

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD  
PANEL UPDATE**

**Maidenhead Panel**

<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** Since the main report was written three further letters have been received, one from the occupant of a neighbouring property both in response to correspondence with the Head of Development Management and to the published committee report, and two, also from the occupants of neighbouring properties, in response to the published committee report. A further consultation response has also been received from the Highway Authority.

**There is no change to the recommendation in the main report. The recommendation is that planning permission be granted subject to the requirements in paragraph 1.1 and the conditions detailed in section 14 of the report.**

- 1.2** The contents of the additional letters are summarised below.

<b>Comment</b>	<b>Officer response</b>	<b>Change to recommendation?</b>
Reiterate concerns summarised in section 9 of the report.	Responses already provided against each matter raised.	No change to the recommendation.
Neighbour notification has not been carried out correctly and consequently there has been a breach of planning law. In particular, the council has not served notice on the owners of the garages to the east of the site in Gorse Road or the freeholders/leaseholders of parking spaces adjacent the site in Payton Gardens. This also contravenes the Council's own Statement of Community Involvement.	This matter is covered in section 9 (20) of the officer report. All residential properties surrounding the site have been properly notified and the council has properly discharged its duties under the Procedure Order. No interested party has been prejudiced through a lack of neighbour notification.	No change to the recommendation.

The continuing reference in the officer report to the site being occupied by two dwellings is incorrect and the council has no evidence to support this statement.	Council tax records have been provided by the applicant that indicate two separate dwellings on the site. Furthermore, separate Land Registry deeds exist for both individual properties. Notwithstanding the foregoing, this is largely a moot point, as officers consider that, on the face of it, the site can accommodate three separate dwellings.	No change to the recommendation.
Reiterate previous objections with regard to emergency service access and states that the officer report is incorrect in stating that this is a Building Control matter.	See additional response from the Highway Authority below.	No change to the recommendation.
The report has failed to adequately deal with the matter of refuse storage and collection.	The Highway Authority are satisfied that the proposed bin collection point at the site entrance is satisfactory subject to the submission of details (condition 10).	No change to the recommendation.
Reiterate view that the living conditions of existing occupiers of neighbouring properties would be compromised and those of future occupiers would be poor. Also questions the accuracy of the report at paragraph 10.25.	These matters are largely subjective and are covered in section 10 of the officer report. The distances given of the proposed development from both the south and north boundaries of the site in the officer report are accurate.	No change to the recommendation.
Critical of officer report with regard to the character and appearance of the area.	Again, these matters are largely subjective and are covered in section 10 of the officer report.	No change to the recommendation.
Question need for a 'shortfall contribution' if scheme will achieve net zero.	This is required to ensure that a contribution can still be sought if the resultant buildings do not perform to the expected standard.	No change to the recommendation.
Plans do not show that the garden for 13 and 14 Gorse Road, which are maisonettes, is split into two. Gardens are therefore modest in size and proximity of proposed semi-detached dwellings would result in imposing development and perception of being overlooked.	The proposed semi-detached dwellings would be set in from the southern boundary by 3.5m at their closest point and the difference in land levels of 2.5m means that when viewed from 13 and 14 Gorse Road the eaves height of the building would appear as 0.8m and the ridge height at 4.2m. As such, there would be no material loss of light or sense of enclosure as a result of the development. Recommended condition 3 would ensure that the side-facing dormer window would be obscure glazed with an opening toplight only that would be a minimum of 1.7m above internal floor level. As such, there would be no material loss of privacy.	No change to the recommendation.

- 2 Further comments from the Highway Authority have been received regarding access to the site by emergency service (fire) vehicles as follows: -

*Highways (Project) would invariably comment on whether a site provides sufficient space to allow a refuse vehicle or fire tender to enter and exit the site in a forward manner.*

*Having examined the accompanying Site Location Plans 1924-SPIA and 1536-SPIE relating to planning applications 22/01452/FULL and 20/02193/FULL, I am satisfied that both proposals provide sufficient room to allow a fire tender to enter, manoeuvre and exit both sites in a forward manner. Both schemes do comply with Building Regulation B5 (2000)10, Section 17 (Vehicle Access), and the Association of Chief Fire Officers requirement that a pump appliance must be within 45m of every dwelling.*

Confirmation is also provided that the advice given on the previous application (20/02193/FULL) had misinterpreted Paragraph 6.7 of Manual for Streets.

