

MAIDENHEAD DEVELOPMENT CONTROL PANEL

3 March 2010

Item: 6

Application No.:	10/00077/FULL
Location:	9 - 15 Norfolk Road Maidenhead
Proposal:	Construction of four 3 bedroom terraced houses with parking following demolition of existing buildings (Renewal of 05/00449).
Applicant:	Mr Lion
Agent:	Mr B Clayden - Brian Clayden And Associates
Parish/Ward:	Belmont Ward

If you have a question about this report, please contact: William Smith on 01628 796046 or at will.smith@rbwm.gov.uk

1. SUMMARY

- 1.1** This application relates to the combined site towards the eastern end of Norfolk Road currently occupied by two occupied commercial premises (a hairdresser's and a beauty therapist) with residential flats above each of them, and the proposal is to renew a permission for the redevelopment of the site, as granted in mid-April 2005, to provide 4 new 3-bedroom dwellings with parking provision to the rear accessed through an archway below part of one of the houses.
- 1.2** There has been no change to the scheme that was proposed and permitted in 2005, nor have the circumstances of the development changed in any substantially material way since then with the exception that there has been a recent grant of permission for the redevelopment of Kidwells Close adjoining the site to the south. At the time of consideration of the 2005 application in addition, the shop units on the site were vacant with seemingly little hope of their being let, even at advantageous rents.
- 1.3** There remains a requirement to secure a range of contributions to Public Open Space and other community infrastructure in the locality to offset pressure on these facilities arising from the development, and this is set out in fuller detail in Section 7 of the report.
- 1.4** Subject to these contributions being secured, it is considered that redevelopment of this accessible site for 4 new residential units remains worthy of support and the recommendation is framed accordingly.

It is recommended the Panel authorises the Head of Planning & Development:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the infrastructure in Section 7 of this report and with the conditions listed in Section 10 of this report.
2.	To refuse planning permission if an undertaking to secure the infrastructure in Section 7 of this report has not been satisfactorily completed by 15th March 2010 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning & Development 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 currently occupied by an extended Victorian property with two active premises (A1 use) on the ground floor and two 2 bedroom flats on the first floor. To the rear (accessed under an archway to the front) is existing parking with rundown outbuildings and a garage.
- 3.2 The site is adjoined to the rear by the garages of Kidwells Close, a development of three blocks of 3/4 storey flats. To the west, the site is adjoined by a pair of semi-detached dwellings constructed during the 1950's (on land previously belonging to numbers 9-15), and the west facing flank elevation of 15 currently forms the boundary wall to No.17.
- 3.3 The immediate locality to the west along Norfolk Road, and to the north along Cookham Road, is predominantly residential in character including a terrace of 3-storey town houses on the opposite side of the road. Aside from the commercial premises within the site, there is a restaurant (former pub) on the corner of Cookham Road and two churches within close proximity along Norfolk Road (St. Luke's) and Cookham Road (St. Joseph's).

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Most recent only:

03/40287	4No. 3-bed dwellings	R. 04.05.2004
05/00449	4No. 3-bed dwellings	A. 18.04.2005

- 4.1 The proposal is once again to demolish numbers 9-15 Norfolk Road, and erect a row of four 3-bedroom, three storey terraced properties, with lofted accommodation in the roofspace and dormer windows in the front and rear roofs. The new dwellings would be sited more or less on the footprint of the existing buildings, with an access retained through an archway to the rear.
- 4.2 Six car-parking spaces would be located to the rear, enclosed by fencing and an additional run of wall on the southern boundary (where currently there is a 1.8m fence).
- 4.3 Each new dwelling will have a small front garden bounded by low walls with railing panels, and rear gardens of a modest size (maximum depth 5 metres), with each having gated access from and to the parking area beyond them.
- 4.4 The existing Royal Mail post-box forward of No.9 would be retained within a section of new boundary wall.

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:

	Within settlement area
	✓
Local Plan	DG1, H10, H11, S8, T5, P4, R3, IMP1

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

- Planning Obligations and Developer Contributions

- Interpretation of Policies R2 to R6 – Public Open Space provision

More information on these documents can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view using link at paragraph 5.3

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration, as before, are:

1. Impact on the character and appearance of the area;
2. Impact on residential amenity of adjoining properties;
3. Adequacy of living environment for new occupiers;
4. Loss of retail premises, and
5. Adequacy of access and parking provision.

Impact on the character and appearance of the area

6.2 Against a range of measures assessed previously – building design, height and external finish; siting and separation, and density of development – the proposal was considered to be acceptable, and there was nothing to put against the principle of residential redevelopment of this site in an established residential area within easy reach of the Town Centre.

6.3 There would be little perceptible impact on the character and appearance of the wider locality arising out of the proposed development of this site for 4 new dwellings.

Impact on the residential amenity of adjoining occupiers

6.4 Again, the previous application report sought to address factors such as loss of light and overlooking of adjacent residential properties to the E and W of the application site, and the scheme was adjudged favourably. Nor was it considered that the potential for some increased overlooking of the rear gardens of these properties would be harmful, and given the presence of the flatted development, as existing and proposed, on Kidwells Close. It would be difficult to sustain an argument that there would be detrimental overlooking of residential properties on the opposite side of Norfolk Road, and where separation distances of between 17 and 18 metres will not change.

6.5 Concerns arising about such things as property security and constrained access during any demolition and reconstruction works are not matters that can sustain a refusal of permission.

The living environment for new occupiers

6.6 In this respect, the 2005 proposal was found to be acceptable even though it was acknowledged that amenity space provision might be considered less than ideal for 3-bedroom properties.

6.7 The site does benefit clearly from close proximity to Kidwells Park, and the facilities that it offers for informal and formal play, as well as the Leisure Centre and Pool within easy reach on the opposite side of Cookham Road.

6.8 The now-permitted scheme for the comprehensive redevelopment of Kidwells Close to the S of the site has also to be considered as part of the future setting for new housing on the application site. The report on that application referred to a minimum separation distance of 22 metres from

one of the 3-storey blocks (Block G) and one of the nearest adjacent properties -17 Norfolk Road – but concluded on this issue, addressed as ‘Effects on Neighbours’, in positive terms. Key factors for the measure of impact to the N of the site were the lower height of buildings in this part of the development, notwithstanding their greater presence on the skyline than existing buildings along the Close, and the satisfactory separation distances to properties on Norfolk Road.

Loss of retail premises

- 6.9** At the time of the previous application, both of the ground floor commercial premises on the site were vacant, and the past history of the site does reveal some interest for other uses such as a betting shop, which was refused permission twice in the early ‘60’s. The report in 2005 detailed what efforts had been made over an extended period to secure lets for these premises, including low, or no rental levels and other inducements such as payment of legal fees.
- 6.10** Both premises are currently occupied, with the benefit of short-term leases, but the Design and Access Statement with the application does note that it remains difficult to let them on a more permanent basis due to their size, outdated facilities and location. Rental levels are also said to be insufficient to provide for long-term maintenance of the properties.
- 6.11** On this basis, it is not considered that there would now be a stronger case to resist loss of the ground floor commercial premises on the site.

Access and parking provision

- 6.12** There was no objection to this proposal in 2005 on the part of the Highway Authority, and that remains the case currently. Parking provision amounting to an average of 1.5 spaces per dwelling in what is a highly sustainable location complies with the requirements of the Parking Strategy. In Areas of Good Accessibility, the standard is one space for a 3-bed dwelling.
- 6.13** There was a requirement previously for construction of a suitable access for the site, and this will be carried forward as a control over the current proposal.

Other Material Considerations

- 6.14** Since the previous application, and with relatively recent effect, the Borough has adopted its Sustainable Design and Construction SPD, and any future development of the site in Norfolk Road for housing will be required to comply with the provisions of the SPD.
- 6.15** Conditions are proposed which would give effect to this.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1** This development would place additional pressure on local services and infrastructure. The Council requires local services and infrastructure to be improved alongside development and to be funded by the developer in accordance with its Supplementary Planning Documents setting out the relevant costs (see paragraph 5.3). In this case these improvements can be secured through an undertaking under S106 of the 1990 Planning Act completed before planning permission is granted. Details of the funding and projects are shown below.

Allotments	Towards allotment provision in the Maidenhead area.	£120.00
Archives	For extension of the Berkshire Record Office to provide increased and improved storage of historical records relating to the Borough.	£44.50
Biodiversity	Towards local biodiversity initiatives.	£28.00
Community Facilities	Towards provision of facilities at 4 Marlow Road.	£1116.00

Education	Towards prioritised expansion or other projects at designated or other local Schools including the 'East Maidenhead Primary Schools'.	£21,185.26
Indoor Sport	Improvement at Magnet Leisure Centre pool and hall.	£2862.00
Libraries	Towards any one of a number of projects at Maidenhead Central Library including extensions to provide additional capacity for public and staff; additional book and other stock; additional ICT for an extended library service.	£1140.00
Public Art and Heritage	Towards facilities at Maidenhead Heritage Centre; improvements to Norden Farm Arts Centre studios; or for York Stream environmental enhancement.	£2642.00
Public Open Space	Tba.	£10896.30
Public transport and Highways	Towards traffic related improvements in the LTP at Cookham Road/Norfolk Road; Gringer Hill/Belmont Road; St.Cloud Way/Cookham Road.	£9400.00
Refuse and recycling	Provision of refuse bins and recycling boxes.	£170.00
Total		£49,604.06

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

18 occupiers were notified directly of the application.

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

Comment		Where in the report this is considered
1.	Inadequate parking provision for the dwellings proposed, and where there are known parking problems in the locality.	6.12
2.	Loss of trading commercial premises.	6.9 – 6.11
3.	Property security (following demolition of boundary walls), and with Kidwells Close development also.	6.5
4.	Vehicle safety during demolition and construction activity, and constrained access to private driveway.	6.5
5.	Loss of light (to S-facing property) and overlooking in Norfolk Road.	6.4

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	Not notified – no objection made to the application in 2005.	6.10 – 6.11

9. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan
- Ground Floor Plan 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 (as amended).
- 2 No development shall take place until samples 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 ^IN;
- 3 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 4 No development shall take place until full details of both hard and soft landscape works, 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 in accordance with the approved details. 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 or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
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.
- 5 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme first agreed in writing by the Local Planning Authority, and retained in accordance with the approved details.
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1.
- 6 No development shall commence until details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
- 7 No other part of the development shall commence until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 8 No part of the development shall be occupied until vehicle parking space has been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which would be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
- 9 No development shall take place until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. The development shall be carried out and subsequently retained and

maintained in accordance with the approved details.

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

10 The hard surface ^IN; shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

11 No dwelling shall be occupied until details of the location of a water butt of at least 120L internal capacity to be installed to intercept rainwater draining from the roof of each dwelling has been submitted to and approved in writing by the Local Planning Authority and subsequently provided at each dwelling. The approved facilities shall be retained.

Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and to comply with Requirement 4 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

12 No dwelling shall be occupied until details of the location and size of external composting facilities for each dwelling have been submitted to and approved in writing by the Local Planning Authority and subsequently provided in full. The approved facilities shall be retained.

Reason: To minimise waste generated by the development, to increase the level of sustainability of the development and to comply with Requirement 7 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

Informative(s)

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 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

4 This permission should be read in conjunction with the legal agreement entered into by the applicant with the Local Planning Authority and dated ^IN;, concerning ^IN;.