

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

MAIDENHEAD DEVELOPMENT MANAGEMENT PANEL

18 January 2017

Item: 1

Application No.:	16/02277/FULL
Location:	The Lawns Guest House 6 Boyn Hill Avenue Maidenhead SL6 4ER
Proposal:	Change of use from C1 (guest house) to C3 (residential) to provide 7 x 2 bed and 1 x 1 bed flats with two storey rear extension, alterations and extension to roof to provide additional habitable accommodation with amendments to fenestration.
Applicant:	Mr Joyce - Doanne Ltd
Agent:	Mr Peter Thomas
Parish/Ward:	Boyn Hill Ward
If you have a question about this report, please contact: April Waterman on 01628 682905 or at april.waterman@rbwm.gov.uk	

1. SUMMARY

- 1.1 This scheme proposes the conversion and extension of an existing 12 bedroomed guest house to form 7 no. 2 bedroomed flats and 1 no. 1 bedroomed flat. This attractive Edwardian house, which has already had some extension to it, stands on a corner plot within an established residential area of the town, with parking and garden areas on three sides.
- 1.2 The development proposal has taken heed of the Council's pre-application advice and has been further revised/augmented as a response to officer requests for additional information and amended detailing during the course of the planning application process. The scheme would have no adverse impact on highway safety, would provide satisfactory living conditions for future users and existing neighbours and would compliment its surroundings architecturally and in landscaping terms.

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

2. REASON FOR PANEL DETERMINATION

- As this scheme proposes to create more than two new residential units, the Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended: such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises 0.09 hectares of land on the north east side of the junction of Boyn Hill Avenue and Boyndon Road, with two vehicular accesses on the Boyn Hill Avenue frontage. This Edwardian villa has accommodation over three floors (two storeys and roof space) and benefits from a basement. Parking is currently at the front and side of the house.
- 3.2 The site is bordered to the north and east by residential units in the form of more modern two storey houses, with the major land use in the area being older residences. Other uses in the locality include a small hotel and restaurant, a day nursery and a former Local Authority Education centre.
- 3.3 Boyn Hill Avenue and Boyndon Road have no parking restriction except for double yellow lines around the junction itself. Both roads are of comfortable width to allow on-street parking.
- 3.4 Plots are route-bordered by brick walls or timber board fencing with hedges over-growing. Occasional or lines of trees mark the back edge of the pavement, stand within the highway verge or pavement, or are evident from the public view in garden areas.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
99/34092/FULL	First floor rear extension and two-storey side extension.	Approved 29.10.1999.
93/00584 /FULL	Two storey side and single storey rear extensions and extended rear roof dormer.	Approved 17.06.1993.
87/00498/FULL	Change of use from bedsitters to bed and breakfast.	Approved 16.10.1987.

- 4.1 Full planning permission is sought for the alteration and extension (of two storeys and roof space) of the existing guest house building to form 8 new flats, with new access and parking arrangements.
- 4.2 The submission is supported by an ecology report, which concludes that the building and its curtilage are unlikely to host a bat population or provide other wildlife habitat.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework 2012 sections 4, 6 and 7.
- 5.2 The scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF. There are no material considerations that indicate otherwise.

Royal Borough Local Plan

- 5.3 The planning considerations applying to the site and the associated policies are:

Within settlement area	Highways and Parking	Trees
DG1, H8, H9, H10, H11	P4, T5, T7	N6

These policies can be found at:

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

Other Local Strategies or Publications

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

- RBWM Parking Strategy 2004

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:
- The principle of the development
 - The provision of appropriate and good quality housing
 - Impact on character and amenities of the area
 - Highway and movement safety and convenience

Principle of development

- 6.2 There is no policy position expressed in the existing Local Plan which would prohibit the loss of visitor accommodation from the town. Furthermore the increase in the number of residential units in this location is supported.

Housing

- 6.3 Residential development of this type and size of units (small flats) accords with the objective of Local Plan Policy H8. The scale, form and architectural detailing of the proposed alterations and extension of the building have been designed to compliment the appearance of this attractive house and at the same time make efficient use of the space available. The living spaces formed will be comfortable, with access to gardens and adequate storage. The scheme design satisfies the expectations in Policy H10 of attractiveness and safety.
- 6.4 The size of the plot and the number of units proposed fall below the thresholds (0.5 ha and 15 units) for requirements for the provision of affordable housing on the site.

Impact on character and amenity

- 6.5 The new extension and alterations to the existing building would reduce the number of upper floor habitable room windows on the site with an aspect towards neighbouring properties. New windows proposed would not enable overlooking of either Shrubland or Svanevik by virtue of the recommended condition 11 relating to obscured glazing and opening mechanism restriction. Proposed roof lights are to have a minimum cill height above floor level of the rooms served of 1.7 m, so precluding a view across and down onto neighbouring properties. With the revisions made to the scheme the form of the resultant building would not dominate or cut natural daylight from its neighbours, and would sit comfortably in the street scene. Important existing trees and boundary greenery on the site or on the highway verge to the south currently contribute to the pleasant appearance and biodiversity of the area. These trees would remain, and can be augmented by new landscape planting. The scheme is considered to comply with the design, amenity and landscaping standards expected in Policies H10, DG1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003.

Highways and movement

- 6.6 Adequate car parking provision is shown within the site to meet the Council's standards for this size and number of new residential units. The change of use of the site from a 12-bedroomed guest house with owner's accommodation to 8 individual flats is considered unlikely to result in an increase in traffic such that it would cause danger or inconvenience to other highways users or nearby householders. The alterations to the vehicular accesses from Boyn Hill Avenue (to close the two existing points and open a single entry point central to the frontage) are welcomed, and the opening of new vehicular and pedestrian accesses onto Boyndon Road is acceptable.
- 6.7 One comment from a member of the public noted that the presently unlimited on-street parking makes Boyndon Road a popular place, resulting in problems of vehicles parking too close to driveway openings. The writer feels that the creation of a further driveway as proposed could worsen the existing pressure, and consideration is requested of time limiting the on-street parking in Boyndon Road, to make it less attractive as a free car park. This point has been referred to the Highway Authority. Given that the development proposal accords with the Council's on-site parking provision expectations, it is not considered appropriate that the suggested parking limitation be a matter for condition or obligation on any planning permission granted.
- 6.8 Cycle parking is to be accommodated in the basement of the building for 7 of the flats, with an edge ramp on the staircase to allow wheeled access. A separate cycle store in the rear garden will serve the rear ground floor flat (which will not be accessed from the southern side of the building).

- 6.9 Refuse and recycling collection vehicles will be able to load waste from the site conveniently: the bin store arrangements shown next to the Boyndon Road boundary, with a new pedestrian gate, are acceptable.
- 6.10 With regard to pedestrian, cycle and vehicular access to the property, the scheme enables safe and convenient movement to and around the building, would improve the vehicular access arrangements for Boyn Hill Avenue by increasing the distance between the driveway and the road junction. On compliance with the suggested conditions, the proposal is considered to accord with Policies H10, T5, T7 and DG1 of the Local Plan.

Ecology

- 6.11 As the proposed scheme would involve works to the roof of an established building, the existing structure has been inspected for bat habitation. The submitted report noted that no evidence of bat activity was found, and concluded that because of its construction (including previous alteration and improvement) the structure offered limited opportunity for bat habitat. For completeness, trees and other vegetation on the site were also assessed: again, no evidence was found of bat use, and the site accorded low potential for roosting or foraging for protected bat species. As noted above, for their contribution to the character and biodiversity of the area, these trees will be retained.

Other Material Considerations

Housing Land Supply

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

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's Charging Schedule the proposed development would now be CIL liable. The applicant has submitted the required forms including the assumption of liability for payment on the net increase in gross internal floor space. The required CIL payment for the proposed development would be £20,000 on the basis of a net increase of 200 sq.m. No further action is required until prior to commencement of the development if the proposal is subsequently approved.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

The occupiers of 6 properties adjoining or near to the site were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on the 21st October 2017.

One letter was received raising the following points:

Comment		Where in the report this is considered
1.	The change of use and some alterations seem to be acceptable.	Para 6.2.
2.	The scheme will increase traffic.	Para 6.6.
3.	On street parking is a problem that will be made worse by the new access onto Boyndon Road.	Para 6.7.
4.	On-street parking should be time limited.	Para 6.7.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No objection subject to the submission and approval of further details of car parking, cycle storage and access construction, and the pre-occupation implementation of these facilities and refuse/recycling storage. Standard informatives.	Paras 6.6 – 6.10 and recommended conditions and informatives.
Environmental Protection	No objections.	

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B - Plan and Elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development hereby permitted shall be commenced within three years of the date of the planning permission. Reason: in accordance with the requirements of Section 91 of the Town and Country Planning Act 1990
2. No development shall commence until details (including specification, colour, texture and finish as appropriate) of the materials to be used for all external surfaces and elements of the development (including brick, mortar, bond pattern, pointing finish, render, timber cladding, roof tile and other roof covering, window dressings, fenestration, doors, rainwater goods boundary enclosures and external lighting) have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details. Reason: To secure an appropriate standard of build quality and appearance, in the interests of the character and appearance of the area in accordance with national and local planning policy as set out in Policies H10 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and advice contained on the NPPF 2012.
3. No development shall take place until drawings (elevations, plans and sections) at a scale of not less than 1:20, or 1:50 as appropriate, of full architectural detailing of the following matters have been submitted to and approved in writing by the Local Planning Authority: fenestration (including reveals, dressings, glazing bar profiles, opening mechanism) doors, rainwater goods, vents, steps, retaining walls, and porch canopy. The development shall be completed in accordance with the approved details and so maintained thereafter. Reason: To secure an appropriate standard of build quality and appearance, in the interests of the character and appearance of the area in accordance with national and local planning policy as set out in Policies H10 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, Policies MTC 1 and advice contained on the NPPF 2012.
4. Prior to the commencement of any works of demolition or construction a management plan

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

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

5. No development shall take place and no clearance of existing materials or vegetation on the site shall commence until details of measures to prevent damage to the four trees (at the south western corner of the site, on the eastern boundary of the site to the south of the building, on the adjoining property Scrublands, overhanging the eastern boundary of the site to the north of the building and on the grass verge fronting the site onto Boyn Hill Avenue) in accordance with BS 5837 2012, have been submitted to and approved in writing by the Local Planning Authority. The details will describe measures to protect these plants from harm arising from construction and or storage activities on the site, within a schedule and timetable of operations. The development shall be carried out in accordance with the approved schedule and timetable. Reason: To ensure the protection of important vegetation on or bordering the site which contributes to the character and appearance of the area in accordance with national and local planning policy as set out in Policies DG1, N6 and N7 of the Royal Borough of Windsor & Maidenhead Local Plan (incorporating Alterations adopted 2003) and in the NPPF 2012.
6. No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
7. No development shall commence until details of the construction and layout of the new accesses onto Boyn Hill Avenue and Boyndon Road have been submitted to and approved in writing by the Local Planning Authority. No new residential unit shall be first occupied until the vehicular access for it has been completed in accordance with the approved details, and the access shall be so retained for the duration of the occupation of the unit. Reason: To secure appropriate access to the development, in the interests of highway safety and convenience, in accordance with national and local planning policy and guidance as set out in Policies H10 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and advice contained in the NPPF 2012.
8. The existing accesses from Boyn Hill Avenue to the site of the development shall be stopped up and abandoned immediately upon the new access on this frontage being first brought into use. The footways and verge shall be re-instated before the development is first occupied in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Reason: To secure appropriate access to the development, in the interests of highway safety and convenience, in accordance with national and local planning policy and guidance as set out in Policies H10 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and advice contained in the NPPF 2012.
9. No part of the development hereby permitted shall be first occupied until the parking provision shown on the approved plans has been completed in accordance with those details. The parking spaces shall be so retained for the duration of the occupation of the development. Reason: To secure adequate facilities for the traffic to be generated by the residents of the dwelling, in the interests of the safety of all highway users, in accordance with Policies T5, T7, H10 and DG1 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003), the Council's adopted Parking Strategy, and advice contained in the

NPPF 2012.

10. No part of the development hereby permitted shall be first occupied until the covered and secure cycle storage facilities, including the stair ramp, as shown on the approved plans have been provided. The storage facilities shall be so retained for the duration of the occupation of the development. Reason: To secure adequate facilities for the site, in accordance with Policies T5, T7, H10 and DG1 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003), and advice contained within the NPPF 2012.
11. The first floor east facing windows, to serve the en-suite bathrooms for flats 4 and 6, shall be finished in obscured glazing, shall have a top-hung opening mechanism and shall be so retained for the duration of the occupation of the development. Reason: To protect the residential amenity of the adjoining dwelling.
12. The development shall be carried out in accordance with the plans, documents and reports listed as approved at the end of this notice. Reason: To clarify the development permitted.

Informatives

1. The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel. 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
2. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.