

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

MAIDENHEAD DEVELOPMENT CONTROL PANEL

8 June 2016

Item: 4

Application No.:	16/00560/FULL
Location:	Diwa 2 Norfolk Road Maidenhead SL6 7EE
Proposal:	Construction of 10 dwellings 3 x 1 bed units and 7 x 2 bed units, with associated parking and amenity provision following demolition of property including outbuilding.
Applicant:	Mr And Mrs Dhendsa
Agent:	Mr Duncan Mathewson - Mathewson Waters Architects
Parish/Ward:	Belmont Ward
If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application is a resubmission of a previous proposal for 10 dwellings that was refused under delegated powers and is currently at appeal. This revised scheme includes only minor changes and it is not considered that these sufficiently address the previous reason for refusal.
- 1.2 In addition, the Local Lead Flood Authority has recommended that planning permission be refused due to insufficient detail with the application to satisfactorily determine that the proposed development will not exacerbate flood risk over its lifetime accounting for the effects of climate change.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):

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| 1. | The proposal, by reason of its siting, scale and design, would represent a cramped overdevelopment of the site causing harm to the character and amenity of the surrounding established residential area contrary to saved policies DG1, H10 and H11 of the Local Plan and paragraphs 56 and 64 of the NPPF. |
| 2. | It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not exacerbate flood risk over its lifetime accounting for the effects of climate change. According the proposal is contrary to paragraph 103 of the NPPF. |

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Love, irrespective of the recommendation for the reason of transparency, this application should be openly discussed.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located at the junction of Cookham Road and Norfolk Road and is currently occupied by a two storey restaurant and ancillary buildings. The existing development on site abuts the edge of the footpath along the north-east boundary and part of the southern boundary. A car park is located to the rear of the buildings with access taken from Norfolk Road.
- 3.2 The application site is located on a key gateway into Maidenhead in a predominantly residential area. A three-storey block of flats lies to the north of the site; to the east (on the opposite side of Cookham Road) is a layby with a wedge of green space between it and the ends of rows of maisonettes. To the south of the site is the Kidwells Park flats development (Parkland), with a block of four-storey flats sited closest to the application site. Along Norfolk Road, to the rear (west) is a row of three storey Victorian houses.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
15/01966/FULL	Construction of 10 dwellings (3 x 1 bed units and 7 x 2 bed units) following demolition of property including outbuilding.	Refused 08.10.15. Currently at appeal.

4.1 The application seeks planning permission to construct a three to four storey building to provide 10 flats, comprising 3 one bedroom units and 7 two bedroom units, together with 10 parking spaces and a refuse recycling and cycle storage area. The proposed building would be approximately 25.4m wide facing Cookham Road, and approximately 18.5m facing Norfolk Road, and have a maximum height of approximately 12.5m. The building has a contemporary appearance, with large windows and a mixed palette of materials proposed.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework, paragraph 56 and 64.

Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Highways /Parking issues
Local Plan	DG1, H10, H11.	T5, P4

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Sustainable Design and Construction

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact of the proposal on the character and appearance of the area;
- ii The impact on the living conditions of occupiers of neighbouring properties;
- iii Parking provision and highway considerations;

The impact of the proposal on the character and appearance of the area

6.2 Policy DG1 of the Local Plan seeks to achieve high standards of design which provide a high quality, varied and stimulating townscape and environment. In assessing new development proposals under Policy DG1, the Council will have regard to the compatibility of new buildings

with the established street facade, with attention to the scale, height and building lines of adjacent properties, with special attention being paid towards the roofscape of buildings. In addition, Policy DG1 requires materials which are sympathetic to the traditional building materials of the area to be used in the new development. New buildings should not cause harm to the character of the surrounding area by appearing cramped or by resulting in the loss of important features that contribute to that character.

- 6.3 In addition, Policy H10 of the Local Plan states that new residential development schemes will be required to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas and, where possible enhance the existing environment. Policy H11 of the Local Plan states that in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area.
- 6.4 The immediate surroundings to the site are characterised by a mix of residential properties. However, in all cases the dwellings are set back from the edge of the highway, typically behind a wall or low fence and an area of soft landscaping. These spaces and greenery help soften the appearance of the development and contribute to the character of the area. In the case of the proposed development, the building would be close to the edge of the footway, (approximately 2.5m in the case of Cookham Road and 1.2m with Norfolk Road), and well beyond the building lines of the neighbouring properties. There would be very little space between the front of the building and the highway for any planting, such that, when having regard to the fact the building would also almost entirely fill the frontage of the site along Cookham Road, would result in a cramped development that would detract from the character of the area.
- 6.5 In addition, while there are three storey properties neighbouring the site, the proposed development would appear overly dominant in the street scene, as a result of its siting, (on a prominent corner plot and across the majority of the site's frontage), its scale, (rising to a height above the neighbouring properties) and design (expanse of flat roof, bulky, vertical features including the stairwell and large windows). When taken together, including the parking, cycle and refuse areas, the proposal amounts to overdevelopment of the site that would harm the visual amenities of the area.
- 6.6 This is a resubmission following refusal of a very similar application. However, it is not considered that the changes made to this scheme (essentially a further minor set back of the development from the back of the footpaths on Cookham Road and Norfolk Road, together with some minor reduction in the amount of glazing, including on the lift column) sufficiently address the previous reason for refusal. For the reasons set out above, the proposal is contrary to Policies DG1, H10 and H11 of the Local Plan and paragraphs 56 and 64 of the NPPF.

The impact on the living conditions of occupiers of neighbouring properties

- 6.7 The closest neighbours to the site are located at 4 Norfolk Road and 1 to 6 Spens. In terms of the impact on No.4 Norfolk Road, the closest part of the proposed building would be the corner of the north-west facing balconies, which would be approximately 9m from the side of the house. Given the separation distances and orientation of the buildings, it is not considered that the proposal would harm the amenities of the neighbours at No.4 Norfolk Road in terms of loss of light, loss of privacy or by appearing overbearing.
- 6.8 The proposed building will sit approximately 2m behind the rear of 1 to 6 Spens on the north-west boundary and, as such, will not appear overbearing when viewed from these neither flats, nor result in any loss of light to these properties. Balconies are proposed at first and second floor level on the north-west elevation facing the rear of Spens, but as there would be a separation distance of at least 13m it is not considered that there would be any direct loss of privacy to the neighbouring flats.
- 6.9 Overall, it is not considered that the proposal would harm the living conditions of any neighbours.

Parking provision and highway considerations

- 6.10 Norfolk Road is an unclassified, un-numbered residential road which links the B4447 Cookham Road to the A308 Craufurd Rise. 2 Norfolk Road is located on the corner with the B4447 Cookham Road. Outside of the site, Norfolk Road has a 7.8m wide carriageway together with a 2.2m wide footway. With regards to the visibility splays the existing vehicle access can achieve splays of 2.4m x 33m to the left to the junction with the Cookham Road and restricted visibility splays of 2.4m x 17m to the right due to vehicles being allowed to park along the side of the road.
- 6.11 The plans provided show a new vehicular access will be relocated approximately 4.4m further towards the junction with the Cookham Road. The new vehicular access will be approximately 17.3m from the junction with the Cookham Road and will have a radius of 5.9m. This is acceptable to the Highway Authority. With regards to the visibility splays the new vehicular access will need to retain visibility splays of 2.4m x 29m to the left by 2.4m x 22m to the right.
- 6.12 2 Norfolk Road is close to Maidenhead town centre and is within walking distance to Maidenhead train station which has links to London and Reading. Therefore as the site is within a sustainable area, 1 car parking space is acceptable for each unit. Drawing no, 1429-16 shows 10 car parking spaces will be provided for the site (1 per dwelling). All of the car parking spaces comply with our current standards except for parking space 1 which is only 2.4m wide. To comply with our current requirements the bay should be 2.7m wide as it is bounded by a solid surface. This can be covered by a condition. 6.0m manoeuvrability will be provided in front of each car parking bay to allow for a vehicle to enter and exit the site in a forward gear. This is acceptable to the Highway Authority.
- 6.13 Drawing no, 1429-16 shows an outbuilding which will contain a cycle store as well as a refuse store however no detailed layout is provided. Providing 10 units will require 1 x 1100L refuse bin, 1 x 1100L mixed bin, 1 x 660L mixed bin and 2 x 140L food bins. 5 cycle stands will need to be provided to allow for 10 cycle spaces. Each stand should have a 1.0m separation gap and there should be a minimum length of 2.0m.
- 6.14 A development consisting of 3 x 1 bedroom units and 7 x 2 bedroom units has the potential to generate as a whole 34 to 68 vehicle movements per day.
- 6.15 The Highways Authority raises no objection to the proposal subject to conditions.

Other Material Considerations

Housing Land Supply

- 6.16 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.17 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. However, it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, contrary to the adopted local plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The Community Infrastructure Levy (CIL) Regulations 2010 which came into force on 5 April 2015 introduced a tool for local authorities in England and Wales to apply a charge on new

development. As CIL intends to deliver infrastructure needed to support the development of an area rather than making individual planning applications acceptable in planning terms, some site specific impact mitigation may still be necessary in order for a development to be granted planning permission. To secure S106 planning obligations the NPPG states that the local planning authority should be confident of specific consequences of a particular development and in the specific impact mitigation.

- 7.2 In this case, it is considered that the impact of the proposal on local infrastructure would be limited due to its location and scale. Therefore it is not considered appropriate to seek the previous S106 contributions under this application.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

40 occupiers were notified directly of the application.

The application was advertised in the Maidenhead & Windsor Advertiser 3rd March 2016.

The planning officer posted a statutory notice advertising the application at the site on 31st March 2016.

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

	Comment	Where in the report this is considered
1.	The design is not in keeping with the character of the houses in Norfolk Road, directly opposite and next to. These are Victorian properties and the modern design of the flats will be an eyesore. This will not make a positive contribution to the area. This would seriously diminish the appeal of the area.	6.2 – 6.6.
2.	There is a dire parking problem in this area. Many people who work in the town centre park in the road and leave their cars there all day. This will be exacerbated by the building of 10 flats, adding to congestion and making the area more dangerous. The safety of children would be compromised.	6.10 – 6.15.
3.	The new development will increase the demand on the water supply which will have a negative effect on all household in the surrounding area.	Comment noted.
4.	Loss of light to neighbouring kitchen window. Loss of privacy to kitchen and lounge.	6.7.
5.	Possible overlooking of the Spens if use of the roof is allowed.	6.8.
6.	Will increase pressure on local services for GPs and dentists.	Comment noted.
7.	Maidenhead Civic Society – We believe this is a minor improvement, in that the building line/frontage on Cookham Road and Norfolk Road has been taken back by 1.5m. Nevertheless, this application represents overdevelopment of a confined corner site – made even more restricted by moving back the frontages. There is insufficient landscaping or amenity space, and there remains inadequate parking provision for the potential number of residents. The bulk and mass of the proposed block is too large for the site. Although there are higher newly constructed blocks further south on Cookham Road, those flats are on much wider and deeper sites. The site is more suitable for six apartments on two floors. This would not overshadow the Spens properties to the north. A pitched roof would be more traditional in design and sympathetic with the architectural style of	6.2 – 6.15.

the Norfolk Road terrace to the west.	
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Statutory consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No objections subject to conditions.	6.10 – 6.15

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Local Lead Flood Authority	Recommends refusal as there is insufficient detail to satisfactorily determine that the proposed development will not exacerbate flood risk over its lifetime accounting for the effects of climate change.	Noted and included in the reasons for refusal.
Environmental Protection	Recommends informatives regarding dust and smoke controls plus permitted hours of construction working to be added to any approval.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A – Site location plan
- Appendix B – Block plan
- Appendix C – Street elevation to Cookham Road
- Appendix D – Elevations
- Appendix E – Ground & first floor plan
- Appendix F – Wider street plan

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have not been successfully resolved.

10. REASONS RECOMMENDED FOR REFUSAL

1. The proposal, by reason of its siting, scale and design, would represent a cramped overdevelopment of the site causing harm to the character and amenity of the surrounding established residential area contrary to saved policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and paragraphs 56 and 64 of the National Planning Policy Framework, March 2012.
2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not exacerbate flood risk over its lifetime accounting for the effects of climate change. According the proposal is contrary to paragraph 103 of the NPPF.