

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE

Maidenhead Panel

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

1. SUMMARY

- 1.1 Since the main report was written, four further letters have been received from neighbouring properties in relation to bringing forward the application to committee, notification of the Committee and in response to the published committee report.
- 1.2 Following the publication of the main report, in addition to the site notices which were put up on the 22nd September, an additional site notice was put up on the 6th October in a location close to Payton Gardens in order to provide notification of the planning application. The site notices, in addition to the original neighbour notification, ensures that the Council has properly discharged its duties under the Procedure Order and no interested party has been prejudiced through a lack of neighbour notification.
- 1.3 The following change to the recommendation is made in order to take this additional notification into account. No decision will therefore be issued until after the expiration of the consultation period.

It is recommended the Committee authorises the Head of Planning:

1. To grant planning permission following the expiration of the latest neighbour notification period on 1st November 2022, subject to no further representations being received which raise any additional material planning considerations not previously considered, and 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.
2. To refuse planning permission following the expiration of the latest neighbour notification period on 1st November 2022 following the expiration of the latest neighbour notification period on 1st November 2022, subject to no further representations being received which raise any additional material planning considerations not previously considered, 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.

1.4 Comments of the additional letters are summarised below.

Comment	Officer Response	Change to recommendation?
Lack of notification of committee date in breach of the adopted RBWM Statement of Community Involvement (June 2020)	All those that provided written comments on the planning application were formally notified of the committee date/procedure and were therefore given the opportunity to register to speak.	N/A
Query as to how the application can be considered prior to the completion of the consultation process. This is wrong and undemocratic and puts the Council at risk of a legal challenge.	The recommendation to the Members of the Committee has been amended in order to take into account any representations received that raise any additional material planning considerations prior to the expiry date of the Site Notice (1 st November).	Yes. See table above.
Clear from the response of the Highway Authority that an Officer hasn't visited the site. An access width of 3.7m cannot be achieved for fire appliance or be able to be positioned within 45m of the dwelling houses at the western end of the site. It is wrong for the Highway Authority to state that the plans show adequate access to enter and exit in forward gear, along with appropriate turning space. Berkshire Fire and Rescue questioned this in an earlier withdrawn application. Onus should be	The Highway Authority in their assessment of the proposals are satisfied that there is sufficient room on the site for a fire tender to enter, manoeuvre and exit the site in a forward gear.	No change in this regard.

<p>on the applicant to demonstrate this. Emergency access is a material planning consideration.</p>		
<p>Refuse vehicles will not be able to enter the site, with bin carry distances exceeded.</p>	<p>The Highway Authority are satisfied that the proposed bin collection point at the site entrance is satisfactory subject to the submission of details secured by recommended condition 10.</p>	<p>No change in this regard.</p>
<p>Officers have assessed the proposals based on a net increase of one dwelling. The fact that the building to the west has its own Title and Council Tax has been paid does not make it a separate dwelling house. It is an annex.</p>	<p>Council tax records have been provided by the applicant that indicate two separate units, with separate Land Registry deeds existing for both individual properties. Notwithstanding this, Officers are of the view that the site is capable of accommodating the proposed development for three residential dwellings in a form which accords with relevant development plan policies.</p>	<p>No change in this regard.</p>

