

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

MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

18 August 2021

Item: 4

Application No.:	21/01684/FULL
Location:	4 Maidenhead Court Park Maidenhead SL6 8HN
Proposal:	Two storey front/side extensions, part single/part two storey front extension, single and first floor rear extensions, first floor side extension, 1 No. front dormer and 2 No. rear rooflights to facilitate a loft conversion, 1 No. first floor rear window, side fence and access gate and rear gate.
Applicant:	Mr Fazal
Agent:	Miss Katie Flower
Parish/Ward:	Maidenhead Unparished/Riverside

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 proposal seeks permission for substantial additions to a house in Maidenhead Court Park. The proposed works are considered to be acceptable given the large size of the plot and the character of the area, established through the form and type of dwellinghouses in the immediate locality, including a similar development that has recently been completed at a neighbouring property. The proposed works are not considered to be harmful to the amenities of neighbouring properties, or to the character and appearance of the street scene.

It is recommended the Panel grants planning permission with the conditions listed in Section 11 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Targowski. The scheme proposed conflicts with the NPPF and adopted Local Plan policies DG1 and H14 and SPD advice, in that it will cause harm to the character of the area and neighbour amenity by reason of scale and design of the building and unacceptable enclosure of valued open plan amenity space.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is set on the edge of a spacious estate of dwellinghouses and bungalows to the north of Maidenhead. The estate has open plan front gardens and many mature trees which are the subject of an Area Tree Preservation Order. However, this dwelling is one of a pair of dwellinghouses, flanked by bungalows, which front on to Maidenhead Court Park which, together with the properties opposite, comprise an eclectic mix of contemporary and Edwardian detached dwellinghouses, set within large plots with frontage walls and hedgerows. Consequently, these four dwellinghouses and bungalows are viewed predominantly within the context of this part of the Maidenhead Court Park street scene, rather than the larger estate as a whole.
- 3.2 The site lies on a dry island and is not in Flood Zone 3.

4. KEY CONSTRAINTS

- 4.1 The site is covered by an area Tree Preservation Order.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposals comprise of extensive ground, first and two-storey extensions, together with works to the roof, including the construction of 1 front dormer and 2 rear rooflights to facilitate a loft conversion. A side fence and access gate and a rear gate are also proposed.
- 5.2 No relevant planning history exists for the application site; however, pertinent to the consideration of this application is the following planning permission at the neighbouring site to the south, which has been implemented.

14/02236/FULL – Raised ridge to create first floor habitable accommodation. Two storey front and single storey rear with balcony above. 2 Maidenhead Court Park, adjacent property to the south-east of the application site.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 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
Trees	N6

These policies can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 4 – Decision-making

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Trees, Woodland and Hedgerows	NR2

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3
Trees, Woodland and Hedgerows	NR3

- 7.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

- 7.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. 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. Public consultation ran from 1 November to 15 December 2019. All representations received were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. Consultation is currently on-going on the proposed Main Modifications.
- 7.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF.
- 7.4 These documents can be found at:
<https://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

Supplementary Planning Documents

- Borough Wide Design Guide

More information on this document can be found at:

<https://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

7 occupiers were notified directly of the application.

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

Comment		Where in the report this is considered
1	Massive enlargement – overdevelopment of the site. Size conflicts with local character. Disproportionate to the size of the plot. Would create an eyesore.	9.2-9.7
2	Crowded appearance – very near adjacent plot.	9.2-9.7
3	Would block light for much of the day for some of the neighbours.	9.8
4	Overlooking rear gardens of neighbours.	9.8
5	The design of the estate layout was co-ordinated to give a consistent appearance and uncluttered spaciousness.	9.2-9.7
6	High hedges and fences along the front boundary are contrary to a restrictive covenant.	Not a material planning consideration.
7	All other extensions on the estate apart from no. 2 have been in proportion.	9.2-9.7
8	The house will move forward by 4m and is virtually being rebuilt.	9.2-9.7

9	Not in keeping with the spacious open-fronted street scene.	9.2-9.7
10	Style and design of the building not in keeping with the rest of the road. Will destroy the sense of proportion and would spoil the rest of the estate.	9.2-9.7
11	The 2m boundary wall would give an industrial feel to a domestic street.	9.2-9.7
12	Large open-fronted gardens are the essence of the character of the road and the application would destroy this.	9.2-9.7
13	The scheme ignores the generous airspace separation of buildings at first floor level.	9.2-9.7
14	Introduction of a 3 rd floor in a massive new slate tiled roof-space.	9.2-9.7
15	Lifts ridge height by 2m – large flat topped hipped and gabled roof and doubling the width at first floor level.	9.2-9.7
16	15m long north facing wall would be oppressive to the neighbour.	9.8
17	White rendering, dark aluminium framed windows and new slate roof will emphasize the alien nature of the property.	9.2-9.7
18	Tantamount to a replacement house.	9.12
19	Could increase parking in the road.	9.10

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i impact on the character of the area;
- ii impact on neighbouring amenities;
- iii impact on trees; and
- iv parking

Impact on the character of the area

9.2 No 4 is located in proximity to the junction of Maidenhead Court Park and Sheepphouse Road, occupying the second plot on the eastern side of the road. The plot is generous in size compared with the majority of houses on this side of the road (approx. 28 metres x 32 metres) and is on the fringe of the 1970's estate development, being read more in the context of the dwellinghouses on both sides of this stretch of Maidenhead Court Park, which comprise of an eclectic mix of contemporary and Edwardian detached dwellinghouses, set within large plots with frontage walls and hedgerows. The plot is capable of accommodating a house of the size that would result from the proposed extensions and the ridge height would only be marginally higher than that of No 6 to the north. The depth of the house would not be apparent in the street scene. There would be a gap of 1m at first floor level to the side boundary of the house to the north with No. 6, so there would be no terracing effect resulting from the proposed development.

9.3 Immediately to the south of the site, No 2 Maidenhead Court Park has been extensively redeveloped without detriment to the street scene. This development, referenced at paragraph 5.2 of this report above, has resulted in the provision of a two-storey house in replacement of a previously existing bungalow, greater in height than the resultant dwellinghouse proposed under this application at No 4. This house sits at the entrance to Maidenhead Court Park and makes a further contribution to the variety of house designs found in the immediate locality of the application site. The detailed drawings submitted in support of the application illustrate that the proposed enlarged house at No 4 would similarly sit comfortably within this street scene.

- 9.4 In terms of the building line, the proposals would bring the front of the dwelling closer to the highway (circa 9m from the road edge). However, the house would be set back behind the building line of No 6, but forward of No.2, a logical placement for the dwelling, retaining a generous front and side garden.
- 9.5 The current house at No 4 Maidenhead Court Park is typical of 1970's architecture and, whilst not unattractive, does not have any features of particular merit. It is considered, on balance, that the scale of the development on this generous plot would be commensurate with other properties in the immediate neighbourhood. The proposed design is of a high quality and well suited to this site. It is accepted that the proposals would result in a dwellinghouse of a different design to the existing building; however, in this case it is considered that this would result in a positive contribution to the character of the street scene and the wider neighbourhood.
- 9.6 The proposals unashamedly represent a re-modelling of the dwellinghouse and when viewed in light of the Borough Wide Design Guide, the extensions would maintain privacy, not appear overbearing or overshadow adjoining properties and as described below, would ensure that neighbour amenities are protected. The proposals would also maintain a good quality and size of amenity space that would continue to function well and maintain adequate space around the dwellinghouse. In regard to the foregoing, the proposals can be considered to accord with the principles of the Design Guide.
- 9.7 The open plan nature of the frontages will be maintained by having no wall or fence along the frontage. A 1.2m high hedge is proposed to be planted and set back from the frontage. Planting a hedge does not comprise development and could be undertaken in the absence of this proposed development. In any case it would not unduly affect openness.

Impact on neighbouring amenities

- 9.8 Habitable room windows in the altered dwelling would look to the front and rear. The substantial tree screen in the rear garden would prevent any overlooking into neighbouring gardens and a suitable gap of circa. 11m would be maintained from the two-storey element of the extensions to the rear boundary of the site. The first-floor side windows would be obscure glazed to prevent overlooking of the neighbouring properties to the sides and this can be secured via an appropriate condition (condition 4). Although the first floor of the house would be closer to the neighbour to the north than the existing property, it is considered that as that property presents a largely blank wall to the site with high-level windows, there would be no impact on the amenities of its occupants. The rear extensions would not cross lines drawn at 45 and 60 degrees from the centre points of the nearest neighbouring rear windows, so there would be no material loss of light to those windows.

Trees

- 9.9 No significant trees would be lost as a result of the development, and a Tree Protection Plan has been submitted to ensure that no trees which are the subject of an Area Tree Preservation Order would be harmed. The implementation of this plan can be secured via a condition (condition 3).

Parking

- 9.10 Sufficient parking space is shown on site to comply with the Council's Parking Strategy.

Other Material Considerations

- 9.11 The site lies on a dry island and is not in Flood Zone 3, so Policy F1 of the Local Plan is not relevant to the proposal.

Conclusion

- 9.12 It is accepted that the extensions proposed under this application would result in the re-modelling of the existing dwellinghouse such that it would effectively appear as a replacement dwelling; however, this need not be unacceptable in principle. As described above, it is considered that

the application site should properly be viewed within the context of the immediate Maidenhead Court Park street scene of eclectic, sizeable detached dwellinghouses, and that the resultant proposed dwelling would accord with this characterization and would not appear out of character in this locality. It would maintain an appropriate degree of spaciousness both within the site and in relation to its neighbours and would not impact on the amenities of the occupants of the surrounding dwellinghouses.

10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and existing plans and elevations
- Appendix B – Proposed plans and elevations
- Appendix C – Proposed site layout and street elevation

11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 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.
- 3 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars set out in Tree Protection Plan by GHA trees before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 4 The first floor windows in the flank elevations of the extensions shall be fitted with obscure glass and the windows shall not be altered.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.
- 5 No further window(s) shall be inserted at first floor level in the flank elevation(s) of the extension.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 6 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.