

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

21 September 2022

Item: 1

<b>Application No.:</b>	22/01324/FULL
<b>Location:</b>	38 Oldacres Maidenhead SL6 1XJ
<b>Proposal:</b>	New front porch, single storey rear extension with raised terrace, steps and balustrade.
<b>Applicant:</b>	Mr Akhtar
<b>Agent:</b>	Mrs Farzana Sultana
<b>Parish/Ward:</b>	Maidenhead Unparished/St Marys
<b>If you have a question about this report, please contact:</b> Lucinda Pinhorne-Smy on 01628 796462 or at lucinda.pinhorne-smy@rbwm.gov.uk	

**1. SUMMARY**

- 1.1 The new front porch, single storey rear extension, raised terrace, steps and balustrade are of a domestic scale and considered to be subordinate to the host dwelling. The application site is not situated within the Green Belt, Conservation Area or in proximity of a listed building that would require stricter controls over the dwellings scale and appearance. The proposals are considered to be acceptable in all other respects.

**It is recommended the Committee grants planning permission with the conditions listed in Section 15 of this report.**

**2. REASON FOR COMMITTEE DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application has been called in by Cllr Stimson for Amenity and Impact reasons

**3. THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site comprises a detached dwelling located at the head Oldacres, a modern residential estate accessed to the east of Oldfield Road. The application site immediately borders Guards Club Park to the east, the River Thames Corridor and the Maidenhead Riverside Conservation Area. This location has an undulating topography and is located within Flood Zones 2 and 3, consequently the dwellings have varied levels and a number are served by rear terraces and front steps due to their elevated floor levels. Mature landscaping forms a feature of the street scene and mature trees form a backdrop to the dwellinghouse.

**4. KEY CONSTRAINTS**

- 4.1 Adjacent to the Maidenhead Riverside Conservation Area  
Within Flood Zones 2 and 3  
Adjacent to River Thames Setting

Within hedgehog and swift recorded area

## 5. THE PROPOSAL

- 5.1 Permission is sought for a new front porch, single storey rear extension, raised terrace, steps and balustrade.
- 5.2 The existing porch comprises an open canopy with single sloping roof that projects less than one metre beyond the front elevation of the dwelling. The proposed porch would measure 2.8m in width and project by 1m; it would have a dual-pitched roof measuring 2m in eaves height and 3.3m in ridge height.
- 5.3 The proposed single storey rear extension would project by a maximum of 4.5m and a minimum of 1.8m. It has a staggered design with the deepest element measuring 5.9m in width and the remaining section measuring 5.3m in width. The main section of the proposed extension would have a dual-pitched roof and measure 2890mm in eaves height and 4m to the top of the ridge. The more subservient section would have a flat roof design measuring 3m in overall height.
- 5.4 The terrace would be raised one metre above the garden ground level and enclosed by one-metre-high railings. It would project 1550mm beyond the rear elevation of the proposed extension and measure 5360mm in width; 3m wide steps would give access to the rear garden.

## 6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
09/01775/FULL	Two storey side extension	Approved 21.10.2009

## 7 DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

### Adopted Borough Local Plan

Issue	Policy
Spatial Strategy for the Borough	SP1
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
River Thames Corridor	QP4
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Sustainable Transport	IF2
Open Space	IF4

## 8. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 14- Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16- Conserving and enhancing the historic environment

### Supplementary Planning Documents

- Borough Wide Design Guide

### Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Corporate Strategy
- Environment and Climate Strategy

?

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 19<sup>th</sup> May 2022 and the application was advertised in the Local Press on 2<sup>nd</sup> June 2022

One letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Inaccurate plans	The plans are considered to be accurate to enable the determination of the application.
2.	Loss of privacy	10.3
3.	Right to light / detrimental impact on light received to no.36	10.3
4.	Would result in a tunnelling effect	10.3
5.	Scale of resultant dwelling at no.38 detrimental to the character of the area / harm the appearance of the conservation area	10.2

### Consultees

Consultee	Comment	Where in the report this is considered
Conservation	No comment to make on this occasion	i

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Design and Character
- ii Impact on neighbouring amenity
- iii Flooding
- iv Other Material Considerations

### 10.2 Design and Character

The National Planning Policy Framework (NPPF), Section 12 (Achieving Well-Designed Places) and Borough Local Plan policy QP3 advise that all developments should seek to achieve a high quality of design. Paragraph 126 of the NPPF highlights that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”* Principle 10.1 of the Borough Wide Design Guide further 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.”*

The existing dwelling at no.38 has been previously extended and consequently spreads across much of the width of the application site. However, the dwelling has retained its staggered design and an access gap along each flank, which ameliorates the appearance of volume and bulk in the street scene. Representations received have raised concerns with regards to the scale of the resultant dwelling. However, the proposed extensions would be modest and located to the rear of the application site and consequently would not be readily visible from public vantage points. Furthermore, due to its location at the head of the road and adjacent to the Open Space at Guards Club Park, the application site has a slightly more spacious plot than the immediately surrounding properties. The proposals are therefore considered to be commensurate to the scale of the host dwelling and an adequate proportion of the site would remain free from structures to serve the resultant dwelling.

The pitched roof design of the front porch and rear extension would be in keeping with the roof-scape of the host dwelling and that of the wider locality. A flat roof section is proposed in order to sit below the first floor window, however, given the age, design and appearance of the host dwelling this is not considered to appear as an incongruous feature. The raised terrace would be similar in appearance to existing terraces at the application site and surrounding properties. The proposals are therefore considered to be sufficiently in keeping with the host dwelling in terms of scale, height, form and design and would not adversely affect the character and appearance of the street scene or locality in general.

### 10.3 Impact on neighbouring amenity

Policy QP3(m) of the Borough Local Plan requires new development to ensure it has no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight. Principle 10.1 of the Borough Wide Design Guide further states:

*“Extensions should not result in a material loss of amenity to neighbouring properties as a result of overshadowing, eroding privacy or being overbearing.”*

The application site has a conventional linear relationship with the adjacent dwelling at no.36 Oldacres, and the flank elevation and boundary of the adjacent property at no.38 Horseguards Drive borders the rear of the application site. Representations have been received objecting to the proposed development on the grounds of loss of light, loss of privacy and the creation of a tunnelling effect.

Paragraph 8.13 of the Borough Wide Design Guide identifies design solutions to prevent material loss of daylight to neighbouring windows and overshadowing of habitable external spaces. This includes avoiding obstruction to light by ensuring that the centre of an existing window serving a habitable room of a neighbouring property does not fall within 45 degrees of a line drawn from the edge of an extension for two-storey extensions, and a 60 degree line for single storey extensions.

The dwellings at nos.36 and 38 both have elevated thresholds at the rear and a gap of approximately 2.5m separates the dwellings. Consequently, despite the comparatively deep projection of the proposed single storey rear extension, it would not breach a 60-degree line measured from the mid-point of the nearest habitable room window at no.36. Furthermore, given this separation gap and the fact that the existing thresholds are level, combined with the pitched nature of the roof, the proposed extension is not considered to appear unduly prominent or obtrusive when viewed from no.36. Whilst the two-storey projection of the adjacent dwelling at no.34 was observed on site, the proposed extension at no.38 would remain single storey and a distance of approximately 17m would be retained between the proposed single storey rear extension and the two-storey dwelling at no.34 such that it is not considered that the proposals would result in a tunnelling effect.

The existing raised terrace to the rear of the dwelling at no.38 has a depth of approximately 900mm and the proposed raised terrace would have a depth of 1.6m. Due to the elevated nature of the floor levels which is characteristic of dwellings along Oldacres, a number of dwellings have raised rear terraces to provide a modest outdoor amenity area level with the principal ground floor living accommodation and to provide access to the rear gardens below. As a consequence, a degree of mutual overlooking exists between properties which is ameliorated by soft landscaping. In this regard the mutual boundary between nos.36 and 38 benefits from a good degree of soft landscaping.

The dwellings at the head of the cul-de-sac in Horseguards Drive have a similarly elevated design. Whilst the proposed terrace and single storey rear extension would face the garden space immediately to the rear of the adjacent dwelling at no.38 Horseguards Drive, this would remain unchanged from the existing relationship and a minimum distance of 6m would be retained between the proposed terrace at the rear boundary of the application site. This mutual boundary between no.38 Oldacre and no.38 Horseguards Drive is also well screened with soft landscaping.

The proposals are therefore not considered to result in any harm to the residential amenities of adjacent properties that would justify refusal of the scheme.

#### 10.4 Flooding

The application site is located in Flood Zone 3 where there is a high risk of flooding. A Flood Risk Assessment (FRA) has been submitted to support the application. The FRA identifies that the area benefits from flood defences, and the proposals can adhere to EA standing advice for Minor Developments. The FRA confirms that the proposals would not increase flood risk off site or to the wider area. A series of recommendations are made in paragraph 5.5 of the FRA in order to ensure that the

extension is flood resilient and it is considered that an appropriately worded condition can be attached to any permission that may be forthcoming requiring works to be carried out in accordance with the mitigation and resilience measures outlined in the supporting flood risk assessment. Such measures include:

- Solid floors with waterproof screed
- Raised wiring and power outlets at ground level
- Waterproof plasterboard at ground floor level
- Air bricks to be installed
- Non-return valve installed on all new drainage
- Closed cell plumbing insulation
- Damp proof membrane included in design to minimise the passage of water through ground floors
- Sealed pvc door units and double glazing to provide resistance against flood water pressure
- Residents to sign up to the EA flood warning service

The proposals are therefore not considered to have an unacceptable impact on flood risk in the locality.

## 10.5 Other Material Considerations

### Ecology and Biodiversity

The application site is located adjacent to Guards Club Park and the River Thames. A Preliminary Ecological Assessment carried out at the application site has not identified the presence of any protected species and identifies the site to have low ecological value. The assessment did, however, conclude:

*“Although there are considered to be no ecological constraints to the proposals, a series of specific and generic mitigation measures, as detailed below, should be implemented to reduce any impact the development proposals may have on local wildlife. There is also an opportunity to implement some enhancement measures to increase the nature conservation value of the site in the long term in accordance with Government guidance as set out in National Planning Policy Framework (NPPF) 2021<sup>3</sup>.”*

It is recommended that, in order to comply with the recommendations made within the report, a condition is attached to any permission that may be forthcoming requiring the proposed development to be carried out in accordance with the supporting Preliminary Ecological Assessment.

### Impact on Heritage Assets

The application site is located adjacent to the Maidenhead Riverside Conservation Area and within 50m of a listed footbridge, the Maidenhead Viaduct and The Mews and Oldfield, Guards Club Road. The Conservation Officer has been consulted on the application and in this instance did not wish to return any comments. Due to the degree of nature of the mature trees within Guards Club Park, and the single storey nature of the proposed extension, it is not considered to appear unduly prominent when viewed from within the Conservation Area.

### Parking and Highway Impacts

The proposals would not reduce the existing level of off-road parking provision and would not increase the number of bedrooms at the application site. The access would remain unaltered and the proposals are therefore not considered to have any parking or highway implications.

### Inaccurate Plans

The planning officer's attention was drawn to a discrepancy on the plans which indicated a greater gap between the first floor window cill level and the height of the ground floor patio doors. This was brought to the attention of the agent and amended plans have been submitted rectifying this discrepancy. With regards to the concerns regarding the footprint of the buildings on the Block Plan not accurately showing the projection of the dwelling at no.38 beyond the rear of no.36 Oldacres, it is recognised that an OS extract has been used for the Block Plan and therefore does not always accurately show the relationship between buildings. A site visit was conducted at the neighbouring property and the projection was factored in to the 60 degree line assessment. Notwithstanding the fact the OS extract cannot be relied upon for accuracy this has not proved fatal to the assessment of the application and sufficient information has been submitted with the application to conduct a full and proper assessment as to the impact of the proposals on adjacent properties.

## **12 CONCLUSION**

- 12.1 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.

In this case the issues have been successfully resolved.

## **13. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

## **14. 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 - Borough Local Plan QP3
- 3 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment prepared by aegaea Flood risk, water and environment, and dated 23/06/2022, provided with the application  
Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. Relevant Policy - Borough Local Plan NR1.
- 4 The development hereby approved shall be carried out in accordance with the Preliminary Ecological Assessment prepared by AAe Environmental Consultants, and

dated 9th August 2022, provided with the application.

Reason: To ensure that wildlife is safeguarded, and enhancements provided, in line with policy NR2 of the Borough Local Plan.

5 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

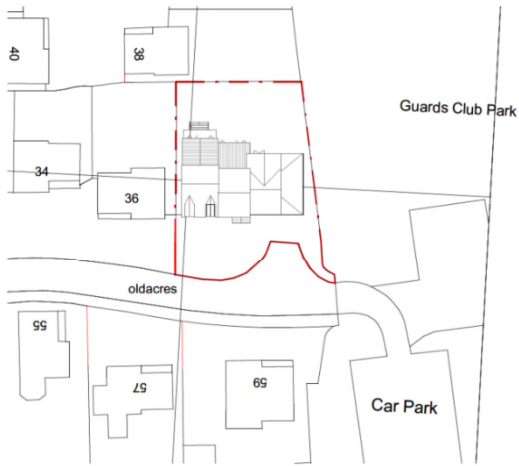
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.



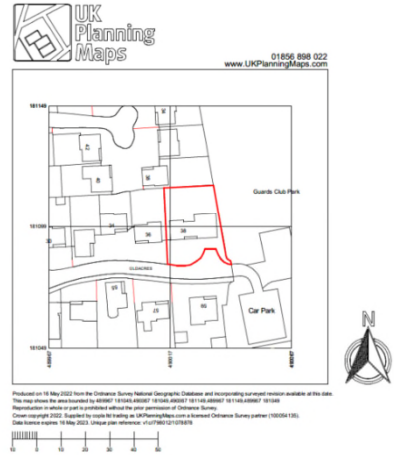
# Appendices

## 22/01324/FULL - 38 Oldacres Maidenhead SL6 1XJ

### Appendix A - Site Location Plan and Block Plan



**9** Block Plan  
1 : 500



**8** Location Plan  
1 : 1250



# Appendix B – Proposed Floor Plans and Elevations

