

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

21 September 2022

Item: 2

<b>Application No.:</b>	22/01452/FULL
<b>Location:</b>	Briar Cottage And Holmwood Briar Glen Cookham Maidenhead
<b>Proposal:</b>	x3 dwellings with associated parking and landscaping, following demolition of the existing dwellings.
<b>Applicant:</b>	Germain Homes Ltd
<b>Agent:</b>	Mr Richard Clark
<b>Parish/Ward:</b>	Cookham Parish/Bisham And Cookham
<b>If you have a question about this report, please contact:</b> Alison Long on 01628 796070 or at <a href="mailto:alison.long@rbwm.gov.uk">alison.long@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 The proposals would provide three dwellings on the site, all of which would represent an acceptable standard of residential accommodation. Subject to recommended conditions, the proposals would be in keeping with the appearance of the surrounding area, would not result in material harm to residential amenity for occupiers of surrounding properties and would not result in harm to local wildlife or parking and highway safety in the surrounding area. Furthermore, subject to the completion of the legal agreement, the development would contribute towards mitigating against climate change. Overall, the proposals comply with relevant development plan policies.

<b>It is recommended the Committee authorises the Head of Planning:</b>	
1.	<b>To grant planning permission on the satisfactory completion of an undertaking to secure a shortfall carbon off-set financial contribution and with the conditions listed in Section 14 of this report.</b>
2.	<b>To refuse planning permission if an undertaking to secure a shortfall carbon off-set financial contribution clause has not been satisfactorily completed for the reason that the proposed development would not be accompanied by associated sustainability measures.</b>

### 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 Clark if the recommendation is for approval and by Cllr Brar irrespective of the recommendation.

### 3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located at the southern end of Briar Glen, an unadopted residential road accessed from High Road, Cookham. The site comprises two single storey residential dwellings and associated outbuildings, accessed via a single width, gravelled driveway at the end of Briar Glen. Whilst the two dwellings share an access road, for the purposes of the consideration of the planning application, they are two independent, self-contained residential dwellings which could lawfully be occupied separately.

3.2 To the north of the site is a single storey residential dwelling known as Carradale, to the south are two storey residential properties located on Gorse Road, with garages and a road (Payton Gardens) to the east and west respectively.

3.3 There is a change of land levels across the site, with the land sloping east to west, with the western end of the site set approximately 1.7m lower. At the lower western end of the site, the land to the south sits approximately 2.5m higher than the application site.

#### 4. KEY CONSTRAINTS

4.1 The key site designations and constraints are listed below:

- Settlement Area (Cookham); and,
- Flood Zone 1

#### 5. THE PROPOSAL

5.1 The application seeks planning permission for the construction of three residential dwellings with associated driveway/parking and landscaping following the demolition of the two existing dwellings and associated structures on the site.

5.2 To the eastern part of the site, a detached two bedroom property (Plot 1) is proposed. The building would have a ridge height of approximately 6.8m, with a cat slide roof to the rear which drops to an eaves height of approximately 2.3m. Two off-street parking spaces would be provided along the eastern boundary of the site.

5.3 West of plot one, a semi-detached building is proposed which would provide 2 x 3 bedroom dwellings. The building would take the form of chalet bungalows, with a ridge height of approximately 6.7m and an eaves height of approximately 3.3m. A dormer window is proposed to both the north and south facing elevations. Two off-street parking spaces would be provided for each of the two dwellings along the southern boundary of the site.

5.4 The proposed buildings would be brick built, with render or tile hanging to the elevations, and tiled roofs.

#### 6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
20/02193/FULL	Construction of 2no. three bedroom and 1no. two bedroom dwellings with associated parking and landscaping following the demolition of the existing dwellings.	Withdrawn

#### 7 DEVELOPMENT PLAN

7.1 The main relevant policies are:

##### Adopted Borough Local Plan (BLP)

Issue	Policy
Spatial Strategy for the Borough	SP1

Climate Change	SP2
Sustainability and Placemaking	QP1
Green and Blue Infrastructure	QP2
Character and Design of New Development	QP3
Housing Mix and Type	HO2
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Noise	EP4
Contaminated Land and Water	EP5
Sustainable Transport	IF2

## 8. MATERIAL PLANNING CONSIDERATIONS

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

Section 2 – Achieving sustainable development

Section 4- Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9- Promoting Sustainable Transport

Section 11 – Making effective use of land

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

### Supplementary Planning Documents

- Cookham Village Design Statement
- Borough Wide Design Guide

### Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

28 occupiers were notified directly of the application.

1 letter was received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Due to the lay of the land, the proposed development seems favourable as it is in a slight dip. The structures are unlikely to encroach onto any neighbours privacy.	Section 10.
2.	The current buildings are in need of restoration or removal. This development can only enhance the plot.	Section 10.

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

Comment		Where in the report this is considered
1.	The only occupied property is Holmwood. The derelict Briar Cottage does not have its own access and is an annex. The application form is incorrect.	Whilst the two dwellings share an access road, for the purposes of the consideration of the planning application, they are two independent, self-contained residential dwellings.
2.	Existing properties are bungalows and the proposed houses are two storeys resulting in a loss of privacy.	Section 10.
3.	Whilst a reduction from the previous proposal, the density of the houses is far greater than existing and will spoil the character of the area.	Noted. The scale of Plots 2 and 3 have been reduced from planning application ref. 20/02193/FULL. The impact of the development is considered in section 10.
4.	Briar Glen is an unadopted highway which struggles to cope with the existing traffic levels and has increasingly large potholes. Any extra traffic is unthinkable in this current state. The only way forward is to access from another direction or to improve the access along the length of Briar Glen.	The additional residential unit is acceptable in highway terms for the reasons set out in section 10.
5.	Narrow access will not allow for emergency vehicles.	Means of escape provision will have to satisfy Building Regulation requirement. These matters are administered by the Local Authority Building Control or approved inspectors.
6.	The covering letter states that plot 1 is acceptable. This is not agreed.	Noted. Section 10 below provides a consideration of the proposals in accordance with relevant development plan policies.

7.	Plot 1 is closer to the southern boundary than the existing building. The separation distance, removal of a tree and height would result in poor living conditions and an oppressive/enclosing outlook.	Section 10.
8.	If occupants of Plot 1 later add solar panels, the appearance and potential reflected light would be unacceptable.	Section 10.
11.	Loss of mature trees and habitat for wildlife which has been seen in the area. Mature trees to the western boundary are proposed to be retained but this is unrealistic for future occupants.	Section 10.
12.	The site outline is not accurate and does not align with all submitted plans. Land ownership to the east is contested and has not been declared on the application form.	Amended plans have been provided to ensure that all submitted plans align with the site location plan. The applicants have confirmed that the land shown in the application falls within the ownership of Briar Glen and Holmwood, with title plans provided for both properties. Accordingly, notice is not required to be served on any third party land owner.
13.	Noise and disturbance from additional occupiers, and movement of vehicles in the proposed development.	Section 10.
14.	Inadequate parking facilities for the new dwellings, particularly when considering visitors.	Section 10.
15.	Inadequate bin storage areas within an already restricted access point. Query on whether this land belongs to the applicants. Existing refuse collection in the street is problematic due to access.	Section 10.
16.	Inadequate access width to the site during and after construction, with the associated noise and disruption.	The impact of construction works in the surrounding area would be covered by other relevant legislation outside of the scope of planning control.
17.	Concerns with asbestos during demolition. This should be clearly detailed within a Construction Management Plan.	Noted. This would be dealt with through Environmental Health legislation.
18.	Poor design, out of keeping with the area and contrary to relevant development plan policies and the Cookham Village Design Statement.	Section 10.

19.	Previous applications were the subject of considerable local objection. The new proposal is of a similar nature with the same issues.	Noted. Section 10 below provides a consideration of the proposals in accordance with relevant development plan policies.
20.	Lack of consultation prior to submission.	The Council has carried out formal consultation on the application in line with its statutory duties (Section 9).
21.	Loss of light from plot 2 to single aspect rooms to properties along Gorse Road (e.g. kitchen, bathroom and bedroom).	Section 10.
22.	Concerns with privacy and noise disturbance from first floor side facing openings. The use of obscure glazing would not stop these concerns.	Section 10.
23.	The letter of support appears to be from someone who does not live near the site and not directly affected by it.	Noted.
24.	Inaccuracies on the application form e.g. there are currently two, not three parking spaces.	For the purposes of the determination of the application, the details provided are acceptable.
25.	Not clear from the location plans that the garden plots of the maisonettes on Gorse Road are split into two separate gardens and gives the illusion and false impression of a larger garden that extends from the property.	The location plan is acceptable for the purposes of the planning application. A consideration of the impact on amenities is given in section 10.
26.	Concerns with maintenance of proposed new fences and hedges.	This is a private matter and is not a material planning consideration for the determination of the planning application.
27.	Concerns with additional pressure on utilities provisions e.g. water pressure.	This is not a material planning consideration for the determination of the planning application.
28.	Whilst properties with a postal address on Briar Glen, Gorse Road and Payton Gardens have been notified, freehold owners and leasehold owners of garages and land to the east and west have not been notified.	The Council has carried out formal consultation on the application in line with its statutory duties (Section 9).
29.	The land is not flat and as such additional sections should be provided to understand the levels proposed. There is therefore a lack of clarity in describing the nature of the development.	For the purposes of the determination of the application, the section plans provided are acceptable. Condition 7 is recommended to ensure that the ground levels and heights are adhered to.

30.	Lack of meaningful native and wildlife friendly planting to replace that which is lost. Gardens will have little planting space as the site would be dominated by buildings and hardstanding.	Condition 5 is recommended to secure an acceptable hard and soft landscaping plan prior to occupation.
31.	The submission does not adequately address gradients to the communal entrance or the internal road leading to the west. If the existing levels are retained, the gradient would be too steep with a retaining wall reducing visibility.	For the purposes of the determination of the application, the section plans provided are acceptable.
32.	If the adjoining owner (Carradale) wished to plant hedges to 2m to maintain soft landscaping, future occupants would not have forward visibility on the exit of the communal driveway.	Planting at a neighbouring property would not constitute development for which planning permission would be required. As such, this should not preclude the determination of the planning application.
33.	Lack of forward visibility on the corner opposite plot 1 and the corner in front of plots 2 and 3.	This is internal within the development and would not have a material harm on highway safety.
34.	The siting of plots 1 and 3 would be overbearing to outlook to the property to the north, together with overshadowing, loss of light and loss of privacy to the front and rear garden.	Section 10.
35.	Poor quality of living accommodation for future residents of the proposed development.	Section 10.
36.	Future pressure from residents of plots 2 and 3 to remove surrounding mature trees.	Section 10.
37.	In order to be consistent in decision making, a bat emergence survey should be submitted.	Section 10.
38.	Agree with the need to provide a minimum of 10% biodiversity net gain. The baseline should be prior to the removal of vegetation from the application site.	Section 10.

### Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection, subject to recommended conditions.	Section 10.
Ecology	No objection to the findings of the report. However, in order to provide a measurable net gain in biodiversity post development, a biodiversity net gain document should be provided demonstrating at least 10%..	Section 10.
Royal Berkshire	At this stage there is no duty placed upon the Fire Authority under the Town and Country Planning Acts	Informative recommended.

Fire and Rescue Service	<p>to make any comment. Any structural fire precautions and all means of escape provision will have to satisfy Building Regulation requirement. These matters are administered by the local authority Building Control or approved inspectors.</p> <p>Please note that the weight limits for RBFRS fire appliances is 16 tonnes for fire engines and 26 tonnes for three axle aerial appliance. Access and water supplies requirements must meet or exceed The Building Regulations 2010 Approved Document B- B5 standards. Please consider sprinkler protection to residential buildings.</p>	
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**Others (e.g. Parish and Amenity Groups)**

Group	Comment	Where in the report this is considered
Cookham Parish Council	<p>Objection.</p> <p>The site is not “accessible” under RBWM’s parking and highways policies because the train service, contrary to the comments by Highways, is actually only 1 per hour.</p> <p>Proposal is an overdevelopment of site and at two storeys, will dominate and be out of keeping with the surrounding single storey housing.</p> <p>The proposed houses will overlook neighbouring properties, especially from the dormer windows which are now much closer to the boundary than in application ref. 20/02193, and on the same level as the ground floor windows in adjoining properties.</p> <p>Proposals are contrary to VDS guidance in section 6.9 which is opposed to ‘garden grabbing’ (see page 26: “It is important that new developments involving several dwellings should be well spaced ...”et seq., and box 24 on page 46) 5. It is contrary, specifically, to VDS policies: 6.6 (not ‘adequately spaced’ and designs (especially but not limited to height) which do not ‘relate in a vernacular manner to the neighbouring’ area); 6.7 (not ‘modest scale and discreet design’); 6.8 (‘spacing [not] follow[ing] the pattern of building in the immediate and nearby area’ 6.16 (‘avoid .. visually dominant hardstandings in front of houses’); 6.19a (‘Existing hedgerows forming residential boundaries should not in general be uprooted’); and 6.21 (‘Except in exceptional circumstances, front ... gardens should be included within new developments. To each side of a house space for greenery should be characteristic of the</p>	Section 10.



	<p>neighbourhood and proportionate to the building frontage’).</p> <p>The junction of Briar Glen with High Road is dangerous and use should not be increased. Also, serious concerns about emergency services access.</p> <p>Finally, there will be damage to trees.</p>	
Cookham Society	<p>The access drive from Briar Glen into this site is very narrow and has a tight bend with very restricted visibility. This is not adequate or safe to service the residents, visitors, and deliveries for three new houses. The application should be refused unless the access can be improved.</p> <p>Concerned about the increase in vehicle movements at the junction of Briar Glen and High Road. This is an inadequate junction onto a road without a pavement and significant pedestrian traffic. The sightlines are often obstructed by parked cars. The application should be refused unless this junction can be improved</p>	Section 10.

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Housing Provision and Quality;
- ii Climate Change and Sustainability;
- iii Design and Character;
- iv Parking and Highways Impacts;
- v Impact on amenity of neighbouring buildings; and,
- vi Other Material Considerations.

### Housing provision and quality

- 10.2 Policy HO5 of the BLP seeks to ensure that all new residential units provide for a satisfactory standard of accommodation, including adequate living space and both a quality internal and external environment. The Borough Wide Design Guide SPD sets out a number of criteria in order to secure this.
- 10.3 Whilst the unit to the west of the site is not currently occupied, for the purposes of the assessment of the planning application, there are currently two residential units on the site which could be occupied entirely independently.
- 10.4 The site is located in an established residential area and the principle of a continued residential use in the form of 1 x 2 bedroom dwelling and 2 x 3 bedroom dwellings is

acceptable in housing terms and would cater for families, which is characteristic of the surrounding area. The proposed units at 113.8 sqm (Plot 1), 115.4 sqm (Plot 2) and 114.8 sqm (Plot 3) would all meet the required internal space standards, would benefit from natural light and ventilation, and have access to adequate gardens in excess of 55sqm, in line with the details set out in the Borough Wide Design SPD. The proposals therefore represent an acceptable standard of residential accommodation.

### **Climate change and sustainability**

- 10.5 Policy SP2 of the BLP seeks to ensure that new development is adaptable to and mitigates against climate change that together with the Sustainability Position Statement seeks to ensure that new development is, ideally, net zero or at least 20% more efficient than that required by the current Building Regulations.
- 10.6 The application has been submitted alongside an Energy Statement which sets out a number of sustainability measures as part of the construction, as well as measures to minimise energy efficiency and improve water resource management. Furthermore, the application includes sustainability calculations in order to demonstrate how the requirements of the Interim Sustainability Position Statement can be met.
- 10.7 The submission sets out that the scheme will achieve net zero carbon and therefore in line with the Council's Interim Sustainability Statement, neither a buildings emissions contribution nor a lifestyle contribution is sought for this application. However, a shortfall contribution clause is required which sets out that if the resultant buildings do not perform to the expected standard, a contribution can still be sought. Subject to completion of a legal agreement to secure this, the proposals are acceptable and would also be in line with principles 7.1 and 7.4 of the Borough Wide Design Guide. In addition, condition 8 is recommended which would ensure that new hardsurfacing across the site is permeable.

### **Design and character**

- 10.8 The appearance of the development is a material planning consideration. Policy QP3 of the BLP seeks to ensure that new development will be of a high quality and sustainable design that respects and enhances the local, natural or historic character of the area paying particular regard to urban grain, layouts, rhythm, density, height, skylines, scale, bulk, massing, proportions, trees, biodiversity, water features enclosure and materials.
- 10.9 Policy QP3 is consistent with the objectives of Section 12 of the NPPF (2021) which states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF further states at paragraph 126 that good design is a key aspect of sustainable development. The Cookham Village Design Statement (VDS) and the Borough Wide Design Guide are also relevant to this application and are consistent with national and local policy in relation to the character and appearance of a development.
- 10.10 As referenced above, the application site is located within an established residential area where there is a clear mix of housing forms and styles. To the north along Briar Glen, there are predominantly bungalows and chalet bungalows, with two storey properties in the form of detached, semi-detached, terraces and maisonettes to the south, east and west along Gorse Road and new properties on Payton Gardens. The application site itself comprises two single storey dwellings, with associated outbuildings located to the far end of Briar Glen, accessed by a single width driveway.

In this context and given the mix of form of dwellings in the surrounding established residential area, the principle of modest two storey properties in this location is acceptable, would sit well within the surroundings and would not be out of keeping with the form and character of the area, in line with the overall guidance contained in the Borough Wide Design Guide and the Cookham VDS.

- 10.11 The existing buildings on the site, whilst sitting comfortably in their surroundings, are set apart from the rest of Briar Glen and in their current form offer little in terms of design quality to the surrounding area. The proposed replacement buildings have been sensitively designed with modest ridge heights and accommodation at roof level and have been sited within the plots to ensure that sufficient separation space is retained, thereby ensuring that the development would not appear cramped in line with principle 5.1, 6.5, 6.11 and 7.6 of the Borough Wide Design Guide.
- 10.12 Plot 1 would sit on the higher part of the site, but with a ridge height of 6.8m, would not dominate the form and scale of buildings in the surrounding area, with the cat slide roof to the rear again reducing the bulk of the building to ensure that it remains in keeping with the local area in line with principle 6.11 of the Borough Wide Design Guide. Furthermore, the use of brickwork and tiling for the construction of the building would be an appropriate and contextual design response to the surrounding housing stock. Condition 2 is recommended to secure further details of materials prior to their use in the construction of the dwelling.
- 10.12 To the western side of the plot on the land which sits lower than that to the east, a semi-detached building is proposed which would take the form of chalet bungalows, with a ridge height of approximately 6.7m and an eaves height of approximately 3.3m. This form of development is characteristic of the local area and would also sit comfortably with surrounding properties in line with principle 6.11 of the Borough Wide Design Guide. As with Plot 1, the use of brickwork and tiling would be an appropriate and contextual design response to the surrounding housing stock in line with the guidance contained in the Cookham VDS. The building with its lower height and more modest form, would also appear subordinate to that which is proposed at plot 1, which is an appropriate design response in this location. Recommended condition 2 would also secure further details of materials prior to their use in the construction of this building.
- 10.13 Whilst substantial front gardens are found to properties along Briar Glen, in this location, where the units are set back from Briar Glen, accessed by a private driveway, the lack of this feature to these properties would not result in harm to the immediate local character. The Cookham VDS sets out that new development should sit comfortably in their surroundings and in this enclosed location, given the scale, form and separation distances, the proposed dwellings would achieve this.
- 10.14 Parking and the associated access driveway to the northern boundary has been sensitively designed within the enclosed site to serve the proposed dwellings in line with principle 6.7 and 6.8 of the Borough Wide Design Guide, with additional planting proposed across the site secured by recommended condition 5. Furthermore, albeit that the development would require the extension of the existing driveway and the removal of a number of trees (addressed below), the development would retain private garden areas of an acceptable form, together with the retention of many of the trees and providing additional planting providing space for local ecology (also addressed below). This would secure the semi-rural verdant character of the surrounding area and aligns with principles 5.1 and 6.2 of the Borough Wide Design Guide.

### **Parking and Highways**

- 10.15 Policy IF2 of the BLP requires new development to be located close to offices and employment, shops and local services and facilities and provide safe, convenient and sustainable modes of transport as well as development proposals demonstrating how they have met a range of criteria including being designed to improve accessibility to public transport, to be located so as to reduce the need for vehicular movements and to provide cycle parking in accordance with the Parking Strategy. Policy IF2 is consistent with the overarching objectives of Section 9 of the NPPF which has similar goals in seeking to ensure development proposals maximise and promote opportunities for sustainable transport modes.
- 10.16 The site is located approximately five to ten minutes walk from local bus stops and Cookham railway station respectively. The railway and bus services provide regular services to Maidenhead, Bourne End, Furze Plat and High Wycombe. Furthermore, there are a range of local services and facilities within close proximity. Accordingly, the site is appropriate for accommodating an additional residential unit.
- 10.17 The NPPF (2021) states at paragraph 109 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.*
- 10.18 There are currently 2 x 2 bedroom dwellings on the site and the proposal seeks to replace this with three units in the form of 1 x 2 bedroom and 2 x 3-bedroom dwellings, a net increase of one dwelling. The additional traffic generated by one additional residential dwelling would be unlikely to lead to an appreciable increase in vehicular activity into the area or result in a severe impact on road safety as referenced in the NPPF (2021) above. Furthermore, whilst it is acknowledged that the existing junction with High Road has poor visibility, records show that since 1999 there have not been any reported incidents. As such, once again, the provision of an additional residential unit in this location would not result in an unacceptable impact on highway safety in the surrounding area to warrant refusal of the planning application.
- 10.19 Each of the three dwellings would be served by two off-street car parking spaces, in accordance with the Borough's Parking Strategy (2004). This provision would be secured prior to occupation by recommended condition 11. Each dwelling would also require one off-street cycle parking space within a secure and enclosed storage facility. This is not shown on the submitted plans and condition 9 is therefore recommended to secure provision prior to occupation. With regard to refuse provision, a bin collection point is proposed at the site entrance. This is acceptable in principle; however, in order to ensure that the collection point is designed to prohibit waste bins migrating onto the adjoining highway, condition 10 is recommended to secure further detail prior to occupation. The impact of construction works in the surrounding area would be covered by other relevant legislation.

### **Neighbouring Amenity**

- 10.20 Policy QP3 of the BLP requires new development to have regard to a number of design principles, with QP3(m) setting out that development will be considered of a high quality design and be acceptable where 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". This echoes the objectives of paragraph 130(f) of the NPPF (2021) a consideration to be given significant weight, and states developments should:

*“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.*

Consideration is also given to the guidance provided in the Borough Wide Design Guide.

- 10.21 There are two existing dwellings on the site and the site is located within an established residential setting where there are surrounding dwellings. The additional dwelling and associated noise and vehicular movements (comings and goings) associated with the development in this setting would not result in an unacceptable effect on the amenities enjoyed by the occupants of adjoining properties over and above that of the existing situation.
- 10.22 To the north of the site is a single storey dwelling (Carradale), with two storey properties to the south along Gorse Road and garages/parking to the east and west of the site. Accordingly, there would be no material harm to amenity of occupiers to the east and west of the site. However, consideration is given below to the impact of the proposals on properties to the north and south. The proposed replacement buildings would both be two storeys in form; however, they have been designed and sited in order to respect the setting and relationship with surrounding properties.
- 10.23 Plot 1 is located to the east of the site and takes the form of a traditional two storey dwelling to the front elevation, with a sloping cat slide roof to the rear. Accordingly, whilst the ridge height is approximately 6.8m, the rear elevation drops to an eaves height of approximately 2.3m. Whilst the building would be located closer to the southern boundary than the existing structure and it is accepted that existing tree screening would be removed from this southern boundary as part of the development, a distance of approximately 3m would be retained to the boundary, with the rear elevations of properties along Gorse Road a further 9m to the south. The design of the building with a cat slide roof, together with a total separation distance of 12m, would ensure that there would be no material loss of light or increased sense of enclosure to occupiers of neighbouring properties. With regard to privacy, there are no openings proposed to the rear elevation of the property. As such, whilst the 12m separation distance is below the Council's generally accepted guidance for the rear of two storey buildings directly facing each other (i.e. a back to back relationship) as set out in the Borough Wide Design Guide, the design of the building with the cat slide roof and the lack of openings in this roof slope, would ensure that there would be no material loss of privacy over and above that of the existing situation. Condition 4 is recommended to ensure that openings would not be inserted into this roof slope without planning permission. The siting of the property and relationship with surrounding structures would ensure that there would be no material harm to living conditions of other properties in the surrounding area.
- 10.24 Concerns have been raised by objectors regarding the potential for solar panels on this south facing roof slope and the resultant impact on amenity. However, this is not an uncommon feature on residential properties and the removal of permitted development rights on these grounds would not meet the relevant tests for the imposition of such a condition.
- 10.25 Plots 2 and 3 to the western part of the site have been designed to take the form of a semi-detached chalet bungalow, with a ridge height of approximately 6.7m and an eaves height of approximately 3.3m. The building would be set in approximately 2.3m from the northern boundary and approximately 3.5m to the southern boundary, with both measurements taken from the closest points.

- 10.26 With regard to the impact on Carradale to the north, the buildings would be located behind the rear elevation of this single storey residential dwelling. Whilst higher than the existing structure on the site, in this context, the location and size of the building would ensure that there would be no material loss of light or increased sense of enclosure to occupiers of this property. To the side elevation, the ground floor window would not result in a material loss of privacy given the boundary treatments and a dormer window only is proposed above which would serve a bathroom. Subject to recommended condition 3, which would secure this opening as obscurely glazed with an opening toplight only that is a minimum of 1.7m above the finished internal floor level, there would be no material loss of privacy as a result of the development. Condition 4 is also recommended to ensure that no additional openings would not be inserted into this roof slope without planning permission
- 10.27 To the south of the site, the land slopes upwards to Gorse Road and as such, the buildings would sit approximately 2.5m below the floor level of these properties. The building heights would therefore appear reduced when seen from these properties, with the eaves height at 0.8m and the ridge height at 4.2m. This, together with the design of the buildings and separation distance of 12m to the rear elevations of these properties, would ensure that there would be no material loss of light or an increased sense of enclosure. Again, to the side elevation, the ground floor door would not result in a material loss of privacy given the boundary treatments and height difference and a dormer window only is proposed above which would serve a bathroom. Subject to recommended condition 3, which would secure this opening as obscurely glazed with an opening toplight only that is a minimum of 1.7m above the finished internal floor level, there would be no material loss of privacy as a result of the development. Condition 4 is also recommended to ensure that no additional openings would not be inserted into this roof slope without planning permission

#### **Other material considerations**

- 10.28 Policy NR2 of the BLP states that proposals will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites, avoid impacts, both individually or cumulatively, on species and habitats of principal importance.
- 10.29 The application has been submitted alongside an Ecology Report, prepared by a suitably qualified individual. The report includes a site survey carried out in May 2022, further to the surveys carried out in 2020 under application ref. 20/02193/FULL. The report identifies, as did the 2020 report, that during these surveys there was no evidence of bats roosting in the buildings or wider site, with trees in the garden having a negligible to low bat roosting potential due to their ages and lack of potential roosting features. Nor was there any evidence of badgers or their setts or amphibians, reptiles and other wildlife. The application has therefore demonstrated as it did under application ref. 20/02193/FULL where no objections were received from the Council's Ecology Officer, that the site is of low ecological value, unlikely to be used by protected species. Notwithstanding this, a number of mitigation measures are included within the report to secure the protection of any potential wildlife on the site. These are secured by recommended condition 12.
- 10.30 Both Paragraph 174 of the NPPF and Policy NR2 of the Borough Local Plan 2013-2033 set out that development proposals should demonstrate a net gain in biodiversity. Some biodiversity enhancement measures, such as the installation of bat and bird boxes and boundary treatment designed to promote permeability of the site are recommended in the ecology report. In order to demonstrate that the site provides for

a biodiversity net gain of at least 10%, condition 13 is recommended to secure further details of biodiversity compensation and enhancement measures prior to commencement of the construction works above slab level and implementation on site as part of the development.

- 10.31 Policy NR3 of the BLP states that development proposals should carefully consider the individual and cumulative impact of proposed development on existing trees, woodlands and hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness. There are a number of trees within and adjacent to the application site and it is important that a semi-rural verdant character is maintained for the site to ensure that the development respects the defined townscape character.
- 10.32 There are no trees on the site or adjoining properties which are the subject of a tree protection order and accordingly, the applicants could remove the trees and planting within the site without the need for consent from the Council. This would be the case with both the existing buildings on the site and with the proposed development. Notwithstanding this, the application has been submitted alongside an arboricultural impact assessment and tree protection plan which addresses the impact of the development on trees in the surrounding area. In order to accommodate the new structures and associated access driveway, the development would result in the loss of eight trees which have been assessed as Category C trees. In accordance with the BS 5837 grading, such trees should not act as a limitation on the effective use of the site or impose any significant constraints on the layout. In this context, the removal of these trees and associated pruning work is acceptable. Replacement planting is proposed to retain the character of the area and this would be secured by recommended condition 5.
- 10.33 With regard to the retained trees on the site, the proposed new buildings would be located outside of the assessed Root Protection Areas. Furthermore, the submitted report and protection plan demonstrates to the satisfaction of the Local Planning Authority that through the use of protective fencing and associated mitigation measures, including identified areas requiring ground protection during works to ensure that soil erosion or excessive compaction does not occur and no dig construction methods for the new driveway, these trees would be suitably protected during the course of the works. The methodology set out in section 8 of the report and the associated tree protection plan would be secured by recommended condition 6.

## **11. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 11.1 The development is CIL liable. The proposed net additional gross internal area following development is 171 square metres. The CIL Charging Schedule sets a rate of £295.11 per sq.m. This would be chargeable for the additional increase in GIA floorspace over and above the existing area.

## **12 CONCLUSION**

- 12.1 On the basis of the information provided, the applicant has demonstrated to the satisfaction of the Local Planning Authority that subject to recommended conditions and the completion of the legal agreement, the proposals comply with relevant development plan policies, as well as guidance contained in the NPPF, the Cookham VDS and the Borough Wide Design Guide. As such, the recommendation is for approval of the application, subject to completion of the legal agreement.

### 13. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Site layout plan, including sections
- Appendix C – Plot 1 plan and elevation
- Appendix D – Plots 2 and 3 plan and elevation
- 

### 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 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy - Borough Local Plan QP3.
- 3 The first floor windows in the north east and south west facing elevations of the semi-detached building shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the windows shall not be altered.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policy - Borough Local Plan QP3.
- 4 Unless otherwise agreed in writing by the Local Planning Authority, no further windows or rooflights shall be inserted at first floor level in the north east and south west facing elevations of the semi-detached building and the south west facing elevation of the detached building (Plot 1).  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Borough Local Plan QP3.
- 5 Prior to the substantial completion of the development, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented within the first planting season following the substantial completion of the development in accordance with the approved details. The development shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Borough Local Plan QP3, NR3.
- 6 The erection of fencing for the protection of any retained trees as shown on Tree Protection Plan Rev. C and any other protection measures set out in the Arboricultural and Planning Integration Report, prepared by GHA trees, dated 8th June 2022, shall be undertaken in accordance with the approved plans and particulars 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 - Borough Local Plan NR3 and QP2.

- 7 Unless otherwise agreed in writing, the proposed buildings shall be built on the ground levels and heights shown on the approved drawing number 1924-SP1.

Reason: In the interests of the visual amenities of the area and the street scene and to ensure that the residential amenities of surrounding properties are preserved. Relevant Policy - Borough Local Plan QP3.

- 8 New hard surfaces at the site shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To increase the level of sustainability of the development. Relevant policy - Borough Local Plan Policy NR1.

- 9 No part of the development shall be occupied until cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities to encourage the use of alternative modes of transport. Relevant Policy - Borough Local Plan IF2.

- 10 No part of the development shall be occupied until refuse bin storage areas and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall always be kept available for use in association with the development.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policy - Borough Local Plan IF2.

- 11 No part of the development shall be occupied until vehicle parking spaces have been provided in accordance with the approved drawing. The spaces approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policy - Borough Local Plan IF2.

- 12 The development shall be carried out entirely in accordance with the measures set out in the Technical Note: Ecology, prepared by AA Environmental Limited, Ref. 223180.

Reason: To ensure that wildlife is safeguarded, and enhancements provided. Relevant policy - Borough Local Plan NR2.

- 13 No development above slab level shall take place until details of biodiversity enhancements on the site in the form of a biodiversity net gain calculation showing that a net gain would be achieved using an appropriate biodiversity calculator such as the Defra Metric 3.0, including plans, specifications and timing details, based on the habitats on site prior to clearance of the site detailed within the ecology report , dated February 2022, has been submitted to and approved in writing by the council. The agreed biodiversity enhancements and net gain measures shall thereafter be installed as approved and retained thereafter.

Reason: To incorporate biodiversity in and around the development. Relevant policy - Borough Local Plan NR2.

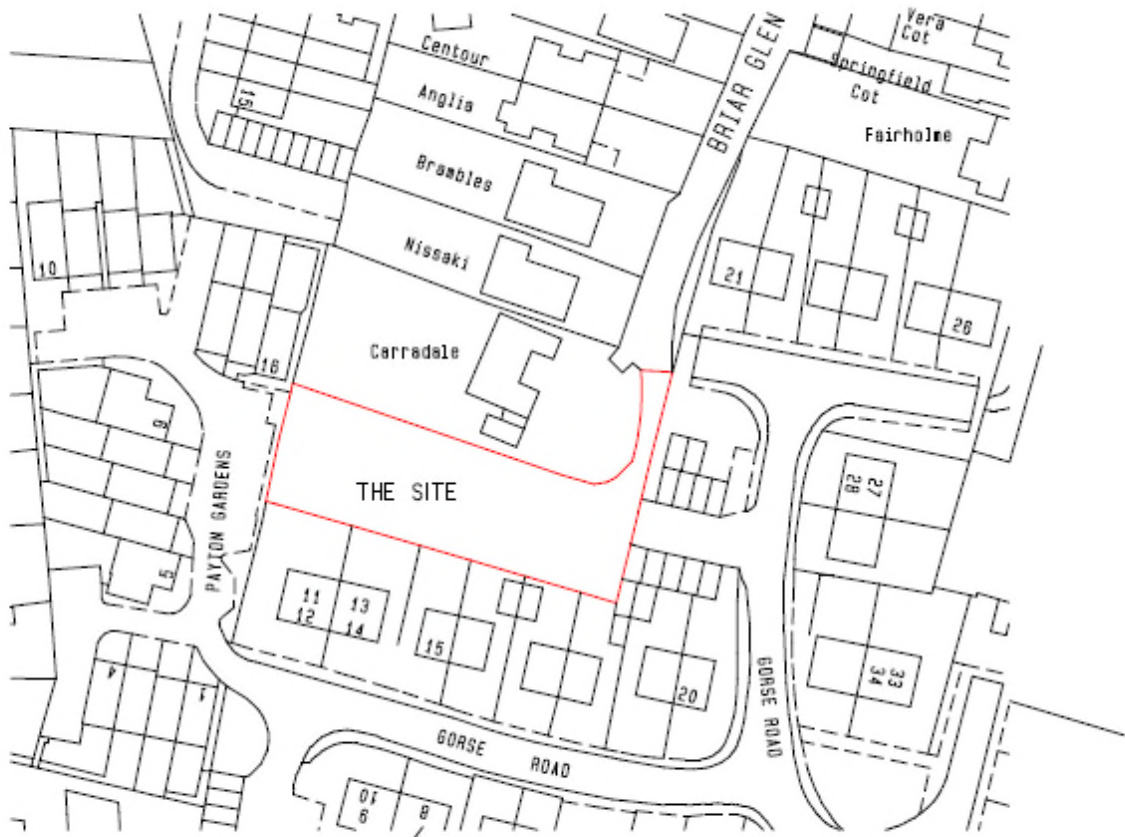
- 14 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

# Appendices

22/01452/FULL - Briar Cottage And Holmwood, Briar Glen, Cookham

## Appendix A - Site Location Plan



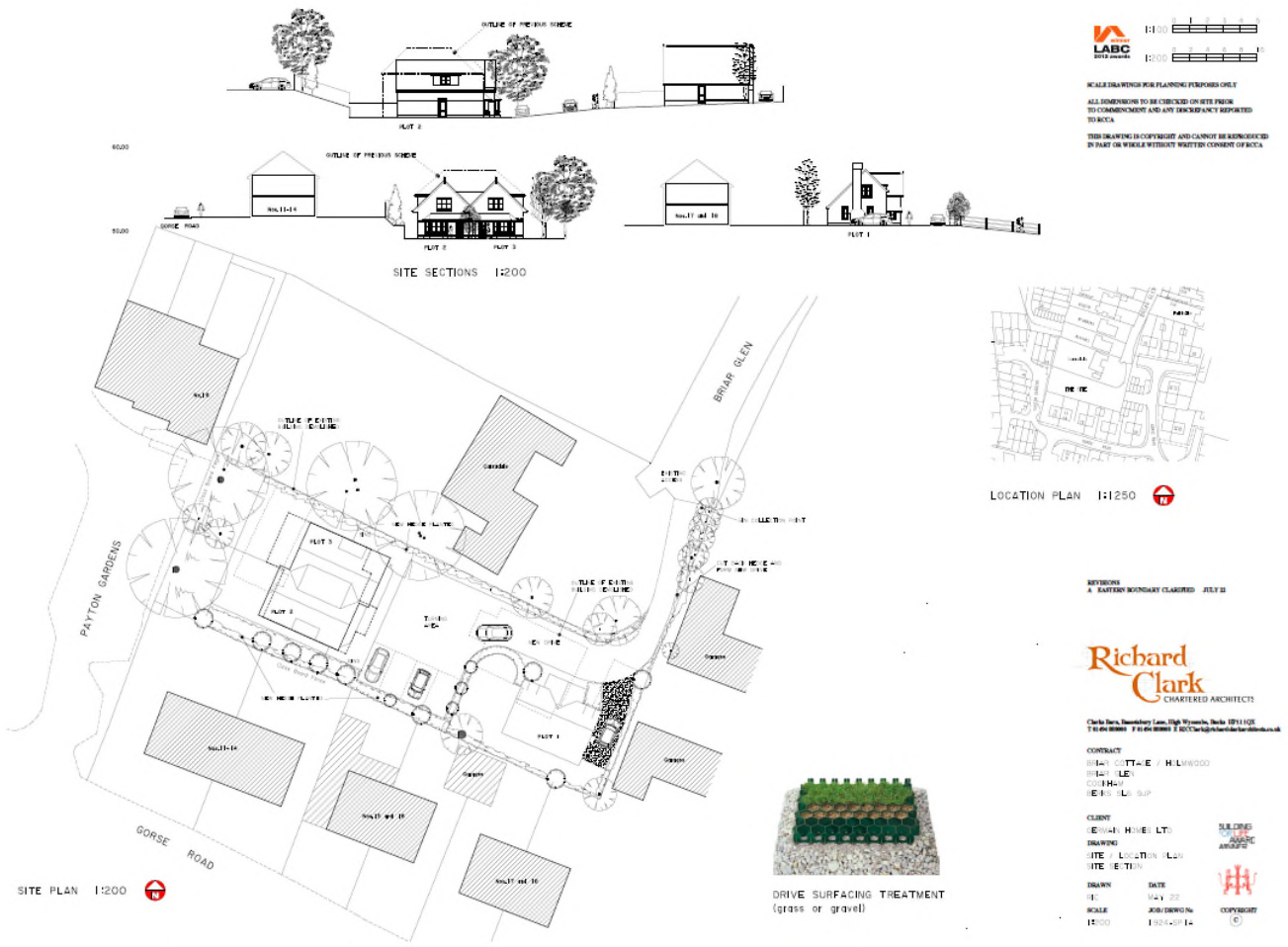
LOCATION PLAN 1:1250



LICENCE 1000 46674



# Appendix B – Site Layout Plan, including sections



**LABC**  
 1:100  
 1:200

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 A EASTERN MONDAY CLAUDED JULY 22

**Richard Clark**  
 CHARTERED ARCHITECTS

Chris Clark, Chartered Architect, 15011102  
 T 01453 88888 F 01453 88888 E cc@richardclarkarchitects.co.uk

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 BRAY COTTAGE / HILLYWOOD  
 BRAY, LEICESTERSHIRE  
 CLIENT  
 ELLIS LLP

CLIENT  
 (E) (A) HOME LTD

DRAWING  
 SITE / LOCATION PLAN  
 SITE ELEVATION

DRAWN DATE  
 BY: MAY 22  
 SCALE JOB NUMBER  
 1:200 1924-014

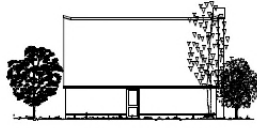
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## Appendix C – Plot 1 plan and elevations



L H SIDE ELEVATION



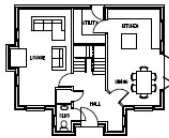
REAR ELEVATION



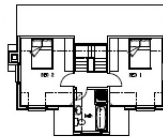
FRONT ELEVATION



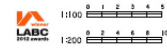
R H SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



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### PLANNING NOTES

Refer to drawing 1924-P1 for site details.

### MATERIALS

Walls - Facing and feature brickwork  
 to be detailed and approved.  
 render / cladding to situation where indicated.

Eave - Chased eave with gutterhead and  
 as detailed to be approved.

Finishes: 197C as indicated.

Roof - To be approved at  
 plot level.



Charles Clark, Incorporated License, High Wycombe, Bucks HP11 3JZ  
 T 01494 08888 F 01494 08888 E RCL@richardclarkarchitects.co.uk

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 BRAR GLEN  
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 BEKES SL6 9JP

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 GERMAN HOMES LTD

DRAWING  
 PLANNING DRAWING

PLOT 1

DRAWN DATE

RIC MAY 22

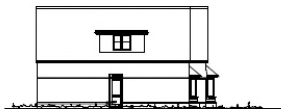
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1:100 1924-P1



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## Appendix D – Plots 2 and 3 plan and elevations



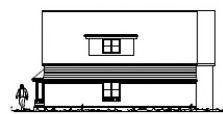
L H SIDE ELEVATION



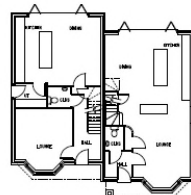
REAR ELEVATION



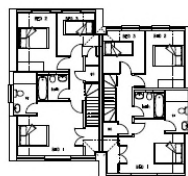
FRONT ELEVATION



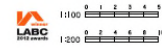
R H SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



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DRAWING  
 PLANNING DRAWING

PLOT 2 and 3

DRAWN DATE

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SCALE JOB: BEKES No.

1:100 1924-P2



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