against which the application site is viewed is mainly the residential development north of Kingswood Court up to the roundabout at the junction with Rushington Avenue and Stafferton Way. This line of development is characterised by two-storey detached houses that, although vary in design, are of a similar scale. Properties sit back from the edge of the highway, along a slightly staggered building line by approximately 10m behind established hedgerows. Houses are positioned on plots that are generally around 15m wide with regular gaps between properties providing views of the trees and vegetation that lie to the rear. This part of Braywick Road has an attractive, green/leafy, spacious quality that is important to its suburban character and appearance, distinguishing it from the higher density urban development north of the Rushington Avenue/Stafferton Way roundabout.
- 6.5 The proposed houses to the front of the application site would be a similar distance back (approximately 10m) from the edge of the highway as the surrounding development. In addition, and following discussions with officers, the widths of the buildings facing Braywick Road and gaps between them would reflect and reinforce the character of residential development along the road. The three dwellings proposed to the rear of the site would also mirror the prevailing scale of development.
- 6.6 Subject to an acceptable reserved matters application, it is not considered that the proposal would detract from the character and appearance of the area, and complies with saved policies DG1 and H11 of the Local Plan.

### **The impact on the living conditions of future occupiers and existing neighbours**

- 6.7 The dwellings on plots 5 to 7 would be positioned at approximately 1.5m higher than the new houses on plots 1 to 4. However, the new properties would be separated by a gap of at least 25m and with careful design and layout, together with appropriate means of enclosure and landscaping, the living conditions of future occupiers of the dwellings for plots 1 to 4 inclusive would be acceptable. Each dwelling would have at least 100 sq.m rear garden, which is considered sufficient private amenity space.
- 6.8 The gaps between the proposed development and the immediate neighbours (at numbers 18 and 26 Braywick Road) are 3.5m and 6m respectively in the case of plots 1 and 4, and in excess of 20m, from plots 5 and 7 such that there are no concerns with respect to loss of privacy, loss of light or overbearing impact.

## **Parking provision and highway safety**

- 6.9 The A308 Braywick Road is a dual carriageway and to the south of the site it connects to the A308 Windsor Road, A330 Ascot Road and the A308(M), which links to Junction 8/9 of the M4. Heading north, the A308 connects to Stafferton Way and Rushington Avenue at the Braywick Roundabout, and heading further north it has access to the A4 Castle Hill/ Bad Godesberg Way and the A308 Marlow Road.
- 6.10 At the existing accesses the A308 dual carriageway is subject to a 30mph speed limit. The site is approximately 480m south (as the crow flies) of Maidenhead Station and is therefore, based upon the Borough's parking Strategy, deemed to be within an accessible location.
- 6.11 The site currently comprises two detached residential buildings, each served with an individual vehicular access off the A308. The development proposes demolishing the two units to construct 7 detached dwellings, 6 of which (plots 1, 2, 3, 5, 6 and 7) would be served by a single access off the A308 Braywick Road. The dwelling on plots 4 would have its own separate access. The visibility splay standard for a 30mph road is currently set at 2.4m by 43m. The plan shows visibility splays to the right (south) of 2.4m x 90m (82m for plot 4) and are therefore acceptable.
- 6.12 A development of this size has the potential to generate between 70 and 84 vehicular trips per day. However, given that the site is within a sustainable location the trips generated are likely to be less than the figures quoted.
- 6.13 In areas of good accessibility at least 1 space is required for 2 -3 bedroom properties and 2 spaces are required for 4 or more bedroom properties. Plots 1, 3, 4 and 6 are shown the have 2 parking spaces, while plots 2, 5 and 7 have three parking spaces and provision of these is secured by way of condition 7 in section 9. Each plot appears to have sufficient room to accommodate a cycle store and this is covered by condition 8.
- 6.14 The submitted plan does not show that the proposed access road provides adequate room to allow a refuse or service vehicle to enter and leave the site in a forward manner. As layout is a matter to be considered at this stage, the applicant has been requested to provide a revised plan to demonstrate this can be achieved. The Highway Authority's advice on this matter will be reported in the Panel update.
- 6.15 Subject to an acceptable swept path analysis for a refuse vehicle, as set out in 6.14 and a condition in respect of the access construction (covered by condition 14), there is no objection on the grounds of Policies P4 and T5 of the Local Plan.

## **The impact on trees**

- 6.16 The following trees are principle landscape features within the local and wider landscape and are protected by Tree Preservation Order 003/2007:
- 18 Braywick Road – Oak 003/2007/T3 (GHA REF: T4)  
20 Braywick Road – Walnut 003/2007/T6 (GHA REF: T5)  
24 Braywick Road – Oak 003/2007/T6 (GHA REF:T11)
- 6.17 A tree protection plan has not been submitted with the application.
- 6.18 The protected early mature oak tree T4, within 18 Bray Wick Road is currently 14m tall and has a radial crown spread of 7m. The walnut T5 located within the rear garden 20 Bray Wick Road is 14m tall and has a current radial crown spread of 7m. The oak tree T11 located within the rear garden of 24 Bray Wick Road is 10m tall with a radial crown spread of 8m
- 6.19 The Tree Advice Trust Arboriculture Research Note 84 'The ultimate size and spread of trees commonly grown in towns' indicates that for the following species ultimate crown spreads and heights in urban situations:

Species	Ultimate crown spread diameter (m)	Normal height in an urban situation (m)
Oak	20	22
Walnut (Mitchel)	15	22

1. Plot 5 is located 6.5m from the canopy of T4 (GHA ref) and 5.97m from the canopy of T5 (GHA ref).
  2. Plot 7 is located 1.9m from the north-east sector of the T11 canopy (GHA ref)
- 6.20 The tree officer has advised that T11, which is located due south of plot 7, currently casts a shade shadow across the site, (measured at 16m during the site visit). This tree at its current height and width would obstruct direct and ambient light across the southern and western elevations of plots 7.
- 6.21 Taking into account the future growth potential of the oak and walnut trees, the tree officer has advised of significant concerns about possible threats to the Oak and Walnut tree's continued good health and longevity, arising from pressure to fell or prune from future occupiers. Such pressures are likely to occur because of the proximity of the trees (slightly elevated above the proposed dwellings), and as a result of real householder concerns relating to restriction of light, dominance, and perceived danger from falling limbs. This is notwithstanding any other potential issues which may arise in terms of falling debris or branches, blocked gutters, shading of a large part of the small allocated gardens, or simply in relation to their overbearing presence as the trees reach full maturity.
- 6.22 Whilst protection afforded by the TPO 003/2007 would enable the Council to control any future tree work, the tree officer has advised that it would be more difficult for it to refuse an application to cut-back or even remove a tree that was threatening the safety of the occupiers, or having a harmful effect on their enjoyment of the property. The tree officer considers that there can be no certainty that such pressures could be reasonably resisted. Trees protected by a TPO merit special care, and this tree is no exception. If their appearance were to be stunted by pruning, their amenity value would be diminished and this would unacceptably harm the sylvan character of the Bray Wick Road and Rushington Avenue.
- 6.23 Given the above, the tree officer is of the view that the scheme fails to adequately secure the protection of important trees which contribute to the character and appearance of the area and is contrary to saved Local Plan policies N6, DG1.
- 6.24 While the tree officer has raised objections to the proposal, the applicant's arboricultural report submitted with the application advises that the retained trees are at a satisfactory distance from the proposed building and highly unlikely to give rise to any inconvenience. It is evident, the proposed dwellings would be outside the root protection areas of the trees and their ultimate crown spreads can be managed with minor lateral pruning, which would not have a significant impact on the health or amenity value of these trees. Trees in towns are often sited in close proximity to buildings, however residents concerns can be readily appeased with the implementation of regular, well planned, sensitive pruning, the details of which would require formal approval from the Council. This is a matter that is considered later in this report in the planning balance.

### **Archaeology**

- 6.25 There are potential archaeological implications with this proposed development as evidenced by Berkshire Archaeology's Historic Environment Record. The site lies on a gravel terrace of the River Thames, a location that was favoured for settlement throughout prehistory and into the Roman period. Berkshire Archaeology's Historic Environment Record provides evidence for the remains of an Iron Age (800 – 100 BC) settlement less than 200m to the north-west of this site and find spots of prehistoric date recorded in various locations around the site. A postulated Roman Villa and Roman road are also recorded to the west and east of the site respectively.

- 6.26 As regards the Iron Age remains, The Berkshire Archaeology Journal for 1946 (Volume 49, p.54) notes '*Shoppenhangers orchard, south of Maidenhead Railway Station, fragments of pottery, flakes, pot boilers etc. Found April 1939 by Capt. P.D.R.W. Hunt who carried out excavations on the site.*' Unfortunately no records of the excavations are known to survive so the nature and extent of the Iron Age settlement are unknown.
- 6.27 The proposed development lies in a plot of reasonable size (0.39ha) with new housing proposed in largely undeveloped garden areas. The proposed development therefore has the potential to disturb important buried remains. The archaeological implications can be mitigated by an appropriate programme of archaeological work. This is in accordance with paragraph 141 of the NPPF, which states that Local Planning Authorities should '*require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible*'.
- 6.28 The applicant has submitted with their application a written scheme of investigation for an archaeological evaluation at this site (Archaeology Collective, dated 2nd November 2016). However Berkshire's Archaeologist has advised that he has agreed a revised scheme for evaluation of the site. It is also understood that the archaeological field work has since been undertaken with negative results, however the applicant has not submitted the revised written scheme of investigation and the report on the results so Berkshire Archaeology has not been able to provide a formal response on the acceptability of these. At this stage, it is considered that this matter is covered by condition 12 in section 9 of this report.

### **Air Quality Management Area**

- 6.29 The application site is located in the Maidenhead Air Quality Management Area. Paragraph 109 of the NPPF states that the planning system should prevent both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 124 further advises that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.
- 6.30 Environmental Protection has advised that an air quality assessment is required, together with a road traffic noise impact assessment. However, this information was not previously requested under the earlier applications. In the circumstances, it is considered reasonable to attach a condition to any approval to require measures for fresh air ventilation to be submitted and approved prior to commencement (covered by condition 13). As the application site is within the built-up area of Maidenhead, it is not considered reasonable or necessary to require a noise impact assessment to be undertaken.

### **Community Infrastructure Levy (CIL)**

- 6.31 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. As this is an outline application, the CIL would be calculated once the reserved matters application has been submitted.

### **Other Material Considerations**

#### Housing Land Supply

- 6.32 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.



- 6.33 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.

### The Planning Balance

- 6.34 As the Council is not able to demonstrate a five-year supply of deliverable housing sites, a balancing exercise is required to be undertaken to establish the weight to be given to the various planning considerations. In this case, the tree officer has advised against the proposal on the grounds of the potential impact on the protected trees. However, as the development would be outside the root protection areas of these trees and with appropriate pruning (which the Council would control), it is considered that the potential harm would be limited.
- 6.35 By comparison, the additional 5 houses would contribute to the housing supply in the Royal Borough and are in a sustainable location, which is given significant weight.
- 6.36 Issues relating to character and appearance of the area, impact on neighbours, highways, archaeology and air quality carries neutral weight as these will either be addressed by the reserved matters application and/or planning conditions.
- 6.37 While some weight is give to the potential harm to the protected trees this is clearly outweighed by the benefits of the proposed housing in this sustainable location.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

20 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 30<sup>th</sup> January 2017.

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

Comment	Where in the report this is considered
1. The area is dominated by older and larger houses set within large plots – the proposed development is out of character	6.2 – 6.6
2. Higher density of development compared to that in the area, which damages the character of the road. Contrary to Policy H11 of the Local Plan.	6.2 – 6.6
3. This would set a dangerous precedent.	Each application is considered on its own merits.
4. This proposal will harm the appearance of the road. The development will be visually intrusive in the area.	6.2 – 6.6
5. The short rear gardens are out of keeping with those in the area, further eroding the character.	6.2 – 6.6
6. The adverse impact / potential loss of important trees, which would harm the character of the area.	6.16 – 6.24 6.37
7. Loss of trees and hedges would be harmful to the local wildlife.	The site is within a built-up area and trees are to be retained. There will be no significant harm to wildlife.
8. Loss of privacy and light to neighbours (18 Braywick Road)	6.7 – 6.8
9. The proposal will increase the level of traffic leaving the site, detrimental to the visibility of the neighbours.	6.9 – 6.15
10. The increase in the numbers of cars from the development will cause further noise pollution.	6.30

11.	The references to other development in the area are misleading as these are not comparable to the proposal which would harm the character of the area.	Comment noted
12.	Should further reduce the number of plots on the site, which would get away from the absolute maximisation of the site by not squeezing in an unacceptable number of houses which are visually intrusive and unneighbourly.	Comment noted.
13.	The planning statement submitted with the application has lots of inaccuracies	Comment noted.

### Consultee responses

Consultee	Comment	Where in the report this is considered
Highway Authority	No objections	6.9 – 6.15
Tree Officer	Objects – contrary to policies N6 and DG1 of the Local Plan	6.16 – 6.24 6.37
Berkshire Archaeology	Recommends a mitigation condition if approved.	6.25 – 6.28
Environmental Protection	The site is in the AQMA and therefore an air quality assessment should be submitted, in addition to a noise impact assessment.	6.29 – 6.30

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout

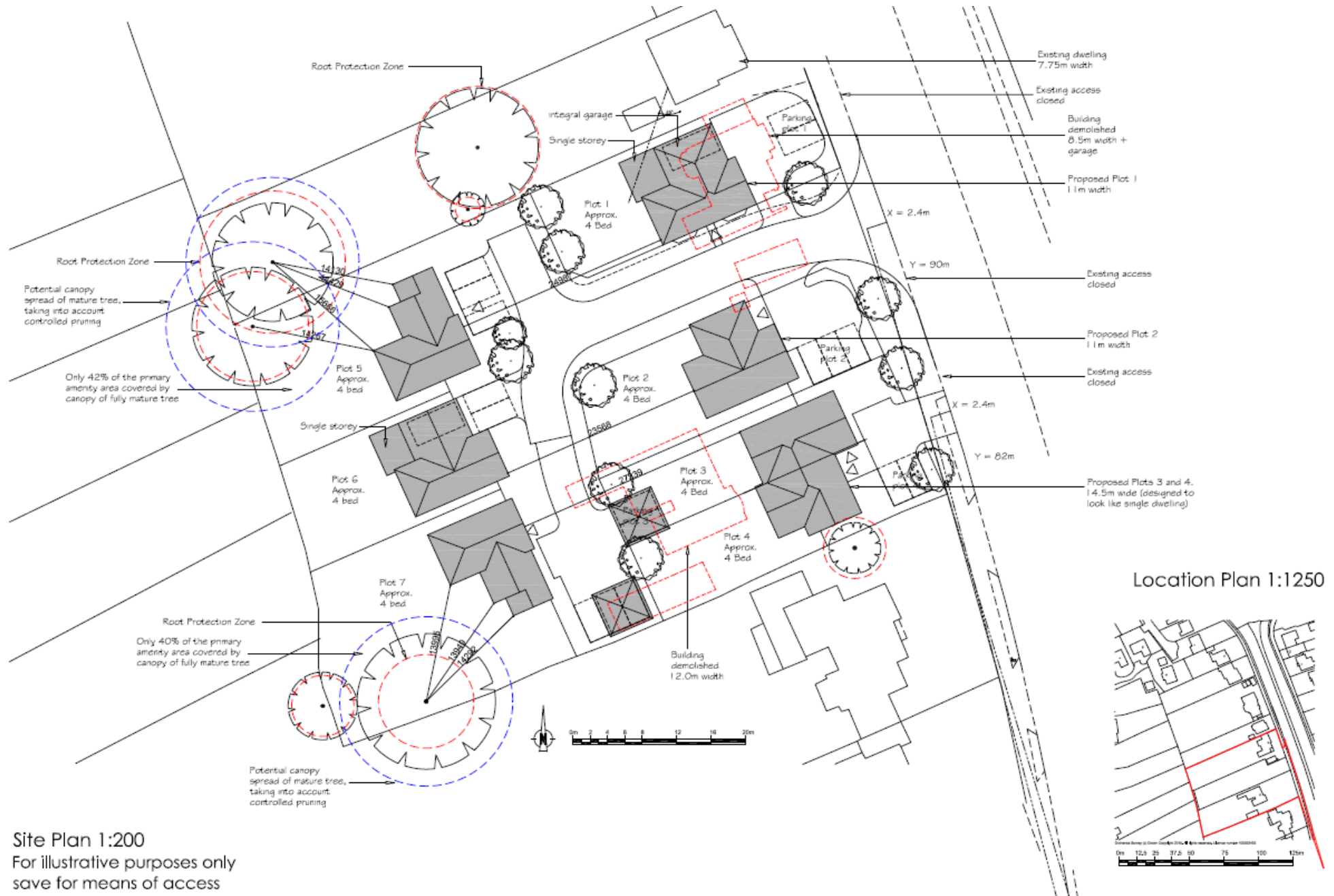
## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 An application for the approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission  
Reason: To accord with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 The development shall commence within two years from the date of approval of the last of the reserved matters.  
Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 No development shall commence until details of the existing ground levels (against OD Newlyn) measured at regular intervals across the site have been submitted to the Local Planning Authority. No changes shall be made to the existing levels of the site.  
Reason: In the interest of the visual amenities of the area. Relevant Policies Local Plan DG1.
- 4 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.
- 5 No development shall take place until details 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, H11.

- 6 No development shall take place until a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 7 No part of the development shall be occupied until vehicle parking and turning space has been laid out and surfaced in accordance with the approved plan. The space approved shall be kept available for parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 8 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
- 9 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.
- 10 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.
- 11 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.
- 12 No development, including demolition, shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted to and approved by the local planning authority.  
Reason: The site lies in an area of archaeological potential, particularly in relation to the prehistoric and Roman settlement and land use of this part of the Thames Valley. The potential

impact can be mitigated by a programme of archaeological work so as to record and advance our understanding of their significance in accordance with national and local planning policy.

- 13 Details of measures to provide fresh air ventilation to the houses hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any demolition or other works needed in advance of implementation of this planning permission.  
Reason: The site is within an Air Quality Management Area and appropriate measures are required in the interests of the health and amenity of occupiers of the proposed flats. Relevant Policy: Paragraph 124 NPPF.
- 14 No other part of the development shall commence until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 15 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.



Site Plan 1:200  
 For illustrative purposes only  
 save for means of access

Location Plan 1:1250

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

12 April 2017

**Item: 3**

<b>Application No.:</b>	17/00322/FULL
<b>Location:</b>	49 Switchback Road North, Maidenhead, SL6 7QX
<b>Proposal:</b>	3 No. detached dwellings with associated access and parking following demolition of existing dwelling
<b>Applicant:</b>	Mr R Taylor
<b>Agent:</b>	Miss Susanna Salata
<b>Parish/Ward:</b>	Furze Platt Ward
<b>If you have a question about this report, please contact:</b> Alex Jelley on 01628796046 or at alex.jelley@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 The proposal would constitute a form of development that accords with the prevailing character of the surrounding area, does not detrimentally impact upon the amenity of the occupiers of adjoining properties, forms a suitable relationship with the highway and has an acceptable impact on landscape character of the surrounding area. As such, and subject to the conditions attached, the proposals are considered to be in accordance with the NPPF and relevant policies within the Local Plan.

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

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the 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 application site is located within the suburbs of north Maidenhead, accessed off Switchback Road North which is a main route between the town and Cookham. To the west of the highway, the site benefits from a substantial detached, two storey, dwelling with a large rear walled garden. The wider area is characterised by dwellings of a variety of styles, though mainly quite large in scale – though on the opposite side of Switchback Road North, Hungerford Drive does include smaller properties, mainly bungalows.
- 3.2 The existing dwelling is a 1960s style design, with a mixture of brickwork and panelling finish to the walls, and concrete roof tiles. The rear garden benefits from a brick wall on two sides; with a mature hedgerow making up the third. To the front there is a 2m high brick wall – a feature along this particular stretch of Switchback Road North – and some private amenity space hidden from view behind mature hedges and shrubs.

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

- 4.1 The proposal is for the demolition of the existing dwelling and its replacement with 3 no. detached two storey dwellings. Each dwelling would benefit from off-road parking via a single garage and two parking spaces. The massing and design of the proposed dwellings closely adheres to that of the neighbouring, No. 1 Kinghorn Park, as does the proposed material finish which seeks to implement an 'arts and craft' style approach through the use of brickwork, timber cladding and detailing around soffits and fenestration. Plot 3, which would be accessed via Kinghorn Park

would benefit from cast iron railings to the front, while plots 1 and 2 would seek to make use of the existing brick wall (albeit with replacement access points).

4.2 The applicant sought preapplication advice and the proposals represent the outcome of those discussions with RBWM Officers.

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

### National Planning Policy Framework

5.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and local planning authorities can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

5.2 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development – Local Planning Authorities should approve proposals that accord with an up-to-date Development Plan.

5.3 Section 6 of the NPPF states that in order to significantly boost the supply of housing across the country, LPAs should identify a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of up to 20% where there is a persistent under delivery of new housing.

5.4 Section 7 of the NPPF establishes that LPAs, when determining planning applications, should ensure that development:

- Will function well and add to the overall quality of the area
- Establish a strong sense of place
- Optimise the potential of the site to accommodate development
- Respond to local character
- Reflect the identity of local surroundings and materials
- Is visually attractive as a result of good architecture and appropriate landscaping.

### Royal Borough Local Plan

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

	<b>Within settlement area</b>	<b>Trees and Hedgerows</b>	<b>Highways/Parking issues</b>
Local Plan	DG1, H10 and H11	N6, N7	T5, T7, P4

5.6 These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Other Local Strategies or Publications

5.7 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at: [http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Strategic Flood Risk Assessment - view at: [http://www.rbwm.gov.uk/web\\_pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm)
- RBWM Highways Design Guide - view at: [http://www.rbwm.gov.uk/graphics/Highway\\_Design\\_Guide.pdf](http://www.rbwm.gov.uk/graphics/Highway_Design_Guide.pdf)

5.8 More information on these documents can be found at:



## **6. EXPLANATION OF RECOMMENDATION**

### **6.1 The key issues for consideration are:**

- i Design and Character
- ii Residential Amenity
- iii Highways
- iv Trees

#### **Design and Character**

- 6.2 The existing dwelling benefits from a large garden; a feature of the dwellings to the north. Kinghorn Park, to the south and rear includes a mix of plot sizes, though most are larger even than the application site. The dwelling immediately to the west, however, has a smaller plot – and is more akin to those proposed here. The dwellings to the east and further to the south are mixed in terms of type, design and scale – and the proposed dwellings are considered to fit within the character of that wider area. This is particularly true when considering the properties on Switchback Road North to the east, which include bungalows, detached two storey properties, and semi-detached properties.
- 6.3 The proposed density would be in accordance with the prevailing character of Switchback Road North as a whole, where the plot sizes tend to be much smaller to the South of the site, and the resultant built form more dense in nature.
- 6.4 The proposed design of the dwellings, allowing for the amended plans submitted with regards to Plot 3, pays close attention to adjoining properties to the south and north. The arts and craft style, with decorative brickwork, use of tiles and timber cladding and fine detail around fenestration and chimneys, would play a positive role with the street scene.
- 6.5 The applicant has followed advice given at preapp stage in relation to previously proposed garage elements to the front of Plots 1 and 2, and it is considered that the arrangements are now suitable with respect to their design, scale, positioning within the plot and impact on the character of the area. Switchback Road North is Sylvan in character – now the proposals involve only one access and a good landscaping scheme this character can be retained. As such the proposals are in accordance with Policy DG1 of the Local Plan with respect to design and character.

#### **Residential Amenity**

- 6.6 The proposed scheme would deliver sufficient amenity space for the three dwellings to ensure that future occupiers of them were able to enjoy a reasonable degree of garden space, as well as off road parking, bin storage and landscaping. Plot 1 would have a garden space of roughly 132sqm, plot 2 would be circa 120 sqm and plot 3 180sqm. All three are considered to represent a decent standard of private outdoor space.
- 6.7 By virtue of their positioning, design and mass, the three dwellings would not result in a detrimental impact on the amenity of existing or future occupiers of adjoining properties through a loss of privacy, loss of light or overbearance.
- 6.8 As a result, it is considered that the proposals are acceptable in terms of residential amenity.

#### **Highways**

- 6.9 Switchback Road North forms part of the B4447, which provides a link between the A4 and the A308, as well as acting as an arterial route between Cookham and Maidenhead. Kinghorn Park is an adopted residential highway that forms a cul-de-sac. Both roads are subject to a 30mph speed restriction and benefit from footways and street lighting.
- 6.10 The proposals would involve a single point of access off Switchback Road North to serve plots 1 and 2 ( an alteration from preapp stage when individual accesses were proposed for each plot). The distance between the proposed access and the junction is above the minimum standard permissible. Alterations to the existing wall on Switchback Road North would enable pedestrian visibility splays of 2.0m x 2.0m to be provided (Condition 10), while vehicular visibility splays of at least 2.4m x 43m can be delivered in both directions (Condition 11).
- 6.11 The Design and Access Statement refers to the fact that the access will ‘align more or less with the crossover’. This is not acceptable and as such a condition is proposed to ensure that a suitable form of access is provided whereby access and crossover align appropriately. (See condition 7).
- 6.12 The proposed access for Plot 3 is off Kinghorn Park, and while pedestrian visibility splays are demonstrated, no information is contained with regards to vehicular splays. A condition will therefore be required. (See condition 11)
- 6.13 Parking provision across the site is suitable – with 3 spaces per dwelling. However the garage door for Plot 3 opens inwards, and this is not acceptable. Detail of how the applicant intends to overcome this concern can be secured via condition (Condition13).
- 6.14 The level of amenity space provided within each plot (Paragraph 6.6, above) ensures that sufficient space is available for both cycle storage and refuse storage. A bin collection point can be provided close to the access for Plots 1 and 2, which will ensure that maximum carry distances are not exceeded (Condition 12).
- 6.15 Concerns relating to highway issues raised by neighbours are noted, but there are no reportable injury accidents at the junction of Switchback Road North and Kinghorn Park or the existing access to the site in the last 10 years.
- 6.16 Subject to the conditions referred to above, the proposal is considered to comply with Policies DG1, T5, T7 and P4 of the Local Plan with respect to highways matters..

### **Trees**

- 6.17 The site benefits from a tree and shrub coverage, including several mature trees, which contribute to the character of the surrounding area. The applicant has responded to concerns from the RBWM Tree Officer, and submitted amended plans showing how the proposals can deliver a high quality landscaping scheme, including tree planting, that can mitigate the loss of trees within the existing site. Further detail can be secured via condition. (Condition 4)
- 6.18 It is also worth noting that the site is not within a Conservation Area, the trees are not subject to Tree Preservation Orders (either individually or as part of a group) and as such RBWM does not have the ability to secure the existing trees. The development, while removing some, will provide the opportunity to secure landscape enhancements and as such it is considered that concerns relating to the loss of trees in this instance do not constitute a reason for refusal of an otherwise entirely acceptable scheme. With appropriate conditions attached, the application is considered to be in accordance with Policy H10 and DG1 of the Local Plan.

## Housing Land Supply

- 6.19 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.
- 6.20 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 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space. The required CIL payment for the proposed development would be £47,900 on the basis of a net increase of 479 sq.m. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

- 8.1 6 occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 06<sup>th</sup> February 2017.
- 8.2 14 letters were received objecting to the application, summarised as:

Concern		Where in the report this is considered
1.	Impact on Highways	6.9 – 6.14
2.	Detrimental to Character/Design	6.2 – 6.5
3.	Loss of Trees	6.15 – 6.16
4.	Plot 3 incongruous	6.2 – 6.5
5.	Density	6.2 – 6.5

### **8.3 Statutory consultees**

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions	6.9 – 6.14

### **8.4 Other consultees**

Consultee	Comment	Where in the report this is considered
Trees	Objection. Loss of trees	6.15 – 6.16

## **9. APPENDICES TO THIS REPORT**

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

## 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
3. 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.
4. 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 approval to any variation. Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
5. No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme. Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1
6. No other part of the development shall commence until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained. Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
7. 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.
8. No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available for parking and turning in association with the development. Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway

safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

9. No part of the development hereby permitted shall be occupied until pedestrian visibility splays of 2.0m by 2.0m have been provided at the junction of the driveway and the adjacent footway. All dimensions are to be measured along the outer edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level. Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5
10. No part of the development shall be commenced until visibility splays of 2.4; metres by 49; metres to the left (junction of Kinghorn Park / Switchback Road North) and right 2.4 metres by 43 metres have been provided at the new access in Kinghorn Park;. All dimensions are to be measured along the edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level. Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
11. 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.
12. No gates shall be installed at either access. Reason: In the interests of highway safety. Relevant Policies - Local Plan T5
13. The development hereby permitted shall be carried out in accordance with the approved plans listed below. Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

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Appendix A – Location Plan and Site Layout







Appendix B – Plans and Elevations

The drawings are organized into two columns for Plot 1 and Plot 2. Each plot has a set of three floor plans (Ground, First, and Roof) and a set of three elevations (Front, Rear, and Side). The scale for all drawings is 1:100. Plot 1 drawings are on the left, and Plot 2 drawings are on the right. The elevations show a two-story building with a gabled roof and a chimney. The floor plans show a layout with rooms, a staircase, and a garage. The roof plan shows the gable structure and chimney location.

**Plot 1 Ground Floor 1:100**

**Plot 1 First Floor 1:100**

**Plot 1 Roof Plan 1:100**

**Plot 1 Front Elevation**

**Plot 1 Rear Elevation**

**Plot 1 Side Elevation**

**Plot 2 Ground Floor 1:100**

**Plot 2 First Floor 1:100**

**Plot 2 Roof Plan 1:100**

**Plot 2 Front Elevation**

**Plot 2 Rear Elevation**

**Plot 2 Side Elevation**

*Note: A line of sight boundary is indicated in the Plot 2 Side Elevation.*

**TPARCHITECTS**  
 10111 12th Street, Suite 101  
 Vancouver, BC V6P 2C1  
 Tel: 604.271.1234  
 Fax: 604.271.1235  
 www.tparchitects.com

Project: 48 Swathead Road North  
 Mainland  
 Plot 1 & 2  
 Floor Plans & Elevations  
 P10 No.: 238-PR-102  
 Date: 11/17/2017  
 Scale: 1:100  
 Author: [Name]  
 Checker: [Name]  
 Approver: [Name]

**Change Note**

1. This is a working drawing - all dimensions to be checked on site.
2. The copyright of this drawing is the property of TPA Design Ltd.
3. This drawing is to be used for the purpose of construction only.
4. It is the responsibility of the client to ensure that all other relevant architectural drawings, including and not limited to, structural, mechanical, electrical, plumbing, and fire protection drawings, are coordinated with this drawing.
5. It is the responsibility of the client to ensure that all other relevant architectural drawings, including and not limited to, structural, mechanical, electrical, plumbing, and fire protection drawings, are coordinated with this drawing.
6. TPA ARCHITECTS is a member of TPA Design Ltd. Registered architect No. 231 (Lower Level), Mainland, British Columbia.



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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

12 April 2017

Item: 4

<b>Application No.:</b>	17/00686/FULL
<b>Location:</b>	Land Opposite Lenore Cottage Rolls Lane Holyport Maidenhead
<b>Proposal:</b>	Construction of a pair of detached cottages.
<b>Applicant:</b>	Mrs Pickering
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Bray Parish/Bray Ward
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 The proposal would not harm the living conditions of any neighbours nor the character and appearance of the area. However, it would have a greater impact on the openness of the Green Belt and the purposes of including the land in it than the previous development on site and, as such, is inappropriate development in the Green Belt. Although the proposal would contribute to the housing supply in the Royal Borough this alone does not justify allowing inappropriate development in the Green Belt and no 'very special circumstances' exist in this case.

<b>It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):</b>	
<b>1.</b>	<b>Represents inappropriate development in the Green Belt for which no very special circumstances exist to justify allowing it. Contrary to policy GB1 Local Plan.</b>
<b>2.</b>	<b>Results in loss of openness to the Green Belt and encroachment of development in the countryside. Contrary to policy GB2 (A) of the Local Plan.</b>

**2. REASON FOR PANEL DETERMINATION**

- At the request of Councillor. D. Coppinger for the reason that it is in the public interest.

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

- 3.1 The application site comprises an area of land of 0.07 hectares and is located at the end and on the east side of Rolls Lane, Holyport. The site is currently vacant but had previously, until recently, been occupied by a number of predominantly single storey outbuildings positioned along the northern edge of the site.
- 3.2 In front of the site along the west side of Rolls Lane are approximately 6 individual residential properties. Open land lies to the north, east and south. The area is predominantly rural in character with sporadic residential properties. The site is located in the Green Belt.

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

<b>Application</b>	<b>Description</b>	<b>Decision</b>
16/00228/FULL	Construction of a 1 x 3 bedroom detached dwelling with associated works, following demolition of existing builders yard.	Approved 16.05.16
16/03309/FULL	Erection of a pair of semi-detached cottages following demolition of builders sheds.	Withdrawn

- 4.1 The application seeks planning permission for 2 x three-bedroom detached cottages. Each cottage would measure 7.2m wide, 11.4m deep and have a ridge height of 6.6m. The cottages would be positioned centrally within the site, approximately 12m back from Rolls Lane.
- 4.2 Planning permission for a single storey (ridge height 4.5m), three bedroom bungalow was granted in May 2016.

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

- 5.1 National Planning Policy Framework Section 9 – Protecting Green Belt Land

### Royal Borough Local Plan

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

Green Belt	Highways and Parking
GB1, GB2, GB3, DG1	P4, T5

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Other Local Strategies or Publications

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

- RBWM Parking Strategy

More information on this document can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issue for consideration is whether the proposal is appropriate development in the Green Belt and, if not, whether any very special circumstances exist to justify allowing it.
- 6.2 Paragraph 89 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists exceptions to this which includes limited infilling or the partial or complete redevelopment of previously developed sites, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 6.3 In this case, the site is previously developed land having been a builder's yard, and the principle of redeveloping the site has already been established by application 16/00228. The site was occupied until recently by seven small outbuildings which were predominantly single storey flat roofed structures, the exception being a shed with a mono-pitched roof reaching 3m in height. The total volume of the former buildings was approximately 244m<sup>3</sup>.
- 6.4 Planning permission was granted under application 16/00228 to redevelop the site with the construction of a three-bedroom bungalow. The approved bungalow was 14m wide, 15m deep and 4.5m high. This extant permission represents a fallback position that can be implemented, but as it has not been built it is not 'existing development' which the proposed development is required to be assessed against as set out in paragraph 89 of the NPPF. The site currently has no buildings on it, but it could be argued that the reasonable approach given that these have only recently been demolished is to treat these as being the 'existing development' on the site.

- 6.5 When compared to the 'existing' development, the proposed cottages would be more than double the height of the tallest structure previously on the site. In addition, the volume of the proposed development at approximately 683m<sup>3</sup> would be nearly three times the volume of the previous outbuildings (244m<sup>3</sup>). Case law has established that the concept of 'openness' means the absence of buildings. The proposed development would result in a 178% increase of building on the site and as a three-dimensional mass would have a much greater impact on the openness of the Green Belt than the former builders yard. Accordingly, the proposal is inappropriate development.
- 6.6 The NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Local planning authorities are advised that they should ensure that substantial weight is given to any harm to the Green Belt and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.7 Redevelopment of the site may appear better than the former builder's yard, but this would be failing to take account of the development plan. Matters such as the design of the cottages, (which would be expected to be of a high standard anyway), efficient use of land and the contribution to the housing land supply do not in this case amount to other considerations that clearly outweigh the substantial harm to the Green Belt and, as such, 'very special circumstances' (VSC) do not exist in this case.
- 6.8 In the absence of VSC, the proposal is contrary to paragraph 89 of the NPPF and adopted Local Plan policies GB1 and GB2 (A).

### **Other Material Considerations**

- 6.9 The proposed cottages would be approximately 20m from the front of 'Lenore Cottage', which is the closest neighbouring property to the development. Given this separation distance the cottages would not harm the living conditions of any neighbours in terms of loss of privacy, loss of light or by appearing overbearing.
- 6.10 The two cottages would be of a scale and design that would be in keeping with the sporadic residential development within the locality. No objection is raised to the proposal in terms of its impact on the rural character and appearance of the area.
- 6.11 The proposal provides sufficient on-site parking to comply with the Council's adopted parking strategy.
- 6.12 The NPPF advises that there is a presumption in favour of sustainable development, which the re-use of brownfield land is. The exception to this is where sites have a specific protection designation that limits development, such as Green Belts (Section 14).
- 6.13 In terms of the need for housing within the Royal Borough this may contribute with other considerations to a case of very special circumstances (vsc), but it is highly unlikely to amount to vsc on its own as confirmed by Ministerial Statements. To justify the proposal on housing need alone would undermine the fundamental aim of Green Belt Policy and the plan making process.
- 6.14 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 £24,720.

### Housing Land Supply

- 6.15 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.

- 6.16 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. However, it is considered 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 plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.
- 6.17 As with housing need, the lack of a five year housing land supply does not, on its own, amount to very special circumstances to justify inappropriate development in the Green Belt.

### **The Planning Balance**

- 6.18 The proposal would contribute 2 dwellings to the supply of housing in the Royal Borough on previously developed land and some weight is attributed to this. However, this does not clearly outweigh the substantial harm to the Green Belt, and therefore very special circumstances do not exist to justify approving the application.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

10 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 8<sup>th</sup> March 2017.

No letters of representation had been received at the time of writing this report. Any received will be reported in the Panel Update.

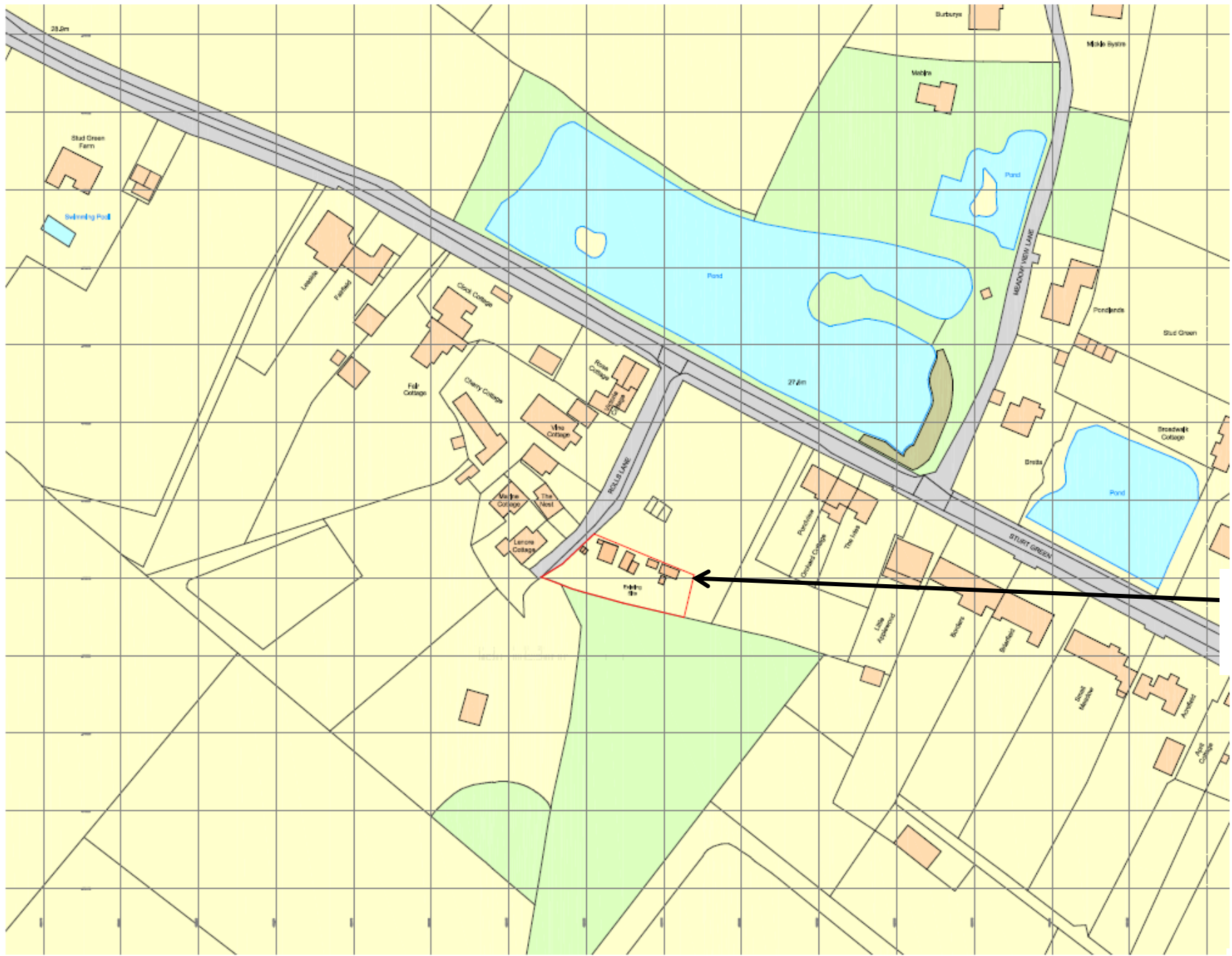
No consultee responses had been received at the time of writing the report. These will be reported in the Panel Update.

## **8. APPENDICES TO THIS REPORT**

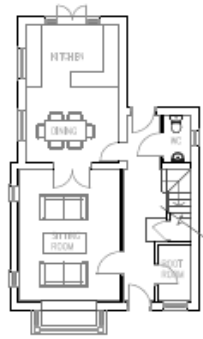
- Appendix A - Site location plan
- Appendix B – Proposed site layout, plan and elevation drawings

## **9. REASON RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

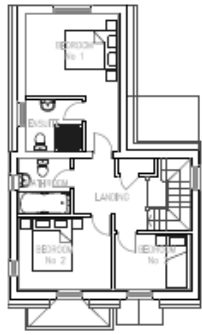
- 1 The proposal represents inappropriate development in the Green Belt . Inappropriate development is by definition harmful to the Green Belt and the applicant has failed to demonstrate that any very special circumstances exist that clearly outweigh the harm caused by the reason of inappropriateness and the other harm identified in subsequent reason for refusal. Accordingly the proposal is contrary to saved Policy GB1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraph 89 of the National Planning Policy Framework, March 2012.
- 2 The proposal would have a greater impact on the openness of the Green Belt than the existing development at the site and result in encroachment of development in the countryside contrary to saved Policy GB2 (A) of the Local Plan and paragraph 89 of the NPPF.



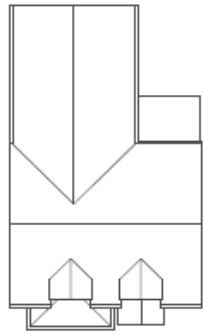
Application site



GROUND FLOOR PLAN  
1:100 (BA1)



FIRST FLOOR PLAN  
1:100 (BA1)

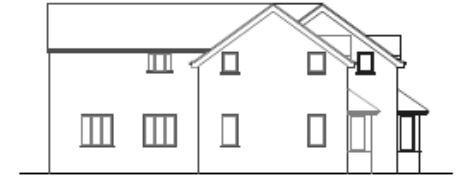


ROOF PLAN  
1:100 (BA1)

HOUSE 2 IDENTICAL BUT HANDED



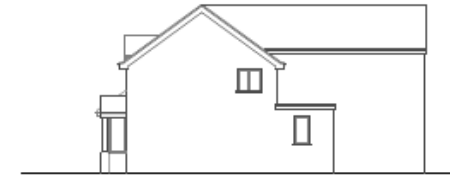
FRONT ELEVATION  
1:100 (BA1)



SIDE ELEVATION  
1:100 (BA1)

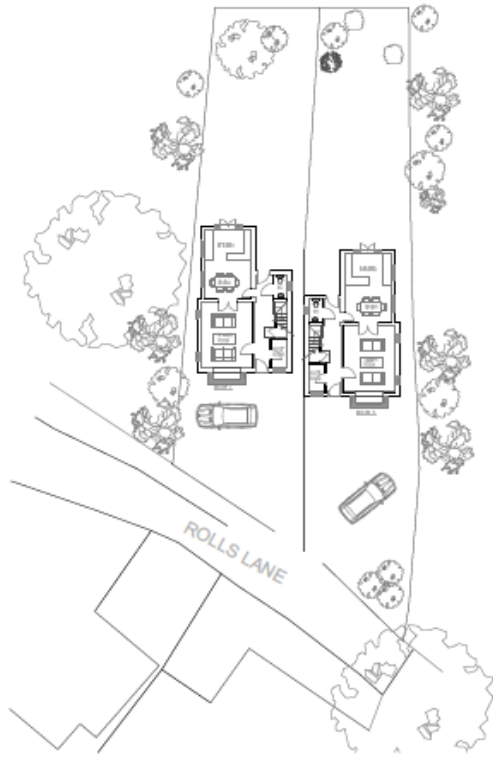


REAR ELEVATION  
1:100 (BA1)



SIDE ELEVATION  
1:100 (BA1)

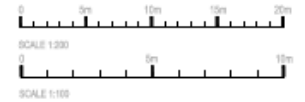
56



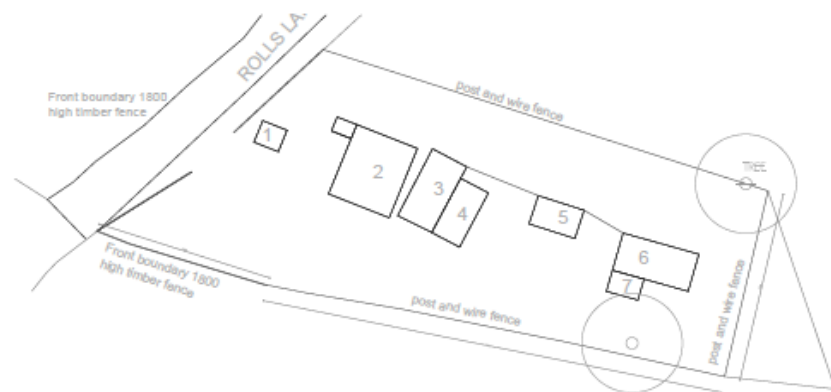
PROPOSED SITE PLAN  
1:200 (BA1)



SITE ELEVATION  
1:200 (BA1)



Rev B - Corner added to side elevation 1 Mar 2017  
Rev A - plots put on A1 format 1 Mar 2017  
revisions



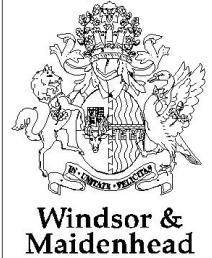
EXISTING SITE PLAN  
1:200 (BA1)

project PROPOSED HOUSES ROLLS LANE, HOLYPORT BERKS		
drawing title PROPOSED PLANS		
date FEB 2017	scale 1:100 dt. A1	number 16-04-108
for MS L. PICKERING		
CH ARCHITECT Appendix B		



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

The Royal Borough



**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

**Appeal Decision Report**

**3 March 2017 - 31 March 2017**

**MAIDENHEAD**

**Appeal Ref.:** 16/60098/REF      **Planning Ref.:** 15/04034/FULL      **Plns Ref.:** APP/T0355/Y/16/3156321

**Appellant:** The Fat Duck Ltd **c/o Agent:** Mr Robert Reynolds Planning And Development Partnership  
Wash Hill Cottage Wash Hill Wooburn Green High Wycombe HP10 0JA

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

**Description:** Change of use to provide overnight accommodation

**Location:** **1 Oldfield View High Street Bray Maidenhead SL6 2AG**

**Appeal Decision:** Allowed      **Decision Date:** 23 March 2017

**Main Issue:** The loss of one residential unit would be outweighed by the benefits associated with a use supported in-keeping with contributing to the tourist trade and supporting the local economy matters. The proposals would also assist in ensuring the restoration and safeguard the listed building.

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

**Appellant:** Ms Sandra Bull **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 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**

**Appeal Decision:** Allowed      **Decision Date:** 3 March 2017

**Main Issue:** Granted temporary and personal permission until 3rd March 2020. The appeal site is in the Green Belt and all parties agreed that the proposal was inappropriate development to which substantial weight was given. The Inspector considered there to be significant loss of openness to the Green Belt but the proposal would not be contrary to any of the purposes of the Green Belt. In favour of the proposal, the Inspector gave "very significant weight" to the general need for gypsy sites in the borough and a lack of five year housing land supply. The failure of policy to make provision for gypsy sites over a long period, the lack of realistic alternatives to a Green Belt location and the accessible location of the site within the existing development envelope, all attracted moderate weight. The poor health of the appellant and the importance of a settled base for him and his family, including the best interests of the child, was given additional significant weight. Temporary and personal permission was granted as the harm was clearly outweighed by other considerations so as to amount to the very special circumstances.

**Appeal Ref.:** 16/60107/REF      **Planning Ref.:** 16/01063/VAR      **Plns Ref.:** APP/T0355/W/16/3  
164407

**Appellant:** Mr Anton DeLeeuw **c/o Agent:** Mr Brian Gatenby Get Planning Ltd 63 Cedar Road Sutton  
Surrey SM2 5DJ

**Decision Type:** Committee      **Officer Recommendation:** Refuse

**Description:** Two-year extension of prior limited period permission [12/02226] for siting of temporary  
buildings (two workshops, office buildings and stores) with external display of cars for sale  
within the site boundary, and ancillary parking, for a motor vehicle dealership as approved  
under planning permission 14/00158 without complying with condition 1 (timescale) to extend  
timescale for a further 2 years.

**Location:** **Nene Overland Stafferton Way Maidenhead SL6 1AY**

**Appeal Decision:** Allowed      **Decision Date:** 24 March 2017

**Main Issue:** Building does not appear discordant or obtrusive and does not harm the character of the area  
which includes retail and business units in a variety of forms and functional styles. Additional  
time to establish the business and prepare a proposal for a permanent building is reasonable.  
Removal leaving an empty site for some months possibly years would not contribute positively  
to the character and appearance of the area.

---

**Appeal Ref.:** 17/60008/REF      **Planning Ref.:** 16/02260/FULL      **Plns Ref.:** APP/T0355/D/16/  
3165825

**Appellant:** Mr And Mrs P Catchpole 24 Clarefield Drive Maidenhead SL6 5DP

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

**Description:** Part single part two storey side/rear extension, widened front dormer, enlargement and  
conversion of loft into habitable accommodation to form gable end with 3 x rear dormers,  
front porch and amendments to fenestration.

**Location:** **24 Clarefield Drive Maidenhead SL6 5DP**

**Appeal Decision:** Dismissed      **Decision Date:** 3 March 2017

**Main Issue:** The Inspector found that the proposal is contrary to one of the core planning principles of the  
National Planning Policy Framework which is to always seek to secure high quality design  
and a good standard of amenity for all existing and future occupants of land and buildings.  
Also the proposal would be contrary to Policies DG1 and H14 of the Local Plan which  
requires extensions do not have any adverse effect upon the character and appearance of  
the original property or the street scene in general.

---

**Appeal Ref.:** 17/60016/REF      **Planning Ref.:** 16/02364/FULL      **Plns Ref.:** APP/T0355/D/16/3  
165965

**Appellant:** Mr Kevin Shea **c/o Agent:** Mr Derek Ingram 8 Garthlands Maidenhead SL6 7PJ

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

**Description:** Single storey rear extension and amendments to fenestration on side elevation

**Location:** **25 Moor Lane Maidenhead SL6 7JX**

**Appeal Decision:** Dismissed      **Decision Date:** 14 March 2017

**Main Issue:** The proposal would dominate the rear garden and appear as an excessive and incongruous addition that would be both out of scale with and at odds with the modest credentials of the bungalow as originally constructed. For these reasons, the proposals would fail the test of subservience. The proposal would be out of keeping with the established character of the immediately surrounding area, which comprises the bungalows as originally constructed, some with very modest extensions. The development as proposed would be harmful to the character and appearance of the host building and that of the surrounding area, and would be contrary to Policy H14 (1) of the Local Plan.

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## Planning Appeals Received

4 March 2017 - 31 March 2017

### 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](mailto: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](mailto:teamp13@pins.gsi.gov.uk)

**Ward:**

**Parish:** Cox Green Parish  
**Appeal Ref.:** 17/60027/NONDET      **Planning Ref.:** 16/01621/FULL      **PIns Ref.:** APP/T0355/W/17/3167276  
**Date Received:** 7 March 2017      **Comments Due:** 11 April 2017  
**Type:** Non-determination      **Appeal Type:** Written Representation  
**Description:** Detached dwelling with parking and amenity space following demolition of existing outbuildings  
**Location:** **Land At Sunnyside Lock Lane Maidenhead**  
**Appellant:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

**Ward:**

**Parish:** Maidenhead Unparished  
**Appeal Ref.:** 17/60030/REF      **Planning Ref.:** 16/03431/FULL      **PIns Ref.:** APP/T0355/D/17/3168766  
**Date Received:** 21 March 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Detached outbuilding (retrospective)  
**Location:** **22 Ray Lea Close Maidenhead SL6 8QW**  
**Appellant:** Mr Nassar Ali c/o **Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

**Ward:**

**Parish:** Cox Green Parish  
**Appeal Ref.:** 17/60032/REF      **Planning Ref.:** 16/02868/CLU      **PIns Ref.:** APP/T0355/X/17/3169871  
**Date Received:** 24 March 2017      **Comments Due:** 5 May 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether the use of the indoor swimming pool by Wctd Limited for teaching swimming lessons for a maximum of 13 hours per week is lawful.  
**Location:** **4 Bramble Drive Maidenhead SL6 3NX**  
**Appellant:** Mrs Karen Woolland c/o **Agent:** Miss Sophie Morris Oak Burn College Rise Maidenhead SL6 6BP

# Agenda Item 7

By virtue of paragraph(s) 1, 2, 5, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 5, 6, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2, 5, 6, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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