

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 2

Application No.:	16/02300/FULL
Location:	Open Space Between Terrys Lane And Poundfield Lane Cookham Maidenhead
Proposal:	Erection of 28 x dwellings with associated works
Applicant:	Ms McHardy - Berkeley Homes (Western) Ltd
Agent:	Mr Nik Lyzba - JPPC Chartered Town Planners
Parish/Ward:	Cookham Parish/Bisham And Cookham Ward

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

1. SUMMARY

- 1.1 This application relates to an area of open land known as Poundfield. Poundfield has a lengthy and complex planning history, which reflects the pressure to build on it and, while it is not within the Green Belt, it is located within the Cookham High Street Conservation Area.
- 1.2 The application has attracted considerable public interest, not least because Cookham is strongly associated with the British painter, Sir Stanley Spencer, whose works feature Poundfield. Given the unique circumstances of this land and the interest in the application, external experts have been consulted specifically in relation to heritage and design matters. The advice received is clear; the association of Cookham with the work of Sir Stanley Spencer, an internationally appreciated artist, is comparable with Stratford-upon-Avon and Shakespeare or Dedham Vale with Constable. The location of Poundfield within the Conservation Area thus puts it at an international level of importance.
- 1.3 The building of 28 dwellings, together with the associated drives, garages etc, on this site would cause substantial harm to an exceptionally significant heritage asset. National Planning Policy advises that, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, planning permission should be refused.
- 1.4 A large number of local residents and visitors to Poundfield have made representations on the application expressing their concerns on the impact of the development on their enjoyment and experience of the public footpaths that cross the site. This concern is shared by the Council's Public Rights of Way Officer, who recommends permission is refused due to the significant adverse effect on the amenity value of the footpaths the loss of important high quality open space and
- 1.5 In regard to ecological matters, trees, archaeology and surface water drainage, insufficient information has been submitted with the application. This information is material to the consideration of the proposal and is therefore required to be submitted and agreed prior to a formal determination being made. These may be matters that can be sufficiently addressed but, in the absence of detailed information, officers advising on these matters are unable to support the proposal.
- 1.6 The proposal would contribute to the housing supply in the Royal Borough, both in terms of actual houses from the development and from a contribution of circa £1.6m towards the provision of affordable housing. It is not considered that the proposed development would adversely affect the living conditions of any neighbours and the Highway Authority has not raised any objections to the proposal as the development will not result in a severe adverse impact on the local highway network.

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

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):	
1.	Substantial harm to the Cookham High Street Conservation Area which is an exceptionally significant heritage asset. No substantial public benefits exist to outweigh the harm to the heritage asset. Contrary to policies DG1, CA2, LB2 RBWM LP, G4.5 and G14.1 of the Cookham VDS and paragraph 133 of the NPPF.
2.	Post development views from Footpaths 44 and 45 would have a significant adverse effect on the amenity value of the footpath, both in terms of noise disturbance and visual impact. Contrary to policy R14 of the Local Plan. The proposal would result in the loss of important high quality open space, contrary to paragraph 74 of the NPPF.
3.	In the absence of a reptile survey, it has not been demonstrated to the satisfaction of the LPA that the proposal would not harm protected reptiles on the site, contrary to paragraph 118 of the NPPF.
4.	The scheme fails to adequately secure the protection of important protected trees which contribute positively to the character and appearance of the area, contrary to policies N6, DG1 and H11 of the Local Plan.
5.	In the absence of an adequate evaluation the proposal would likely adversely affect archaeological sites of unknown importance and an area of high archaeological potential, contrary to Policy ARCH3 of the Local Plan.
6.	In the absence of information to demonstrate otherwise, the proposal does not provide adequate sustainable drainage measures and therefore is has not been demonstrated to the satisfaction of the LPA that the development would not lead to an increase in flood risk elsewhere. Contrary to paragraph 103 of the NPPF.
7.	In the absence of a satisfactorily completed unilateral undertaking, the proposal fails to provide affordable housing, contrary to policy H3 of the Local Plan.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

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

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

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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

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

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

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

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

Royal Borough Local Plan

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

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

These policies can be found at

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

Supplementary planning documents

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

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

More information on these documents can be found at:

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

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- RBWM Affordable Housing

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

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

The principle of development

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

The impact on the Cookham High Street Conservation Area

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

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

6.9 There are no views from the footpath across Poundfield for most of its length because of the dense planting of hawthorn on either side. However there are wide views of Poundfield from the bottom of the footpath looking up the hill towards Poundfield Lane and into the field north of the footpath. For aesthetic and communal reasons these views are of moderate-high significance.

6.10 There are a number of views associated with the artist Sir Stanley Spencer (see below) these are all of high significance for aesthetic and historical reasons.

6.11 "A Village in Heaven": Stanley Spencer's Cookham

The reputation of Sir Stanley Spencer (1881-1959) as an outstanding 20th-century artist continues to grow. His work spans two world wars and, as the first war is commemorated, his individual approach to his experiences in Macedonia resonate in a war-averse society. The conservation of his significant frescoes and panels in the Sandham Memorial Chapel at Burghclere in Berkshire in 2014, has highlighted his unique blend of the mundane and practical with the sublime and the spiritual.

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

6.13 Spencer painted more than 100 pictures in and around Cookham. Spencer's deep attachment for Cookham as a 'village made in heaven' and a place where he felt divine intervention happened, contribute to his standing out from his contemporaries. Many of the artist's Cookham-related works depict views, scenes, facades and other details. Of particular importance are the landscapes painted around Poundfield and Englefield House.

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

6.15 The proposal is for the building of twenty-eight houses on the land know as Poundfield in Cookham. The development (houses, gardens and access roads) would cover the majority of the land. Most houses are laid out in cul-de-sacs. There would be two areas of open space.

6.16 The NPPF requires that,

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

6.17 The Heritage Statement largely characterises the Conservation Area in terms of its interesting buildings. In terms of space, mention is made of the Moor, but no mention of Marsh Meadow (the authors may be combining the two). There is no discussion of the contribution that Poundfield makes as an important space within the Conservation Area or the character of that space.

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

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

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

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

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

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

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

Highway safety and parking provision

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

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

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

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

The impact on the public rights of way and open space

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

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

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

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

Ecological issues

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

The impact on trees

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

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

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

Archaeological issues

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

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

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

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

Other material considerations

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

The Planning Balance

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

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

75 occupiers were notified directly of the application.

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

2 letters were received supporting the application, summarised as:

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

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

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

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

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

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

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

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

Statutory consultees

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

Other consultees

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

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

9. APPENDICES TO THIS REPORT

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

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

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