

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

1 September 2021

Item: 1

Application No.:	21/01569/FULL
Location:	211 Maidenhead Road Windsor SL4 5HF
Proposal:	Single storey rear extension.
Applicant:	Mr And Mrs Garlick
Agent:	Mrs Joanna Czarnomska
Parish/Ward:	Windsor Unparished/Clewer And Dedworth East

If you have a question about this report, please contact: Zishan Pervez on 01628 682977 or at zishan.pervez@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed single storey rear extension by virtue of its design, scale and mass would respect the character and appearance of the host dwelling and the wider area. It would not have any materially harmful impact on the amenity of the neighbouring properties.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Carole Da Costa due to concerns the development would result in loss of amenity towards neighbouring properties.

3. DESCRIPTION OF THE SITE AND SURROUNDINGS

- 3.1 The application site, 211 Maidenhead Road is located on a predominantly residential built-up road in Windsor. The road comprises of a range of properties varying in design, scale and built form. However the dwellings in the immediate vicinity are terraced properties with small front gardens, which this mid-terrace dwelling forms part of.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal seeks to demolish a covered area and erect a single storey rear extension with a gabled roof and x6 rooflights.

4.2

Application Reference	Description	Date and Decision
01/81307/CLP	Erection of a rear-facing dormer window.	Approved / 05.0.2002

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Local Plan Policy
Design in keeping with character of area	DG1
Acceptable impact on appearance of area	H14
Acceptable impact when viewed from nearby occupiers	H14
Maintains acceptable level of privacy for nearby residents	H14
Maintains acceptable level of daylight and sunlight for nearby occupiers	H14
No harm to protected trees	N6
Sufficient parking spaces available	P4

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

6. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

- Section 2. Achieving sustainable development
- Section 3. Plan-making
- Section 4. Decision-making
- 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

Borough Local Plan: Submission Version Proposed Changes (2019)

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

6.1 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).”*

6.2 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. The next stage will be for main modifications to be carried out and consulted upon. The consultation is currently underway until September 2021.

6.3 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. This assessment is set out in detail, where relevant, in Section 8 of this report.

These documents can be found at:

<http://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

6.4 **The Windsor Neighbourhood Plan (2011-2026)**

The Windsor Neighbourhood Plan was subject to referendum in May and has now been formally adopted by the Council. It carries full weight in decision making.

6.5 **Borough Wide Design Guide 2020**

The Design Guide supports Local Plan policies by setting out in detail what the Council considers to be design excellence in the Royal Borough.

These documents can be found at:

<http://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

6.6 **Other Local Strategies or Publications**

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

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

7. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

Three occupiers of properties in the vicinity of the site were notified directly of the application.

At the time of writing, x4 letters had been received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. <u>Impact on Character</u> Disproportionate and not in keeping	Please see paragraphs 8.2 – 8.3
2. <u>Neighbouring Amenity</u> Loss of light Loss of privacy Overlooking Noise nuisance as a result of opening/closing the rooflights Very little green space left as a result of the extension	Please see paragraphs 8.4 – 8.6
3 <u>Other</u> Construction and maintenance of the extension is likely to require cooperation No site notice has been displayed The application sets a precedent The plans are misleading, and the extension will be considerably higher. Not enough space left for rainwater pipe	This is not a material planning consideration. A site notice to be displayed is not a statutory requirement. Each application is determined on its own basis. A site visit has been conducted and following review of the drawings, the plans appear accurate. The scheme has been amended to ensure the RWP is within the application site.

8. EXPLANATION OF RECCOMENDATION

8.1 The assessment of the application is set out in the following way:

- i. Impact on the character of the area and street scene;
- ii. Impact on neighbouring amenities;
- iii. Impact on trees;
- iv. Impact on parking provision and highway safety.

Impact on Character

- 8.2 211 Maidenhead Road is a mid-terraced property forming one of eighteen terraced dwellings located in the residential area of Windsor. 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. Principle 10.1 of the Borough Wide Design Guide states that extensions will be expected to be subordinate and respond positively to the form, scale and architectural style and materials of the original building. Developments that are over-dominant or out of keeping will be resisted.
- 8.3 The proposal is for a 4-metre-deep single storey rear extension which would replace an existing veranda and a gazebo. It would extend beyond an existing single storey side extension which has a lean-to roof. Although the development would practically form a side/rear extension which would be larger than other single storey additions in the close vicinity, the scale of the development together with a gabled roof design would respect the character of the host dwelling. The roof, with eaves at 2.1m and ridge height at 3.4m would not be out of scale with the host dwelling nor would it not appear obtrusive in the surrounding area. Concerns were raised regarding the roof form being out of keeping to the area which comprise of additions with flat roof, however it is considered the proposed gabled roof would appear more sympathetic to the host dwelling and would not cause harm to the appearance of the wider area.

Impact on Neighbours

- 8.4 The application site and surrounding properties benefit from a south aspect garden which indicates the resultant extension would not significantly affect the daylight/sunlight these properties currently receive. With regards to neighbouring property no.213, the property benefits from a side glazed addition and a single storey rear extension with an obscure window to the rear serving a bathroom. The side addition at the neighbouring property comprises of a glazed roof which allows extra light coming in, nonetheless the eaves of the gabled roof have been reduced from 2.38m to 2.1m which would be marginally taller the existing 2m fence. With low eaves, the development would not have an adverse impact on loss of light. Furthermore, there are no side facing windows proposed preventing any overlooking nor does the development would cause any loss of privacy given its single storey.
- 8.5 With regards to neighbouring property no. 209, the property has a ground floor window on the rear elevation. Appendix 12 of the Local Plan indicates that a line drawn at a 60 degrees angle at single storey level from the centre of the nearest habitable room window of an adjoining property should not be breached by the proposed rear extension. This indicates a loss of sun/daylight. A line drawn the centre of this window reveals this line will not be intersected as a result of the extension. Moreover the proposed extension has low eaves level at 2.1m. Concern was raised that the rooflights will give rise to views to the bathroom above, however due to the height of the rooflights and the fact that the window at 209 serving the bathroom is obscure, this would not be the case. For the reasons stated above, it is therefore considered no significant harm will be caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.
- 8.6 Concerns were raised by neighbouring occupants that the proposed rooflights will cause noise nuisance when they are opened and closed. It is not considered the operation of a rooflight would exceed noise levels that would be expected from a domestic property. The resultant size of the garden was questioned; however the rear amenity area would be in excess of 15m deep which would be acceptable for a dwelling in this location.

Trees

- 8.7 There are no trees on site and/or nearby that are considered to be of high amenity value that will be impacted by the development.

Highways

- 8.8 The proposed development would not lead to the loss of any of the parking spaces nor will it increase the number of bedrooms at the development site. As such, sufficient space would remain on the site to accommodate the car parking for the resulting dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

Conclusion

- 8.9 As set out in the above paragraphs, the proposal is considered to comply with the relevant planning policies and guidance. The application is recommended for approval subject to the conditions listed below.

9. 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 in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwelling house. The 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 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.