

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

MAIDENHEAD DEVELOPMENT MANAGEMENT COMMITTEE

15 September 2021

Item: 2

Application No.:	21/01774/FULL
Location:	Half Timbers Alleyns Lane Cookham Maidenhead SL6 9AE
Proposal:	Single storey rear extension and a new basement pool, gym and plant with open sunken courtyard.
Applicant:	Mr And Mrs Lloyd
Agent:	Mr Mumtaz Alam
Parish/Ward:	Cookham Parish/Bisham And Cookham

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 application is for a single storey rear extension and a new basement containing a pool, gym and plant with open sunken courtyard. It is an extension to a recently built replacement house in Alleyns Lane, Cookham Dean, which lies in the Green Belt. The above-ground element of the proposal would be proportionate to the original dwelling, with the majority of the development proposed below ground which would not materially impact on the openness of the Green Belt. As the proposed removal of the spoil would entail a large number of movements of heavy vehicles, or a larger number of smaller vehicles a condition about the movement of vehicles has been recommended.

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

2. REASON FOR COMMITTEE DETERMINATION

- Called in at the request of Councillor Brar if the recommendation of the Head of Planning is to grant permission for the application because of concerns regarding vehicle movements on surrounding roads and highway safety

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is a recently built replacement house located on a private road in the outskirts of Cookham Dean. There are other houses close by, but it is in a fairly spacious rural location. The site lies in the Green Belt.

4. KEY CONSTRAINTS

- 4.1 The application site is located in the Green Belt.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 This application is for a single storey extension to the rear of the existing garage in replacement of an approved covered walkway. The extension would follow the same profile as the garage with fully glazed walls and a matching tile covered roof. This extension would cover a staircase providing access into a new and extensive basement area containing a pool, gym and plant room with open sunken courtyard. Access can also be gained to the basement via a sunken courtyard. The only above-ground evidence of the existence of the basement would be three glazed rooflights.

Ref.	Description	Decision and Date
18/02775 /FULL	New 5-bedroom dwelling following the demolition of the existing dwelling, garage and annex.	Approved 27.11.2018
20/03013 /FULL	Single storey side/ rear extension with mezzanine floor	Withdrawn 11.1.2021
21/00381 /VAR	Variation (under Section 73A) of Condition 5 (approved plans) to substitute those plans approved under 18/02775/FULL for a new 5-bedroom dwelling following the demolition of the existing dwelling, garage and annex.	Withdrawn 19.3.2021

6. DEVELOPMENT PLAN

Adopted Royal Borough of Windsor and Maidenhead 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
Highways	T5
Green Belt	GB1, GB2, GB4

Cookham Village Design Guide

G6.9A

7. MATERIAL PLANNING CONSIDERATIONS

7.1 National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making
Section 9- Promoting Sustainable Transport
Section 12- Achieving well-designed places
Section 13- Protecting Green Belt land

7.2 Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Sustainable Transport	IF2
Green Belt	SP5

7.3 Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3
Sustainable Transport	IF2
Rural Development	QP5

7.4 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).”*

7.5 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. Public consultation on the Main Modifications to the BLP is currently running until 5th September 2021.

7.6 The BLPSV together with the Proposed Changes are material considerations for decision_making, and consultation of the Main Modifications represents a latter stage in the preparation of the emerging plan. 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 7.2 above.

7.7 These documents can be found at:

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

7.8 Adopted 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

4 occupiers were notified directly of the application.

No comments were received from neighbours.

Consultees and other groups

Consultee	Comment	Where in the report this is considered
Cookham Parish Council	No objection provided a condition is made for either disposal of soil elsewhere on site or for ecologically and neighbour-friendly method of removal and disposal off-site.	9.6

Highways Officer	This level of activity is unlikely to have an adverse effect on the highway network subject to conditions	9.6
Cookham Society	<p>There would be little to see of this proposed pool complex above ground level and therefore little to object about. However, the proposal involves a very large excavation and hence a very large mass of spoil. The drawings show “graded landscape” within the garden area (albeit with somewhat different forms on the two drawings) but there is no indication that the volume of this landscape mound is sufficient to contain all the spoil produced from the site.</p> <p>This site is at the end of a narrow private cul-de-sac which leads onto Alleyns Lane. Alleyns Lane itself is a single-track lane with passing only possible in private driveways entrances. It is actually signed as “Unsuitable for heavy goods vehicles”. Other routes from the site such as Bradcutts Lane, Terrys Lane and Winter Hill are all narrow, single track with passing places and blind corners. All these lanes are extensively used by walkers and cyclists. There is no reasonably suitable route away from the site for tipper lorries to carry large amounts of spoil. We ask for the application to be refused if the full volume of the spoil generated is not going to be accommodated within the boundary of the site.</p>	9.6

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i whether the proposal is appropriate development in the Green Belt;
- ii whether the design is acceptable;
- iii impact on neighbouring amenities;
- iv impact of the removal of spoil on the local road network

Green Belt

9.2 The site lies in the Green Belt, wherein a local planning authority should regard the construction of new buildings as inappropriate unless they comply with one of the exceptions to inappropriate development or very special circumstances can be established. Adopted Local Plan policy GB1 sets out acceptable uses and development in the Green Belt; however, the Local Plan was prepared in accordance with the cancelled PPG2 Green Belts and therefore, while broadly in line with the NPPF, policy GB1 differs in emphasis. As such, policy GB1 is given weight, but not full weight in the consideration of a proposal. Policy GB4 of the Local Plan is more consistent with the NPPF and is therefore given moderate weight. The proposal should therefore be assessed primarily against the criteria in the NPPF as it is considered to be a more up-to-date expression

of government intent. Paragraph 149(c) of the NPPF sets out the relevant exception appropriate to the assessment of this application as follows: -

The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

This Council normally considers any extension of over a 50% increase in floorspace as being disproportionate.

- 9.3 The majority of the proposed extension the subject of this application would be at basement level and would not therefore be visible. Notwithstanding this, the floor area of the proposed extension would amount to just under 50% of the floor area of the original house. This is not considered to be disproportionate and so the proposal is considered to be appropriate development in the Green Belt, in accordance with paragraph 149(c) of the NPPF (as a material consideration of significant weight) and Policies GB1 and GB4 of the Local Plan.

Design

- 9.4 The above ground element of the extensions comprises a diminutive addition to the rear of the existing garage and would match the house in terms of materials and detailing, albeit that the walls would be fully glazed to allow light into the proposed stairs to the basement. The below ground element would not be visible, apart from one glazed wall which would face a sunken courtyard and three rooflights. The design is considered to be acceptable.

Amenities

- 9.5 The proposal is considered not to have any impact on the amenities of any neighbouring properties due to its juxtaposition with the same and its largely underground nature.

Road network

- 9.6 The local highway network within the vicinity of the site, namely Alleyns Lane and Bradcutts Lane are essentially single-track rural roads offering restricted forward visibility splays and limited passing opportunities. One option for the removal of the spoil from the site is estimated by the agent to involve some 150 lorry movements at a rate of 5 movements per day. Another option is to use smaller dumper trucks to take the spoil to a nearby farm, at a rate of around 10-11 trips per day, with a larger number of trips. The Highways Officer has concluded that this level of activity is unlikely to have an adverse effect on the highway network, if the appropriate measures are in place to manage and control when vehicles arrive on site and leave fully laden. The Highways Officer has stated a preference for the use of the smaller trucks and has confirmed that this matter can be covered by a suitable worded planning condition requiring the submission of details proposed to control vehicular attendance at the site and therefore on the surrounding roads (condition 2). Paragraph 111 of the NPPF makes it clear that *development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.* That would not be the case with this application.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed extensions to this dwellinghouse are not considered to amount to disproportionate additions over and above the size of the original building and, the majority of the proposed extensions would be sited below ground. Consequently, the proposal is considered to amount to appropriate development in the Green Belt. Furthermore, the concerns raised in representations received on the application with regard to the ability of the local highway network to accommodate the type and number of vehicles involved in removing the spoil from the site can be satisfactorily overcome through the imposition of a condition.

11. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan

- Appendix B – Proposed Plans and Block Plan
- Appendix C – Proposed Plans and Elevations

Documents associated with the application can be viewed at <https://www.rbwm.gov.uk/home/planning/find-planning-application> 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 NPPF. In this case the issues have been successfully resolved.

12. 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 Prior to the commencement of the development hereby permitted, the applicant shall submit details of the proposed vehicular attendance at the site needed to remove spoil to accommodate the proposed basement. These details shall include estimated total number of trips, number of trips proposed per day, size of vehicles and proposed routing. The submitted details shall avoid vehicle movements during peak hours and shall include measures to minimise nuisance to users of the local highway network and neighbouring properties and avoid vehicles waiting on the public highway.
Reason: To avoid any danger/inconvenience and to minimise nuisance caused by large vehicular movements on the local highway network and to accord with Policy T5 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003).
- 3 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.
- 4 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.