

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

20 January 2016

Item: 1

Application No.: 15/03644/FULL

Location: Lorien Brayfield Road Bray Maidenhead SL6 2BN

Proposal: Construction of new garage with first floor games room

Applicant: Mr And Mrs Williams

Agent: Stephen Varney Associates Ltd

Parish/Ward: Bray Parish

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 This proposed extension to a house in the Green Belt would be cumulatively disproportionate to the size of the original dwelling. It would therefore be inappropriate development and as such would harm the openness of the Green Belt. There are no 'Very Special Circumstances' to justify the development. The development is contrary to Policies GB1 and GB4 of the Local Plan and paragraphs 87, 88 and 89 of the National Planning Policy Framework (NPPF). The proposal would also cause loss of undeveloped space which is important to the character of the Bray Village Conservation Area, and is therefore contrary to Policy CA2 of the Local Plan. In addition there are important mature trees on the site which are likely to be affected by the proposal, and so tree survey has been carried out to assess the impact. The proposal is therefore contrary to Policy N6 of the Local Plan.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):

1.	The proposal is for a cumulative disproportionate extension to a house in the Green Belt, and is therefore inappropriate development and is contrary to Policies GB1, GB2 and GB4 of the Local Plan and paragraphs 87, 88 and 89 of the NPPF.
2	The proposal would cause the loss of undeveloped space which is important to the spacious character of this part of the Bray Village Conservation Area. The proposal is contrary to Policy CA2 of the Local Plan, and paragraphs 132 and 134 of the NPPF.
3	The applicant has not submitted a detailed tree survey as part of the planning application. It is likely that it will lead to the loss of those trees to the North East of the house. The proposal is therefore contrary to Policies N6 and DG1 of the Local Plan.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Burbage, irrespective of the recommendation, in the public interest and for the applicant and objectors to make their case to elected Members.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a corner plot in the village of Bray, containing a relatively large house and garden. There are trees on the plot which make an important contribution to the area. The site lies in the Green Belt and in the Bray Village Conservation Area. It is close to houses of various styles to the front and sides, and to open land to the rear.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

8335/69	Demolish porch and garage, build garage and loggia	Approved 27.8.1969
402309	Extension	Approved 16.6.1975
425501	Single storey side extension	Refused 16.1.1992
92/00075 (425658)	Two storey side extension to form granny annexe	Refused 16.4.1992
98/32662	First floor rear extension bay window to rear and rear conservatory	Approved 17.9.1998
14/00059	Single and two storey rear extension following demolition of existing conservatory	Approved 10.2.2014

- 4.1 The proposal is a two storey side extension containing a double garage downstairs and a games room above. It would have a total floorspace of 92sqm, and would measure 6.2m by 7.9m, with a height of 7.6m. It would be located in an open space containing mature trees to the side of the house alongside Old Mill Lane, and would present a gable end towards the lane.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, paragraph 17 (Core planning principles), Section 7 (Requiring good design), Section 9 (Protecting Green Belt land) and section 12 (Conserving and enhancing the historic environment).

Royal Borough Local Plan

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

	Within settlement area	Green Belt	Conservation Area	Trees
Local Plan	DG1, H14	GB1, GB2, GB4	CA2	N6

Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:
- RBWM Parking Strategy – More information on this document can be found at: http://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning
 - Bray Village Conservation Area appraisal – view at http://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings/3

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:
- i whether the proposal is appropriate development in the Green Belt;
 - ii whether the proposal respects the character of the house, the street scene and the area and whether the proposal preserves or enhances the conservation area;

- iii the impact of the proposal on the amenities of neighbouring dwellings; and
- iv impact on trees.

Green Belt

- 6.2 Policy GB4 of the Local Plan states that proposals for extensions to existing dwellings in the Green Belt will only be approved where they do not cause a disproportionate addition over and above the size of the original dwelling. The supporting text to the policy explains that a disproportionate addition can occur through one large extension or through the cumulative impact of a series of small ones. In terms of assessing whether a proposal will result in a disproportionate addition, floorspace is a guiding factor, together with the bulk and scale and the effect on the openness of the Green Belt. Paragraph 89 of the NPPF states that an extension to a building in the Green Belt is not inappropriate, provided it does not result in disproportionate additions over and above the size of the original building.
- 6.3 The original dwelling had a floor area of approximately 178 sqm. With the existing extensions, which have a total floorspace of approximately 114 sqm the property has already increased in floorspace by 64% over and above the original dwelling. The proposed extension has a floorspace of 92 sqm. As a result, the cumulative increase in floorspace would be 116% over and above the original dwelling.
- 6.4 Lorien has already had large two storey extensions to the rear and to the other side. The house's floorspace has been extended in the past by 64%, which is significant. The proposed extension would be a large two storey extension on the side with a significant mass, measuring 6.2m by 7.9m, with a height of 7.6m, in a prominent position on the corner of the road. The floorspace increase, together with the increase in bulk and scale of the house, together with the encroachment into the open area to the side of the house would be disproportionate (cumulatively with the previous extensions) to the size of the original dwelling.
- 6.5 Overall, the proposal will result in a disproportionate addition over and above the size of the original dwelling and is contrary to Policies GB4 and GB1 of the Local Plan and to Paragraph 89 of the NPPF. In addition it will cause loss of openness in the Green Belt, contrary to Policy GB2 of the Local Plan. The proposal is inappropriate development in the Green Belt, and no very special circumstances have been put forward to outweigh the harm that will be caused.
- 6.6 It should be noted that an application for a similar sized extension in the same position in 1992 (425658) was refused partly because 'it would reduce the open and spacious appearance of this prominent corner site'.

Character and Conservation Area

- 6.7 The Council has to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.8 The Bray Village Conservation Area Appraisal includes this site as being in Area B – 19th/ 20th Century Expansion. It goes on to say: 'The area is characterised by wide, tree lined streets and mature landscaped gardens. There is a feeling of openness and space, in contrast with the village core. The majority of open spaces within the Conservation Area tend to be the garden areas of private properties, yet these areas still add to the character of the village. The character of the area is sensitive to change through any loss of green spaces and trees within the Conservation Area itself. This pressure could come through any new build appearing in established green areas.'
- 6.9 As with the previously refused application 425501, it is considered that the proposed extension on this prominent corner site would be well forward of the general building line of the buildings fronting Old Mill Lane. By reason of its height, massing and position, the extension would appear cramped and obtrusive. This was also recognised in the refusal of 425658 mentioned in paragraph 6.6 above. The current proposal would cause the loss of open space which is

important to the character of the Conservation Area. This would be detrimental to the street scene of Old Mill Lane and Brayfield Road and the character of the Conservation Area. In terms of the NPPF, the proposal would result in less than substantial harm because the Conservation Area is quite extensive in the geographical area it covers. Given the relatively limited geographical focus in terms of impact, the significance of the Conservation Area overall would not be “drained away”. The NPPF requires this level of harm to be weighed against the public benefits. In this case, there are no apparent public benefits of the scheme which extends a private home. Therefore the proposal fails to comply with paragraph 134 of the NPPF and is contrary to Policy CA2 of the Local Plan.

Neighbouring Amenity

- 6.10 The proposed extension will not adversely affect the living conditions of the occupiers of any of the neighbouring properties, including the nearby terrace of houses 1-4 Braybank in terms of any loss of daylight or by being overbearing. The proposed side windows at ground and first floor level will be just over 20 m from the rear windows and balconies of those houses, however they are across a road which is used by the public, so there would be no significant loss of privacy. The proposal therefore complies with Policy H14 of the Local Plan where it relates to neighbouring amenity, and with Paragraph 17 of the NPPF, which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. It is not considered necessary to remove the flank wall windows, as recommended by the Parish Council, if planning permission were granted.

Trees

- 6.11 There are three mature trees in the side garden of the property, and one in the verge of Brayfield Road and the proposed extension would be likely to encroach on the root protection areas of those trees, as well as being likely to touch their canopies. The plans do not show the extended driveway that would be built to serve the new garage, and of any surface water drainage, but this would clearly pass across the root protection area of some of the trees. The plans only show two of the four trees. No arboricultural assessment has been submitted with the application to provide details of the impact of the proposal on these trees, which are protected by being in a Conservation Area. The proposal is therefore contrary to Policy N6 and of the Local Plan which requires that such surveys are carried out wherever existing trees are a feature of a site, and to Policy DG1. The applicant has not proven to the satisfaction of Officers that the proposed extension would not harm the trees which are important to the character of the area, and it is likely that the proposal will lead to the loss of those trees; this would harm the character of the area.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

6 neighbouring properties were notified of the application.
 The application was advertised in the Maidenhead Advertiser on 19.11.2015.
 The planning officer posted a statutory notice advertising the application at the site on 12.11.2015.

Two emails were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. It would have side windows which would look into our bedroom, living room and kitchen, and our balcony. With the loss of the two horse chestnuts which were recently removed, there will be a serious loss of privacy.	6.10
2. The side windows should be above eye level only, and there should be a reinstatement of mature hedging and trees.	6.10

Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Recommended for approval on the condition the flank wall windows are removed.	6.10
Tree Officer	Likely that it will lead to the loss of important mature trees.	6.11

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing and proposed front elevations
- Appendix C – Existing and proposed rear elevations
- Appendix D – Existing and proposed side elevations
- Appendix E – Existing ground floor plan
- Appendix F – Existing first floor plan
- Appendix G – Proposed ground floor plan
- Appendix H – Proposed first floor plan

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

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

9. REASON RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The site is in the Green Belt and, cumulatively with other additions to the house already completed, the proposed extension would cause a disproportionate addition over and above the size of the original house contrary to saved Policy GB4 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003), and Paragraphs 87, 88 and 89 of the National Planning Policy Framework (NPPF). It therefore represents inappropriate development contrary to saved Policy GB1 of the Local Plan and the NPPF. Inappropriate development is by definition harmful to the Green Belt and no very special circumstances exist that clearly outweigh the harm caused by reason of inappropriateness. It would also cause loss of openness to the Green Belt, contrary to Policy GB2 of the Local Plan.
- 2 The proposal would cause the loss of open space which is important to the spacious character of this part of the Bray Village Conservation Area. The proposal therefore does not preserve or enhance the Conservation Area, and is contrary to Policy CA2 of the Local Plan, and paragraphs 132 and 134 of the NPPF.
- 3 The applicant has not submitted a detailed tree survey as part of the planning application. The impact of the proposal on the existing mature trees on and outside the site which are important to the character of the area and which are protected by being in a Conservation Area cannot therefore be fully assessed. The Local Planning Authority is not satisfied that the proposal would not harm the health and vitality of these trees, and it is likely that it will lead to the loss of those trees which are an important part of the character and appearance of the area. The proposal is therefore contrary to Policies N6 and DG1 of the Local Plan.