

MAIDENHEAD DEVELOPMENT CONTROL PANEL

22 July 2009

Item: 8

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| Application No: | 09/01210/FULL |
| Location: | Little Paddocks Windsor Road Water Oakley Windsor SL4 5UJ |
| Proposal: | Construction of a detached double garage and front boundary wall |
| Applicant: | Mr Singh |
| Agent: | Mr B Wilson - CBW Architects |
| Parish/Ward: | Bray Parish |

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| If you have a question about this report, please contact: Victoria Gibson on 01628 685693 or at victoria.gibson@rbwm.gov.uk |
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1. SUMMARY

- 1.1** This application seeks permission for a replacement outbuilding. Outbuildings are inappropriate development in the Green Belt, however in this instance the replacement building has a much smaller footprint than the previous one and would not appear as prominent within the street scene. As such this set of circumstances is considered to provide the necessary very special circumstances to justify the proposal.
- 1.2** A 1.8 metre high brick wall is also proposed, given that this would be partially screened and substantial tree planting would take place behind it, it is considered that this would visually improve the appearance of the site whilst not causing harm to the openness of the Green Belt.

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| It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report. |
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2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Walters.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1** Little Paddocks is sited on the northern side of Windsor Road, and consists of a semi detached two storey property. To the south of the site lies a large detached property known as Southfields. To the north is smaller detached house. This cluster of three properties lies within open countryside almost opposite the Queen's Head.
- 3.2** Fencing demarks the sites frontage and is in need of repair. The neighbouring property Southfields has a 1.8 metre high front boundary wall, with no landscaping softening its appearance.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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| 423350 | Retrospective planning for garage. | Approved 1990 |
| 427803 | Front boundary wall 1.8 metres high and vehicular access | Refused 1994 |
| 429261 | Front boundary wall 1.8 metres high and vehicular access | Refused 1995 |

- 4.1** Permission is sought for a new garage. The garage would be 7 metres wide and 7 metres deep with a pitch roof and overall height of 4.6 metres. The garage would be set back from the front of the site to allow for tree planting to take place, and would be set further back than the existing houses. A 1.8 metre high brick wall would replace the existing fence. The wall would be set behind the existing fence line to allow for hedging to be planted. The previous garage was demolished only a couple of months ago and on this basis officers consider it reasonable to treat the proposal as a replacement garage.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

| | Green Belt |
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| | ✓ |
| Local Plan | GB1, GB2, GB3, GB4 |

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact on the Green Belt.
- ii Highway Safety

Impact on the Green Belt.

- 6.2 Policy GB1 of the Local Plan sets out the different types of development that can be considered appropriate in the Green Belt. The construction of outbuildings does not feature in this list and therefore constitutes inappropriate development.
- 6.3 Policy GB2 then requires an assessment of whether there would be actual physical harm to the Green Belt and the character of the countryside. The previous garage/outbuilding had a footprint of approximately 80 m² and was sited right at the front of the site impacting on the street scene. The proposed replacement building has a footprint of 49 m², a significant reduction. Whilst the replacement building is taller, it is sited further back in line with the house which allows for some new tree planting to take place. For these reasons the replacement outbuilding would not cause any physical harm to the openness of the Green Belt or character of the countryside.
- 6.4 Given the reduction in built form on the site, it's less prominent siting and the landscaping improvements proposed it is considered that in this instance the case put forward by the applicant constitutes very special circumstances that clearly outweigh the limited harm caused by inappropriateness. It is not considered there would be any actual harm to the openness or purposes of the Green Belt.
- 6.5 A front boundary wall is also proposed and would be 1.8 metres high. The wall would be about 70 metres long. Fencing currently demarks the front boundary of the site. The fencing is in need of repair and has a tatty appearance, which has a detrimental impact on the character and appearance of the area.
- 6.6 Under policy GB1 the construction of a wall can be considered to constitute 'other operational development which maintains openness and does not conflict with the purposes of including land in the Green Belt.' Given the existing fence and the proposed hedging to the front and tree planting behind, the proposal maintains openness and does not conflict with the purposes of including land within it. On this basis the proposal constitutes appropriate development and would cause no actual harm to the openness of the Green Belt. The development therefore complies with both policies GB1 and GB2.

- 6.7 Planning permission has been refused twice for the construction of a boundary wall and this decision has been upheld at appeal. However neither of these proposals included landscaping nor tree planting to mitigate against its impact.

Highway Safety

- 6.8 The highway authority recommends that the hedging is removed on both sides of the access to the second pier so not to encroach into the visibility splays. This involves the removal of 6 metres of hedging either side. Given that the wall is over 70 metres long this small area of visible wall is not considered to be so detrimental as to warrant refusal of the scheme.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

2 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 2nd July 2009.

0 letters were received supporting the application.

0 letters were received objecting to the application.

Statutory consultees

| Consultee | Comment | Where in the report this is considered |
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| Bray Parish Council | Recommended for refusal on the grounds that it is against policy as a new garage in the Green Belt | 6.2, 6.3, 6.4. |

Other consultees and organisations

| Consultee | Comment | Where in the report this is considered |
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| Highways | No objection subject to removal of a small part of the proposed hedging. | 6.7 |

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site Plan
- Appendix C - Elevations

9. 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 The hedging and tree planting 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 GB1, GB2, DG1.
- 4 If within a period of five years from the date of planting of any tree or hedging shown on the approved landscaping plan, that tree or hedging, or any tree or hedge planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or hedge 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 GB1, GB2, DG1, N6.
- 5 Notwithstanding the details shown on the approved plans the existing visibility splays at the existing access shall be retained and the hawthorn hedge should not be within 12 metres of the centre line of the access. The visibility splay area should be kept free of all obstructions to visibility over a height of 0.6 metres above the carriageway level.
Reason: In the interests of road safety. Relevant Policies - Local Plan T5.

The case file can be viewed at the Council's Customer Service Centres or on the Council's website at <http://www.rbwm.gov.uk>