

MAIDENHEAD DEVELOPMENT CONTROL PANEL

27 May 2009

Item: 12

Application No.:	09/00822/FULL
Location:	Water Oakley Cottages Windsor Road Water Oakley Windsor SL4 5UQ
Proposal:	Construction of five no. terraced houses with associated parking following demolition of existing cottages
Applicant:	Farmglade Limited
Agent:	Mr J King - Wilkinson King Architects
Parish/Ward:	Bray Parish

If you have a question about this report, please contact: Alistair de Joux on 01628 685694 or at alistair.dejoux@rbwm.gov.uk

1. SUMMARY

- 1.1 This application is to replace a terrace of 5 houses with a modern terrace of the same number of houses set slightly further back into the site away from the A308. It is considered the proposal represents an acceptable like-for-like replacement in the Green Belt and that all the relevant planning policies are satisfied.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.

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 accessed from Windsor Road, and is set well back from the road frontage. A terrace of five brick built houses, of Victorian origin, are currently located towards the southern side of the site. The high gable roof of the centre house forms a distinctive element of the existing design, apart from which these are typical terrace of its era. The houses are currently unoccupied and in a somewhat derelict state. There are a number of trees located both within the application site and just outside the site boundary, between it and the road. These are mainly sycamores, which the tree survey that accompanies the application identifies as being of poor quality.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 While the larger Water Oakley Farm site has a long planning history that has included enforcement actions against unauthorised use of farm buildings to the north of the current application site and subsequent permissions for some of these uses, the residential site does not have any previous planning history.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Indicators

- 5.1 The recommendation would contribute to the achievement of these relevant national indicators:

NI 170	Reduction in previously developed land which has been vacant or derelict for more than 5 years	✓
		✓

The South East Plan

5.2 The South East Plan was adopted on 6 May 2009, and supersedes RPG9 and the Berkshire Structure Plan. The main strategic planning considerations applying to the site and the associated policies of the SE Plan are:

- CC6 Sustainable communities and character of the environment
- C4 Landscape and Countryside Management
- C5 Managing the Urban-Rural Fringe

Berkshire Royal Borough Local Plan

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

	Within settlement area	Green Belt	Protected Trees
	✓	✓	✓
Local Plan	DG1, H10, H11	GB1, GB2, GB3, GB4	N6

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

- *Sustainable Design and Construction SPD*

Other Local Strategies or Publications

5.5 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link at paragraph 5.4
- RBWM Parking Strategy – view using link at paragraph 5.4

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Green Belt
- ii Location and design of the buildings
- iii Building sustainability
- iv Trees within the application site
- v Ecological values
- vi Highways and traffic issues

Issue 1 - Green Belt

6.2 The proposal would result in the replacement of the existing terrace of five dwellings, each of which have floor space of 63 sq. m (total 339 sq. m), with a terrace of dwellings of 84 sq. m (total floor area of 420 sq. m). Existing floor areas are accepted as appropriate for the purposes of comparison in proposals for replacement dwellings in the Green Belt. The increased floor space proposed would be about the upper limit of what could be considered as not resulting in a material increase in scale as compared to the existing dwelling. However, it is noted that the existing dwellings could be extended under permitted development (PD), and that if this

application is approved then consideration should be given here to removing future PD rights of the houses.

- 6.3** The roofline of the proposed terrace would be 1.9m higher than the existing block apart from where the central gable currently forms a higher feature where it would be 0.8m lower. The direction of view as seen by the majority of passers-by would be the adjacent A308 (Windsor Road), and in views from this direction the increased separation would assist in mitigating this height difference acceptably.
- 6.4** In view of these factors, it is not considered that the proposed development would constitute a material increase in scale. The proposal is compliant therefore with saved local plan policy GB3(4), which provides for one-for-one replacement of dwellings within the Green Belt provided that there is no material increase in scale over the dwellings to be removed.

Issue 2 - Location and design of the buildings and site layout

- 6.5** The proposed design is for a modern terrace that would be orientated towards the existing access on the northern side of the site. The design incorporates simple forms, with a steep roof slope on the front (northern) roof slope and a medium pitch on its southern side, which faces towards Windsor Road. Dormer windows would be provided at first floor level in this elevation. Materials would include cedar cladding and slate-like roofs, incorporating on the southern elevation a mix of photovoltaic and solar water heating tiles while those on the north elevation are likely to be of reconstituted slate or similar. The two end-terrace houses would have access to their side gardens and several side windows at each level, which would assist in providing informal surveillance of the surroundings and therefore the security of the site.
- 6.6** The layout of the northern part of the site would provide vehicle access and car parking for 10 cars in a planted setting, with small areas of greenery to the front of the houses around their car parking spaces and more substantial planting towards the northern site boundary. Bin stores would be provided in this area, although in the layout shown it is not clear whether sufficient provision has been made for recycling as well as refuse bins. However, there is sufficient space in this area to provide this by way of an appropriate condition.
- 6.7** Gardens on the south side of the houses would be just under 20 metres in length, with wider gardens for the end-terrace houses. Each house would be provided with a small shed, which would be available for use as a cycle store, and it is intended to form vegetable garden beds and plant fruit trees in these gardens.

Issue 3 - Building sustainability

- 6.8** The application states an aspiration to reach Level 5 under the Code for Sustainable Homes. This is just one level below the highest provided for under the Code, Level 6 being for carbon neutral dwellings, and as the application notes that very few houses have as yet attained either of these levels. This exceeds the requirements of the Council's *Sustainable Design and Construction SPD*, which has a lower Code minimum for major applications only. Minor residential applications, which are required only to demonstrate how compliance with the SPD would be achieved by way of a sustainability statement or individual technical reports. Detailed reports have not been provided as part of this application, but provision by condition of a Building and Research Establishment (BRE) approved Certificate that certifies an appropriate Code rating prior to occupation of the dwellings would be sufficient to demonstrate compliance. While reaching Level 5 of the Code would be an excellent outcome, it is considered that for the purposes of a condition, that alternative documentation in line with the SPD's requirements would be sufficient. A Code Level 5 certificate would fulfil and surpass the requirement.

Issue 4 - Trees within the application site

- 6.9 As noted there are a number of trees on and around the site, which the submitted information identifies as mainly sycamores of poor quality. The comments of the Tree Officer will be reported as an update.

Issue 5 - Ecological values

- 6.10 The potential for bats and other protected wildlife to be present appears to be high, given that the cottages do not appear to have been occupied for some years. It was advised at pre-application stage that a Phase 1 ecological survey would be required as part of any new application, and the application states that this will be submitted shortly. Due to the tight time frames with getting this application to Panel (the statutory timeframe for determination expires the day before the June Panel meeting), it is considered appropriate in this instance to include an appropriate condition requiring submission and approval of ecological surveys, and any appropriate mitigation measures, with works to be carried out in accordance with any approved details.
- 6.11 The application makes provision for landscaping with native species that would provide wildlife habitat both within the application site and also immediately adjacent to it within land controlled by the applicant. This can be controlled by condition.

Issue 6 - Highways and traffic issues

- 6.12 This application seeks to utilise the existing access from the A308 Windsor Road. At this access the speed limit is 60mph. A shared footway/cycleway bounds the highway frontage to the A308. As there is no net increase in the number of vehicular movements the Highway Authority raise no objection to this application. However it needs to be noted that the Highway Authority's records show that there have been 8 personal injury accidents in close proximity of the access to Water Oakley and the BP Service Station and The Queen's Head Public House in the past 5 years. Whilst the majority of these involved right turning manoeuvres from the A308 there have been two fatalities involving vehicles travelling at excessive speed. Use of this access and the site as a whole have developed historically and the applicant should be advised that should further development proposals of a larger nature be contemplated that the Highway Authority would seek the provision of a dedicated right turn lane to serve the site as a whole.
- 6.13 The proposal complies with the RBWM Parking Strategy's maximum provision of 2 spaces per 3-bedroom unit for such locations, with provision for two additional informal spaces to meet the needs of visitors. No objections have been raised by the Highways Authority.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 Under saved local plan planning policies IMP1 and R3, developers are generally required to make adequate provision to offset the additional impacts of new developments on various kinds of infrastructure, services and facilities. The areas where contributions are requested are quite wide-ranging but vary from case to case. A Supplementary Planning Document (SPD) "*Planning Obligations and Developer Contributions*" and Supplementary Planning Guidance (SPG) "*Interpretation of Policies R2, R3, R4, R5 and R6 (Public Open Space Provision)*", clarifies our approach to these policies.
- 7.2 As set out in these documents, new residential development can make considerable combined demands on existing infrastructure and facilities in the Borough. The Council seeks an appropriate level of financial contributions to offset or mitigate these broader, cumulative impacts. It is however recognised that like-for-like replacement of dwellings, or replacement where dwellings do not result in a material increase in the scale of development, do not generally result in additional demands for infrastructure and therefore a financial contribution towards infrastructure provision is not usually required for replacement dwellings.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Three neighbouring residential occupiers were notified directly of the application. No representations have been received, and any that are prior to the Panel date will be reported in an update.

Statutory consultees

None consulted.

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highways	No objections.	
Trees Officer	To be reported	

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Planning layout and elevations

10. 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.
- 2 No development shall take place until samples of the materials to be used on external surfaces of the development(s) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development(s) shall be carried out and maintained thereafter in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 Before the commencement of the development or as may otherwise be agreed in writing by the Local Planning Authority the existing terrace of houses shall be demolished in its entirety and all materials resulting from such demolition works shall be removed from the site within one month of the substantial completion or occupation of the development hereby permitted whichever is the sooner.
Reason: In the interests of the visual amenity of the locality, the amenities of future occupiers and the openness of the Green Belt - Relevant Policies - Local Plan GB1, H10.
- 4 No part of the development hereby permitted shall be occupied until vehicle parking and turning space has been provided in accordance with the approved drawing. This area shall thereafter be kept available for the parking and turning in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would be a danger to other road users; also, to ensure vehicles enter and leave the highway in forward gear. Relevant Policies - Local Plan P4.
- 5 No development shall take place until full details of both hard and soft landscape works, including tree planting where appropriate, have been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details.
Reason: To ensure a form of development that maintains, and contributes positively to the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 6 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 of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.

- 7 Notwithstanding the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The site is located within the designated Green Belt where strict controls over the form, scale and nature of development apply; whilst the increase in scale of the proposed building over that which exists is not considered to be materially greater extensions which may be carried out under these provisions could alter that position. Relevant Policies - Local Plan GB1, GB2, GB3.

- 8 No demolition or other works shall commence until a bat survey has been undertaken and submitted to and approved by the Local Planning Authority. If bats are present or there are signs of bats details of mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any approved mitigation measures.

Reason - In the interests of ensuring the long term survival of a protected species. Relevant Policies: National Planning Policy contained in PPS9.

Informative(s)