

## MAIDENHEAD DEVELOPMENT CONTROL PANEL

14 October 2009

Item: 7

<b>Application No.:</b>	09/01748/FULL
<b>Location:</b>	Wharf House Marlow Bridge Lane Marlow SL7 1RH
<b>Proposal:</b>	Construction of a replacement house
<b>Applicant:</b>	Mr And Mrs Jackson
<b>Agent:</b>	Mr D Proctor - RPS Planning And Development
<b>Parish/Ward:</b>	Bisham Parish

**If you have a question about this report, please contact:** Susan Sharman on 01628 685320 or at [susan.sharman@rbwm.gov.uk](mailto:susan.sharman@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The application seeks planning permission for a replacement house, located within the Green Belt, in Bisham Conservation Area and in an area with a high probability of flooding. The proposed house has a contemporary appearance and is 12.8 metres wide by 16.9 metres deep, with a flat roof at a height of 7.4 metres. The proposal is for a materially larger house than the existing and therefore it will have a greater impact on the openness of the Green Belt in which it is located. In addition, the house will have a detrimental effect on the amenities of the neighbouring property.

**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. | <b>The proposal, by reason of its siting, design, scale and massing will overshadow Bridge End Cottage and will have an overbearing and dominant appearance when viewed from it. The proposal will therefore harm the living conditions of the neighbours.</b> |
| 2. | <b>The proposal will result in a materially larger dwelling on site than the existing house, which as a result, will have a greater impact on the openness of the Green Belt and detract from the purposes of including the site within it.</b>                |

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Stretton. This application has some unique content, which would benefit from debate by the Panel. There is local interest in this.

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

- 3.1 The site is located on the south side of Marlow Bridge Road within a residential area, close to the River Thames. The site is L-shaped and is occupied by Wharf House, which is a two-storey dwelling with an attached single garage.
- 3.2 The site is open at the front. The existing house sits above the road level and is approximately 23 metres back from its edge. The house is 11.6 metres wide, 9 metres deep and has a pitched roof that reaches 9 metres, (the eaves height is 5.5 metres). Attached to the front is a single flat roofed garage.
- 3.3 The existing house is positioned 6.8 metres to the rear of its neighbour to the north-east, Bridge End Cottage, and 1.4 metres from its side boundary. Bridge End Cottage is approximately 1 metre below the application site, with its rear garden set even lower. After Bridge End Cottage, the nearest residential property is approximately 30 metres away.

3.4 The application site is 70 metres south of the River Thames and is within an area liable to flood. It is also within the Bisham Conservation Area and within the Green Belt.

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

6852/66	Detached bungalow and garage.	Refused 30.03.66 Appeal dismissed.
7480/67	Detached house and garage.	Approved 30.08.67
09/01074	Conservation Area Consent to demolish the existing house.	Approved 27.07.09.
09/01073	Replacement house.	Withdrawn 6.08.09.

4.1 The proposed replacement dwelling is a 4 bedroom, two-storey house with a contemporary appearance. The front and rear elevations are predominantly glazed with the rest of the building being largely white rendered. The house is 12.8 metres wide by 16.9 metres deep and has a flat roof at a height of 7.4 metres. A raised entrance deck is proposed to the front, together with a raised wooden deck on stilts to the rear. Two rear balconies are proposed at first floor. Parking space is provided to the front of the house.

#### 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	High risk of flooding	Conservation Area
	✓	✓	✓
Local Plan	GB1, GB2, GB3	F1	CA2

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

- Interpretation of Policy F1 – Areas liable to flooding

More information on this document can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

##### Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view using link at paragraph 5.3
- RBWM Strategic Flood Risk Assessment – view using link at paragraph 5.3
- Bisham Conservation Area appraisal – view at [http://www.rbwm.gov.uk/web/pp\\_conservation\\_consultation\\_appraisals.htm](http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm)

## **6. EXPLANATION OF RECOMMENDATION**

**6.1** The key issues for consideration are:

- i The impact of the replacement dwelling in the Green Belt.
- ii The impact of the proposal on the Conservation Area and the street scene.
- iii The impact of the proposal on the floodplain.
- iv The impact of the new house on the amenities of neighbouring properties.
- v Whether there is sufficient on site parking provision.

### **The impact of the replacement dwelling in the Green Belt**

**6.2** Policy GB3 of the Local Plan allows for one-for-one replacement dwellings provided they are not materially larger or result in a material alteration to the scale of development on site. Supporting text to the Policy, set out in paragraph 2.1.25, explains that whether a proposal is acceptable in relation to the definition of “not being materially larger” will differ according to the dwelling concerned, its setting and the effect upon the openness of the Green Belt. Floorspace will be a guiding factor in determining whether a proposal is materially larger. However, the main determinant will be an assessment of the relevant criteria in the relevant policies, including matters such as the scale and bulk of the proposals and other matters set out in Policy GB2.

**6.3** The proposed dwelling is nearly 8 metres deeper than the existing house and nearly two metres higher (when compared to the existing eaves height). The floorspace will increase by 44% over and above the existing. The proposal will materially alter the scale of development on site and the combined effect of the substantial increases in depth and height, will result in the overall bulk of the proposed dwelling being materially larger than the existing house.

**6.4** The applicant has suggested that, as the site is surrounded by other residential development, the openness of the Green Belt in this location is not compromised in the same way as new development in more open countryside locations and, for this reason, the proposal would not be inappropriate in this location. The application site is within a small settlement, bounded to the north, east and west by the River Thames and by open fields to the south. It is therefore set within a predominantly rural and open area, hence its inclusion in the Green Belt. The scale of the proposal will result in the over-development of a comparatively small residential site, and will affect the built up appearance of the overall residential area in which it is located. For this reason, the proposed dwelling will have a greater impact on the openness of the Green Belt and the purposes of including the site in it than the existing development on the site.

**6.5** For the reasons set out above, the proposal is contrary to Policies GB1 GB2 and GB3 of the Local Plan.

### **The impact of the proposal on the Conservation Area and the street scene**

**6.6** The application site is located within the Bisham Village Conservation Area. Within such areas development is required to either preserve or enhance the character or appearance of the area. The Conservation Officer has advised that the existing house itself does not make any significant positive contribution to the area in terms of architectural style, and its replacement with a high quality modernist style house would create a landmark that is unashamedly of its time. As such, whilst the proposal does not preserve the character or appearance, it would make a positive enhancement to the Conservation Area.

- 6.7** Marlow Bridge Lane is comprised of individually designed properties. The proposed dwelling is to be positioned 14 metres back from the edge of the road, behind the neighbouring property, Bridge End Cottage. There is tree screening at the front along the neighbouring boundary to the south-west. Although the replacement dwelling will be more imposing than the existing house, due to its forward projection and design, its set back from the road and screening from the sides, together with the varied character of residential development in the area, means that it will not harm the character of the area or the street scene.

### **The impact of the proposal on the floodplain**

- 6.8** The application site is located within a Zone 3a area with a high probability of fluvial flooding. The Environment Agency has advised that the proposed development is only acceptable if measures detailed in the Flood Risk Assessment, submitted with the application, are secured by way of planning conditions, specifically that the finished floor levels are set no lower than 29.058m above Ordnance Datum and that the rear patio is removed to offset the increase in footprint of the dwelling.

### **The impact of the new house on the amenities of neighbouring properties**

- 6.9** Wharf House, including its attached garage, is set behind, close to and above Bridge End Cottage. The current relationship between the two properties is therefore not ideal. However, the single storey garage to the front of Wharf House means that at present the immediate private amenity space to Bridge End Cottage is afforded some degree of openness.
- 6.10** The proposed replacement dwelling is to be sited 1.3 metres from the side boundary with Bridge End Cottage and at a higher level, similar to the current situation. However, the house will extend 15 metres at a height of 6.7 metres (plus the difference in site levels) from the rear wall of Bridge End Cottage, effectively closing the gap above the existing garage and losing the limited openness that Bridge End Cottage currently enjoys. Furthermore, the building is proposed to be white rendered and the only existing landscaping provided, which may soften the appearance of the development, is provided on the neighbour's land beyond the control of the planning authority. As a result, the proposal, by reason of its siting, design, scale and massing will overshadow Bridge End Cottage and will have an overbearing and dominant appearance when viewed from it. The proposal will therefore harm the living conditions of the neighbours. For this reason the proposal is contrary to Policy GB2 of the Local Plan and does not meet the objectives of Planning Policy Statements 1 and 3, which seek to achieve good design that contributes positively to making places better for people.
- 6.11** Due to the distances between The Garden House, located to the south-west, and the proposed house, together with consideration of the existing relationship with regard to windows and level the boundary screening, the proposal will not harm the living conditions of the neighbours at The Garden House.

### **Whether there is sufficient on site parking provision**

- 6.12** There is sufficient space to the front of the site to provide three parking spaces to meet the Council's parking requirements.

### **Other Material Considerations**

- 6.13** The proposed house is designed by Baufriz, a company known for constructing high quality, ecological timber houses. The applicant has suggested that substantial weight should be given to the green credentials of the proposed dwelling, in terms of mitigating any impact on the Green Belt and the neighbours. In the case of the Green Belt, if such an argument were accepted then the primary objective of keeping land open and the purposes of including land within it would be compromised. In terms of the impact on neighbours, no development is acceptable if it unduly

harms their living conditions. Whilst an eco-friendly house as proposed is welcomed, high standards of design, including energy efficiency and sustainability, are generally expected of all new housing. Overall, the green credentials of the new dwelling do not mitigate the impact it would have on the Green Belt and the neighbour's amenities.

- 6.14** It is noted that the neighbour's at Bridge End Cottage have not written to object to the proposed new dwelling and the applicant suggests this should be afforded some weight in the overall consideration. However, in its role as a planning authority, the Council is mindful that there may be instances, for example, where people are not able to make representations. Its role therefore, amongst others, is to consider the impact of any development where it adjoins residential properties, irrespective of whether the owners or occupiers of those properties make written representations to the Council.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

14 occupiers were notified directly of the application.

4 letters were received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	We have studied the revised position of the new Wharf House and have no objection to the plans.	6.13
2.	We support the proposed application and feel that the new construction will be a welcome addition to Marlow Bridge Lane. The proposed replacement dwelling would enhance the ambience of the lane significantly and represent a considerable improvement over the existing building which has little architectural merit.	6.6
3.	I am fully in support of this application. However, it is important that with the actual location due consideration is given to the effect the new building will have on the next door neighbours.	6.10

No letters were received objecting to this application.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Bisham Parish Council	Object to this proposal. The modern design, and particularly the flat roof, is detrimental to the street scene in Marlow Bridge Lane. There is also concern about the effect of the increased footprint on flooding.	6.6 & 6.8
Environment Agency	The proposed development will only be acceptable if the measures as detailed in the Flood Risk Assessment (FRA) are implemented and secured by way of a planning condition on any planning permission. The conditions should relate to mitigation measures detailed in the FRA, specifically that finished floor levels are set no lower than 29.058m (AOD) and that the rear patio is removed to offset the increase in footprint of the dwelling.	6.8

### Other consultees and organisations

None.

## **8. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan
- Appendix B – Proposed elevations

## **9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 The proposed replacement dwelling is materially larger than the existing dwelling on site and would therefore have a greater impact on the openness of the Green Belt and the purposes of including the land in it. Accordingly, the proposal is contrary to saved Policies GB2 and GB3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and represents inappropriate development contrary to saved Policy GB1 of the Local Plan. Inappropriate development is by definition harmful to the Green Belt and the applicant has failed to demonstrate that any very special circumstances exist that clearly outweigh the harm caused by inappropriateness and the harm identified in subsequent reasons for refusal.
- 2 The proposed dwelling, by reason of its siting, design, scale and massing, will overshadow the neighbouring property and will have an overbearing and dominant appearance when viewed from it. The proposal will therefore be detrimental to the living conditions of the neighbours and as such, is contrary to saved Policy GB2 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and Planning Policy Statements 1 (Delivering Sustainable Development) and 3 (Housing) which seek to achieve, amongst other objectives, good design that contributes positively to making places better for people.