

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

15 March 2023

Item: 2

<b>Application No.:</b>	22/02793/FULL
<b>Location:</b>	Land Rear Between 1 And 5 The Fieldings Holyport Maidenhead
<b>Proposal:</b>	x1 new detached dwelling, access, hardstanding and landscaping.
<b>Applicant:</b>	Mr Torrance
<b>Agent:</b>	Mr Matthew Corcoran
<b>Parish/Ward:</b>	Bray Parish/Bray

**If you have a question about this report, please contact:** Edward Vaudin on or at [edward.vaudin@rbwm.gov.uk](mailto:edward.vaudin@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 Planning permission is sought for one detached dwelling on the land rear of between 1 and 5 The Fieldings. This site is located within the Green Belt.
- 1.2 The proposal is considered appropriate development within the Green Belt as it falls under the exception described in paragraph 149e of the Framework – limited infilling in villages.
- 1.3 The proposal would not result in any significant harm to the character of the area and is considered to be of an acceptable design.
- 1.4 The proposal would provide high-quality amenity for future occupiers of the proposed dwelling.
- 1.5 The proposal would accommodate sufficient parking space on site and the forecasted vehicle movements and use of the access is not considered to result in any severe impact on highway safety.
- 1.6 The proposal would not result in any significant harm to the amenity afforded to the occupiers of the neighbouring properties subject to the recommended conditions.
- 1.7 The proposal would not result in any ecological harm and will provide a net gain in biodiversity in line with Policy NR2 of the Borough Local Plan.
- 1.8 The site is not at risk of flooding. The sustainable drainage strategy are considered to be acceptable in principle and the details of the strategy are recommend to be secured by condition.
- 1.9 The proposal includes measures to adapt to and mitigate climate change. The Applicant has agreed to completing an undertaking to secure contributions towards the Carbon Offset Fund in line with the Interim Sustainability Position Statement and Policy SP2 of the Borough Local Plan.
- 1.10 Overall, the proposed development is considered to comply with all relevant policies. The recommendation to the Committee is as follows:

<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 contributions towards the Carbon Offset Fund and with the conditions listed in Section 14 of this report.</b>
2	<b>To refuse planning permission if the applicant fails to enter into an undertaking to secure contributions towards the Carbon Offset Fund for the reason that the scheme would fail to comply with Policy SP2 of the Adopted Local Plan, or comply with the Council's Interim Sustainability Position Statement.</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 Walters because of the potential impact on the Green Belt.

## 3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site currently consists of a parcel of open undeveloped land used a paddock. The site is partly surrounded by residential development to its northern, south-eastern, and eastern facings. The site is located just adjacent to the Holyport village settlement boundary and along the end of the cul-de-sac that is 'The Fieldings', which is accessed via Moneyrow Green, south of Maidenhead town centre.

## 4. KEY CONSTRAINTS

- 4.1 The site is located within the Green Belt and is in an Amber Risk Impact Zone for Great Crested Newts, which are a protected species.

## 5. THE PROPOSAL

- 5.1 Planning permission is sought for one new detached dwelling with access, hardstanding and landscaping.

- 5.2 The proposed dwelling would consist of two and a half storeys with a crown roof and dormers. The dwelling includes a side lean to garage with a hipped roof. A small gable porch is proposed for the front entrance. The materials consist of red brick walls and a grey tiled roof. The core of the dwelling would be approximately 13.2m deep and 8.2m wide, with a peak height of 8.3m. The side garage would be in line with the rear wall and would be 6.2m deep and 3.1m wide with materials matching those on the core of the dwelling.

## 6. RELEVANT PLANNING HISTORY

Reference	Description	Decision
22/01171/FULL	Development of the site to provide 2no. detached dwellings with revised access, hardstanding and landscaping.	Refused. Appeal in progress.
21/02951/FULL	Development of the site to provide 4no. detached dwellings with associated access, hardstanding and landscaping.	Refused (dismissed at appeal)

- 6.1 There have been two recent planning applications for residential development for larger schemes both of which were refused. The first one in 2021 was for four detached dwellings with associated access, hardstanding and landscaping (ref: 21/02951/FULL). Relative to this application, the proposed dwellings were located considerably further away from the cul-de-sac and would have introduced a separate frontage. This application was refused for the following reasons:

1. The proposal is considered to be inappropriate development in the Green Belt. No case for Very Special Circumstances has been presented by the applicant to outweigh the very substantial harm caused by inappropriateness and any other harm identified. Therefore, the development is considered to be contrary to Section 13 of the NPPF (2021), Policies GB1, GB2 and GB3 of the 14 Local Plan and Policy SP1 and QP5 of the Borough Local Plan: Submission Version and Proposed Changes (2019).

2.

3. The proposed dwellings by virtue of their extensive setback distance and linear formation are deemed to create a secondary frontage beyond the primary frontages that characterise the immediate street scene and properties within the wider area. Therefore, the proposal will be contrary to the layout of the dwellings within the immediate area. Additionally, the set-back dwellings by virtue of their height will dominate the primary street frontage along The Fieldings and look out of character when viewed from the street scene. Based on the above, the proposed development is considered contrary to Section 12 of the NPPF (2021), Policy DG1 of the Local Plan (2003) and Policies QP1 and QP3 of the Borough Local Plan: Submission Version and Proposed Changes (2019).
4. The applicant has not adequately demonstrated that the development would mitigate the risk of surface flooding on site. Therefore, the development is deemed contrary Section 14 of the NPPF (2021), Policy F1 of the Local Plan (2003) and Policy NR1 of the Borough Local Plan: Submission Version and Proposed Changes (2019).
5. The development fails to meet the council's sustainability standards in relation to new dwellings. Therefore, the proposal is considered to be contrary to the Council's interim sustainability statement (2021), Paragraphs 7 and 8, and Section 14 of the NPPF (2021) and Emerging policy SP2 of the Borough Local Plan: Submission Version and Proposed Changes (2019).

This application was subsequently dismissed at appeal. It was agreed by all parties that the proposed development was located within the village of Holyport. However, the Inspector agreed with the LPA that the proposed development did not constitute limited infilling and would harm the character of the area.

6.2 A follow-up scheme was submitted under a planning application in 2022. This time, the proposal consisted of two detached dwellings with a revised access, hardstanding and landscaping (ref: 22/01171/FULL). Whilst this proposal was a reduction compared to the previous application, it was refused for the following reasons;

1. The proposal is considered to be inappropriate development in the Green Belt. No case for Very Special Circumstances has been presented by the applicant to outweigh the very substantial harm caused by inappropriateness and any other harm identified. Therefore, the development is considered to be contrary to Section 13 of the NPPF (2021), Policies SP1 and QP5 of the adopted Borough Local Plan (2022).
2. The proposed dwellings by virtue of their extensive setback distance and linear formation are deemed to create a secondary frontage beyond the primary frontages that characterise the immediate street scene and properties within the wider area. Therefore, the proposal will be contrary to the predominant layout of the dwellings within the immediate area. Additionally, the set-back dwellings by virtue of their height will dominate the primary street frontage along The Fieldings and look out of character when viewed from the street scene. Based on the above, the proposed development is considered contrary to Section 12 of the NPPF (2021) and Policies QP1 and QP3 of the adopted Borough Local Plan (2022).
3. No information in relation to site's existing and resultant biodiversity value to establish that there would be a net gain to biodiversity as a result of the proposed development, has been submitted. Therefore, the proposal is considered to be contrary to Paragraph 174(d) of the NPPF (2021) and Policy NR2 of the adopted Borough Local Plan (2022).

An appeal against the Council's decision to refuse the application is currently in progress.

## **7 DEVELOPMENT PLAN**

7.1 The main relevant policies are:

### **Adopted Borough Local Plan**

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
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 9 - Promoting Sustainable Transport  
 Section 11 – Making effective use of land  
 Section 12 - Achieving well-designed places  
 Section 13 - Protecting Green Belt land  
 Section 14 - Meeting the challenge of climate change, flooding and coastal change  
 Section 15 – Conserving and enhancing the natural environment

### Supplementary Planning Documents

- Borough Wide Design Guide

### Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Parking Strategy  
 Interim Sustainability Position Statement  
 Environment and Climate Strategy

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 9.1 52 properties were directly notified of the application.
- 9.2 The planning officer posted a notice advertising the application at the site on the 25<sup>th</sup> November 2022.
- 9.3 Several amended plans have been submitted to change the positioning of the proposed dwelling. Subsequent re-notification of the 52 aforementioned properties was undertaken on the 13<sup>th</sup> and 27<sup>th</sup> of February.

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

Comment	Where in the report this is considered
---------	--

1.	Impact on the Green Belt / Inappropriate development with no Very Special Circumstances [x19]	See section on Green Belt.
2.	Previous application refused and dismissed at appeal [x10]	Noted, but each application is assessed individually.
3.	Impact on drainage [x9]	See section on Flooding.
4.	Lack of spatial alignment with frontages on The Fieldings cul-de-sac / Not infill [x9]	See section on Green Belt.
5.	Borough has five year housing land supply [x8]	Noted.
6.	Loss of habitat / Impact on wildlife [x6]	See section on Ecology.
7.	Impact of traffic [x6]	See section on Parking and highways.
8.	Proposed dwelling higher than other dwellings in the area [x6]	See section on Character.
9.	This will set a precedent [x5]	Each application is considered on its merits.
10.	Increased risk of flooding [x5]	See section on Flooding.
11.	Similar applications refused and dismissed at appeal [x4]	Noted, but each application is assessed individually.
12.	Out of keeping for the area [x4]	See section on Character.
13.	Lack of neighbour notification [x4]	Advertising of the application was done in line with the statutory requirements.
14.	Overbearing impact on 7 Dairy Court [x3]	See section on Neighbour amenity.
15.	Loss of green space [x2]	See section on Ecology.
16.	Access to field beyond would require additional hardstanding which would impact the Green Belt [x2]	This is not proposed as part of this application.
17.	Overlooking [x2]	See section on Neighbour amenity.
18.	Lack of site notice [x1]	A site notice was displayed on the 25 <sup>th</sup> November 2022.
19.	RBWM indicated principle support prior to application [x1]	Noted, however this is not a material consideration to the determination of this application. .
20.	Biodiversity net gain won't amount to much real gain [x1]	See section on Ecology.
21.	Carbon Offset amounts to greenwashing [x1]	Carbon offsets are considered appropriate in line with the Interim Sustainability Position Statement.
22.	Carbon emissions reduction relies on installation of solar panels and an air source heat pump, neither of which are planned [x1]	These have since been included in the application.
23.	Loss of light [x1]	See section on Neighbour amenity.

## Consultees

Consultee	Comment	Where in the report this is considered
LLFA	Satisfied with the outline proposals given this proposal is for a single dwelling.	Noted. Details of SuDS to be secured by condition.
RBWM Ecology	No objections provided that it can be demonstrated that the development would result in a net gain for biodiversity and subject to conditions related to lighting, enhancements and net gain.	Noted. A biodiversity net gain assessment has since been provided.
Environmental Protection	No objections. Conditions requested relating to construction working hours, collection hours and informatives on dust	Noted. However, conditions related to construction hours are not considered necessary as this is

	and smoke control.	covered by separate legislation.
--	--------------------	----------------------------------

### Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Bray Parish Council	No Very Special Circumstances. Council previously refused applications on this site for reason of inappropriateness in the Green Belt.	See section on Green Belt.
Holyport Residents Association	Not allocated land and is within the Green Belt. Allowing would be against the principles of the NPPF.	See section on Green Belt.
	Inappropriate development in the Green Belt without any Very Special Circumstances.	See section on Green Belt.
	The proposal does not constitute infill as there is no continuous frontage and an access to the land to the rear is proposed.	See section on Green Belt.
	Approving would set a precedent and the access proposed would allow the possibility of further dwellings to the rear.	Not a material consideration.
	Increase in traffic.	See section on Parking and highways.
	Increase risk of flooding and impact on drainage	See section on Flooding.
	No notification received by chair.	Advertising of the application was done in line with the statutory requirements.

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Green Belt
- ii Climate change and sustainability
- iii Character and appearance
- iv Amenity for future occupiers
- v Parking and highways impacts
- vi Impact on amenity of neighbouring buildings
- vii Ecology
- viii Flooding

### Green Belt

10.2 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

10.3 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, subject to certain exceptions. The exception deemed relevant to this application can be found in paragraph 149e of the NPPF – limited infilling in villages.

Whether the proposal constitutes limited infilling in a village

- 10.4 Policy QP5 of the Borough Local Plan states that certain forms of development are not considered inappropriate development within the Green Belt, as defined in the NPPF. Within the Royal Borough, village settlement boundaries are identified on the Policies Map, and these boundaries will be used in determining where limited infilling may be acceptable:
- a. Limited infilling within the identified village settlement boundaries within the Green Belt as designated on the Policies Map (marked "Settlements (QP5)").
  - b. Limited infilling outside identified village settlement boundaries where it can be demonstrated that the site can be considered as falling within the village envelope as assessed on the ground. In assessing the village envelope consideration will be given to the concentration, scale, massing, extent and density of built form on either side of the identified village settlement boundary and the physical proximity of the proposal site to the identified village settlement boundary.
- 10.5 It is first important to assess whether the proposed development would constitute limited infilling. Paragraph 6.18.9 of the Borough Local Plan states that limited infilling is considered to be the development of a small gap in an otherwise continuous frontage, or the small-scale redevelopment of existing properties within such a frontage. It also includes infilling of small gaps within built development. It should be appropriate to the scale of the locality and not have an adverse impact on the character of the locality.
- 10.6 The application site is located at the end of the cul-de-sac known as 'The Fieldings'. It is sited between the properties of 1 The Fieldings and 5 The Fieldings but is also adjacent to the curtilage of 7 Dairy Court.
- 10.7 The Fieldings consists of a series of semi-detached dwellings to the northwest of the cul-de-sac and larger detached dwellings to the south. The end of the cul-de-sac forms a partial radial frontage, which is in part broken up by the application site.
- 10.8 The siting of the proposed dwelling would be relatively set back when compared to the properties to the right of it at 1 – 4 The Fieldings. However, it would not deviate from the building line to such significance as for it to not be reasonably considered part of The Fieldings cul-de-sac.
- 10.9 The proposed dwelling would maintain a similarly sized footprint to that of the other properties on The Fieldings. The proposal would consist of two and a half storeys with three dormers within the roof space. This scale of dwelling is akin to that of 7 Dairy Court, which also consists of a two and a half storey design with dormers within the roof space.
- 10.10 The provision of one dwelling on site is not considered to amount to a crowded plot in the context of the cul-de-sac.
- 10.11 Taking into account the siting of the proposed dwelling, which would sit between number 1 and 5 Dairy Court, and next to number 7 Dairy Court (albeit slightly further set back), it is considered to constitute limited infilling of a small gap within built development. It is therefore considered to be limited infilling.
- 10.12 The site is located adjacent to the identified village settlement boundary of Holyport designated on the Policies Map. As it is technically outside of the recognised boundary, it cannot be assessed under paragraph 4a of Policy QP5.
- 10.13 Paragraph 4b of Policy QP5 states that limited infilling may be acceptable "outside identified village settlement boundaries" as long as it is demonstrated that the site falls within "the village envelope as assessed on the ground". The interpretation of this is that to be assessed under this paragraph, the site, whilst not falling within an identified village would need to be considered as nevertheless falling within the envelope of an identified village as assessed on the ground. This approach is considered to accord with established case law (most notably; Julian Wood v Secretary of State for Communities and Local Government [2015]).

- 10.14 In this case, the application site abuts the defined settlement boundary of Holyport. The boundary follows the curtilage of 1 The Fieldings and cuts through 7 Dairy Court. When considered matters on the ground, the proposed development would be of a similar scale to existing dwellings within the locality. It would maintain a relationship with the cul-de-sac of The Fieldings, which, other than this plot, lies wholly within the settlement boundary. Having regard for all of the above, the application site is considered to have a close association with the recognised settlement to the extent that it is considered to fall within the village envelope as assessed on the ground. It should also be noted that on the previously refused applications, the Council considered the site to fall within the village envelope of Holyport. This point was agreed by the Inspector for the appeal against the decision to refuse the proposal for four dwellings.
- 10.15 Overall, the proposal is considered to be appropriate development in the Green Belt as it falls under the exception set out in paragraph 149e of the NPPF – limited infilling in villages.
- 10.16 As the proposed development is considered to be appropriate within the Green Belt, it is not necessary to assess the impact on the openness of the Green Belt.

### **Character and appearance**

- 10.17 The proposed dwelling consists of two and a half storeys with a crown roof and dormers. The dwelling includes a side lean to garage with a hipped roof. A small gable porch is proposed for the front entrance. The materials consist of red brick walls and a grey tiled roof.
- 10.18 The proposed dwelling would be set back within the site. Whilst the proposed dwelling is of a greater height when compared to 1 – 4 The Fieldings, approximately 0.9m taller, it has a comparable height to that of the neighbouring 7 Dairy Court. Furthermore, the setback compared to the neighbouring properties on The Fieldings reduces the impact of the larger height such that the proposal would not dominate the street scene or appear out of keeping.
- 10.19 The proposal includes the planting of 10 small trees as well as evergreen hedgerows around the boundaries of the site. Hardstanding is proposed to serve as access to the front parking and side garage. Overall, the site would maintain an appropriate balance of soft and hard landscaping.
- 10.20 The proposed materials and fenestration are similar in nature to dwellings in the locality.
- 10.21 Overall, the proposed development is not considered to be detrimental to the character of the area or the street scene.

### **Amenity for future occupiers**

- 10.22 The proposed development meets the minimum standards of the Nationally Described Space Standards.
- 10.23 All habitable rooms would benefit from at least one window, affording outlook and light to each habitable room.
- 10.24 Principle 8.4 of the Borough Wide Design Guide sets minimum outdoor amenity space size standards for houses. In this case, the proposed development is a five-bedroom dwelling, with the outdoor amenity space predominantly facing north. As such, the minimum requirement outdoor amenity space is 85sqm. The proposed dwelling would benefit from at least 95sqm of outdoor amenity space to the rear, therefore providing a sufficient level of outdoor amenity space.
- 10.25 The outdoor space would be directly accessible from the dwelling and would benefit from tree planting and a large grass area.
- 10.26 Cycle parking and refuse storage is proposed to be provided in line with the Borough Wide Design Guide. There is sufficient space on site in order to meet the standards of the Borough Wide Design Guide; it is recommended that these details are secured by condition.
- 10.27 Overall, the proposal is considered to provide high quality amenity for future occupiers.



## **Parking and highways impacts**

- 10.28 Policy IF2 of the Borough Local Plan states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy.
- 10.29 The proposed access at the end of the cul-de-sac along The Fieldings is deemed to achieve the visibility (access will be clear of obstructions) required for vehicles to leave the site safely onto The Fieldings. The driver visibility at the junction of The Fieldings and Moneyrow Green complies with the standards set out in Manual for Streets for a 30mph speed limit, splays of 2.4m x 43m in both directions.
- 10.30 One new dwelling is not deemed to generate an unacceptable level of traffic that will harm the local highway safety network. Overall, the proposed development is not deemed to cause any highway safety issues.
- 10.31 A total of three allocated car parking spaces are proposed, including two spaces to the front of the dwelling and one within the proposed garage. This is considered to be sufficient and would meet the Council's maximum parking standards for this size of dwelling.

## **Impact on amenity of neighbouring buildings**

- 10.32 The proposed dwelling would be located between 7 Dairy Court and 1 The Fieldings, with its siting having a closer relationship to 7 Dairy Court. The nearest point of the proposed dwelling would be located approximately two metres from the boundary with 7 Dairy Court and 10.6m from the dwelling of 7 Dairy Court.
- 10.33 The proposed dwelling would maintain a minimum gap from the boundary with 7 Dairy Court of approximately 2.4m. The orientation of the proposed dwelling is such that this gap increases to the rear. The proposed dwelling is set back when compared to the dwelling of 7 Dairy Court, which also benefits from a sizable plot which benefits from outlook in multiple directions. Taking into account the size of the garden serving 7 Dairy Court, and the gap provided between the proposed dwelling and the garden boundary, it is not considered that the proposal would result in any significant overbearing impact that would justify refusing the application.
- 10.34 The peak height of the proposed dwelling would be approximately 8.3m, which would be experienced by 7 Dairy Court's nearest habitable room 16m away. The proposal would not breach the 25-degree angle rule set out in the Borough Wide Design Guide, whereby a vertical 25-degree angled line drawn at two metres in height from the centre of the nearest neighbouring window serving a habitable room is not breached by the proposal. As such, it is not considered that the proposals would result in any material impact on daylight or sunlight levels.
- 10.35 There are no side windows serving habitable rooms that are facing 7 Dairy Court or 1 The Fieldings. A first-floor window (serving a bathroom) is shown in the southern (side elevation) facing 7 Dairy Court. Given the relationship of this window to the neighbouring property, it is recommended that a condition is imposed to ensure that this window has obscure glazing and top-opening. Whilst the proposed dwelling is set back such that the front elevation is further to the rear than 7 Dairy Court, it is not considered that any of the front facing windows would result in any direct views of any habitable rooms for any of the neighbouring properties.
- 10.36 There are side-facing windows in the northern (side) elevation facing 1 The Fieldings. There is a distance of approximately 12m between the side elevation of the core of the proposed dwelling, to the boundary with this property. The windows could give rise to a certain level of overlooking to the garden of 1 The Fieldings, and as such a condition is also recommended to ensure these side facing windows are obscurely glazed and top opening.

## **Ecology**

- 10.37 Paragraph 180(a) (2021) of the NPPF states ‘when determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy NR2 of the BLP states that developments will be expected to demonstrate how they maintain, protect, and enhance the biodiversity of application sites including features of conservation value which might presence of protected/priority species. Furthermore, development proposals will be expected to identify areas where there is opportunity for biodiversity to be improved and, where appropriate, enable access to areas of wildlife importance and proposals shall be accompanied by ecological reports in to aid assessment of the schemes. Lastly, Regulation (9) 1 of The Conservation and Habitats Regulation (2017) states that as the competent local planning authority must exercise the functions which are relevant to nature conservation. As such, it is the statutory duty of duty of the planning authority to ensure that development doesn’t potentially any harm protected species.
- 10.38 The applicant submitted the same Ecological survey and reptile report undertaken for the previous application and the application before that ref; 22/01171/FULL and ref; 21/02951/FULL. Whilst approximately 18 months has passed since the surveys were undertaken, their findings are considered to remain relevant.
- 10.39 It has been established that the site does provide some habitat value in the form of scattered trees and semi-improved grassland.
- 10.40 The last surveys undertaken between August and September 2021 found that reptiles are likely absent from the site as it has negligible value for reptiles.
- 10.41 With regards to bats, as the proposal may result in an increase in light levels which could affect commuting and foraging bats, a sensitive lighting strategy will be secured by condition.
- 10.42 It was found that the site had negligible potential to support crested newt, common toad, dormice, wintering birds and badgers and lastly, site had some moderate potential to support nesting birds and hedgehog, although no evidence of these species was recorded during the survey.
- 10.43 Overall, the proposal, including mitigations secured by condition, is not considered to result in any material ecological harm.
- 10.44 A biodiversity net gain assessment has been submitted pursuant to compliance with Policy NR2 of the Borough Local Plan. This assessment demonstrates that a net biodiversity gain of 70.82% for habitat parcels and 100% for hedgerows will be provided by the proposal. Furthermore, two bird boxes and two bat tubes will be fitted on site.
- 10.45 Overall, the proposal is considered to comply with Policy NR2 of the Borough Local Plan.

### **Flooding**

- 10.46 Policy NR1 of the Borough Local Plan states that development proposals should incorporate Sustainable Drainage Systems in order to restrict or reduce surface water runoff.
- 10.47 The application site falls within Flood Zone 1 and is in an area with a very low risk of surface water flooding. As such, a flood risk assessment has not been deemed necessary. Nevertheless, it is understood from the LLFA that the local sewer system is under pressure from an incremental increase in surface water disposal, which increases the risk of the overflow of sewers.
- 10.48 In order to reduce the surface water runoff from the site, the applicant has submitted a drainage strategy that will provide 12.6 cubic metres of attenuation storage within the sub-base of the permeable paving on site. Whilst it is noted that the strategy seeks to dispose of surface water runoff via discharge into the Thames Water sewer in The Fieldings, it will be the remit of Thames Water to consent to such a connection. The principle of the proposed sustainable drainage strategy is considered to be acceptable. The LLFA are satisfied with the outline proposals for

sustainable drainage and have recommended a condition. It is recommended that the details of the sustainable drainage strategy is secured by condition.

### **Climate change and sustainability**

- 10.49 The Council's Interim Sustainability Statement (March 2021) highlights that new dwellings should achieve a net-zero carbon rating. Any shortfalls should be mitigated by a financial contribution to the carbon offset fund. Additionally, the statement also requires new dwellings to have provisions for electric vehicle charging and high-speed internet to facilitate home working. Additionally, Paragraphs 7 and 8, and Section 14 of the NPPF (2021) and Policy SP2 of the Borough Local Plan (2022), encourage developments to be built to mitigate climate change and to incorporate low carbon and efficient energy sources.
- 10.50 The submitted information highlights that the development will reduce carbon emission by using efficient and renewable energy sources, resulting in a CO2 emission saving of 60% over building regulation requirements. However, as the scheme is not confirmed to be net-zero, contributions towards the Carbon Offset scheme will be sought to ensure the emissions are compensated for and that the site performs as forecasted post-construction. The agent has agreed to make a payment towards the carbon off-set fund. This will need to be secured by legal agreement.
- 10.51 Electric vehicle charging points have been proposed to support the development in line with the interim sustainability statement.

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

- 11.1 The development is CIL liable. The proposed dwelling has an approximate 224sqm of floorspace.

### **12 CONCLUSION**

- 12.1 The proposal is considered to comply with all relevant policies listed above and it is therefore recommended that the Committee authorises the Head of Planning to grant planning permission on the satisfactory completion of an undertaking to secure contributions towards the Carbon Offset Fund and with the conditions listed in Section 14 of this report.

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

- Appendix A – Site Location Plan
- Appendix B – Site Plan and Layout
- Appendix C – Floor Plans and Elevations
- Appendix D – Site Plan for 21/02951/FULL
- Appendix E – Site Plan for 22/01171/FULL

### **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 Prior to the commencement of development above slab level, a materials schedule for the development hereby approved shall be 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 QP3.
- 3 No development shall commence on the site until a surface water drainage scheme for the development, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
  - Supporting calculations confirming compliance with the Non-Statutory Technical Standards for

Sustainable Drainage Systems.

- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

- 4 Prior to the commencement of construction of the dwelling above slab level, details of biodiversity enhancements, to include locations and elevations of two bird boxes on the retained trees, native and wildlife friendly landscaping (in line with the net gain document (LUS Ecology, 2nd December 2022), shall be submitted to and approved in writing by Local Planning Authority. The approved biodiversity enhancements shall be implemented prior to the first occupation of the dwelling hereby approved and retained in accordance with the approved details.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 180 of the NPPF and local policy NR2.

- 5 Prior to the installation of any external lighting, a report detailing the lighting scheme and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:

- A layout plan with beam orientation
- A schedule of equipment
- Measures to avoid glare

An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of ecological importance.

- Hours of operation of any external lighting.

The approved lighting plan shall thereafter be implemented and retained in accordance with the approved details.

Reason: To ensure that wildlife is not adversely affected by the proposed development. Relevant Policy - Borough Local Plan NR2.

- 6 No part of the development shall be occupied until vehicle parking spaces have been provided in accordance with the approved drawing number 301-D. 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 in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Borough Local Plan IF2.

- 7 No part of the development shall be occupied until one active and one passive electric vehicle charging point has been provided. These facilities shall thereafter be retained and kept available in association with the development at all times.

Reason: To ensure that the development is provided with adequate electric vehicle charging facilities. Relevant Policies - Borough Local Plan IF2.

- 8 Prior to the commencement of development above slab level, full details of both hard and soft landscape works, shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved within the first planting season following the substantial completion of the development and 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 - Local Plan QP1 and QP3.

- 9 No part of the development shall be occupied until covered and secure 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 at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Borough Local Plan QP3 and IF2.

- 10 No part of the development shall be occupied until a refuse bin storage area 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 be kept available for use in association with the development at all times.

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 Policies - Borough Local Plan IF2 and QP3.

- 11 The development hereby approved shall be undertaken in accordance with the low-carbon and renewable technologies set out in section 5.4 of the Sustainability and Energy Statement (Blue Sky Unlimited, 29 November 2022). Prior to the construction of the development above slab level, details of the air source heat pump, including its location on the dwelling shall be submitted to and approved in writing by the LPA. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development incorporates measures to adopt to and mitigate climate change, and to ensure the details of the air source heat pump are acceptable. Relevant Policies - Borough Local Plan SP2 and QP3.

- 12 The first and second floor window(s) in the side elevation(s) of the dwelling hereby approved 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. No further windows shall be inserted at first floor level or above in the side elevations of the dwelling.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - QP3.

- 13 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.

**Appendix A – Site Location Plan**



## Appendix B – Site Plan and Layout



## Appendix C – Floor Plans and Elevations



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN  
224.3m<sup>2</sup> (2,414m<sup>2</sup>) GIA TOTAL





FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

**Appendix D – Site Plan for 21/02951/FULL**



**Appendix E – Site Plan for 22/01171/FULL**

