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NOTICE OF MEETING

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WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 11TH OCTOBER, 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: 3 October 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 - 108
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring reports.	109 - 110

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

STATEMENT OF THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. 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.***

Agenda Item 3

WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 13 SEPTEMBER 2017

PRESENT: Councillors Malcolm Alexander (Chairman), Michael Airey, John Bowden, Wisdom Da Costa, Jesse Grey, Eileen Quick, Gary Muir, Samantha Rayner and Shamsul Shelim

Also in attendance: Councillor Derek Wilson

Officers: Mary Kilner, Jenifer Jackson, Claire Pugh and Andy Carswell

APOLOGIES FOR ABSENCE

Apologies were received from Cllr Bicknell. Cllr Muir was attending as a substitute.

DECLARATIONS OF INTEREST

Cllr Shelim – Declared a personal interest in item 17/02265 as the applicant had a business in the same road as him. He confirmed that he had attended Panel with an open mind.

Cllr Bowden – Declared a personal interest in item 17/02265 as he lived near to the applicant's business. He confirmed that he had attended Panel with an open mind.

MINUTES

The minutes of the meeting held on August 16th 2017 were agreed as an accurate record.

PLANNING APPLICATIONS (DECISION)

(Panel updates were available for items marked with a *)

16/03035 Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver Ring and associated buildings at Windsor Racecourse Co Ltd, Maidenhead Road, Windsor SL4 5JJ – **The application was withdrawn from the agenda.**

17/01437* Mrs Longworth-Kraft: Construction of a part single-storey building (new Sports Hall) and a part two-storey building (teaching block), new hard and soft landscaping works, and new staff car parking area to replace existing hard play area at Dedworth Middle School, Smiths Lane, Windsor SL4 5PE – **THE PANEL VOTED UNANIMOUSLY to DEFER AND DELEGATE the Head of Planning to APPROVE the application in line with Officer's recommendation, subject to the following:**

- i. **Expiry of the statutory advertisement period (22nd September 2017) and no new material issues being raised, and**
- ii. **Heads of terms for the section 106 referred to at v below being arranged, and**
- iii. **The receipt of satisfactory additional Sustainable Urban Drainage (SUDs) plans and details, including calculations and maintenance programme, and**
- iv. **The referral to the Department for Communities and Local Government and confirmation that the Secretary of State does not intend to call the application in, and**

v. **The conditions listed in Section 10 of the Officer's report and subject to the completion of a Section 106 agreement to secure a Community Use Agreement for the Sports Hall.**

(The Panel was addressed by Danuta Longworth-Kraft, the applicant, and Patty Cohen, Chair of Governors at Dedworth Middle School.)

17/01617* Mr Allard: Proposed L shape dormer to accommodate loft conversion at 128 Oxford Road, Windsor SL4 5DU – **THE PANEL VOTED to REFUSE the application, in line with Officer's recommendation.**

(Seven Members (Cllrs Airey, Alexander, Bowden, Da Costa, Muir, Quick and Rayner) voted in favour of the motion to refuse and two Members (Cllrs Grey and Shelim) abstained from the vote.)

(The Panel was addressed by Charles Allard, the applicant, and received written submissions from the ward Member, Cllr Rankin.)

17/01867 Mr and Mrs Shields: Proposed second floor rear extension, raising of existing roof with loft conversion and new velux window to front of dwelling at 77 Arthur Road, Windsor SL4 1RT – **THE PANEL VOTED to REFUSE the application, in line with Officer's recommendation.**

(Five Members (Cllrs Airey, Alexander, Da Costa, Quick and Rayner) voted in favour of the motion to refuse and four Members (Cllrs Bowden, Grey, Muir and Shelim) voted against the motion.)

(The Panel was addressed by Martin Shields, the applicant, and received written submissions from the ward Member, Cllr Rankin.)

17/01943 Mr Briffa: Raising of main ridge and construction of L-shape rear dormer at 75 Arthur Road, Windsor SL4 1RT – **THE PANEL VOTED to REFUSE the application, in line with Officer's recommendation.**

(Five Members (Cllrs Airey, Alexander, Da Costa, Quick and Rayner) voted in favour of the motion to refuse, three Members (Cllrs Grey, Muir and Shelim) voted against the motion to refuse and there was one abstention (Cllr Bowden).)

(The Panel was addressed by Holly Johnson, the applicant, and received written submissions from the ward Member, Cllr Rankin.)

17/02265* Mr Aslan: First floor rear extension at 14 Clewer Fields, Windsor SL4 5BW – **THE PANEL VOTED to REFUSE the application, in line with Officer's recommendation.**

(Four members (Cllrs Airey, Alexander, Bowden and Da Costa) voted in favour of the motion to refuse, four Members (Cllrs Grey, Quick, Rayner and Shelim) voted against the motion to refuse and there was one abstention (Cllr Muir). The Chairman used his casting vote to vote in favour of the motion to refuse.)

(The Panel was addressed by Angela Gadd, the agent.)

17/02376* Mr Cove: Change of use of shop (A1) to residential (C3) at Studio 101, 101 High Street, Eton, Windsor SL4 6AF – **THE PANEL VOTED to REFUSE the application, in line with Officer's recommendation. It was agreed to send an informative to the applicant advising that evidence of a marketing**

exercise would need to be provided to show that the retail unit is no longer required, in order support any future application.

(Five members (Cllrs Airey, Alexander, Da Costa, Quick and Rayner) voted in favour of the motion to refuse and four Members (Cllrs Bowden, Grey, Muir and Shelim) abstained from the vote.)

(The Panel was addressed by Catherine Hannan, the agent.)

ESSENTIAL MONITORING REPORTS (MONITORING)

The Planning Appeals received were noted by Members.

The meeting, which began at 7.00 pm, finished at 8.58 pm

CHAIRMAN.....

DATE.....

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Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

11th October 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.	16/03035/FULL	Recommendation	DD	Page No.	13
Location:	Windsor Racecourse Co Ltd Maidenhead Road Windsor SL4 5JJ						
Proposal:	Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver Ring and associated buildings.						
Applicant:		Member Call-in:	Not applicable		Expiry Date:	4 January 2017	
<hr/>							
Item No.	2	Application No.	17/00243/FULL	Recommendation	PERM	Page No.	35
Location:	Age Concern 53 High Street Eton Windsor SL4 6BL						
Proposal:	Demolition of existing building and construction of a new building comprising 4x residential units and a ground floor commercial unit and new shopfront.						
Applicant:	Mr Abeles	Member Call-in:		Expiry Date:	26 June 2017		
<hr/>							
Item No.	3	Application No.	17/01599/FULL	Recommendation	REF	Page No.	61
Location:	Land To The Rear of 452 To 454 St Leonards Road Windsor						
Proposal:	Pair of semi-detached houses with associated landscaping and parking						
Applicant:	Panjit Grewal	Member Call-in:		Expiry Date:	25 August 2017		
<hr/>							
Item No.	4	Application No.	17/02383/FULL	Recommendation	PERM	Page No.	71
Location:	The ACT Foundation 61 Thames Street Windsor SL4 1QW						
Proposal:	Conversion of existing B1 offices to provide 4 x residential apartments, including use of existing roof terrace with enlarged 4th floor, and associated parking, amenity space and landscaping						
Applicant:	The ACT Foundation	Member Call-in:		Expiry Date:	21 September 2017		

Item No. 4 **Application No.** 17/02384/LBC **Recommendation** PERM **Page No.** 71
Location: The ACT Foundation 61 Thames Street Windsor SL4 1QW
Proposal: Consent for conversion of existing B1 offices to provide 4 x residential apartments, including use of existing roof terrace with enlarged 4th floor, and associated parking, amenity space and landscaping
Applicant: The ACT Foundation **Member Call-in:** **Expiry Date:** 20 September 2017

Item No. 5 **Application No.** 17/02460/FULL **Recommendation** REF **Page No.** 85
Location: 109 High Street Eton Windsor SL4 6AN
Proposal: Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single, part two storey side and rear extensions following the demolition of existing additions.
Applicant: Mr Shymansky **Member Call-in:** **Expiry Date:** 2 October 2017

Item No. 5 **Application No.** 17/02461/LBC **Recommendation** REF **Page No.** 85
Location: 109 High Street Eton Windsor SL4 6AN
Proposal: Consent for Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single, part two storey side and rear extensions following the demolition of existing additions.
Applicant: Mr Shymansky **Member Call-in:** **Expiry Date:** 2 October 2017

Planning Appeals Received

Page No. 109

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 October 2017

Item: 1

Application No.:	16/03035/FULL
Location:	Windsor Racecourse Co Ltd Maidenhead Road Windsor SL4 5JJ
Proposal:	Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver Ring and associated buildings.
Applicant:	
Agent:	Mr Simon Chadwick
Parish/Ward:	Windsor Unparished/Clewer North Ward

If you have a question about this report, please contact: April Waterman on 01628 682905 or at april.waterman@rbwm.gov.uk

1. SUMMARY

This report follows and updates another report previously circulated for the Windsor Urban DM Panel meeting of 13th September, but which was withdrawn from the agenda by the Head of Planning before that meeting. Since that time further negotiations on the scheme have taken place, and additional and revised information has been or is expected to be submitted, such that the following report differs from its predecessor in the description and impact analysis of the proposed development, and in terms of the recommendation to Panel.

- 1.1 The proposed development is defined as inappropriate by Green Belt policy and guidance and is harmful by virtue of its inappropriateness, the loss of openness and the intensification of built development in this predominantly countryside location. This harm should be accorded **substantial weight** in the decision-making process for this application. The development should only be accepted if Very Special Circumstances (VSC) can be demonstrated that outweigh the harm to the Green Belt and any other harm associated with the development. The applicant has set out a case for VSC which is that there is an existing and growing demand for hotel accommodation in the Windsor area, and that the location of a hotel in the already developed land area of the Windsor Racecourse complex would be of benefit to the Borough in meeting this demand, and would support the significant contribution that the racecourse makes to the visitor and business economy of the area. It is considered that the VSC case put forward by the applicant shows that the harm to the Green Belt may be adequately mitigated, and that the economic benefits of the scheme outweigh the harm to the Green Belt.
- 1.2 Other harm initially identified relates to flood risk and transport and movement issues. The proposed hotel would comprise “more vulnerable” development, and NPPG advice is clear that within the functional flood plain (Flood Zone 3b), development of such a classification of vulnerability is not permissible. However, in the same guidance it is noted that the identification of functional flood plain should take account of local circumstances and not be defined solely on rigid probability parameters. Negotiations with the applicant are on-going to reach a design and evidence combination that can demonstrate that no part of the proposed development would be located within the functional flood plain, so leaving the application clear to prove itself only in flood risk policy terms with regard to the Sequential and Exceptions Tests.
- 1.3 It is considered that the proposal has passed the flooding Sequential Test. It has been demonstrated that no alternative site, suitable for this scale and nature of development, is available on land at lower risk of flooding than is the application site. It is also considered that the development scheme would pass the Exceptions Test, in that wider benefits to the community (in particular in relation to the local economy) would ensue from the proposed hotel; the scheme can be considered to be safe for its lifetime, and no unmanaged increased flood risk elsewhere would result.

1.4 On transport matters further information and explanation has been submitted which may address initial objections to the proposal relating to parking and traffic. Again, negotiations to secure appropriate amendments to the scheme are on-going.

1.5 The development proposal comprises a town centre use to be sited in an out-of-town location. The applicant has demonstrated, by carrying out a sequential test, that no alternative site, suitable for this scale and nature of development, is reasonably available on land within the town centre, nor in an edge-of-centre location. It is considered that the applicant has demonstrated that the proposal would not have a harmful effect on the vitality or the economy of the Town Centre.

1.6The scheme proposes insufficient car parking space for the number of bedrooms comprised in the hotel, and for other non-residential uses of hotel facilities such as the bar, café and restaurant (which would be open to non-residents). However, land within the wider racecourse site and under the control of the applicant is available to provide additional car parking which could, with careful siting, surfacing and landscaping, have no harmful effect on the openness of the Green Belt.

1.7The architecture of the new building is considered to be attractive and of high quality, and would be of marginal benefit to the operation of the flood plain by the removal of a current solid obstructive building and its replacement with another of a design to enable the flow of water beneath it. Mitigatory flood water storage is also proposed through the excavation of land to allow additional capacity in the flood plain within the wider race course site.

1.8Further aspects of the proposal, relating to the impact of the development on the character and appearance of the open countryside, and on the setting of the Thames, and on the opportunities that the development would provide to enhance the appreciation of both, are also considered to have either a neutral or marginally beneficial weight in the balancing of factors for this case. Similarly although the scheme may disturb an area identified as of moderate to high potential in archaeological terms, the proposed development offers the chance to increase knowledge of the below ground heritage resource of the area, and to preserve this by record.

1.9The matters identified by the applicant are considered to demonstrate Very Special Circumstances, to weigh against the substantial harm caused to the Green Belt by dint of the inappropriateness of the proposed development. In other respects, subject to the completion of negotiations on flood risk and transport matters, it is considered that the proposed hotel would accord with the terms and objectives of the Local Plan and would comprise sustainable development for which there is a presumption in favour. It is therefore recommended that authority to grant planning permission subject to appropriate conditions for the proposed development is delegated to the Head of Planning, with the notification to the Secretary of State deferred until sufficient and appropriate amended and additional documentation has been submitted to the Local Planning Authority.

1.10

It is recommended the Panel authorises the Head of Planning:	
1.	To complete negotiations in relation to flood risk and transport matters, and to secure the submission of appropriate amending and additional documentation to ensure a policy compliant scheme of development.
2.	To consult the Environment Agency on the amended scheme. To obtain its withdrawal or confirmation of its objection to the proposed development.
3.	To notify the Secretary of State that the Borough is minded to grant permission for the proposed development, as required under the Town and Country Planning (Consultation)(England) Direction 2009.
4.	Subject to the above, and following receipt of confirmation that the Secretary of State does not wish to call the consideration of the application in to an Inquiry, to grant planning permission for the development with appropriate conditions.

2. REASON FOR PANEL DETERMINATION

2.1 The Council's Constitution includes in its Scheme of Delegation at D3.1(i) b that

"Where a planning application proposes more than two dwellings or over 1000sm of non-residential floor space and the officer recommendation is to approve the decision is made by the Area Planning Panel unless the decision is delegated to the Borough Planning Manager by the Chairman of the relevant Panel."

2.2 This scheme proposes 6,355 sq.m. of hotel floor space, and authority is sought to delegate the decision to grant permission to the Head of Planning.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The application site comprises 1.19 ha of land set well back from and to the north of the A308, within the larger grouping of the Royal Windsor Racecourse buildings, south and west of the River Thames. The plot is currently occupied in part by the single storey Silver Ring Canteen, together with a number of other low-key buildings, including stable staff accommodation, hardstanding and some amenity grassland. In past years the site hosted a grandstand. The main drive into the complex, lined by mature Limes, is to the immediate south of the proposed hotel site, and serves the collection of grandstand, hospitality, stabling and other functional buildings which are clustered on the southern side of the course. The larger site of the racecourse spreads across relatively flat land bounded to the north and east by a long sweep of the Thames, with the Clewer Mill Stream to the south effectively creating an island of the site. A landing stage on the closest part of the Thames to the east of the site enables water-borne passage to the racecourse from Windsor Town, and other locations along the river. Other tree groups circle the Parade Ring and screen areas of car parking, and provide a stately edge to the racecourse on the river bank to the east of the complex. The nearest housing to the proposal site lies in Clewer, stretching towards the river to the south east of the site. More housing fronts onto the Maidenhead Road close to its junction with the Avenue serving the site.

3.2 The whole of the racecourse lies within the Green Belt, and is designated either Flood Zone 2 or 3. Local wildlife sites are identified on the eastern bank of the Thames and a Local Nature Reserve is designated further to the west, beyond the Marina.

4. DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

4.1

Application Reference	Description	Decision and Date
17/02363/CPU	Certificate of lawfulness for use of the existing hardstanding to erect temporary stalls for a weekly Thursday market.	Pending consideration
13/02923/FULL	Provision of a 400 car Park and Ride facility with associated infrastructure and landscaping. Renewal of permission 10/02090/FULL	Returned (no decision)
13/1236/FULL	Creation of a slipway for use by amphibious vehicle to provide a sightseeing tour	Withdrawn 01.07.2013
11/02894/VAR	Use of Windsor Racecourse as a temporary transport hub for the Olympic Games, comprising the erection of temporary facilities as approved under planning permission 10/02670 without complying with condition 2 relating to the Local Area Traffic Management & Parking	Refused 02.02.2012
10/02671/FULL	Construction of temporary pedestrian river crossing for access to Eton Dorney for the Olympic Games	Permitted 21.01.2017
10/02670/FULL	Use of Racecourse as temporary transport hub for Olympic Games, comprising fencing, screening area, spectator facilities, trackway and temporary infrastructure works	Permitted 21.01.2011
10/02090/FULL	Provision of a 400 car Park and Ride facility with associated infrastructure and landscaping	Permitted 29.11.2010

10/01200/FULL	Construction of a two storey office reception building following demolition of existing turnstile and stores buildings	Permitted 22.07.2010
09/02339/FULL	2 storey office reception building following demolition of existing turnstile and stores building	Withdrawn 21.12.2009
07/00853/FULL	Erection of two additional fabric structures to provide catering area and toilet facilities for the riverside pavilion	Refused 21.05.2007
07/00852/FULL	Resurfacing of existing stone parking area with tarmac and new 2m palisade fence	Permitted 26.07.2007
02/82030/FULL	Erection of 7 temporary structures including 4 tents 1 storage unit and 2 refrigeration units	Withdrawn 08.12.2003
01/81369/FULL	Amend existing access junction, realign existing access road with associated resurfacing of roads (amended description)	Permitted 20.02.2002
01/80566/FULL	Renewal of consent 00/78987 for retention of single storey timber building for three years	Permitted 30.04.2001
00/79859/FULL	Erection of replacement bridge	Permitted 06.12.2000
00/78987/FULL	Renewal of consent 470703 for retention of single storey timber building for one year	Permitted 24.05.2000
99/78476/FULL	Erection of a replacement marquee	Permitted 19.01.2000
98/77580/FULL	New permeable finish to existing service track with macadam extension and fibre sand course crossing	Permitted 17.02.1999
97/76216/FULL	Erection of new entrances to Balloon meadow Car park and renewal of 1992 consent	Permitted 22.07.1998
97/76212/RLAX	Removal of temporary planning consent (given in condition 1, application No. 471034) to allow the stable ladies hostel to become a permanent building	Permitted 15.07.1998
97/75419/FULL	Construction of bridge over mill stream	Permitted 23.03.1998
95/01848/FULL	Erection of a single storey prefabricated building to provide replacement stable office and canteen with link to adjacent stable lads hostel	Permitted 04.12.1995
95/01847/FULL	Erection of new groundsman's building to provide secure covered area for racecourse vehicles plus staff facilities and hurdle-mending room with adjacent secure compound enclosed by 2.4m high chain-link fence	Permitted 30.11.1995
95/01845/TEMP	Renewal of consent 470703 for retention of single storey timber building	Permitted 07.06.1995
94/01737/FULL	Erection of single storey tote building, toilet, turnstiles building & badge kiosk + enlargement of electrical switch room & new 2.4m high boundary wall (following demolition of silver ring tote/toilets/badge building)	Permitted 23.12.1994
94/01735/FULL	Erection of a new three-storey grandstand comprising betting hall, bars, tote, accommodation, dining area & executive boxes, (following demolition of tattersall stand, silver ring stand, tote building & shed)	Permitted 06.07.1994
93/01685/FULL	Erection of a replacement 3 storey grandstand comprising betting hall, bar/dining area & executive boxes, extension & refurbishment of existing silver ring stand to provide new bar & tote accommodation and toilet block	Permitted 18.01.1994
92/01524/FULL	Demolition of existing and erection of a replacement single storey eight-bedroom hostel for stable lads	Permitted 21.12.1992
92/01523/FULL	Enclosure of existing covered walkway between restaurants and members grandstand	Permitted 21.12.1992
92/01522/TEMP	Renewal of consent 465972 for retention of single storey building to provide dormitory/toilets for lady grooms	Permitted 21.12.1992
92/01519/TEMP	Retention of single storey timber building	Permitted 19.06.1992
92/01512/TEMP	Temporary use of land for storage of motor vehicles	Refused 12.01.1993
91/01628/FULL	Erection of a 2 storey building to provide 12 hospitality suites	Permitted 05.03.1992
89/02015/FULL	Erection of a 2 storey building comprising hospitality rooms and boxes	Withdrawn 03.07.1990
89/02014/FULL	Renewal of consent 462544 for a single storey building for administrative facilities for the institute of groundmanship	Permitted 13.06.1989

- 4.2 The planning application proposes the development of a four storey 150 bedroomed hotel, with reception, dining and bar facilities, and plant, service and staff rooms on the ground floor, and a fitness suite on the third floor, with guest rooms on all four levels. 20 of the guest rooms are proposed to be set aside for stable staff on race days.
- 4.3 Hard and soft landscaping indicated in Masterplan form for the development would frame the T-plan shaped building with its principal approach through a plaza within the south western elbow of the structure, and car parking adjoining it served by a spur road from the avenue of retained Limes. This route would also bring taxis and pedestrians to the main entrance point on this side of the building. The longest stretch of the hotel would face onto the racecourse itself, continuing the alignment (and mirroring the purpose) of the grandstand to its east. Service and plant functions would be grouped on the western side of the southern wing.
- 4.4 Of four storeys, the building would have a modern rectilinear style, with a horizontal emphasis picked out in white painted steel framing on its mainly glazed racecourse frontage. The ground floor is shown to be slightly elevated and also recessed (to form a generous, partly sheltered terrace), with voids making up a large proportion of its base. First and second floors are cantilevered out over the ground floor restaurant and bar areas on the course frontage. On other elevations the building is articulated in a variety of more solid materials, such as sections of buff brick and Portland stone walling. Accommodation on the third floor is inset again from the vertical, and alternates full depth glazing with zinc metal cladding to produce a darker appearance for the walls of this top layer. Photovoltaic panels are shown covering the flat roof.
- 4.5 Hard-surfaced car parking is indicated to the south west, on land between the hotel and the Avenue. It is suggested that further informal parking areas (currently used on race days) can provide sufficient capacity to meet the parking standards of the Council, although the applicant asserts that the experience of the Hotel operator chosen (Hilton) is that a lesser number of parking spaces will be adequate for this size and type of hotel.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 According to the requirements of relevant planning legislation planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework is such a material consideration. It sets out the Government's planning objectives for England and indicates how these are expected to be applied. At its heart is a presumption in favour of sustainable development. NPPF guidance of relevance to this application is contained within paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 1 (Building a strong, competitive economy), 2 (ensuring the vitality of town centres), 4 (Promoting sustainable transport), 7 (Requiring good design), 9 (Protecting Green Belt land), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment),

Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003

- 5.3 Relevant policies of the Local Plan are:
- | | |
|-------|--|
| GB 1 | Acceptable uses and development in the Green Belt |
| GB 2 | Unacceptable development |
| N 2 | Setting of the Thames |
| N 6 | Trees and development |
| N 9 | Wildlife heritage sites |
| DG1 | Design guidelines |
| ARCH3 | Sites of archaeological importance and development proposals |

ARCH4	Sites of archaeological importance and development proposals
F1	Development within areas liable to flood
E1	Location of development
E10	Design and development guidelines
S1	Location of shopping development
T7	Provision for cyclists
P4	Parking
IMP1	Infrastructure provision
WTC1	Town Centre Strategy

The policies above have been assessed and found to be in compliance with the NPPF and are therefore given substantial weight in the determination of this planning application. These policies can be found at:

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

Borough Local Plan: Submission Version 2017

5.4 The policies contained within this emerging plan that are relevant to the evaluation of the proposal are:

SP 1	Spatial strategy
SP 2	Sustainability and placemaking
SP 3	Character and design of new development
SP 4	River Thames corridor
SP5	Development in the Green Belt
ED 3	Other sites and loss of floorspace in economic use
TR 1	Hierarchy of centres
TR 2	Windsor Town Centre
TR 6	Strengthening the role of centres
VT1	Visitor development
HE1	Historic Environment
NR1	Managing flood risk and waterways
NR2	Trees, woodlands and hedgerows
NR3	Nature conservation
NR5	Renewable energy generation schemes
EP1	Environmental protection
EP3	Artificial light pollution
EP4	Noise
IF2	Sustainable transport
IF5	Rights of way and access to the countryside
IF8	Utilities

5.5 The NPPF states 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 27 September 2017 with the intention to submit the Plan to the Planning Inspectorate thereafter. 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:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/594/emerging_plans_and_policies/2

Supplementary planning documents and other publications

5.6 Other SPDs, Strategies or Publications relevant to the proposal are:

- Parking Strategy 2004
- The Interpretation of Policy F1 (Area Liable to Flooding) 2004
- Royal Borough of Windsor and Maidenhead Strategic Flood Risk Assessment 2014
- Sustainable design and construction 2009
- Planning for an ageing population 2010
- Townscape assessment 2010
- Maidenhead Town Centre Conservation Area Appraisal 2016

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 Principle of development in the Green Belt
- ii Flood risk
- iii Town centre impact
- iv Design
- v Countryside and Thames
- vi Highways and transport considerations
- vii Impact on heritage (Archaeo)
- viii Ecology
- ix Light and noise pollution
- x Any other material considerations - trees
- xi The planning balance

Principle of development in the Green Belt.

6.2 Section 9 of the NPPF sets out the Government's approach to development in the Green Belt. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The NPPF apports five purposes to the Green Belt:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land

6.3 Green Belt Boundaries can only be altered in exceptional circumstances through the preparation or review of a Local Plan. In the emerging draft Borough Local Plan, currently at post Regulation 19 stage (closed on 27 September 2017), there is no proposal to alter the Green Belt boundary to exclude any part of the racecourse complex.

6.4 Paragraph 87 of the NPPF explains that inappropriate development in the Green Belt is harmful and that it should only be approved in Very Special Circumstances. Paragraph 88 continues by stating that when considering planning applications, substantial weight should be given to any harm to the Green Belt. "Very Special Circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 6.5 The NPPF explains that the construction of new buildings should be regarded as inappropriate in the Green Belt although in paragraph 89 it sets out a limited list of exceptions, including “*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*”. Although the proposed development would be located on previously developed land, the proposed four storey development would clearly have a greater impact on the openness of the Green Belt than does the existing single storey Silver Ring Canteen and the surrounding hard surfacing areas; the proposed development does not fall within the list of exceptions. In policy terms, therefore, the development is inappropriate and by definition harmful to the Green Belt. Planning permission should only be granted for the scheme if Very Special Circumstances (VSC) can be demonstrated that would clearly outweigh this substantial harm and any other harm that the development would trigger.
- 6.6 The applicant has set out a case for VSC which is largely based on the public benefits of providing a hotel in Windsor to meet the need for tourist accommodation and the need identified for conferencing facilities; this position is supported by the emerging Borough Local Plan. The case is also made by the applicant that there is public benefit arising from the scheme in terms of supporting crucial business in Windsor, creating additional jobs in the area and therefore generally supporting the local economy. A third strand to the case is the benefit to the ongoing success and operation of the racecourse to introduce further diversification; this has a locational element clearly as the proposal would need to be located at the racecourse to deliver this benefit. Through consideration of the application it is clear that benefits would also accrue in giving opportunity for a greater appreciation of the river Thames setting, enhancements to ecology and knowledge of the archaeology of the area would be expanded. Taken together it is considered that these factors amount to Very Special Circumstances and can be afforded significant weight in the planning balance. This is addressed further at the end of the report.

Flood risk

- 6.7 The application was accompanied by a Flood Risk Assessment and the Environment Agency has been consulted on the proposal. The application site is located partially in flood zone 3a but also within the functional flood plain, flood zone 3b; this is confirmed by the Council’s own Strategic Flood Risk Assessment completed in 2017 to support the emerging Borough Local Plan. In relation to the original submission the Environment Agency, as statutory consultee, took issue with the use of a particular node to calculate the 1% and climate change levels in FRA but this has now been conceded (3rd consult reply). However, the position is that the development proposed is located within flood zone 3b where guidance sets out that permission should only be granted for essential infrastructure that cannot be located elsewhere, and in this respect the Environment Agency has confirmed its objection in principle to the scheme.
- 6.8 In other planning policy respects the application proposals and information have demonstrated that the development would pass the relevant flooding Sequential and Exception Tests. As with the Green Belt analysis the *raison d’être* for the hotel is to support the racing and conference operations of the site, and therefore proximity to it is essential. Within the racecourse estate the location and orientation of the proposed building has been selected for operational and aesthetic reasons, which has resulted in a portion of the footprint of the building lying over Flood Zone 3b land, with the remainder on Flood Zone 3a.
- 6.9 As the EA objection to the proposal is seated in the position of the building just within Flood Zone 3b designation, which is itself a function of the gradual level change of the land at this point, measures to address the extent of the Flood Zone 3b area have been explored. This would enable the building to be optimally located for its purpose and impact on the landscape, while ensuring that the effects of a functional flood plain for the Thames continue to be contained within the race course site. Amendments to the scheme are therefore to be brought forward to show the raising of the land level on the site of the application, to exclude the building footprint from Flood Zone 3b, and re-work it as Flood Zone 3a, while extending the area of comparable flood

plain, level for level, by excavation on another part of the race course holding. Details of this arrangement are yet to be provided but Officers are satisfied that it can be achieved.

- 6.10 The Exception Test requires that wider sustainability benefits are demonstrated that outweigh the sub-optimal construction of a hotel (a more vulnerable use) on Flood Zone 3 land. The economic benefits of the scheme have been set out for the VSC case above, and are considered to be relevant in this balance.
- 6.11 The scheme must also demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The submitted FRA sets out calculated flood water levels according to the most recent 1 in 100 event data, and two further levels which take account of the appropriate climate change allowances set out in the EA 2016 guidance to accommodate estimated increases in peak river flow over various epochs. In this case the lifetime of the proposed development has been estimated as being that for residential use, i.e. 100 years, and the relevant allowances are therefore the higher central (+35%) and upper end (+70%). In modelling flood water levels the FRA has used the higher central allowance as a design flood level (21.23 m AOD), and the upper end allowance as a sensitivity test (21.75 m AOD). The FRA shows that the proposed ground floor levels of the building have been set at 21.68 m AOD to give a freeboard of 450 mm (the recommended minimum is 300 mm) for the design flood event.
- 6.12 Proposed means of access to and escape from the building have been described, and a draft Flood Risk Management and Evacuation Plan is appended to the submitted FRA. Access to the hotel would be via the main racecourse access road off the A308 Maidenhead Road and over a bridge crossing the Clewer Mill Stream. Existing ground levels immediately around the hotel vary from 20.0 m AOD to 20.5 m AOD, with the route described above having levels ranging from 20.3 m AOD to 20.6 m AOD, and the A308 at 20.75 m AOD adjacent to the access road. In a design flood (including climate change allowance) the ground floor of the building itself would not be inundated, but the surrounding land and the entirety of the access route would be. The access route between the hotel and the A308 would be under water to depths ranging from 400 mm to 700 mm. These depths, even in standing water (0 m/second velocity) would have a Hazard Rating of either "danger for some" or "danger for all" and the proposal cannot, therefore, be said to be safe for its lifetime with regard to the provision of a means of access during a flood event. Consequently the ability of the proposal to pass the exceptions test would rely on the adoption of an Evacuation Plan in order to show that risk to people can be avoided before the peak effect of a flooding incident, by ensuring that the hotel is empty of guests and staff in advance of its access route becoming submerged.
- 6.13 As the catchment area of this part of the Thames is slow-responding, there would be significant advance warning of potential flooding (likely to be days, not hours). Also, as the development is a managed facility rather than a residential one, the ability to close the hotel and evacuate the guests and staff is in the control of the applicant, and would not be likely to be subject to the difficulties of human behaviour (reluctance to leave a property when it is not safe to remain) that are associated with straightforward residential development. Though not normally accepted as flood risk mitigation, a draft Flood Risk Management and Evacuation Plan has been submitted for the scheme, which in this case appears to demonstrate satisfactorily that the development could be considered safe for its lifetime. The final detail of such a Plan can be secured by condition on any planning permission granted.
- 6.14 The FRA also notes that the proposed development would include resistance and resilience features to prevent water ingress and to minimise flood water damage to the building (demountable defences, the sealing of ground-level vents, anti-flood valves on drainage runs, water resistant rendering).

- 6.15 The development also needs to show that it would not increase flood risk elsewhere as a result of its implementation. The initial scheme proposed the removal of existing buildings (principally the Silver Ring Canteen) which presently stand within the functional flood plain, and are therefore obstructions to the free flow of water and displace a certain volume of flood water storage capacity that the site would otherwise hold. The proposed hotel design shows voids beneath the building, and scheme also includes an area of ground lowering to the north east of the site (within the ownership of the applicant) which together would create a net change in flood plain storage capacity of 609.1 additional cubic metres. This is a benefit of the development.
- 6.16 As noted in paragraph 6.9 above, revision to the proposal is intended to raise land levels beneath the building altering its flood zone classification. Details are awaited of the precise depth of increase in the level of the ground needed to make this change in zone classification and the area over which the fill operation would apply, but it is understood that these would show that the level change would be small enough (around 100 mm) to retain a meaningful and maintainable void beneath the building. The proposed change that this revision would make to the net increase in flood plain storage would still result in a net additional volume of flood plain storage as initially indicated.
- 6.17 The proposed development, including the measures which will be set out to provide compensatory flood storage capacity, are considered to show that while the scheme will, technically, include increasing flood risk on land outside the red line definition of the site that this is a designed and manageable outcome, with the loss of capacity (by the raising of the land levels on the site) more than balanced out by the creation of level-for-level increase in flood plain storage on land *within* the Race Course estate. The scheme would therefore be acceptable in that it would not increase flood risk elsewhere, nor increase the number of people or properties at risk of flooding.
- 6.18 It is considered that, subject to the submission of full detailing for the revised scheme, and the implementation of the flood risk mitigation measures therein, the proposed development would pass the Exceptions test, be in compliance with the NPPF and meet the requirements of policy F1 of the Local Plan. In the planning balance set out later in the report, the issue of flood risk is not considered to be harmful.

Town Centre impact

- 6.19 It is the view of officers that the case has been made that the hotel is necessary to serve the racecourse economically, and not just to satisfy general tourist accommodation needs of the area. A sequential test has been conducted in terms of locating a main town centre use (hotel) in an out of centre location; this makes clear the other sites which have been considered and why these have been discounted as not being suitable or available for the use proposed. It is considered that the sequential test is passed.
- 6.20 Retail impact has also been considered and addressed in the applicant's submission. Whilst there would be some impact on the Town Centre in Windsor it is limited and would not undermine the role of the town by taking business out of its centre. The proposal would be introducing further choice of accommodation into the Windsor area generally, which is healthy, but which would not present a significant threat to the function or prosperity of the town centre by increasing competition. As noted by the Borough's Visitor Manager a new hotel at the racecourse would provide competition to the existing town centre properties but not primarily for visitors who wish to experience the heritage of the destination: these leisure guests are likely to continue to seek town centre accommodation. The proposal is more likely to provide for business tourism (events and conferences) which is a growth area rather than having a static pool of custom, and a hotel at the Race Course would help to attract more events outside of the racing calendar adding to the profile and appeal of the destination and benefitting the local economy.

Design

- 6.21 The NPPF places great importance on development being high quality in terms of design. In Section 7 the NPPF explains that, in determining planning applications, local planning authorities should ensure that development:
- Will function well and add to the overall quality of the area
 - Establishes a strong sense of place
 - Optimises the potential of the site to accommodate development
 - Responds to local character
 - Reflects the identity of local surroundings including material
 - Is visually attractive as a result of good architecture and appropriate landscaping
- 6.22 It is considered that the racecourse has developed its own context in terms of giving consideration to design: this is not dependent or based on local vernacular or even national period. The character of the site and its context is of a large, social, spectator sport, with elements of hospitality and entertainment: this is a more cultural than historic identity, which has also been influenced by the contribution it makes to and derives from the setting of the river.
- 6.23 The proposed location of the hotel is considered to be appropriate in design terms given the range of choices within the whole racecourse holding. The physical alignment of the proposed building with the existing grandstand is considered to be fitting and the scale of the building is also comparable to and comfortable with it. The proposal would form a cluster with other facilities and buildings at the site, rather than spreading out its impact over a disparate area, which contains its effect on the openness of the Green Belt and on the landscape of the Thames River setting. The approach from the avenue creates a welcoming and legible public space leading towards the hotel entrance. The presentation of the principal block of the hotel to face the track itself, including many of the guest rooms but most importantly the hospitality areas of the restaurant and bar, is appropriate both in terms of spectators using the building but also as a design response to the riverside setting.
- 6.24 It is considered that the proposed design is contemporary, and incorporates a palette of materials that would give both an attractive appearance and good performance: PV panels are to be located on the flat roof, and the design addresses to its flood zone location responsibly. As such the proposed building is considered to be fit for its proposed purpose and satisfactorily adaptable for the future.

Countryside and Thames

- 6.25 It has been set out in the consideration of the proposal under Green Belt policy that there would be an impact on openness of the Green Belt. Whilst the proposal is on previously developed land the scale of what is now proposed is significantly greater than the existing buildings: the impact on openness would be harmful in Green Belt terms. A Landscape and Visual Impact Assessment has been submitted with the application; this provides a number of views of the proposal and an assessment of the impact of the building on those views and the landscape in which it would sit. It is clear that there would be a visual impact, particularly at night. This needs to be balanced against the opportunities that the scheme would offer for a greater appreciation of the river Thames (as a backdrop to events) alongside the ability for those visiting to make the trip to the site along the River using existing boat operators. Having assessed the scheme and considered the submitted LVIA it is considered that the proposal complies with the Setting of the Thames Policy contained in the Local Plan.

Highways and transport

- 6.26 The racecourse is located to the north of the A308 Maidenhead Road and benefits from two vehicular accesses. The main access is situated to the east of the junction with the A308 and the B3055 Vale Road and currently serves the racecourse; the second access is primarily used by the racecourse Marina. The application proposes no change to the existing access arrangements, which is considered to be acceptable.
- 6.27 Additional information has been submitted to address questions from the Highways Authority about whether the baseline information in the Transport Assessment covered the range of various activities hosted by the racecourse. It has been clarified that the hotel would seek primarily to provide accommodation for visitors already attending race days and other music, business and social events at the race course, rather than for its facilities (food and drink and small gym) to become specific destinations in their own right. In consequence, it is considered that no further information is required on which to make an appraisal of the impact of the proposed development on the transport and highway network in the area before the application may be determined. However, the submission of a Travel Plan for the development should be secured by condition on any planning permission granted. Such a Travel Plan should identify initial volumes and modal split of trips generated by the development, and then promote and set out measures, with targets and mechanisms for monitoring their achievement, to encourage all users of the hotel (staff, guests, delivery and other visitors) to use sustainable modes of travel to the site.
- 6.28 The application site is located 1.8km from Windsor Town Centre, and the stations, and about 8.6km from Maidenhead Station. Based on the adopted parking strategy the site is deemed to be within an area of 'poor accessibility' and the maximum standard for parking is considered to be appropriate. As such the scheme would trigger 150 parking spaces: the proposal contains 85 spaces which is some way off the Borough's standards. Whilst the Highway Authority considered that the scheme was not acceptable on this basis, it is the view of planning officers that this has to be balanced with other planning considerations. The applicant is also currently working with an identified hotel operator who has experience of operating similar race course hotels, and has based the car parking proposal for 85 spaces on that experience. Furthermore more permanently hard surfaced car parking than that shown may have an additional adverse impact on the openness of the Green Belt and potentially on the surface water drainage arrangements for the site. Nevertheless the applicant has indicated that further permeably-surfaced car parking of between 30 and 65 spaces may be provided on an "overspill" basis immediately adjoining the proposed hotel. It is considered that the details and implementation of such additional overspill parking can be secured by condition on any planning permission granted, and should dovetail with the expectations of a Travel Plan for the development.

Archaeology

- 6.29 In accordance with paragraph 128 of the NPPF the applicant has submitted an assessment in relation to archaeology. There are no known heritage assets within or immediately adjacent to the application site. There are important prehistoric monuments and landscapes recorded on the north bank of the river, immediately north of the application site, at Eton Wick. In assessing the archaeological potential the report concludes that the site has high potential; the Council's Archaeological advisor concurs with the submitted report in terms of the potential for remains within the site. As this is not a large site (within the red line) and as there has been some previous development within it already it is considered that further investigation can be undertaken post consent should the scheme be permitted, which could be covered by condition. The choice of the indicated location of ground lowering to provide compensatory flood storage capacity, has taken into account the likely potential for below-ground heritage resource. It is noted that surviving elements of the historic racecourse have not been overlooked, given the importance of horse racing and its heritage to Windsor and Berkshire and the royal patronage of horse racing from at least the 16th century, with this racecourse founded in 1866. It is considered that the proposal would provide a chance to increase knowledge and understanding of the

development of the area in the past, although this is of very limited weight in terms of the planning balance.

Ecology

- 6.30 The submitted ecology report sets out that there are no protected species on the site and no known ecological value which would be impacted by the proposal. The scheme is acceptable in this regard and would offer the potential for enhancement to ecology and biodiversity which could be secured by condition; if the scheme were to be permitted.

Light and noise pollution

- 6.31 The application makes it clear that the proposal would introduce a building that would operate year-round and on a 24/7 basis. This would mean that illumination levels from lighting on the site would be likely to be high in comparison with the current situation. The design of the building with large glazed areas, without overlooking from other buildings, would mean that there would be no need to draw blinds/curtains for privacy so there is a likely significant night-time light spill. There would be a consequent impact on an area that is currently a relatively dark landscape. There could also be a daytime impact from reflective glazing (although the main facade is north-facing); south-facing glazed areas will be of some prominence. If the scheme were to be approved then these matters could be at least in part mitigated by appropriate conditions.
- 6.32 In terms of noise generation, due to the location of the application site, it is not considered that there would be an adverse effect on the amenities of residents. The proposal would not be likely to impact harmfully on the current levels of tranquillity of the setting of the Thames, nor on the quiet enjoyment of footpaths in the area, including the Thames Path National Trail on the north and east side of the river, across from the racecourse. The development itself is noise sensitive development in terms of aircraft noise in Windsor and would need mitigation to be provided which may be secured through condition.

Trees

- 6.33 A Landscape Strategy and Masterplan accompanied the application, setting out a general layout and planting principles for the development. Further information will be required on the proposals and the impacts of the development (both within the red line-defined site and for operations relating to flood compensation measures that will be required on other land at the race course within the control of the applicant) and this can be satisfactorily addressed by conditions requiring full hard and soft landscaping details together with a tree protection plan and an arboricultural method statement.

Planning balance

- 6.34 In terms of the planning balance it has been set out above that the proposal is inappropriate development within the Green Belt, which by definition is harmful. There would be harm to the openness of the Green Belt, and to the permanence of that openness. This harm is afforded **substantial weight**. The VSC as set out in the report, taken cumulatively, is considered to represent **substantial weight** in the balance of benefit. Therefore a case has been made and accepted for Very Special Circumstances to overcome the identified definitive harm to the Green Belt. Furthermore the proposal is for development within flood zone 3b which is functional flood plain where this more vulnerable use should not be permitted. Revisions to the scheme have been introduced, in the form of draft measures to mitigate and offset the significant harm that is manifest in the inappropriate siting of the hotel. Subject to its fuller detailing, and to its compliance with suitable conditions, the revised development would be considered to be appropriate in relation to its flood zone and the vulnerability of the proposed use. The scheme passes the Sequential and Exception tests, being considered to be safe for the lifetime of the development and would not increase flood risk elsewhere: by the creation of additional flood water storage capacity within the wider estate of the Race Course the proposed development would marginally improve flood risk within this area overall. In all other respects it is considered that the proposed development, if controlled by suitable safeguarding conditions, would have a

neutral or marginally beneficial impact in social, economic and environmental terms, and therefore would comprise sustainable development which would comply with policies of the adopted Local Plan.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 7.1 The planning officer posted a statutory notice advertising the application at the site in the week beginning 10th October 2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 20th October 2016.
- 7.2 2 occupiers were notified directly of the application. A total of 2 responses were received, raising the following summarised points:

Comment		Where in the report this is considered
1.	In general the construction of the hotel is supported because of the jobs it will bring to Windsor.	Paragraph 6.6.
2.	Staff should be recruited locally.	Noted.
3.	Siting away from Maidenhead Road is supported.	Noted.
4.	Traffic will increase along Maidenhead Road	Paragraphs 6.26 & 6.27
5.	Leisure facilities will not be open to the public.	Noted – this is not a planning consideration.
6.	Guest shuttle bus is welcomed, but must be frequent enough to relieve pressure on town centre parking	Paragraph 6.27.
7.	Staff shuttle bus also welcomed, but must operate early and late enough when public transport is scarce.	Paragraph 6.27.
8.	No acknowledgement of the congestion caused by the racecourse	Paragraph 6.27
9.	Leisure facilities should be available to local residents (recently lost facilities at Windsor Rackets)	Noted – this is not a planning consideration.
10.	Roads in the area are at full capacity, and traffic jams are commonplace on race days or during events.	Paragraph 6.27
11.	Traffic regularly backs up in the area, and onto the Motorway and the large roundabout (Royal Windsor Way).	Paragraph 6.27

Statutory and other consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Two-fold objection to the scheme on grounds of 1) a more vulnerable use being proposed within Flood Zone 3b (functional flood plain) and 2) that the climate change allowances, flood plain compensation and finished floor level calculations, predicated on hydraulic modelling, in the submitted FRA are based on the use of the wrong node. <u>First FRA revision:</u> Maintains both grounds for objection <u>Second FRA revision:</u> Maintains objection 1) above only <u>Additional information:</u> comments awaited.	Paragraphs 6.7 to 6.18
Highways	Recommends that the application is refused, principally because of the under provision of parking: the scheme shows only 85 spaces when the appropriate provision on	Paragraphs 6.26 to 6.28

	<p>this site of “poor accessibility” would be 1 per bedroom, i.e.150. The Transport Assessment appears not to take account of the conference, restaurant and other operations that would be carried out in the proposed building, nor how this would affect the level of traffic activity at the site, and its requirements for parking.</p> <p><u>Additional information:</u> comments awaited.</p>	
Transport Policy	<p>The draft Travel Plan meets most of the Council’s requirements, but the shortage of parking noted above needs to be addressed. Furthermore the Travel Plan needs to include an estimation of staff numbers and shift patterns, and should commit to annual monitoring for at least 5 years.</p> <p><u>Additional information:</u> comments awaited</p>	Paragraphs 6.26 to 6.28
Environmental protection	<p>Recommends the imposition of conditions on any planning permission granted, to restrict working hours, to control noise emissions, to negate the need for noisy reversing alarms and to prohibit operations that would cause dust emissions.</p>	Noted and to be included in appropriate conditions
Tree Officer	<p>Initial concerns raised and amendments suggested related to the extent of retained hard surfacing, whether the vehicular use of access routes would require better ground protection measures, whether new service runs would impact on existing trees, tree protection measures to reflect root protection areas and species details for proposed landscaping to be supplied.</p> <p><u>Additional information:</u> matters can be covered by appropriate conditions, requiring amended AMS and other documents to be submitted and approved.</p>	Paragraph 6.33
Lead Local Flood Authority	<p>No objections to the scheme subject to a condition on any planning permission granted to require the implementation of the submitted surface water drainage system.</p>	Noted and to be included in appropriate conditions
Berkshire Archaeology	<p>BA considers that the Historic Environment Assessment prepared by the Museum of London Archaeology (MOLA) that has been submitted with the application is a thorough and authoritative account of the archaeological potential within and in the vicinity of the application boundary, and concurs that, given the impact of the development on below ground deposits (should the scheme be permitted) further archaeological investigation is merited. A condition is recommended, to secure an appropriate scheme of field evaluation, which will then inform the preparation of a mitigation strategy for the site before, during and after construction works.</p>	Paragraph 6.29
Visitor centre manager	<p>A lot of the data (current staying visitor spend and length of stay) in the submission comes from the Tourism South East Economic Impact Assessment which the Borough commissions every year. The asserted conservative projections seem reasonable given the level of growth Windsor has experienced in recent years and the national projections for both domestic and inbound travel from Visit England and VisitBritain.</p> <p>The overall goal for the council’s tourism action plan 2017-20 remains to deliver real terms expenditure growth. The focus remains on getting overseas and domestic holiday makers to stay overnight in the</p>	Paragraphs 6.19 & 6.20

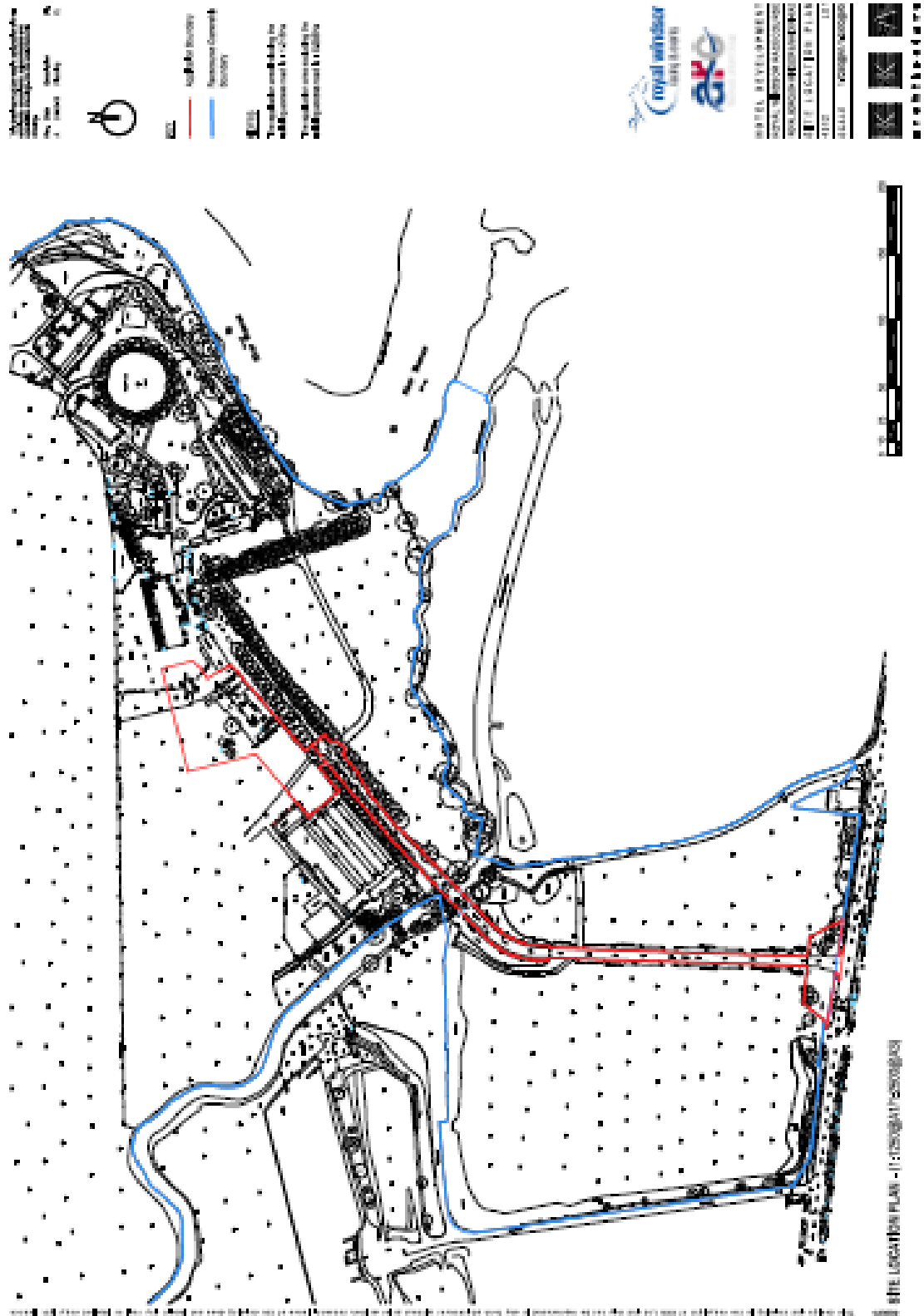
	<p>Borough and attracting the potentially lucrative business tourism market.</p> <p>Although day visit numbers have increased in recent years the Borough seeks to increase overnight visitors, including business trip stays (a growth area now the focus of Visit Britain and Visit England).</p> <p>While a new hotel at the racecourse would provide competition to the existing town centre properties leisure travellers wishing to stay in Windsor will want a town centre location first and foremost. The town centre hotels will continue to be popular with international visitors and with domestic travellers for weekend and short breaks The business tourism market is a growth area and additional quality accommodation and meeting facilities will help attract new business to the borough. A hotel at the racecourse would also help to attract more events outside of the horse racing calendar adding to the profile and appeal of the destination and benefiting the local economy.</p> <p>The Borough has lost a significant number of bed spaces recently with the closure of two hotels in Maidenhead, and a large venue in Sunningdale. New accommodation has been provided but only of budget standard which doesn't necessarily appeal to the markets we seek to attract. The council's accommodation booking service often has to seek bedrooms on the outskirts of the borough in order to fulfil customer requirements for meetings and events.</p>	
Bray Parish Council	<p>Concerns and points are expressed relating to the impact of the proposed hotel on the transport infrastructure of the area, as 150 bedrooms are proposed; this would be a 365 and 24/7 use; the A308 is the main route between Windsor and Maidenhead; the road is very busy with air quality management issues; around 1,415 new homes are proposed in the emerging BLP to use the A308; there is already a 118 bed-hotel on this road, and the submitted information is considered to underestimate the flow of traffic westwards from the site. Bray PC ask that RBW&M carry out a full traffic survey before considering the application, and take account of the size of the right-turn central lane, and the backing-up effects of (mini) roundabouts at Hatch Lane, Braywick and Holyport Road.</p>	Paragraphs 6.26 to 6.28

8. APPENDICES TO THIS REPORT

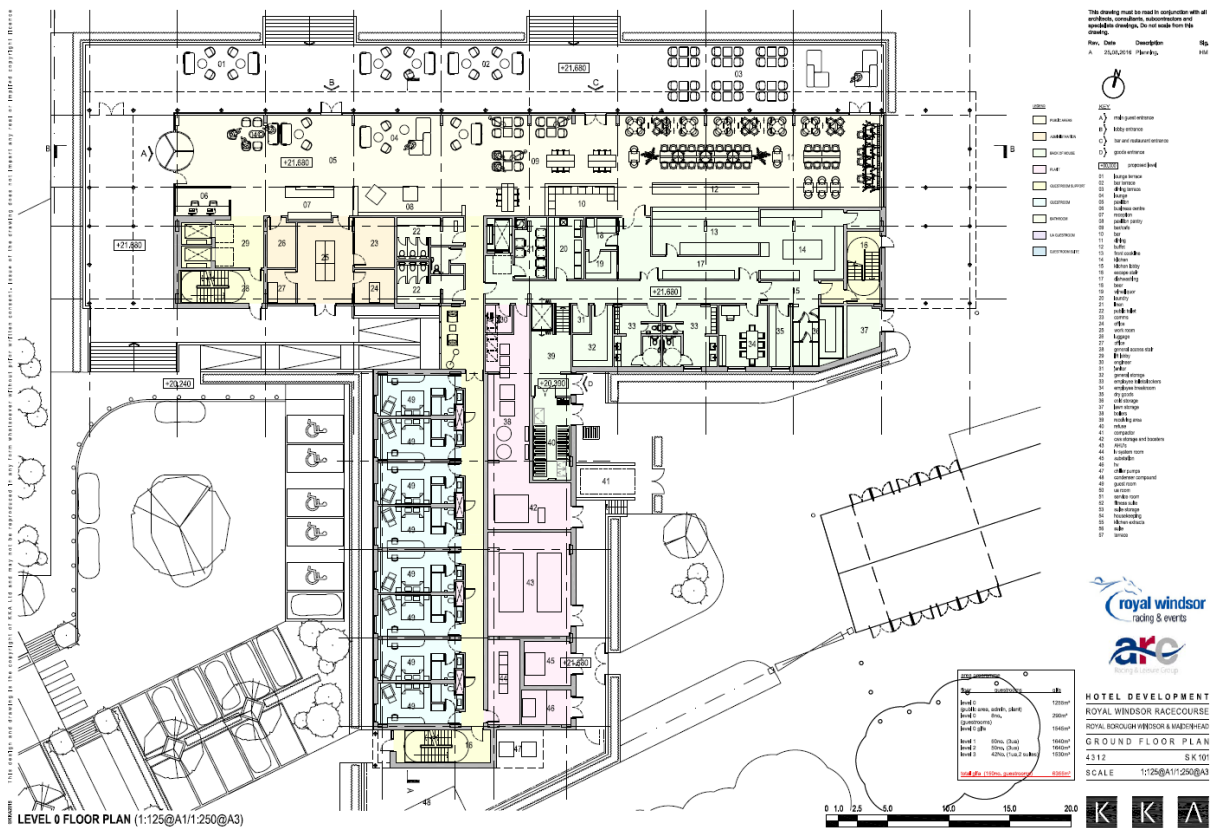
- Appendix A –Proposed Site Plan
- Appendix B – Floor Plans
- Appendix C – Elevations

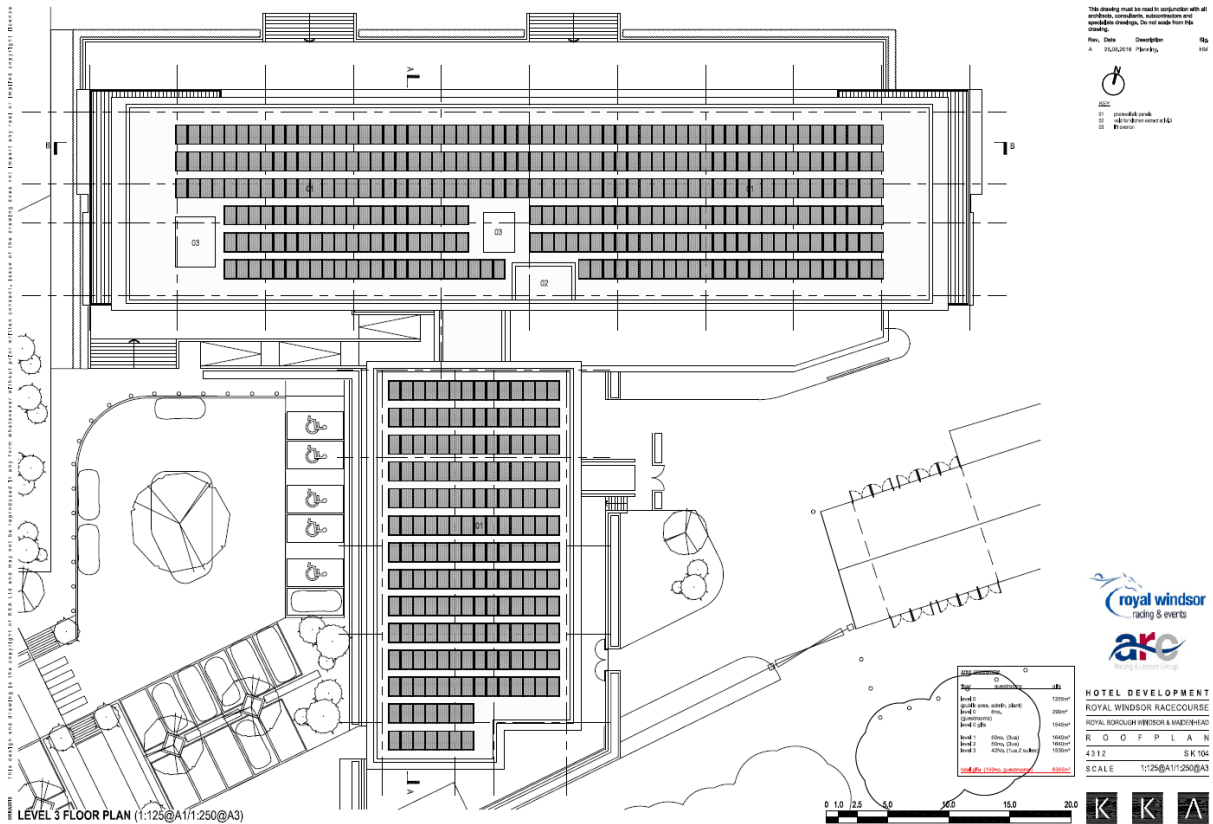
9. RECOMMENDED CONDITIONS

Appendix A Site location plan and layout



Appendix B Floor plans





Appendix C Elevations



NORTH ELEVATION (1:125@A1 / 1:250@A3)



WEST ELEVATION (1:125@A1 / 1:250@A3)



SOUTH ELEVATION (1:125@A1 / 1:250@A3)



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EAST ELEVATION (1:125@A1 / 1:250@A3)



WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 October 2017

Item: 2

Application No.:	17/00243/FULL
Location:	Age Concern 53 High Street Eton Windsor SL4 6BL
Proposal:	Demolition of existing building and construction of a new building comprising 4x residential units and a ground floor commercial unit and new shopfront.
Applicant:	Mr Abeles
Agent:	Mr Ben Willcox
Parish/Ward:	Eton Town Council/Eton With Windsor Castle Ward

If you have a question about this report, please contact: April Waterman on 01628 682905 or at april.waterman@rbwm.gov.uk

1. SUMMARY

- 1.1 This scheme proposes the demolition of a two storey building, comprising an A1 shop on the ground floor and living accommodation above, and its replacement with a four storey building accommodating retail use on the ground floor with two two-bedroomed flats and two one-bedroomed flats above. The scheme would bring this dilapidated site into beneficial social and economic use and would contribute positively to the character and appearance of the Conservation Area and the vitality of the High Street as a whole.
- 1.2 It is considered that the scheme would comprise appropriate development on Flood Zone 2 where the residential use would have no long term adverse impact on highway safety, would provide satisfactory living conditions for existing neighbouring residents and future users, would provide adequate space for commercial operations and staff facilities, and would be sustainable in all other respects. Subject to fulfilment of investigatory conditions requirements relating to the potential for archaeology in the site, the proposals would preserve and enhance the Heritage Assets in the area (the Conservation Area, the setting of nearby Grade II Listed Buildings and the archaeological potential of the area).

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report subject to the matter of a low hazard escape route being clarified.

2. REASON FOR PANEL DETERMINATION

- 2.1 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.
- 2.2 Irrespective of the recommendation, Cllr Alexander has called the application to be determined at the appropriate Panel, at the request of Eton Town Council and in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 This 0.02 ha plot is located on the eastern side of the High Street in Eton, near its southern end before reaching the bridge crossing the Thames, towards Windsor.
- 3.2 The site is occupied by a two-storey-and-roof building with retail use on the ground floor and residential flat on the (smaller footprint) first and attic floors above. The existing shop, which presents directly onto the back edge of the pavement on the east side of Eton High Street, is centrally accessed with routes to the rear yard and upper floors on the north and south flanks of the shop front respectively. Apart from the shop front, the building is predominantly of rendered walls, with some tile hanging on one of the rear elements. A mansard roof with dormers faces onto the High Street, and a complex arrangement of flat and pitched roofs, over a succession of modest additions at the rear of the building, partially encloses a small yard at the rear, where the

back boundary of the site abuts private circulation space serving new housing development in King Stable Street.

- 3.3 The neighbouring properties both have irregular boundaries (in plan form) with no 53. To the north nos 52 and 52a are divided from the application site by a kinked ground floor through passage, with the open yard at the rear split between the two properties, but share a party wall on upper floors. Ground first and second floor extensions to no. 52/52a run further back from the High Street than the floor areas of upper storeys on no. 53. No. 54 to the south of the site abuts the full ridge height of no. 53, and continues above it for a further full storey. The three storey extension of this building at its rear also stands higher and deeper into its plot than the mixture of first floor and attic additions to no. 53 and is also taller than the extensions to no. 52/52a.
- 3.4 There is no vehicular access to the rear of the property, and to the front double yellow lines on the B3022 restrict on-street parking on the stretch of road immediately outside the property.
- 3.5 The site is located within a predominantly but not exclusively commercial area of ground floor retail and associated uses, with other buildings adjoining and close by being a mix of retail, office and residential uses.
- 3.6 The site is within the Eton Conservation Area, adjoins the Grade II Listed 52 and 52a High Street to its north, and faces a group of properties on the western side of the High Street, also all Grade II Listed.
- 3.7 The property is located within Flood Zone 2 (at risk of fluvial flooding from the River Thames). It lies within the defined Small Settlement Commercial Area of Eton, and the High Street forms part of the network of desirable cycle routes identified for Maidenhead and Windsor in the Local Plan.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 There is no relevant planning history for the property. However, an application for Listed Building Consent, referenced 17/01032/LBC, for the erection of a two storey rear extension to fill no.52/52a's part of the open yard noted above, has recently been refused (27.06.2017). There is extensive further history of planning and LBC applications (approved and refused) for extensions and alterations to no. 52/52a High Street.
- 4.2 Full planning permission is sought for the demolition of the existing building and the construction of a four storey replacement building, with a new traditional timber and glazed shopfront, brick on the upper floors, and a top storey inset from the front and rear parapets, finished in bronze panelling with a flat roof. The floor area of the first and second floors proposed would be larger than those of the current building, extending further back from the street frontage to align more with the pattern of extensions on neighbouring buildings.
- 4.3 Bin and cycle storage for the apartments is shown incorporated into the ground floor, to be reached from the separate High Street residential access to the south side of the shop. All access to the commercial area of the ground floor is proposed through the shop entrance onto the High Street at the northern end of the unit. The precise layout of the shop unit is not indicated, but it would be possible to accommodate the normal storage and staff facilities associated with retail functions within the proposed commercial floor area (83 sqm). The existing gate from the rear yard of the property leading onto King Stable Street is proposed to be permanently closed.
- 4.4 The detailing of the High Street facade on the ground floor shows a glass shopfront which would be articulated with a painted timber stall riser, toplight and vertical glazing bars, curved glass to the sides and a north side solid door entrance and fanlight above to match the residential access at the other end of the frontage. A simple painted timber fascia can carry traditional signage for the business. Fenestration for the apartments on the new structure is proposed to follow classical dimensions and detailing on first and second floors with full height glazed openings for the modern inset top floor element. On the first and second floors the elevations would comprise

red/orange Flemish bond brick work, gauged brick flat arches above recessed box sash timber windows with contrasting stone cills and a moulded stone band just below parapet level. A glazed balustrade is proposed to sit behind the parapet to serve the terrace of the top floor apartment. To the rear and exposed north elevation the same materials would be employed, with the same quality of detailing.

5. MAIN LEGISLATION AND POLICIES RELEVANT TO THE DECISION

Town and Country Planning Act 1990 (as amended)

5.1 Section 70 of the Act is relevant to the determination of this proposal.

5.2 Sec 70 (2) states:

“In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations”

Planning and Compensation Act 2004

5.3 Section 38 of the Act is relevant to the determination of this application.

5.4 Sec 38(6) states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

5.5 Sections 66 and 72 of the Act are relevant to the assessment of this proposal.

5.6 Section 66(1) states:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority, or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

5.7 Section 72(1) of the same Act states:

“In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

NPPF 2012

5.8 Of relevance to this application are paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 1 (Building a strong, competitive economy), 2 (Ensuring the vitality of town centres), 4 (Promoting sustainable travel), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 10 (Meeting the challenge of climate change, flooding and coastal change) and 12 (Conserving and enhancing the historic environment) of the NPPF 2012.

Royal Borough Local Plan 1999, incorporating alterations adopted 2003

5.9 The current Local Plan policies relevant to the evaluation of this proposal are:

DG 1 Design guidelines
CA 1 Development in Conservation Areas
CA 2 Guidelines on Development affecting Conservation Areas
LB 2 Proposals affecting Listed Buildings or their settings
ARCH 3 Sites of Archaeological Importance and Development Proposals
ARCH 4 Sites of Archaeological Importance and Development Proposals
SF 1 Guidelines for shopfronts
F 1 Development within areas liable to flood
S 1 Location of shopping development
H 6 Town centre housing
H 7 Protecting the housing stock
H 8 Meeting a range of housing needs
H 9 Meeting a range of housing needs
H 10 Housing layout and design
T 7 Cycling
T 8 Pedestrian environment
P 4 Parking within Development
ETN 1 Protection of the retail role

These policies can be found at:

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

Borough Local Plan: Submission Version 2017

5.10 The policies contained within this emerging plan that are relevant to the evaluation of the proposal are:

SP 1 Spatial strategy
SP 2 Sustainability and placemaking
SP 3 Character and design of new development
HO 2 Housing mix and type
HO 5 Housing density
TR 1 Hierarchy of centres
TR 6 Strengthening the role of centres
HE 1 Historic Environment
NR 1 Managing flood risk and waterways
EP 1 Environmental protection
IF 1 Infrastructure and developer contributions
IF 2 Sustainable transport

5.11 The NPPF states 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 27 September 2017 with the intention to submit the Plan to the Planning Inspectorate thereafter. 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 Supplementary Planning Documents, Local Strategies or Publications

5.12 Other SPDs, Strategies or Publications relevant to the proposal are:

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance 2004
- RBWM Townscape Assessment 2010
- RBWM Parking Strategy 2004
- Eton Conservation Area Appraisal November 2009

More information on these documents can be found at:

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

Historic England guidance

5.13 The following HE guidance is also pertinent:

- Conservation Principles – 2008;
- Setting of Heritage Assets -2011;
- Managing Significance in Decision-taking in the Historic Environment – 2015, and
- Making Changes to Heritage Assets 2016.

Environment Agency guidance

5.14 The following EA guidance is relevant to the assessment of the proposed development:

- Thames Area Climate Change Allowances: Guidance for their use in flood risk assessments. Jan 2017
- Flood risk Sequential and Exception Tests: Thames Area guide for Local Planning Authorities Version 2.1 February 2017

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Presumption in favour of sustainable development
- ii The vitality and prosperity of the town centre
- iii Flood risk
- iv The preservation and enhancement of heritage assets
- v The provision of appropriate and good quality housing
- vi Highway and movement safety and convenience
- vii Residential amenity
- viii The provision of appropriate strategic infrastructure

Principle of sustainable development

6.2 Paragraph 6 of the National Planning Policy Framework 2012 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three dimensions - economic, social and environmental – of sustainable development should be assessed and balanced in the performance of the planning process. In this case the proposal would provide employment for the duration of demolition and construction works, and would result in an improvement to the commercial offer in the local centre, so supporting the prosperity of the local economy. The development would have the net effect of adding three small dwellings to the stock of housing, and therefore would serve a social purpose by contributing iteratively to

meeting the identified housing demand in the Borough for new homes. The units would be well placed in close walking proximity to employment sources, public transport routes and the services of the local centre of Eton and of the main town centre of Windsor. While adding to the number of people living in the High Street, the expected impact of this population commuting to employment or community services would be acceptable. The proposal is not put forward to provide affordable or key worker accommodation, although the modest size of the flats would be aimed at small households, identified by the Council as a desired provision. In environmental terms, the site is located on Flood Zone 2 land, where there is between a 1 in 100 and 1 in 1000 chance each year of fluvial flooding (from the River Thames). The scheme is considered to have passed the necessary Sequential Test, and would not to worsen flood risk elsewhere. The scheme is also considered to preserve and enhance the significance of the heritage assets on which it would impact. The disturbance to traffic flow and nearby residences and businesses during any demolition and construction periods would be short-lived compared to the longevity of the retail and housing uses proposed.

- 6.3 The scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF.

Vitality and prosperity of the Town Centre

- 6.4 The scheme retains and seeks to make more attractive the commercial offer on the site, which lies in the main shopping street of Eton. The proposal involves a marginal increase (9 sqm) in the retail floor area, with new shop front and access arrangements. The internal arrangements of the shop layout and its facilities are not material to the determination of the application. It is considered that the development would enhance the attractiveness and viability of Eton as a local centre, would be of a scale commensurate with the size, character and role of the centre, and would provide appropriate cycle and pedestrian links (retaining the existing). The accessible location of the site, and the fact that this is a redevelopment of an existing retail use both mean that the lack of parking provision for this retail development would be acceptable. The scheme accords with the requirements of policies S1 and ETN1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003.
- 6.5 The expansion of the existing residential use on the upper floor of a built form in this High Street location would re-inforce the viability of the development and would add custom and supervision to the site, including its night-time occupation.

Flood risk

- 6.6 The site lies in Flood Zone 2, where there is between a 1 in 100 and 1 in 1000 chance each year of fluvial flooding (from the River Thames). Other sources of flooding (from the sea, surface water, sewers, groundwater and artificial sources) are all considered to have low risk for the site. Much of Eton High Street is located within a Flood Zone 2 “dry island”, surrounded by Flood Zone 3 except for a route southwards across Windsor Bridge, and into Flood Zone 1. The proposed development comprises a shop on the ground floor (categorised as “less vulnerable” development) and four flats on the first, second and third floors (categorised as “more vulnerable”). National policy on flood risk matters is set out in section 10 of the NPPF, and advice on its application is set out in the DCLG’s Planning Practice Guidance under “Flood risk and coastal change”. EA guidance specific to the Thames Area has also been used in assessing the proposal.
- 6.7 Paragraph 103 the NPPF requires that when determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere, and only consider development appropriate in areas at risk of flooding where, informed by a site-specific Flood Risk Assessment following the Sequential Test, it can be demonstrated that

- within the site the most vulnerable development is located in areas of lowest flood risk and

- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed including emergency planning.

- 6.8 Sequential Test. The object of the Sequential Test, as described in the NPPF, is to steer new development to areas with the lowest probability of flooding, and for this kind of development in Flood Zone 2 it is necessary to carry out such a test. Applicants should investigate, over an appropriate geographical area, what alternative sites are reasonably available to host development of the scale and nature of the proposal on land that is at a lower risk of flooding than is the application site. It is considered that the geographical area studied and the baseline data used in the submitted FRA (the Borough) is appropriate. The applicant has used the information and analysis submitted to conclude that there are no comparably-located local centre sites available, on which a shop and four flats would be likely to be acceptable in planning terms. The reasons given in the submission for excluding sites from being comparable with the proposal, or for considering them as not being reasonably available are credible, and the conclusion, that the Sequential Test is passed, is therefore accepted.
- 6.9 Extent of flooding. To identify the likelihood of the development being affected by current or future flooding, advice set out in the Thames Area Climate Change Allowances guidance has been used. This advice defines three possible approaches to account for flood risk impacts due to climate change in new development proposals: Basic, Intermediate and Detailed. For developments of 1-9 dwellings, and of retail of under 1 hectare, proposals in Flood Zone 2 can follow the Basic approach, whereby developers can add an allowance to the 'design flood' (i.e. 1% annual probability) peak levels to account for potential climate change impacts. So instead of using modelled flood and flow data to construct a stage-discharge rating curve, from which to interpolate a flood level according to the relevant allowance (compared to the 'old' climate change allowance of +20%) being applied to the design flood flow, a general "flat rate" uplift in the existing modelled design flood level can be calculated and used to assess how climate change will likely affect flood water levels in the future, and to what level new development should work to safeguard property and people from flood water.
- 6.10 In Flood Zone 2 locations, for more vulnerable development, the EA guidance advises that the minimum climate change allowance should be 500 mm. The submitted FRA notes that from the existing available EA data the 1% AEP flood level at a point just to the north of the site is 20.27 m AOD (metres Above Ordnance Datum). The flood level for the 1% AEP event including an allowance for climate change would therefore be $20.27 \text{ m} + 0.5 \text{ m} = 20.77 \text{ m AOD}$. Site levels fronting the High Street are 20.8 m AOD and therefore flooding of the building is not expected. It is notable that under the old design flood + 20% peak flow calculation, the estimated flood level at the node to the north of the site would have been $20.27 \text{ m AOD} + 0.28 \text{ m (280mm)} = 20.55 \text{ m AOD}$. With the new flat rate addition of 500 mm to the design flood, to allow for climate change, the resultant predicted flood level is significantly higher, i.e. more onerous, and is likely to represent a greater than 25% increase in the peak flow rates. Use of the Basic approach is, therefore, considered to produce a result which errs on the side of caution.
- 6.11 The FRA goes on to note that there is a sloped paved area at the back of the property with minimum level of 20.4 m AOD, resulting in up to 370 mm of flooding in the back yard if flood water (using the Basic Approach calculation) is able to flow into the rear court yard. However, the proposed development shows that access to the shop and to the residential units on the upper floors would only be from the High Street, and the existing gateway in the eastern wall of the rear yard, which opens onto the King Stable Street complex, is proposed to be kept permanently closed. With flood resistance measures in place, as set out below, the extent to which the development would be affected by flooding is likely to be limited to the inundation of the rear yard. No route for pedestrians from the building towards King Stable Street is proposed, and in the event of flooding, therefore, the flooding of the rear yard would not affect the access and escape route for occupiers of the ground floor retail unit or the residential units above.

- 6.12 Increase in flood risk elsewhere. The footprint of the existing building amounts to 109 sqm, and the proposed development would extend this to 131 sqm (a 22 sqm increase). This increase is considered not likely to have a significant impact on the flood water storage capacity of the plot over all in the event of an extreme flood. Current policy F1 of the Local Plan, which is normally applied only to sites within Flood Zone 3 (higher risk of flooding), sets a threshold of 30 square metres for development before it is necessary to demonstrate that the scheme would not impede the flow of water, reduce the capacity of the flood plain, or increase the number of people at risk from flooding. As this application site lies within Flood Zone 2, the policy requirements would not appear to be relevant to the assessment of the scheme. However, for completeness, it is noted that this proposal, while adding to the number of people that could be accommodated on the site, does not exceed the footprint of the existing building beyond this 30 sqm threshold, and the proposed enlargement of the ground floor area of the built form on the site is therefore considered not to increase unacceptably the risk of flooding elsewhere by the displacement of flood water storage capacity.
- 6.13 Measures to deal with flooding. The application is supported by a Flood Warning and Evacuation Plan. The FRA notes that the
“Thames catchment is a large (9950 km²) primarily rural catchment at its fluvial limit in Teddington and as a result has a long response time to rainfall events. Almost all large fluvial flood events in the Thames are caused by extensive winter frontal rainfall and at the site, the River Thames exhibits a response time of a couple of days to such events. This would give residents adequate time to safely evacuate their property if needed.”
The FWEP states that a safe means of access to and escape from the proposed building, in the event of a flood, would be provided from the front of the building, onto the High Street. From this point it would be possible to reach Flood Zone 1 land via a route south along the High Street and across the bridge into Windsor. At a currently modelled design flood level of 20.27 m AOD the escape route to Flood Zone 1 land would have a very low hazard rating, and would appear to be dry for the length of its route. With a flood level of 20.77 m AOD (after the basic approach climate change allowance is added) the majority of the route would still be very low hazard, although a length of about 30 m spanning the junction of the High Street with King Stable Street would present a “danger for some” rating as the water depth would appear to be in the order of 300mm. The degree of danger experienced by pedestrians traversing this depth of water would also be affected by the velocity of flow, and the incidence of submerged obstructions or debris in the flood water. Further advice has been taken with regard to the low hazard escape route and climate change allowances, the outcome of which will be reported in the Panel update.
- 6.14 Measures that could be incorporated into the proposal to achieve resistance and resilience to flooding are also set out in the FRA. The finished floor level of the ground floor of the property is 20.8 m AOD, which is above the 1% (1 in 100) annual probability flood level including an allowance for climate change. The property is therefore not expected to flood internally. The ‘central’ climate change allowance has been considered for flood risk mitigation, however to inform flood resilience measures, a precautionary approach would be to use the ‘upper end’ climate change allowance. The FRA states the ‘upper end’ climate change allowance gives a flood level of 21.27 m AOD, i.e. 470 mm above the ground level on the pavement to the front of the property. All proposed residential accommodation is located at first floor well above the flood level and therefore does not require protection measures. For the ground floor commercial unit it is suggested that the development should use materials with low permeability; use flood resilient materials (e.g. lime plaster) and incorporate design measures such as raised electrical sockets. The fit out of the building should also make sure that there is access to all spaces to enable drying and cleaning. Removable flood boards could also be installed, following a flood warning from the Environment Agency and evacuation of the property, in all ground floor doorways up to a level of 21.27 m AOD, to prevent flood water from entering the building.
- 6.16 Exception Test. Advice set out in the NPPG Table 3 “Flood risk vulnerability and flood zone compatibility” is that for development of “More vulnerable” and “Less vulnerable” classification, in Flood Zone 2 such developments are appropriate, and that the exception test is not applicable.

- 6.17 In the light of the above information and assessment, the proposed development is considered to accord with the requirements relating to flood risk of the national and local planning policy and guidance, as set out in the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and the NPPF 2012.

The preservation and enhancement of heritage assets

- 6.18 The designated heritage assets that would be affected by the proposed development comprise the Conservation Area, the setting of a number of Listed Buildings, and, potentially, any archaeological resource on the site. Before assessing the impact of the proposals on these assets, their significance (individually and/or in combination, needs to be identified.
- 6.19 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area when dealing with a planning application therein. Advice in the NPPF (paragraphs 128 and 129), requires that an applicant should describe the significance of any heritage assets affected by the proposed development, and should set out how it would affect the significance of the same. The application was accompanied by a Heritage Impact Assessment which addressed these requirements in relation to the Conservation Area.
- 6.20 The NPPF underlines the desirability of new development making a positive contribution to local character and distinctiveness (para 131). Policy CA2 of the Local Plan requires that in Conservation Areas any development should enhance or preserve the character and appearance of the area, while new buildings should be of a high design standard, sympathetic in terms of siting, proportion, scale, form, height, materials and detailing to adjacent buildings and the character of the area in general.

- 6.21 The Council's published Townscape Assessment 2010 notes for Eton that:

“The High Street in Eton has a strong building line, with small verges and narrow plots, reflecting the original medieval settlement grain based on burgage plots. Despite small scale modern developments along the High Street (including back-land development) and new buildings within the college, the built character of the high street has changed little during the 20th century.”

- 6.22 The Eton Conservation Area Appraisal 2009 summarises the special interest of the Conservation Area as being made up of 6 principal components, amongst which are:
- The collection of a considerable number of important historic buildings: where limited modern developments have taken place they are generally well related to the traditional details and materials of the area
 - Eton College and nearby Windsor Castle are internationally recognised attractors
 - It retains the form of the single medieval High Street connecting the College and bridge crossing
 - There is a distinct change in character and hierarchy of areas from the spacious and varied College areas, to the typically 'Georgian' High Street, and to the more modest developments at the rear of the High Street
 - The town has an independent character, with many small, specialist, independent traders, and very few national retailers.

- 6.23 The designation is split into four Character Areas, of which the High Street is one. Characteristics noted for this quarter include that

“there is a high level of residential accommodation in the High Street buildings, both over commercial properties and in houses interspersed between the commercial frontages....Overall the predominant appearance is of buildings from the early 19th C. Buildings are predominantly 3 storey, but with some, typically the older timber framed buildings, lower at 2 storey, and a few taller at 4 storey.”

“The predominant material is brick, both red and yellow/brown. Many buildings are also rendered and painted....Roof materials are slate and orange/red plain clay tiles. A considerable number of

the High St properties contain good quality timber shop fronts with simple timber fascias and modest signage”

“The roofs of most of the buildings are hidden behind high parapet walls, but these vary in height, and are intermixed with other roof forms including some gabled fronts. The more visible lower roofs of the timber framed buildings are simple gabled roofs clad in clay tiles. On several properties an old clay tile roof can be glimpsed behind a later parapet front, and the rear rooflines are more varied than on the High Street.”

- 6.24 The self-effacing but supportive contribution that the application site currently makes to the special historic and architectural interest of this part of the Conservation Area, fronting onto the High Street, is largely reliant on its edge-of-pavement position, simple route-aligning modest parapet and receding roof scape. The mixed retail and residential use of the building fits its context. The intricacy of the roofscape at the rear of the building is also typical of the contrasting front and rear elevations of surrounding properties. Of local interest is the carved pilaster on the north end of the shop frontage, thought to have been the work of furniture makers/upholsterers/wood carvers Arthur and Frederick Halliday who were resident on the site at the end of the 19th century. The ornate door enclosing the through passage on this end of the building is also of interest, although the door and its encasement appear not to be original to the site as they have both been awkwardly modified in order to fit their location. Overall, however, the building is not an exemplar of the best quality or condition of built form in the area, nor is it an outstanding or essential element in the make up of the High Street’s character: the more public external materials and features (slate, cement render, replacement casement windows) are not typical of the 18th century tradition of buildings in the High Street, and its dilapidated state also does the character and appearance of the area no justice. Rather this is a fairly neutral team player in the street scene, with some positive and some negative attributes, where there is as much merit in the opportunity it presents for the enhancement of the area by its replacement as there is in the preservation of the existing character by its retention.
- 6.25 The new scheme would have a greater mass (both taller and deeper at upper storey level) than the existing structure, would have a different palette of materials and would combine architectural detailing of traditional and contemporary styles not displayed on the current form. The new building would be considered to preserve and enhance the character and appearance of the Conservation Area as while it would have a greater presence than the existing in the street scene, the continuation of the street-alignment of its facade and parapet, and its built form, including its materials and detailing on the ground, first and second floors, would echo the historic and architectural interest of a number of buildings in the vicinity, and would together provide a complimentary invigoration of the quality and condition of the site.
- 6.26 The extension of the building towards the rear of the plot would follow the precedent for multi-storey staggered forms already in evidence on neighbouring properties. The proposed development would stand above the height of the various extensions to no.52/52a, but would still be below the continuous level of the flat roofed no. 54, to the south of the site.
- 6.27 The proposed part second and third floor duplex apartment is designed to present a contemporary element in a roof form not alien to the area i.e. an inset or recessive top storey. The modern design uses the available space efficiently without interrupting the intended absorption of the principal facade of the building into the street scene. In its own right the top storey structure is an attractive and thoughtful composition, the scale, form, and aspect of which fit with and renew the character and appearance of the Conservation Area in which it would stand. The proposed materials for the top floor (glazed balustrade above the brick parapet, full height glazing and bronze panelling) are unusual for the street but not for the wider area. The employment of a bronze rather than grey metal for the panelling reflects the colouring of the greater use of clay tile, rather than slate, for traditional roofing in this part of Eton. In long views southwards down the High Street towards the Windsor Bridge, the proposed top floor may be discernible but only against the higher brick backdrop of no 54, and would be in the same view as the modern no. 77 High Street (a large brick and metal cladding building of three full storeys and a flat roofed penthouse layer) which acts as a terminus to this street vista. The traditional and

contemporary components of the proposed building would be respectful of their context and at the same time would not attempt to mask the modernity of the construction, enabling the evolution of the High Street to remain legible.

- 6.28 The application site stands next to and opposite a number of Listed Buildings in the High Street. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a Local Planning Authority to have regard to the desirability of preserving Listed Buildings or their settings or any features of special architectural or historic interest which they possess when dealing with a planning application. Advice in the NPPF (paragraphs 128 and 129), requires that an applicant should describe the significance of any heritage assets affected by the proposed development, and should set out how it would affect the significance of the same. The application was accompanied by a Heritage Impact Assessment which addressed these requirements in relation to nearby Listed Buildings, individually and in their identified groups.
- 6.29 The special interest of the Grade II Listed no. 52/52a High Street is mainly seated in its architectural composition but also derives in part from its road edge urban close knit setting. This setting includes public and private views of the building from the front and from the rear, and from along the High Street. The building is experienced within a fairly tight visual envelope at the front, because of the restricted width of the High Street and the continuous nature of the terracing of properties along the street. No 52/52a marks a step up in roof and (more obviously) eaves heights from the north to the south in this part of the High Street, although the lower parapet of the existing no. 53 between its neighbours interrupts a more general ascent of building heights in this direction. The heritage significance of the Listed Building is not hurt by the modesty of its existing neighbour (no. 53) nor by the jump in height to the much taller no. 54, as the rhythm of shop/house frontages at eye level remains on a fairly regular and intimate scale (a reflection of medieval burgage plots). The proposed development would not clash with this rhythm, as the scheme replicates the width and height of the shop front, and although taller overall than no. 52/52a, the new building would relate comfortably to it as a result of its parapet being perceptible as only marginally above that of no. 52/52a. The recessed top storey of the proposal would generally only be seen to bridge the levels between no.s 52/52a and 54, rather than to dominate either, when viewed from further north. The proposed building is not considered to harm the visual setting or degree of prominence of no. 52/52a from the High Street. The architectural detailing of the proposed building matches the high standards set by neighbouring property: while of 21st century provenance (witness the top floor) the principal impression of the frontage would be of a traditional building design carefully executed. Expectations of quality set out in the Local Plan and in national advice and guidance would be met.
- 6.30 At the rear of the property the prominence of extensions on no. 52/52a is marked in comparison with the smaller and lower forms of its neighbours to the north (no.s 51 – 47, Listed Grade II and II*, with which it forms a group) and with the organic arrangement of iterative extensions to the existing no.53. The degree of change on this east face of the run of High Street buildings that would result from this development proposal would be greater than on its more public west elevation, but the special historic and architectural interest of this side of the Listed Building has already been damaged or masked by the enlargement of no 52/52a itself. The proposed scheme comprises a stepped-down version of the form of existing extensions on no. 54, although with more thoughtful architectural detailing. The proposal is considered not to harm the significance of the heritage asset in relation to the visual setting of the rear of no. 52/52a High Street.
- 6.31 The proposed development would alter the context in which the group of Listed Buildings no.s 47 – 52a, to the north of the site, would be read. As with the assessment above, it is considered that the new building would cause no harm to the significance of the heritage asset.
- 6.32 On the west side of the High Street Listed Buildings no. 84 – 92 stand opposite the application site, and as with the impact of the scheme on the listed group on the east side of the High Street, and indeed on the character and appearance of the Conservation Area as a whole, the scheme is considered to enhance the quality and status of the built form on the site, upgrading its contribution to the urban landscape in this part of the Borough, without producing either an overwhelming competitor to, nor a pastiche of the nearby historic buildings.

- 6.33 The Heritage Impact Assessment submitted with the planning application does not refer to below ground heritage. However, resulting from its geology, landform and long established human occupation, the area in and around the High Street is likely to have archaeological interest from a number of historic and pre-historic periods. The proposed development presents a chance to investigate below-ground evidence of past use of the site, and subject to compliance with the recommended conditions it is considered that the scheme would provide an opportunity to reveal, increase knowledge of and better understand the natural and man-made history of the site.
- 6.34 Historic England's Good Practice Advice on Managing the Historic Environment – Note 2 states (paragraphs 30 and 31) that some heritage assets “*will currently hold only archaeological interest, in that nothing substantial may be known about this site and yet there is a credible expectation that investigation may yield something of strong enough interest to justify some level of protection. For sites with archaeological interest, whether designated or not, the benefits of preserving them are a material consideration when considering planning applications for development.*” The NPPF, at paragraph 128, notes that where a development site has potential to include heritage assets with archaeological interest, developers should submit an appropriate desk-based assessment and/or a field evaluation. Policies ARCH 3 and ARCH4 of the Local Plan also require investigation and recording of sites proposed for development where these have buried heritage potential. While it is possible that no substantial archaeology will have survived on the plot, the recommended condition relating to archaeological investigations post demolition but pre-construction should furnish appropriate information, and secure (in situ or by record as necessary) any significant heritage asset discovered on the site.
- 6.35 Having paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area; to the desirability of preserving the Listed Buildings and their settings, and to the identification of and impact assessment on the significance of standing and below ground heritage assets, it is considered that the proposals satisfy the requirements and expectations of relevant legislation, the NPPF and Local Plan advice and guidance.

Housing

- 6.36 Residential development in town centres is supported and encouraged under Policy H6 of the Local Plan and paragraph 23 of the NPPF 2012. The type and size of the units proposed (small flats) accord with the objective of Local Plan Policy H8, and their design satisfies the expectations in Policy H10 of attractiveness and safety, with a separate access for residents from the commercial parts of the proposed building (which also meets the expectations of Local Plan Policy DG1).

Residential amenity

- 6.37 With two exceptions on the first submission, all fenestration for the proposed building would face forwards onto the High Street or to the rear of the building. Exceptions were a first floor kitchen/living room window facing north, opposite a blank wall of no. 52/52a, and the north facing part of a wrap-around glazed section on the third floor (inset) which would look over the roof top of the front part of the double-pile roof of no. 52/52a. As a result of the respective levels, the aspect from the first floor side-facing window would not enable a view into the roof light above the first floor rear extension of no. 52/52a. However, notwithstanding an existing north-facing kitchen window in the existing flat, it is considered that it would be appropriate to avoid the potential for dispute, and consequently an amendment to the scheme has been submitted to omit the proposed kitchen window. Instead light can be provided for the kitchen area of the proposed flat 2 via an angled roof light let into the flat roof above the lounge area of this unit. This amendment would avoid a potential conflict of built form, should an extension on the south side of no. 52/52a up to its boundary obtain consent (as proposed under application 17/01032/LBC, refused by the Council in June 2017) either through a successful appeal against the Council's refusal, or through the successful submission of a further application.

- 6.38 With the exception of a terrace on the west side of the top floor apartment, fronting the High Street, all flat roofed areas of the proposal are to be accessible for maintenance purposes only. This is to preclude potential overlooking from the development towards neighbouring and nearby properties. In this instance it is considered that the provision of outdoor amenity space for the apartments should not be put ahead of the protection of existing residents' privacy.
- 6.39 The relationship of the proposed residential units and retail floorspace with adjoining residences and with residential uses in properties on the opposite side of the High Street and to the rear of the site in King Stable Street, is considered to be acceptable, and in accordance with the expectations of the relevant core planning principle set out in paragraph 17 of the NPPF 2012.
- 6.40 The ownership of the defined site has been the subject of correspondence, including the influence that this civil matter has over the foot print and design of the proposed development, and how demolition, construction and maintenance operations can be carried out. The plans have been amended during the course of the application and it is understood that no development is proposed to take place on land outside the applicant's control. The architect has confirmed that the constraints of access that the site experiences would not preclude its redevelopment.

Highways and movement

- 6.41 The site has no parking associated with it currently, and proposes none. The site lies in an accessible location where car parking is not a requirement under the adopted Parking Strategy (2004).
- 6.42 Given the central location of the site, within easy access to employment, to commercial and community services, and to public transport links, then cycle-only provision is acceptable. The application shows cycle storage at the required level for the residential element of the scheme (one space per apartment) and there is space available within the commercial unit for staff cycle parking, including within the yard at the rear of the building. Details for staff cycle parking are the subject of the recommended conditions.
- 6.43 The refuse storage facilities shown for the residential units are acceptable. Bin storage for the retail unit is also subject of the recommended conditions. Deliveries to the shop units will need to be made from the High Street, as is currently the case. .
- 6.44 With regard to pedestrian, cycle and vehicular access to the property, the scheme enables safe and convenient movement to the building, and would assist in modal shift from car-borne to public and unpowered transport means. The proposal is considered to comply with Policies H10, T7 and DG1 of the Local Plan, and with advice contained within section 4 of the NPPF 2012.
- 6.45 Arrangements for the demolition of the existing building, and the construction of its proposed replacement have been the subject of great concern in the representations on the scheme that have been received from the public. Certainly the High Street location of the site, without alternative access from the rear, and the lack of space about the building within the plot (resulting from the proportion of it being occupied by the footprint of the building itself) combine to make both demolition and construction phases of the proposed project likely to cause some congestion and disturbance to other users of the High Street and nearby properties, even with the assertion by the applicant that construction at or near boundaries can be achieved overhead if necessary (i.e. from within the site). Details of how these operations should be carried out to minimise levels of disruption and nuisance to residential amenity, commercial activity and traffic can be controlled by the assessment and approval/rejection of a Construction Management Plan, secured by condition on any planning permission granted. The harm that would be caused by the necessary degree and period of disruption is not considered to render the proposed development unacceptable: the economic, social and environmental benefits that the proposed development would bring, and the presumption in favour of sustainable development, is considered to outweigh the disbenefits of the time-limited demolition and construction activities associated with this project.

Infrastructure provision

- 6.46 The CIL regime adopted by the Council supersedes the need to make a Section 106 Agreement to cover the types of infrastructure set out in the Regulation 123 List that would normally be expected to be provided for developments of this nature (including, for example, facilities for education, health, transport, sport and recreation, flood defence and other matters). In this case the residential development would attract a levy of 240 per square metre, while the retail element of the scheme would be charged at 0 per sq m, as it does not comprise a retail warehouse type development.
- 6.47 The proposed development has been assessed in relation to the Council's adopted Local Plan Policy IMP1, relating to the provision of strategic infrastructure. According to the adopted CIL regime and charging schedule post-decision arrangements are appropriate for the CIL payment but no S106 Agreement needs to be signed for the scheme.

Other Material Considerations

- 6.48 Housing Land Supply 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 this presumption, 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.
- 6.49 It is acknowledged that this scheme would make a modest contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwellings would also weigh in favour of the development.

7. CONCLUSION

- 7.1 As required by Section 70 of the Town and Country Planning Act 1990, the Local Planning Authority has, in assessing this application, had regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. In terms of the requirements of Section 38 of the Planning and Compulsory Planning Act 2004, the proposed development is considered to accord with the development plan for the area. The guidance contained within the NPPF 2012 is a material consideration, and the scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF. There are no material considerations that outweigh this presumption.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 8.1 Notification letters and re-notification letters were sent to 19 addresses for the original and amended submissions relating to this case. A statutory notice advertising the application was posted at the site on 08.02.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 02.02.2017.
- 8.2 One representation has been received supporting the proposed development:

Comment	Reference in report
1. For the record I strongly support this application. My property at 91 Eton High Street is directly opposite the proposed site, which right now is a disgrace to this historic environment. I very much hope the application is successful.	Noted

8.3 Representations from 8 households have been received objecting to the proposed development, summarised as follows

Comment		Reference in report
1.	The proposed height of the building will mean that light will be blocked out from the properties to the rear	6.37 – 6.39
2.	The demolition of the building will cause years of disruption	6.45
3.	Quality of life will be severely affected by construction and dust	6.45
4.	There is already congestion at the rear and this will add to it.	6.41 – 6.44
5.	There is no parking provision with the proposed luxury apartments, which will risk illegal parking on the King Stable Street Estate.	6.41 – 6.42
6.	Historic pillars in the shop will be lost.	6.24
7.	There will be an overbuild to the rear.	6.40
8.	The ground floor space is not fit for purpose as it has no toilet or kitchen area.	4.3 and 6.4
9.	Overbearing height and volume of the proposed development encroaching on 52/52a, especially roof terraces and windows facing towards 52/52a.	6.37 – 6.39
10.	No details provided for the construction or insulation method for party wall with no. 52/52a, nor prevention of damage to this wall and that with no 54.	6.40
11.	The rear terrace of no. 52a will be overlooked	6.37 – 6.39
12.	The development will impinge on the 45° arc line from first floor windows on no. 52a	6.37 – 6.39
13.	The atrium above the upper landing of no. 52a will be overlooked by the proposed top terrace	6.37 – 6.39
14.	The atrium will probably no longer receive any direct sunlight because of the height of the development	6.37 – 6.39
15.	The design of the top floor is not in harmony with nearby buildings	6.18 – 6.35
16.	The top floor will be clearly seen together with Windsor Castle from the north end of the High Street	6.27
17.	A more traditional design for the top floor should be enforced	6.27
18.	Glass balustrades will not protect the privacy of no 52/52a and should be replaced with parapet walls	6.37 – 6.39
19.	No statement about constructability especially as the site has no rear access for construction equipment	6.40
20.	Development will remove the view of Windsor Castle from rear upper windows of no. 52a	This is not a planning consideration
21.	Binding covenants should be imposed on any planning permission given relating to the protection of no. 52/52a owners' interests by a surveyor paid for by the applicant;	This matter is the remit of the Party Wall Act
22.	Building work should only be carried out between 8am and 6pm on weekdays, and none on weekends	Recommended conditions
23.	Residents of the development should be prohibited from applying for parking permits	6.41 – 6.44 and recommended informatives
24.	An inspection from within no 52/52a is urged	Noted
25.	The submitted plans show demolition and construction relating to land and built form outside the site and on no. 52/52a property	6.40 and 6.45
26.	Part of the rear courtyard is owned by no. 52/52a.	6.40
27.	All access to the site must be from the High Street only	4.3, 6.43
28.	The rear wall of the site is not owned by the applicant and should not be demolished	6.40
29.	No scaffolding will be allowed on land owned not owned by the applicant	6.40

30.	The top floor addition would be overbearing and visible from the back of the site as well as from the High Street	6.18 – 6.35 and 6.37 – 6.39
31.	No access for refuse bins collection will be allowed from the rear of the site.	4.3 and 6.43
32.	A Construction Management Plan should be required before demolition	6.45 and recommended conditions
33.	The development could not be maintained (gutters, painting etc.) without encroaching on land in the ownership of neighbours.	6.40
34.	The development would change the outlook from a number of surrounding properties	6.37 – 6.39
35.	No construction or other vehicles will be tolerated on the King Stable Street Estate	4.3, 6.45 and recommended conditions
36.	High Street construction access will cause disruption to the Eton community impacting all businesses there	6.45 and recommended conditions
37.	Development would affect the property valuation, potential rental income and attractiveness to tenants of nearby property.	This is not a planning consideration
38.	Overall bulk of the development and its elevational treatment will be detrimental to the character and appearance of the Conservation Area	6.18 – 6.35
39.	East facing windows on proposed first and second floor will be on the boundary with property in the ownership of no 54	6.37 – 6.40
40.	Cycle parking proposed for the flats looks undersized and there is none shown for the shop	6.42 – 6.44
41.	There may be a right of way from the High Street to the King Stable Estate and this should be investigated	6.40
42.	A proposed north facing first floor window would overlook no 52/52a and should be removed	Plans amended
43.	A proposed north facing window on the upper floor is not shown on the elevation drawing	6.40
44.	It should be explained how the “Maintenance only” access for areas of terracing will be enforced. A covenant should cover this.	6.37 – 6.39 and recommended conditions
45.	The sealing of the rear gate would prevent access from King Stable Street to part of the rear courtyard in the ownership of no 52/52a.	This is a civil matter
46.	The flood risk assessment Sequential Test information should be uploaded to the website.	Uploaded 26.04.2017

Consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	<u>Initial comment:</u> Site is in a sustainable location where zero parking is acceptable. Future occupiers will not be entitled to a residential parking permit, as permits for Eton already exceed parking provision. Occupiers should be barred from applying for parking permits – Sec 106 agreement required. Space for cycle parking indicated appears to be too small, but provision of one cycle storage space per flat, and one/two for the shop staff can be secured by condition. Bin storage is shown, but its capacity and the availability of access from the rear requires confirmation. Concern is raised over how demolition and construction could be	4.3, 6.41 – 6.45 and recommended conditions and informatives.

	<p>implemented without disruption to the High Street.</p> <p><u>Amended plans:</u> no objection raised. Cycle parking and bin storage shown on amended plans should be provided prior to the occupation of the flats and shop (condition suggested). Requirement for legal agreement omitted. Informatives are suggested to remind the developer about the need for the Highway Authority's consent to carry out any operations associated with the building project on Highway land.</p>	
Berkshire Archaeology	<p>The site lies within the medieval core of Eton, in an area of archaeological interest. While the site will have undergone some degree of disturbance from a sequence of past structures on the plot, there remains the possibility that buried remains relating to medieval Eton survive within it. Conditions are recommended to be imposed on any planning permission that would secure a written scheme of investigation of the site, including a watching brief during demolition, and, if then deemed necessary, further investigative work to identify and record any finds, such investigations to be carried out <u>before</u> the commencement of construction of the new building</p>	6.33 – 6.35 and recommended conditions.
Local Lead Flood Authority	<p>The application does not propose major development and therefore no approval of the surface water drainage details of the scheme needs to be sought from the LLFA</p>	Noted
Environment Agency	<p>Verbally declined to comment as the type and scale of development is covered by EA standing advice.</p>	6.6 – 6.17
Eton Town Council	<p>Whilst accepting the need for renovation of this property, the Council makes the following comments:</p> <ol style="list-style-type: none"> 1. Serious concerns about over - development of the site, including the use of unsympathetic materials and the overall height and design of the roof which looks completely out of keeping with the general roof line of neighbouring properties and the town centre in general. 2. There is no provision for car parking. 3. Whilst accepting that much of the building is sympathetic, no reference is made in the plans to the twin pillars at the front of the existing building which have historical value. 4. The plans are not accurate, for example where are the toilets? 5. There would be huge disruption during the building process in what is the narrowest part of the High Street. <p>Cllr Alexander is requested to call this application in.</p>	6.18 – 6.35 6.41 – 6.45 6.40 and recommended conditions

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Plan and Elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990

(as amended).

- 2 No development on the site shall take place, other than demolition to ground floor level of the existing structures (but not including the removal of floor slabs), until the implementation of a programme of archaeological works has been secured in accordance with a written scheme of investigation, the content of which shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with Berkshire Archaeology. The WSI shall be informed by and take account of the details of proposed demolition and foundation design. Reason: to secure an appropriate investigation and record of the archaeological resource of the site, in accordance with national and local planning policy and guidance, as set out in the NPPF, Historic England's Good Practice Advice on Managing the Historic Environment Note 2 and Policies ARCH 3 and ARCH4 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003.
- 4 No development and no clearance of existing structures or materials on the site shall commence until a Construction Environment Management Plan (CEMP) for the development has been submitted to and approved by the Local Planning Authority. The Plan shall include details of:
 - a. The location, design and duration of any temporary surfacing of or access to the site;
 - b. The location, design and duration of temporary structures including cranes, construction or waste control equipment and facilities for staff;
 - c. The transportation of soil, spoil and waste on and off site;
 - d. Measures to control dust and mud from affecting neighbouring properties and the highway network, including wheel washing facilities;
 - e. A construction noise control plan, including quiet vehicle reversing warning systems;
 - f. The location of any materials compound or other storage;
 - g. The design of any temporary hoarding;
 - h. Specified on-site and off-site parking provision for construction vehicles and construction staff vehicles and cycles, together with manoeuvring and access arrangements;
 - i. The number of vehicles expected per day;
 - j. Out of hours contact details for the site personnel to be posted in a public location on or near the site;
 - k. Details of construction lighting, plant, security fencing and alarms, and
 - l. Measures for the control of construction related litter.The development shall be carried out in accordance with the approved CEMP. No burning of materials shall take place on the site. No demolition or construction works, and no deliveries to the site or collections from it shall take place except between the hours of 08.00 to 18.00 on Mondays to Fridays inclusive and between the hours of 08.00 and 14.00 on Saturdays. Reason: to minimise the impact of the works during the construction period in the interests of residents, highway safety and the free flow of traffic, and to safeguard the amenities of the area in accordance with Policy T5 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003.
- 5 No development shall commence until details (including specification, colour, texture and finish as appropriate) of the materials to be used for all external surfaces and elements of the development (including brick, mortar, bond pattern, pointing finish, render, stone, roof covering, window dressings, fenestration, doors, railings, balustrade, rainwater goods, shopfront and external lighting) have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details. Reason: To secure an appropriate standard of build quality and appearance, in the interests of the character and appearance of the Conservation Area, in accordance with national and local planning policy as set out in Policies CA2 and DG1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and advice contained on the NPPF 2012.
- 6 The development permitted by this planning permission shall be carried out and occupied in accordance with the FRA ref: 16035 rev A dated June 2017 and the Flood Warning and Evacuation Plan ref. 16035 rev A dated June 2017 compiled by Water Environment Ltd, both received on 10.07.2017. Reason: To comply with the guidance contained in paragraph 103 of the National Planning Policy Framework to reduce the risk of flooding to the proposed development and future occupants.
- 8 The flat roofed areas of the development annotated " maintenance access only" shall not be used as a balcony, roof garden or outdoor amenity area.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers, in accordance

with guidance contained within the NPPF 2012.

- 9 No residential flat within the development hereby permitted shall be first occupied until the secure cycle storage facilities for it as shown on the approved plans have been provided. The storage facilities shall be so retained for the duration of the occupation of the residential development.
Reason: To secure adequate facilities for the site, in accordance with Policies T5, T7, H10 and DG1 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003), and advice contained within the NPPF 2012.
- 10 No part of the retail floor area hereby permitted shall be first occupied until secure cycle parking and bin storage facilities have been provided to serve the shop in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority. The approved parking and storage facilities shall be so retained for the duration of the occupation of the development.
Reason: To secure adequate facilities for the site, in accordance with Policies T5, T7, H10 and DG1 of the Royal Borough of Windsor & Maidenhead Local Plan 1999 (incorporating Alterations adopted 2003), and advice contained within the NPPF 2012.
- 11 No residential flat shall be first occupied until the recycling and refuse storage facilities for it, shown on the approved drawings, have been completed in accordance with those drawings. These facilities shall be retained for these purposes for the duration of the occupation of the residential elements of the development.
Reason: To secure appropriate facilities for the development in the interests of the prudent management of waste and of the amenity of the locality, in accordance with the terms and objectives of local and national planning policy, as set out in Policy IMP1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 and guidance contained within the NPPF 2012.
- 12 Except for the area shown for access, cycle parking and refuse and recycling storage to serve the first second and third floor residential accommodation, the ground floor of the development hereby permitted shall be used only for purposes within Class A1 (shops) of the Town and Country Planning (Use Classes) Order 1987 (as amended).
Reason: In the interests of maintaining the commercial character of this part of the Local Centre, and to ensure that the lowest level of the building is predominantly used for a purpose classified as a less vulnerable use in flood risk terms, in accordance with national and local planning policy set out in policies S1 and ETN1 of the Local Plan and with advice contained within the NPPF 2012.
- 13 No demolition shall commence on the site until a time limited contract for the redevelopment of the site has been let, the details of which shall have previously been notified in writing to the Local Planning Authority.
Reason: To safeguard the visual settings of nearby Listed Buildings and the character and appearance of the Conservation Area in which the site lies, in accordance with policies LB2, CA1, CA2, DG1 and H10 of the Local Plan, and guidance contained within the NPPF 2012.
- 14 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.

Informatives

- 1 The development is considered to be in a location where, according to the adopted Parking Strategy 2004, no car parking is required to serve the development, and therefore there is no justification in planning terms that would support the issue of resident parking permits for units on the site.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which

enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

- 3 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 4 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.
- 5 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
- 6 The granting of planning permission does not give the applicant/developer consent to carry out works on the public highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the Royal Borough of Windsor and Maidenhead - Streetcare Section, (telephone 01628 683804) before any work is carried out, this shall include for materials and skips which are stored within the highway extents, hoarding etc. A charge will be made for the carrying out of inspections and the issue of permits.

Appendix A Site location plan and layout



Appendix B Floor plans and elevations



Project
53 High Street
Eton
Client
Alex Ventures Ltd

Project No		Drawing Title		Scale
230	230	Proposed Ground Floor Plan	Rev	1:100
PL	200	01	01	1:100
11/01/17	BW	BW	For Approval	

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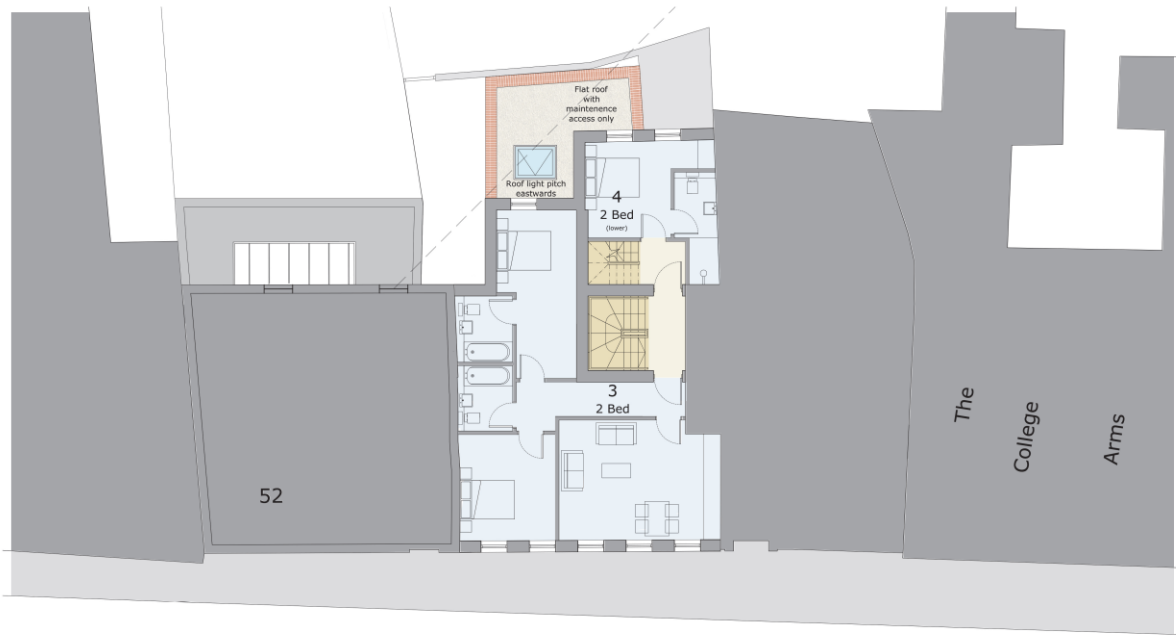


Project
53 High Street
Eton
Client
Alex Ventures Ltd

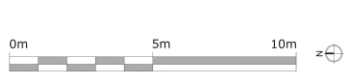
Project No		Drawing Title		Scale
230	230	Proposed First Floor Plan	Rev	1:100
PL	201	02	01	1:100
11/01/17	BW	BW	For Approval	

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HIGH STREET



Project No
53 High Street
Eton
Client
Alex Ventures Ltd
www.wamarchitecture.com

Project No	Drawing Title	Scale
220	Proposed Second Floor Plan	1:100
PL	Drawn No	02
11/03/17	Checked	BHW
	For Approval	

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HIGH STREET

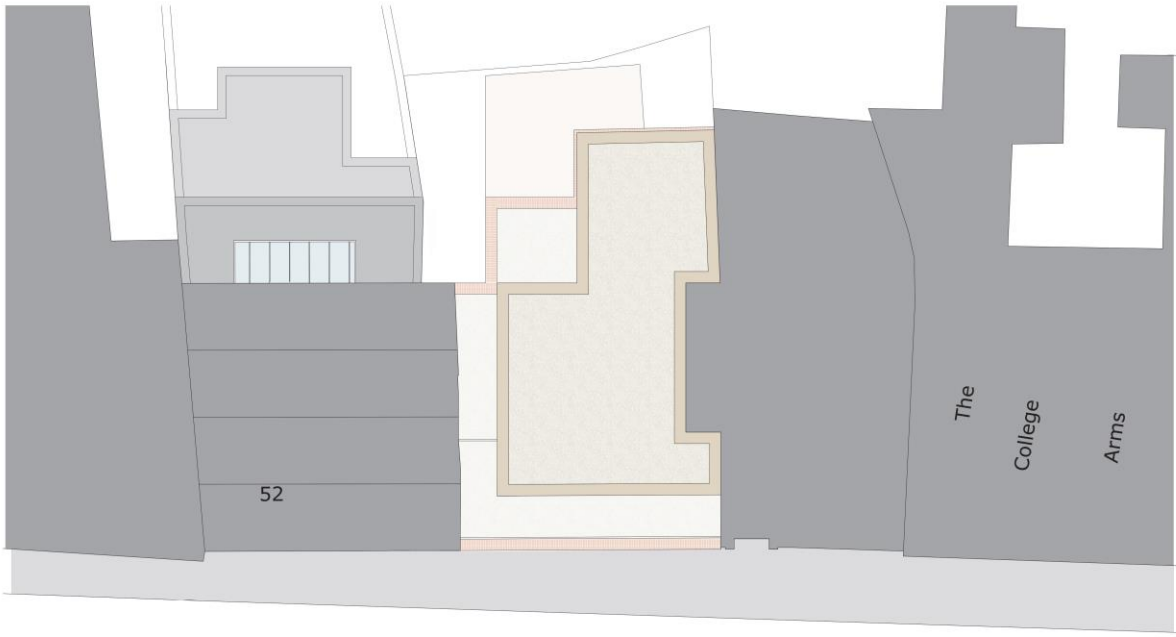


Project No
53 High Street
Eton
Client
Alex Ventures Ltd
www.wamarchitecture.com

Project No	Drawing Title	Scale
220	Proposed Third Floor Plan	1:100
PL	Drawn No	01
11/03/17	Checked	BHW
	For Approval	

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HIGH STREET



Project No
53 High Street
Eton
Client
Alex Ventures Ltd
www.wam-architecture.com

Project No	230	Drawing Title	Proposed Roof Plan	Scale
Client Type	PL	Drawn No	204	01
Drawn	11/01/17	Checked	BHW	For Approval

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wam
architecture
Castle Hill House, 17 Castle Hill,
Stroud, Gloucestershire, GL6 2JH
RIBA #
Chartered Practice



53 High Street
Eton
Alex Ventures Ltd

Client	WAM	Drawn	BHW	Checked	BHW	Scale	1:100
Project	53 High Street	Drawn No	204	01	For Approval		

wam
architecture
RIBA #
Chartered Practice

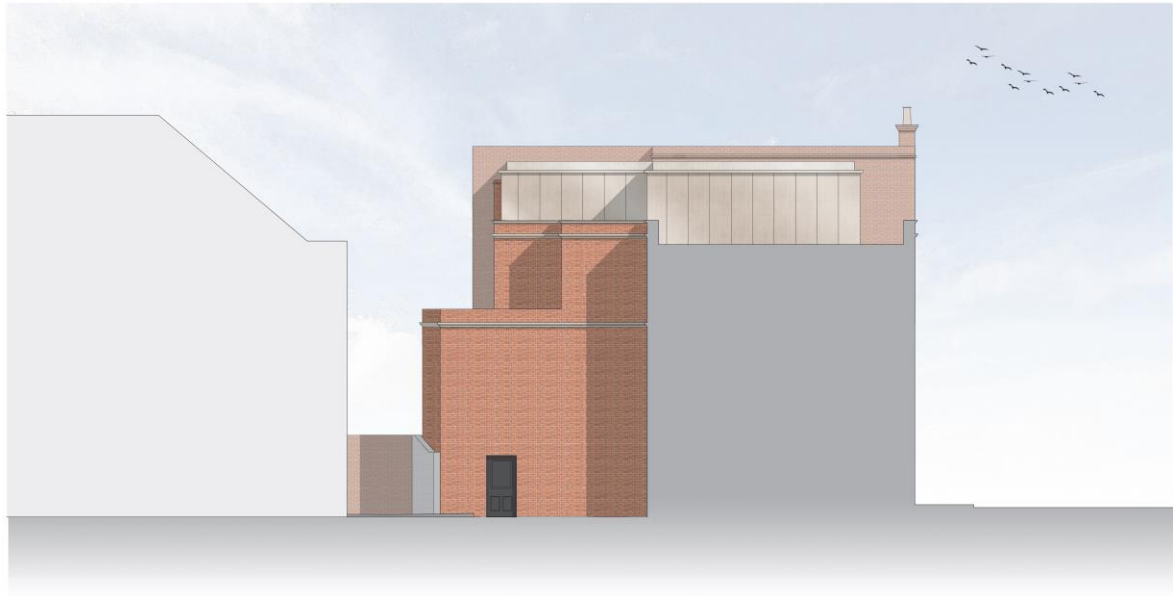


Project No
53 High Street
Eton
 Client
Alex Ventures Ltd
 www.wam-architecture.com

Project No 230	Drawing Title Proposed East Elevation	Scale 1:100
Client Type PL	Client No 301	Date 02
Date 07/03/17	Architect BHW	Project For Approval

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wam
 architecture
 Castle Hill House, 12 Castle Hill,
 Windsor, Berkshire, SL4 1NF
 RIBA #
 Chartered Practice



Project No
53 High Street
Eton
 Client
Alex Ventures Ltd
 www.wam-architecture.com

Project No 230	Drawing Title Proposed North Elevation	Scale 1:100
Client Type PL	Client No 302	Date 02
Date 11/01/17	Architect BHW	Project For Approval

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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 October 2017

Item: 3

Application No.:	17/01599/FULL
Location:	Land To The Rear of 452 To 454 St Leonards Road Windsor
Proposal:	Pair of semi-detached houses with associated landscaping and parking
Applicant:	Panjit Grewal
Agent:	Mr Alan Bowles
Parish/Ward:	Windsor Unparished/Clewer East 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 consent for the erection of a pair of semi-detached dwellings and provision of associated landscaping and parking. The site is located on an area of hardstanding to the rear of 452-454 St Leonard's Road and is accessed via a narrow side passage between 452-544 and 450. Currently the site is used as an area for parking.
- 1.2 The proposal constitutes back land development which would introduce a harmful form of development that is out of character within the surrounding area. The proposal appears cramped within the constrained site and is considered to represent overdevelopment of the site.
- 1.3 As a result of the proposed siting, design, layout and height, it is considered that there are unacceptable adverse amenity impacts in terms of being overbearing and a sense of enclosure arising from the proposed development on the adjacent residential properties.
- 1.4 The proposal has an insufficient provision of parking leading to additional road side parking, and the scheme has inadequate turning space which is likely to prevent a vehicle enter/exiting the site in a forward gear, both of which would result in detriment to highway safety.

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 development, by reason of its design, siting, size and layout, represents poor design and a cramped, overdevelopment of the site that is out of keeping with and harmful to the character and appearance of the area, contrary to policies DG1, H10 and H11 of the Windsor and Maidenhead Local Plan.
2.	The proposed development, by reason of its size, siting, design and height, would have an overbearing appearance when viewed from the adjoining properties and would adversely affect the outlook and lead to an increased sense of enclosure, detrimental to the residential amenity of neighbouring occupiers, contrary to a core principle of the NPPF to secure a good standard of amenity for all.
3.	The proposal would provide insufficient off-street parking provision, and an inadequate turning space, which would lead off a primary distributor road where the vehicle flows are high and visibility is restricted. As such the proposal is considered to be to the detriment of road safety and the free flow of traffic, contrary to policies P4 and DG1 of the Windsor and Maidenhead Local Plan.

2. REASON FOR PANEL DETERMINATION

- Irrespective of the recommendation of the Head of Planning, Councillor Bowden requested that the application be referred to the Urban Windsor Panel for the following reason:

“The Site is very small for such buildings, and driveway access across and into a parking area used by commercial vehicles which is congested and may be a private road.”

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the northern side of St Leonards Road and consists of a long narrow strip of hardstanding and stone chippings to the rear of Nos. 452-454. It is accessed via a narrow passage between Nos. 452-454 and No. 450 and is currently an area of hardstanding which forms a parking area in association with the Bed and Breakfast (as indicated in Lawful Development Certificate under reference 09/00486/CPU) . The agent advises that it is used for ancillary purposes by the applicant who owns the front retail use, however, no evidence has been submitted which supports this claim.
- 3.2 At the front of the site, there is a two storey building comprising of a retail unit on the ground floor and a Guest House (B&B) on the first floor above. To the east, is a row of two storey terraced dwellings and to the west is the Prince Albert hotel, pub and restaurant. Windsor Girls School is located to the north.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 There is no relevant planning history relating to the rear of the application site.
- 4.2 The application seeks consent for the erection of two semi-detached dwellings with associated parking and landscaping.
- 4.3 The dwellings are narrow in layout, 2 storeys in height measuring 7.5m, a depth of circa 12 metres and would be constructed with a hipped roof. The proposed finishing materials are brick and timber cladding on the external walls and grey slate roof tiles.
- 4.4 Each dwelling would have a private rear garden measure approximately 9.5 to 10m in depth, with 1 parking space each located at the front of the buildings.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections

Chapter 4 – Promoting sustainable transport

Chapter 7 – Requiring good design

Chapter 11 – Conserving and enhancing the natural environment

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
DG1, H10, H11	P4, T5

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
Housing mix and type, density	HO2, HO5
Sustainable Transport	IF2

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 Impact on character of the area;
- ii Impact on amenity;
- iii Highways and Parking.

Impact on the character of the area

6.2 The character of the area is characterised by two storey buildings which front on to the main public highway and have long narrow rear plots. The proposal to construct 2 dwellings in this rear area would not be in keeping with the pattern of development in the area. The proposed dwellings would occupy the entire width of the plot and would appear cramped on a site of this limited size. There would be little setting provided for the proposed dwellings. The space between the buildings and the amenity space of the adjacent property would be extremely limited. The proposed depth of the plots would also not be in keeping with the long narrow plots in the locality. The provision of parking spaces located in front of the proposed buildings is considered to add to the cramped appearance of the development. The scheme would represent a cramped and contrived form of development that is out of keeping with the pattern and form of development in the area.

6.3 The proposed dwellings at two storeys in height, with a hipped roof would be in keeping with the scale of buildings in the surrounding area. However, the external appearance with the , cantilevered rear first floor, the appearance of the fenestration and large areas of timber cladding is considered to be of poor design that are out of keeping with the appearance of buildings within the local area.

Impact on amenity

- 6.4 It is considered that those properties (Nos. 446 – 452) located to south along St Leonard's Road have the potential to be most impacted by the proposed development. The proposed siting of the dwellings is located back within the site and the limited setting between the site and No.450, in combination with the scale of the buildings would result in an unduly overbearing and visually intrusive form of development to their rear garden area and outlook from the rear of the property. It is also considered the proposed dwellings would be visually intrusive from the outlook of occupiers in numbers 446 and 448 St Leonards Road. There are rooms within the B&B at 452-454 which face onto the application site. It is considered that due to the limited separation distance between these rooms and the proposed dwellings, that there would be an adverse impact arising from the dwellings being unduly overbearing and visually intrusive to this property.
- 6.5 The proposed dwellings would also be sited immediately along or in very close proximity to the boundary of the adjacent Public house and No.450. While there is a car park to the west which is unlikely to cause any significant issues as this is not a private amenity space.

Highways and Parking

- 6.6 The site is located along the northern side of St Leonard's Road, in between the B3173 Imperial Road and Clewer Hill Road. The site benefits from having a large dropped crossing which provides access to the front of one retail unit and to the rear of the site via a narrow side passage.
- 6.7 The Highways Authority comment that access to and from the site can be very difficult due to being very close to Clewer Hill Road (vehicles turning left) and opposite to the right turn lane (vehicles turning right into Clewer Hill Road). The Council's records show that within the last 10 years there have been 10 reportable injury accidents in between the B3173 Imperial Road and Clewer Hill Road. Although comments from the Highway Authority on the adequacy of the access are noted, this access is currently used by vehicles and it is not known if the proposed development would generate traffic movements significantly more than the existing use.
- 6.8 In terms of traffic generation, the proposed two, 2-bedroom dwellings in this location will have the potential to generate an additional 8 to 16 vehicle movements per day. Information has not been provided with the application on the traffic movements in association with the existing use.
- 6.9 In terms of parking requirements, the site is located within an unsustainable location with Windsor town centre being 2km away and Windsor and Eton central train station being 2.4km away. The proposal for two 2-bedroom dwellings within this location will be required to provide 4 car parking spaces (2 per dwelling) in accordance with the Council's parking strategy. The proposal only provides 1 space per dwelling, therefore there is a shortfall of 2 spaces. There is a lack of on street parking in this part of St Leonards Road, meaning any further pressure on parking is likely to result in a detriment to highway safety . In addition, with the existing retail and B&B uses, the existing 2 spaces to the front of the site will be unaffected; however the existing Guest House parking to the rear will be lost. No details have been provided to where these spaces will be re-provided.
- 6.10 It is considered that manoeuvrability for cars will also be very restricted within the site. Due to the narrow width of the site, a vehicle would not be able to easily turn within the site to enter and exit the site in a forward gear which as a result would lead to a danger in highway safety on St Leonards Road.

Other Material Considerations

Housing Land Supply

- 6.11 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.

- 6.12 While it is acknowledged that this scheme would make a contribution to the Borough's housing stock, the detrimental harm caused, by the impact on the character and appearance of the area, residential amenity and highways, would demonstrably outweigh the benefits of the provision of new housing.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The proposal is CIL liable but would attract an exemption if the applicant claims a self-build exemption. In the absence of a self-build exemption the CIL liability, based upon the chargeable residential floor area (240/100 per sq.m). 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 J21,600.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 13.07.2017.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	Recommends that if planning permission is to be granted, a condition relating to aircraft noise mitigation and informatives relating to aircraft noise, dust control and smoke control.	Noted.
Highways	<p>The site currently benefits from having a dropped crossing which covers half of the site from the east to provide access to the front of one retail unit and to the rear of the site via a narrow side passage. Access to and from the site can be very difficult due to being very close to Clewer Hill Road (vehicles turning left) and opposite to the right turn lane (vehicles turning right onto Clewer Hill Road).</p> <p>Our records show that within the last 10 years there have been 10 reportable injury accidents in between the B3173 Imperial Road and Clewer Hill Road.</p> <p>Traffic Generation With constructing two new 2 bedroom dwellings within this location will have the potential to generate an additional 8 to 16 vehicle movements per day.</p> <p>Parking Provision/Requirement The site is located within an unsustainable location with Windsor town centre being 2km away and Windsor and Eton</p>	Para. 6.6 – 6.10

central train station being 2.4km walk away. Therefore the maximum parking standard will apply.

With constructing 2 x 2 bedroom dwellings within this location will require a need for 4 car parking spaces to be provided (2 per dwelling). Drawing number 100/2017 shows that only 1 car parking space will be provided for each dwelling.

Manoeuvrability is also very restricted and it is unlikely that a vehicle would easily be able to turn within the site to enter and exit the site in a forward gear.

The 2 spaces to the front of the retail unit will be unaffected however; the existing parking area to the rear of the site for the Windsor Guest House (B&B) will be lost. No details have been provided to where these spaces will be relocated.

It should be noted;

- A C1 use guest house requires a need for 1 space to be provided per bedroom
- An A1 use retail unit requires a need for 1 space to be provided per 30sqm

(The size and layout of the existing units is unknown)

Refuse Provision:

Details regarding refuse facilities and collection arrangements would be required for the whole site

Cycle Provision:

Cycle storage facilities should be provided for the two new residential dwellings

Additional Comments:

The Highways Authority unfortunately cannot support the proposal and will have to recommend a refusal for the following reasons.

Reasons for refusal;

- The proposed development does not comply with the Local Authorities current parking and turning standards (Relevant Policies - Local Plan P4, DG1).
- The proposed development would generate additional vehicle movements into and out of a primary distributor road in a section where vehicle flows are high and visibility is restricted. This would be detrimental to road safety and the free flow of traffic.
- The proposed access is unsuitable due to its substandard width to the traffic which will be further generated by the proposed development. This would result in vehicles waiting in the carriageway which will

	be detrimental to road safety and the free flow of traffic.	
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9. APPENDICES TO THIS REPORT

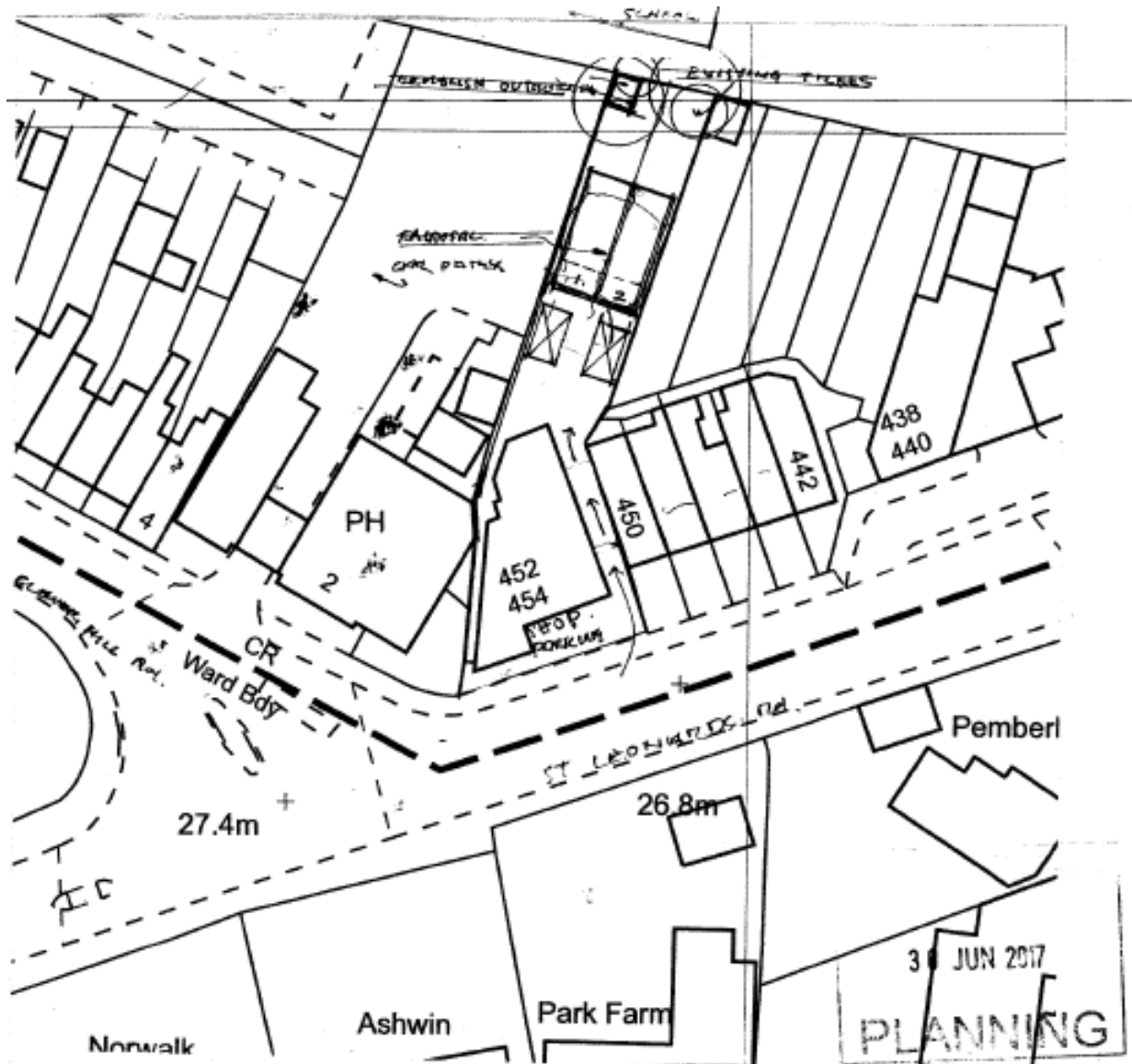
- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

10. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

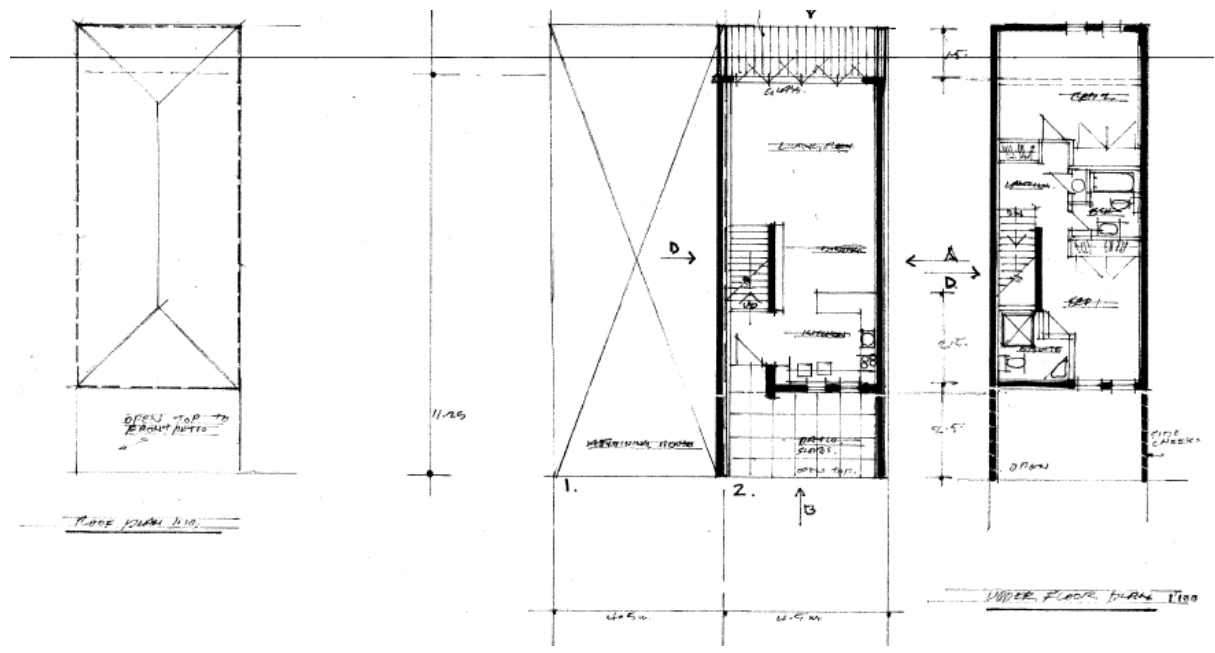
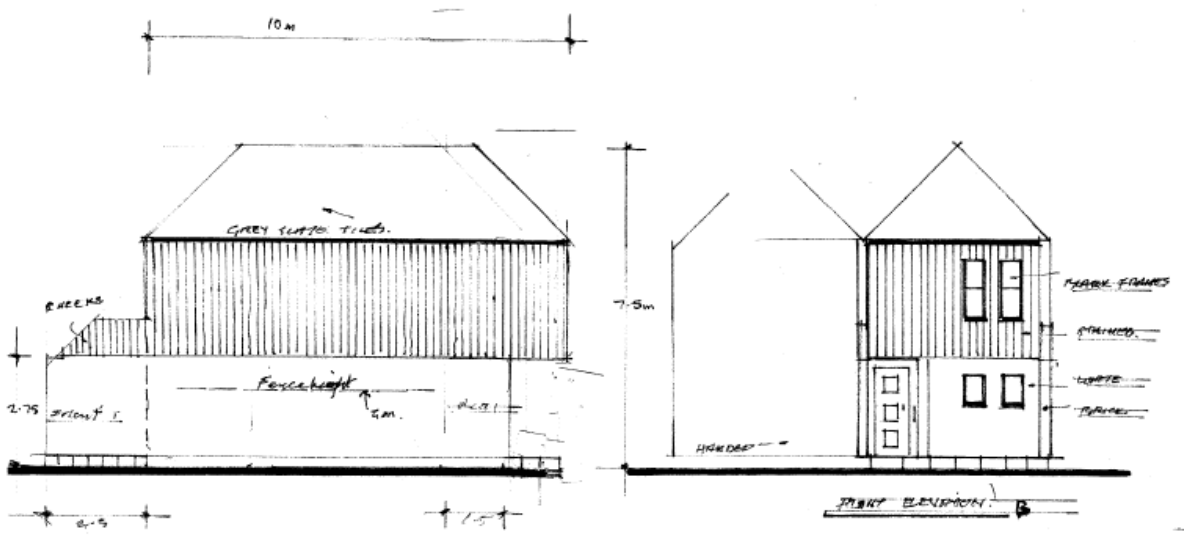
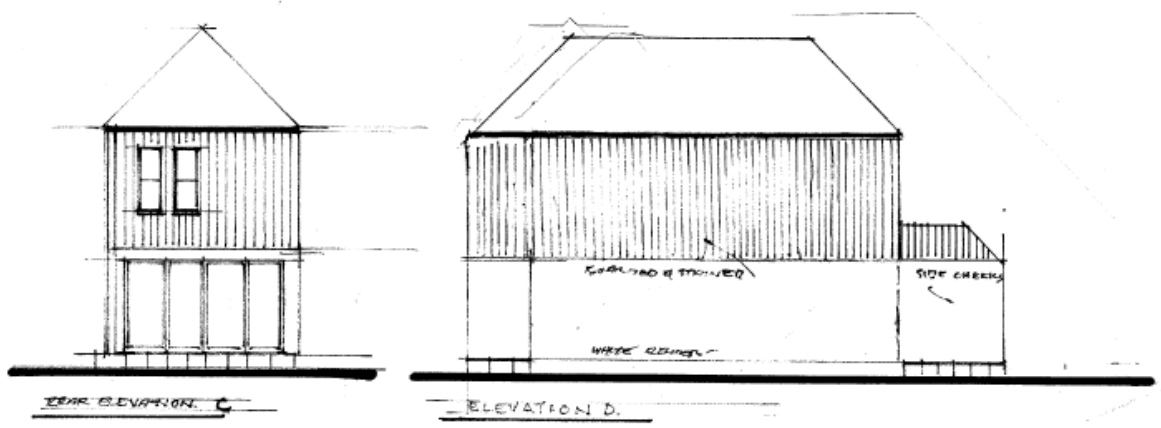
- 1 The proposed development owing to its design, siting, size and layout, represents poor design and would result in a cramped, overdevelopment of the site that is out of keeping with and harmful to the character and appearance of the area, contrary to policies DG1, H10 and H11 of the Windsor and Maidenhead Local Plan.
- 2 The proposed development would, by reason of its size, siting, design and height, have an overbearing and visually intrusive impact on numbers 450, 452 and 454 St Leonards Road, and would appear visually intrusive to the outlook of numbers 448 and 446 St Leonards Road. The development conflicts with a core principle of the National Planning Policy Framework to provide a good standard of amenity for all.
- 3 The proposal would provide insufficient off-street parking provision, and an inadequate turning space, which would lead off a primary distributor road where the vehicle flows are high and visibility is restricted. As such the proposal is considered to be to the detrimental to road safety and the free flow of traffic, contrary to policies P4 and DG1 of the Windsor and Maidenhead Local Plan.

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Appendix A – Site Plan



Appendix B – Plans and Elevations



WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 October 2017

Item: 4

Application No.:	17/02383/FULL
Location:	The ACT Foundation 61 Thames Street Windsor SL4 1QW
Proposal:	Conversion of existing B1 offices to provide 4 x residential apartments, including use of existing roof terrace with enlarged 4th floor, and associated parking, amenity space and landscaping
Applicant:	The ACT Foundation
Agent:	Miss Emily Brooker
Parish/Ward:	Windsor Unparished/Eton With Windsor Castle Ward
If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk	

11 October 2017

Item: 4

Application No.:	17/02384/LBC
Location:	The ACT Foundation 61 Thames Street Windsor SL4 1QW
Proposal:	Consent for conversion of existing B1 offices to provide 4 x residential apartments, including use of existing roof terrace with enlarged 4th floor, and associated parking, amenity space and landscaping
Applicant:	The ACT Foundation
Agent:	Miss Emily Brooker
Parish/Ward:	Windsor Unparished/Eton With Windsor Castle Ward
If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application seeks planning and listed building consent for the change of use of the existing Grade II listed B1 offices to provide 4 residential apartments (1 x 1 bed and 3 x 2 bed). With regards to the loss of employment use as part of the proposals, the site is not located within any identified employment land and therefore, the Councils policies do not restrict the loss of office accommodation in this location. Furthermore, Policy H6 supports the further addition of residential accommodation within town centres and states that the conversion of vacant offices to residential will be encouraged. By reason of such, the loss of the office and proposed residential accommodation is considered acceptable.
- 1.2 With regards to the impact of the proposals on the listed building, it is evident from the history of this site, that little of the historic fabric and plan layout of the building remains. No objection is raised to the reversion of the building back to residential, which was its original constructed use. In terms of the alterations proposed to the exterior and interior with the addition of a roof terrace and replacement windows, these alterations are considered acceptable in the context of the site and to not have a detrimental impact on the historic character and appearance of the listed building or surrounding conservation area.
- 1.3 6 car parking spaces are provided to the rear which complies with the Councils parking strategy and in terms of the impact to the surrounding residential occupiers, given that the surrounding area is predominantly commercial in character, the scheme is not considered to have a detrimental impact on the amenities of any nearby occupants.

It is recommended the Panel grants planning permission 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 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 61 Thames Street is a four storey office building with a roof top plant room and external terraced area located within Windsor Town Centre Conservation Area and the property is Grade II listed. To the rear of the site there is a courtyard area, which is currently paved and provides 8No. parking spaces for the existing offices, as well as a right of way for the adjacent offices in Gainsborough House.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 This application seeks consent for the change of use of the existing B1 offices to provide 4 residential units (1No. one bedroomed apartment and 3No. two bedroomed apartments). The proposals include the use of the existing roof terrace as amenity space for the third floor apartment, which will also entail the enlargement at roof level of the existing plant room. Parking is proposed to the rear of the site, utilising the existing parking spaces allocated to the office use. Externally it is proposed to maintain the appearance of the existing facades
- 4.2 There have been a number of planning applications associated with this site, the most relevant of which are listed below. There is also an accompanying listed building consent application and the assessment of this application is provided within paragraphs 6.5-6.8:

Ref.	Description	Decision and Date
00/80051/FULL	Demolition of existing front facade and construction of new front facade	Permitted 22.12.2000
00/80052/LBC	Demolition of existing front facade and construction of new front facade.	Permitted 22.12.2000

The relevance of this application to the current proposal is elaborated on within the assessment below, however in brief, the proposals provided some relevant commentary in respect of the history and significance of various parts of the building.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 7 and 12

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	Conservation and listed building	Impact to residents
DG1, H6, N2	P4, T5	CA1, CA2, LB3	NAP3

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

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The loss of office/employment space
- ii Assessment of application 17/02384/LBC and the impact of the proposal on the character and setting of the Listed Building
- iii Design and impact on the Conservation Area
- iv Highways and parking implications
- v Impact to surrounding residential occupants.
- vi. Quality of residential accommodation proposed.

Loss of employment land/office space and housing mix

6.2 Policy E5 restricts the loss of employment uses within the boroughs designated employment areas. The building is currently in use as B1 offices and this proposal seeks to change the use of the building to residential. The site is not located within any identified employment land and sits at the southern end of Thames Street. Given the location of the building, the Councils policies do not restrict the loss of office accommodation in such locations. Moreover, policy H6 also supports the addition of further residential accommodation within town and other settlement centres, and states that the conversion of vacant offices to residential will be encouraged.

6.3 Furthermore, as the building is listed, Policy LB3 requires that listed buildings are used for the purposes that will secure their long term future and which will preserve or enhance their physical fabric, setting, special character and interest. National and Local policy recognise that the best use for an historic building, is the one for which it was originally designed. The Conservation

Officer has reviewed the proposal and as the building was most probably residential in its primary form, the proposal would revert it back to such use, to which no objection is raised.

- 6.4 Overall, it is considered that the principle of converting the building from offices to residential use is acceptable. In terms of the housing mix proposed, Policy H8 states that the Council will support schemes that meet a range of housing accommodation and will favour dwellings for smaller households. The proposed residential units are therefore considered to comply with this policy.

Assessment of application 17/02784/LBC and impact on the listed building

- 6.5 The Council has had special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses, as required under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.6 It was noted during application 00/80051/FULL for a replacement facade of the building that permission was granted in 1979 for the part demolition and refurbishment of the listed building. The Conservation Officer dealing with this application stated that once works had been carried out to replace the facade of the building that there would be little if any historic structure remaining and that the building should be delisted as a result.
- 6.7 It is evident from the history of the site and site visit, that little of the historic building remains. No objection would therefore be raised to the proposed change of use to a residential use given that the building would be reverting back to its original use, which is supported by the Council's Adopted policies. In terms of the internal alterations proposed, as there is little historic fabric remaining at the site, no objection is raised to the internal alterations proposed to facilitate the development. It is noted that no additional openings are proposed however the proposals include the replacement of the existing windows on a like for like basis. The only other additions to the external facade are the small vents/flues to the front and rear elevations and the addition of a roof top lounge. The existing air conditioning units that currently exist at roof level are to be removed, which is welcomed.
- 6.8 The proposed alterations to the building have been reviewed and considered by the Council's Conservation Officer and no objection is raised to the proposed alterations given the aforementioned history of the site. The enlargement at roof level by reason of its siting, modest scale and massing is not considered to detract from the special architectural character and setting of the building. Overall, the proposal is not considered to have a detrimental impact on the listed building.

Design and impact on the Conservation Area

- 6.9 Policy N2 seeks to ensure that development that would adversely affect the setting and character of the river in both urban and rural locations is restricted. It is proposed at roof level, to enlarge the existing roof top plant and communal stair enclosure. This extension has been designed so that it remains set back from the side elevation of the building. The side elevation of the building is partially visible from Datchet Road to the south, however, as a result of the design of the extension, its scale, massing, set back from the side, front and rear elevations, and height/density of the existing and surrounding development, it is not considered to appear highly prominent in view from the surrounding Conservation Area, nor to detract from the character, appearance and setting of the building within the Conservation Area.
- 6.10 The proposed replacement windows are considered acceptable given that these are to be replaced on a like for like basis. Similarly, the proposed improvements to the paving of the rear courtyard and general layout of this area, will not be highly prominent in view from the surrounding area and are considered to enhance the character and appearance of this part of the building. Given such, the proposal is considered to preserve the character and appearance of the Conservation Area.

- 6.11 With regards to the proposed roof terrace, no additional railings are proposed around this space and given the modest size of this space, and that it is intended for the private use of the occupants of the third floor flat, it is not considered that the use of this roof space as an amenity area will appear out of character within the Conservation Area.

Highways and parking considerations

- 6.12 The site has existing off street parking to the rear which is accessed from Farm Yard. At present there are parking spaces marked out for 6 vehicles to park. The development provides each unit with 1 car parking space which complies with the Councils Parking Strategy.
- 6.13 In terms of cycle parking provision, the scheme provides a cycle store to accommodate 4 cycles to which no objection is raised. The Highways Officer has raised concern the internal dimensions of this store appear a little constrained to accommodate 4 cycles and a condition is recommended on any consent to secure the detailed design of this space.
- 6.14 With regards to refuse, this has been discussed with the Councils Waste Management Team. Given the constraints of the site, a refuse strategy has been agreed with them which will see residual waste and recyclable waste sacks provided to residents.

Impact on surrounding residential occupants

- 6.15 The buildings surrounding the site are mixture of commercial and residential in nature. The proposed change of use is not considered to have a detrimental impact on the amenities of these surrounding occupants. With regards to the roof terrace, having stood within this area, it is evident that the surrounding area it overlooks is predominantly commercial in nature. Also in an urban location such as this, a higher degree of overlooking would be expected. Given such, the proposed use of this as a residential terrace is not considered to give rise to an unacceptable degree of overlooking.

Quality of residential accommodation

- 6.16 The units proposed as part of this application are of a layout and design that is considered to present a suitable standard of accommodation. The outlook from the ground floor unit to the rear and its relationship with the car parking area has been addressed through the inclusion of defensible space between the rear windows and parking area. Furthermore, the car parking has been orientated in such a way that the spaces will be parallel to the windows, which should avoid undue disturbance from headlights. Overall, it is considered that the quality of the accommodation proposed is acceptable.

7. 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 10th August 2017

No letters were received from this consultation.

Consultees responses

Consultee	Comment	Where in the report this is considered
Conservation Officer	No objection. The drawings clearly clarify the single glazed units and their design to match the existing. There are no further comments that I wish to make and the only conditions	6.5-6.8

	I would ask for are the standard time limit and approved plans.	
Waste Officer	No objection to proposed waste strategy	6.14
Highways Officer	<p>Presently, the site benefits from 6 car parking spaces and not the 8 as indicated in the accompanying plans.</p> <p>The development comprising 1 x 1 bed and 3 x 2 bed apartments and provides each unit with 1 car parking spaces. This complies with the Borough's Parking Strategy (2004). With regard to cycle provision the applicant proposes installing a cycle store for the remaining 5th parking bay. The internal dimension of the store appears quite constrained to accommodate 4 cycles.</p> <p>Therefore, we recommend the submission of a detailed plan of this storage facility.</p> <p>The refuse strategy remains unchanged. The Transport Statement reports that a refuse collection strategy has been agreed with the RBWM waste management team which will see residual waste and recyclable waste sacks provided to residents.</p> <p>In highway terms the proposal raises no concerns If the Planning Authority is minded to approve the application we recommend the inclusion of the following condition: Cycle parking to be provided</p>	6.12-6.14

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 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.
- 3 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

- 4 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1
- 5 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 6 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.

Informatives

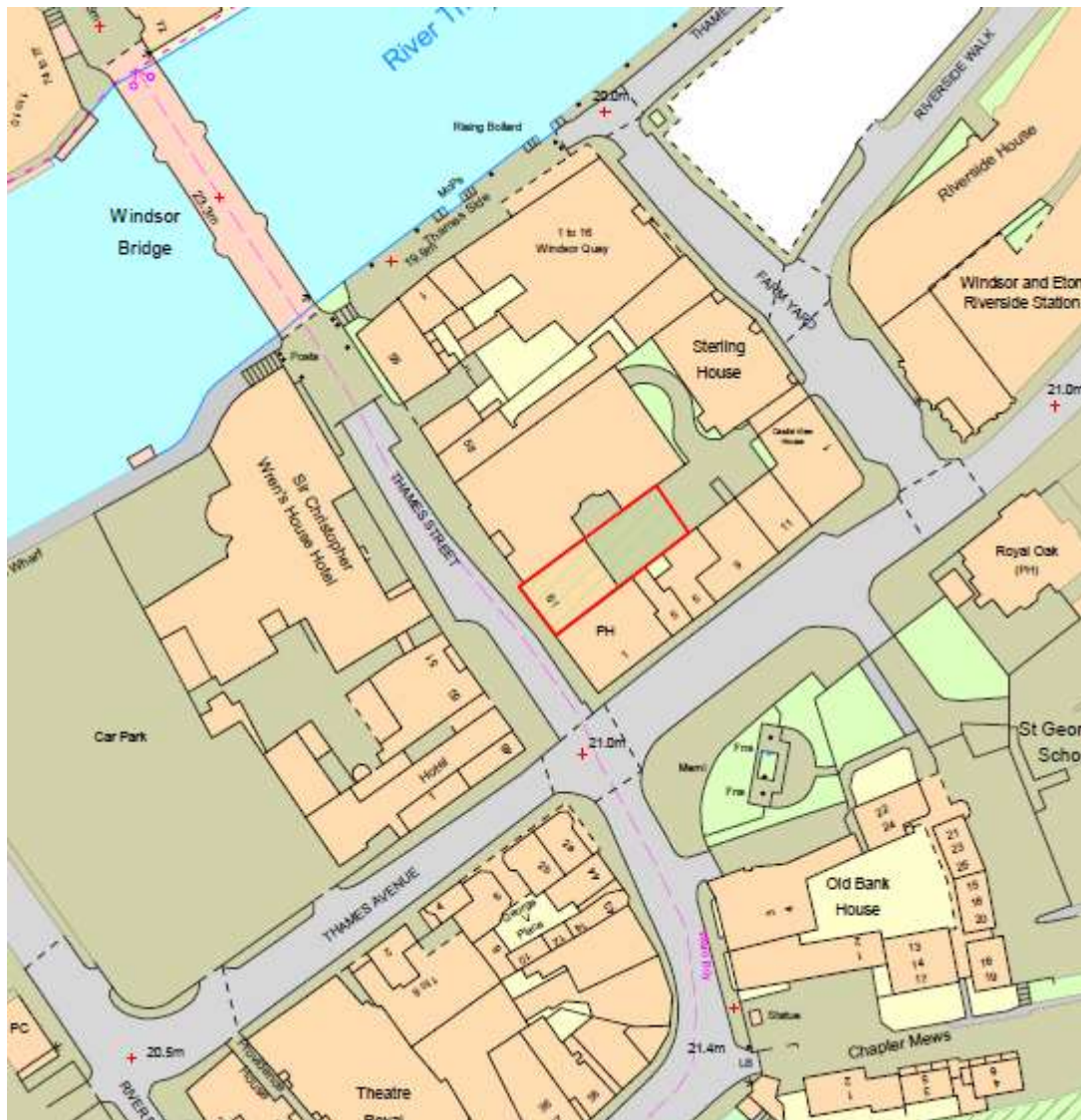
- 1 Whilst it is noted that cycle parking is shown on the proposed drawings, there is concern that the proposed size of the store is insufficient to accommodate the four cycles proposed. Therefore condition 4 has been added to secure plans of the detailed layout and design of this store.

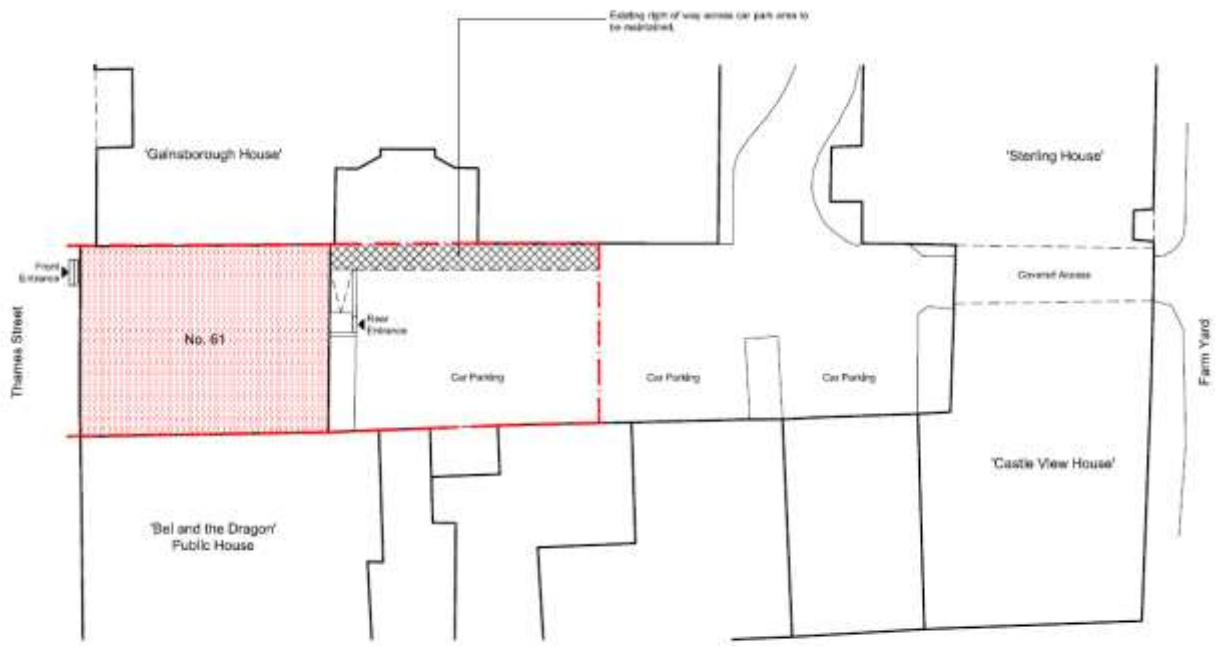
Conditions for 17/02483/LBC

- 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 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.
- 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.

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Appendix A- Location and Block Plan





01 Proposed Block Plan
010 1:200

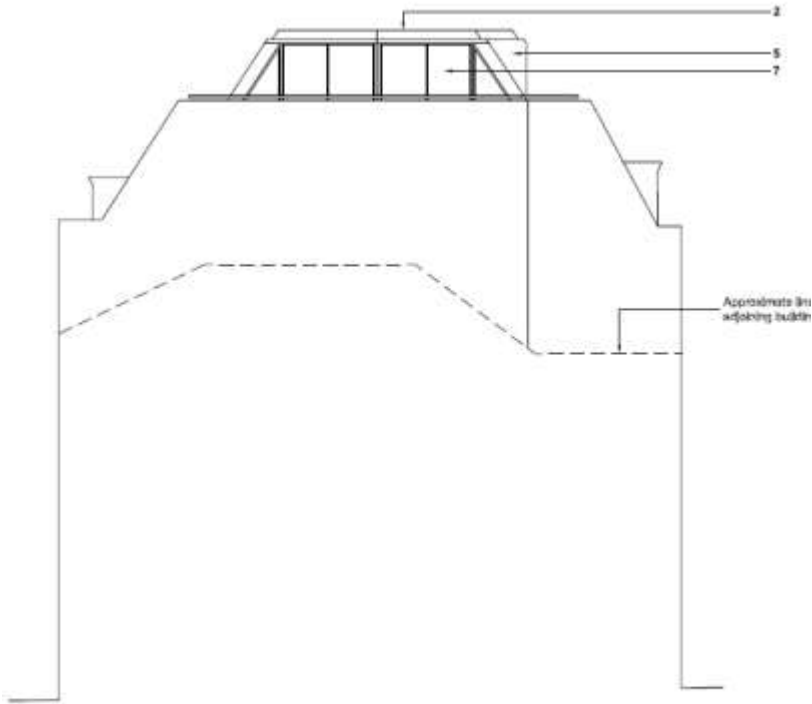
Appendix B

water coated aluminium double glazed units,
brass timber doors.



01 South West (Front) Elevation
15 1:100

02 North East (Rear) Elevation
015 1:100



01 South East (Side) Elevation
016 1:100



01 Ground Floor Plan
012 1:100

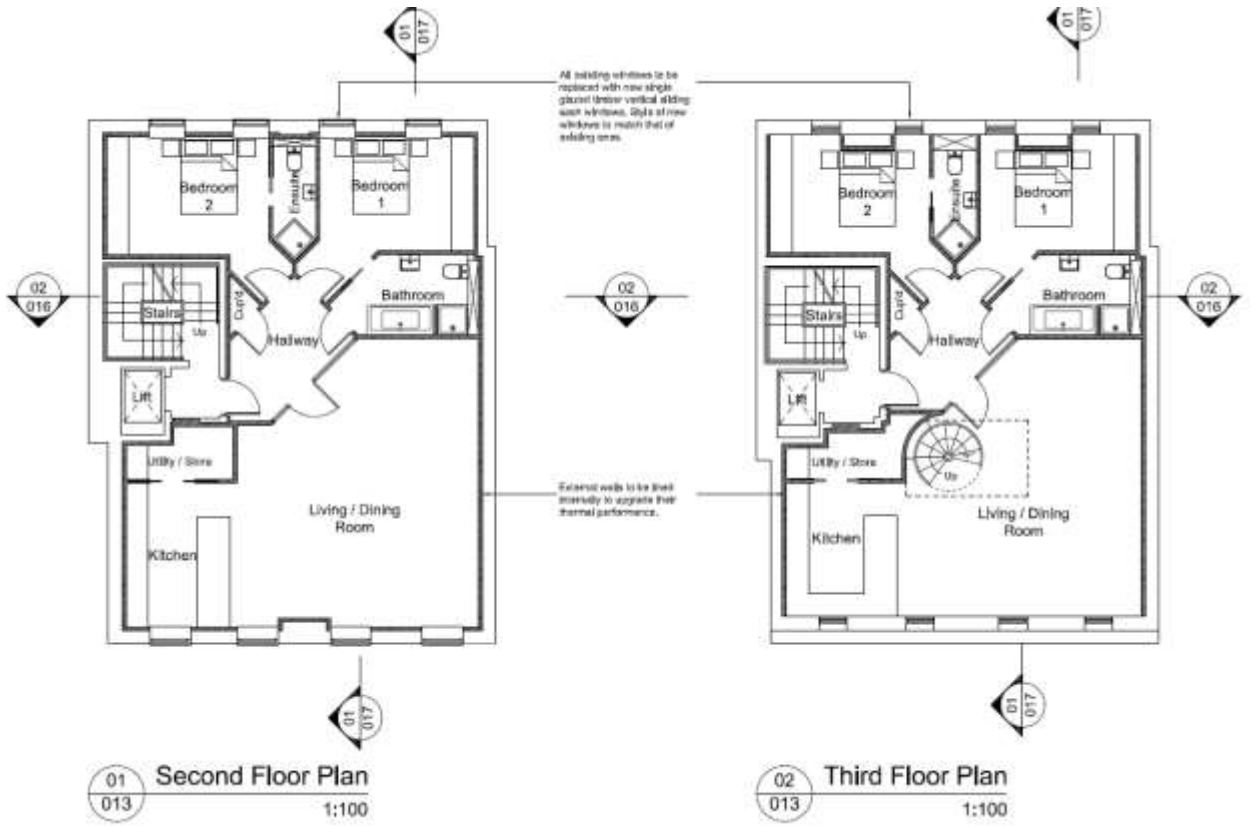
All existing windows to be replaced with new single glazed (or vertical sliding sash windows. Style of new windows to match that of existing ones.

External walls to be their internal to upgrade their thermal performance.



02 First Floor Plan
012 1:100





WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 October 2017

Item: 5

Application No.:	17/02460/FULL
Location:	109 High Street Eton Windsor SL4 6AN
Proposal:	Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single, part two storey side and rear extensions following the demolition of existing additions.
Applicant:	Mr Shymansky
Agent:	Mr Dan Lewandowski
Parish/Ward:	Eton Town Council/Eton With Windsor Castle Ward
If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

11 October 2017

Item: 5

Application No.:	17/02461/LBC
Location:	109 High Street Eton Windsor SL4 6AN
Proposal:	Consent for Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single, part two storey side and rear extensions following the demolition of existing additions.
Applicant:	Mr Shymansky
Agent:	Mr Dan Lewandowski
Parish/Ward:	Eton Town Council/Eton With Windsor Castle Ward
If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposed additions will cause “less than substantial harm” to the architectural significance of the designated heritage assets (Listed building and Conservation Area). There are no public benefits to the scheme that would outweigh the harm caused.
- 1.2 The proposed development will not increase the number of people or properties at risk from flooding and will not increase flood risk elsewhere.
- 1.3 The proposed extensions are set far enough away from neighbouring properties so as to avoid causing a loss of amenity.
- 1.4 There is a car park to the west of the site which has 7 vehicle parking spaces. This is considered acceptable for the proposed use of the building which will not generate a requirement for additional parking spaces.

It is recommended the Panel refuses planning permission for the following reason:

1. **The proposed extensions will cause “less than substantial harm” to the architectural significance of the listed building and the character and appearance of the conservation area. There are no apparent public benefits to the scheme that would outweigh the harm caused and therefore the proposal fails to comply with paragraph 134 of the National Planning Policy Framework (NPPF) as well as core principles 4 and 10 of paragraph 17 of the NPPF, paragraph 64 of the NPPF, sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies DG1, CA2 and LB2 of the Local Plan.**

It is recommended the Panel refuses Listed Building Consent for the following

summarised reason:

- | | |
|-----------|--|
| 1. | The proposed works will result in “less than substantial” harm being caused to the architectural significance of the Listed building. There are no apparent public benefits that will outweigh this harm and as such the proposal fails to comply with paragraph 134 of the National Planning Policy Framework (NPPF) as well as core principle 10 of paragraph 17 of the NPPF, sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy LB2 of the Local Plan. |
|-----------|--|

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Alexander in the public interest and at the request of the Eton Town Clerk irrespective of the recommendation of the Head of Planning. This application is accompanied by a Listed Building Consent application (17/02461). As many of the issues between the two applications are the same it is appropriate for the Listed Building Consent to also be considered by the panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application property is a grade II listed building, and is located on a prominent street corner of the High Street. It is also located within the Eton Conservation Area and within Flood Zones 2 (medium risk) and 3 (high risk), and is surrounded by land within Flood Zone 3. In accordance with guidance on managing flood risk, it must be assessed therefore as being within the higher flood risk, FZ3.
- 3.2 The ground floor of the property is currently within an A2 use (Financial and Professional Services) as a photographic studio occupied by Venture Photography. The first and second floors are within C3 (Residential) use (1 x 1 bedroom and 1 x 3 bedroom) and there is a car park to the west which is shared by all occupants of the building. The building consists of elements dating over several centuries, including the newer existing side and rear extensions which are to be replaced under this application.
- 3.3 109 High Street is a Grade II listed building with a white rendered front facade and brick side and rear elevations. This two storey plus attic building sits on a prominent corner plot fronting Eton High Street. It is located directly to the north of Jubilee Square, a newly redeveloped piece of public urban space which was a joint venture between the Baldwin's Bridge Trust and Eton Town Council in 2012. A brick hall, The Austen Leigh and Baldwin Institute and designated as an important non-listed building, sits to the south west. The red brick built gable and flank walls and pitched slate roof can be seen from further down the High Street and is an interesting feature. A single storey flat roof extension is located alongside the side wall; hidden behind the modern brick boundary wall at the rear of Jubilee Square. There is a single storey lean-to extension at the rear. The front elevation contains two 19th century timber framed shop fronts with tripartite glazing and a pair of six panelled entrance doors with rectangular fanlights. The shop fronts are identical with scroll corbels sitting atop pilasters supporting a cornice. There are five double-hung 6 over 6 sash windows set within architraves at first floor level set between two projecting platbands at ground and first floor level. The single-storey extension that sits to the south of the main building is of dark red bricks in a stretcher bond. 109 High Street is group listed with 110 and 110A and therefore any alterations to 109 may impact the significance of 110 and 110A.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal seeks to demolish the existing single-storey extensions to the side and rear and replace these with a two-storey and single storey extension at the side and rear. The two-storey extension is proposed to match the existing single storey elevation with facing brick and one black painted sash window is proposed on the first floor of the front, side and rear elevations. The two storey extension is 6.8m tall and will have a flat roof. There are two new entrances proposed, to make the two flats self contained, one fronting the High Street and the other into the rear of the property. The application proposes a partial change of use of the ground floor from A2 (Financial and Professional Services) to C3 (Residential), however, the internal alterations to the existing

building are limited. The application does not propose to increase the number of residential units, only extend and improve the internal accommodation of the existing ones. The parking area and mature trees to the rear of the site are proposed to be retained.

Ref.	Description	Decision and Date
15/03655/FULL	Single storey rear, part two storey, part three storey side extensions.	Withdrawn 16.12.2015
15/03657/LBC	Consent for single storey rear, part two storey, part three storey side extensions, Internal and external refurbishments and associated works following demolition of non-original extensions to existing buildings.	Withdrawn 16.12.2015
16/01097/FULL	Single storey rear and two storey side extensions with amendments to fenestration, following the removal of the existing non-original extensions. Part change of use to Class C3 (residential)	Withdrawn 03.11.2016
16/01098/LBC	Consent for single storey rear and two storey side extensions with internal and external refurbishments and associated works following demolition of non-original extensions to existing buildings	Withdrawn 03.11.2016
17/00928/FULL	Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single part two storey side and rear extensions following the demolition of existing additions.	Withdrawn 26.06.2017
17/00929/LBC	Consent to construct part single part two storey side and rear extensions following the demolition of existing additions. Internal alterations comprise partial wall removal, blocking-up of openings and replacement windows.	Withdrawn 26.06.2017

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

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	Conservation Area	Listed Building	Flooding
DG1	P4, T5	CA2	LB2	F1

N6?

These policies can be found at

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

Borough Local Plan: Submission Version

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 September 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:

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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 – view at:
- 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 Heritage assets
- ii Flooding
- iii Amenity
- iv Parking/Highway safety

Heritage assets

Significance to the Listed Building and within the Conservation Area

6.2 109 High Street is a Grade II listed building located on a prominent corner of the High Street which is itself within the Eton Conservation Area. The Council therefore must give special regard to the desirability of preserving the listed building and its settings and either preserving or enhancing the character of the conservation area as required under sections 16, 66 and 72 of the Planning (listed buildings and conservation areas) Act 1990. Furthermore Local Plan policy LB2 sets out guidance for proposals effecting Listed Buildings, CA2 sets out design guidance for developments affecting conservation areas and DG1 sets out design guidelines for development in general. All of these policies are consistent with the objectives of the National Planning Policy Framework which aims to secure high quality design and the conservation of heritage assets.

6.3 The application site is located directly north of Jubilee Square, an important piece of public space within Eton Town Centre. To the west is the Austen Leigh and Baldwin's Institute which is designated as an important non listed building. Eton Conservation Area has a mix of eclectic architectural styles from the buildings of Eton College down through the commercial buildings of the High Street and up to the Windsor Bridge. The High Street is identified in the Eton

Conservation Area Appraisal as a typically Georgian High Street, although it has continued to develop over time, including the creation of Eton Court and the loss of the southern adjacent building to 109.

- 6.4 109 High Street itself is of architectural merit and the red brick gable, flank wall and pitched slate roof of the south elevation which can be seen from further down the high street is an interesting feature. 109 High Street is group listed with 110 and 110A and therefore any alterations to 109 may impact the significance of 110 and 110A as well. The front elevation of the building contains two 19th Century timber framed shop fronts with tripartite glazing and a pair of six panelled entrance doors with rectangular fanlights. The shop fronts are identical with scroll corbels sitting atop pilasters supporting a cornice. There are five double-hung 6 over 6 sash windows set within architraves at first floor level set between two projecting plat-bands at ground and first floor level.

Impact of the proposal

- 6.5 The proposed extension is designed partly as a pastiche in so much as it would use facing bricks similar to those of the single storey extension it is replacing, timber sash framed windows and a parapet. The roof in contrast is designed as a flat roof which is not in keeping with the host property or with other buildings along the High Street. The proposed first floor extension would be prominent from a distance looking up the High Street back towards the college and as such the impact on the character and appearance of the Conservation Area would be accentuated. The plot is very narrow fronting the High Street (less than 3m wide) with the added constraint of being a corner plot onto a rare piece of public urban space (Jubilee Square). The current design does not properly address the corner plot and creates an awkward, rear elevation with a mixture of flat and pitched roofs that will be seen by those coming from Eton Court. The bathroom at the front on the first floor would have a timber sash window fronting Eton High Street. This would inevitably have to either be frosted glass or obscured in some way to allow privacy, therefore affecting the appearance of the extension onto the High Street. It is considered that the need for a first floor extension is not justified and therefore an unnecessary addition to the building that has a negative impact on the listed building and the conservation area. No details have been provided which show that the proposed extension will not negatively impact upon the tree growing within Jubilee Square to the south. This tree is protected by virtue of being within a conservation area and is an important amenity feature, making a positive contribution to the character and appearance of the area. Overall it is considered that the proposed extension would cause "less than substantial harm" to the significance of the designated heritage assets (listed building and conservation area). There are no public benefits that would outweigh this harm and as such in accordance with the National Planning Policy Framework the application should therefore be refused.
- 6.6 The proposal lies in an area of archaeological importance and has the potential to impact on significant buried remains. It is necessary therefore for a programme of work to be secured which will mitigate the impact of development and record any surviving remains.

Impact on historical significance of the Listed Building

- 6.7 The application proposes to make internal changes to the building. The proposed internal alterations to the existing flats are small scale and would retain, to a large extent, the existing layout of the listed building which has been altered over the years. Where modifications are proposed they are in locations that have far less significance with only very minor changes to what would have been the original building. The alterations improve the existing layout of the two flats as currently the second flat is accessed through the first flat and has no individual access. It is not considered that harm would be caused to the historic fabric of the building as a result of the proposed internal alterations.

Flooding

- 6.8 The application site is surrounded by areas within Flood Zone 3 and is itself partially within Flood Zone 2 and Flood Zone 3. The proposed works constitute minor development and as such it is not necessary for the Sequential or Exception test to be applied, however, it is still necessary for paragraph 103 of the National Planning Policy Framework to be complied with. This paragraph requires that development is located in the areas of lowest flood risk and that development is appropriately flood resilient and resistant, including safe access and escape routes.
- 6.9 The existing building and all proposed extensions will be within Flood Zone 2 with only the very western edge of the site being within Flood Zone 3. The site is surrounded on all sides by flood zone 3 and it is therefore assumed that no safe or low hazard escape route is possible as no information has been submitted by the applicant to suggest otherwise. This is an existing situation, however, and there will be no increase in the number of residential units and no material increase in the level of residential accommodation. Therefore there would be no increase in the number of people or properties therefore at risk from flooding. As a result of the internal alterations there will now be some residential accommodation on the ground floor for flat 2, however, it is not considered that this will pose a significant risk for the future occupiers of the flat and this risk can be satisfactorily managed through the use of flood resistance measures/construction. The flats themselves would be suitably flood resilient and resistant on account of being mostly at first floor and above and a slight reduction in the ground covered area on site will ensure that flood storage capacity is maintained and flood risk is not therefore increased elsewhere.

Amenity

- 6.10 The proposed extensions will be set far enough away from any neighbouring properties to prevent them from causing any loss of amenity. Concerns have been raised that the scale and bulk of the extensions will mean that natural light will be lost to Jubilee Square to the south, however, this is a public open space and not a private amenity area and as such is not afforded the same weight.

Parking/Highway safety

- 6.11 The property currently benefits from a vehicular access off of Eton Court. None of the proposals will affect the existing visibility splays or access arrangements. The proposal does not generate a requirement for additional parking spaces and it is unlikely that the proposal will generate a significant increase in vehicle movements. The application will retain the car park to the rear of the site which can accommodate 7 car parking spaces. This is deemed acceptable.

7. 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 21.08.2017

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

Comment	Where in the report this is considered
1. The scale and bulk of what is proposed will have a negative impact on Jubilee Square, the historic Baldwin's Institute Building and the established vista to the grade 2 listed church from Eton High Street and Jubilee Square.	Paragraphs 6.2 – 6.6

2.	The existing and proposed drawings fail to take account of the large Sugar Maple tree in Jubilee Square.	Paragraph 6.5
3.	The existing and proposed drawings do not show the 4 large white air conditioning units that have been installed without planning approval. This application should be revised to show their existence and proposed removal, relocation or sympathetic screening as part of this application.	This is a matter for the enforcement team.

Other consultees

Consultee	Comment	Where in the report this is considered
Highways	Recommends approval subject to conditions	Paragraph 6.11
Archaeology	No objections subject to conditions	Paragraph 6.6
Conservation	Recommends refusal as the proposals will cause "less than substantial harm" to the significance of the designated heritage asset (listed building and conservation area) and there are no public benefits to the scheme that would outweigh the harm caused.	Paragraphs 6.2 – 6.6
Parish Council	Eton Town Council writes to support this application. The Council has strong feelings for the more traditional design expressed in this application and believes that it blends in well with the character of the neighbourhood.	Paragraphs 6.2 – 6.6

8. APPENDICES TO THIS REPORT

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

9. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

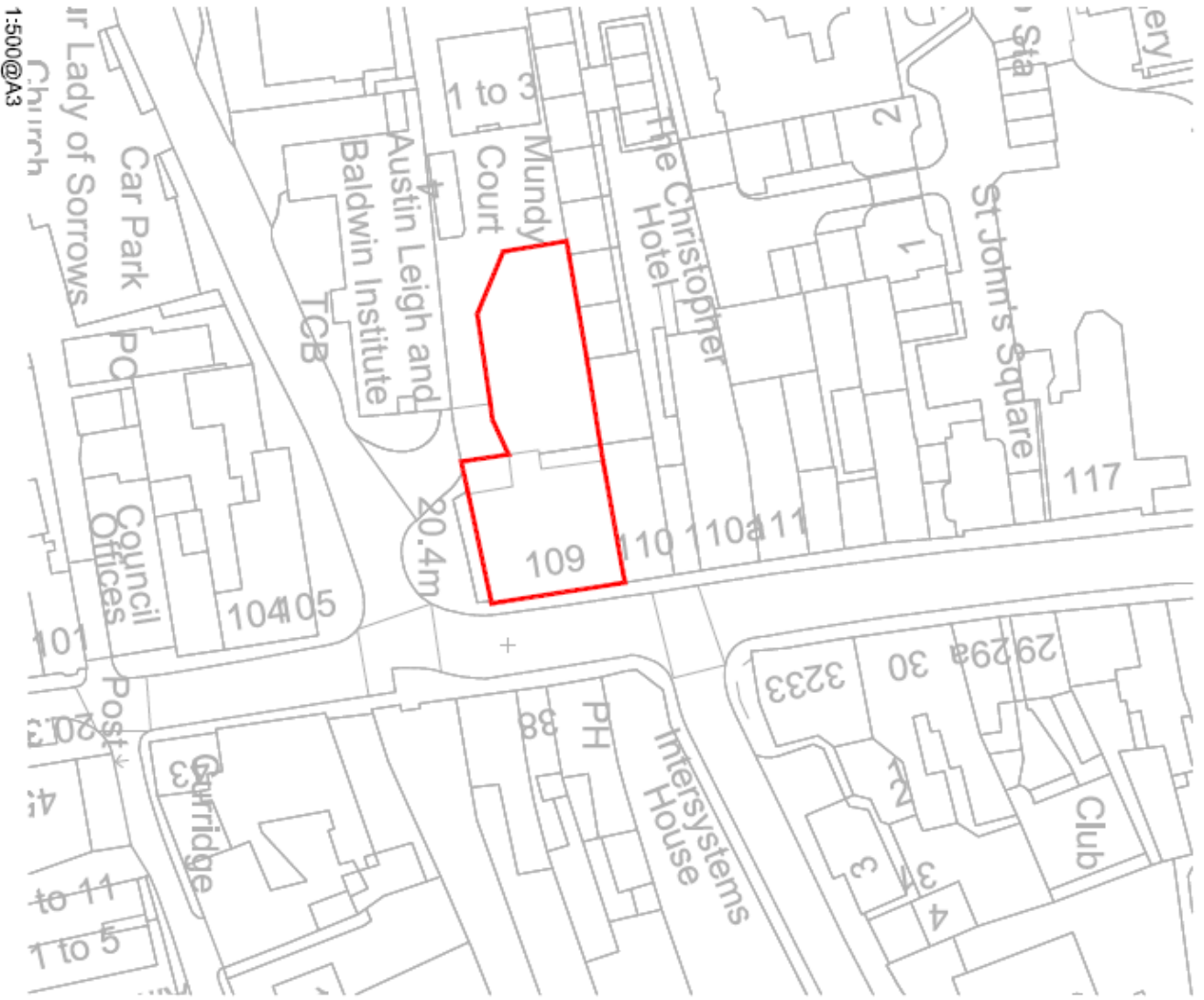
- 1 The proposed additions will cause "less than substantial harm" to the architectural significance of the listed building and the character and appearance of the conservation area. There are no apparent public benefits to the scheme that would outweigh the harm caused and therefore the proposal fails to comply with paragraph 134 of the National Planning Policy Framework (NPPF) as well as core principles 4 and 10 of paragraph 17 of the NPPF, paragraph 64 of the NPPF, sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies DG1, CA2 and LB2 of the Local Plan.


17/02461/LBC

- 1 The proposed works will result in "less than substantial" harm being caused to the architectural significance of the Listed building. There are no apparent public benefits that will outweigh this harm and as such the proposal fails to comply with paragraph 134 of the National Planning Policy Framework (NPPF) as well as core principle 10 of paragraph 17 of the NPPF, sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy LB2 of the Local Plan.

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Appendix A—Site location plan and site layout



		<p>Lawandowski Architects</p> <p>NO.038</p>
<p>DD CONTRACT INFORMATION</p> <p>REV. DATE DESCRIPTION DRAWN</p> <p>DATE</p> <p>MR R SHYMANSKY</p> <p>PROJECT</p> <p>169 HIGH STREET</p> <p>ETON</p> <p>DRAWING TITLE</p> <p>SITE LOCATION PLAN</p>		
<p>PROJECT</p> <p>FOR PLANNING</p> <p>PROJECT NO. 2224</p> <p>DATE 01/0</p> <p>DRAWN 01/0</p> <p>CHECKED 01/0</p> <p>SCALE 1:500</p> <p>VARIES@A3 MAY15 AC AC</p>		
<p>CONTACT INFORMATION</p> <p>Lawandowski Architects Ltd</p> <p>11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000</p>		

Proposed site plan



Lewandowski Architects

NOTES

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02		REVISED PERMITTING		
03		REVISED PERMITTING		
04		REVISED PERMITTING		

CLIENT:
MAR R SZYMANSKY

PROJECT:
109 HIGH STREET
ETON

DESIGNED BY:
PROPOSED SITE PLAN

SCALE:
FOR PLANNING

PROJECTIVE:
2324

SCALE:
1:200

DATE:
2024

PROJECTIVE:
PL

SCALE:
100

DATE:
03

PROJECTIVE:
AC

SCALE:
AC

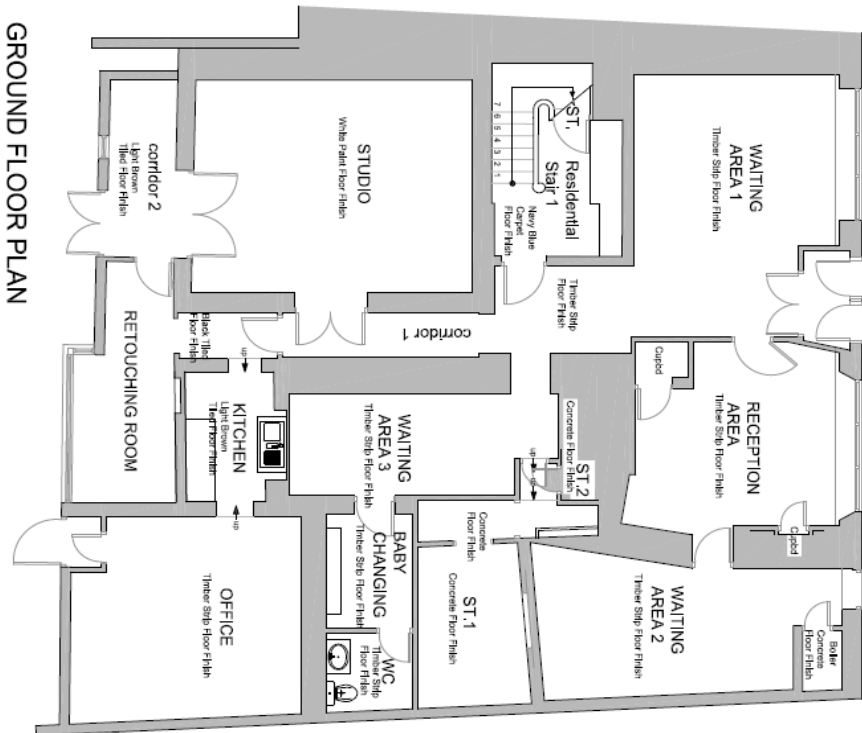
DATE:
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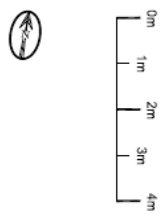
LEWANDOWSKI ARCHITECTS
109 HIGH STREET, ETON, WINDSOR, WINDSOR, SL8 5LQ
TEL: 01753 601100 FAX: 01753 601101
WWW.LEWANDOWSKIARCHITECTS.COM

Appendix B— plan and elevation drawings

Existing ground floor plan



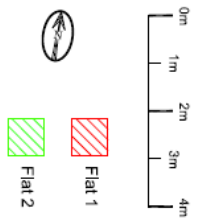
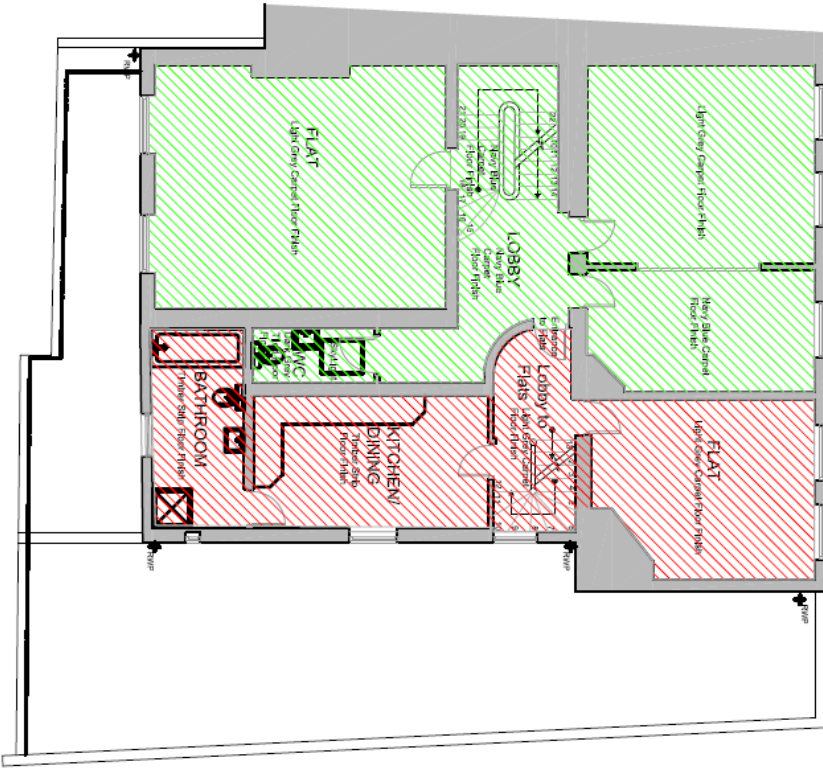
GROUND FLOOR PLAN



<p>NOTES</p> <p>Lewandowski Architects</p>	
<p>00 Document Information</p> <p>REV. DATE DESCRIPTION DRAWN</p>	<p>DATE DATE DRAWN CHECKED</p> <p>1:1:00@A3 MAY'15 AC AC</p>
<p>CLIENT</p> <p>MR R SHYMANSKY</p> <p>PROJECT</p> <p>109 HIGH STREET</p> <p>ETON</p> <p>DRAWING TITLE</p> <p>EXISTING GROUND FLOOR PLAN</p>	<p>STATUS</p> <p>FOR PLANNING</p> <p>PROJECT No DWG No REV</p> <p>2324 020 00</p> <p>1:1:00@A3 MAY'15 AC AC</p> <p>© Lewandowski Architects Ltd. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Lewandowski Architects Ltd.</p> <p>109 High Street, Eton, Windsor, Berkshire, SL4 4AE T: 01753 429700 F: 01753 426271 www.lewandowskiarchitects.com</p>

Existing first floor plan

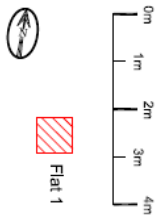
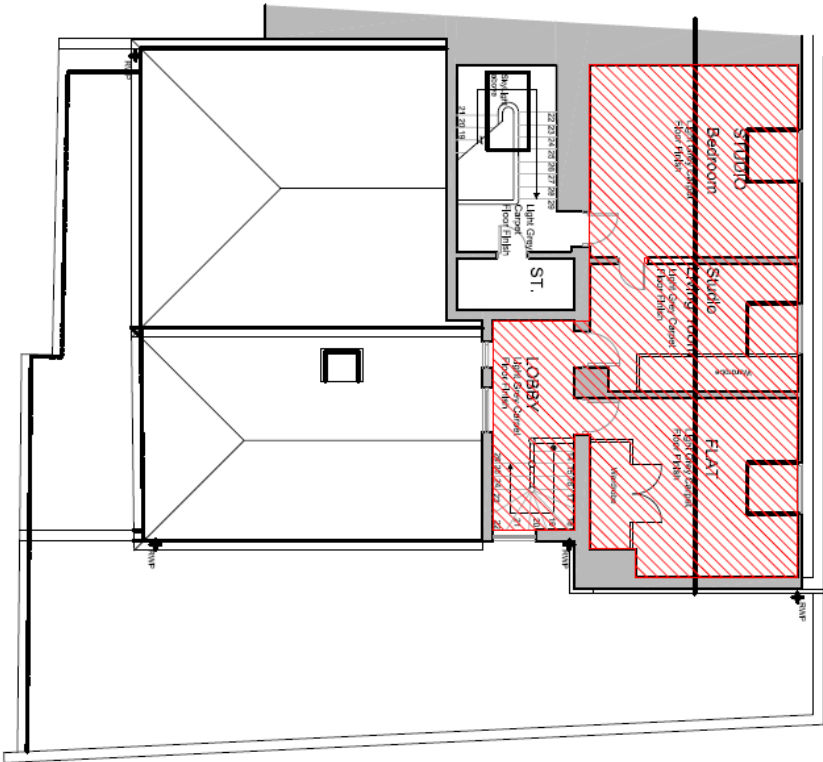
FIRST FLOOR PLAN



<p style="text-align: right;">Lewandowski Architects</p> <p style="text-align: right;">ND018</p>				
<p>00 Lewandowski Architects</p>				
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<p>STATUS FOR PLANNING</p> <p>PROJECT NO 2324</p> <p>SCALE 1:100@A3 MAY15</p>				
DATE	DRAWN	CHECKED		
15/05/15	AC	AC		
<p>CONTRACTOR: MR R SHYMANSKY</p> <p>PROJECT NO: 2324</p> <p>DATE: 15/05/15</p> <p>SCALE: 1:100@A3 MAY15</p> <p>FOR PLANNING</p> <p>PROJECT NO: 2324</p> <p>DATE: 15/05/15</p> <p>DRAWN: AC</p> <p>CHECKED: AC</p> <p>CONTRACTOR: MR R SHYMANSKY</p> <p>PROJECT NO: 2324</p> <p>DATE: 15/05/15</p> <p>SCALE: 1:100@A3 MAY15</p> <p>FOR PLANNING</p> <p>PROJECT NO: 2324</p> <p>DATE: 15/05/15</p> <p>DRAWN: AC</p> <p>CHECKED: AC</p>				

Existing second floor plan

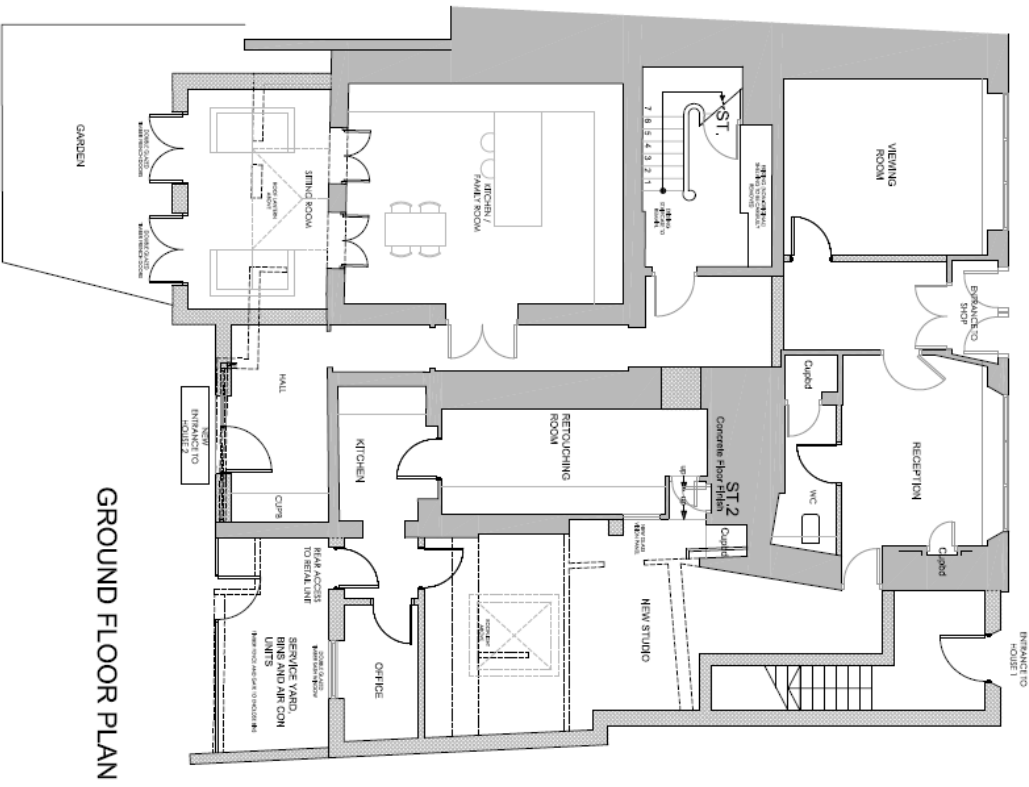
SECOND FLOOR PLAN



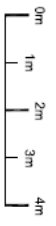
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PROJECT	109 HIGH STREET				
LOCATION	ETON				
EXISTING SECOND FLOOR PLAN					
DATE					
FOR PLANNING					
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<small> CONSULTANT: LEWANDOWSKI ARCHITECTS 109 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 4AA T: 01753 820762 F: 01753 828421 WWW.LEWANDOWSKIARCHITECTS.CO.UK </small>					

Proposed ground floor plan



GROUND FLOOR PLAN



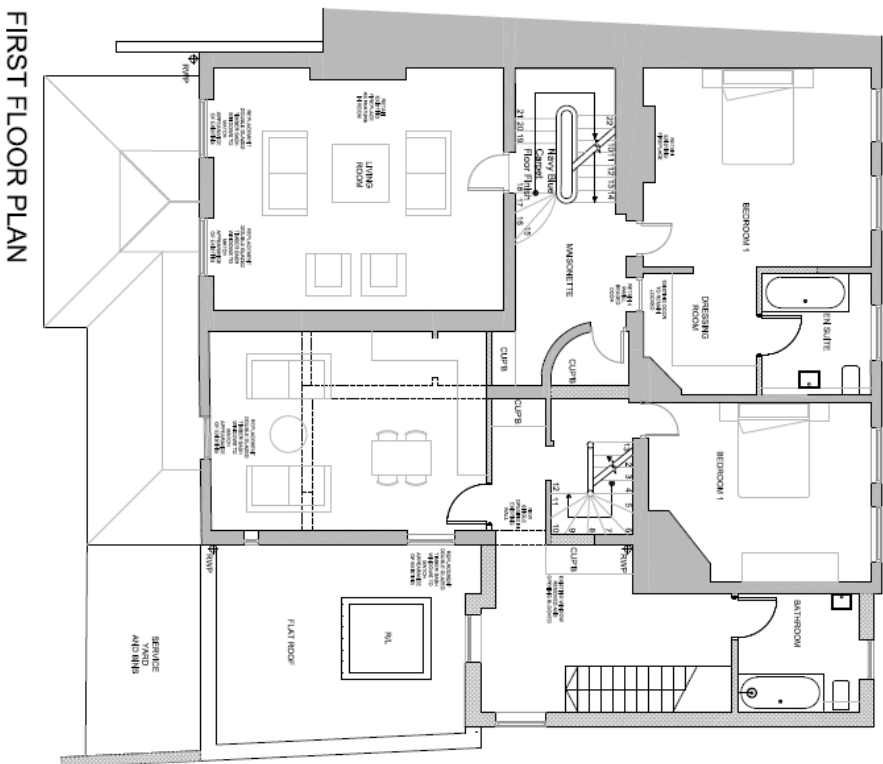
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- EXISTING WALLS TO BE RETAINED
 - EXISTING STRUCTURE TO BE REMOVED
 - NEW WALLS

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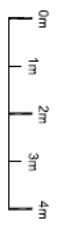
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02	11/00/A3 JAN 17	FOR PLANNING	OK																			
01	11/00/A3 JAN 17	FOR PLANNING	OK																			

Proposed first floor plan



FIRST FLOOR PLAN



LEGEND:

- EXISTING WALLS TO BE RETAINED
- EXISTING STRUCTURE TO BE REMOVED
- NEW WALLS

NOTES

04	16/01/2017	16/01/2017/04/04	SK
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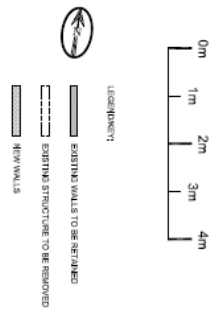
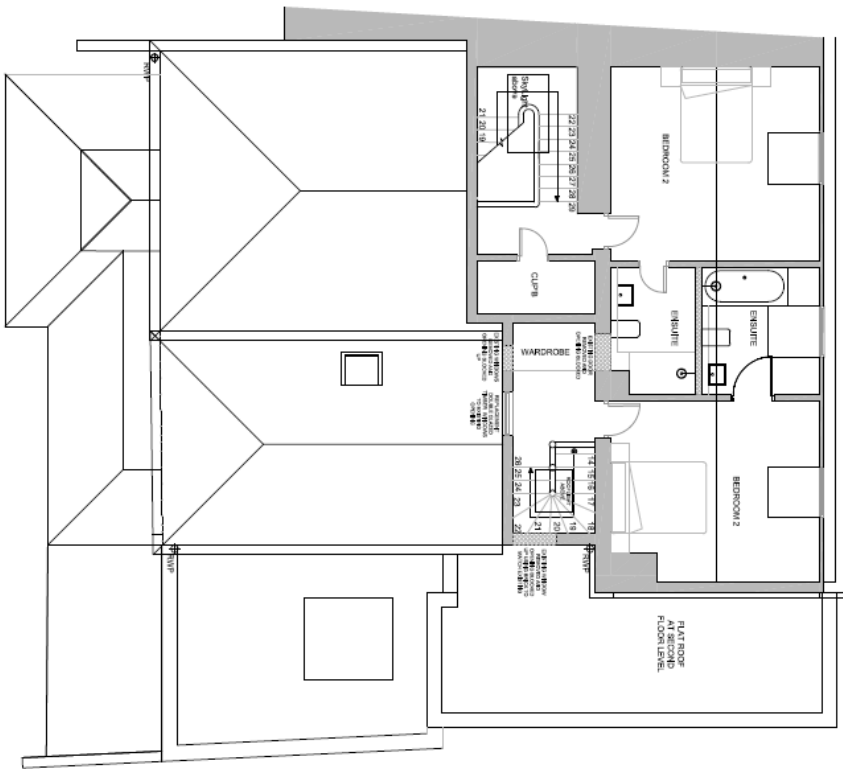
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 PROJECT: 109 HIGH STREET
 ETON
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 DATE: 2011
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 CHECKED: 04

CONTRACT NO: 109 HIGH STREET, ETON, WINDSOR, BERKSHIRE, RG2 9AT
 109 HIGH STREET, ETON, WINDSOR, BERKSHIRE, RG2 9AT
 109 HIGH STREET, ETON, WINDSOR, BERKSHIRE, RG2 9AT
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Proposed second floor plan

SECOND FLOOR PLAN



NOTES

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00	PROPOSED	PROPOSED SECOND FLOOR PLAN	SI
01	REVISION		SI
02	REVISION		SI
03	REVISION		SI
04	REVISION		SI
05	REVISION		SI

REV DATE DESCRIPTION DRAWN

CLIENT: M/R R SHYMAANSKY

PROJECT: 109 HIGH STREET

ETON

DRAWING TITLE: PROPOSED SECOND FLOOR PLAN

STATUS: FOR PLANNING

DATE: 2024

SCALE: 1:100 @ A3 JAN 17

DATE: 2022

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DATE: 2022

SCALE: 1:100 @ A3 JAN 17

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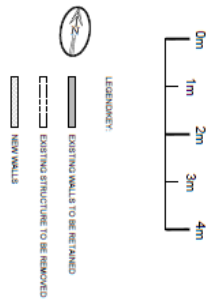
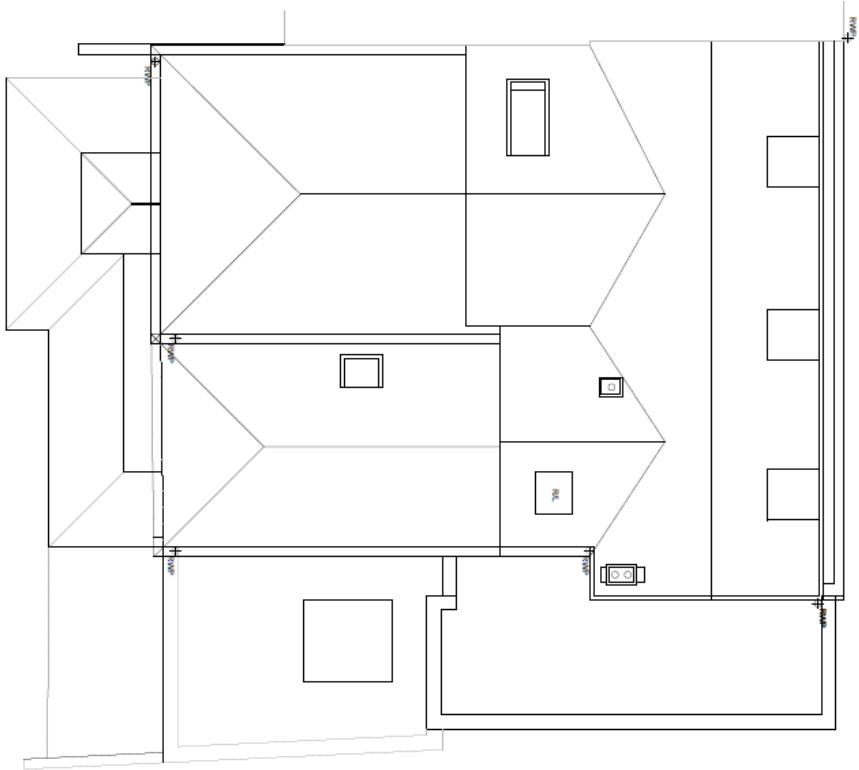
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DATE: 2022

SCALE: 1:100 @ A3 JAN 17

Proposed roof plan

ROOF PLAN



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NOTES

REV	DATE	DESCRIPTION	DRAWN
001		ISSUED FOR PERMITTING	DL
002		ISSUED FOR PERMITTING	DL
003		ISSUED FOR PERMITTING	DL
004		ISSUED FOR PERMITTING	DL

CLIENT: MR R SHYMANSKY
 PROJECT: 109 HIGH STREET
 ETON
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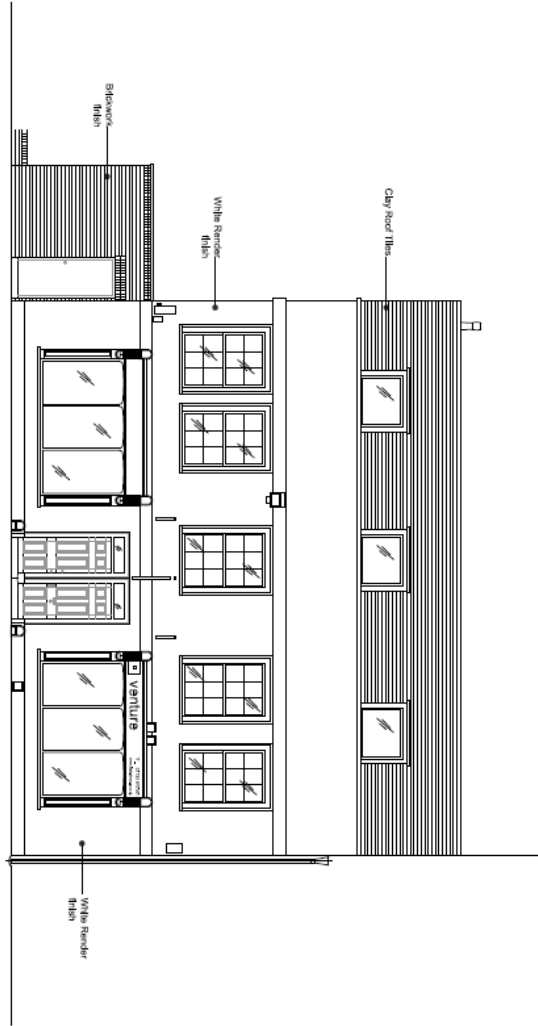
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 CHECKED: DL

STATE: FOR PLANNING
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 REV: 03

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Existing east (front) elevation

FRONT ELEVATION
(EAST ELEVATION)



Lewandowski Architects

NOTES

REV	DATE	DESCRIPTION	DRAWN
00			

CLIENT
M/R R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING EAST ELEVATION

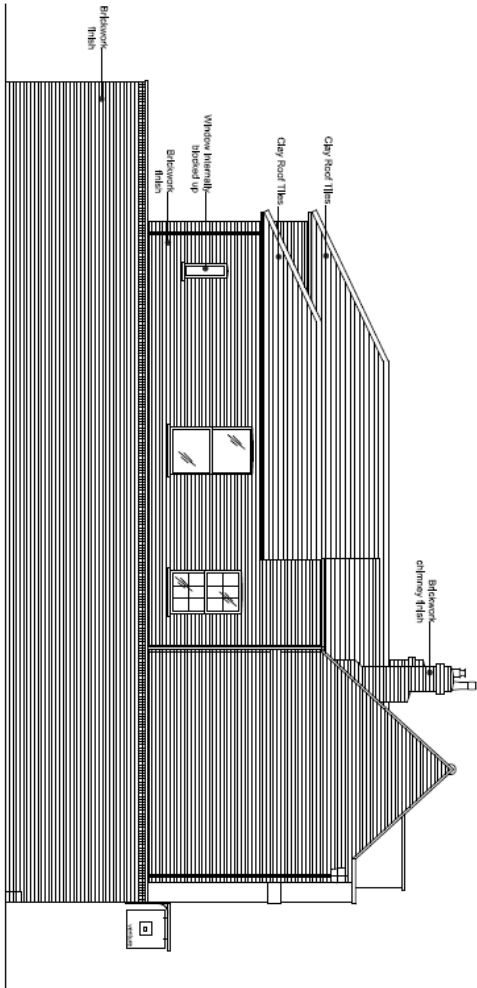
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FOR PLANNING			
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		CHECKED	AC

209 High Street, Eton, Windsor, SL7 4JF
 Lewandowski Architects
 109 High Street, Eton, Windsor, SL7 4JF
 www.lewandowskiarchitects.com

Existing south (side) elevation

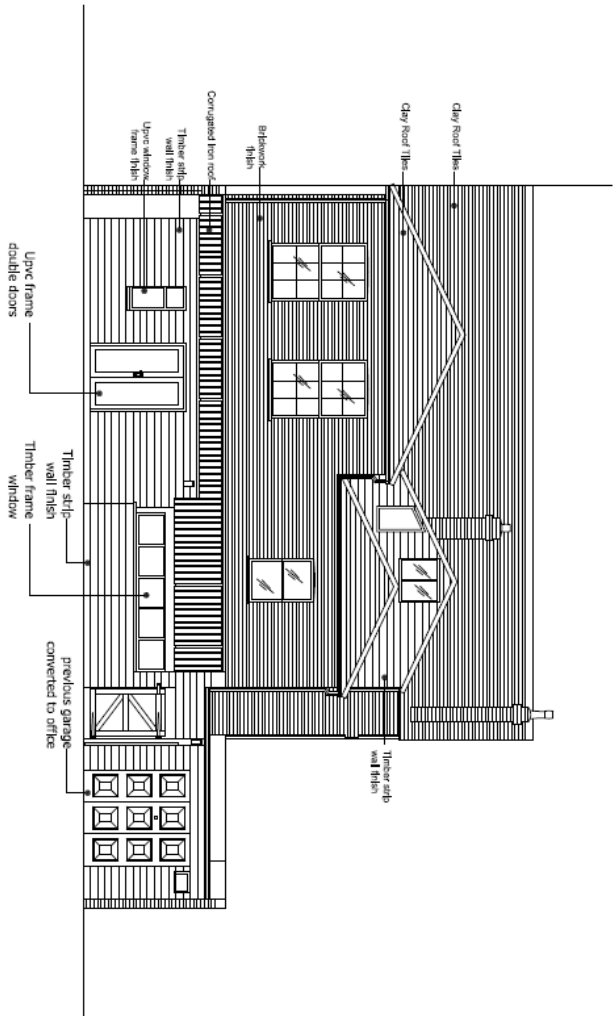
SIDE ELEVATION
(SOUTH ELEVATION)



001	EXISTING SOUTH ELEVATION		PL	AC
REV	DATE	DESCRIPTION	BY	CHECKED
CLIENT				
MR & R SHYMANSKY				
PROJECT				
109 HIGH STREET				
ETON				
DRAWING TITLE				
EXISTING SOUTH ELEVATION				
SCALE				
FOR PLANNING				
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Existing west (rear) elevation

REAR ELEVATION
(WEST ELEVATION)



<p>100 Lewandowski Architects [Logo]</p>	<p>REV DATE DESCRIPTION DRAWN CHECKED</p>		
<p>CLIENT MAR & SHYMANSKY</p>			
<p>PROJECT 109 HIGH STREET ETON</p>			
<p>DRAWING FILE EXISTING WEST ELEVATION</p>			
<p>STATUS FOR PLANNING</p>			
<p>PROJECT NO 2324</p>	<p>DWG TYPE PL</p>	<p>DWG NO 032</p>	<p>REV 00</p>
<p>SCALE 1:100(0/3 MAY'15)</p>	<p>DATE AC</p>	<p>DRAWN AC</p>	<p>CHECKED AC</p>
<p>CONSENT TO BUILD FOR THE PROPOSED WORK HAS BEEN OBTAINED FROM THE LOCAL AUTHORITY AND THE NEIGHBOURHOOD CONSULTATION PERIOD HAS ENDED. THE DRAWING IS VALID FOR 12 MONTHS FROM THE DATE OF ISSUANCE. ANY CHANGES TO THE DRAWING MUST BE APPROVED BY LEWANDOWSKI ARCHITECTS. WWW.LEWANDOWSKIARCHITECTS.COM</p>			

Proposed east (front) elevation

FRONT ELEVATION
(EAST ELEVATION)



04	REVISION	10/20/2024	ML
03	REVISION	10/20/2024	ML
02	REVISION	10/20/2024	ML
01	REVISION	10/20/2024	ML
00	ISSUED FOR PERMIT	10/20/2024	ML

REV	DATE	DESCRIPTION	DRAWN
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CLIENT
MR R.SHYMANSKY
PROJECT
109 HIGH STREET
ETON

DRAWINGS TITLE
PROPOSED EAST ELEVATION

STATUS

FOR PLANNING

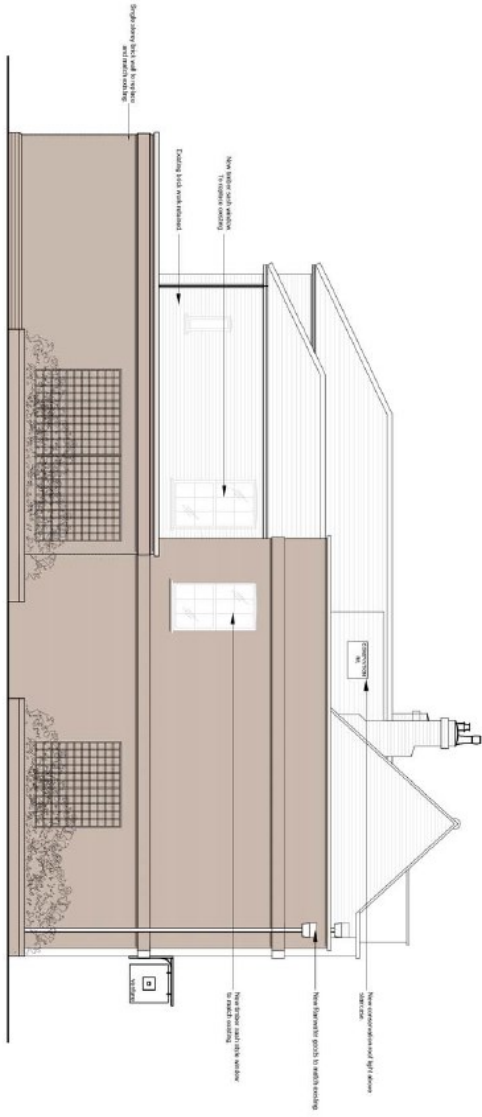
PROJECTING	DWG. TITLE	DWG. NO.	REV.
2324	PL	300	04

SCALE	DATE	DRAWN	CHECKED
1:100@A3	MAY 15	AC	AC

CONTRACT DOCUMENTS: 2024 ETON HIGH STREET AND ADJACENT SIDEWALK IMPROVEMENT PROJECT PERMITTING AND CONSTRUCTION PHASES. DRAWING NO. 2324-PL-300-04.
www.lewandowskiarchitects.com



**SIDE ELEVATION
(SOUTH ELEVATION)**



NOTES

REV	DATE	DESCRIPTION	DRAWN
01		Issue for tender	AC
02		Issue for construction	AC
03		Issue for construction	AC
04		Issue for construction	AC
05		Issue for construction	AC
06		Issue for construction	AC
07		Issue for construction	AC
08		Issue for construction	AC
09		Issue for construction	AC
10		Issue for construction	AC
11		Issue for construction	AC
12		Issue for construction	AC
13		Issue for construction	AC
14		Issue for construction	AC
15		Issue for construction	AC
16		Issue for construction	AC
17		Issue for construction	AC
18		Issue for construction	AC
19		Issue for construction	AC
20		Issue for construction	AC
21		Issue for construction	AC
22		Issue for construction	AC
23		Issue for construction	AC
24		Issue for construction	AC
25		Issue for construction	AC
26		Issue for construction	AC
27		Issue for construction	AC
28		Issue for construction	AC
29		Issue for construction	AC
30		Issue for construction	AC
31		Issue for construction	AC
32		Issue for construction	AC
33		Issue for construction	AC
34		Issue for construction	AC
35		Issue for construction	AC
36		Issue for construction	AC
37		Issue for construction	AC
38		Issue for construction	AC
39		Issue for construction	AC
40		Issue for construction	AC
41		Issue for construction	AC
42		Issue for construction	AC
43		Issue for construction	AC
44		Issue for construction	AC
45		Issue for construction	AC
46		Issue for construction	AC
47		Issue for construction	AC
48		Issue for construction	AC
49		Issue for construction	AC
50		Issue for construction	AC

CLIENT
 MR R SHYMANSKY
PROJECT
 109 HIGH STREET
 ETON
DRAWING TITLE
 PROPOSED SOUTH ELEVATION

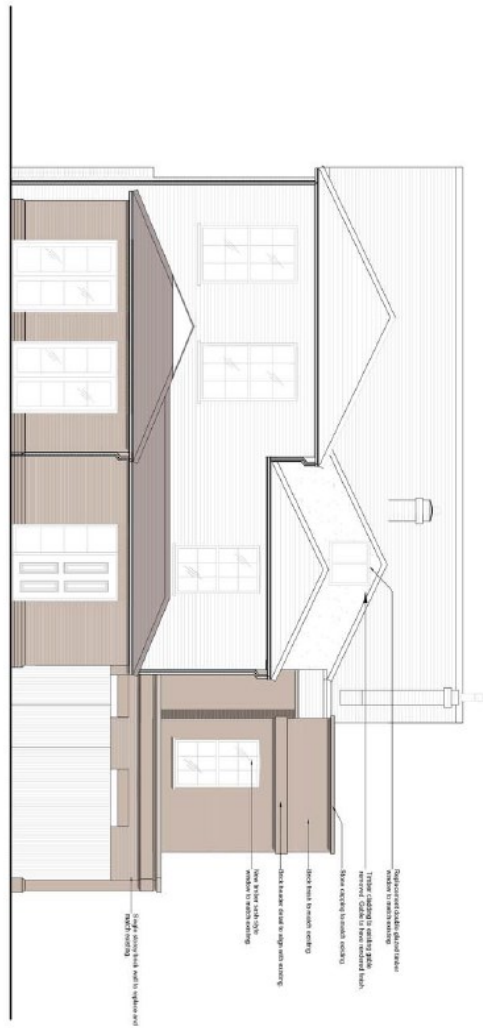
STATUS
 FOR PLANNING
PROJECT NO
 2924
DATE
 1:100@A3 MAY15
SCALE
 1:100@A3 MAY15
PROJECT NO
 2924

DATE
 1:100@A3 MAY15
SCALE
 1:100@A3 MAY15
PROJECT NO
 2924
SCALE
 1:100@A3 MAY15
PROJECT NO
 2924



Proposed west (rear) elevation

REAR ELEVATION
(WEST ELEVATION)



NOTES

04	REVISION	DATE	BY
03	REVISION	DATE	BY
02	REVISION	DATE	BY
01	REVISION	DATE	BY
00	ORIGINAL DRAWING		

REV. DATE. DESCRIPTION. DRAWN

CLIENT: MR R SHAMANSKY
PROJECT: 109 HIGH STREET
ETON
DRAWN BY: [Name]

PROPOSED WEST ELEVATION

SCALE: 1:100 @ A3 MAY 15
DATE: [Date]
DRAWN: AC
CHECKED: AC

FOR PLANNING
PROJECT NO: 2924
DWG. TYPE: PL
EMC NO: 302
REV: 04



Planning Appeals Received

2 September 2017 - 2 October 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 Plns 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

Ward:
Parish: Windsor Unparished
Appeal Ref.: 17/60090/NOND **Planning Ref.:** 17/01725/LBC **Plns Ref.:** APP/T0355/Y/17/3183315
Date Received: 15 September 2017 **Comments Due:** 20 October 2017
Type: Non-determination **Appeal Type:** Inquiry
Description: Consent for installation of new ventilation systems for kitchen and some bedrooms including ducting and plant, Erection of roof top plant screen and alterations and partial replacement of windows and new gates for refuse and basement areas.
Location: **Sir Christoper Wren Hotel And Spa Thames Street Windsor SL4 1PX**
Appellant: The Sir Christopher Wren Hotel Ltd **c/o Agent:** Mr Malcom Honour RPS CGMS Bastion House 140 London Wall London EC2Y 5DN

Ward:
Parish: Windsor Unparished
Appeal Ref.: 17/60091/NOND **Planning Ref.:** 17/01724/FULL **Plns Ref.:** APP/T0355/W/17/3183308
Date Received: 15 September 2017 **Comments Due:** 20 October 2017
Type: Non-determination **Appeal Type:** Inquiry
Description: Installation of new ventilation systems for kitchen and some bedrooms including ducting and plant, erection of roof top plant screen and alterations and partial replacement of windows and new gates for refuse and basement areas.
Location: **Sir Christoper Wren Hotel And Spa Thames Street Windsor SL4 1PX**
Appellant: The Sir Christopher Wren Hotel Ltd **c/o Agent:** Malcom Honour RPS CGMS Bastion House 140 London Wall London EC2Y 5DN

Appeal Decision Report

8 September 2017 - 29 September 2017

WINDSOR URBAN



Appeal Ref.: 17/60067/NOND **Planning Ref.:** 17/00101/FULL **Plns Ref.:** APP/T0355/W/17/3
ET 175696

Appellant: Mr Moshe Hanlon **c/o Agent:** Mr Philip Hurdwell PJH Design 41 Upcroft Windsor SL4 3NH

Decision Type: Delegated **Officer Recommendation:** Would Have Refused

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**

Appeal Decision: Part Allowed **Decision Date:** 28 September 2017

Main Issue: The proposed rear conservatory was granted planning permission as the Council raised no objections as it was considered to accord with the principles of Policy DG1 and H14. The front porch was granted planning permission as it was found not to be materially harmful to the character and appearance of the area and accords with policies DG1 and H14. The proposed roof alterations and increase in height of the roof over the existing side element was refused at appeal as it was found that it would have an unacceptably overbearing appearance on the outlook from the neighbouring properties rear garden and ground floor rear windows contrary to Local Plan Policy H14 of the Local Plan.
