

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

19 December 2016

Item: 6

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

1. SUMMARY

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

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

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

proposal will therefore harm the sylvan character of the area, and is contrary to Policy N6 of the Local Plan.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

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

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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

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

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

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

Royal Borough Local Plan

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

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

These policies can be found at

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

Other Local Strategies or Publications

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

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

More information on these documents can be found at:

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

- Altwood Road Conservation Area Appraisal

More information on this document can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

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

Listed Building

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

Conservation Area

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

Design of the House and Neighbour Impact

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

Trees

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

Highway Safety and Parking

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

Other Material Considerations

Housing Land Supply

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

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

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

20 occupiers were notified directly of the application.

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

One letter was received supporting the application, summarised as:

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

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

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

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

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

Consultees

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

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

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

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

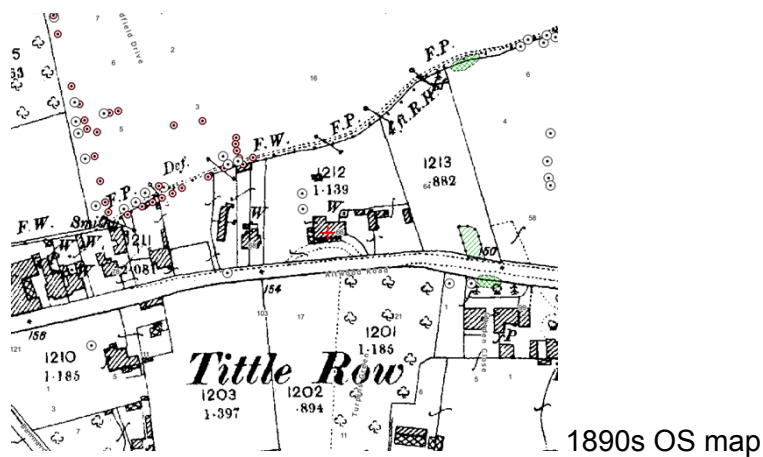
However, I disagree that the new dwelling on land currently associated with White House would result in a negligible level of harm by continuation of historic plot subdivision when weighed up with the proposed boundary treatment, and planting enhancements, although I accept that the much larger 'grounds'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

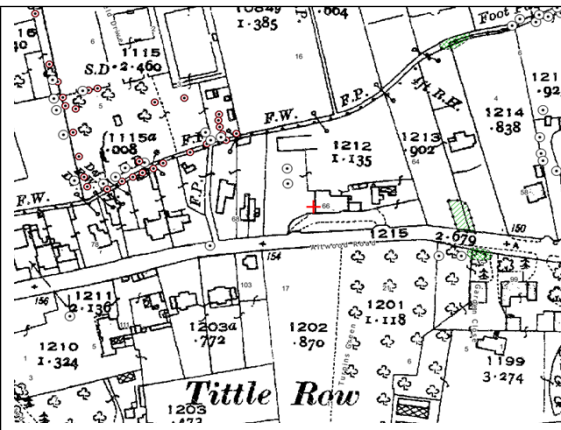
house once stood within. Any further diminishing of this would, in my view, cause less than substantial harm to the significance of White House by almost choking the large house in an even more constrained plot than the historical subdivision has resulted in. In my view, the historical subdivision of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

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

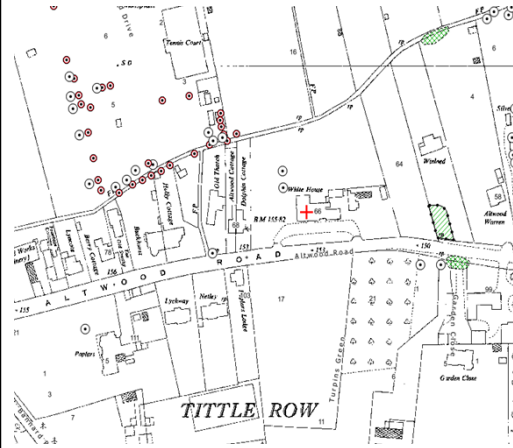
Therefore, my conclusion is that the application should, on balance, be refused.

For information see historical map progression below:

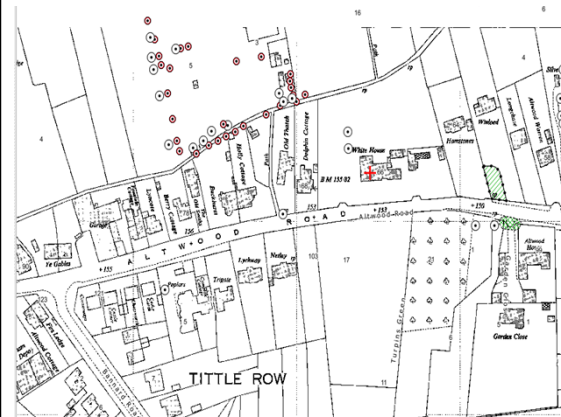




1930s OS map




1950s OS map



1960s OS map



1970s OS map

		
Tree Officer	Objection, as summarised in the report.	6.7

9. APPENDICES TO THIS REPORT

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

10. REASONS RECOMMENDED FOR REFUSAL

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