

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

**MAIDENHEAD DEVELOPMENT CONTROL PANEL**

26 October 2016

Item: 3

<b>Application No.:</b>	16/01919/FULL
<b>Location:</b>	Berkshire Henley Kent Somerset Sussex And Wiltshire Lodges Courtlands Maidenhead
<b>Proposal:</b>	Raising of roof to provide 11 flats comprising 10 No. one bedroom flats at Berkshire Lodge, Kent Lodge, Somerset Lodge, Sussex Lodge and Wiltshire Lodge (2 flats each) with associated bin and recycling storage and 1 No. two bedroom flat at Henley Lodge with new staircase enclosure to replace existing open stair, and front balustrade, railings and canopies to existing flats at Henley Lodge.
<b>Applicant:</b>	G4D Consulting Limited
<b>Agent:</b>	Mr Alex Yearsley
<b>Parish/Ward:</b>	/Oldfield 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 The proposal is for a form of development that is almost identical to a scheme allowed on appeal in 2014. That appeal decision is a material consideration to the current application.
- 1.2 The principle of the development is acceptable in this location and the proposal would not cause any harm to the amenities of any neighbours or the character and appearance of the area. The site is located in a highly sustainable location and no parking permits will be authorised to future occupiers by the Council (subject to a unilateral undertaking). The proposal will also contribute to the overall supply of housing in the Royal Borough. Accordingly, the proposal does not cause significant or demonstrable harm and is therefore considered acceptable.

<b>It is recommended the Panel authorises the Head of Planning:</b>
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To grant planning permission on the satisfactory completion of an undertaking to secure preclusion on future residents obtaining parking permits and with the conditions listed in Section 10 of this report.
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To refuse planning permission if the undertaking referred to above is not completed by the 31 <sup>st</sup> January 2017 unless the Head of Planning and applicant have agreed an extension of time for the reason that the proposal would not create sustainable travel.
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**2. REASON FOR PANEL 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 Panel.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site is comprised of six apartment blocks which are located within the Courtlands estate; these are Sussex Lodge, Kent Lodge, Somerset Lodge, Wiltshire Lodge, Berkshire Lodge and Henley Lodge. Courtlands is a rectangular road which loops around what is effectively a self-contained residential estate comprising a mix of apartment blocks and semi-detached dwellings, dating predominantly from the 1960s.
- 3.2 The apartment blocks are a mix of two and three storeys and are located mainly on the outer perimeter of Courtlands. There are also some two storey apartment blocks located within the central zone of the development. Sussex Lodge, Kent Lodge, Somerset Lodge, Wiltshire Lodge

and Berkshire Lodge are all identical three-storey blocks located on the outer perimeter of Courtlands. Henley Lodge is a smaller two-storey apartment block, also located on the outer perimeter.

- 3.3 Kent Lodge and Sussex Lodge are located next door to each other in the north-eastern corner of Courtlands. Berkshire Lodge, Wiltshire Lodge and Somerset Lodge are located in the north-western corner of Courtlands. All five buildings are identical and are constructed in a rustic red London multi-stock facing brick with a feature low level soldier course banding. The roofs are pitched and finished in clay tiles with lead work to the flashings and abutments, existing brick chimneys project beyond the roof line with clay chimney pots. The blocks are separated by single storey bin stores set between the lodges. A small area of soft landscaping is set to the front of the flats, laid to grass with a selection of small trees and shrubs with similar treatment to the rear along the boundary with Shoppenhangers Road.
- 3.4 Henley Lodge is a two-storey building located in the south-western corner of Courtlands. It too is constructed in a rustic red London multi stock facing brick, with a pitched roof finished in clay tiles. Parking for the whole of Courtlands is provided on-street and there are also two areas of garage parking in the inner part of the site, each containing two rows of 15 garages (60 spaces in total). The buildings within Courtlands are set within an attractive verdant environment.
- 3.5 The application site is on the outer-edge of Maidenhead Town Centre, just outside the Area Action Plan boundary. Maidenhead Station is located to the north-west of Courtlands on the opposite side of Shoppenhangers Road. Braywick Road lies to the north-west, Rushington Avenue to the south-east and Maidenhead Golf Club to the south-west. Residential properties lie to the west. The site is in a highly accessible area.

#### **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The proposal involves roof extensions to Sussex Lodge, Kent Lodge, Somerset Lodge, Wiltshire Lodge and Berkshire Lodge to provide an additional 10 residential flats. Each block will have a single-storey fourth storey extension to provide two additional 1-bedroom flats with a gross internal area (GIA) of 50m<sup>2</sup>. The existing pitched roof will be removed and replaced with a mansard-type roof in a contemporary style. The height of the respective lodges will increase by approximately 1m.
- 4.2 The extension to Henley Lodge will comprise roof alterations to provide a third storey extension providing an additional 2-bedroom flat with a GIA of 68m<sup>2</sup>. The height of the lodge will also increase by around 1m. Overall, the proposed development will provide an additional 11 residential flats.
- 4.3 There is no relevant planning history specific to the individual buildings that are the subject of this application. However, of relevance to the consideration is that planning permission was granted on appeal in 2014 for fourth storey extensions to Hampshire Lodge, Dorset Lodge and Devonshire Lodge, which are located on the north-eastern perimeter of the estate adjacent to Braywick Road, and for third storey extensions to Cookham Lodge and Marlow Lodge. The building works for this permission are currently underway and are expected to be completed by the end of this year.

#### **5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

- 5.1 National Planning Policy Framework Sections 6 and 7.

##### **Royal Borough Local Plan**

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

Within settlement area	Highways and Parking
DG1, H10, H11	P4, T5

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i The principle of development;
- ii The impact on the character and appearance of the area;
- iii The impact on the living conditions of neighbours;
- iv Parking provision;
- v Other material considerations; and
- vi The planning balance.

### **The principle of development**

6.2 The application site is located within the built up area of Maidenhead wherein the principle of development is acceptable.

### **The impact on the character and appearance of the area**

6.3 The area surrounding Courtlands has a very mixed character comprising a variety of uses, differing scales of development and two of Maidenhead's busiest roads. This contrasts with the inside of the estate where the residential development is largely enclosed and closely knit, comprising a set of distinct building types of uniform design sited around a ring road, within a pleasant green setting.

6.4 In February 2014, the Planning Panel refused permission for roof extensions to Hampshire Lodge, Dorset Lodge, Devonshire Lodge, Cookham Lodge and Marlow Lodge to form 8 flats, on the grounds that the additional scale would be harmful to the character and appearance of Courtlands, and the design and materials were of an industrial appearance harmful to the uniformed and residential appearance of Courtlands. An appeal was subsequently lodged with the Planning Inspectorate.

6.5 The Planning Inspector considered the main issue for consideration of the appeal to be the effect of the proposed development on the character and appearance of the surrounding area. In terms of the proposed fourth floors, the Inspector observed that each Lodge would be extended in the same way, commenting that "the proposed fourth floor would be of a similar height to each of the floors below it, and as such would harmonise with the existing residential appearance and proportions of the buildings. Furthermore, the extension of the brick walls to provide the fourth floor and the placement of windows and doors within them, would maintain the rhythmical pattern formed by the spacing of openings and walls in the building below."

6.6 The Planning Inspector acknowledged the cohesive character and appearance of Courtlands due to the simple design of the houses and flats, and the use of similar materials throughout the estate, and considered the additional fourth floors would maintain the balance and symmetrical appearance of the buildings. While the roofs would be constructed of curved metal, with a mix of brick, timber and render finishes to the walls, the Inspector considered that the presence of the extended brick walls and the terraces and the windows inset within the roof, would break up its mass. Although the metal would be a different material to those found on the estate it harmonises with buildings within the wider area. Accordingly, the Inspector found that the roof developments would not harm the character and appearance of the surrounding area and allowed the appeal.

- 6.7 The proposed roof extensions to Berkshire Lodge, Wiltshire Lodge, Somerset Lodge, Kent Lodge and Sussex Lodge are identical to the extensions allowed at appeal to Hampshire Lodge, Dorset Lodge and Devonshire Lodge. As such, for the reasons outlined in the appeal decision, the proposed fourth floors would not harm the character and appearance of the area. In addition, the third floor extension proposed to Henley Lodge is identical to the extensions approved at Marlow Lodge and Cookham Lodge (with the exception of the external staircase). These extensions are currently under construction and due to be completed by the end of this year, such that the development proposed by this application, when completed, will be in keeping with the majority of the Lodges within Courtlands.
- 6.8 Overall, the distinctive character and appearance of Courtlands would be maintained by the proposed development and therefore the proposal complies with Policies DG1 and H10 of the Local Plan and paragraph 58 of the NPPF.

### **The impact on the living conditions of neighbours**

- 6.9 Henley Lodge is positioned in the south-west corner of Courtlands, set behind and angled away from the neighbouring semi-detached houses. The separation gaps between the flats and the houses will be largely maintained, with the exception of the proposed stair enclosure on the north-west side elevation which will be approximately 2m from the side boundary with 25 Courtlands. Given the siting and orientation of Henley Lodge, the new staircase will not cause loss of light to or appear overbearing when viewed from the neighbouring property. No loss of privacy will arise as a result of the new staircase enclosure. Neither the proposed changes to the front or rear of Henley Lodge, arising from the roof extension will cause loss of privacy to any of the neighbours.
- 6.10 The proposed fourth floor extensions will increase the overall height of relevant Lodges by approximately 1m, with front and rear facing windows as per the floors below. As such, none of these extensions will cause loss of daylight or sunlight to the neighbouring properties, nor appear overbearing or result in any loss of privacy.

### **Parking provision**

- 6.11 Courtlands is an unclassified road maintainable at public expense which joins Shoppenhangers Road and connects to the local highway network opposite Maidenhead Railway Station. Both Courtlands and this section of Shoppenhangers Road form part of a 20mph zone. The 6.0m wide carriageway which serves residential properties in Courtlands is segregated by a narrow central reservation.
- 6.12 The Courtlands junction with Shoppenhangers Road is within a 20 mph zone which is enforced by traffic calming. Visibility splays at the junction will be as existing and these are more than adequate to meet the criteria as set out in advice given in Manual for Streets (20mph equates to minimum splays of 2.4m by 25m in each direction).
- 6.13 All of the public maintainable roads at Courtlands are subject to a residents parking scheme. The site is in a sustainable location being within a short walking distance of Maidenhead Town Centre with access to local services and amenities and is also located directly opposite one of the entrances to the Maidenhead Railway Station. Bus services can be accessed on Shoppenhangers Road nearby. As with the appeal consent, this latest proposal is for a car free development with no additional car parking being provided.
- 6.14 Cycle parking at a ratio of 1 space per unit is proposed within the stairwell areas between the respective flats, or in the case of Henley Lodge, on the stairwell apartments for all of the new residential units according to the Planning, Design & Access Statement (PDAS). The PDAS also states that there would be additional storage for bicycles on the terraces.
- 6.15 The applicant has confirmed their willingness to enter into a Unilateral Undertaking to secure preclusion on future residents/developer obtaining parking permits. Accordingly, the Highway Authority raises no objections to the proposal.

## 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 and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwellings would also weigh in favour of the development.

### Affordable Housing

- 6.18 Affordable housing is not required in this case as the site area is less than 0.5 hectares and the scheme is for less than 15 units.

### **The planning balance**

- 6.19 The principle of the development is acceptable in this location and the proposal would not cause any harm to the amenities of any neighbours or the character and appearance of the area. Furthermore the site is located in a highly sustainable location. The proposal will also contribute to the overall supply of housing in the Royal Borough. Accordingly, the proposal does not cause significant or demonstrable harm and is therefore considered acceptable.

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

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be £56,800.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

76 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 14<sup>th</sup> July 2016.

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

Comment		Where in the report this is considered
1.	There is no parking at Courtlands and it is unrealistic to think that people buying these flats will not have cars. Parking in the area is already chaotic and the unilateral undertaking will be unenforceable. More dwellings equal more cars. Parking should be for permit holders only 24 hours a day.	6.11- 6.15.
2.	Construction work will affect the rental income of the flats. Properties will depreciate in value due to overcrowding.	Not a planning matter.
3.	The design is inappropriate and out of keeping with the area.	6.5, 6.6.

4.	The proposal will have a significant impact on the light and privacy of 25 Courtlands. Loss of privacy to neighbour of Berkshire Lodge.	6.9.
5.	The development will have an overbearing effect on neighbours.	6.10.

### Consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objections.	Noted.
Lead Local Flood Authority	No objections.	Noted.
Trees	No objections subject to a tree protection (details to be submitted) condition.	Noted
Highways	No objections.	6.11 – 6.15

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Proposed elevations – Sussex, Kent, Somerset, Wiltshire & Berkshire Lodges
- Appendix C - Proposed elevations – Henley Lodge
- Appendix D - 13/03481 Appeal decision

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

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 NPFf.

In this case the issues have been successfully resolved.

## 10. CONDITIONS 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 shall take place until details of the materials to be used on the external surfaces of the development have 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 DG1, H10.
3. No development shall take place until details of the soundproofing and insulation between the existing top floor and the new floor hereby approved have been submitted to and agreed in writing by the local planning authority. The details shall include any necessary ventilation measures to habitable rooms. The development shall be carried out as approved, and the soundproofing, insulation and ventilation measures shall be installed prior to the first occupation of the flats and retained thereafter.

Reason: In the interests of the living conditions of neighbours. Relevant Policy - NPPF Core Planning Principle.

4. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

5. No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. 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 cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.

6. No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. 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 - Local Plan T5, DG1.

7. Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto 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. These measures shall include fencing in accordance with British Standard 5837. 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 prior 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 - Local Plan DG1, N6.

8. 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.

### **Informatives**

1. The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
2. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
3. The granting of planning permission does not give the applicant/developer consent to carry out works on the public highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the Royal Borough of Windsor and Maidenhead - Streetcare Section, (telephone 01628 683804) before any work is carried out, this shall include for materials and skips which are stored within the highway extents, hoarding etc. A charge will be made for the carrying out of inspections and the issue of permits.