

NOTICE
OF
MEETING

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**WINDSOR URBAN DEVELOPMENT
MANAGEMENT PANEL**

will meet on

WEDNESDAY, 16TH AUGUST, 2017

At 7.00 pm

in the

COUNCIL CHAMBER - GUILDHALL, WINDSOR

TO: MEMBERS OF THE WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS MALCOLM ALEXANDER (CHAIRMAN), PHILLIP BICKNELL (VICE-CHAIRMAN), MICHAEL AIREY, JOHN BOWDEN, WISDOM DA COSTA, JESSE GREY, EILEEN QUICK, SAMANTHA RAYNER AND SHAMSUL SHELIM

SUBSTITUTE MEMBERS

COUNCILLORS NATASHA AIREY, CHRISTINE BATESON, MALCOLM BEER, HASHIM BHATTI, LYNNE JONES, GARY MUIR, NICOLA PRYER, JACK RANKIN, WESLEY RICHARDS, SIMON WERNER AND EDWARD WILSON

Karen Shepherd - Democratic Services Manager - Issued: August 8th 2017

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator

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AGENDA

PART I

| <u>ITEM</u> | <u>SUBJECT</u> | <u>PAGE NO</u> |
|--------------------|---|---------------------------|
| 1. | <u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence. | |
| 2. | <u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest. | 5 - 6 |
| 3. | <u>MINUTES</u> To confirm the minutes of the previous meeting. | 7 - 10 |
| 4. | <u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning & Property/Development Control Manager's report on planning applications received. Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. http://www.rbwm.gov.uk/pam/search.jsp or from Democratic Services on 01628 796251 or democratic.services@rbwm.gov.uk | 11 - 92 |
| 5. | <u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring reports. | 93 - 94 |

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MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' means a discussion by the members of meeting. In order to avoid any accusations of taking part in the discussion or vote, Members should move to the public area or leave the room once they have made any representations. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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Agenda Item 3

WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 19 JULY 2017

PRESENT: Councillors Malcolm Alexander (Chairman), Phillip Bicknell (Vice-Chairman), Michael Airey, Malcolm Beer, John Bowden, Jesse Grey, Eileen Quick, Samantha Rayner and Shamsul Shelim

Also in attendance: Councillors Nicola Pryer and Derek Wilson

Officers: Wendy Binmore, Mary Kilner, Jenifer Jackson and Claire Pugh

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Wisdom Da Costa.

DECLARATIONS OF INTEREST

Cllr Bicknell – Declared a personal interest in item 17/00425 as he knows the applicant but, he attended Panel with an open mind.

Cllr Bowden – Declared a personal interest on item 17/00769 as he is the Chairman of the Windsor, Eton and Ascot Town Partnership Board and is also a member of the Windsor Town Forum. He confirmed he attended Panel with an open mind.

Cllr Grey – Declared a personal interest in item 17/00425 as he personally knows the applicants son as a member of Datchet Parish Council. He confirmed he attended Panel with an open mind.

Cllr S. Rayner – Declared personal interests in item 17/00045 as she knows Mr Swann, one of the speakers on the item and also as the Chairman of the Windsor Conservative Association as Mr Swann stood as a candidate at the General Election 2017; and also item 17/0769 as Cllr Rayner is the Lead Member for Culture and Communities (including Resident and Business Services), Cllr Rayner confirmed she attended Panel with an open mind.

Cllr Shelim – Declared a personal interest in item 17/0769 as he is a member of Windsor 2030. He confirmed he would not take part in the vote on the item.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 21 June 2017 be approved.

PLANNING APPLICATIONS (DECISION)

PLANNING APPLICATIONS (DECISION)

- 17/00045* Haulfryn Group: Upgrade and renewal of existing services to the Moorings, replacement of existing electric hook-up and water points, mooring bollards, upgrading of black and grey water drainage system with bespoke drainage system and replacement of sheds at The Moorings Willows, Riverside Park, Windsor SL4 5TG – **THE PANEL VOTED UNANIMOUSLY to REFUSE the application against the Head of Planning's recommendations as a case of Very Special**

Circumstances does not exist which outweighs the harm caused to the Green Belt .

(The Panel was addressed by Mr Richard Endacott, Lars Swann and Councillor Nicola Pryer in objection and Rachel Whaley, the agent on behalf of the applicant).

- 17/00425* Mr Loveridge: Erection of two new commercial units (Use class B2 – general industrial) within the existing commercial site at Land to Rear of 250 to 284 Horton Road, Datchet, Slough – **THE PANEL VOTED to APPROVE the application against the Head of Planning’s recommendations as The Panel considered that the Sequential Test has been passed, parking matters had been addressed. The Panel delegated authority to the Head of Planning to produce planning conditions to cover:**
- the Panel considered notwithstanding the site being in flood zone 3b, the buildings would be flood resilient and there would be no reduction in floodplain storage
 - A parking layout for all of the application site to be submitted to and approved by the LPA
 - A hard and soft landscaping scheme to be submitted and approved by LPA
 - The units shall be for B2 use only
 - No external storage shall be permitted
 - Before development commences, details of the measures of how the buildings will be made flood resilient shall be submitted to and approved by the LPA and maintained in accordance with these details.
 - Any appropriate conditions for noise levels or as Environmental Protection advise on conditions.

Five Councillors voted in favour of the motion to approve the application against officers recommendation (Cllrs Bicknell, Bowden, Grey, Rayner and Shelim), Three Councillors voted against the motion (Cllrs M. Airey, Alexander and Beer) and One Councillor abstained from the vote (Cllr Quick).

(The First vote for refusal as per the Head of Planning’s recommendations fell away (Three Councillors voted in favour of the motion to refuse – Cllrs M. Airey, Alexander, and Beer. Six Councillors voted against the motion – Cllrs Bicknell, Bowden, Grey, Quick, S. Rayner and Shelim).

(The Panel was addressed by Mr Loveridge the applicant).

- 17/0769* Royal Borough of Windsor and Maidenhead: Consent to display one internally-illuminated double sided monolith at Advertising Right Jubilee Arch, Windsor – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application against the Head of Planning’s recommendations as the Panel considered the advertisement would have a neutral impact and that it preserves the character and appearance of the Conservation Area. The Panel authorised the Head of Planning to look into a planning condition (if**

possible), to control the illumination of the advertisement, so that the illumination is appropriate in this setting and also for Head of Planning to look into the possibility of a condition to control hours of illumination.

(The Panel was address by Kevin Mist and Julia White in support of the application).

17/01346* Mr Harrison: 2 x rear dormers and 4 No. front roof lights to facilitate a loft conversion, alterations to front elevation (external materials) to include replacement metal balustrade panel with glass at 40 St Leonards Avenue, Windsor, SL4 1HX – **THE PANEL VOTED to REFUSE the application in accordance with the Head of Planning’s recommendations and refused planning permission for the following summarised reason (the full reasons are identified in Section 10 of the Main Report).**

- He proposed roof extension is of a scale which is considered incompatible with the host dwelling, appearing as a bulky roof extension rather than a subordinate dormer window. The proposal emphasises the narrowness and overly vertical form of the building and is harmful to the host dwelling and neighbouring properties. The design of the roof extension is poor and fails to relate to the host dwelling. Less than substantial harm would be caused to the Conservation Area, but no public benefit would result from the proposal.

Five Councillors voted in favour of the motion to refuse (Cllrs M. Airey, Alexander, Bowden, Beer and Quick), three Councillors voted against the motion (Cllrs Bicknell, Grey and Shelim) and one Councillor abstained from the vote (Cllr S. Rayner).

(The Panel was addressed by Matt Harrison, the applicant).

ESSENTIAL MONITORING REPORTS (MONITORING)

All details of the essential monitoring reports were noted.

The meeting, which began at 7.00 pm, finished at 9.09 pm

CHAIRMAN.....

DATE.....

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

16th August 2017

INDEX

APP = Approval
 CLU = Certificate of Lawful Use
 DD = Defer and Delegate
 DLA = Defer Legal Agreement
 PERM = Permit
 PNR = Prior Approval Not Required
 REF = Refusal
 WA = Would Have Approved
 WR = Would Have Refused

| | | | | | | | |
|-------------------|---|------------------------|----------------|-----------------------|---------------------|-----------------|----|
| Item No. | 1 | Application No. | 17/00768/ADV | Recommendation | REF | Page No. | 13 |
| Location: | Advertising Right Farm Yard Windsor | | | | | | |
| Proposal: | Consent to display one internally-illuminated double-sided monolith | | | | | | |
| Applicant: | The Royal Borough of Windsor And Maidenhead | Member Call-in: | Not applicable | | Expiry Date: | 26 May 2017 | |

| | | | | | | | |
|-------------------|---|------------------------|----------------|-----------------------|---------------------|-----------------|----|
| Item No. | 2 | Application No. | 17/00770/ADV | Recommendation | PERM | Page No. | 21 |
| Location: | RBWM Alexandra Gardens Coach Park Alma Road Windsor | | | | | | |
| Proposal: | Consent to display one internally-illuminated double-sided monolith | | | | | | |
| Applicant: | The Royal Borough of Windsor And Maidenhead | Member Call-in: | Not applicable | | Expiry Date: | 26 May 2017 | |

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|-------------------|---|------------------------|---------------|-----------------------|---------------------|-----------------|----|
| Item No. | 3 | Application No. | 17/00895/FULL | Recommendation | PERM | Page No. | 27 |
| Location: | Alexandra Gardens Barry Avenue Windsor SL4 5JA | | | | | | |
| Proposal: | Construction of ice rink and attractions from 30th October to January 21st 2018 | | | | | | |
| Applicant: | Mr Coleman | Member Call-in: | | | Expiry Date: | 18 July 2017 | |

| | | | | | | | |
|------------------|--|------------------------|---------------|-----------------------|-----|-----------------|----|
| Item No. | 4 | Application No. | 17/00912/FULL | Recommendation | REF | Page No. | 41 |
| Location: | Land Between 3 And 4 And 5 Clewer Fields Windsor | | | | | | |

Proposal: Construction of a pair of 1 No. bedroom semi detached houses.

Applicant: Mr Ball **Member Call-in:** Cllr Rankin **Expiry Date:** 27 June 2017

Item No. 5 **Application No.** 17/01376/FULL **Recommendation** PERM **Page No.** 55

Location: 9 Park Street Windsor SL4 1LU

Proposal: Construction of a garden pavilion

Applicant: Mr And Mrs Bussey **Member Call-in:** Not applicable **Expiry Date:** 21 August 2017

Item No. 6 **Application No.** 17/00857/LBC **Recommendation** PERM **Page No.** 65

Location: Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS

Proposal: Removal of obsolete rooftop smoke vent and replacement with modern automatic opening vents integrated with the existing modern smoke detection.

Applicant: Mr Searle **Member Call-in:** Cllr Rankin **Expiry Date:** 19 August 2017

Item No. 6 **Application No.** 17/01820/FULL **Recommendation** PERM **Page No.** 65

Location: Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS

Proposal: Removal of obsolete rooftop smoke vent and replacement with modern automatic opening vents integrated with the existing modern smoke detection.

Applicant: Mr Searle **Member Call-in:** Not applicable **Expiry Date:** 31 July 2017

Item No. 7 **Application No.** 17/01867/FULL **Recommendation** REF **Page No.** 73

Location: 77 Arthur Road Windsor SL4 1RT

Proposal: Proposed second floor rear extension, raising of existing roof with loft conversion and new velux window to front of dwelling.

Applicant: Mr & Mrs Shields **Member Call-in:** Cllr Rankin **Expiry Date:** 10 August 2017

Item No. 8 **Application No.** 17/01943/FULL **Recommendation** REF **Page No.** 85

Location: 75 Arthur Road Windsor SL4 1RT

Proposal: Raising of main ridge and construction of L-shape rear dormer

Applicant: Mr Briffa **Member Call-in:** Cllr Rankin **Expiry Date:** 21 August 2017

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

PLANNING COMMITTEE

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 1

| | |
|--|---|
| Application No.: | 17/00768/ADV |
| Location: | Advertising Right Farm Yard Windsor |
| Proposal: | Consent to display one internally-illuminated double-sided monolith |
| Applicant: | The Royal Borough of Windsor And Maidenhead |
| Agent: | Not Applicable |
| Parish/Ward: | Windsor Unparished/Eton With Windsor Castle Ward |
| If you have a question about this report, please contact: Greg Lester on 01628 682955 or at greg.lester@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The proposal seeks advertisement consent to erect a freestanding monolith internally illuminated sign, consisting of an LCD screen. As the proposal is for advertisement consent, only impacts relating to public safety and amenity can be considered.
- 1.2 The sign is located in the Windsor Centre Conservation Area and Zone 2 of The Windsor Town Centre Shopfront and Advertisement Guidance. Additionally, the proposed location is in close proximity to two Grade II Listed buildings.
- 1.3 Advertisements seek to attract the public's attention and in this location, adjacent to a well used pedestrian desire line leading to Windsor and Eton Riverside Station and its proximity to the Farm Yard/Datchet Road junction, it is considered that the proposal could have an adverse impact on public safety.
- 1.4 The proposed advertisement due to its overall size, materials and method of illumination would result in the introduction of an incongruous element within the Conservation Area unnecessarily adding to the street clutter in this sensitive location. This is contrary to policies ADV1 and ADV2 of the Local Plan and would be inappropriate in the Zone 2 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area.' Consistency in decision making is a well established principle in planning and given the recent approval of an identical sign in a more sensitive location, within the same Conservation Area, it is considered this is a material consideration which indicates the application should not be determined in accordance with the development plan in respect of this issue.

It is recommended the Panel refuses advertisement consent for the reason listed in Section 9 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 proposal is sited on the north side of the Windsor Town Centre Conservation Area, and located to the west side of Farm Yard, opposite Windsor and Eton Riverside Station.

3.2 The site of the proposed sign is located in an area that is currently occupied by a variety of objects within the footway. These include items such as a street sign, a large tiered planter and a car park ticket machine. The sign is located on the opposite side of the road to the Windsor and Eton Riverside Railway Station, a Grade II Listed Building, and to the south east (on the opposite side of Datchet Road) lies the Royal Oak public house, also a Grade II listed Building.

3.3 The proposed sign, from the submitted details, is shown to be located immediately adjacent to the existing tiered planter. This will put the sign in close proximity to a tactile dropped kerb used by pedestrians crossing Farm Yard.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposed sign would be a freestanding double sided monolith sign with internal illumination consisting of a 55" LCD screen on one side and a fixed static non-illuminated display board on the other. The proposed monolith sign measures 2.51 metres in height, 1.09 metres in width and 0.18 metres in depth and would be manufactured from extruded aluminium and finished in black/brown powder coated paint finish. The proposed adverts would be displayed on an internally illuminated LCD panel within the monolith measuring 1209mm x 680mm.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:-

- ☐ Section 12 – Conserving and enhancing the historic environment
- ☐ Paragraph 67- Advertisements

National Planning Policy Guidance

- ☐ Advertisements – view at:
<https://www.gov.uk/guidance/advertisements>

Royal Borough Local Plan

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

| Conservation Area | Advertisement |
|-------------------|---------------|
| CA2, LB2 | ADV1, ADV2 |

Supplementary planning documents

Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:

https://www3.rbwm.gov.uk/downloads/download/501/placemaking_and_design

- ☐ RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area – view at:
https://www3.rbwm.gov.uk/downloads/file/742/shopfronts_and_advertisements_in_windsor_town_centre_conservation_area
- ☐ RBWM Windsor Town Centre Conservation Area Appraisal (parts 1-6) – view at:
https://www3.rbwm.gov.uk/downloads/download/216/conservation_areas

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

6. EXPLANATION OF RECOMMENDATION

6.1 Advertisements may only be controlled with regard to two material considerations:

- ☐ Public safety – matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians, or distraction of drivers or confusion with traffic signs; and
- ☐ Amenity – The effect of advertisement(s) on the appearance of buildings or the immediate vicinity of where they are displayed

Impact on Public Safety

- 6.2 The proposed sign would be located on an area of pavement that is already occupied by 2 street lamps, 1 road sign, a parking ticket dispenser, a large tiered planter, a litter bin and a telecoms cabinet. The advertisement would be located immediately adjacent to a tactile paved dropped kerb connecting to Windsor and Eton Riverside Station, a strong pedestrian desire line.
- 6.3 The Planning Practice Guidance states *“all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards.”*
- 6.4 It is considered that the proposed siting of the double sided monolith sign and its purpose i.e. to attract attention would give rise to conditions that would be prejudicial to conditions of pedestrian and vehicular safety. Adjacent to a pedestrian dropped kerb serving the “desire line” to the station the sign would have the potential to attract passers by resulting in people congregating around the sign thereby causing an unnecessary obstruction to pedestrians attempting to cross the road. There is also the possibility of drivers being distracted. In light of these issues it is considered that

the proposal would have an adverse impact on public safety contrary to Policy ADV1 and national planning policy.

Impact on Amenity

6.5 Policy ADV1 states that *'proposals for the display of new, or the retention of existing advertisements will be considered on their individual merits, but in general the Borough Council will not permit the display of signs which would be out of keeping with the style or character of a building or its surroundings'*.

6.6 Policy ADV2 sets out criteria for the design of advertisements within Conservation Areas these criteria state that:

- ☐ *Signs shall be either painted or individually lettered in a suitable material of an appropriate size and design in relation to the building upon which they are to be displayed.*
- ☐ *Signs shall preferably be non-illuminated. Where illumination is necessary it should be discreet and full details of the method or illumination and a measurement of the maximum sign face luminance should be submitted.*

6.7 The site is located within the Windsor Town Centre Conservation Area, and is located within an area defined as Zone 2 by the Shopfronts and Advertisements in Windsor Town Centre Conservation Area. This states that within Zone 2, where a proposal falls outside the defined street areas, which is the case with the proposal, hanging and projecting signs *may* be illuminated either with strip lights or spots assessed on the merits of their design. Whilst the proposal is not a hanging or projecting sign, it is reasonable to apply the same principles to the acceptability of freestanding signs in the same area.

6.8 The proposed advertisement due to its overall size, materials and method of illumination would result in the introduction of an incongruous element within the Conservation Area unnecessarily adding to the street clutter in this sensitive location. This is contrary to policies ADV1 and ADV2 of the Local Plan and would be inappropriate in the Zone 2 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area.' The proposal would cause less than substantial harm and it is not considered the public benefit would outweigh this harm.

6.9 Notwithstanding the above, a proposal for a similar sign (application 17/00769/ADV) to be located in a more sensitive position closer to Windsor Castle and within the environs of a Grade II Listed building was recently permitted and is a material consideration in the determination of the current application. The proposal was approved on the basis that it would have a neutral impact on the character of the Conservation Area, ensuring it would be preserved.

6.10 Therefore, in light of the above recent decision, which weighs in favour of this application, it is considered that, on balance, the proposal would have a neutral impact on the character and appearance of the Conservation Area, preserving its designation.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

1 occupier was notified directly of the application.

The planning officer posted a notice advertising the application at the site on 26 April 2017.

In addition the proposal was publicised in the Maidenhead and Windsor Advertiser on 30 March 2017.

No letters of representation were received.

Statutory Consultees

| Consultee | Comment | Where in the report this is considered |
|----------------------------|---|--|
| RBWM Conservation Officer: | Objection. The monolith would fail to comply with policy ADV2 of the Councils Local Plan and would be inappropriate in the Zone 2 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area' | Please see paragraphs 6.5 - 6.10 |

8. APPENDICES TO THIS REPORT

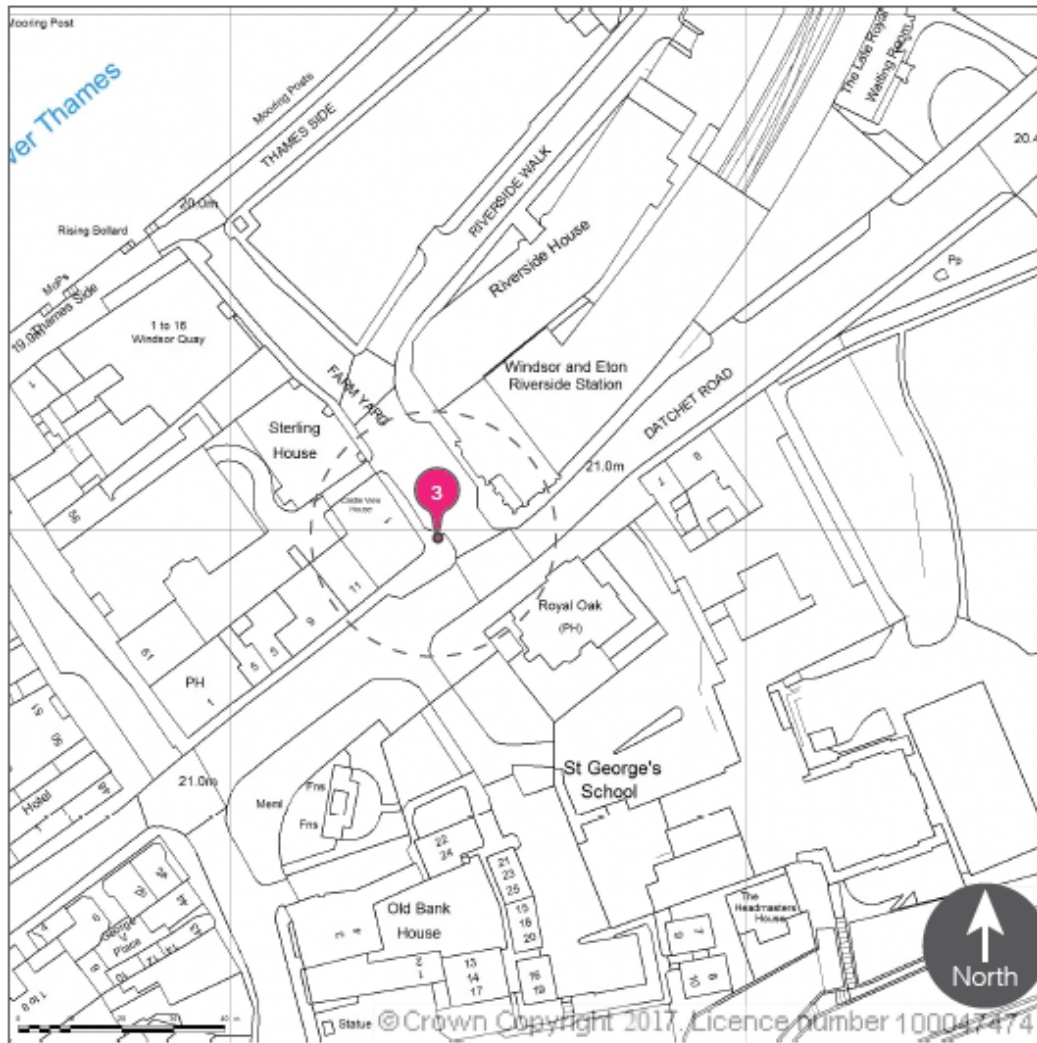
- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

9. If the Panel agrees the recommendation, the application is refused for the following reason:

- 1 The proposed siting of the double sided monolith sign would give rise to conditions that would be prejudicial to conditions of pedestrian and vehicular safety. Adjacent to a pedestrian dropped kerb serving the "desire line" to the station the sign would have the potential to attract passers by resulting in people congregating around the sign thereby causing an unnecessary obstruction to pedestrians attempting to cross the road. There is also the possibility of drivers being distracted. In light of these issues it is considered that the proposal would have an adverse impact on public safety contrary to Policy ADV1 and national planning policy.

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Site Location



Sign elevation



WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 2

| | |
|---|---|
| Application No.: | 17/00770/ADV |
| Location: | RBWM Alexandra Gardens Coach Park Alma Road Windsor |
| Proposal: | Consent to display one internally-illuminated double-sided monolith |
| Applicant: | The Royal Borough of Windsor And Maidenhead |
| Agent: | Not Applicable |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Greg Lester on 01628 682955 or at greg.lester@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The proposal seeks advertisement consent to add a digital advertising screen to an existing wayfinding monolith sign within the pedestrian area at Windsor Coach Park, close to The Garden Café and drop off area. The applicant has indicated that the front panel would be unilluminated with a static shop directory map and the rear panel would house a 55" portrait digital high brightness LED screen.
- 1.2 As the proposal is for advertisement consent, only impacts relating to public safety and amenity can be taken into account. It is considered that the proposed sign would not have a detrimental impact on either public safety or amenity.

It is recommended the Panel grants advertisement consent 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 proposal is sited on the edge of the Windsor Town Centre Conservation Area, and located on the east side of the Coach Park accessed from Alma Road at the entry point to a small parade of commercial units and the access to the footbridge leading to Windsor and Eton Central rail station.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The existing monolith sign measures 2.51 metres in height, 1.09 metres in width and 0.18 metres in depth. It is constructed from extruded aluminium and finished in black/brown powder coated paint finish. The proposed adverts would be displayed on an internally illuminated LCD panel within the monolith measuring 1209mm x 680mm.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections;-

- ☐ Paragraph 67- Advertisements

National Planning Policy Guidance

- ☐ Advertisements – view at:
<https://www.gov.uk/guidance/advertisements>

Royal Borough Local Plan

- 5.2 The relevant planning policy is:

| |
|---------------|
| Advertisement |
| ADV1 |

The policy can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Emerging Borough Local Plan

The NPPF sets out those decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

6. EXPLANATION OF RECOMMENDATION

- 6.1 Advertisement consent applications are may only be controlled with regard to two material considerations:

- ☐ Public safety – matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians, or distraction of drivers or confusion with traffic signs; and
- ☐ Amenity – The effect of advertisement(s) on the appearance of buildings or the immediate vicinity of where they are displayed.

Public Safety

- 6.2 The existing structure on which the advert would be installed is sited in a pedestrianised area, in a visible location. Officers are unaware of any related safety issues arising from the location of the existing wayfinder monolith sign. It is considered that the addition of an unilluminated static shop directory map on the front panel and a 55” portrait digital high brightness LED screen on the rear panel would have no adverse impact upon public safety.

Amenity

- 6.3 Policy ADV1 states that proposals for the display of new, or the retention of existing advertisements will be considered on their individual merits, but in general the display of signs which would be out of keeping with the style or character of a building or its surroundings will not be permitted.
- 6.4 The existing wayfinder sign would remain in its current position, and would be modified to incorporate the LCD screen, providing internal illumination. The area is located immediately adjacent to an existing coach park and in close proximity to the railway line and a small parade of shops, leading to a footbridge over the rail line. The site is not located within a Conservation Area, and is not within the vicinity of any listed buildings. Whilst no internally illuminated signs are present in the immediate vicinity, given the urban context of the site the proposal would not result in harm to amenity and is considered acceptable.
- 6.5 The advertisement is considered to be in compliance with Local Plan Policy ADV1 and national planning policy guidance.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

3 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 26 April 2017.

No letters of representation were received.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF CONSENT IS GRANTED:

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway,

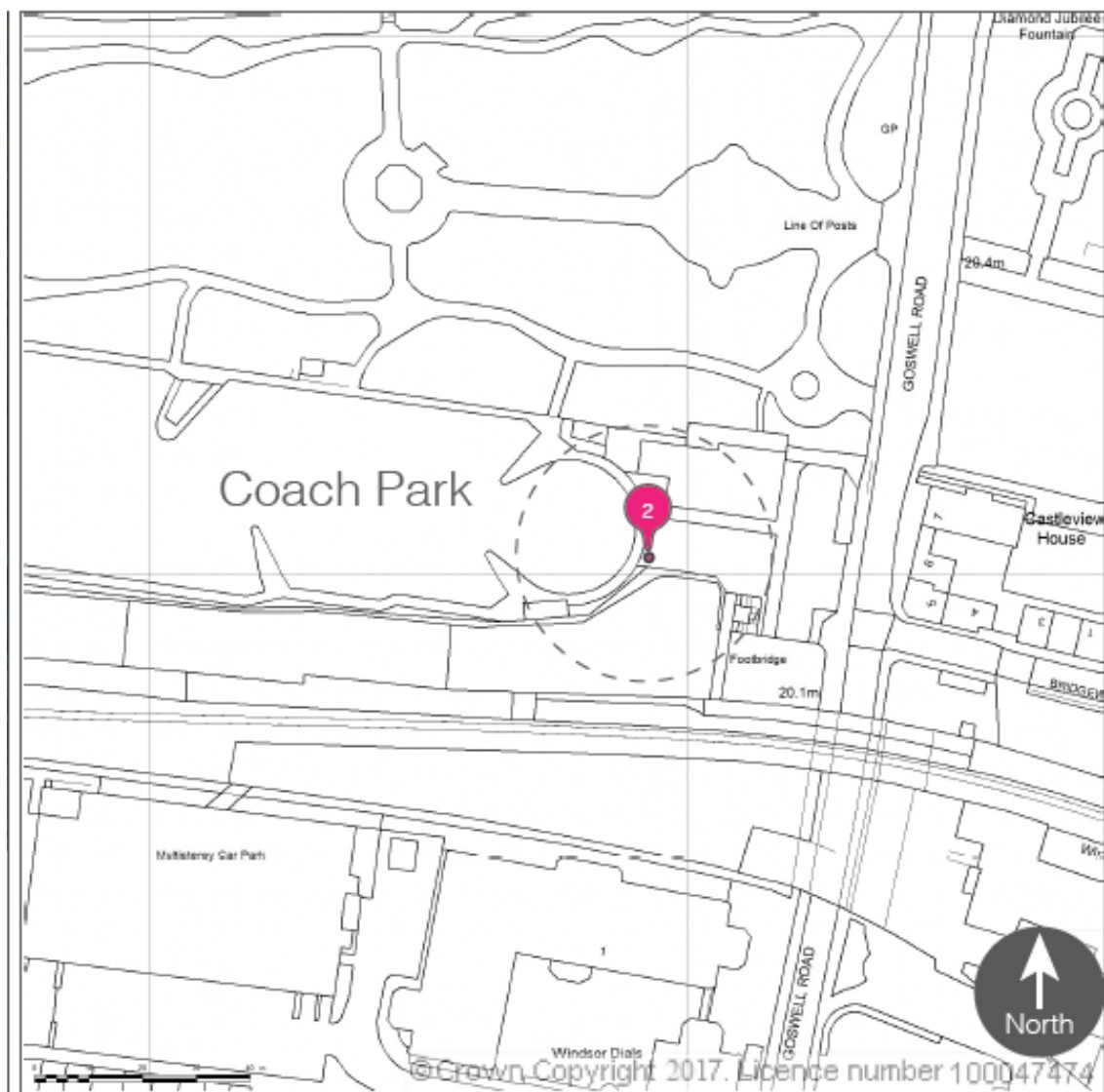
waterway (including any coastal waters) or aerodrome (civil or military).

Reasons: 1 - 5 above: Conditions imposed by the above mentioned regulations.

- 6 The illuminated sign(s) shall be designed in accordance with the Local Planning Authority's requirements and in accordance with the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Engineers, 2005.

Reason: In the interests of visual amenity. Relevant Policies - Local Plan ADV1.

Site Location



Sign elevation



Sign Location 2

Proposed location for monolith sign at Windsor Coach Park, off Goswell Road, SL4 1PL
Monolith size is 1090mm wide x 2512mm high x 183mm deep.

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 3

| | |
|---|---|
| Application No.: | 17/00895/FULL |
| Location: | Alexandra Gardens Barry Avenue Windsor SL4 5JA |
| Proposal: | Construction of ice rink and attractions from 30th October to January 21st 2018 |
| Applicant: | Mr Coleman |
| Agent: | Not Applicable |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Josh McLean on 01628 685693 or at josh.mclean@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The application seeks planning permission for the temporary use of Alexandra Gardens to host visitor/tourist attractions for the Christmas Period of 2017/18. The attractions include an ice rink and children and adult attractions. The proposed use of the park is for a temporary period only between 17th November 2017 and 7th January 2018. The rink and attraction would be assembled from 30th October 2017 and cleared by 21st January 2018.
- 1.2 The development would be visible from the adjacent Conservation Area, however, the use would only be there for a temporary period, and the proposed attractions are considered to be low in height and so it is not considered the development would cause harm on the Conservation Area. In addition, as the proposal would only be for a temporary period only (total of 11/12 weeks), it is not considered to result in the loss of an important open space.
- 1.3 The proposal is acceptable on highways grounds and Environmental Protection has not raised any objections. While the site is situated in Flood Zone 2, it is for a temporary use and does not involve any permanent construction.

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 as the Council has an interest in the land.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Alexandra Gardens is a rectangular area of open space designated as Important Open land in the Local Plan, but is not designated as a registered Historic Park or Garden. The gardens run in an east to west direction between Goswell Road to the east and Barry Avenue and the railway line to the west. The gardens provide an area of open space between Barry Avenue and the River Thames to the north and the coach park/car to the south. Barry Avenue is lined with mature trees and provides short stay on-street car parking. The gardens were likely to have been laid out in the late nineteenth century and comprise large lawned areas which are intersected with a number of paved walkways.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application proposes the temporary use of the east side of Alexandra Gardens for visitors/tourism attractions, including a marquee, an ice skating rink, and other rides/attractions for children and adults. The attractions would be open for use between 17th November 2017 and 7th January 2018. The rink and attraction would be assembled from 30th October 2017 and cleared by 21st January 2018.
- 4.2 It is sought to slightly extend the occupied use of the site beyond the trees adjacent to the proposed location of the marquee. The number of attractions would also be increased to 8 in total. The majority of the proposed attractions would be contained within the original part of the site, with two smaller attraction positioned on the other side of the tree.

| Ref. | Description | Decision and Date |
|---------------|---|------------------------|
| 16/01788/FULL | Construction of ice rink and attractions from November to January | Approved 22.07.2016 |
| 15/01800/FULL | Erection of an Ice Rink with family funfair attractions for a temporary period for use by public over Christmas period from November 2015 until January 2016 | Approved 21.08.2015 |
| 15/00092/FULL | Bandstand with surrounding paving | Approved 03.03.2015 |
| 14/04074/FULL | Erection of a transportable amusement ride (sky swing) with kiosk/ catering area for a temporary period. | Refused 05.03.2015 |
| 14/02390/FULL | Erection of an Ice Rink with family funfair attractions for a temporary period to be constructed from the 13th November 2014 in use between the 26th November 2014 through to 7th January 2015 and dismantled from site by 14th January 2015 | Approved 10.10.2014 |
| 12/00875/FULL | Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period to be constructed from the 11 May 2012 in use between the 18th May 2012 through to 15th July 2012 and dismantled and removed from site by 20th July 2012 | Approved 25.05.2012 |
| 11/00128/FULL | Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period to be constructed from the 4th April 2011 in use between the 9th April 2011 to 30th October 2011 and dismantled and removed from site by 4th November 2011. | Approved 17.03.2011 |
| 10/00009/FULL | Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period to be constructed from the 15th March 2010 in use between the 27th March 2010 to 31st October 2010 and dismantled and removed from site by 6th November 2010. | Approved 18.02.2010 |
| 08/03102/FULL | Erection of an observation/ferris wheel with associated | Approved |

| | | |
|---------------|--|------------------------|
| | equipment and facilities for a temporary period from 2nd April 2009 to 1st November 2009 and dismantled and removed from site by 8th November 2009 | 23.02.2009 |
| 08/00279/TEMP | Erection of a 52m high observation/ferris wheel with associated equipment and facilities for a temporary period 17th June to 7th November 2008 | Approved 11.06.2008 |
| 07/02201/VAR | Variation of Condition 1 (discontinuation) of permission 07/00074 to allow The Wheel to operate until 9th November 2007 | Approved 08.10.2007 |
| 07/00074/TEMP | Erection of a 55 metre high observation/ ferris wheel with associated equipment and facilities for a temporary period of 16 weeks | Approved 01.03.2007 |
| 06/00705/TEMP | Erection of a 55 metre high observation/ferris wheel with associated equipment and facilities for a temporary period of 12 weeks | Approved 26.05.2006 |

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

Paragraph 129 – Development affecting the setting of a Heritage Assets

Royal Borough Local Plan

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

| Within settlement area | Flood Risk | Setting of the Conservation Area Setting of Listed Building | Highways and Parking | Visitor facilities |
|------------------------|------------|--|----------------------|--------------------|
| DG1, NAP3, R1, N2 | F1 | CA2 | P4, T5 | TM4 |

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

| Issue | Local Plan Policy |
|---|-------------------|
| Design in keeping with character and appearance of area | SP2, SP3 |
| Acceptable impact on River Thames corridor | SP4 |
| Visitor Development | VT1 |
| Impact on setting of Conservation Area | HE1 |
| Manages flood risk and waterways | NR1 |
| Makes suitable provision for infrastructure | IF1 |
| Open Space | IF4 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view at:

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact on the character and appearance of the Conservation Area and Setting of Windsor Castle;
- ii Impact on Important Urban Open Space;
- iii The impact on the living conditions of occupiers of nearby residents;
- iv The impact on the area liable to flood;
- v Highway safety, including car parking.

The impact on the character and appearance of the Conservation Area

- 6.2 Alexandra Gardens is identified as important urban open land and is situated adjacent to (but not within) the Windsor Town Centre Conservation Area. The use of Alexandra Gardens for visitors/tourism attractions, including an ice skating rink, and other rides/attractions would be visible from the Conservation Area. However, the use would only be there for a temporary period, and the proposed attractions are considered to be low in height and so it is not considered the development would have an adverse impact or harm on the Conservation Area. In previous years, the proposal has been limited to ensure that the height of the attractions does not exceed 6 metres in height. However, proposed attraction 7 when fully extended would have a total height of 6.25 metres. While this would conflict with the previous consents given, it is considered that the overall increase of 0.25 metres and the positioning of this attraction which would be at the furthest away point on the site, is not considered to have a harmful impact on the setting of the setting of Windsor

Castle (Listed) the Conservation Area. All other attractions would sit below 6 metres in height.

Impact on Important Urban Open Space

- 6.3 Policy R1 of the Local Plan seeks to protect important urban open land, however, the use of the park for this attraction is for a temporary period only and the land would be returned to its original state when the structures are removed. In addition, the scheme is likely to provide additional benefits to the local economy and town centre. Whilst this scheme would not be acceptable on a permanent basis, on balance the scheme on a temporary basis is considered to be acceptable.

Tourism

- 6.4 Policy TM4 of the local plan encourages purpose built facilities in the town centre subject to such facilities being sympathetic to the other objectives in the plan. Whilst Alexandra Gardens is outside the town centre, given its close proximity, there could be some benefits to the town centre. The applicant has submitted a report on last years (2016) event which states that they employed 25 local staff and saw an increase on school trips and online booking. Overall the proposal is considered to provide a unique event which will provide economic and employment benefits for the local area.

The impact on the living conditions of occupiers of nearby residents

- 6.5 There are no immediate residential properties neighbouring Alexandra Gardens that would be significantly adversely impacted by the development.

The impact on the area liable to flood

- 6.6 Alexandra Gardens is situated in flood zone 2 (medium risk flooding). Given that this application is for a less vulnerable use (in accordance with National Planning Policy), is for a temporary period, and does not entail any permanent construction, the number of people or properties being subject to flood risk is considered to be low, and the application is considered to be in compliance with Policy F1 of the Local Plan. The Flood Risk Assessment submitted outlines these points.

Highway safety, including car parking

- 6.7 It is not considered that the scheme would result in significant additional traffic which would place an unacceptable pressure on parking.

Other Material Considerations

- 6.8 The letter of representations raises concern over the damage to the condition of the grass in the Gardens when these attractions are dismantled. Within the previous applications, it has been advised that it was not ideal to lay the grass in the winter period. It is advised by the applicant that the aim is to have the gardens back to their original conditions in time for the Easter break.

Planning Balance

- 6.9 Notwithstanding that the proposal is located on an important urban open space, the fact that the proposal is being sought for a temporary period during the Christmas period and taking into account the associated spin-off benefits to the local economy and town centre, the scheme is considered to be acceptable on a temporary basis.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

14 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 15th June 2017

1 letter was received objecting to the application, summarised as:

| Comment | | Where in the report this is considered |
|---------|--|--|
| 1. | Decimate the view of the castle and of the gardens for at least 6 months of the year | 6.8 |
| 2. | Cause unnecessary disruption and noise in this quiet area | 6.5 |
| 3. | Damage to gardens | 6.8 |

Statutory consultees

| Consultee | Comment | Where in the report this is considered |
|--------------------------|--|--|
| Environment Agency | No objections – a high-level assessment has been undertaken and has not identified any fundamental issues relating to permitting regulations with proximity to a main river. | 6.6 |
| Environmental Protection | No objection | 6.5 |
| Highways | No objections | 6.7 |

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

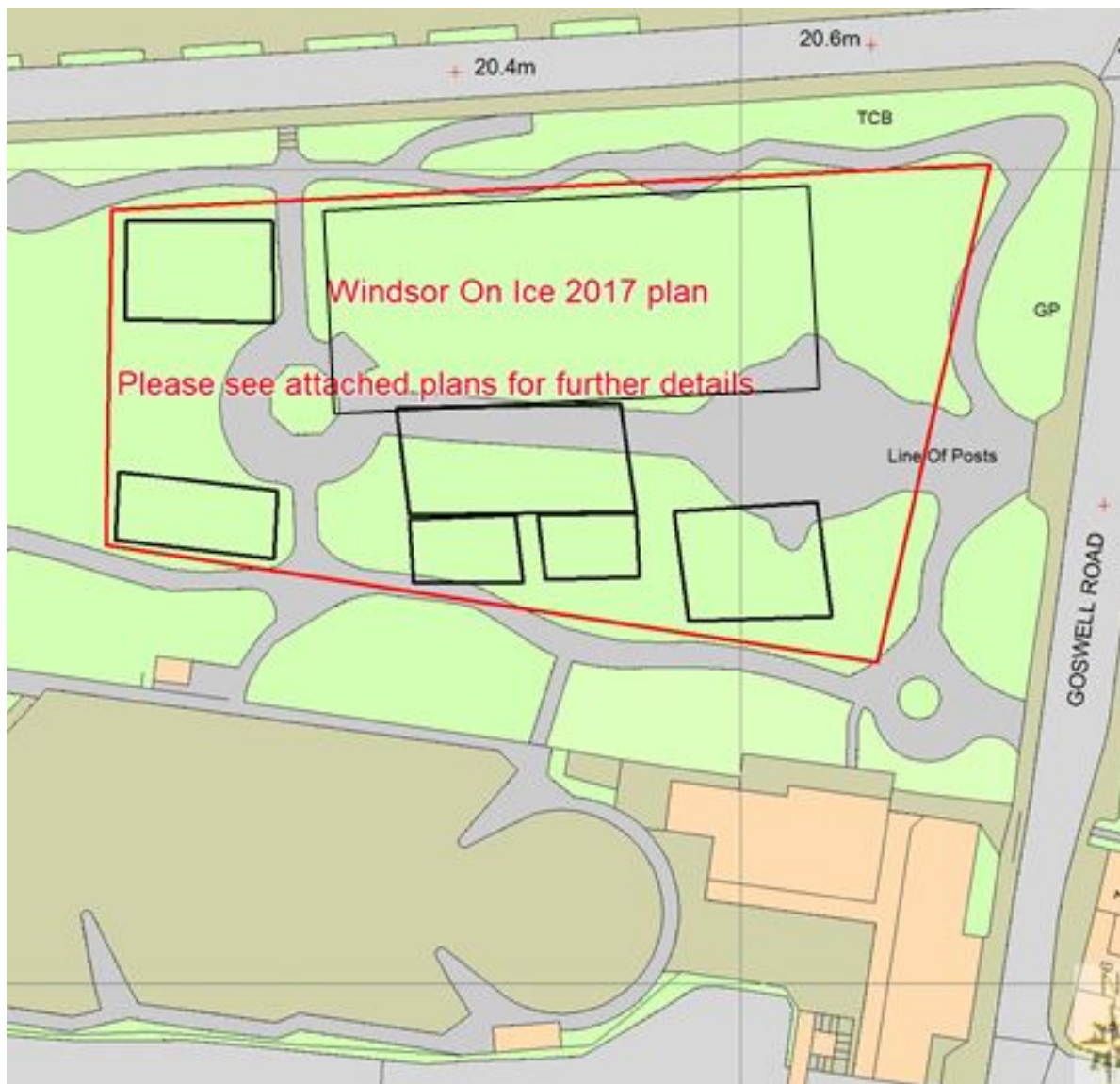
- 1 The development shall not be commenced until Monday 30 October 2017 and the structures and equipment shall cease operation by Sunday 7 January 2018. The structures and equipment shall be removed by the 21st January 2018 . The land shall be restored to its former condition by the 30 April 2018.
Reason: The proposal does not constitute a form of development that the Local Planning Authority would normally permit. However, in view of the particular circumstances of this application temporary planning permission is granted. Relevant saved policies - Local Plan DG1, CA2 and F1, LB2.
- 2 This temporary use of the land hereby permitted shall only operate between the

hours of 10:00 hours and 21:00 hours.Reason: To protect the amenities of nearby residents. Relevant saved policies - NAP3.

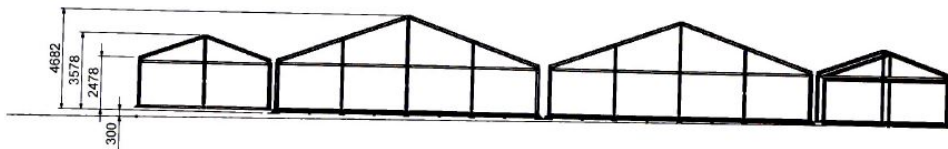
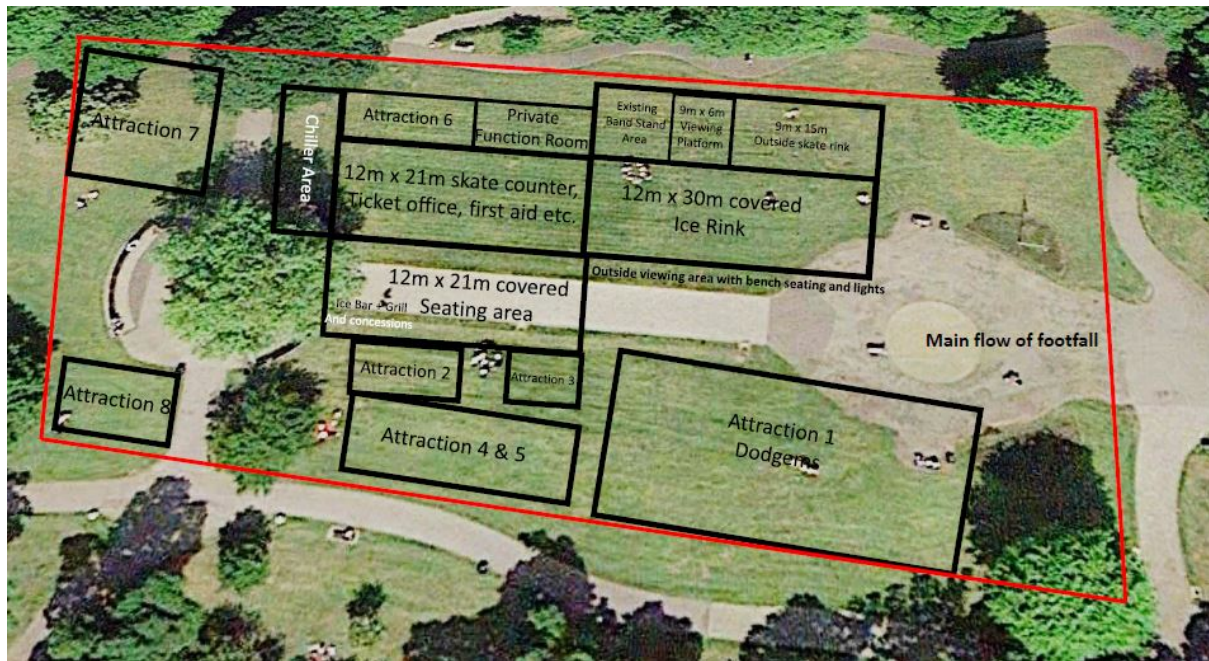
- 3 The height of the structures/ equipment permitted under this temporary use shall not exceed 6.25 metres in height (measured from ground level).
Reason: In order to safeguard the views of Windsor castle, and views into and out of the Conservation Area. Policy CA2
- 4 The development hereby permitted 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.

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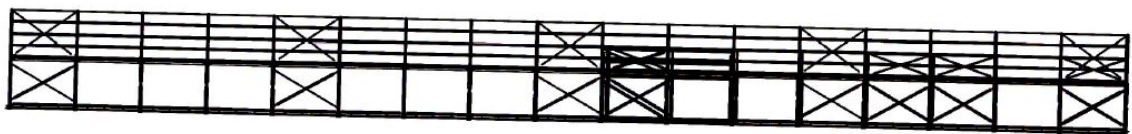
Appendix A: Location and Site Plan



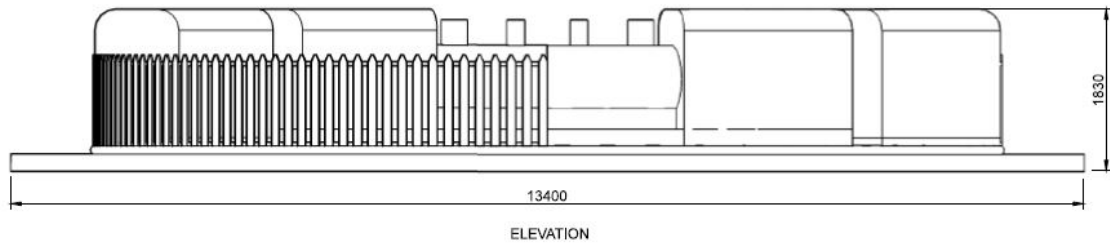
Appendix B: Plans and Elevations



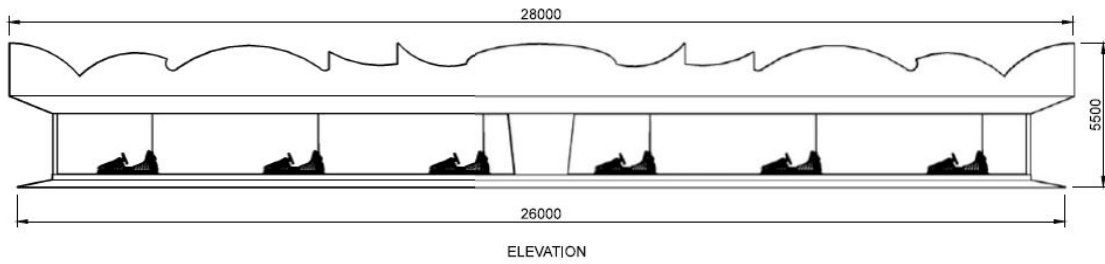
VIEW B



VIEW A

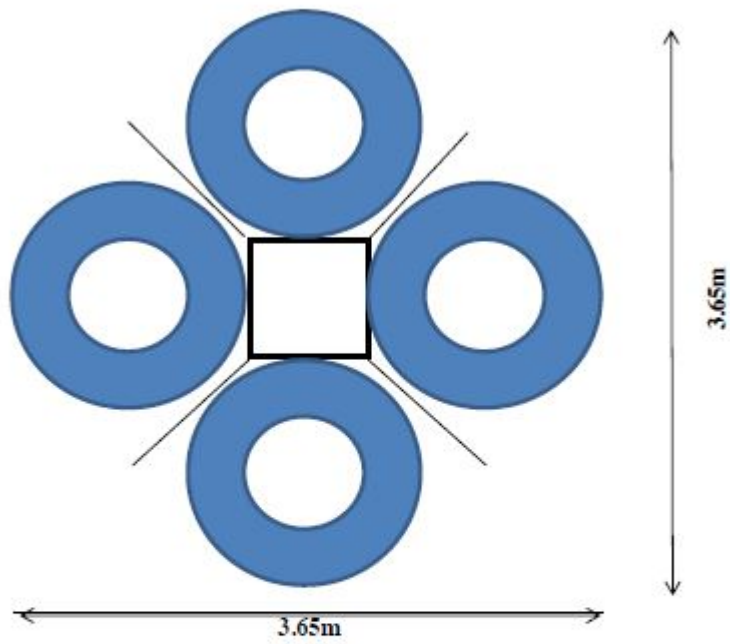


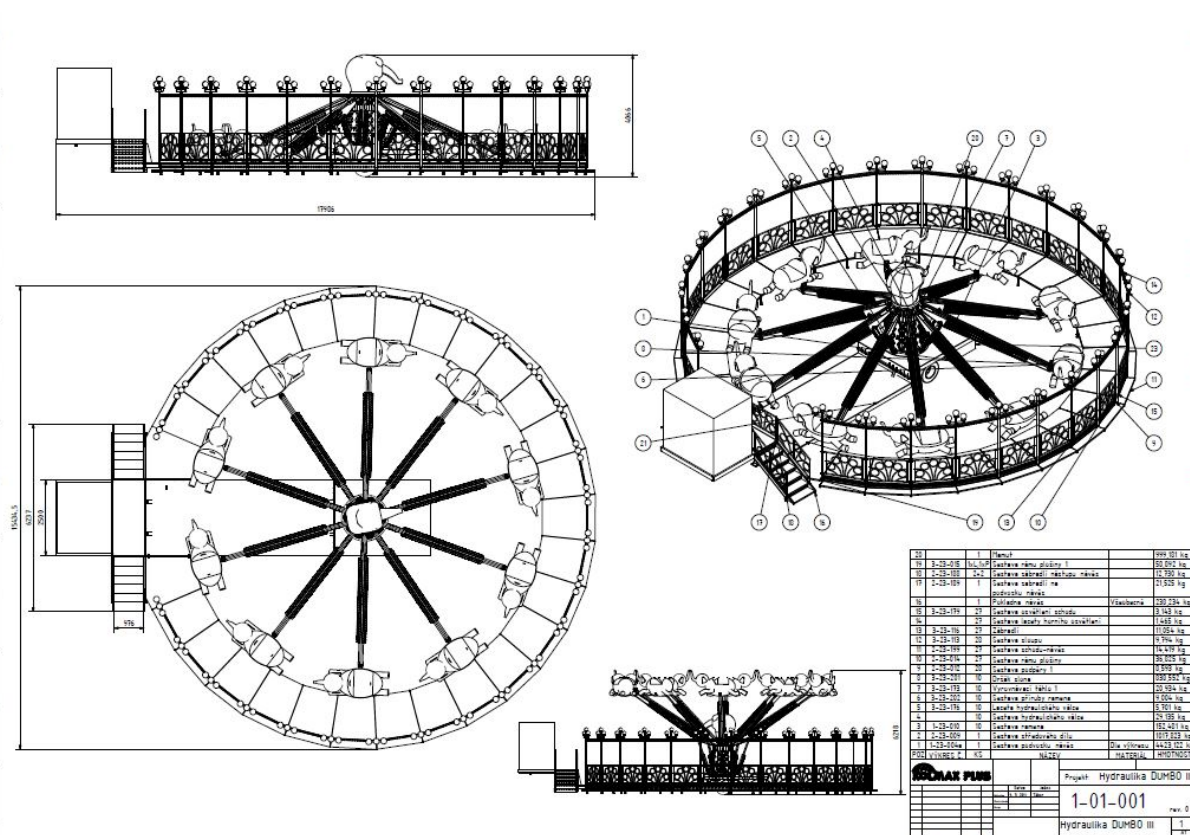
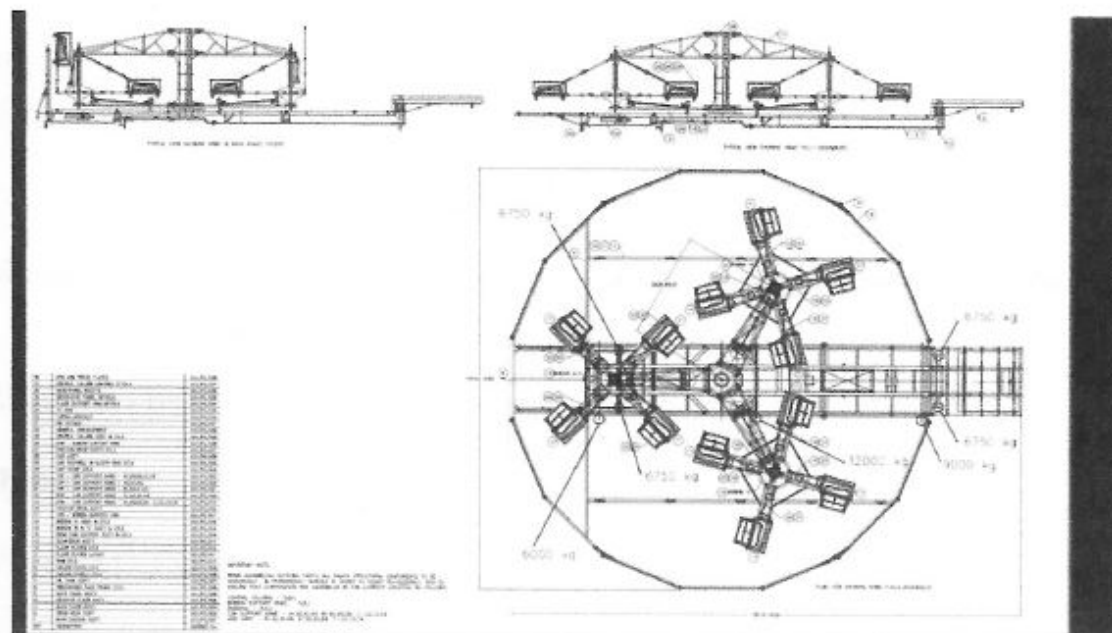
| | | | |
|------------------------------|----------------|---|--|
| Drawing Title: TRAIN RIDE | | Client: Perrin Coupland 15 The Quadrant, Brent Park Road, Loughborough, Leicestershire LE12 0JL, United Kingdom | |
| Project: PERRIN COUPLAND | | Consultant: DMG technical | |
| Date: 15 AUGUST 2014 | Revision: 1 | DMG Technical Limited 10 South Road, Telford TF1 1TE, United Kingdom Tel: +44 (0)1827 500100 Email: dmgt@dmgteurope.co.uk | |
| Drawn By: 1.50 | Units: MM | | |

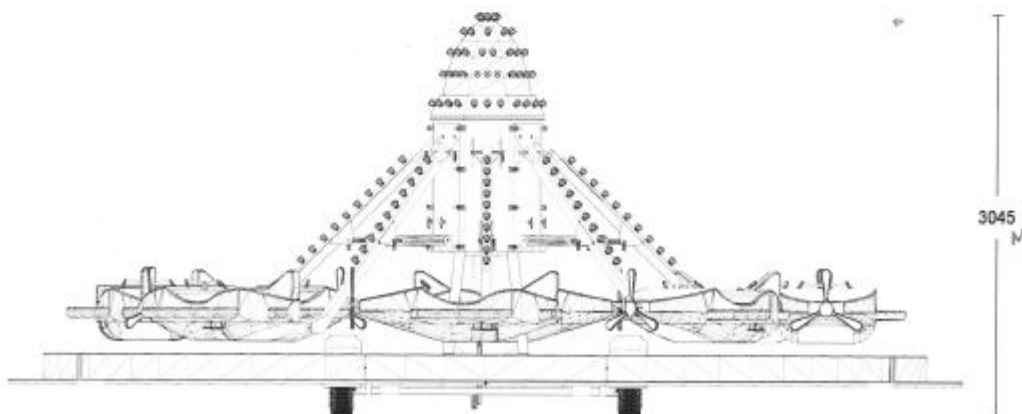
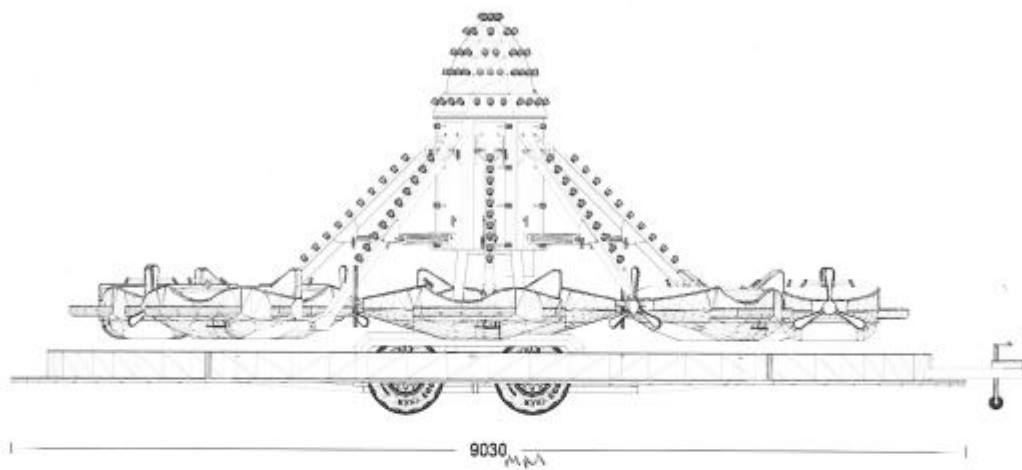
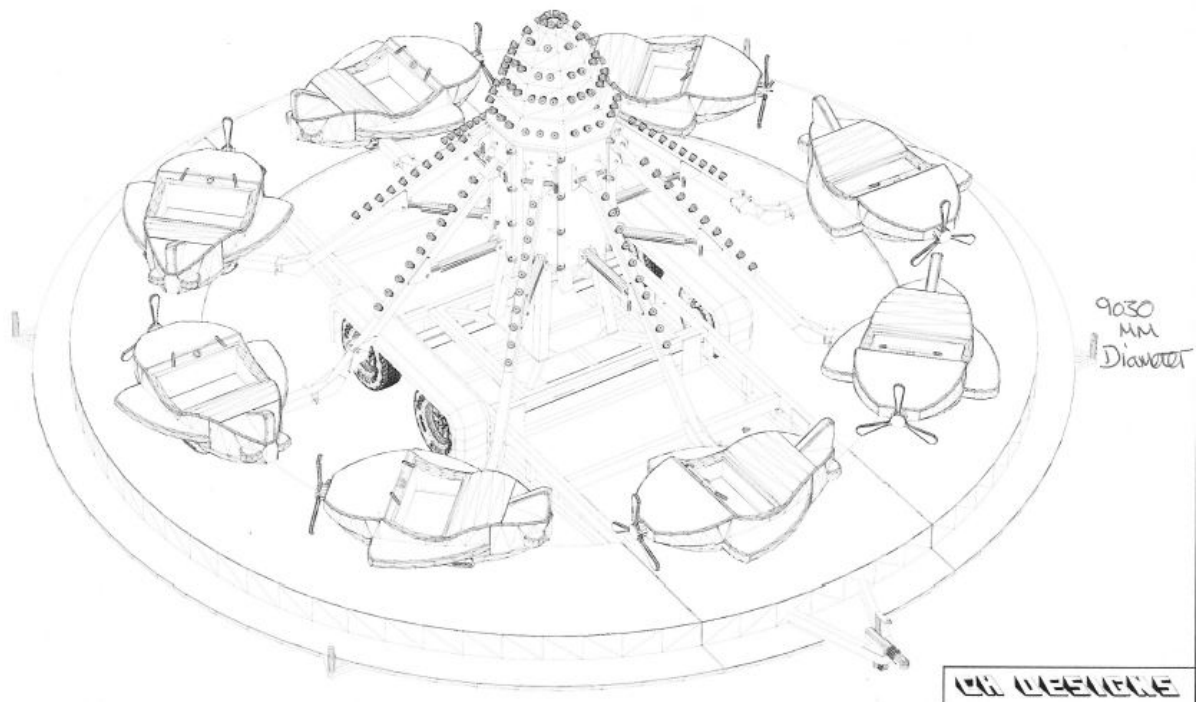


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|-----------------------------------|----------------|---|--|
| Drawing Title: ADDERHO DODGERS | | Client: Perrin Coupland 15 The Quadrant, Brent Park Road, Loughborough, Leicestershire LE12 0JL, United Kingdom | |
| Project: PERRIN COUPLAND | | Consultant: DMG technical | |
| Date: 15 AUGUST 2014 | Revision: 1 | DMG Technical Limited 10 South Road, Telford TF1 1TE, United Kingdom Tel: +44 (0)1827 500100 Email: dmgt@dmgteurope.co.uk | |
| Drawn By: 1.120 | Units: MM | | |

Bungee Trampoline







WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 4

Application No.: 17/00912/FULL

Location: Land Between 3 And 4 And 5 Clewer Fields Windsor

Proposal: Construction of a pair of 1 No. bedroom semi detached houses.

Applicant: Mr Ball

Agent: Kevin J Turner

Parish/Ward: Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: Adam Ralton on 01628 685693 or at adam.ralton@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposal seeks planning permission for the construction of a pair of two-storey semi-detached dwellings. It is acknowledged that this scheme would make a contribution to the Borough's housing stock through the provision of 2 additional dwellings, however, the application is recommended for refusal on the grounds of flood risk, adverse impact on the character of the area, and detrimental impact on the amenity of neighbouring and future occupiers.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):

- | | |
|----|---|
| 1. | The proposed dwellings are sited in flood zone 2 (medium risk flooding). The application fails to demonstrate that the Sequential Test has been passed. |
| 2 | The proposed development would result in a cramped and contrived form of development, out of character with the pattern and form of development. |
| 3. | The proposed development would be overbearing and result in overshadowing to the rear garden areas and rear elevations of neighbouring properties. |
| 4. | The size of the garden is insufficient for future occupiers. |

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Jack Rankin, due to the amount of local interest generated by the proposal.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Clewer Fields is characterised by a mix of housing types including terraced and semi-detached properties of varying areas. Clewer Fields itself is a pedestrian route, between and parallel to Oxford Road and Bexley Street. To the north of the application site is the rear of the two storey properties which front Oxford Road. To the east of the application site are a pair of semi-detached properties which back onto the site. To the west of the application site is a row of terraced houses, with flank elevations facing the site.

- 3.2 The application site is roughly L-shaped, measuring approximately 0.03ha facing Clewer Fields. The site is currently occupied by a garage building which is not used.
- 3.3 The application site lies within Flood Zone 2 (Medium Risk), with the northern part of the site included within Flood Zone 3 (high risk).

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application proposes a two storey pair of semi-detached dwellings. The proposed building would measure 7.8 metres in width and depth. It would have an eaves height of approximately 4.6 metres and a ridge height of approximately 6.6 metres. The building would include a single storey front porch with a lean-to roof. The front porches would be sited on the boundary of the curtilage of the site with Clewer Fields.
- 4.2 The site has previously been subject of two planning applications for redevelopment. The most recent of these (reference 16/01397/FULL) proposed a two storey detached dwelling, but was withdrawn prior to a formal decision being made.
- 4.3 Before that, planning application 15/00397/FULL proposed a detached two bedroom, two storey dwelling. That application was refused for six reasons, as follows (summarised):
- 4.3.1 The proposed two storey dwelling would result in a cramped and contrived form of development which is out of character with the pattern and form of development in the area.
- 4.3.2 The dwelling would by reason of its proximity to the northern and eastern boundaries result in an unacceptable loss of privacy to the rear garden of numbers 113 and 115 Oxford Street from the habitable first floor window in the rear elevation of the dwelling. At two stories, the dwelling would be overbearing and result in overshadowing the rear garden areas and rear elevations of numbers 111, 113 and 115 of Oxford Street and would be overbearing to numbers 3 and 4 Clewer Fields.
- 4.3.3 The size of the resultant garden area is considered to be insufficient for future occupiers.
- 4.3.4 The proposed new residential dwelling at this site is not compatible within this flood zone and therefore, should not be permitted. Additionally the development would result in a loss of flood water storage during a flood event. Furthermore the proposed development would also potentially place additional people and property at risk of flooding contrary to policy in the NPPF.
- 4.3.5 The applicant has failed to enter into a legal agreement to prohibit future occupiers applying for parking permits
- 4.3.6 As a result of discrepancies in the drawings it cannot be ascertained with certainty that the development would have an acceptable impact on the appearance of the area or the amenities of the area.

This refusal of planning permission is a material consideration to the determination of this application.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework:

- Core principle 4 - Good standard of amenity for all existing and future occupiers,
- Section 6 (Delivering a wide choice of high quality homes),
- Section 7 (Requiring good design),
- Section 10 (Meeting the challenge of climate change, flooding and coastal change)

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 | Flood Risk |
| DG1, H10, H11 | P4, T5 | F1 |

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

| Issue | Local Plan Policy |
|---|--------------------------|
| Design in keeping with character and appearance of area | SP2, SP3 |
| Manages flood risk and waterways | NR1 |
| Makes suitable provision for infrastructure | IF1 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

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

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact of the development on flood risk
- ii The impact of the proposal on the character and appearance of the area
- iii The impact of the proposal on neighbouring amenity and the amenity of future occupiers.
- iv Impact of the development on parking

Development within the flood zone

- 6.2 In the previously refused application the site was identified as being in functional flood plain and so the development was refused on the grounds that it involved development not compatible with this flood zone. The Flood Risk Assessment (FRA) accompanied with this application identifies that the site lies within Flood Zone 2 and 3a (as confirmed by EA and in the Council's SFRA), defined as having a medium and high probability of flooding.
- 6.3 This application has been accompanied by a Sequential Test (as required by National Planning Policy), which is to assess if there are any other sites at a lower risk of flooding than the application site that are reasonably available that could be developed. The submitted Sequential Test uses the Strategic Housing Land Availability Assessment (SHLAA) 2014 as the source of information to assess sites. However, as part of the production of the emerging Borough Local Plan, the Housing and Economic Land Availability Assessment (HELAA) (2016) has been published, which provides a more up to date source of information of sites that should be used to inform the Sequential Test. As the submitted Sequential Test is not based on the most up to date evidence base, it cannot be demonstrated that the Sequential Test has been passed. No further assessment of the acceptability of the development in the flood zone is required.
- 6.4 Notwithstanding the above, it should be noted that the applicant's FRA does not fulfil the requirements set out in the NPPF and does not therefore provide a suitable assessment of the flood risk arising from the proposed development. In particular, the FRA fails to assess the impact of climate change using the latest guidance and

appropriate climate change allowances, and fails to demonstrate if there is any loss of flood plain storage within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change caused by the proposed development, and if so that it can be mitigated for.

Impact on the character and appearance of the area

- 6.5 The site is situated within an established residential area. Policy H11 of the Local Plan states 'in established residential areas, planning permission will not be granted for schemes which would introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area'.
- 6.6 In the previously refused application (for one dwelling), the scheme was considered to result in cramped and contrived form of development. In this case, the proposed pair of semi-detached dwellings would be contained within a building which would have a greater width and depth than the previously refused scheme. Whilst the roof form and design would be better proportioned than the previous scheme, the larger footprint results in the proposed building filling a greater proportion of its plot than the previously refused scheme. The front porch would abut the front boundary, and the flank walls would be only 0.7m from the eastern boundary of the site and 2.3 metres from the western boundary.
- 6.7 Given the size of the proposed building, the proportion of the plot that would be developed, and the close proximity of the proposal to the neighbouring buildings, it is considered that the proposed dwelling would appear cramped within its plot, and would be incompatible with the character and amenity of the area.

Impact on neighbouring amenity and the amenity of future occupiers

- 6.8 As noted above, the proposed building would occupy much of its plot. The submitted plans indicate a communal garden with a depth ranging from 3 metres to 5.2 metres. The scheme is considered to lack sufficient quality and quantity of outdoor amenity space for future occupiers, contrary to bullet point 4 of the Core Planning Principles at paragraph 17 of the NPPF which states that planning should seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings. This was noted as a reason for refusal for the previous application and remains relevant to the current application.
- 6.9 In terms of the impact of the proposed building on the amenities of neighbours, the previous application noted that the proposal would result in an unacceptable loss of privacy to the rear gardens of 113 and 115 Oxford Street, would be overbearing and result in overshadowing to the rear garden and rear elevations of 111, 113 and 115 Oxford Street and would be overbearing to 3 and 4 Clewer Fields. As noted above, the width and depth of the building has been increased since the previous application and this would not address the previous concerns in respect of the overbearing or visually intrusive impact on the neighbours. This factor remains relevant and it is considered that the proposed building would appear overbearing and result in overshadowing to the rear garden and rear elevations at 111, 113 and 115 Oxford Street, and overbearing to 3 and 4 Clewer Fields. The overshadowing would be especially apparent as the proposed building would be to the south of the south-facing gardens of properties fronting Oxford Road.

- 6.10 The previous application included in the reason for refusal an adverse impact on the privacy of neighbours. Since that refusal, the internal layout has been changed and primary habitable room windows do not face 113 or 115 Oxford Street. Bathroom windows face these neighbours and these could be conditioned to be obscure glazed. On this basis, it is not considered that this scheme would harm the privacy of the occupants of any neighbouring dwelling.

Parking

- 6.11 It is accepted that parking cannot be provided on the site. In the previously refused planning application, the failure of the applicant to enter into a legal agreement to restrict future occupiers from applying to the Council for parking permits was a reason for refusal. The LPA no longer uses legal agreements to restrict parking permits from being issued, and it is for the Council's parking manager to manage the issuing of parking permits.

Other Material Considerations

Housing Land Supply

- 6.12 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 housing applications 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 5 year supply of deliverable housing sites.
- 6.13 It is acknowledged that this scheme would make a contribution to the Borough's housing stock through the provision of 2 additional dwellings. However, it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, including the harm to the character of the area, the harm to the amenities of the neighbours and of future occupants, and flood risk, contrary to the adopted local and neighbourhood plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

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 £240 per square metre.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

12 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 18 May 2017.

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

| Comment | Where in the report this is considered |
|---------|--|
|---------|--|

| | | |
|-----|---|--|
| 1. | Loss of privacy and overlooking to outside spaces and rooms at 111 and 113 Oxford Road | 6.5-6.7 |
| 2. | Loss of light to garden and rooms at 113 Oxford Road | 6.5-6.7 |
| 3. | Reduced light to rear of properties could cause damp issues | Not a material planning consideration |
| 4. | Additional of new properties onto existing drainage system will create a capacity issue | Not a material planning consideration |
| 5. | How will it be ensured that the new residents do have a garage and do not add to the cars currently parking on Oxford Road or apply for residents permits | 6.10 |
| 6. | Plans appear misleading in terms of their measurement and impact | No evidence to suggest plans are inaccurate. |
| 7. | During the build there would not excessive traffic and adverse effect on road safety. | 6.10 |
| 8. | Additional occupants from two houses would put further pressure on local services. | 7.1 |
| 9. | Proposal would result in an increase in noise and general disturbance to surrounding neighbours | The proposed use would be residential which is considered compatible for a residential area. |
| 10. | Plot acts as a natural area of surface water to flow, and this area would be reduced as a result of the proposal. | 6.8 |
| 11. | Safety of users of Clewer Fields could be compromised during construction works | A construction management plan would be secured by condition in the event of an approval |

Statutory consultees

| Consultee | Comment | Where in the report this is considered |
|-----------|---|--|
| Highways | <p>The small piece of land is located in between 3 and 5 Clewer Fields. The site does not benefit from any form of vehicular access and can be only accessed via a pedestrian footpath (alley way) which is approximately 2.0m wide and runs along the south side adjacent to the site. Given there is no parking available and no residential parking permits will be issued vehicle movements will be unlikely and may well only occur during the pay and display period.</p> <p>Parking Provision/Requirement: A 1 bedroom dwelling within this location requires a need for 1 car parking space to be provided. As the site does not benefit from any form of off street parking the Highways Authority are willing to take a pragmatic approach on a condition that the applicant and future successors of the site are not entitled to a residential parking permit. This is to ensure there is no loss of parking for the existing residents nearby.</p> <p>Parking restrictions such as double yellow lines, residents permit holders and pay and display operates within the</p> | 6.10 |

| | | |
|--------------------|--|--|
| | <p>nearby area.</p> <p>Refuse Provision: The refuse provision would be the same as the neighbouring properties and so can be seen as adequate.</p> <p>Cycle Provision: Given no vehicle parking can be provided and likelihood of future occupants owning several bicycles the applicant will be required to provide a secure cycle store for both properties.</p> <p>Additional Comments: We would normally recommend a refusal on parking grounds, however given the site offers no vehicular access / parking the Project Centre are willing on this occasion to take a pragmatic approach and accept no parking, subject to no parking permits being issued. The parking team will be notified.</p> | |
| Environment Agency | <p>The application site lies within Flood Zone 2 & 3 defined by the National Planning Policy Framework (NPPF) and associated Flood risk and coastal change National Planning Policy Guidance (NPPG) as having a medium & high probability of flooding.</p> <p>The FRA submitted with this application, reference FRA Clewer Fields dated February 2017 and prepared by Paul Garrad, does not fulfill the requirements set out in the NPPF and the associated PPG and does not therefore provide a suitable assessment of the flood risk arising from the proposed development.</p> <p>In particular, the submitted FRA fails to:</p> <ol style="list-style-type: none"> 1. Assess the impact of climate change using the latest guidance and appropriate climate change allowances. 2. Demonstrate if there is any loss of flood plain storage within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change caused by the proposed development and if so that it can be mitigated for | |

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Plan and elevation drawings

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposed dwellings are situated within flood zone 2 (medium risk flooding).The application fails to demonstrate that the Sequential Test is passed, as required by paragraphs 100 to 103 of the National Planning Policy Framework.
- 2 The proposed two storey dwelling would result in a cramped and contrived form of development which is out of character with the pattern and form of development in the area which would not comply with Policies H11 and DG1 of the Royal Borough

of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), and requirements of the fourth Core Principle and paragraph 64 of the National Planning Policy Framework.

- 3 The dwelling would, by reason of its proximity to the northern and eastern boundaries be overbearing and result in overshadowing to the rear garden areas and rear elevations of numbers 111, 113 and 115 of Oxford Street and would be overbearing to numbers 3 and 4 Clewer Fields and would not comply with the fourth Core Principle of the NPPF- to secure a good standard of amenity for all.
- 4 The size of the resultant garden area is considered to be insufficient for future occupiers, and as such is considered to conflict with a core principle of the National Planning Policy Framework to secure a good standard of amenity for all future and existing occupiers of land and buildings.

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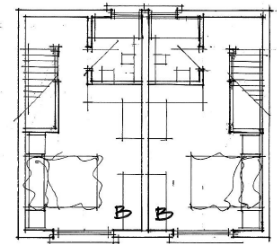
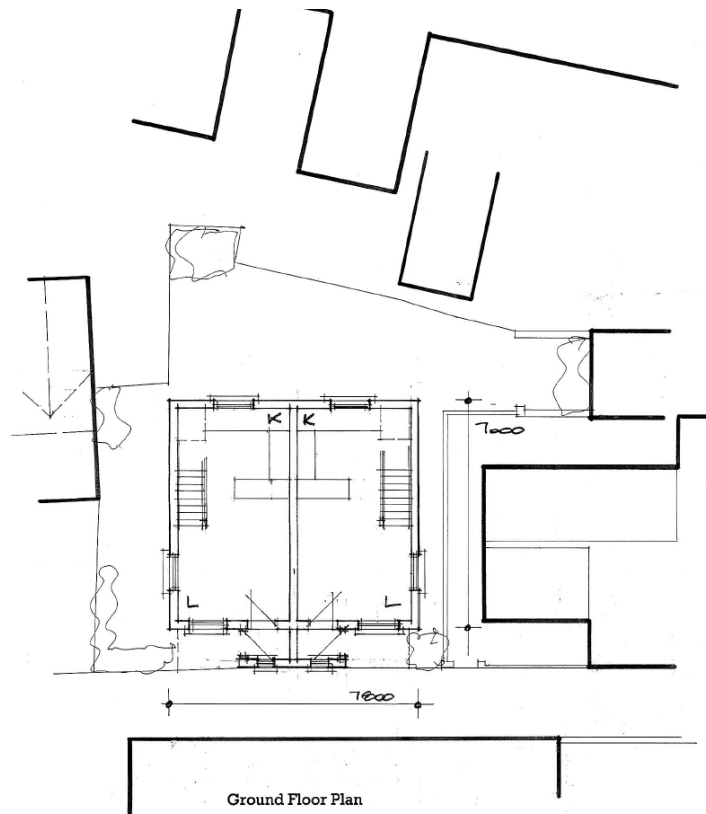
Appendix A- Site location and proposed layout



Kevin J Turner FRICS
4 Little Oaks Close
Shepperton
Surrey
TW17 0GA
01932 568568/07711 056605

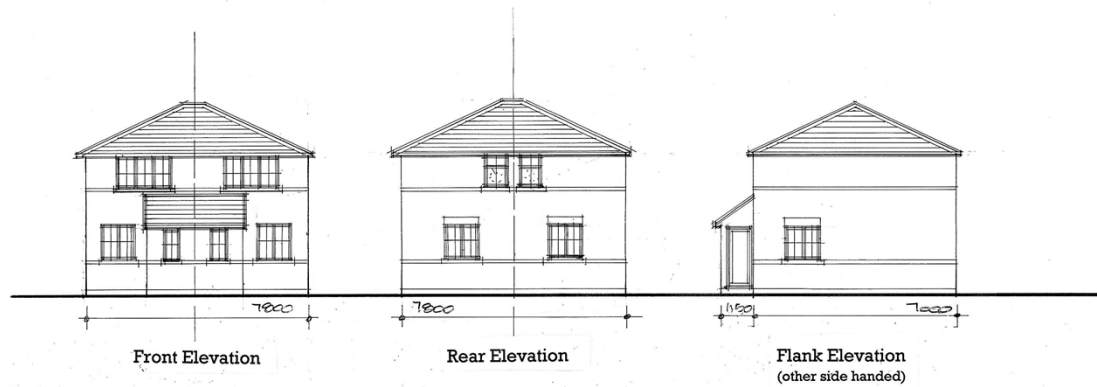
Land at Clewer Fields
Windsor
Berkshire

Erect 2 no One Bedroom Houses
Proposed Site Layout
KJT/Clewer Fields/1004/5
Scale 1-100 metric



First Floor Plan

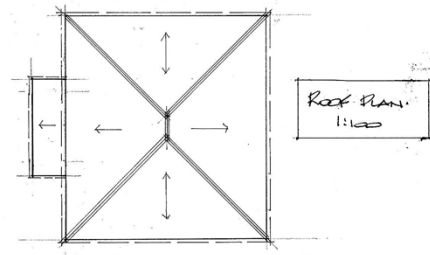
Appendix B- Proposed elevations



Kevin J Turner FRICS
4 Little Oaks Close
Shepperton
Surrey
TW17 0GA
01932 568568/07711 056605

Land at Clewer Fields
Windsor
Berkshire

Erect 2 no One Bedroom House
Proposed Elevations
KJT/Clewer Fields/101a/b
Scale 1:100 metric



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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 5

| | |
|---|--|
| Application No.: | 17/01376/FULL |
| Location: | 9 Park Street Windsor SL4 1LU |
| Proposal: | Construction of a garden pavilion |
| Applicant: | Mr And Mrs Bussey |
| Agent: | Mr David Evans |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The proposed garden pavilion is considered to be of an acceptable scale, design and siting which would preserve the setting of the Grade II* Listed Building (9 Park Street), neighbouring No.11 Park Street (Grade II* Listed), the Windsor Town centre Conservation Area, and would cause no harm to neighbouring amenity, in line with Local Plan Policies LB2, CA2, DG1 and the relevant design and heritage conservation guidance contained with sections 7 and 12 of the NPPF.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- Councillor Rankin has called the application for Panel determination, in the public interest

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to a No. 9 Park Street. The property is a Grade II* Listed building situated on the south side of Park Street. The large town house exists as part of a set of three almost identical listed properties and is set over 4 floors. In recent years the property experienced serious fire damage; as such many of its original features have been lost and replaced.
- 3.2 Together the early C19 houses form a symmetrical group, 3 storeys and basement, constructed of London stock brick, small modillioned Portland stone cornice and blocking course over 2nd floor windows, slate roof.
- 3.3 At present an outbuilding exists to the rear of the site that is of similar size and scale to the proposed pavilion.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission for the construction of a garden pavilion. The proposed outbuilding would have a light aluminium frame, with doors to match. The building would be 3.5m in height, finished with a flat roof and glazing. The proposal is the same as the previously approved garden pavilion at the site (13/03303/FULL and 13/03304/LBC).

| Application No. | Description | Decision and Date |
|-----------------|--|-------------------------|
| 12/02821/FULL | Single storey extension to rear of property at basement level, construction of a rear garden pavilion and internal refurbishment including lift installation, works to front area to install new steps and adapt railings | Approved: 19.11.2012 |
| 12/02822/LBC | Single storey extension to rear of property at basement level, construction of a rear garden pavilion and internal refurbishment including lift installation, works to front area to install new steps and adapt railings | Approved: 19.11.2012 |
| 13/03303/FULL | Construction of a rear garden pavilion | Approved: 17.12.2013 |
| 13/03304/LBC | Construction of a rear garden pavilion | Approved: 17.12.2013 |

4.2

MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION National Planning Policy Framework

- ☐ Section 7 – Requiring Good Design
- ☐ Section 12 – Conserving and Enhancing the historic environment
- ☐ Core Planning Principles

Royal Borough Local Plan

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

| | Within settlement area | Conservation Area | Setting of Listed Building |
|------------|------------------------|-------------------|----------------------------|
| Local Plan | DG1 | CA2 | LB2 |

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Other Local Strategies or Publications

- 5.2 Other Strategies or publications relevant to the proposal are:

Borough Local Plan: Submission Version

| Issue | Local Plan Policy |
|---|-------------------|
| Design in keeping with character and appearance of area | SP3, HE1 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Windsor Town Centre Conservation Area appraisal – view at

https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Impact on the Setting of the Listed Building
- ii Impact on Windsor Town Centre Conservation Area
- iii Design
- iv Impact on the amenities of neighbours

Impact upon the setting of the listed building

- 6.2 The National Planning Policy Framework sets out that when dealing with designated heritage assets, great weight should be given to conserving the asset and its significance. Local Plan Policy LB2 provides similar emphasis on the preservation of the setting/grounds surrounding a heritage asset.
- 6.3 The proposed pavilion would be sited within the rear garden of 9 Park Street, where it would be set away from all boundaries and the main dwelling. The pavilion would be sited more than 30metres away from this Grade II* Listed building and more than 40metres away from No.11 Park Street, due to its sympathetic modern design, proportionate size and separation distance from the main house and mentioned neighbour it is considered that the proposed outbuilding would not cause harm to the

setting of the Grade II* Listed building or the neighbouring Listed Building (No.11 Park Street).

- 6.4 In making this decision the Council has had special regard to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on the Windsor Town Centre Conservation Area

6.5 Windsor Town Centre Conservation Area Appraisal (2009) outlines the special and significant characteristics of Park Street. The appraisal suggests that the layout of Park Street has been altered very little since the 18th century and although some buildings are now early 20th century, the Street still contains exceptional examples of Georgian architecture. The houses are principally made up of red brick with tiled roofs and some have Doric pilasters on either side of the entrance doorways supporting entablatures. Properties within the street are terraced or semi detached, two to three storey brick townhouses and some include basements. The majority of properties within the street have steep roof pitches with clay tiles and pitched dormers. Mansard roofs are found on properties such as 4 and 5 Park Street partly hidden behind parapet walls.

- 6.6 Due to its design, size and siting at the rear of the property, the proposed outbuilding would not be visible from Park Street, Sheet Street or Windsor High Street, and would have no adverse impact upon the special characteristics of the area.

- 6.7 In making this decision the Council has also paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Quality of Design

- 6.8 National Planning Policy Framework, Section 7 (Requiring Good Design) and Local Plan Policy DG1, advise that all development should seek to achieve a high quality of design that improves the character and quality of an area. The proposed outbuilding would have a light aluminium frame, with doors to match. The design of the outbuilding is considered to be acceptable.

Impact on neighbouring amenity

- 6.9 Due to its separation distance from neighbouring properties, the existing privacy limitations provided by the urban environment in which the proposed summer house is located, the proposal is unlikely to lead to any significant loss of privacy, outlook, daylight, sunlight or otherwise negatively impact upon the amenities of neighbouring properties.

Other Considerations

- 6.10 The proposal is the same as a previously approved scheme at the site (13/03303/FULL and 13/03304/LBC). Although the mentioned permissions have lapsed, the policy context remains the same, as does the built environment surrounding the site, for these reasons the previous planning permission is considered to be a material planning consideration in the determination of this application. The use of this pavilion as an independent dwelling would require planning permission.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

The following comments were received in relation to the proposed development:

| Comment | Officer response |
|--|--|
| Historic England: On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. | Noted. See section 6 of the report. |
| Borough's Conservation Officer (verbal comments): No objection as the scheme appears to be a resubmission of a previously approved scheme and there have been no significant changes in the legislation regarding heritage assets. | |
| 8A Park Street (community comment): A building without consent has been constructed to the rear of the property. The structure could become an independent dwelling as it includes a shower. The planning request is for a light steel structure but a heavy steel frame is currently in place. Due to its design and material finish the building is an eyesore. The size of the pavilion is also far too big for the plot and dominates the garden. All of which adversely affects the setting of the listed buildings and those surrounding. | The application does not relate to the existing building to the rear of the site. The application is a resubmission of a previously approved scheme. See section 6 of the report for further comments. |

8. APPENDICES TO THIS REPORT

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

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. 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/unsuccessfully resolved.

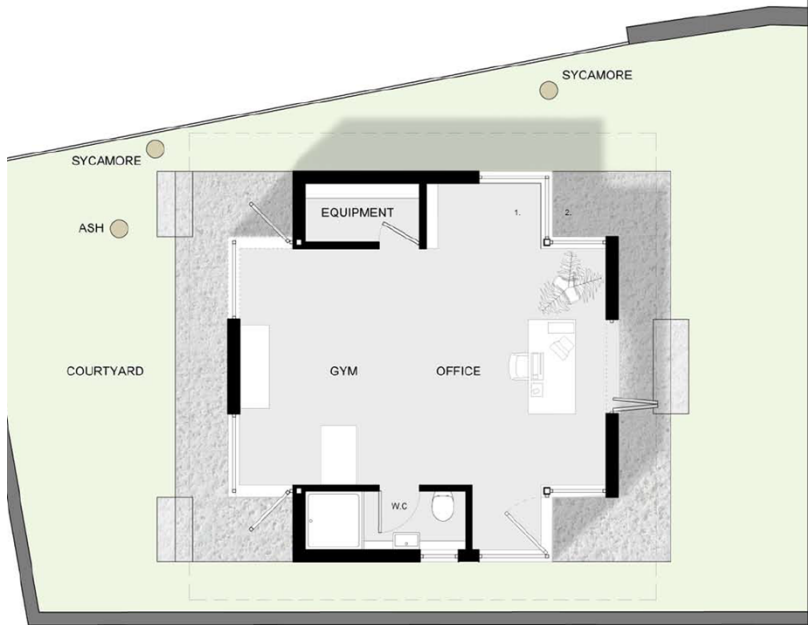
9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 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 (as amended).
- 2 No development shall take place until samples of the stone and roofing material 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 CA2.
- 3 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.

Appendix A – Location Plan



Appendix B- Proposed Plans



| REV | DATE | NOTES |
|-----|------|-------|
| | | |

PRELIMINARY ISSUE

CORRIGAN + SOUNDY + KILADITI CHARTERED ARCHITECTS

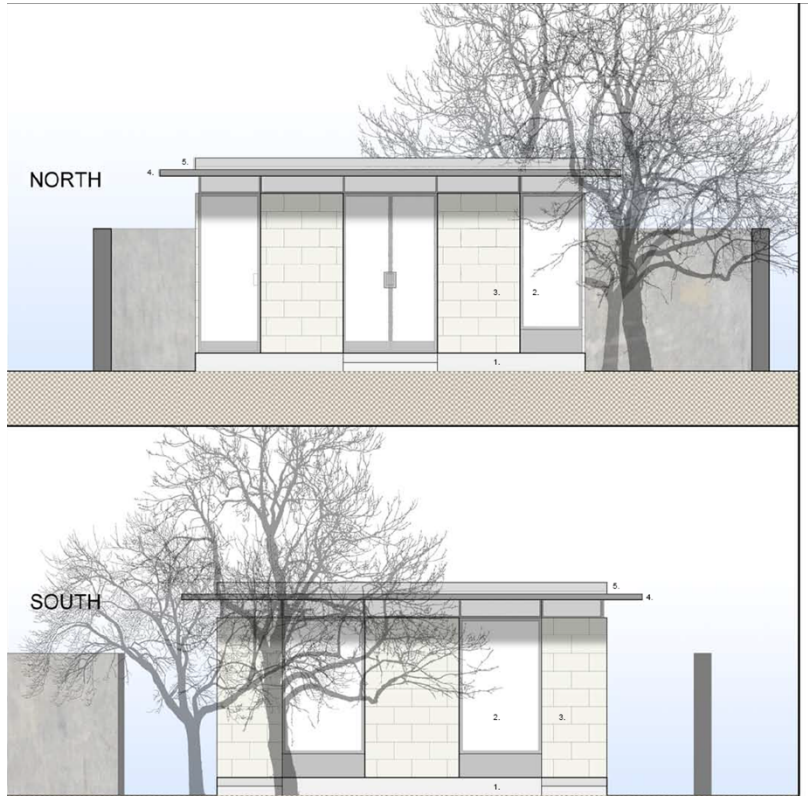
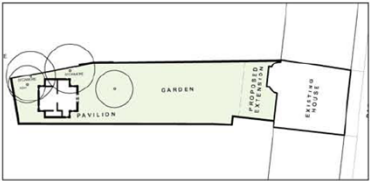
9/A HIGH STREET ETON WINDSOR BERKSHIRE SL4 6AF TEL: 01753 840519 FAX: 01753 888227

9 PARK STREET - WINDSOR SL4 1LU 1:50 @ A3 OCT 2013 CH

GARDEN PAVILION
GROUND FLOOR PLAN 1438/P5/02 --

SCHEDULE OF MATERIALS

1. POLISHED CONCRETE FLOOR
2. PAVING / DECKING
3. FLASTERING
4. GLAZING
5. STONEMWORK
6. LEAD / METAL COVERING



| REV | DATE | NOTES |
|-----|------|-------|
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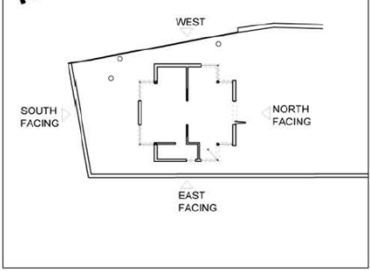
PRELIMINARY ISSUE

CORRIGAN + SOUNDY + KILADITI CHARTERED ARCHITECTS

9/A HIGH STREET ETON WINDSOR BERKSHIRE SL4 6AF TEL: 01753 840519 FAX: 01753 888227

9 PARK STREET - WINDSOR SL4 1LU 1:50 @ A3 OCT 2013 CH

GARDEN PAVILION
ELEVATIONS 1438/P5/03 --

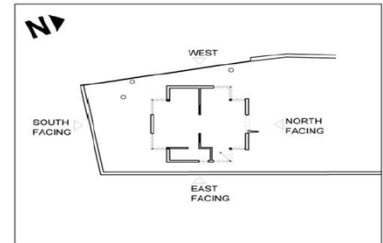


SCHEDULE OF MATERIALS

1. PAVING / DECKING
2. GLAZING
3. STONEMWORK
4. LEAD / METAL FLASHING
5. ROOF COVERING



| REV | DATE | NOTES |
|---|------|--------------------|
| PRELIMINARY ISSUE | | |
| CORRIGAN + SOUNDY + KILADITI CHARTERED ARCHITECTS | | |
| 91A HIGH STREET ETON, WINDSOR, BERKSHIRE, SL4 6AF TEL: 01753 843519 FAX: 01753 889237 | | |
| 9 PARK STREET - WINDSOR SL4 1LU | | 1:50@A3 OCT2013 CH |
| GARDEN PAVILION ELEVATIONS | | 1438/P5/04 -- |



| SCHEDULE OF MATERIALS | |
|--------------------------|--|
| 1. PAVING / DECKING | |
| 2. GLAZING | |
| 3. STONEMARK | |
| 4. LEAD / METAL COVERING | |
| 5. ROOF COVERING | |

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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 6

| | |
|---|---|
| Application No.: | 17/01820/FULL |
| Location: | Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS |
| Proposal: | Removal of obsolete rooftop smoke vent and replacement with modern automatic opening vents integrated with the existing modern smoke detection. |
| Applicant: | Mr Searle |
| Agent: | Ms Deniz Beck |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk | |

| | |
|--|---|
| Application No: | 17/00857/LBC |
| Location: | Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS |
| Proposal: | Removal of obsolete rooftop smoke vent and replacement with modern automatic opening vents integrated with the existing modern smoke detection. |
| Applicant: | Mr Searle |
| Agent: | Ms Deniz Beck |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Julia Foster on 01628 683796 or at julia.foster@rbwm.gov.uk | |

1. SUMMARY

- 1.1 The application seeks planning permission and Listed Building consent to replace the existing sliding smoke vents on the main roof of the theatre with three new automatic opening smoke vents. The Conservation Officer has advised that the proposal is acceptable from a Listed Building and Conservation Area aspect.

It is recommended that the Panel grants listed building consent (17/00857/LBC) and planning permission (17/01820) with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

The Council's Constitution does not give the Head of Planning delegated powers to determine these applications as the building is owned by the Council. Such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The Theatre Royal is located on the north-west side of Thames Street, facing Windsor Castle. The property is a Grade II Listed Building which is situated within the Windsor Town Centre Conservation Area, the list description reads as follows:

5130 (West Side) Theatre Royal SU 9677 SE 1/228 II GV 2. Built 1903, by Sir William Shipley. Interior refurbished after fire in 1910. Tall 3 storey ashlar

front with slight Jacobean detail. Deep frieze, cornice, parapet with swept coping and tapered square finials. Stone mullioned transomed tall windows, 5 lights in centre, 2 lights to sides. Broad entrance and glazed canopy on east iron columns over pavement. Nos 28 to 30(consec) and THE THEATRE ROYAL form a group.

- 3.2 The hipped roof over the stage area of the theatre is covered with slates and the north side of the roof has an existing large sliding metal and corrugated iron smoke hatch. The hatch lets smoke escape out of the theatre in the event of a fire; a health and safety requirement. This is currently opened (with difficulty) using chains but is very heavy and slow. The hatch can just be seen from River Street and the Riverside Car Park, but is not prominent in those views.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 It is proposed to replace the current smoke hatch with a new mechanically opening grey aluminium door system which is of similar dimensions, but slightly lower than the existing hatch. The proposed replacement smoke vents are required for health and safety reasons.

| Ref. | Description | Decision and Date |
|--------------|--|--------------------------|
| 95/02006/LBC | Installation of new safety guardrail around parapet wall to fly tower. | Permitted 28.2.1996 |
| 06/01680/LBC | Replace exiting external fire escape staircase and roof sections, partial repair of brickwork to parapet wall, repoint flank wall, partial renewal of rainwater goods, internal alterations to first floor to form wheelchair accessible WC. | Permitted 19.9.2006 |

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 7 and 12

Applications for Listed Building Consent should take into account the Planning (Listed Building and Conservation Area s) Act 1990, S16 and 66.

Applications within Conservation Areas should take into account the Planning (Listed Building and Conservation Area) Act 1990- S72

Also Historic England's; 'Managing Significance in Decision-Taking in the Historic Environment' and 'Making Changes to Heritage Assets,' and 'Conservation Principles 2008',

Royal Borough Local Plan

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

| Within settlement area | Conservation Area | Listed Building |
|------------------------|-------------------|-----------------|
| DG1 | CA2 | LB2 |

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Borough Local Plan: Submission Version

| Issue | Local Plan Policy |
|--|-------------------|
| Design in keeping with character and appearance of area | SP2, SP3 |
| Historic Environment | HE 1 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

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

- 1 The Windsor Town Centre Conservation Area Appraisal.

6. EXPLANATION OF THE RECOMMENDATION

- 6.1 The key issues for consideration are:

Listed Building application

- i Impact on the Listed Building;

Planning Application

- ii Impact on the character of the Conservation Area.

Considerations for the Listed Building Application- Impact on the Listed Building

- 6.2 The existing vents are not considered to be an important part of the significance of the listed building, however they are part of the recent history of the building so should be recorded prior to their removal. It is proposed to replace the existing manually operated, heavy sliding vents with a modern automated system consisting of three aluminium casement-style double vents, fitted over the existing opening. The

top of the new vents will be around 200mm lower than the existing making them less visible. The new vents would be fully integrated with the existing fire detection and alarm systems to efficiently deal with emergency situations without unnecessary danger to staff or the public.

- 6.3 The proposed new vents will have less impact than the existing due to their design, materials and reduced dimensions. As such the proposal will not adversely affect the character of the listed building or its historic fabric and complies with Policy LB2 of the Local Plan.

Considerations under the planning application- Impact on the Conservation Area and Setting of Listed Building

- 6.4 The rear of this building is visible from River Street and the adjoining car park. However, the new vents will have less impact than the existing due to their design, materials and reduced dimensions. Accordingly, the proposal will preserve the character and appearance of the Conservation Area and Setting of the Listed Buildings.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

15 occupiers were notified directly of the application.
Site notices advertising the applications were posted at the site on the 16th May 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on the 6th April 2017.

No letters of representation have been received.

Consultee responses

| Consultee | Comment | Where in the report this is considered |
|--------------------------|---|--|
| Conservation Officer | The proposed replacement smoke hatch will be less visible than the existing and this is considered to be an acceptable alteration from the listed building and conservation area aspects. | 6.2-6.4 |
| Historic England | Pending response. | To be reported in Panel Update |
| Environmental Protection | No objections. | Noted. |
| Highway Authority | The proposal raises no highway concerns. | Noted. |

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan

- Appendix B – Existing and proposed elevation and roof plan

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

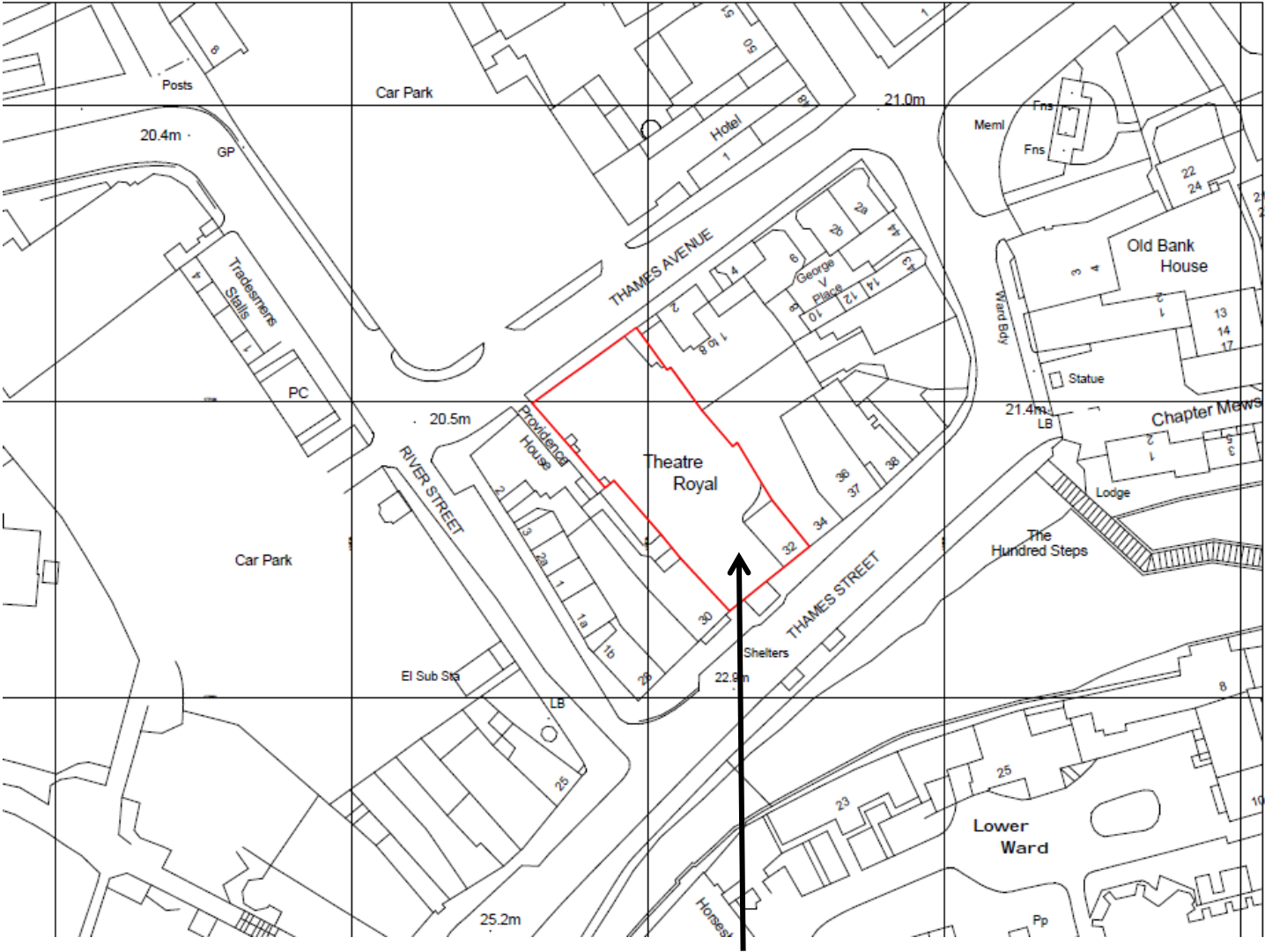
9.1 For application 17/00857/LBC:

- 1 The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
- 2 No works shall commence until a record of the existing smoke hatch and associated mechanism to Level 2 as set out in Understanding Historic Buildings, A Guide to Good Practice (Historic England 2016) has been submitted to and approved by the Local Planning Authority in writing. Reason: To ensure that a proper record of the historic building is achieved. Relevant Policies - Local Plan LB2.
- 3 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.

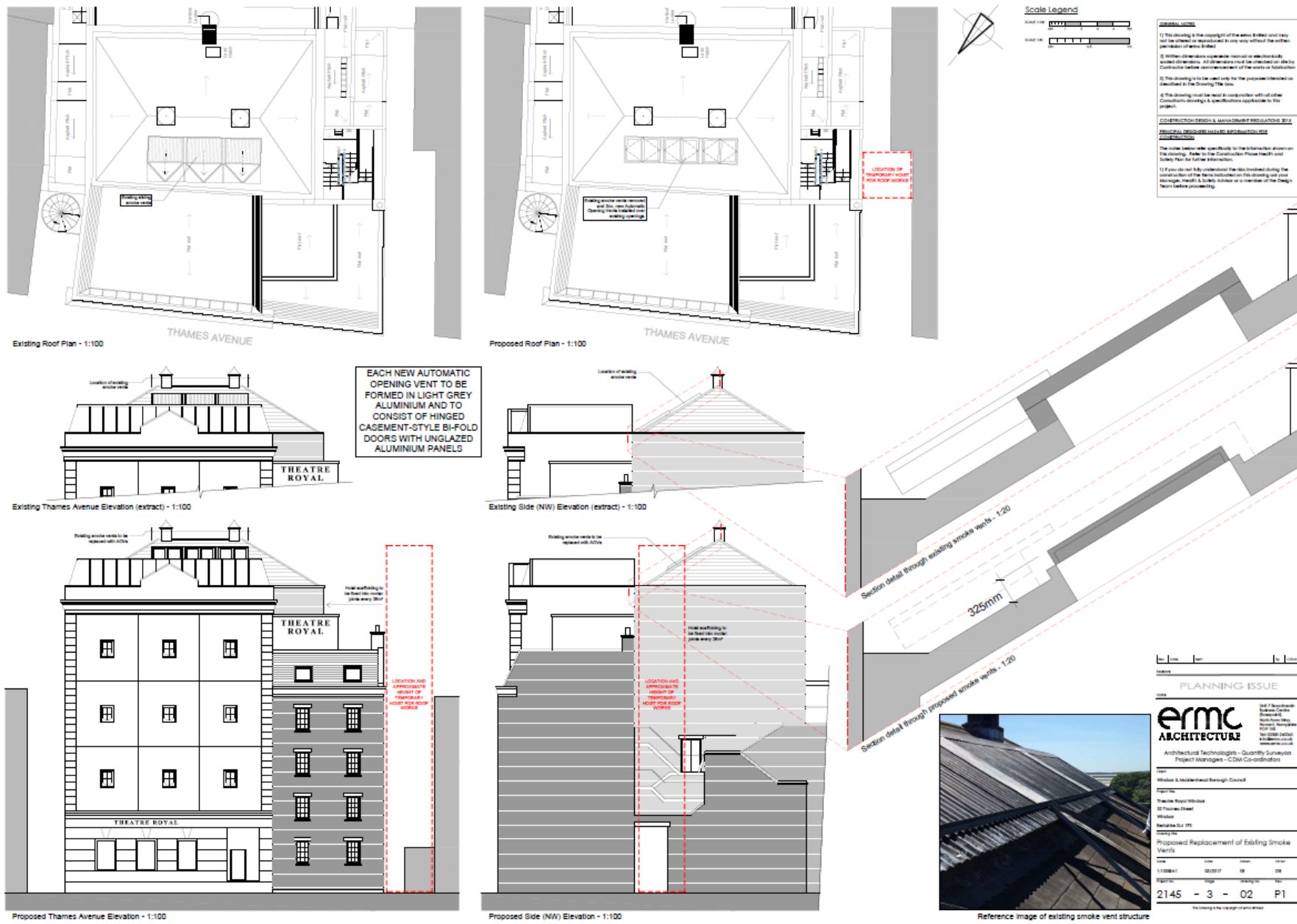
9.2 For application 17/01820/FULL:

- 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 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, LB2, CA2.
- 3 The temporary hoist for the roof works, including the scaffolding, indicated on the approved plans shall be removed from the site within one month of the installation of the vents hereby approved.
Reason: To protect and preserve the character and appearance of the listed building and conservation area. Relevant Policies - Local Plan LB2, CA2.
- 4 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.

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Application Site



WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 7

| | |
|---|--|
| Application No.: | 17/01867/FULL |
| Location: | 77 Arthur Road Windsor SL4 1RT |
| Proposal: | Proposed second floor rear extension, raising of existing roof with loft conversion and new velux window to front of dwelling. |
| Applicant: | Mr & Mrs Shields |
| Agent: | Mr Richard Fenn |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Josey Short on 01628 683960 or at josey.short@rbwm.gov.uk | |

1. SUMMARY

1.1

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):

- | | |
|----|---|
| 1. | The increase in ridge height of the dwelling and the excessive addition of mass and bulk of the rear extension in combination with its poor design would result in a discordant form of development which is unsympathetic to the host dwelling and the character of the area in general. Consequently, the extension would fail to comply with policies DG1 and H14 of the Councils Local Plan along side section 7 of the National Planning Policy Framework. |
|----|---|

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Rankin should the application be recommended for refusal.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to a mid terrace Victorian dwelling situated on the north side of Arthur Road. The exterior of the building is a mixture of brick and render; the windows are upvc. The development site is also located within Flood Zone 2 and 3 in its entirety. The surrounding area is characterised by two storey terraces finished in brick and render, most of which have two storey outriggers with mono pitched roofs.
- 3.2 Properties within the area have undergone numerous forms of development; ground and first floor rear extensions are not uncommon in the area. In recent years dormers similar to that which is proposed have been granted planning permission at 27, 29, 35 and 53 Arthur Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission to raise the ridgeline of the existing property and construct a second floor rear extension with Juliette balcony; the proposed works form part of a loft conversion which would provide 2 new bedrooms. One rooflight would be installed in the dwellings front roof slope.

- 4.2 The proposed, flat roof dormer extension would extend to the full width of the enlarged roof and wrap around the existing first floor outrigger, projecting 3.7m from the existing roof slope to the full depth of the outrigger.

| Ref. | Description | Decision and Date |
|---------------|-------------------------------|--|
| 12/02038/FULL | Single storey rear extension. | Conditional Permission – 30.08.2012 |

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 | High risk of flooding | Parking |
|------------|------------------------|-----------------------|---------|
| Local Plan | DG1, H14 | F1 | P4 |

These policies can be found at:

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

- 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:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Borough Local Plan: Submission Version

| Issue | Local Plan Policy |
|---|-------------------|
| Design in keeping with character and appearance of area | SP3 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link at paragraph 5.2
- RBWM Parking Strategy – view using link at paragraph 5.2

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact on floodzone location
- ii Visual impact on the host dwelling and the locality in general.
- iii Impact on neighbour amenity
- iv Impact on highway safety and parking provision

Issue 1 – Flooding

6.2 Local Plan Policy F1 of the Adopted Local Plan is applied to all development within areas liable to flooding. The policy indicates that new residential development or non-residential development, including extensions in excess of 30m² will not be permitted “unless it can be demonstrated to the satisfaction of the Borough Council that the proposal would not of itself, or cumulatively in conjunction with other development: 1) impede the flow of flood water; or 2) reduce the capacity of the floodplain to store flood water; or 3) increase the number of people or properties at risk from flooding”. The Policy states that ‘for a household, the GCA would include the additions to the property that have been completed since 26th September 1978 (as per paragraph 2.4.7 of the Adopted Local Plan) which required express planning permission including any detached garage(s) together with any outbuildings that are non-floodable’. In this case the proposed development relates to the construction of a first and second floor extension. As such, the ground covered area at the site would not be increased and therefore Policy F1 is not relevant.

Issue 2 – Visual Impact

6.3 The application seeks planning permission to raise the ridgeline of the existing property and construct a second floor rear extension with Juliette balcony; the proposed works form part of a loft conversion which would provide 2 new bedrooms. One rooflight would be installed in the dwellings front roof slope. The ridge height of the dwelling would be raised by approximately 0.4m above the ridge height of the immediate neighbours (No.75 and No.79) and would be of similar height and size to the roof extensions recently granted and built at nos. 53 and 35 Arthur Road. It is

noted that similar proposals have been granted at no's 27 and 29 Arthur Road; however these permissions have not been implemented.

- 6.4 The street scene of Arthur Road is characterised by uniform rows of terraced, Victorian dwellings. The row of terraces to the north side of the road, which is where the application site is located, front straight onto the public footpath. From the public realm, the altered ridge heights of other dwellings can be clearly viewed. Several examples of increased ridge heights can be viewed from the public realms which serve alterations to the roof space of these dwellings. The proposed increase would be 0.4 metres which would be visible from the street scene and appear inconsistent in the context of the attached neighbouring dwellings to the east and west. Although it is noted that there are some examples of increased ridge heights, these are not within the immediate vicinity of the application site and as such it is considered that they would not set a precedent in this instance. The locality of the application site and the immediate dwellings to both sides of it do not have altered ridge height. Consequently it is considered that the increase in ridge height would have a detrimental impact on the appearance of the host dwelling and the character of the locality and as such would be contrary to policies DG1 and H14 of the Councils Local Plan.
- 6.5 The creation of a second floor extension to this dwelling would appear unsympathetic to both the host dwelling and the immediate neighbouring dwellings by virtue of their mid terrace, 2 storey Victorian designs. It is considered that due to the scale, mass and bulk of the proposed works, the resultant dwelling would appear visually discordant and unsympathetic to the character and appearance of the area and detrimental upon the appearance of the row of terraces. Consequently it is considered to be poor design. It would significantly detract from the character of the host dwelling and would be at odds with the roof scape of other dwellings within the immediate area. The application site is clearly visible from public vantage points, including from the public car park which the site backs onto. Mindful of the above, it is considered that, the proposed extension would fail to integrate with and respect the appearance of the original dwelling, and would harm the character of the area. The development would be contrary to policies Local Plan Policies DG1 and H14 and with the aims and objectives of the NPPF.

Issue 3 – Neighbour Amenity

- 6.6 Policy H14 requires that extensions should not result in an unacceptable loss of light or privacy to neighbouring properties or significantly affect their amenities by being visually intrusive or overbearing. It is not considered that the proposal would result in an unacceptable level of overlooking upon the amenities of neighbouring dwellings given that it would only incorporate rear facing windows which would face the public car park to the rear of the site. By virtue of the addition of scale, mass and bulk of the proposed extension, it is considered that it would be clearly visible from both attached neighbouring dwellings. However it is not considered that it would appear unduly overbearing to neighbouring dwellings.

Issue 4 – Highway Safety and Parking Provision

- 6.7 In accordance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004, it is necessary for 4 bedroom dwellings to provide 3 parking spaces. It is recognised that there would be a shortfall in parking provision in accordance with the adopted Parking Strategy, 2004 as a result of this proposal, however, there are

parking restrictions along Arthur Road and given its close proximity to Windsor Town Centre, no objections are raised in this regard.

Issue 5 – Other Material Considerations

- 6.8 It is noted that there are a number of dwellings to both the east and west of the development site with rear box dormers, however it is likely that the majority of these dormers were erected under permitted development rights. The exception to this is 65 Arthur Road which was granted full permission.
- 6.9 Number 65 was granted permission for a dormer within the main roof space in 2011; however, this application did not include the raising of the ridge height of the dwelling. In addition to this it is flanked on either side by dormers of a similar size and design.
- 6.10 It should be noted that in a recent appeal decision with regard to the erection of a large dormer on a similar style property in Alexander Road, Windsor, the Inspector concluded that *“In reaching my decision, I have given careful consideration to the existence of other roof extensions within the area. However, in my opinion, many of these extensions have a negative impact on the character and appearance of the area. Consequently, I am not persuaded that they should act as a precedent for the appeal proposal. In addition, I accept that the proposed dormer would not be readily visible from public viewpoints because of the screening effect of the two storey rear projecting section of the appeal property. However, the fact that a development cannot be seen is not (in my opinion) a reason in itself for granting planning permission”*. Taking into consideration the Inspector’s decision it is considered that the existence of other poorly designed and unsympathetic dormers should not make a similarly poor proposal acceptable.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Three occupiers were notified directly of the application.

The planning officer posted a [site](#) notice advertising the application at the site on 12th July 2017

No letters were received supporting or objecting to the application.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Existing plans
- Appendix C - Proposed plans
- Appendix D - Site photos

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.

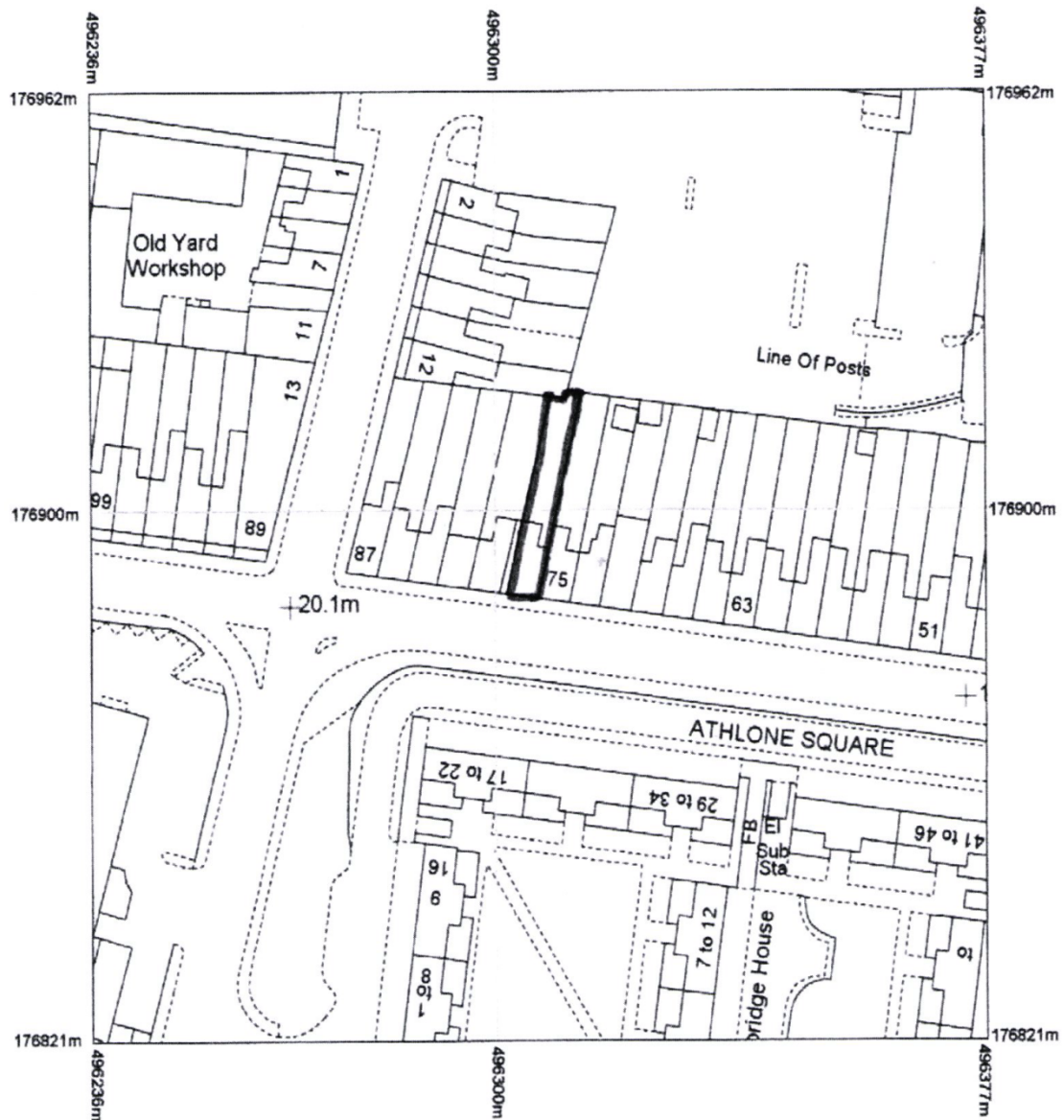
This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully/unsuccessfully resolved.

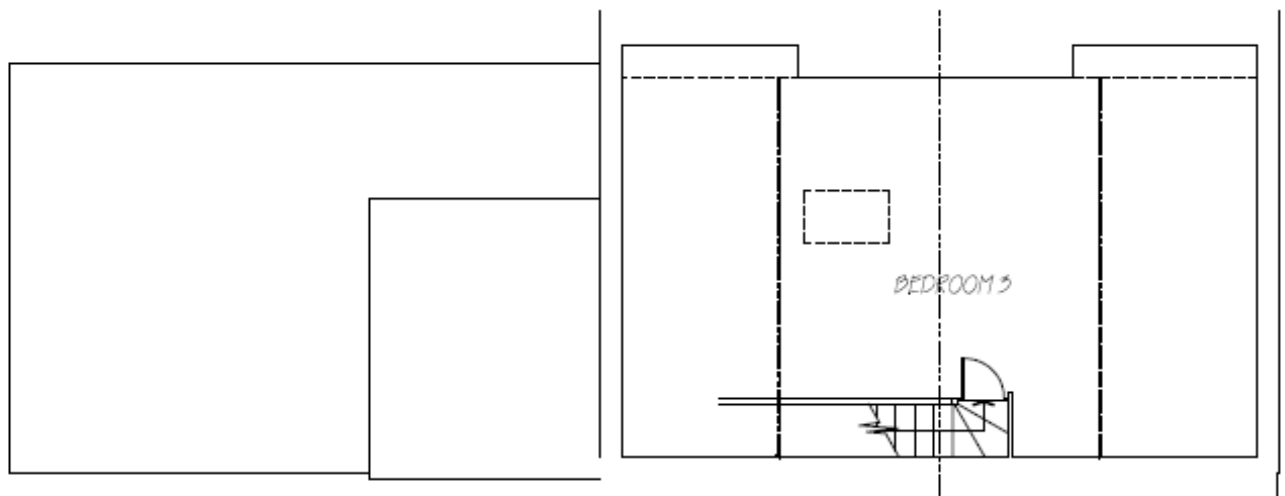
9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The increase in ridge height of the dwelling, and the excessive addition of mass and bulk of the rear extension in combination with its poor design would result in a discordant form of development which is unsympathetic to the host dwelling and the character of the area in general. Consequently, the development fails to comply with policies DG1 and H14 of the Councils Local Plan along side section 7 of the National Planning Policy Framework.

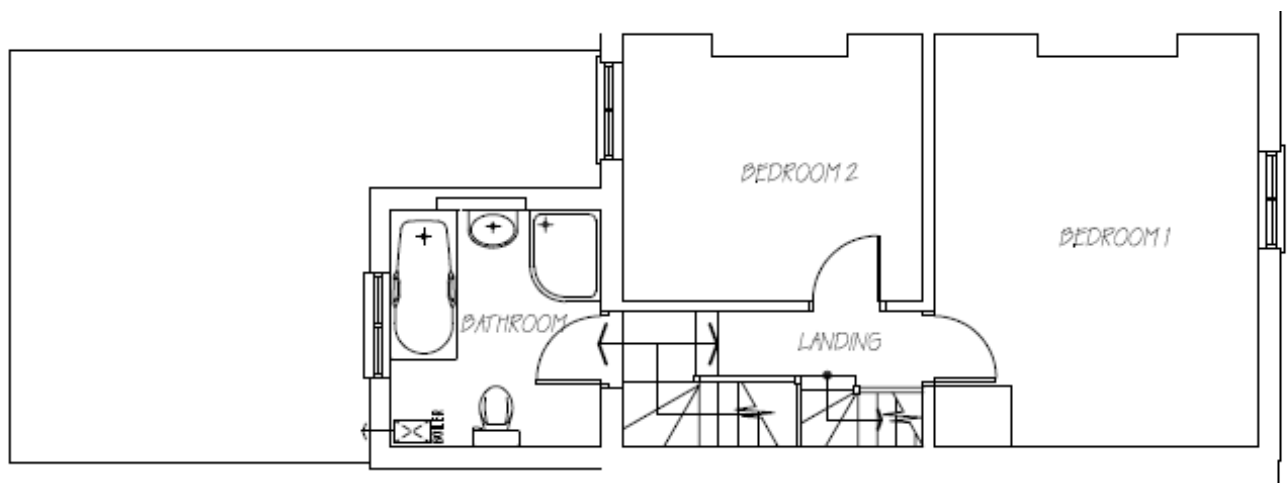
Appendix I – Site Location Plan



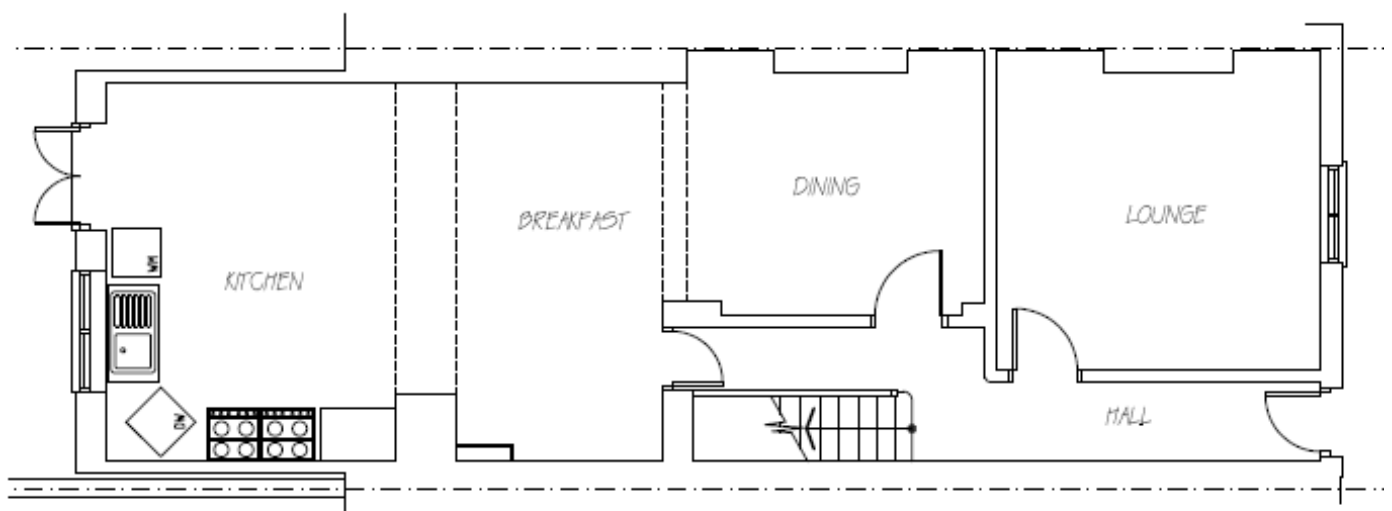
Appendix II – Existing Plans and Elevations



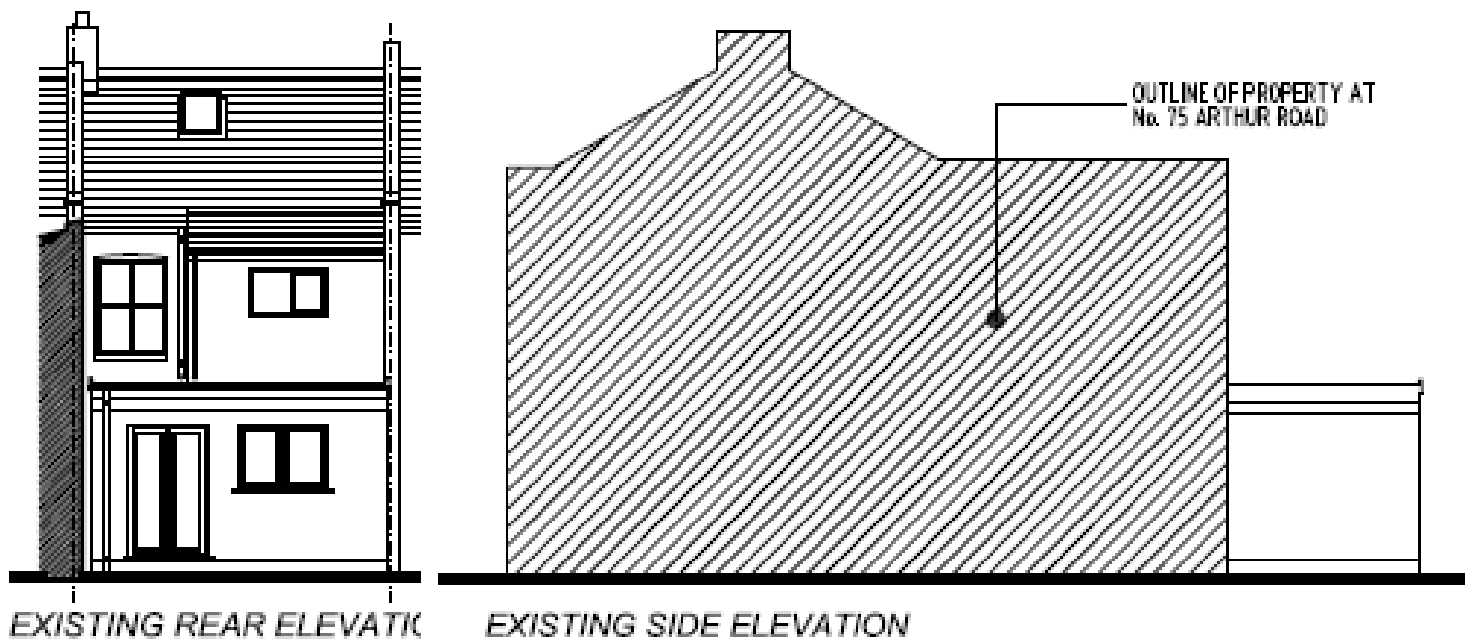
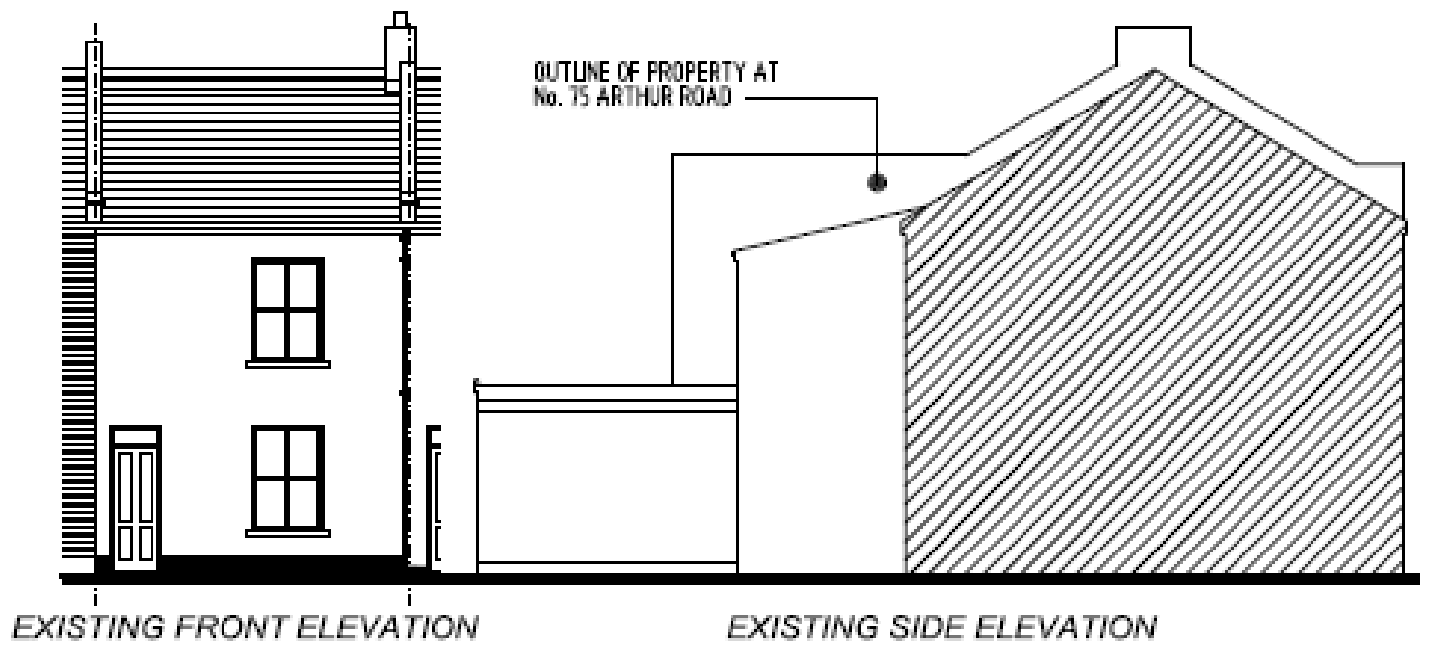
EXISTING SECOND FLOOR LAYOUT



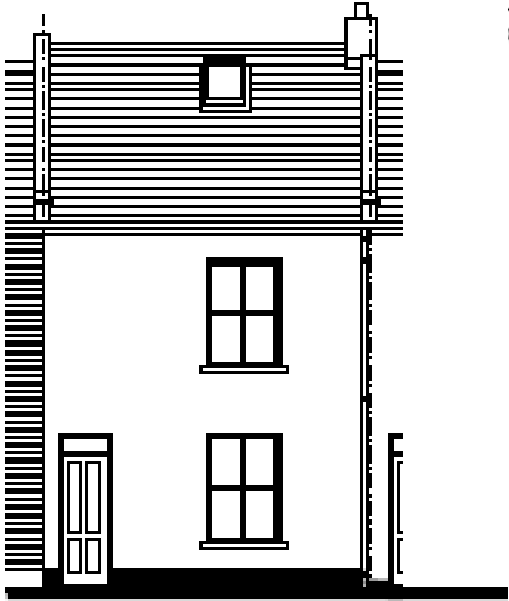
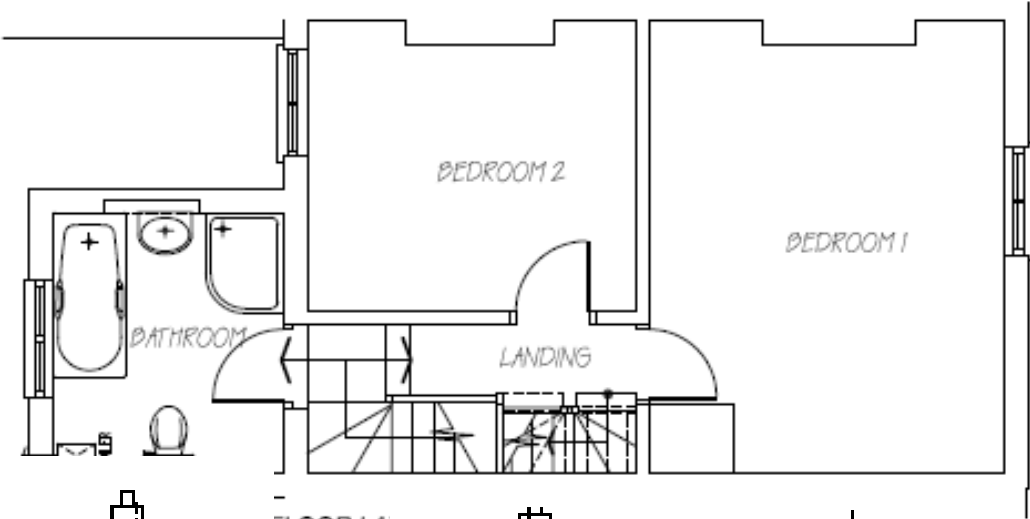
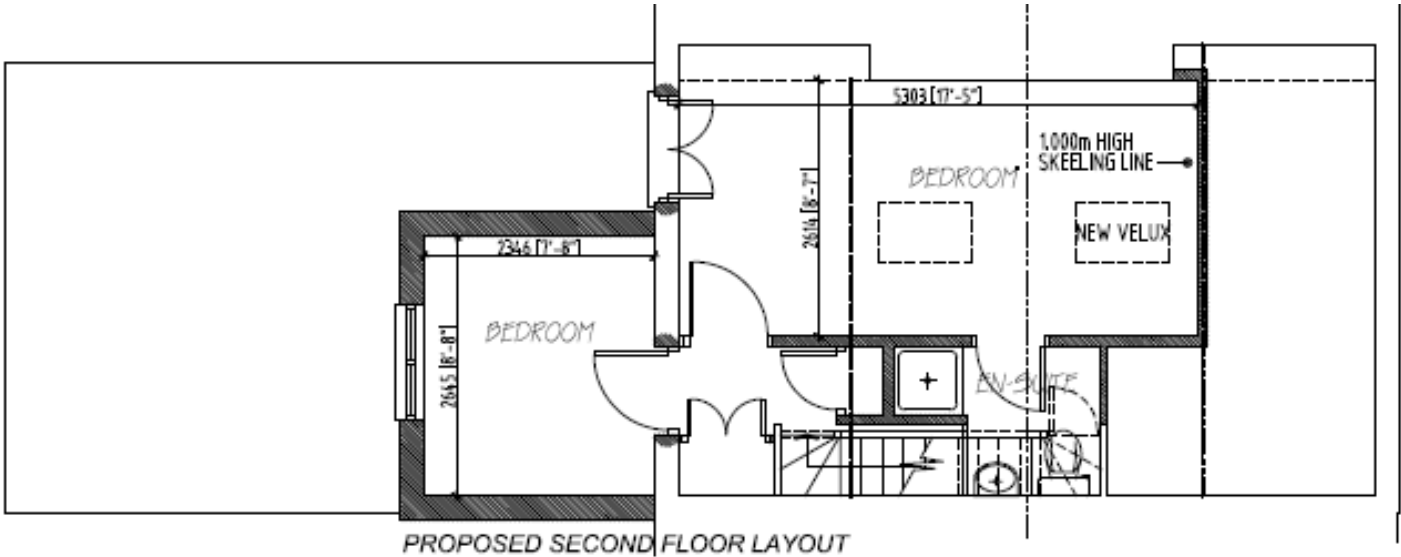
EXISTING FIRST FLOOR LAYOUT

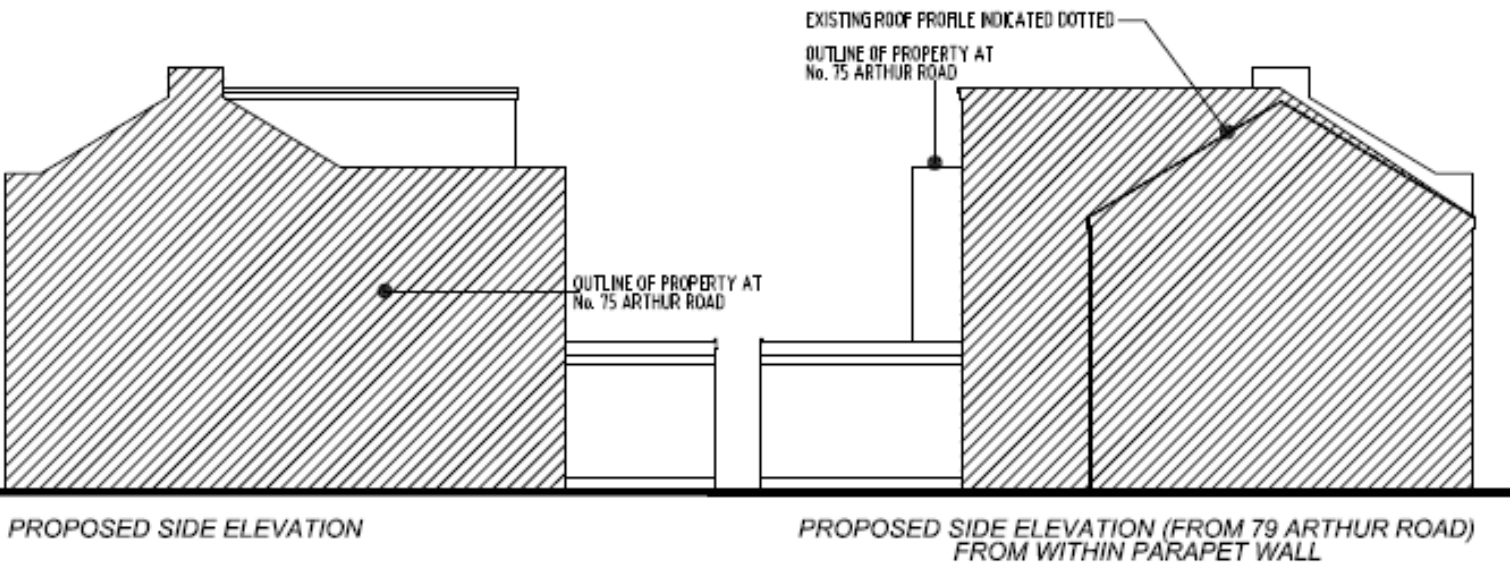


EXISTING GROUND FLOOR LAYOUT



Appendix III – Proposed Plans and Elevations





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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 8

| | |
|---|---|
| Application No.: | 17/01943/FULL |
| Location: | 75 Arthur Road Windsor SL4 1RT |
| Proposal: | Raising of main ridge and construction of L-shape rear dormer |
| Applicant: | Mr Briffa |
| Agent: | Mr Mark Darby |
| Parish/Ward: | Windsor Unparished/Castle Without Ward |
| If you have a question about this report, please contact: Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk | |

1. SUMMARY

- 1.1 Due to the increase in height of the dwelling, and the scale and bulk of the proposed dormer. The development would appear visually discordant and unsympathetic to the character and appearance of the area and detrimental upon the appearance of the row of terraces. The way the dormer links between the main roof and outrigger would create an awkward appearance which is considered to be poor design. It would significantly detract from the character of the host dwelling and be at odds with the roof scape of other dwellings within the immediate area. The application site is clearly visible from public vantage points and the proposed dormer extension would fail to integrate with and respect the appearance of the original dwelling. The development would be contrary to Local Plan Policies DG1 and H14 and the aims and objectives of the NPPF.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):

- | | |
|-----------|--|
| 1. | Due to its increase in the ridge height of the dwelling, as well as the excessive bulk and poor design of the dormer, the proposed roof extensions would result in a discordant form of development which is unsympathetic to the host dwelling and would have an adverse impact upon the character and appearance of the area. |
|-----------|--|

2. REASON FOR PANEL DETERMINATION

- Councillor Rankin has called the application for Panel determination, in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to a mid terrace Victorian dwelling situated on the north side of Arthur Road. The exterior of the building is a mixture of brick and render; the windows are upvc. The development site is also located within Flood Zone 3. The surrounding area is characterised by two storey terraces finished in brick and render, most of which have two storey outriggers with mono pitched roofs.
- 3.2 A number of properties within the area have undergone numerous forms of development; ground and first floor rear extensions are not uncommon in the area. In recent years dormers similar to that which is proposed have been granted planning permission at 27, 29, 35 and 133 Arthur Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 Application No.17/00728 for 'Raising of main ridge with rear dormer and second-storey extension above rear outrigger' was withdrawn on 15.06.2017, prior to its determination.
- 4.2 The application seeks planning permission to raise the ridge height of the existing dwelling by approximately 0.6m and construct an L shaped dormer with 2 Juliet balconies. The dormer would include a side elevation window servicing a bedroom and 2 front roof lights. The works would result in 2 additional bedrooms at the property.
- 4.3 The proposed L shaped, flat roof dormer extension would extend the full width of the property and onto the existing first floor outrigger, projecting 3m from the existing roof slope to the full depth of the outrigger.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

National Planning Policy Framework

- ☐ Section 7 – Requiring Good Design
- ☐ Core Planning Principles

Royal Borough Local Plan

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

| | Within settlement area | High risk of flooding | Parking |
|------------|------------------------|-----------------------|---------|
| Local Plan | DG1, H14 | F1 | P4 |

- 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

Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

Borough Local Plan: Submission Version

| Issue | Local Plan Policy |
|---|-------------------|
| Design in keeping with character and appearance of area | SP3 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the

Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

RBWM Parking Strategy – view using link at paragraph 5.2

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i impact upon the character and appearance of the host dwelling and the area in general;
- ii impact on highway safety;
- iii impact on the living conditions of occupiers of neighbouring properties, and
- iv area liable to flood.

Impact on the character and appearance of the host dwelling and surrounding area

6.2 The appearance of a development is a material planning consideration and in general terms the design of a proposal should not adversely impact on the character and appearance of the wider street scene. The National Planning Policy Framework (NPPF) was published in March 2012 and is a material planning consideration in the determination of planning decisions. One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

6.3 Local Plan Policy H14 advises that extensions should not have an adverse effect upon the character or appearance of the original property or any neighbouring properties, nor adversely affect the street scene in general. Policy DG1 seeks to secure a high quality standard of design.

6.4 The proposed dormer extension would extend above the existing first floor outrigger and would project 6.5m from the roof of the main house. The raising of the ridge height would have two effects; the ridge height of the application property would be noticeably higher (approximately 0.6) than the property immediately to the west (No. 73) and considerably higher (approximately 0.6m) than No.77 to the east. No.73 has a rear dormer but its ridgeline has remained unaltered. The ridgeline and roof slope of No.77 is unaltered. As both neighbouring ridgelines have not been altered, the ridge of the new roof will not maintain the ridge height alignment shared with the neighbouring terraced dwellings and this will be readily apparent from public areas, subsequently harming the appearance of the area. Additionally due to the considerable difference in heights between the proposed development and its two most immediate neighbours; the proposed rear dormer is likely to be visible from

Arthur Road and the public carpark located to the rear of the site; impacting detrimentally upon the appearance of the street and surrounding area.

- 6.5 The proposal by reason of its increase in height of the main dwelling, and the scale and bulk of the proposed dormer extension would appear visually discordant and unsympathetic to the character and appearance of the area and detrimental upon the appearance of the row of terraces. The way the dormer links between the main roof and outrigger would create an awkward appearance which is considered to be poor design. It would significantly detract from the character of the host dwelling and be at odds with the roof scape of other dwellings within the immediate area. The application site is clearly visible from public vantage points and the proposed dormer extension would fail to integrate with and respect the appearance of the original dwelling. The development would be contrary to policies Local Plan Policies DG1 and H14 and with the aims and objectives of the NPPF.

Impact on the living conditions of occupiers of neighbouring properties.

- 6.6 Policy H14 requires that extensions should not result in an unacceptable loss of light or privacy to neighbouring properties or significantly affect their amenities by being visually intrusive or overbearing. Core Planning Policy 17 within the NPPF suggests that all development should result in a good level of amenity for current and future users.
- 6.7 The Juliette balconies would provide similar views to those found from the properties existing first floor rear windows, as such there they are unlikely to lead to any significant loss privacy or overlooking. The proposed dormer includes a side elevation bedroom window, which would face into the flank wall of no.73s dormer. The window would also overlook the rear patio of No.73. However as there is very little boundary treatment between No.73 and 75 Arthur Road, a low level of privacy exists between the sites and the dormer would cause no significant increase when compared with the existing situation.
- 6.8 It is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

Area liable to flood.

- 6.9 The site lies within an area liable to flood, Flood Zone 3 (high risk) where Policy F1 limits the increase in ground covered area of extensions throughout the lifetime of a property to 30sqm. In this case the proposal relates to development all of which is above ground level and therefore, will not result in an increase in an increase in ground covered area of the site and as such the proposal is considered to comply with Policy F1 of the Local Plan.

Impact on highway safety.

- 6.10 In accordance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004, it is necessary for 4 bedroom dwellings to provide 3 parking spaces. It is recognised that there would be a shortfall in parking provision in accordance with the adopted Parking Strategy, 2004 as a result of this proposal, however, there are

parking restrictions along Arthur Road and given its close proximity to Windsor Town Centre, no objections are raised.

Other Material Considerations.

- 6.11 It is noted that there are a number of dwellings further to the west and east of Arthur Road with large box dormers to the rear; however, it would appear that the majority of these dormers have been erected under the dwellings' permitted development rights.
- 6.12 In addition in a recent appeal decision with regard to the erection of a large dormer on a similar style property in Alexander Road, Windsor, the Inspector concluded that "In reaching my decision, I have given careful consideration to the existence of other roof extensions within the area. However, in my opinion, many of these extensions have a negative impact on the character and appearance of the area. Consequently, I am not persuaded that they should act as a precedent for the appeal proposal. In addition, I accept that the proposed dormer would not be readily visible from public viewpoints because of the screening effect of the two storey rear projecting section of the appeal property. However, the fact that a development cannot be seen is not (in my opinion) a reason in itself for granting planning permission". Taking into consideration the inspector's decision it is considered that the existence of other poorly designed and unsympathetic dormers should not make a similarly poor proposal acceptable.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 No letters were received from the 2 neighbours directly notified of the proposal or as the result of a site notice that was place on **23/06/17**.

8. APPENDICES TO THIS REPORT

- Appendix A - Site Location Plan
- Appendix B – Proposed Plan
- Appendix C – Existing Plan

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 not been resolved.

9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 Due to the increase in the ridge height of the dwelling, as well as the large scale and

bulk of the dormer, the development would result in a discordant form of development which is unsympathetic to the host dwelling and would have an adverse impact upon the character and appearance of the area. The development would be contrary to The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations 2003) Policies DG1 and H14 and Core Planning Principle 4 and paragraphs 56, 58, 60 and 61 of the National Planning Policy Framework.

RECEIVED

7/701943

CLIENT

Mr. J. H. Smith
Mr. J. H. Smith, Jr.

SPECIFICATIONS

CONCRETE - 3000 psi. Reinforced concrete. All concrete to be finished with a smooth surface. All concrete to be finished with a smooth surface. All concrete to be finished with a smooth surface.

ROOFING - 18 gauge galvanized iron. All roofing to be finished with a smooth surface. All roofing to be finished with a smooth surface. All roofing to be finished with a smooth surface.

PAINT - All exterior surfaces to be finished with a smooth surface. All exterior surfaces to be finished with a smooth surface. All exterior surfaces to be finished with a smooth surface.

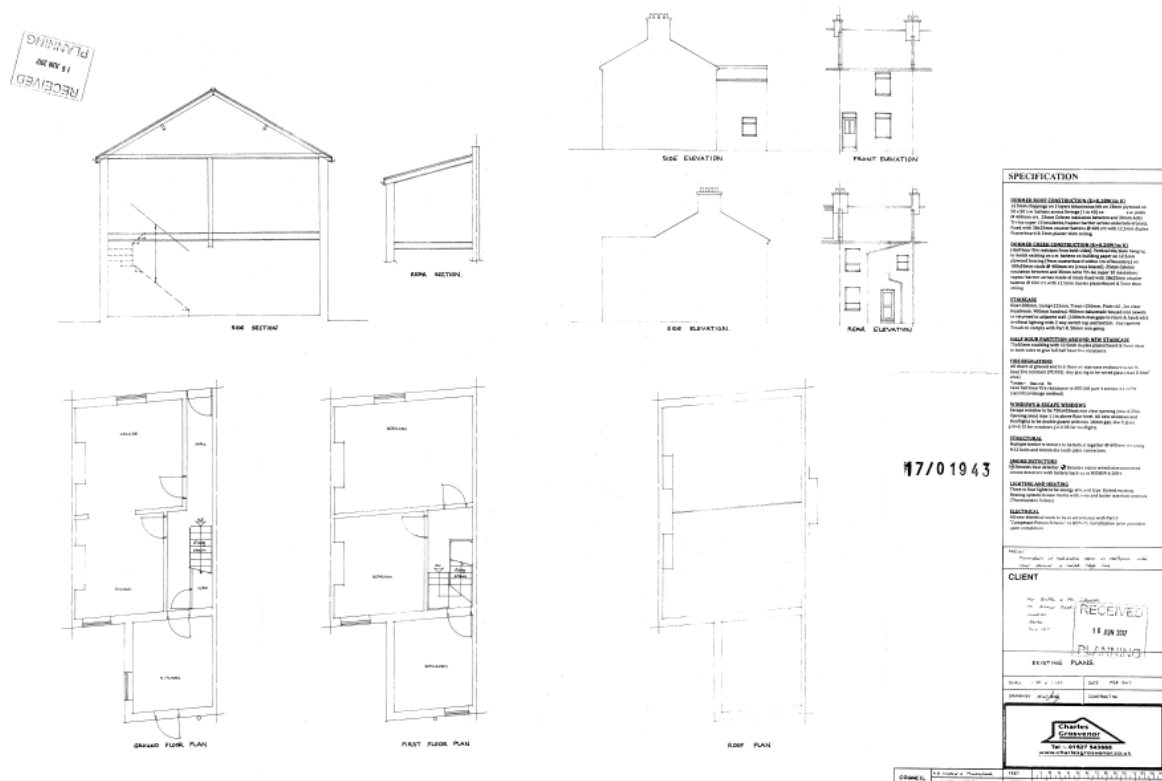
NOTES

1. All dimensions to be finished with a smooth surface. All dimensions to be finished with a smooth surface. All dimensions to be finished with a smooth surface.

2. All dimensions to be finished with a smooth surface. All dimensions to be finished with a smooth surface. All dimensions to be finished with a smooth surface.

3. All dimensions to be finished with a smooth surface. All dimensions to be finished with a smooth surface. All dimensions to be finished with a smooth surface.

Appendix C- Existing Plans





Appeal Decision Report

8 July 2017 - 4 August 2017

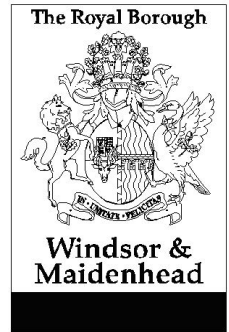
WINDSOR URBAN

| | | | | | |
|-------------------------|---|--------------------------------|---------------|-------------------|----------------------------|
| Appeal Ref.: | 17/60056/REF | Planning Ref.: | 16/03865/FULL | Pins Ref.: | APP/T0355/D/1 7/3175049 |
| Appellant: | Mr And Mrs Charlie Hayhoe c/o Agent: Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW | | | | |
| Decision Type: | Delegated | Officer Recommendation: | Refuse | | |
| Description: | Replacement roof, 2 No.rear dormers and 1 No. front dormer, 1 No. front and 1 No. side roof light's to facilitate a loft conversion, alterations to fenestration and additional parking | | | | |
| Location: | 21A Nelson Road Windsor SL4 3RQ | | | | |
| Appeal Decision: | Dismissed | Decision Date: | 31 July 2017 | | |
| Main Issue: | Due to its prominent siting, substantial increase in the bulk of the roof-scape, mansard design with large flat roof, together with the insertion of a front-facing dormer it is considered that the proposed roof extension would appear as a bulky addition to the property that is also out of keeping and at odds with the modest credentials of the dwelling, and those surrounding forming a visually intrusive addition to the street scene. For these reasons the Inspector found upon the first main issue that development as proposed would fail to respect the character and appearance of the host building and that of the surrounding area, contrary to national policy in the Framework as referred to above and "saved" Local Plan Policies DG1 and H14. | | | | |

Planning Appeals Received

8 July 2017 - 4 August 2017

WINDSOR URBAN



The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

Other appeals: The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email teamp13@pins.gsi.gov.uk

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|-----------------------|--|-----------------------|------------------------|
| Ward: | Windsor Unparished | | |
| Parish: | Windsor Unparished | | |
| Appeal Ref.: | 17/60067/NONDET | Planning Ref.: | 17/00101/FULL |
| | | PIns Ref.: | APP/T0355/W/17/3175696 |
| Date Received: | 11 July 2017 | Comments Due: | 15 August 2017 |
| Type: | Non-determination | Appeal Type: | Written Representation |
| Description: | Front porch, single storey rear conservatory and first floor side extension with rear dormer and 2 No. front rooflight's | | |
| Location: | Twin Cottage Hatch Lane Windsor SL4 3RL | | |
| Appellant: | Mr Moshe Hanlon c/o Agent: Mr Philip Hurdwell PJH Design 41 Upcroft Windsor SL4 3NH | | |