

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

18 December 2019

Item: 7

Application No.:	19/02570/FULL
Location:	15 Ray Drive Maidenhead SL6 8NG
Proposal:	Replacement single storey side/rear extension (Retrospective).
Applicant:	Mr Azam
Agent:	Mr Ehsan UL-HAQ
Parish/Ward:	Maidenhead Unparished/Riverside

If you have a question about this report, please contact: Carlos Chikwamba on 01628796745 or at carlos.chikwamba@rbwm.gov.uk

1. SUMMARY

- 1.1 This proposal is a retrospective application for a replacement single storey rear/side extension and a garage conversion into habitable storage space. The proposed development is considered to have an acceptable impact on neighbouring amenities, the character of the host property and the wider area. Furthermore, the garage conversion is not considered to demonstrably exacerbate parking pressures within the area.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 12 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Targowski for the following reasons. To ensure that the Council not only acts in a fair and impartial way but is seen to do so, and that the process of decision-making is therefore transparent in nature. As per the Members, Planning Code of Conduct, Part 7B 1.3 and 1.4.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises a detached two-storey property which is currently in use as a guest house. The development is located on Ray Drive, an unclassified road north east of Maidenhead town centre. The area is primarily a residential area characterised by detached and semi-detached dwellings.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposed development is for a retrospective replacement single storey rear/side extension and a garage conversion into habitable storage space.
- 4.2 The property was granted planning permission for a change of use to an 8 bedrooomed guesthouse under application, 89/01244/FULL. There has been several applications submitted to convert the guest house (C1) to a residential institution (C2). These have however been refused. Therefore, the property's existing lawful use remains an 8 bedrooomed guesthouse, as per application, 89/01244/FULL.

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 5.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H14
Highways	P4

These policies can be found at:

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

6. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process, the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.

In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV which are now out to public consultation until Sunday, 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course, the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above, both should be given limited weight.

These documents can be found at: <https://www3.rbwm.gov.uk/blp>

Supplementary Planning Documents

- RBWM Parking Strategy;
https://www3.rbwm.gov.uk/downloads/file/740/parking_strategy_-_may_2004

7. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

13 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 19th September 2019.

1 letter was received objecting to the application as summarised below:

Comment	Officer's response
<p>16 Ray Drive;</p> <ul style="list-style-type: none"> • Length of the building extends beyond the previous garage it replaces. • Height of the new structure along the shared boundary line higher than what is allowed by permitted development. • Building should remain ancillary to host property. • Condition in relation to materials and construction method of the building requested 	<ul style="list-style-type: none"> • There is no limit to the length and height permitted under a full planning application. Limits only apply to permitted development applications as per the General Permitted Development Order (2015) as amended. Its acceptability will be determined on its planning merits. • The proposed use of the building is for storage space. As such, it will remain ancillary to the main building. • The proposed materials are not considered to detract from the character of the host building. Concerns regarding if and how the construction methods of the development might have impacted a shared party wall would be regarded as a civil matter not a material planning consideration.

Consultees and Other Organisations.

Comment	Officer's response
<p>RBWM Conservation;</p> <p>Conservation has no objections and does not wish to comment further.</p>	<p>Noted.</p>
<p>Environmental Protection Officer;</p> <p>The plans for the above planning application have been reviewed and I would confirm that this Unit has no objections to permission being granted.</p>	<p>Noted.</p>
<p>RBWM Highways;</p> <p>According to previous application 18/01833 the guest house benefits from 9 bedrooms, therefore, it is required to provide 9 car-parking spaces. Current provision shows 6 spaces, including the garage to be demolished.</p> <p>The applicant has the following options:</p> <ol style="list-style-type: none"> 1. Maintain the current shortfall of 3 spaces 2. Undertake a parking survey to determine whether there are existing parking pressures in the immediate area in order to increase shortfall of spaces to 4. 3. Submit an application to increase the 	<p>Parking considerations addressed in section 8.4 of the report.</p>

capacity to 9 spaces.	
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8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i impact on the character of the host property and the street scene;
- ii impact on neighbouring amenities; and
- iii parking

8.2 Character and street scene.

The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving Well-Designed Places) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. The replacement single storey side/rear extension retains the depth and width of the previously existing structure and the height of the new side/rear extension will be 0.8 metres less than that of the previous structure. The new eaves height will also not exceed the previous height. The new side/rear extension due to the slight reduction in height will now appear even more subordinate to the host building. Furthermore, it's significant set back from the principal front wall diminishes the side/rear extension's prominence when viewed from the street scene and public vantage points along Ray Drive. The proposed materials are not considered to deter away from the character of the existing host building. Overall based on the above, the proposal is considered to respect the character and appearance of the host dwelling and the wider area.

8.3 Amenity

Policies H14 (1) and SP3 state extensions should not cause an unacceptable loss of light or privacy to adjacent properties, or significantly affect their amenities. The replacement single storey side/rear extension will not exceed the depth, width, roof height or eaves height of the previously existing structure. As such, the proposal is not considered impact the amenities of the immediate neighbouring properties.

8.4 Parking

The existing lawful use of the building is as an 8 bedroomed guest house. The parking standards in Appendix 7 of the Local Plan state that 1 space is required for each bedroom. The previous double garage had a width of 2.25m when measured internally at each opening, as opposed to the standard 3m. The overall width of the previous garage amounted to about 5 metres. As such, the garage could only be used to accommodate one parking space.

8.5 Whilst there will be a shortfall of one parking space, paragraph 106 of the NPPF (2019) states that, maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. There is reasonable capacity for on-street parking along Ray Drive (unclassified road) to accommodate an extra parking space to facilitate the shortfall. Therefore, the loss of one parking space at the site is not considered to demonstrably exacerbate parking pressures within the area. As such, the proposal is considered to comply with Paragraph 106 of the NPPF (2019) and Policy P4 of the Local Plan.

9. CONCLUSION

- 9.1 The retrospective replacement single storey side/rear extension and the garage conversion into habitable space is considered to be in accordance with policies DG1,H14 and P4 of the Local Plan, which are considered to be up-to-date and should be given greatest weight. These policies support the aims of achieving well designed places, with a high standard of amenity for existing and future users. For the reasons detailed above, it is not considered that a reason for refusal of this application could be substantiated on the loss of one on-site car parking space.

10. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Block Plan
- Appendix C - Existing and Proposed Elevations
- Appendix D - Existing and Proposed Ground Plans

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. 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 NPFF.

In this case the issues have been successfully resolved.

11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.