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NOTICE

OF

MEETING

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Royal Borough of Windsor & Maidenhead

# WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

will meet on

**WEDNESDAY, 23RD MAY, 2018**

**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, GARY MUIR, NICOLA PRYER, JACK RANKIN, WESLEY RICHARDS AND EDWARD WILSON

Karen Shepherd – Service Lead, Democratic Services - Issued: 14 May 2018

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 **Wendy Binmore** 01628 796251

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# AGENDA

## PART I

| ITEM | SUBJECT | PAGE NO |
|---|---|---|
| 1. | APOLOGIES FOR ABSENCE<br><br>To receive any apologies for absence. | |
| 2. | DECLARATIONS OF INTEREST<br><br>To receive any declarations of interest. | 5 - 6 |
| 3. | MINUTES<br><br>To confirm the minutes of the previous meeting. | 7 - 8 |
| 4. | PLANNING APPLICATIONS (DECISION)<br><br>To consider the Head of Planning & Property/Development Management Manager's report on planning applications received.<br><br>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.<br>http://www.rbwm.gov.uk/pam/search.jsp or from Democratic Services on 01628 796251 or democratic.services@rbwm.gov.uk | 9 - 66 |
| 5. | ESSENTIAL MONITORING REPORTS (MONITORING)<br><br>To consider the Essential Monitoring reports. | 67 - 70 |

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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.***

WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 25 APRIL 2018

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

Officers: Wendy Binmore, Lyndsay Jennings and Sian Saadeh

APOLOGIES FOR ABSENCE

None received.

DECLARATIONS OF INTEREST

None received.

MINUTES

**RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 28 March 2018 be approved.**

PLANNING APPLICATIONS (DECISION)

17/03205 Mr Pelton: Redevelopment of existing residential dwelling to provide 4 no. one bedroom flats, construction of 5 no. one bedroom flats following the demolition of retail/residential building along with associated landscaping, parking and cycle parking at Threeways and D M Kitchens, Dedworth Road, Windsor – **THE PANEL VOTED UNANIMOUSLY to grant planning permission with the conditions listed in Section 10 of the Main Report, as per the Head of Planning's recommendations with the additional condition to submit a landscaping plan to include screening and the planting of replacement tree.**

(The Panel was addressed by Barnard Maynard and Angela Bradberry in objection and Nicki Broderick on behalf of the applicant).

17/04007 Mr Coleman: Construction of ice rink and attractions from 30 October 2018 to 21 January 2019 at Alexandra Gardens, Barry Avenue, Windsor SL4 5JA – **THE PANEL VOTED to grant planning permission with the conditions listed in Section 8 of the Main Report, as per the Head of Planning's recommendations.**

**Five Councillors voted in favour of the motion (Cllrs M. Airey, Alexander, DaCosta, Quick and Shelim), and four Councillors voted against the motion (Cllrs Bicknell, Bowden, Grey and S. Rayner)**

18/00200* Mr and Mrs Cresswell: Change of use from C1 to C3 and construction of a x1 dwelling with detached triple garage including habitable space above, following demolition of the existing building at Grancis Lodge, 53 Frances Road, Windsor SL4 3AQ – **THE PANEL VOTED UNANIMOUSLY to grant planning permission with the conditions listed in Section 10 of the Main Report, and with the additional/amended conditions in Section 3 of the Panel Update Report as listed below, as per the Head of Planning's recommendations:**

1. Condition: Prior to the substantial completion of the development, bird boxes on to the new buildings including a sparrow terrace nest box and open fronted nest box, shall be provided in accordance with the applicant's ecological report and these bird boxes shall subsequently be permanently retained. Reason: In order to ensure ecological enhancement at the site in accordance with the advice in Paragraph 109 of the NPPF and to conserve biodiversity in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006.
2. Informative: In the interests of the protection of breeding birds during development, vegetation removal should be undertaken outside the breeding bird season (which spans from March to August inclusive) or any nesting bird habitat is removed under ecological supervision.

(The Panel was addressed Jane Cresswell, the applicant and Peter Emmett the agent on behalf of the applicant).

ESSENTIAL MONITORING REPORTS (MONITORING)

All details of the Essential Monitoring Reports were noted.

The meeting, which began at 7.00 pm, finished at 8.15 pm

CHAIRMAN…….

DATE…….....

# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

## Windsor Urban Panel

**23rd May 2018**

**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.** 18/00362/FULL **Recommendation** PERM **Page No.** 11

**Location:** 47 - 49 High Street Eton Windsor SL4 6BL

**Proposal:** Conversion and extension of buildings including vertical sub-division of main building fronting High Street into half Wealden's. Internal and external alterations to provide 1x Class A1/A2/A3 unit and 5 x Class C3 units with associated access, landscaping, public space and demolition works. Amendments to applications 15/02786/FULL and 15/02783/LBC.

**Applicant:** **Member Call-in:** **Expiry Date:** 25 May 2018

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**Item No.** 2 **Application No.** 18/00363/LBC **Recommendation** PERM **Page No.** 25

**Location:** 47 - 49 High Street Eton Windsor SL4 6BL

**Proposal:** Consent to Convert and extend buildings including the vertical sub-division of main building fronting High Street into half Wealden's. Internal and external alterations to provide 1x Class A1/A2/A3 unit and 5 x Class C3 units with associated access, landscaping, public space and demolition works. Amendments to applications 15/02786/FULL and 15/02783/LBC.

**Applicant:** **Member Call-in:** **Expiry Date:** 25 May 2018

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# ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
## PLANNING COMMITTEE

### WINDSOR URBAN DEVELOPMENT CONTROL PANEL

23 May 2018 **Item:** 1

| | |
|---|---|
| **Application No.:** | 18/00362/FULL |
| **Location:** | 47 - 49 High Street Eton Windsor SL4 6BL |
| **Proposal:** | Conversion and extension of buildings including vertical sub-division of main building fronting High Street into half Wealden's. Internal and external alterations to provide 1x Class A1/A2/A3 unit and 5 x Class C3 units with associated access, landscaping, public space and demolition works. Amendments to applications 15/02786/FULL and 15/02783/LBC. |
| **Applicant:** | |
| **Agent:** | Miss Jill McGregor |
| **Parish/Ward:** | Eton Town Council/Eton With Windsor Castle Ward |

**If you have a question about this report, please contact:** Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk

## 1. SUMMARY

1.1 This proposal seeks to repair and alter the listed building, as well as reinstate a
1.2 application.

**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 LISTED BUILDING, SITE AND ITS SURROUNDINGS

3.1 47-49 High Street, is a Grade II* Listed Building that can be found along Eton High Street. The building itself is made up of two Medieval half Wealden buildings and is also known as the 'Cock Pit'. The buildings (now building) are believed to have been constructed in the Mid-15th Century. The building is a black and white timber framed building with later red brick additions shown on the rear elevation. There are four good quality timber shopfronts on the ground floor with three separate timber doors into the building from the High Street. The first floor is jettied and there are several different styles of casement timber windows on the front faēade. The roof is red clay tiled and pitched, with an initial double gable topped by a third, higher gable end set back slightly on the northern elevation. A small courtyard also exists to the rear of the site which is in a state of disrepair, like the building.

3.2 Over the years the building has had a variety of uses. These include an Inn, ironmonger, a butcher and a tallow chandler, however its most recent use was as a restaurant. Planning permission was recently granted for the building to be part residential and part shops.

3.3 Sited within Eton's Historic High Street, the building is surrounded by important non-listed and grade II listed buildings. Buildings within the area are predominantly shops at ground floor and residential at first floor, however there are several entirely residential properties in the area. The northern end of the high street comprises the set of buildings which make up Eton College.

3.4 The site is entirely within Flood Zone 2 and partially within Flood Zone 3. It is also located within Eton Conservation Area.

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

4.1 The application seeks planning permission for the conversion and extension of the Medieval Wealden building which makes up 47-49 High Street, Eton. The bays which make up the front elevation of the building would be vertically subdivided to internally recreate the original two half Wealden's. The works would also include internal and external alterations to the building to provide 3x residential (Class C3) units, 1x commercial (Class A1/A2/A3) units. 2x additional residential (C3) units would be built within the rear courtyard of the site (with associated access, landscaping) and semi-public amenity space would also be provided. Minor demolition works would also take place to later additions at the rear of the building. The resulting development would result in the provision of 5x C3 units and 1 large Class A unit.

4.2 In recent years, the following applications have been determined at the site:

| Ref. | Description | Decision and Date |
|---|---|---|
| 03/83524/LBC | Consent to carry out various internal and external works incorporating decorating, replastering, rendering externally to rear, new external fire escape (03/83523) | Permitted - 08.07.2003 |
| 03/83523/ADV | Consent to display one externally illuminated hanging sign | Refused - 22.09.2003 |
| 05/01133/FULL | Construction of a two storey rear extension and re-positioning of external staircase | Refused - 30.06.2005 |
| 05/01134/LBC | Consent to construct a two-storey rear extension and reposition external staircase | Refused - 30.06.2005 |
| 05/01964/FULL | Construction of a two storey rear extension and re-positioning of external staircase | Permitted - 28.09.2005 |
| 05/01965/LBC | Consent to construct a two storey rear extension and re-position external staircase | Permitted - 05.10.2005 |
| 15/02783/LBC | Conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Permitted - 12.02.2016 |
| 15/02786/FULL | Conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Permitted - 12.02.2016 |
| 17/02723/CONDIT | Details required by condition 4 (biodiversity mitigation) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 25.10.2017 |
| 17/02724/CONDIT | Details required by condition 5 (sustainability) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 24.10.2017 |
| 17/02725/CONDIT | Details required by condition 7 (ageing population) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation | Approved - 24.10.2017 |

| | | |
|---|---|---|
| | of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | |
| 17/02838/CONDIT | Details required by condition 3 (external materials) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 24.11.2017 |
| 17/02839/CONDIT | Details required by condition 6 (hard and soft landscaping) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 20.11.17 |
| 17/02840/CONDIT | Details required by condition 8 (acoustic and ventilation details) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 24.11.2017 |
| 17/02842/CONDIT | Details required by condition 5 (Enclosure to the Cock Pitt building) of planning permission 15/02783/LBC for Conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 24.11.2017 |
| 17/02923/CONDIT | Details required by condition 2 (construction management plan) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 14.11.2017 |
| 17/03490/CONDIT | Details required by condition 9 (details of fig tree) of planning permission 15/02786 for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 22.11.2017 |
| 17/03493/CONDIT | Details required by condition 3 (method statement for historic building recording) of listed building consent 15/02783/LBC for the conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Approved - 21.11.2017 |
| 17/03758/VAR | Variation of Condition 2 to amend the wording of the condition in order that the full schedule including details of materials, joinery and workmanship/methodology of all repairs and alterations to the existing buildings is required prior to construction rather than prior to commencement for the conversion and | Permitted - 22.02.2018 |

| | | |
|---|---|---|
| | extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works approved under 15/02783/LBC. | |

4.3 A similar application was recently granted at the site (App No.15/02786). The implementation of that scheme has begun, alongside the discharge of relevant conditions. That scheme has been referenced throughout this report as it forms a fall-back position for the applicant and is a significant material planning consideration.

4.4 During the process of the application amended plans were submitted, those plans have been referred to throughout the report as 'the proposed plans' and are recommended for approval.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

**National Planning policy Framework**

- Section 12 – Preserving and enhancing the historic environment
- Section 10 - Meeting the challenge of climate change, flooding and coastal change
- Section 2 – Ensuring the vitality of town centres
- Section 4 – Sustainable transport
- Section 6 - Delivering a wide choice of quality homes
- Section 7 – Good design

**Royal Borough Local Plan**

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

| Within settlement area | High risk of flooding | Conservation Area | Listed Building | Highways, car parking and cycle storage | Area specific policies |
|---|---|---|---|---|---|
| DG1, H10, H11 | F1 | CA2 | LB2, LB3 | T5, P4, T7 | ETN1, ETN2 |

These policies can be found at:
https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

5.2 **Borough Local Plan: Submission Version**

| Issue | Local Plan Policy |
|---|---|
| Preserving and Enhancing the Historic Environment | HE1 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies.

Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

**Eton Wick Neighbourhood Plan**

| Issue | Neighbourhood Plan Policy |
|---|---|
| Housing developments | HD1, HD2, HD3 |
| Parking | TI1 and TI2 |
| Flooding | EN3 |
| Business Leisure and Tourism | BI2 |

5.3 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The neighbourhood plan has recently been agreed subject to modifications by an Examiner. The neighbourhood plan will now need to be subject to a local referendum. However at this advanced stage of its preparation significant weight can be afforded to its policies, subject to the modifications suggested by the Examiner.

**Other Local Strategies or Publications**

5.4 Other Strategies or publications relevant to the proposal are:

- Conservation Area appraisal – view at https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i whether the proposal would have an acceptable impact on the *significance* of the Listed building

ii whether the proposal would preserve or enhance the character and appearance of the Eton Conservation Area;

iii whether the proposal would, either by itself or cumulatively with other similar proposals, impede the flow of flood water, reduce the capacity of the flood plain to store flood water, or increase the number of people or properties at risk from flooding;

iv the design of the new buildings and the layout of the development;

v impact on the amenities of the neighbouring residents;

vi wildlife impacts and impacts on trees; and

vii the adequacy of parking on the site and the impact on highway safety in the area.

**<u>Impact on the Listed Building and its setting</u>**

6.2 Local Plan Policy LB2 advises that in determining planning applications special regard should be given to the preservation of Listed Buildings and their settings. Where proposals include the alteration or extension of a Listed Building, they should only be granted where the works would not adversely affect the character of the building internally and externally.

6.3 Furthermore Section 12, of the National Planning Policy Framework seeks to preserve and enhance Heritage assets and conservation areas. Paragraph 134 of the NPPF advises that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 136 states that 'Local planning

authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies'.

6.4 Borough Submission Plan Policy HE1 places similar emphasis on conserving and enhancing the significance and functions of heritage assets, as well as their settings, in an appropriate manner.

Significance of the Heritage Asset

6.5 The building is grade II* Listed. Until recently it was also on Historic England's 'Heritage at Risk Register'; both factors add greatly to its significance, especially as it assumed that it was removed from the mentioned risk register only after planning permission was granted to begin its restoration in 2015; works which have not yet been completed.

6.6 The site occupies a very noticeable position in Eton High Street, its predominantly timber framed faēade contrast greatly with the many brick buildings that surround it, adding to its value and prominence in the High Street. Research into the History of the building has revealed its original construction as two half Wealden houses, which is very unusual in an urban setting such as this and therefore increases the significance of the building considerably. The building is also highly significant due to the completeness and quality of its medieval timber-frame.

6.7 During the implementation of the scheme granted in 2015, the building has had to undergo significant interventions in order to stabilise it and its medieval timber frame, which has involved the careful removal of historic lath and plaster. Therefore the remaining historic fabric of this building is of great significance.

The proposal and its impact on the significance of the Listed Building

6.8 This proposal differs from the previously approved scheme in that it comprises one large Class A unit as opposed to two separate, smaller Class A units. The previous permission also included the horizontal split of the 2* listed buildings bays, resulting in commercial at ground floor and residential at first floor. This scheme would include a vertical split of the bays with one side being retail (unit 6) and the other being residential (Unit 5). Research into the history of the site has shown that the building was originally vertically split into two half Wealden medieval houses, therefore this scheme would bring the building closer to its original form. The previously proposed horizontal split of the building would require extensive works to the ground floor ceilings of the building to install noise insulation, wiring and services to facilitate its mixed use. Such works would lead to more alterations and ultimately more harm, to an already significantly altered listed building. For these reasons the vertical split of the building in the manner proposed under this application is supported by both Historic England and the borough's Conservation Officer.

6.9 Internally, the building has already undergone significant alterations as the 2015 scheme has been partially implemented. This application differs in that a longer section of the partition wall between unit 5 and 6 is to be replaced. A new wall is to be added between unit 6 and unit 1 to create a new side access to the rear public space. The side access would remove the need for the public to enter the courtyard via the building, reducing the likelihood of wear and tear. Historic England, have raised no objection to this change and the Borough's Conservation Officer is in support of it. Throughout the ground floor other internal walls are to be added to support the buildings original timber frame and secure safe usage of the first floor. Additionally, several doors are to be replaced within units 1, 4, 5 and 6 and a chimney is to be trimmed back in unit 1. At first floor, a new partition wall is to be added between Unit 6 and 1, and new walls are to be added within all of the units which make up the listed building in the aim of stabilising the building's roof and providing better usage of the first floor spaces. A stair case is also to be reinstated in Unit 6 and in unit 4 an existing stair case is to be completely replaced.

6.10 Externally, numerous doors and windows are to be replaced at both ground and first floor. All elevations of the building are to undergo repair and restoration works, however the pattern of the timber beaming facing onto Eton High Street is to be slightly altered to reinstate the original timber bracing. A few external walls of unit 6 and 1 are to be replaced as they are unstable, some boundary walls surrounding the site are also to be replaced. A set of storage cupboards is to be

added within the rear courtyard and like the previous scheme, this proposal includes public access into the buildings courtyard space and the 'Cock Pitt'. The courtyard would be appropriately landscaped (hard and soft) and would provide external seating space for the commercial unit, as well as the public. A permanent installation within the Cock Pitt is also intended, which would exhibit the history of the area and of the building itself.

6.11 The replacements, alterations and installations outlined above are considered to cause less than substantial harm to the listed building, as the works would lead to minor changes to the faēade of the building and would also alter its internal configuration. However the harm identified would be outweighed by ensuring the longevity of the II* Listed Building and securing its optimum viable use, which is in itself a public benefit. Additionally public access to the Cock Pit, the provision of a semi-public space within the buildings rear courtyard, reinstating the buildings vertical split form and all weigh in favour of the proposal.

6.12 Overall it is considered that the proposal would preserve the Grade II* Listed Building, in line with all relevant policy guidance and the views of all specialist consultees.

**Contribution to Eton Conservation Area and High Street**

6.13 Local Plan Policy CA2 advises that within a Conservation Area development ought to preserve or enhance the character or appearance of the area, and to protect any views that contribute to the distinctive character of the Conservation Area. Furthermore, Policy CA2 requires extensions or alterations to existing buildings to be of a high design standard that is sympathetic in terms of its siting, proportion, scale, form, height, materials and detailing to adjacent buildings and the character of the area in general.

6.14 NPPF paragraph 126 advices that new development should make a positive contribution to local character and at paragraph 137 that opportunities for new development should be sought in Conservation Areas that enhance or better reveal the significance of the Conservation Area. Policy HE1 of the emerging borough local plan places similar emphasis on preserving and enhancing the historic environment in a way which is appropriate to its significance.

6.15 Specific to Eton, Policy HD3 of the emerging neighbourhood plan states that 'In the Conservation Area, or well-established areas sensitive to change, the design of new development should match details such as storey heights, window design, window styles/heights, and groundwork and paving, where these contribute to historic distinctiveness and identity'. Policy BL2 advises that within Eton High Street 'the provision of any new or additional retail floor space on Eton High Street will be supported provided that it complements and enhances the retail function of the centre, and does not result in the reduction of heritage building features on the High Street. The policy also states that 'Applications for change of use from retail to residential uses on the ground floor will not be supported on Eton High Street'.

6.16 The restoration of the listed building will undoubtedly enhance the character of the conservation area, as the building is of historic significance and will add to the wide range of historic buildings that make up the high street. Furthermore the building has been in a state of disrepair for some years, its renewal would enhance the Conservation Area's appearance.

6. 17 The design of the new houses is clearly contemporary, and would provide a clear contrast between the old and new buildings at the site. Whist they would differ from the styles of surrounding buildings, their designs are of high quality and it is considered that they would enhance the appearance of the Conservation Area by providing appropriately scaled buildings that are "of their time".

6.18 The proposal would lead to the loss of 1x ground floor retail unit, when compared with the previously approved scheme. This loss would cause some harm to the Conservation Area and the vitality of Eton High Street as a shopping area. However 1 unit would remain, and would be significantly enlarged to compensate for the loss of the other unit. In addition to this, a retail study compiled by Kempton Carr Croft Property Consultants suggests that due to the very limited size of the retail units, their siting within a 2* Listed Building, and their location amongst residential properties, the units would be unlikely to find a tenants in the near future. The proposed retail

units have been marketed and have received little interest, especially as less restricted and more useable properties are located in the high street. They conclude that as a single larger unit, the unit is more likely to find a tenant as there would be more useable space, which could also attract longer leaseholders. Also the proposal would bring forward the significant public benefit to this extremely significant Heritage asset by its repair and return to its original two half Wealden design, these works would outweigh any harm caused to the conservation area; in line with paragraph 136 of the NPPF.

6.19 For these reasons the proposal is also considered to safeguard the vitality of the High Street, as well as preserve and enhance the Eton Conservation Area.

**Impact on Flooding and Flood Risk**

6.20 The proposal is sited in within Flood Zone 2 and 3A where there is high risk of flooding. Generally Local Plan policy F1 allows an increase of 30sqm in footprint per site located in the floodplain. The development would exceed 30m2, contrary to Policy F1. Notwithstanding this, The NPPF requires the following tests be applied for new development in high risk flood areas.

Sequential Test

6.21 Paragraph 101 of the NPPF aims to steer new development to areas with a lower probability of flooding through a Sequential Test.

Exceptions Text

6.22 Paragraph 102 of the NPPF states that if it is not possible for the development to be located in zones with a lower probability of flooding, the Exception Test should be applied if appropriate. Table 2 of the NPPG classifies new dwelling houses as 'More vulnerable development'. Table 3 of the NPPG indicates that more vulnerable development in Flood Zone 3A requires the Exceptions Test.

6.23 For the Exception Test to be passed,

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared.
- a site-specific flood risk assessment must 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.

Both elements of the test will have to be passed for development to be permitted.

6.24 Paragraph 103 requires that 'When determining planning applications, local planning authorities should ensure 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, and if required the Exception Test, it can be demonstrated that:

● within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; 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 by emergency planning; and it gives priority to the use of sustainable drainage systems.

6.25 The applicants have suggested that due to the configuration of the site, it is not possible to raise the floor levels, and therefore floor levels will remain as existing which is below the 1 in 100 Flood water level with a 35% allowance for climate change. As such, the proposal would be contrary to paragraph 30 of the Planning Practice Guidance and to the National Planning Policy Framework (NPPF). The Environment Agency have objected to the proposal on this basis. Furthermore the

submitted documents show no consideration of alternate, appropriately sized, sites which are at lower risk of flooding and therefore the proposal would fail the sequential test.

6.26 Notwithstanding the above, an extant scheme comprising residential and retail units, exists at the site and therefore the choice of site is considered to be acceptable despite the flooding concerns raised by the EA. Additionally the development has been designed to be flood resilient by locating all sleeping accommodation on the first floor and above. A flood evacuation plan has also be submitted which demonstrates an escape route in the event of the flood. Although the route is not entirely 'very low hazard' the same route has been approved on the previous scheme. Furthermore the measures set out in the updated FEP state that 'Future residential and retail tenants at 47-49 Eton High Street will be required to sign up to the EA's Flood Warning service as part of their lease/purchase agreement', ensuring that new residents will be aware of the egress route and flood warning service, ultimately reducing those at risk.

6.27 Overall it is considered that good measures are in place to reduce flood risk to the new residents and notwithstanding those measures due to the many community benefits arising from the site (restoration of the heritage asset and provision of public open space), and the fact that an extant scheme exists at the site permitting residential and retail units; the community benefits of the scheme are considered to outweigh any flooding concerns.

**Overall design and layout**

6.28 The proposed layout would provide a clear separation between the listed buildings and the two new houses. As noted above, the design of the new houses is contemporary and would provide a clear contrast between the old and new buildings at the site and within its setting. The new units would differ from the styles of surrounding buildings and their designs are of high quality which would add visual interest to the site and enhance the appearance of the Conservation Area. The maximum ridgeline height of the new houses would be approximately 7.4m, which is about 1.6m higher than the closest of the older buildings and 0.5m higher than the oldest building at the front of the site, with roof forms designed to reduce the overall mass of the building and to be complementary to Eton's varied roofscape. This is comparable to the heights of the closest buildings to the south (which are 7.2m and 7.84m high) and rear / east (7.7m) and a little higher than those to the north (6.6m). As these sit within other higher buildings, it is considered that this scale is acceptable. The overall form of the houses proposed is also considered to be sympathetic to the existing buildings both within and around the site.

**Impacts on the amenities of the neighbouring residents**

6.29 Separation distances from neighbouring properties are sufficient to ensure that there would be no unacceptable overlooking for occupiers of those properties. Conditions have been added to ensure that side elevation first floor windows would be obscure glazed to prevent any unacceptable levels of overlooking or loss of privacy. Any resulting overlooking or loss of privacy caused by the new properties would not be uncommon in this urban retail and commercial area. Overall it is considered that the proposal would have an acceptable impact on neighbouring amenity.

6.30 Conditions have been added to ensure that the buildings are noise insulated and that any future odour omitting appliances are managed with appropriate ventilation.

**Impacts on Wildlife and important trees**

6.31 There are some trees and other vegetation in the rear garden which would be removed, these provide limited opportunities for nesting birds. In order to compensate for any loss of habitats and to enhance biodiversity at the site the applicants will integrate bat boxes into the new buildings to enhance the sites capability of bat habitation, create appropriately sized hedgehog gaps in and between boundary treatments to allow small animals to manoeuvre in and about the site, appropriately place insect stacks within the courtyard greenery. All such details are contained within submitted document 'Biodiversity Mitigation and Enhancements, The Cock Pitt, Eton (4 Acre Ecology Limited, May 2017)' and a condition has been added to ensure that this document is adhered to. The Borough's Ecologist has no objection to the proposed works.

6.32 To the rear of the site a moderate sized fig tree, of low quality (confirmed by the boroughs tree officer and submitted arboriculture report) is to be removed and replaced by a visually enhancing landscaping scheme. The scheme shown on documents CSA/3307/101 Rev A, CSA/3307/102, 10854/04 REV C, 443-C-6101 and 1711-DOC-06-01, would create buffers between the public and private zones in the site's rear courtyard and would complement the listed building and its setting. Appropriate planters, shrubbery and trees would provide a good visual transition between the historic and modern buildings on the site. The Borough's Tree Officer has no objection to any of the proposed works.

6.33 Conditions have been added to ensure that the landscaping and wildlife enhancements are carried out as described in the mentioned documents and plans.

**The adequacy of parking on the site and the impact on highway safety in the area**

6.34 The site has no car parking available on site, and as with the previous application, the Highway Authority accepts zero parking in this instance providing that a legal agreement is entered into to preclude the prospective occupants from obtaining a residential permit.

6.35 There is an opportunity for the provision of cycle stores on site, and this along with refuse and recycling clearance can be provided for by appropriate conditions. The Highways officer has also suggested that a construction management plan be submitted for the proposed works. Those details have been provided in 'Construction Phase Plan/Method Statement, Issue 4, received 08/05/18' and have been conditioned to be complied with.

**Other Considerations**

6.36 The Council has, in considering this planning application, had special regard to the desirability of preserving the listed building and its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.37 The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.38 Archaeological remains maybe at the medieval site; a condition has been added to ensure excavation works take place in the appropriate manner, as required by Berkshire Archaeology.

## 7. SECTION 106 PLANNING OBLIGATION

7.1 A section 106 planning obligation will be required to ensure public access to the "Cock Pitt" and courtyard. The agreement will also ensure that there are appropriate restrictions for parking permits and that the details in the flood evacuation plan are adhered to and appropriately updated.

## 8. Community Infrastructure Levy

8.1 No CIL forms have been submitted with the proposal, however the development is CIL Liable. The Council's calculations suggest that the amount payable is approximately £25,680 (charged at £240 per sqm of internal floor space).

## 9. CONSULTATIONS CARRIED OUT

9.1 No comments have been received from any of the **22** neighbouring properties directly notified or in result of site notices placed on **06/03/18**.

**Comments from interested parties**

**Statutory consultees**

| Consultee | Comment | Where in the report this is considered |
|---|---|---|
| Historic England | Supports the application on heritage grounds and considers that the application meets the requirements of the NPPF, in particular paragraph numbers 17 and 131; for the reasons stated below.<br><br>The Cock Pitt is an unusually complete and high quality example of a pair of medieval houses. What makes it particularly special is that it is a pair of half-Wealdens, a form of construction where a hall that is open to the rafters and a two storey solar block are combined under one roof. Normally this is a rural building type that stands alone. Finding them in an urban context as part of a terrace (they may be the only survivors of an originally longer row) is particularly unusual and interesting. They are therefore highly significant, a fact recognised by their grade II* listing, and need to be treated with care.<br><br>This application differs from the previously consented applications 15/02783/LBC and 15/02786/FUL as it seeks to divide the building into two units vertically rather than horizontally by reinstating the lost party wall between them. This would conserve these buildings in a much better manner than the consented scheme as it would involve less intrusive sound and fireproofing measures and allow the fact that they were built as two separate dwellings to be appreciated and understood. An alternative public access route to the rear has been provided and the additional stair needed can be fitted into a former opening in the floor without harm to the original timber structure. The more extensive rebuilding works proposed for the rear wings are to our mind justified by the poor condition and limited significance of these buildings.<br><br>There is a tension between the conservation of the early fabric of this particular building, which would be best served by residential use, and the conservation of the character of the conservation area in which it sits, which is to a great extent enhanced by its historic role as a shopping centre with active frontages. The conversion of part of the ground floor of the front wing into residential use would harm this aspect of the character of the conservation area, reducing the liveliness and animation of this part of the High Street. We also understand the need for this restoration project to be commercially viable and that the applicants do not want to reduce the amount of residential units when compared to the consented scheme. The proposal to keep one of the units in the front wing in commercial use and the other as a residence seems a reasonable way of limiting the impact on the conservation area while ensuring that a more sympathetic way of dividing the property is achieved. | 6.2-6.12 |
| Eton Town Clerk | Members expressed their concerns that the front of this development onto the High Street needs to be retail, in line with other businesses in the High Street. | 6.18 |
| Environmental Agency | Object to the scheme on grounds of the proposed floor levels being below the 1:100 flood risk level, with a climate change | 6.25 – 6.27 |

| | | |
|---|---|---|
| | allowance. | |

**Other consultees and organisations**

| Consultee | Comment | Where in the report this is considered |
|---|---|---|
| Conservation Officer | Supports the application; subject to conditions and informatives. (The relevant conditions have been added to the accompanying LBC application – 18/00363) | 6.2-6.12 |
| Access and advisory Forum | Support the application, as the new side access would allow for level access to the rear public courtyard. Which would benefit both the public and residents with disabilities. | |
| Environmental Protection | No objection subject to conditions relating to noise and air pollution. | 6.29 - 6.30 |
| Berkshire Archaeology | No objection, subject to a condition which would ensure that 'No development takes place until the applicant has secured the Implementation of a programme of archaeological works, which may comprise more than one phase of work, in accordance with a written scheme of investigation' | 6.38 |
| Highways Department | No objection subject to a condition requiring a construction management plan and informatives. | 6.35 |

## 10. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing, previously approved and proposed plans.

Documents associated with the application can be viewed at http://www.rbwm.gov.uk/pam/search.jsp by entering the application number shown at the top of this report without the suffix letters.

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

In this case the issues have been successfully resolved.

## 11. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

2 No development shall take place until details of measures to provide acoustic insulation for the containment of internally generated noise and associated ventilation measures from A1/A2/A3 Class have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried out and completed before the use commences and shall be retained maintained in good working order at all times.

Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.

3 In the event that Unit 6 includes a commercial cooking area. Prior to the installation of the cooking area, details of the ventilation and filtration/odour control equipment to be installed, shall be submitted to and approved in writing by the Local Planning Authority. Such equipment shall thereafter be installed and retained as approved and shall be maintained in good working order at all times.
Reason: To protect the amenities of the area. Relevant Policy Local Plan NAP3.

4 The rating level of the noise emitted from any new plant and equipment shall be lower than the existing background level (to be measured over the period of operation of the proposed plant and equipment and over a minimum reference time interval of 1 hour in the daytime and 15 minutes at night) by at least 5dB(A). The noise levels shall be determined 1m from the nearest noise-sensitive premises. The measurement and assessment shall be made in accordance with BS 4142: 2014.
Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.

5 No development shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, which may comprise more than one phase of work, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority
Reason: The site lies within an area of archaeological potential, specifically within the historic core of the medieval settlement of Eton. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance

6 All hard and soft landscape works shall be carried out in accordance with the details shown on plans CSA/3307/101 Rev A, CSA/3307/102, 10854/04 REV C, 443-C-6101 and 1711-DOC-06-01. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme agreed in writing by the Local Planning Authority, and retained thereafter in accordance with the approved details.
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1.

7 The submitted Construction management plan reference 'Construction Phase Plan/Method Statement, Issue 4, received 08/05/18' shall be implemented as approved and adhered to for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

8 All biodiveristy mitigation and enhancement works shall be carried out in accordance with the details shown in document "Biodiversity Mitigation and Enhancements, The Cock Pitt, Eton (4 Acre Ecology Limited, May 2017)' . The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme agreed in writing by the Local Planning Authority, and retained thereafter in accordance with the approved details.
Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity. Relevant Policies - Local Plan DG1.

9 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

10 No part of the development shall be occupied until a refuse bin storage area and recycling 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 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.

11 Irrespective of the provisions of Classes A and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwellinghouse the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: In order to ensure that any further development at the site takes into account the Conservation Area location and proximity to listed buildings, and the site's floodable location. Relevant Policy - Local Plan CA2, LB2 and F1.

12 No further windows or rooflights shall be inserted into the approved new dwellings without written approval having first been obtained from the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers, and to ensure that the design of new windows is compatible with the Conservation Area location and proximity to listed buildings. Relevant Policies - Local Plan H11, CA2 and LB2.

13 The windows serving bathrooms and WCs in the new dwellings shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass. These window shall not then be altered without written approval having first been obtained from the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policy - Local Plan H11.

14 The development shall be completed in accordance with the details set out in 'Flood Risk Assessment,, Versant Developments, project no.17062, received 26/04/18'.
Reason: To ensure that residents are protected from the risk of flooding at the site. Relevant Policy - Local Plan F1.

15 The development shall be carried out in accordance with the measures detailed in documents 'Good accessibility and adaptability statement' and plans 1711-DOC-07-01,1711-DOC-07-02, received 09/05/18 and those measures shall be maintained thereafter.
Reason:: To ensure that the development is suitable for future occupiers, and to comply with the Requirements of the Planning for an Ageing Population SPD.

16 The development shall be carried out in accordance with the Sustainability measures detailed in '47 -49 Eton High Street, Discharge of Conditions Sustainability Statement' received 09/05/18 and those measures shall be retained and maintained thereafter.
Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

**WINDSOR URBAN DEVELOPMENT CONTROL PANEL**

23 May 2018 **Item:** 2

| | |
|---|---|
| **Application No.:** | 18/00363/LBC |
| **Location:** | 47 - 49 High Street Eton Windsor SL4 6BL |
| **Proposal:** | Consent to Convert and extend buildings including the vertical sub-division of main building fronting High Street into half Wealden's. Internal and external alterations to provide 1x Class A1/A2/A3 unit and 5 x Class C3 units with associated access, landscaping, public space and demolition works. Amendments to applications 15/02786/FULL and 15/02783/LBC. |
| **Applicant:** | |
| **Agent:** | Miss Jill McGregor |
| **Parish/Ward:** | Eton Town Council/Eton With Windsor Castle Ward |

**If you have a question about this report, please contact:** Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk

## 1. SUMMARY

1.1 The proposal seeks to repair and alter the listed building, as well as reinstate a commercial unit (use class A1, A2 or A3), and three dwellings within its walls. Two new dwellings would be created within the site's rear courtyard, as would a new semi-public amenity space. The entire building and its curtilage require significant restoration, the costs of which are to be funded by the provision of the additional residential accommodation. Alterations to the internal configuration of the building seek to work within and towards its historic layout. The commercial unit would occupy the buildings northern bay at both ground and first floor, the other bay would be entirely residential.

1.2 Overall it is considered that the proposal would result in less that substantial harm to the listed building, however the resulting harm would be outweighed by securing the buildings longevity and optimum viable use, which is a public benefit. Additionally public access to the Cock Pitt, the provision of a semi-public space within the buildings rear courtyard, and reinstating the buildings original vertical split plan form all weigh in favour of the proposal.

1.1 For the reasons mentioned above the proposal is considered to be in compliance with all relevant material planning considerations and we recommend that listed building consent be granted for the application.

**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 LISTED BUILDING, SITE AND ITS SURROUNDINGS

3.1 47-49 High Street, is a Grade II* Listed Building on Eton High Street. The building itself is made up of two Medieval half Wealden buildings and is also known as the 'Cock Pitt'. The buildings (now building) are believed to have been constructed in the Mid-15th Century. The building is a black and white timber framed building with later red brick additions shown on the rear elevation. There are four good quality timber shopfronts on the ground floor with three separate timber doors into the building from the High Street. The first floor is jettied and there are several different styles of casement timber windows on the front façade. The roof is red clay tiled and pitched, with an initial double gable topped by a third, higher gable end set back slightly on the northern

elevation. A small courtyard also exists to the rear of the site which is in a state of disrepair, like the building.

3.2 Over the years the building has had a variety of uses. These include an Inn, ironmonger, a butcher and a tallow chandler, however its most recent use was as a restaurant. Planning permission was recently granted for the building to be part residential and part shops.

3.3 Sited within Eton's Historic high street, the building is surrounded by important non-listed and Grade II Listed Buildings. With the exception of a few entirely residential buildings, the surrounding properties are predominantly shops at ground floor, with residential above. The northern end of the high street comprises buildings which make up Eton College.

3.4 The site is entirely located within Eton Conservation Area.

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

4.1 The application seeks listed building consent for the conversion and extension of the Medieval Wealden building which makes up 47-49 High Street, Eton. The bays which make up the front elevation of the building would be vertically subdivided to internally recreate the original two half Wealden's. The works would also include internal and external alterations to the building to provide 3x residential (C3) units, 1x A1/A2/A3 units. 2x additional residential (C3) units would be built within the rear courtyard of the site (with associated access and landscaping) and semi-public amenity space would also be provided. Minor demolition works would also take place to later additions at the rear of the building. The resulting development would result in the provision of 5x C3 units and 1 large Class A unit.

4.2 In recent years, the following listed building applications have been determined at the site:

| Ref. | Description | Decision and Date |
|---|---|---|
| 03/83524/LBC | Consent to carry out various internal and external works incorporating decorating, replastering, rendering externally to rear, new external fire escape (03/83523) | Permitted, 08.07.2003 |
| 05/01134/LBC | Consent to construct a two-storey rear extension and reposition external staircase | Refused, 30.06.2005 |
| 05/01965/LBC | Consent to construct a two storey rear extension and re-position external staircase | Permitted, 05.10.2005 |
| 15/02783/LBC | Conversion and extension to form 2 commercial units at ground floor and formation of 5 residential units. Internal & external changes to building and associated landscaping, public space and demolition works | Permitted, 12.02.2016 |

4.3 In 2015 listed building consent was granted for a very similar scheme at the site (15/02783). The implementation of that scheme has begun, and the scheme has been referenced throughout the report as it forms a fall-back position for the applicant and is a significant material consideration.

4.4 During the process of the application amended plans were submitted, those plans have been referred to throughout the report as 'the proposed plans' and are recommended for approval.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

**Royal Borough Local Plan**

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

| | Conservation Area | Listed Building |
|---|---|---|
| Local Plan | CA2 | LB2, LB3 |

These policies can be found at:
https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

5.2 **Borough Local Plan: Submission Version**

| Issue | Local Plan Policy |
|---|---|
| Preserving and Enhancing the Historic Environment | HE1 |

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

**Other Local Strategies or Publications**

5.3 Other Strategies or publications relevant to the proposal are:

- Conservation Area appraisal – view at https://www3.rbwm.gov.uk/info/200207/conservation_and_regeneration/666/conservation_areas_and_listed_buildings

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- ***Impact of the proposal upon the significance of the Grade II* Listed Building***

Relevant policy considerations

6.2 Local Plan Policy LB2 advises that in determining planning applications special regard should be given to the preservation of Listed Buildings and their settings. Where proposals include the alteration or extension of a Listed Building, they should only be granted where the works would not adversely affect the character of the building internally and externally.

6.3 Local Plan Policy CA2 advises that within a Conservation Area development ought to preserve or enhance the character or appearance of the area, and to protect any views that contribute to the distinctive character of the Conservation Area. Furthermore, Policy CA2 requires extensions or alterations to existing buildings to be of a high design standard that is sympathetic in terms of its siting, proportion, scale, form, height, materials and detailing to adjacent buildings and the character of the area in general.

6.4 Furthermore Section 12, of the National Planning Policy Framework seeks to preserve and enhance Heritage assets and conservation areas. Paragraph 132 of the National Planning Policy Framework (NPPF) states 'In determining planning applications, local planning authorities should consider the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Authorities are also advised to allow for new development which would make a positive contribution to local character and distinctiveness and enhance the character and settings of heritage assets. Paragraph 134 of the NPPF advises that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 136 states that 'Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies'.

6.5 Borough Submission Plan Policy HE1 places similar emphasis on conserving and enhancing the significance and functions of heritage assets, as well as their settings, in an appropriate manner.

Significance of the Heritage Asset

6.6 The building is grade II* Listed. Until recently it was also on Historic England's 'Heritage at Risk Register'; both factors add greatly to its significance, especially as it assumed that it was removed from the mentioned risk register only after planning permission was granted to begin its restoration in 2015; works which have not yet been completed.

6.7 The site occupies a very prominent position in Eton High Street, its predominantly timber framed façade contrasts greatly with the many brick buildings that surround it, adding to its value and prominence in the High Street. Research into the history of the building has revealed its original construction as two half Wealden houses, which is very unusual in an urban setting such as this and therefore increases the significance of the building considerably. The building is also highly significant due to the completeness and quality of its medieval timber-frame.

6.8 During the implementation of the scheme granted in 2015, the building has had to undergo significant interventions in order to stabilise it and its medieval timber frame, which has involved the careful removal of historic lath and plaster. Therefore the remaining historic fabric of this building is of great significance.

The proposal and its impact on the significance of the Listed Building

6.9 This proposal differs from the previously approved scheme in that it comprises one large Class A unit as opposed to two separate, smaller Class A units. The previous permission also included the horizontal split of the 2* listed buildings bays, resulting in commercial at ground floor and residential at first floor. This scheme would include a vertical split of the bays with one side being retail (unit 6) and the other being residential (Unit 5). Research into the history of the site has shown that the building was originally vertically split into two half Wealden medieval houses, therefore this scheme would bring the building closer to its original form. The previously proposed horizontal split of the building would require extensive works to the ground floor ceilings of the building to install noise insulation, wiring and services to facilitate its mixed use. Such works would lead to more alterations and ultimately more harm, to an already significantly altered listed building. For these reasons the vertical split of the building in the manner proposed under this application is supported by both Historic England and the borough's Conservation Officer.

6.10 Internally, the building has already undergone significant alterations as the 2015 scheme has been partially implemented. This application differs in that a longer section of the partition wall between unit 5 and 6 is to be replaced. A new wall is to be added between unit 6 and unit 1 to create a new side access to the rear public space. The side access would remove the need for the public to enter the court yard via the building, reducing the likelihood of wear and tear. Historic England, have raised no objection to this change and the Borough's Conservation Officer is in support of it. Throughout the ground floor other internal walls are to be added to support the building's original timber frame and secure safe usage of the first floor. Additionally, several doors are to be replaced within units 1, 4, 5 and 6 and a chimney is to be trimmed back in unit 1. At first

floor, a new partition wall is to be added between Unit 6 and 1, and new walls are to be added within all of the units which make up the listed building in the aim of stabilising the building's roof and providing better usage of the first floor spaces. A staircase is also to be reinstated in Unit 6 and in unit 4 an existing stair case is to be completely replaced.

6.11 Externally, numerous doors and windows are to be replaced at both ground and first floor. All elevations of the building are to undergo repair and restoration works, however the pattern of the timber beaming facing onto Eton high street is to be slightly altered to reinstate the original timber bracing. External walls of unit 6 and 1 are to be replaced as they are unstable, some boundary walls surrounding the site are also to be replaced. A set of storage cupboards is to be added within the rear courtyard and like the previous scheme, this proposal includes public access into the buildings courtyard space and the 'Cock Pitt'. The courtyard would be appropriately landscaped (hard and soft) and would provide external seating space for the commercial unit, as well as the public. A permanent installation within the Cock Pitt is also intended, which would exhibit the history of the area and of the "Cock Pitt" itself.

6.12 The replacements, alterations and installations outlined above are considered to cause less than substantial harm to the listed building, as the works would lead to minor changes to the façade of the building and would also alter its internal configuration. However the harm identified would be outweighed by ensuring the longevity of the II* Listed Building and securing its optimum viable use, which is in itself a public benefit. Additionally public access to the Cock Pitt, the provision of a semi-public space within the buildings rear courtyard, reinstating the building's vertical split form and all weigh in favour of the proposal.

6.13 Overall it is considered that the proposal would preserve the special interest of the Grade II* Listed Building, in line with all relevant policy guidance and the views of all specialist consultees.

Other Considerations

6.14 The Council has, in considering this planning application, had special regard to the desirability of preserving the listed building and its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 7. CONSULTATIONS CARRIED OUT

**Comments from interested parties**

**Statutory consultees**

| Consultee | Comment | Where in the report this is considered |
|---|---|---|
| Historic England | The Cock Pitt is an unusually complete and high quality example of a pair of medieval houses. What makes it particularly special is that it is a pair of half-Wealdens, a form of construction where a hall that is open to the rafters and a two storey solar block are combined under one roof. Normally this is a rural building type that stands alone. Finding them in an urban context as part of a terrace (they may be the only survivors of an originally longer row) is particularly unusual and interesting. They are therefore highly significant, a fact recognised by their grade II* listing, and need to be treated with care.<br><br>This application differs from the previously consented applications 15/02783/LBC and 15/02786/FUL as it seeks to divide the building into two units vertically rather than horizontally by reinstating the lost party wall between them. | |

| | | |
|---|---|---|
| | This would conserve these buildings in a much better manner than the consented scheme as it would involve less intrusive sound and fireproofing measures and allow the fact that they were built as two separate dwellings to be appreciated and understood. An alternative public access route to the rear has been provided and the additional stair needed can be fitted into a former opening in the floor without harm to the original timber structure. The more extensive rebuilding works proposed for the rear wings are to our mind justified by the poor condition and limited significance of these buildings.<br><br>There is a tension between the conservation of the early fabric of this particular building, which would be best served by residential use, and the conservation of the character of the conservation area in which it sits, which is to a great extent enhanced by its historic role as a shopping centre with active frontages. The conversion of part of the ground floor of the front wing into residential use would harm this aspect of the character of the conservation area, reducing the liveliness and animation of this part of the High Street. We also understand the need for this restoration project to be commercially viable and that the applicants do not want to reduce the amount of residential units when compared to the consented scheme. The proposal to keep one of the units in the front wing in commercial use and the other as a residence seems a reasonable way of limiting the impact on the conservation area while ensuring that a more sympathetic way of dividing the property is achieved.<br><br>In conclusion:<br>Historic England supports the application on heritage grounds.<br>We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 17 and 131.<br><br>In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.<br><br>Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course. | |

**Other consultees and organisations**

| Consultee | Comment | Where in the report this is considered |
|---|---|---|
| Conservation Officer | Supports the application; subject to conditions. | |

| | | |
|---|---|---|
| Access and advisory Forum | Support the application, as the new side access would allow for level access to the rear public courtyard. Which would benefit both the public and residents with disabilities. | |

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing plans
- Appendix C - Previously approved plans
- Appendix D - Proposed plans

Documents associated with the application can be viewed at http://www.rbwm.gov.uk/pam/search.jsp by entering the application number shown at the top of this report without the suffix letters.

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

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

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1 Prior to the relevant works beginning, details including plans, sections and elevations of all new plumbing, pipes, soil-stacks, flues, vents and ductwork shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To protect and preserve the character and setting of the listed building. Relevant Policies - Local Plan LB2.

2 All new external materials to be used as a part of this permission shall be in exact accordance to those samples provided on site on the 21st November 2017 as a part of approved condition 3 (17/02838/CONDIT). These samples shall remain on site for the durations of the works.
Reason: To protect and preserve the character and setting of the listed building. Relevant Policies - Local Plan LB2.

3 Prior to each new stage of construction and repair, details on internal joinery and methodology of all repairs and alterations to the existing buildings shall be submitted to and approved in writing. The works shall be subsequently undertaken in accordance with the approved details and particulars.
Reason: The nature and extent of intervention is such that the Local Planning Authority must ensure that the works will be carried out in a manner that will not harm the architectural and historic significance of the listed building(s). Relevant policy - Local Plan LB2.

4 Prior to their installation, further details including plans, sections and elevations at a scale of 1:10 of all new or replacement windows and doors to be inserted in the building in accordance with the approved plans shall be submitted to and approved by the Local Planning Authority in writing. Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

5 Prior to the relevant construction, further details including materials schedule and drawings at a scale of 1:20 of all new partition walls shall be submitted to and approved in writing by the Local Authority. Reason: To ensure new walls within the building are appropriate for the listed building Relevant Policies = Local Plan LB2

6 Prior to the installation of the new staircase in unit 6, further drawings at a scale of not less than

1:20 and including elevation, plan and section details shall be submitted to and approved in writing by the Local Planning Authority.
Reason: The submitted drawings are inadequate in these respects and further information is needed in order to protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2."

7 No works shall be undertaken to demolish and rebuild the external wall of unit 1 or unit 4, until a written description of the steps and works to be taken to secure the safety and stability of that part of the building which is to be retained, and further details including sections and a schedule of materials for the replacement wall have been submitted to and approved by the Local Planning Authority in writing. The steps and works approved shall be undertaken to ensure the continuing safety and stability of the building throughout the course of the works hereby approved.
Reason: To protect and preserve the listed building. Relevant Policies - Local Plan LB2.

8 A photographic and written record carried out in accordance with the method statement titled "The Cock Pitt' 47-49 High Street, Eton Method Statement for historic building recording November 2017" shall be combined and one hard copy and one digital copy shall submitted to the Local Authority no later than three months after completion of works in accordance with this permission.
Reason: To ensure that an understanding of the building can be accessed by any interested parties. Relevant Policy - Local Plan LB2.

9 Prior to commencement of relevant works, a method statement for the removal of the existing black paint from internal and external timbers shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the appropriate sympathetic method is used to remove the inappropriate paint on the Listed Building.. Relevant Policies - Local Plan LB2.

10 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.

11 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 Listed Building Consent will be required to install any new grills, security alarms, lighting, security or other cameras or fixtures on the external faces of the building. It will be an offence to undertake this work without first obtaining consent from the Local Planning Authority

2 The entirety of this building is Grade II* listed. It should be noted that the first floor flooring of the building has particular historic significance and therefore loading on this floor should be avoided to prevent any damage to the delicate floor beneath. Any damage resulting from loading could constitute an offence, for which the perpetrator and land owner could be prosecuted.

**Appendix A –** Site Location Plan (18/00362 and 18/00363)

'The Cock Pitt'

47 – 49 High Street , Eton

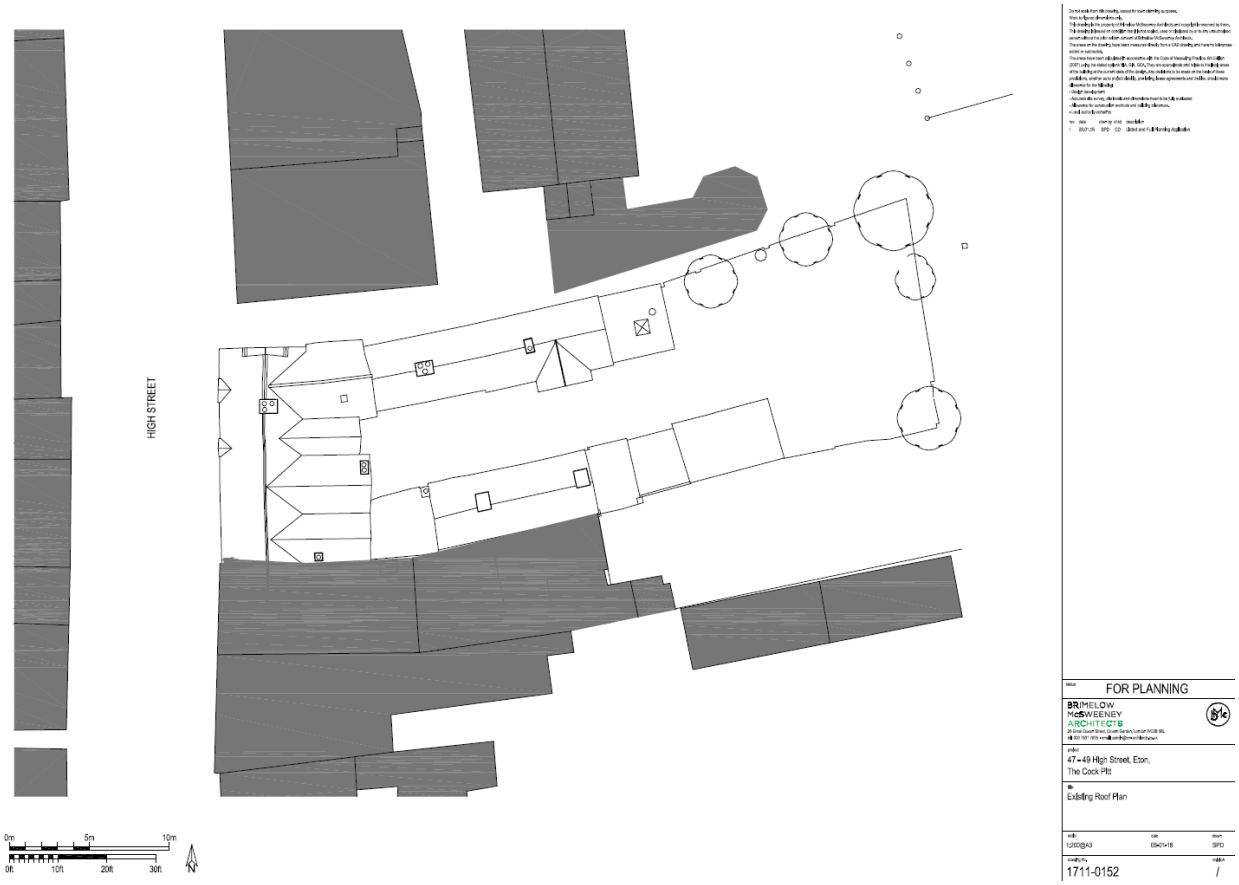
**Appendix** B – Existing Plans

47- 49 High Street, Eton (18/00362 and 18/00363)

Existing Ground Floor Plan

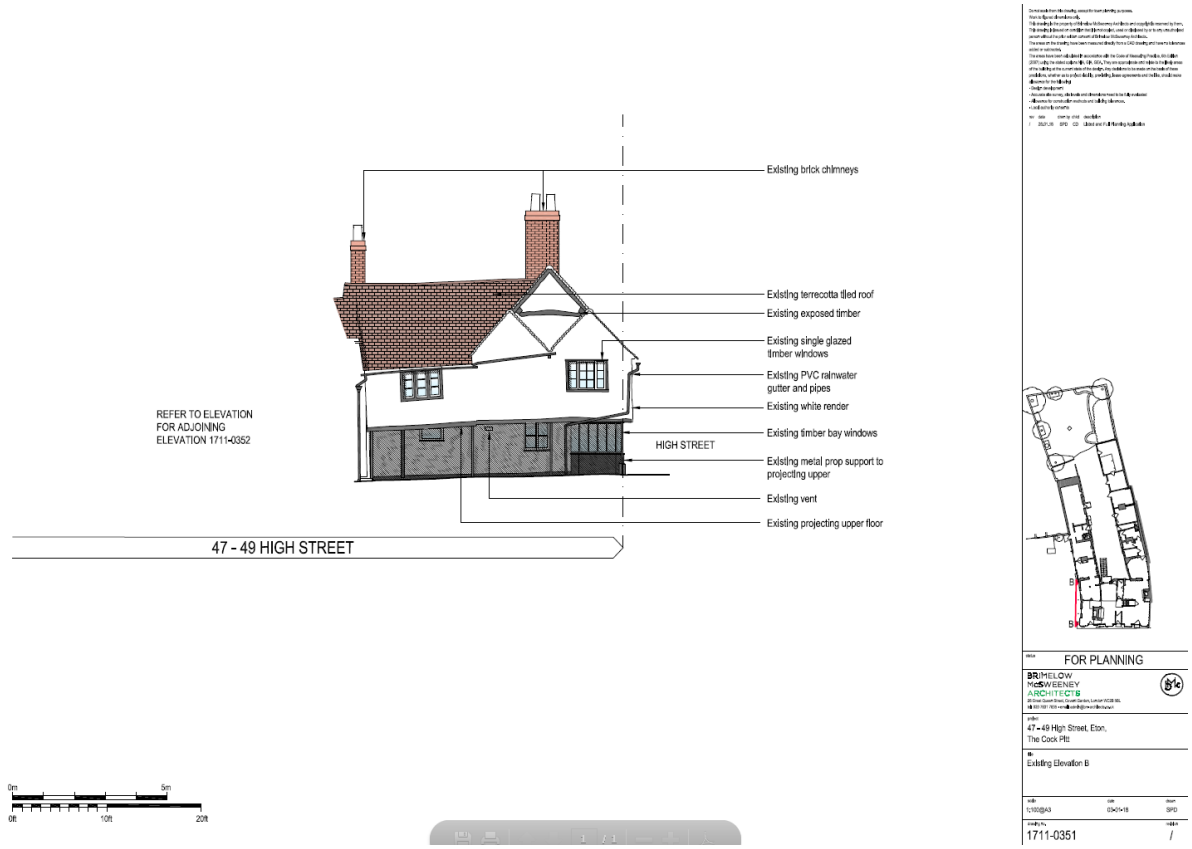
Existing First Floor Plan

Existing Roof Plan

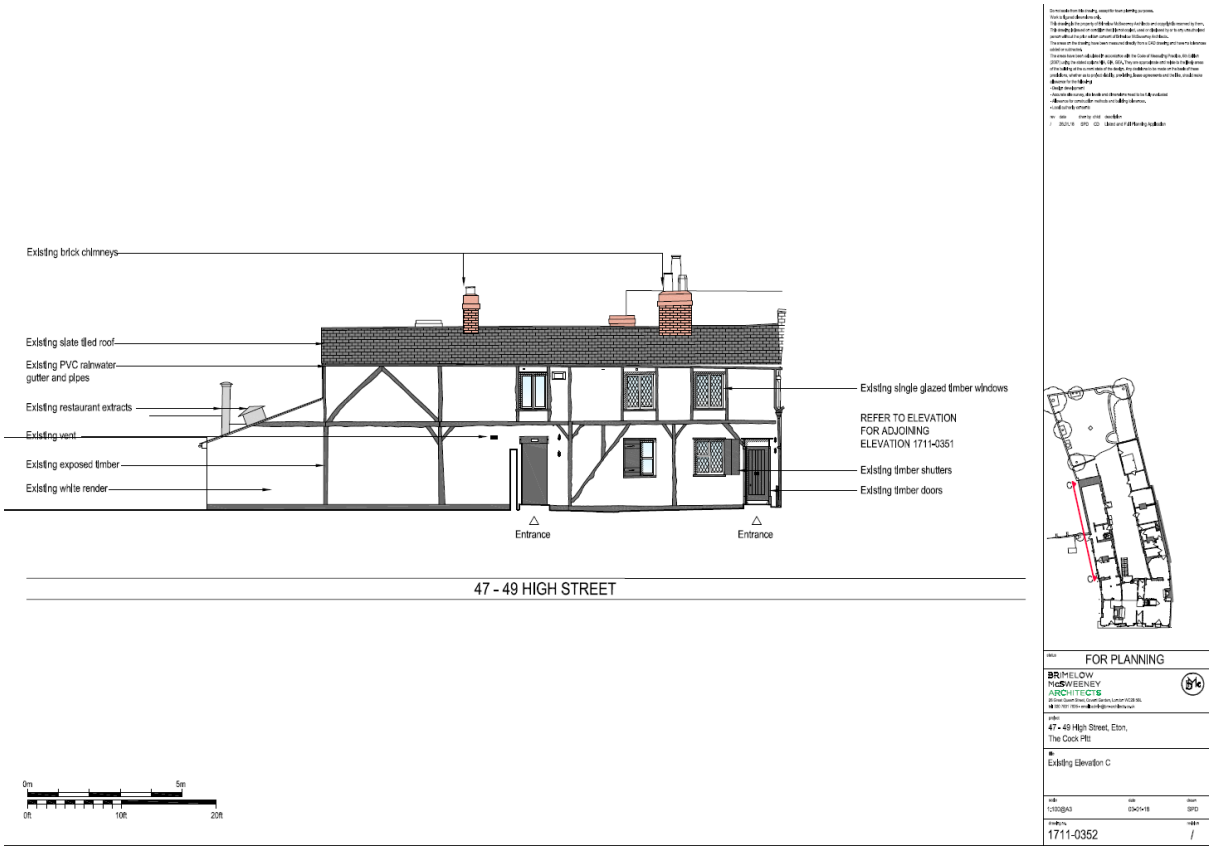



Existing Elevation Plans

*Elevation A*

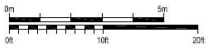


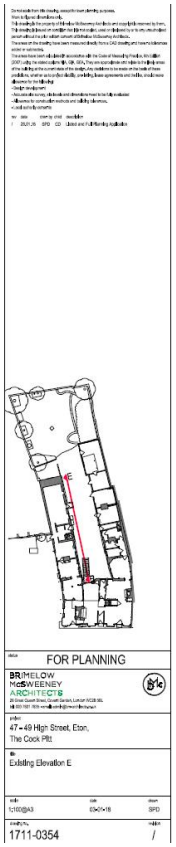

*Elevation B*



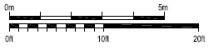

*Elevation C*

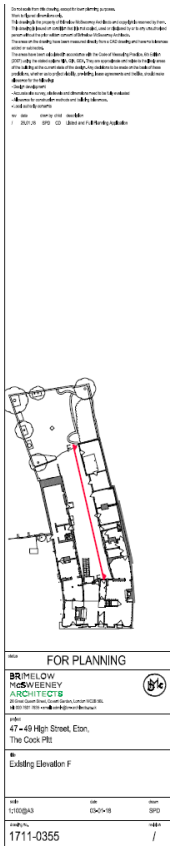
*Elevation D*




*Elevation E*




*Elevation F*

Building as originally constructed in 1446 (two half Wealden buildings)

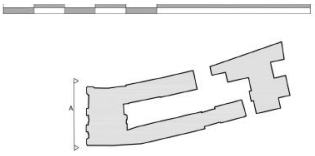
**Appendix C – Extant Permission - Proposed Plans (15/02786 and 15/02783)**

Proposed site plan

Proposed ground floor plan

Proposed First Floor Plan

Proposed Elevations



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**PROJECT**
The Cock Pitt
47 - 49 High Street, Eton

Castle Hill House, 12 Castle Hill,
Windsor, Berkshire, SL4 1PD
E: +44 (0) 1753 829460 F: +44 (0) 1753 831113
www.WillcoxArchitecture.com

**DRAWING TITLE**
Proposed West Elevation (A)

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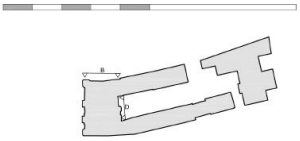

Elevation B

Elevation D

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Proposed North and East Courtyard Elevations (B & D)

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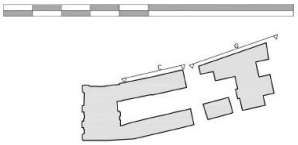

Elevation G

Elevation C

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DRAWING TITLE
Proposed North Elevations (G & C)

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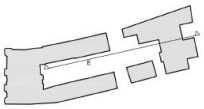

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DRAWING TITLE
Proposed South Courtyard Elevation (E)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
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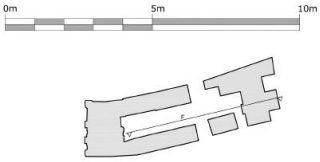

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PROJECT
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DRAWING TITLE
Proposed North Courtyard Elevations (F)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
|---|---|---|---|---|
| 163 | PL | 304 | 00 | 1:100 @ A3 |
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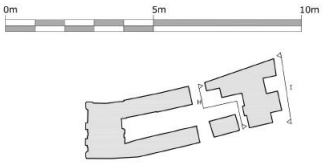

Elevation H

Elevation I

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PROJECT
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DRAWING TITLE
Proposed West Courtyard and East Elevations (H & I)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
|---|---|---|---|---|
| 163 | PL | 305 | 00 | 1:100 @ A3 |
| DATE | DRAWN | CHECKED | STATUS | |
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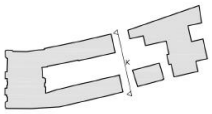

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**PROJECT**
The Cock Pitt
47 - 49 High Street, Eton

**DRAWING TITLE**
Proposed East Courtyard Elevation (K)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
|---|---|---|---|---|
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| DATE | DRAWN | CHECKED | STATUS |
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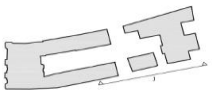

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| REV | DATE | DESCRIPTION | DRAWN |
|---|---|---|---|
| 00 | Jul '15 | Issued for approval | JP |

**CLIENT**
Rainier Developments

**PROJECT**
The Cock Pitt
47 - 49 High Street, Eton

**DRAWING TITLE**
Proposed South Elevation (J)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
|---|---|---|---|---|
| 163 | PL | 306 | 00 | 1:100 @ A3 |

| DATE | DRAWN | CHECKED | STATUS |
|---|---|---|---|
| 21/07/2015 | JP | BW | For Approval |

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t: +44 (0) 1753 829960 f: +44 (0) 1753 831113
www.WMArchitecture.com

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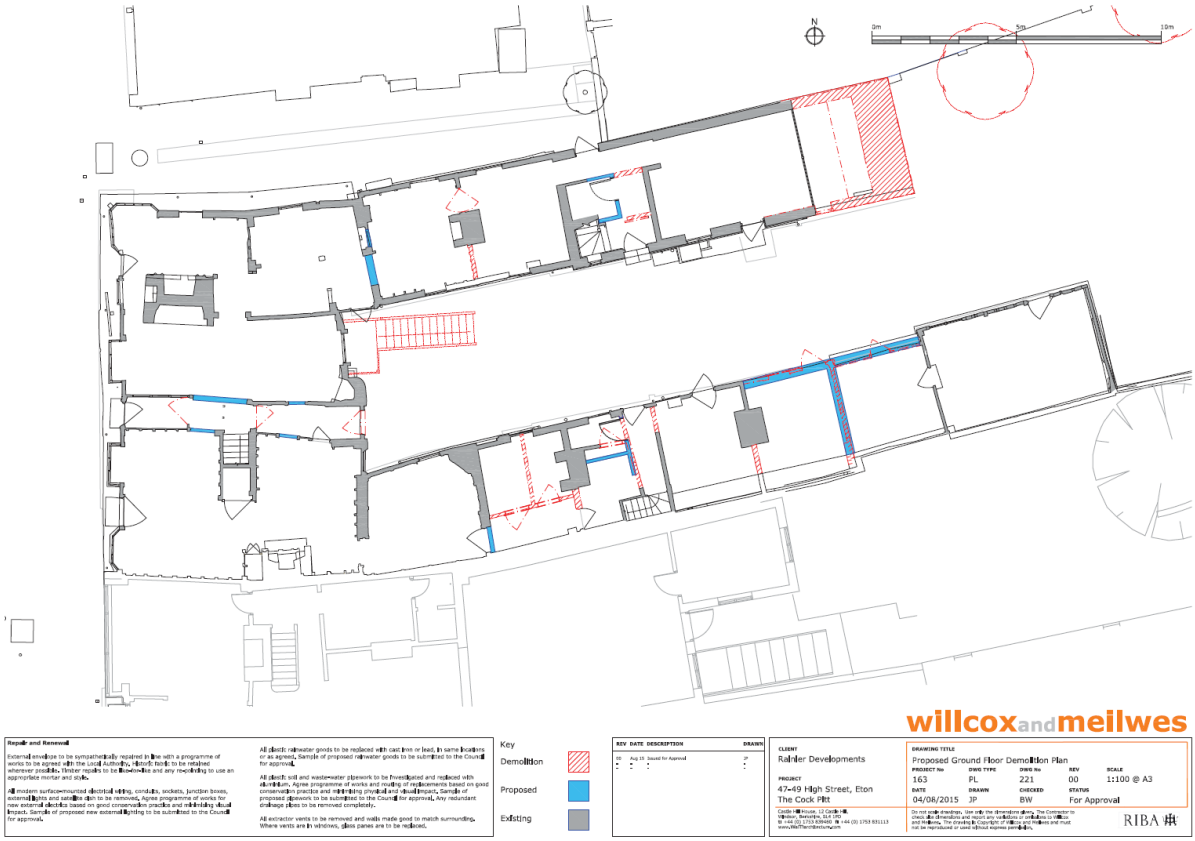
RIBA

Proposed internal alterations and demolition works

Ground Floor



First Floor

**Repair and Renewal**

External envelope to be sympathetically repaired in line with a programme of works to be agreed with the Listed Authority, identified items to be retained wherever possible. Timber repairs to be like-for-like and any re-pointing to use an appropriate mortar and style.

All modern surface-mounted electrical wiring, conduits, sockets, junction boxes, external fixtures and cables then to be removed. Agree programme of works for new external electrics based on good conservation practice and minimising visual impact. Sample of proposed new external lighting to be submitted to the Council for approval.

All plastic rainwater goods to be replaced with cast iron or lead, in same locations or as agreed. Sample of proposed rainwater goods to be submitted to the Council for approval.

All plastic soil and waste-water pipework to be investigated and replaced with alternatives. Agree programme of works and routing of replacements based on good conservation practice and minimising physical and visual impact. Sample of proposed pipework to be submitted to the Council for approval. Any redundant drainage pipes to be removed completely.

All extractor vents to be removed and walls made good to match surrounding. Where vents are in windows, glass panes are to be replaced.

Key

Demolition

Proposed

Existing

| REV | DATE | DESCRIPTION | DRAWN |
|---|---|---|---|
| 00 | Aug 15 | Issued for Approval | JP |
| - | - | - | - |

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PROJECT
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Castle Hill House, 12 Castle Hill,
Windsor, Berkshire, SL4 1PD
T: +44 (0) 1753 828400 F: +44 (0) 1753 831113
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DRAWING TITLE
Proposed First Floor Demolition Plan

| PROJECT No | OWN TYPE | OWN No | REV | SCALE |
|---|---|---|---|---|
| 163 | PL | 222 | 00 | 1:100 @ A3 |
| **DATE** | **DRAWN** | **CHECKED** | **STATUS** | |
| 04/08/2015 | JP | BW | For Approval | |

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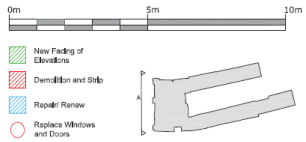
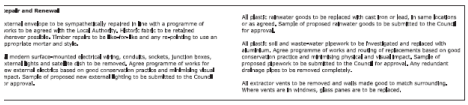
RIBA

## Proposed Repair and renewal elevations

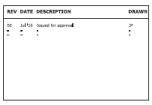


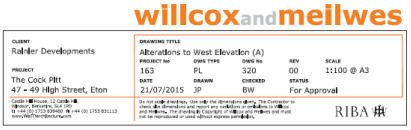


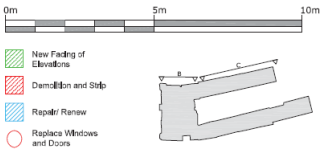
All plastic rainwater goods to be replaced with cast iron or lead, in same locations or as agreed, Sample of proposed rainwater goods to be submitted to the Council for approval.

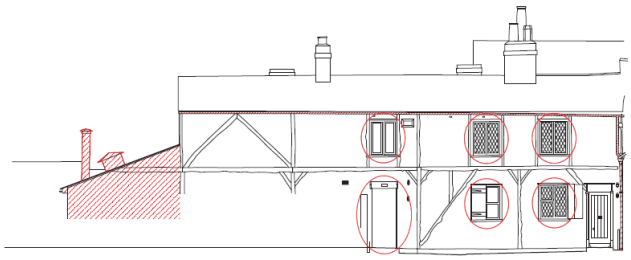
All plastic soil and wastewater pipework to be freestanding and replaced with aluminium. Agree programme of works and routing of replacements based on good conservation practice and minimising physical and visual impact, Sample of proposed pipework to be submitted to the Council for approval, Any redundant drainage pipes to be removed completely.

All extractor vents to be removed and walls made good to match surrounding. Where vents are in windows, glass panes are to be replaced.



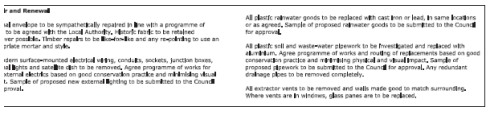



Elevation C

Elevation B



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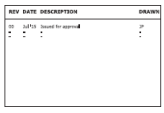
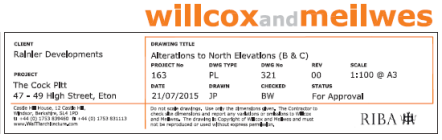
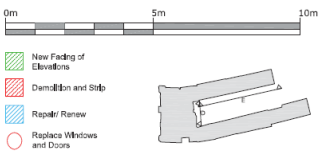
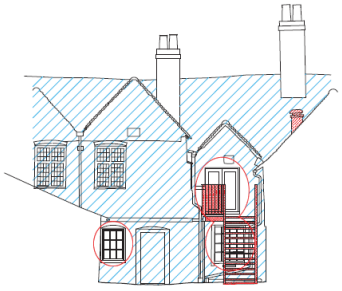
All extractor vents to be removed and walls made good to match surrounding. Where vents are in windows, glass panes are to be replaced.

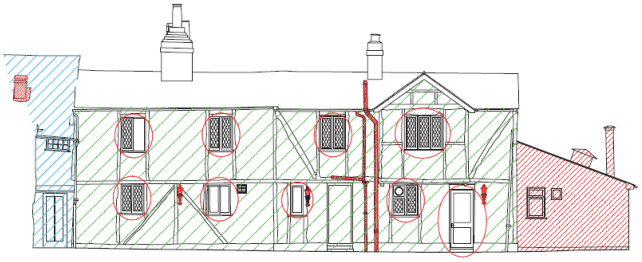




Elevation D



Elevation E

**Repair and Renewal**

External envelope to be sympathetically repaired in line with a programme of works to be agreed with the Local Authority. Historic fabric to be retained wherever possible. Timber repairs to be like-for-like and any re-pointing to use an appropriate mortar and style.

All modern surface-mounted electrical wiring, conduits, sockets, junction boxes, external lights and satellite dish to be removed. Agree programme of works for new external electrics based on good conservation practice and minimising visual impact. Sample of proposed new external lighting to be submitted to the Council for approval.

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All extractor vents to be removed and walls made good to match surrounding. Where vents are in windows, glass panes are to be replaced.

**willcoxandmeilwes**

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|---|---|---|---|
| 00 | 16/7/15 | Issued for approval | JP |
| - | - | - | - |
| - | - | - | - |

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PROJECT
The Cock Pitt
47 - 49 High Street, Eton

Castle Hill House, 12 Castle Hill
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t: +44 (0) 1753 839400 f: +44 (0) 1753 831113
www.WeThinkWindsor.com

DRAWING TITLE
Alterations to East & South Courtyard Elevations (D & E)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
|---|---|---|---|---|
| 163 | PL | 322 | 00 | 1:100 @ A3 |
| **DATE** | **DRAWN** | **CHECKED** | **STATUS** | |
| 21/07/2015 | JP | BW | For Approval | |

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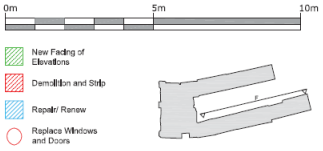


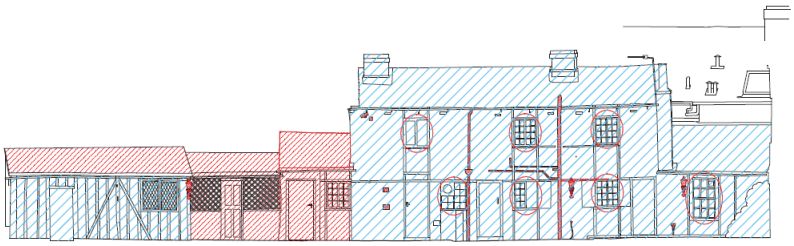

**Repair and Renewal**

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**willcoxandmeilwes**

| REV | DATE | DESCRIPTION | DRAWN |
|---|---|---|---|
| 00 | 16/7/15 | Issued for approval | JP |
| - | - | - | - |
| - | - | - | - |

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PROJECT
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47 - 49 High Street, Eton

Castle Hill House, 12 Castle Hill
Windsor, Berkshire, SL4 1PD
t: +44 (0) 1753 839400 f: +44 (0) 1753 831113
www.WeThinkWindsor.com

DRAWING TITLE
Alterations to North Courtyard Elevation (F)

| PROJECT No | DWG TYPE | DWG No | REV | SCALE |
|---|---|---|---|---|
| 163 | PL | 323 | 00 | 1:100 @ A3 |
| **DATE** | **DRAWN** | **CHECKED** | **STATUS** | |
| 21/07/2015 | JP | BW | For Approval | |

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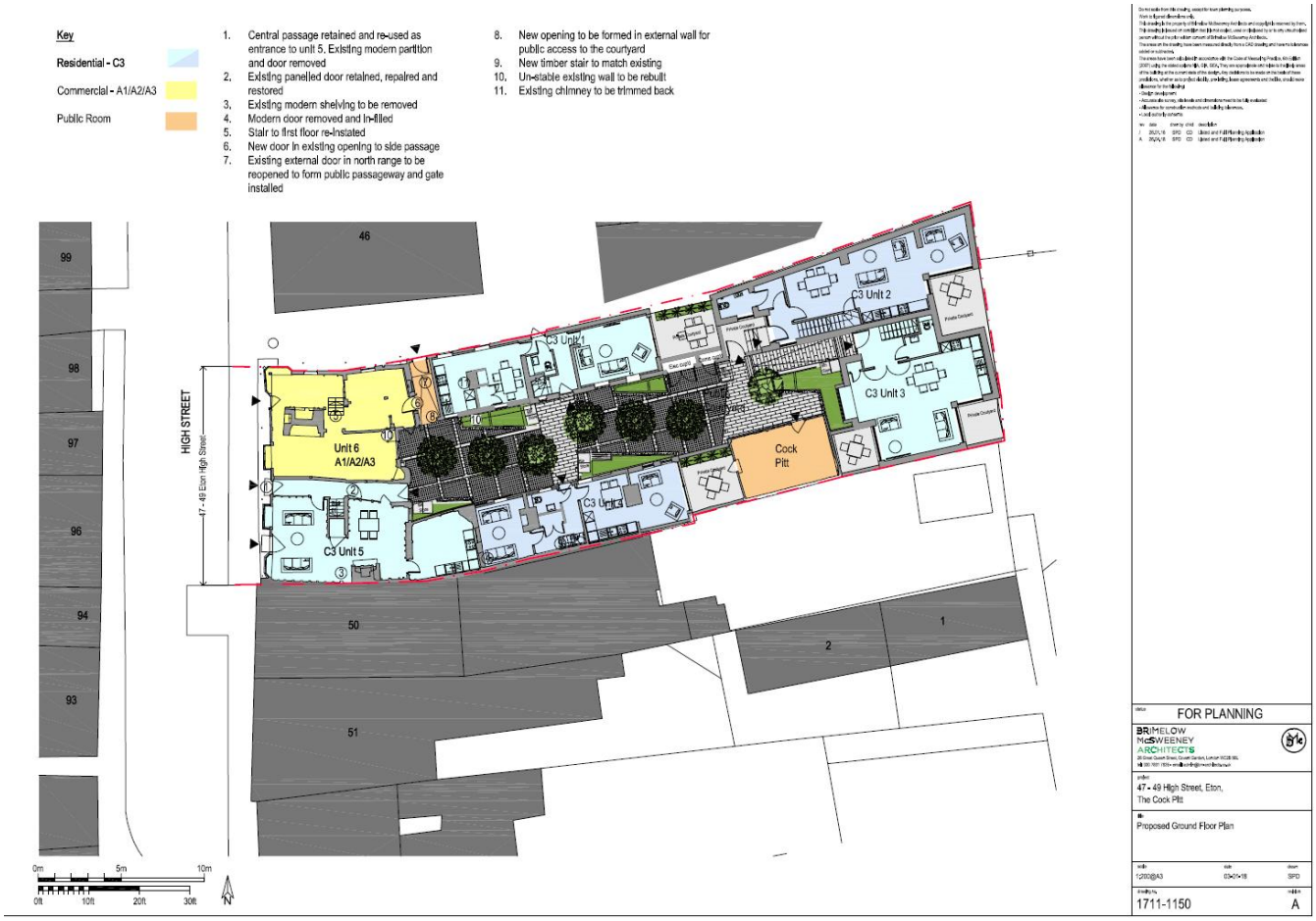
RIBA

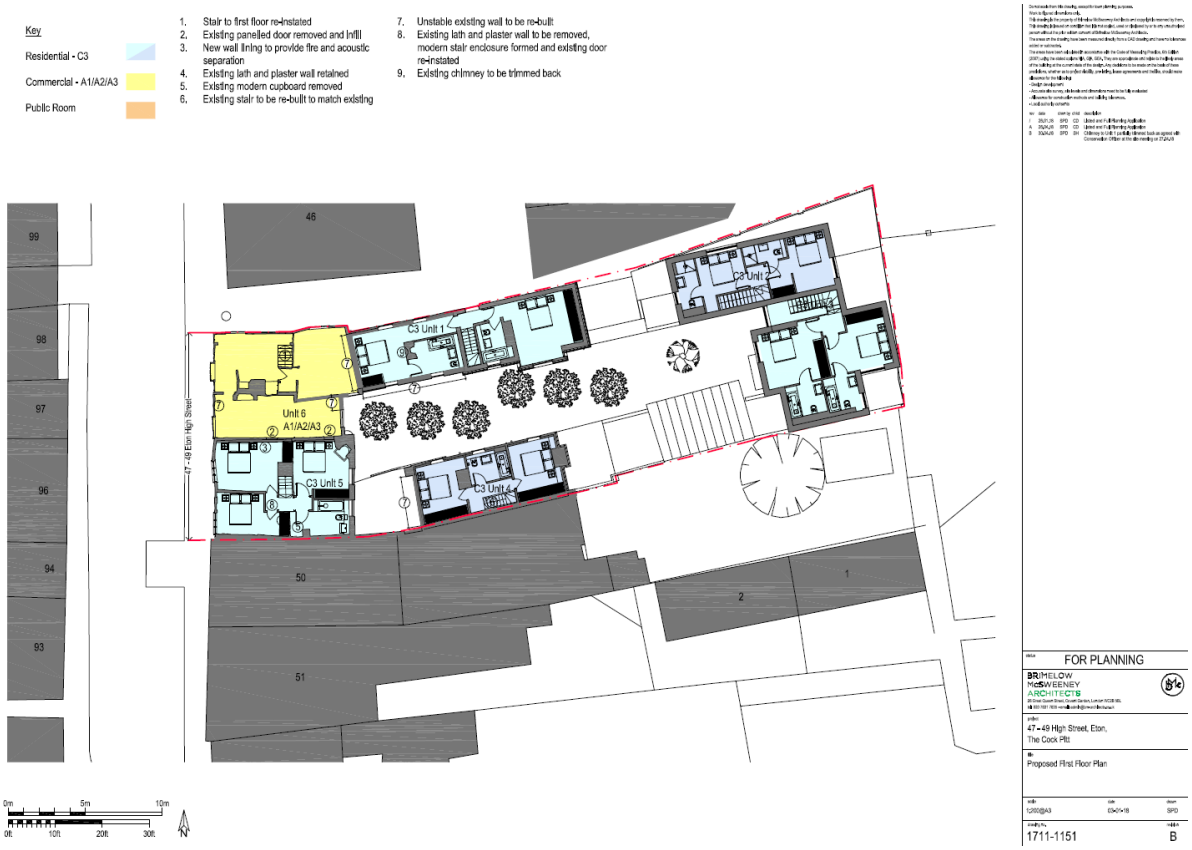
4 / 4

**Appendix D** – Proposed Plans (APP no.18/00362 and APP no.18/00363)

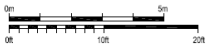
<u>Proposed ground floor plan</u>

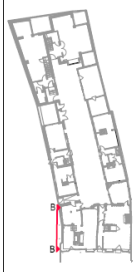


## Proposed first floor plan



## Proposed Elevations




FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS

47 - 49 High Street, Eton,
The Cock Pitt

Proposed Elevation B

| scale | size | drawn |
|---|---|---|
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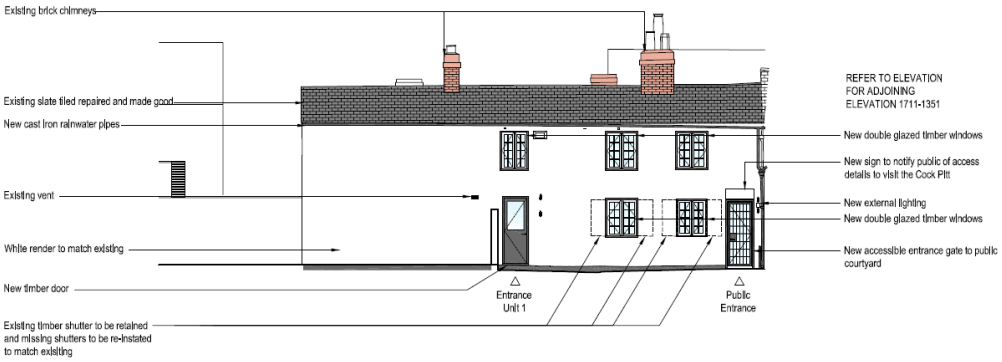
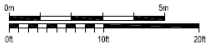
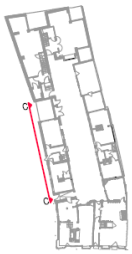
drawing no. 1711-1351 rev. /




FOR PLANNING

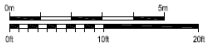
BRIMELOW McSWEENEY ARCHITECTS

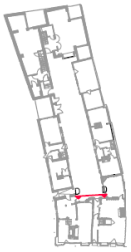
47 - 49 High Street, Eton,
The Cock Pitt

Proposed Elevation C

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 594D1x18 | SPD |

drawing no. 1711-1352 rev. /



FOR PLANNING

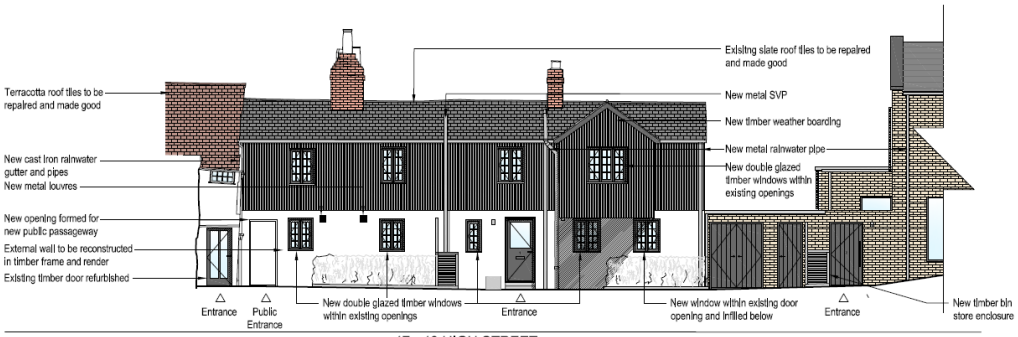
BRIMELOW McSWEENEY ARCHITECTS

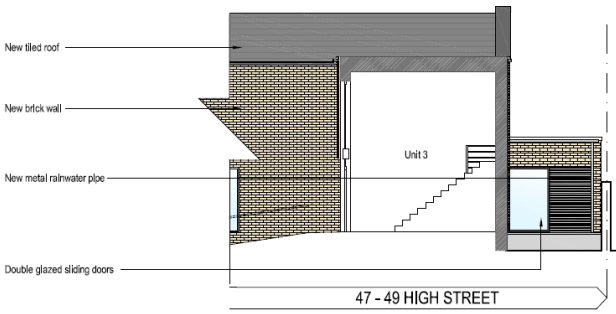
47-49 High Street, Eton,
The Cock Pitt

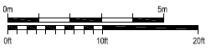
Proposed Elevation D

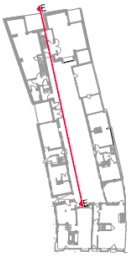
1:100@A3 | 03-01-18 | SPD

1711-1353 | /



FOR PLANNING

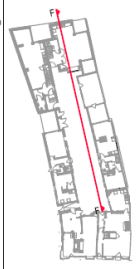
BRIMELOW McSWEENEY ARCHITECTS

47-49 High Street, Eton,
The Cock Pitt

Proposed Elevation E

1:100@A3 | 03-01-18 | SPD

1711-1354 | /



FOR PLANNING

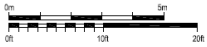
BRIMELOW McSWEENEY ARCHITECTS

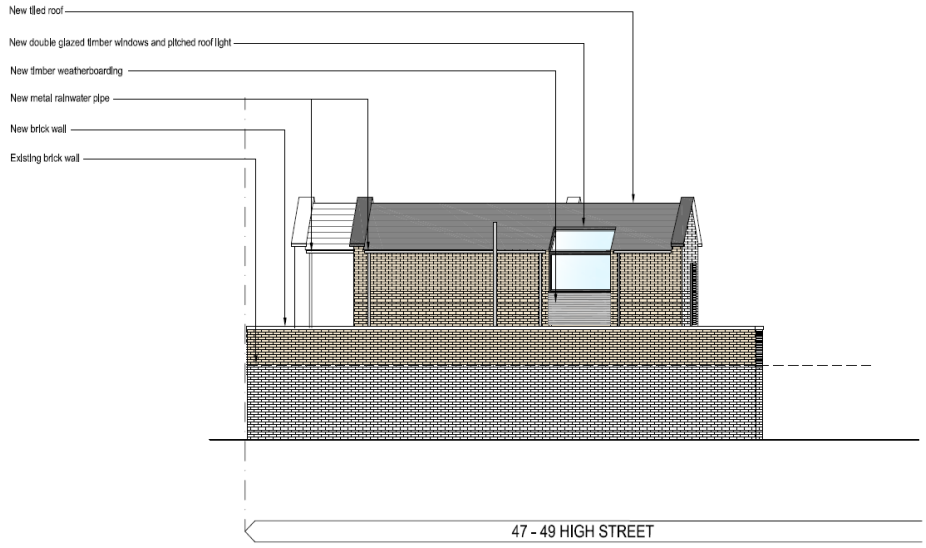
47-49 High Street, Eton,
The Cock Pitt

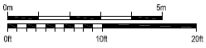
Proposed Elevation F

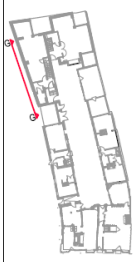
1:100@A3 | 03-01-18 | SPD

1711-1355 | /



FOR PLANNING

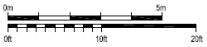
BRIMELOW McSWEENEY ARCHITECTS

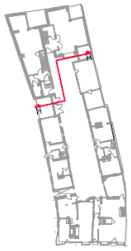
47-49 High Street, Eton,
The Cock Pitt

Proposed Elevation G

1:100@A3 | 03-01-18 | SPD

1711-1356 | /



FOR PLANNING

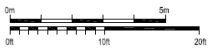
BRIMELOW McSWEENEY ARCHITECTS

47-49 High Street, Eton,
The Cock Pit

Proposed Elevation H

1:100@A3 | 03-07-18 | SPD

1711-1357 | /



FOR PLANNING

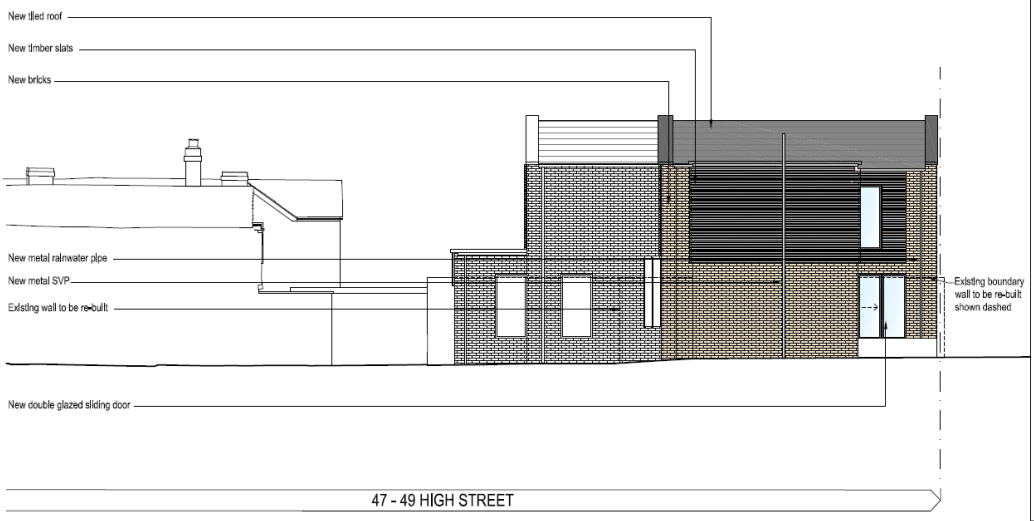
BRIMELOW McSWEENEY ARCHITECTS

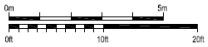
47-49 High Street, Eton,
The Cock Pit

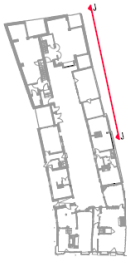
Proposed Elevation I

1:100@A3 | 03-07-18 | SPD

1711-1358 | /



FOR PLANNING

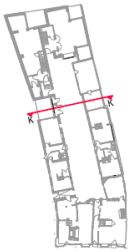
BRIMELOW McSWEENEY ARCHITECTS

47-49 High Street, Eton,
The Cock Pitt

Proposed Elevation J

1:100@A3 | 594x1189 | SPD

1711-1359 | /



FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS

47-49 High Street, Eton,
The Cock Pitt

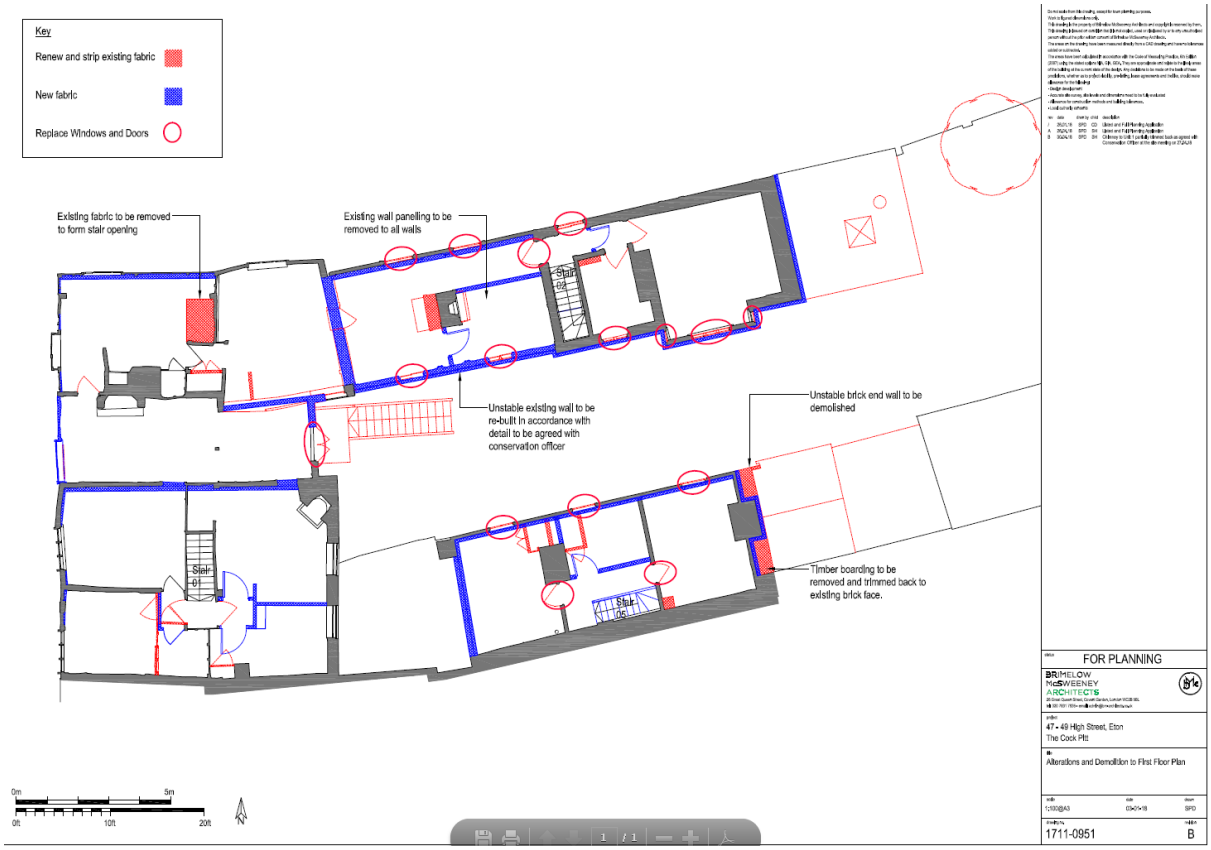
Proposed Elevation K

1:100@A3 | 594x1189 | SPD

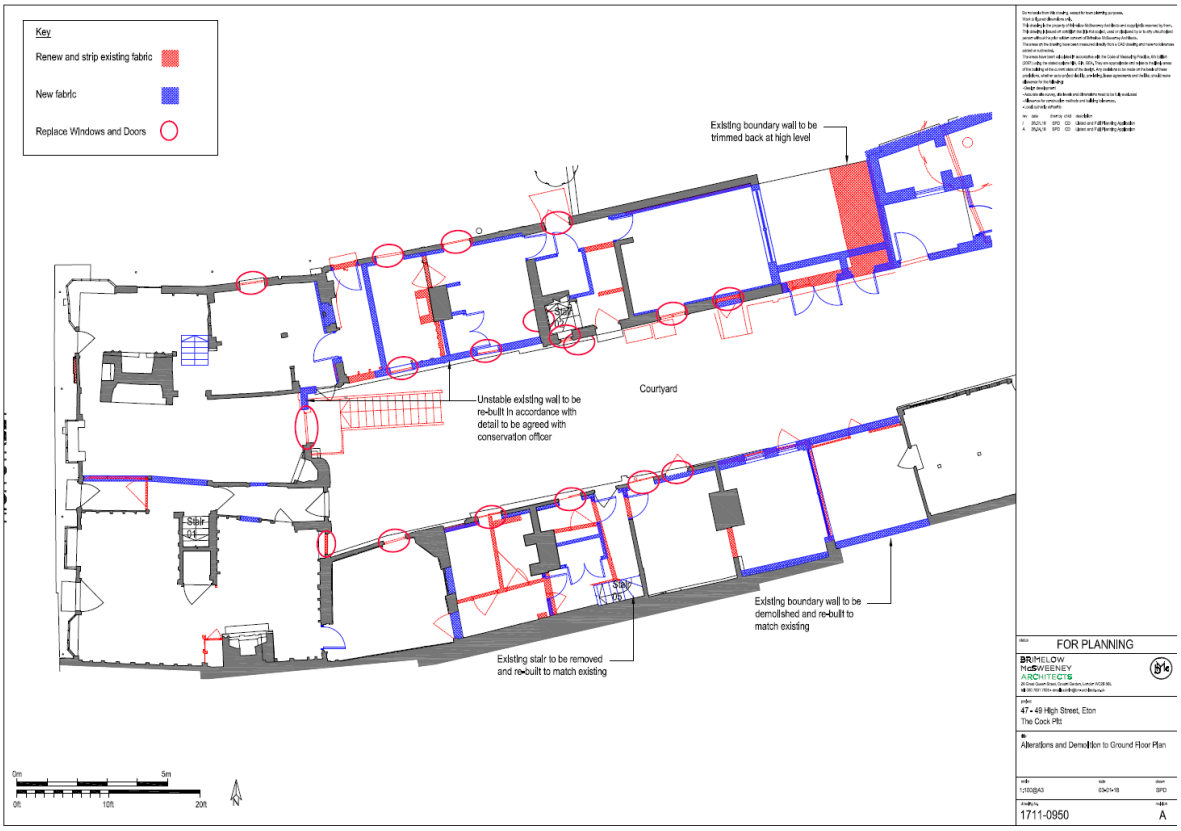
1711-1360 | /

Proposed Repair works and internal alterations

First floor



## Ground floor



Key

New facing of elevations

Renew and strip

Repair/ Renew

Replace Windows and Doors

Repair and Renewal

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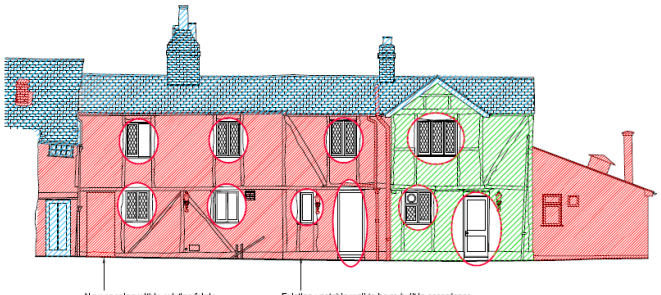


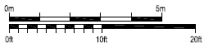

status FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS
20 Great Queen Street, Covent Garden, London WC2B 5BL
t 020 7831 1550 e mail@brimelowmcsweeney.co.uk

project
47 - 49 High Street, Eton,
The Cock Pitt

title
Alterations to South Courtyard Elevation (E)

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 03-01-18 | SPD |

drawing no. 1711-0964 | rev A

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- Design development
- Any new dimensions, alterations and alterations must be to full and exact
- Allowance for construction methods and building tolerances.
- Local authority consents

| no | date | drawn by | chkd | description |
|---|---|---|---|---|
| 1 | 25/04/18 | SPD | CD | Issued with Full Planning Application |
| A | 25/04/18 | SPD | SH | Issued with Full Planning Application |

Key

New facing of elevations

Renew and strip

Repair/ Renew

Replace Windows and Doors

Repair and Renewal

External envelope to be sympathetically repaired in line with a programme of works to be agreed with the Local Authority. Historic fabric to be retained wherever possible. Timber repairs to be like-for-like and any re-pointing to use an appropriate mortar and style.

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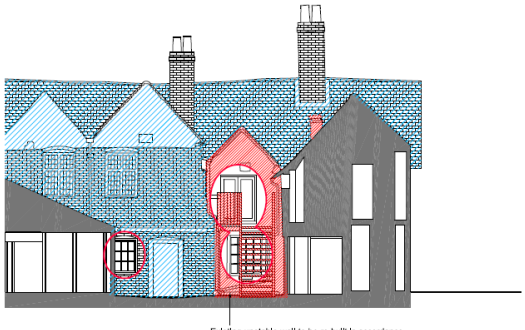


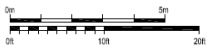

status FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS
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t 020 7831 1550 e mail@brimelowmcsweeney.co.uk

project
47-49 High Street, Eton,
The Cock Pitt

title
Alterations to East Courtyard Elevation (D)

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 03-01-18 | SPD |

drawing no. 1711-0963 | rev A

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- Design development
- Any new dimensions, alterations and alterations must be to full and exact
- Allowance for construction methods and building tolerances.
- Local authority consents

| no | date | drawn by | chkd | description |
|---|---|---|---|---|
| 1 | 25/04/18 | SPD | CD | Issued with Full Planning Application |
| A | 25/04/18 | SPD | SH | Issued with Full Planning Application |

Key

New facing of elevations

Renew and strip

Repair/ Renew

Replace Windows and Doors

Repair and Renewal

External envelope to be sympathetically repaired in line with a programme of works to be agreed with the Local Authority. Historic fabric to be retained wherever possible. Timber repairs to be like-for-like and any re-pointing to use an appropriate mortar and style.

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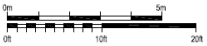

status FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS

project
47 - 49 High Street, Eton,
The Cock Pitt

title
Alterations to West Elevation (A)

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 09-01-18 | SPD |

drawing no. 1711-0960 rev. /

Key

New facing of elevations

Renew and strip

Repair/ Renew

Replace Windows and Doors

Repair and Renewal

External envelope to be sympathetically repaired in line with a programme of works to be agreed with the Local Authority. Historic fabric to be retained wherever possible. Timber repairs to be like-for-like and any re-pointing to use an appropriate mortar and style.

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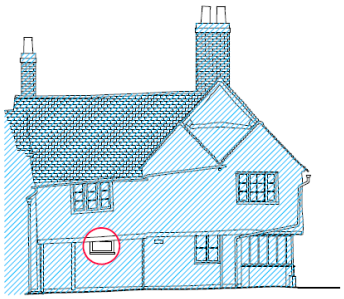

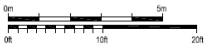

status FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS

project
47 - 49 High Street, Eton,
The Cock Pitt

title
Alterations to North Elevation (B)

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 09-01-18 | SPD |

drawing no. 1711-0961 rev. /

Key

New facing of elevations

Renew and strip

Repair/ Renew

Replace Windows and Doors

Repair and Renewal

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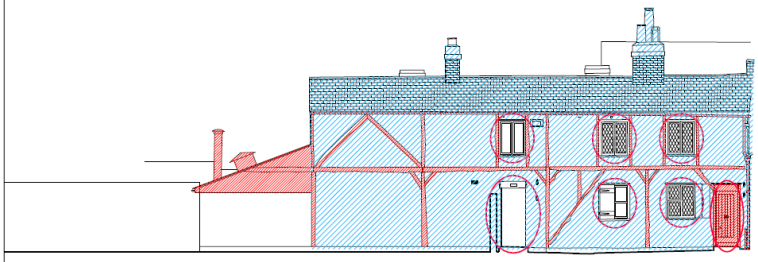

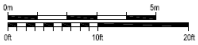

status
FOR PLANNING

BRIMELOW McSWEENEY ARCHITECTS
20 Great Queen Street, Covent Garden, London WC2B 5BL
t 020 7831 7556 • email info@brimelowmcsweeney.com

project
47 - 49 High Street, Eton,
The Cock Pitt

title
Alterations to North Elevation (C)

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 03-07-18 | SPD |

drawing no. 1711-0962 | revision /

Key

New facing of elevations

Renew and strip

Repair/ Renew

Replace Windows and Doors

Repair and Renewal

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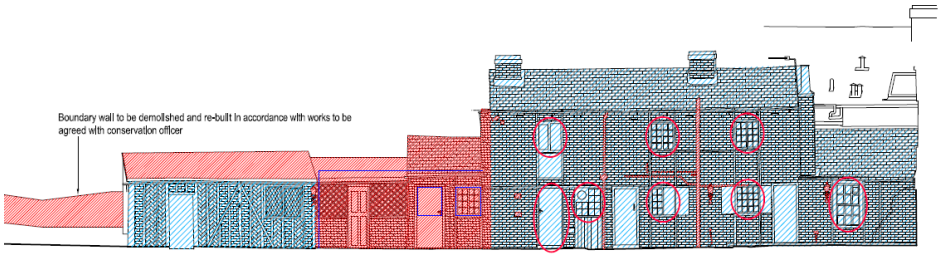
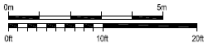


status
FOR PLANNING

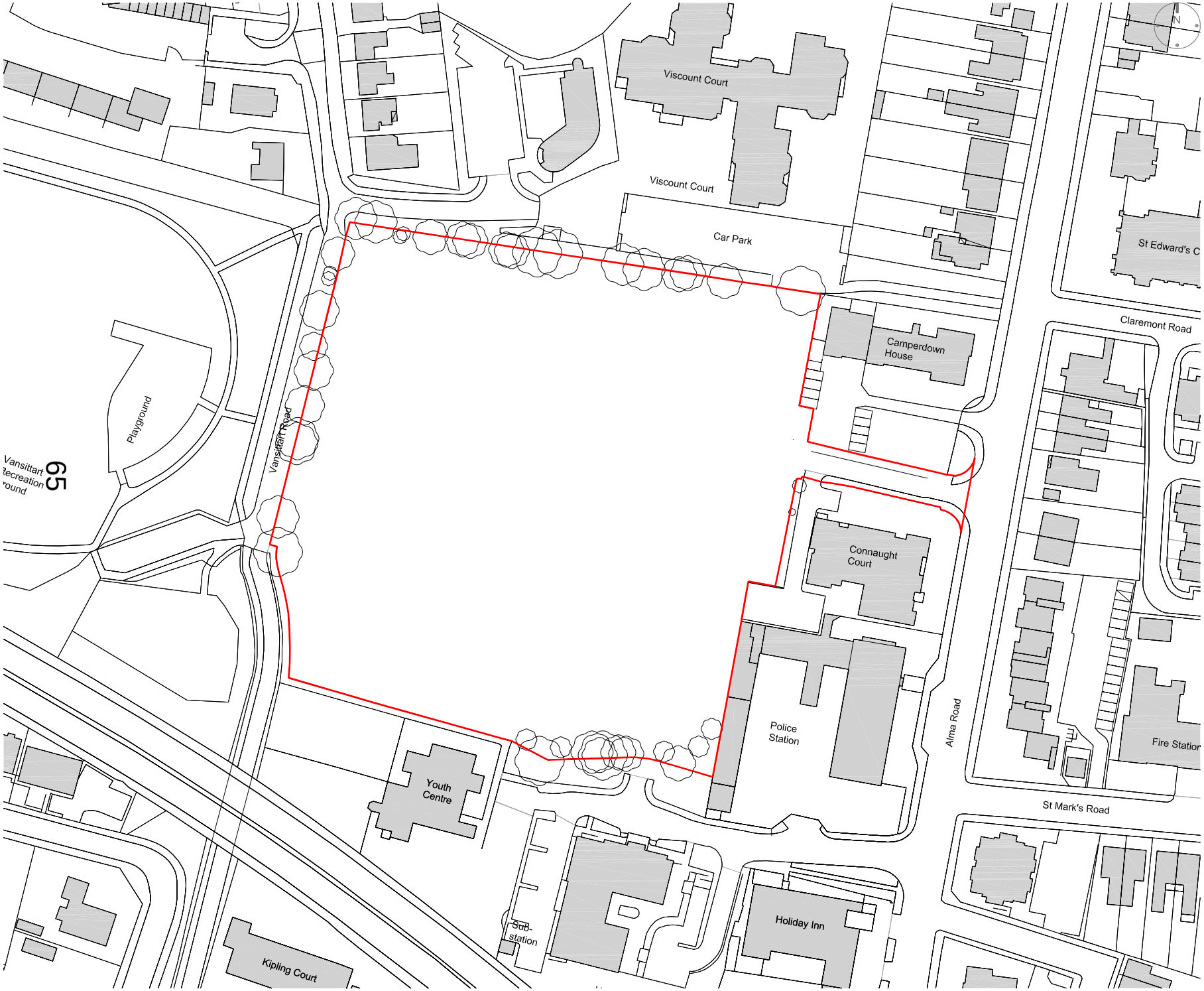
BRIMELOW McSWEENEY ARCHITECTS
20 Great Queen Street, Covent Garden, London WC2B 5BL
t 020 7831 7556 • email info@brimelowmcsweeney.com

project
47 - 49 High Street, Eton,
The Cock Pitt

title
Alterations to North Courtyard Elevation (F)

| scale | size | drawn |
|---|---|---|
| 1:100@A3 | 03-07-18 | SPD |

drawing no. 1711-0965 | revision /




G:\Project Data\15002 Alma Road, Windsor\DATA\TitleSheets\(03)-Proposed-GA\15002-(01)-P-S-002.dwg

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Drawings, specifications and schedules are to be read in conjunction with the following where applicable: Employer's Requirements documents, Agreements to Lease, Structural Engineer's drawings and specifications, Civil Engineer's drawings and specifications, Survey Drawings, Party Wall, Boundary Awards, Other specialist design consultant's requirements as appointed by the Main Contractor. Other specialist design sub-contractor's requirements as appointed by the Main Contractor.

## Notes

SCALE BAR IN mm

| REV | NOTES | DATE | BY | AUTH |
|---|---|---|---|---|
| - | ISSUED FOR PLANNING | 10.01.18 | JS | CD |


DARLING ASSOCIATES
ARCHITECTS

1 Greencoat Row
London SW1P 1PQ
UK

mail@darlingassociates.net
www.darlingassociates.net
+44 20 7630 0500


DRAWING STATUS
**Planning**

TITLE
**Existing Site Plan**

PROJECT
Alma Road, Windsor

| SCALE AT A1: | SCALE AT A3: | |
|---|---|---|
| 1:500 | 1:1000 | |
| JOB NO. | DRAWING | REV |
| 15002 | (01)-P-S-002 | PL |

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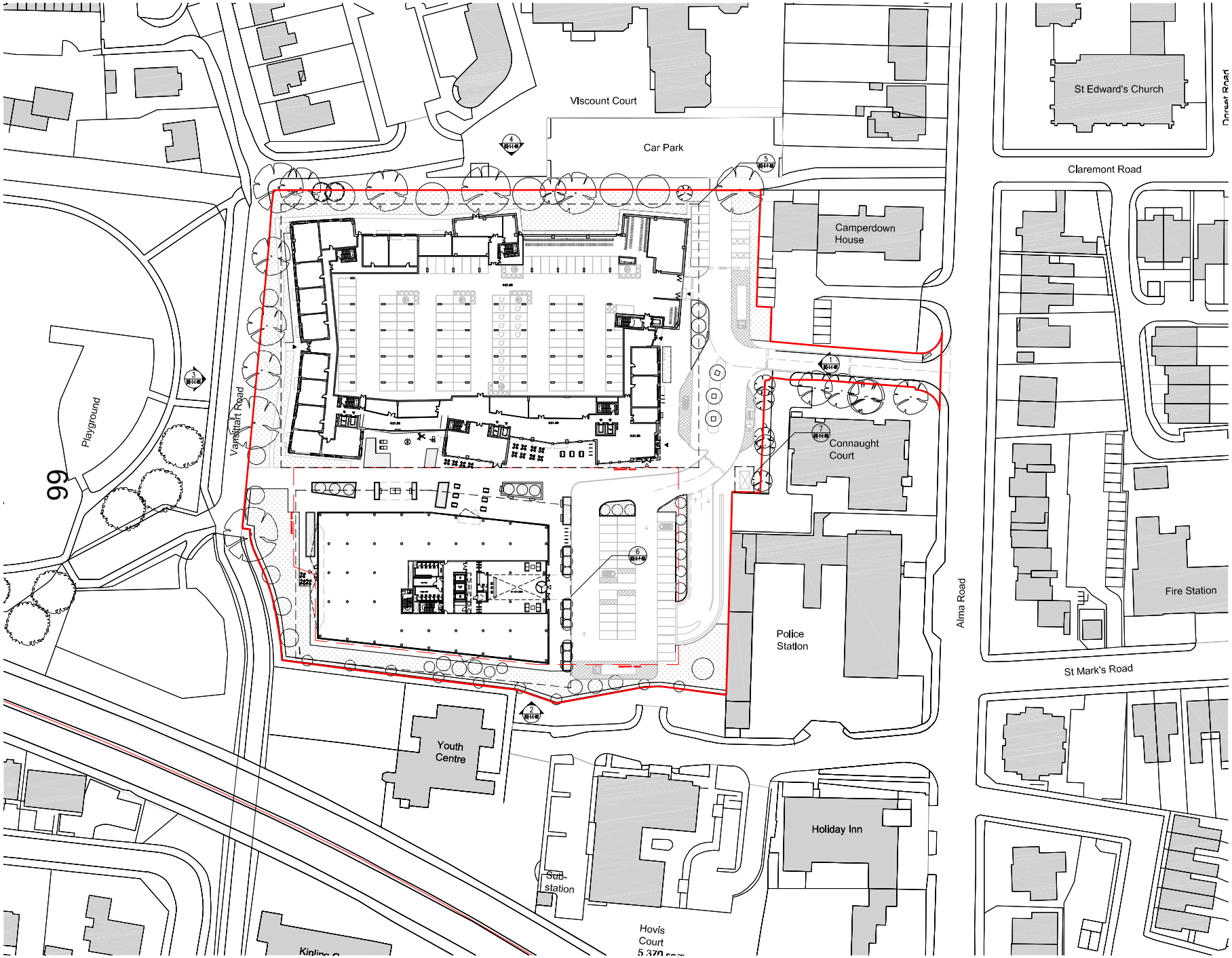


G:\Project Data\15002 Alma Road, Windsor\DATA\TitleSheets\(03)-Proposed-GA\15002-(03)-P-S-000.dwg

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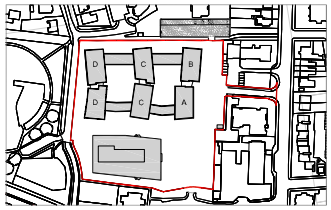
## Key Plan




## Notes

Site level + 21.50

0 5000 10000 15000 20000 25000 30000 35000 40000 45000 50000

SCALE BAR IN mm

| REV | NOTES | DATE | BY | AUTH |
|---|---|---|---|---|
| - | ISSUED FOR PLANNING | 10.01.18 | JS | CD |

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ARCHITECTS

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London SW1P 1PQ
UK

mail@darlingassociates.net
www.darlingassociates.net
+44 20 7630 0500

DRAWING STATUS
**Planning**

TITLE
**Site Context Plan**

PROJECT
Alma Road, Windsor

| SCALE AT A1: | SCALE AT A3: | |
|---|---|---|
| 1:500 | 1:1000 | |
| JOB NO. | DRAWING | REV |
| 15002 | (03)-P-S-000 | PL |

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# Appeal Decision Report

## 14 April 2018 - 11 May 2018

www.rbwm.gov.uk
Royal Borough of Windsor & Maidenhead

### WINDSOR URBAN

| | | | | | |
|---|---|---|---|---|---|
| **Appeal Ref.:** | 17/60107/ENF | **Enforcement Ref.:** | 16/50010/ENF | **PIns Ref.:** | APP/T0355/C/17/3179697 |

**Appellant:** GFL Management And Wyevale GC **c/o Agent:** Mr Stephen Egerton Stephen Egerton Associates 33 Wavell Avenue Colchester C02 7HR

**Decision Type:** No Further Action **Officer Recommendation:** No Further Action

**Description:** Appeal against the Enforcement Notice: Without Planning Permission the erection of two large canopies and the installation and siting of a metal storage container in association with the car wash use of the part of the car park.

**Location:** **Windsor Garden Centre Dedworth Road Windsor SL4 4LH**

**Appeal Decision:** Dismissed **Decision Date:** 1 May 2018

**Main Issue:** Ground D: The canopies were installed in December 2015, some 18 months before the issue of the enforcement notice. There is, therefore no immunity against action against the canopies. The two metal containers installed in 2015 replaced a number of structures including a timber shed which served as the office/rest room. The larger container that enforced against is a much more substantial structure, entirely different to the timber shed it replaced. The breach of planning control began on the date the metal container was installed and not the date of installation of the timber shed it replaced. The metal container had not been in place for 4 years prior to the issue of the enforcement notice. The ground (d) appeal fails. Ground F: The ground (f) appeal suggests that the large metal container should be retained along with one of the canopies, representing a net reduction in development and harm to the green belt and that planning permission should be granted for the reduced scheme. In the absence of a ground (a) appeal there is no scope or power to reach such a conclusion in the current appeal. Anything short of full compliance with the requirements of the notice would not remedy the breach of planning control or remedy any injury to amenity which has been caused by the breach. The ground (f) appeal must, therefore, fail.

---

| | | | | | |
|---|---|---|---|---|---|
| **Appeal Ref.:** | 18/60030/REF | **Planning Ref.:** | 17/02584/FULL | **PIns Ref.:** | APP/T0355/D/18/3192933 |

**Appellant:** Mrs Nicola Shurben 356 St Leonards Road Windsor SL4 3DX

**Decision Type:** Delegated **Officer Recommendation:** Refuse

**Description:** New vehicular access

**Location:** **356 St Leonards Road Windsor SL4 3DX**

**Appeal Decision:** Dismissed **Decision Date:** 18 April 2018

**Main Issue:** St Leonards Road is considered a primary distributor road and the Highway Design Guide states that on primary distributor roads the maintenance of free flowing traffic conditions and reasonable average speeds takes precedence over the need for access. Parking is provided to the rear of the site and it was considered the guidance in the Highway Design Guide was not outweighed by any other considerations, including that other properties on the road benefit from access.

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| **Appeal Ref.:** | 18/60031/REF | **Planning Ref.:** | 17/02987/FULL | **PIns Ref.:** | APP/T0355/D/18/3193555 |
| **Appellant:** | Ruth Webster **c/o Agent:** Mr Andrew Burningham Architecture: Ab High Trees Steven Way Ripon North Yorkshire HG4 2TJ | | | | |
| **Decision Type:** | Delegated | | **Officer Recommendation:** | | Refuse |
| **Description:** | Single storey side/rear extension following demolition of existing single storey extension | | | | |
| **Location:** | **57 Elm Road Windsor SL4 3NB** | | | | |
| **Appeal Decision:** | Dismissed | | **Decision Date:** | | 19 April 2018 |
| **Main Issue:** | The main issue is the effect of the proposed extension on the living conditions of the occupiers of No 55 Elm Road, with regard to outlook. | | | | |

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| **Appeal Ref.:** | 18/60036/REF | **Planning Ref.:** | 16/03344/FULL | **PIns Ref.:** | APP/T0355/W/17/3191281 |
| **Appellant:** | Provost And Fellows of Eton College **c/o Agent:** Mr John Bowles Porta Planning LLP 67 - 69 George Street London W1U 8LT | | | | |
| **Decision Type:** | Delegated | | **Officer Recommendation:** | | Refuse |
| **Description:** | Erection of timber sports pavilion building. | | | | |
| **Location:** | **Gymnasium Eton College Common Lane Eton Windsor SL4 6DU** | | | | |
| **Appeal Decision:** | Allowed | | **Decision Date:** | | 4 May 2018 |
| **Main Issue:** | The Inspector commented that the small club house would have a modest floor area of 64 sq metres, with the area of stilts occupying just in excess of 1 sq m in area and volume of less than 1 cubic metre. The Inspector commented that the advice on piers in policy F1 is advisory and not part of the headline policy and should not be given the same weight as the development plan policy. In circumstances where the developer is the College who have control over the estate buildings and wider area, the development is for non-domestic purposes and where there is a strong opportunity for the college to manage any risk or potential hazard, these provide justification to set aside the flooding concerns. Overall the Inspector is satisfied that the building would not significantly affect flood capacity or flood flows in the area, would not increase the risk of flooding elsewhere and there would be no significant increased effect on people or properties. As such, the proposal would not conflict with national policy nor policy F1 of the Local Plan. Subject to conditions, the Inspector agreed with the Council that the development would preserve the character of the Conservation Area. | | | | |

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# Planning Appeals Received

## 14 April 2018 - 11 May 2018

### WINDSOR URBAN

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at https://acp.planninginspectorate.gov.uk/ please use the PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

**Other appeals:** The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

**Ward:**
**Parish:** Windsor Unparished
**Appeal Ref.:** 18/60041/REF **Planning Ref.:** 17/03050/FULL **PIns Ref.:** APP/T0355/D/18/3196817
**Date Received:** 16 April 2018 **Comments Due:** Not Applicable
**Type:** Refusal **Appeal Type:** Householder
**Description:** Dropped kerb
**Location:** **46 Clewer Hill Road Windsor SL4 4BW**
**Appellant:** Mr Christopher Barlow 46 Clewer Hill Road Windsor SL4 4BW

**Ward:**
**Parish:** Windsor Unparished
**Appeal Ref.:** 18/60042/REF **Planning Ref.:** 17/03644/FULL **PIns Ref.:** APP/T0355/D/18/3196927
**Date Received:** 16 April 2018 **Comments Due:** Not Applicable
**Type:** Refusal **Appeal Type:** Householder
**Description:** Rear dormer
**Location:** **70 Smiths Lane Windsor SL4 5PG**
**Appellant:** Mr G Bhullar **c/o Agent:** Mann Associates 45 Fulmer Drive Gerrards Cross Bucks SL9 7HG

**Ward:**
**Parish:** Windsor Unparished
**Appeal Ref.:** 18/60044/REF **Planning Ref.:** 17/02552/FULL **PIns Ref.:** APP/T0355/W/18/3198087
**Date Received:** 17 April 2018 **Comments Due:** 22 May 2018
**Type:** Refusal **Appeal Type:** Written Representation
**Description:** 2 No. semi-detached houses with raised patios, parking and new access following demolition of existing dwelling and carport
**Location:** **Trimstone Hermitage Lane Windsor SL4 4AZ**
**Appellant:** Mr & Mrs Reed **c/o Agent:** Mr Jake Colinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

**Ward:**
**Parish:** Windsor Unparished
**Appeal Ref.:** 18/60045/REF **Planning Ref.:** 17/03638/FULL **PIns Ref.:** APP/T0355/D/18/3196853
**Date Received:** 19 April 2018 **Comments Due:** Not Applicable
**Type:** Refusal **Appeal Type:** Householder
**Description:** Single storey rear extension, first floor side/rear extension, new roof lights and alterations to fenestration following demolition of existing single storey rear element.
**Location:** **23 Grove Road Windsor SL4 1JE**
**Appellant:** Mr & Mr Beresford And Schneider 23 Grove Road Windsor SL4 1JE

**Ward:**

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| **Parish:** | Windsor Unparished | | | | |
| **Appeal Ref.:** | 18/60047/REF | **Planning Ref.:** | 17/03682/FULL | **Plns Ref.:** | APP/T0355/W/18/3199115 |
| **Date Received:** | 19 April 2018 | | **Comments Due:** | 24 May 2018 | |
| **Type:** | Refusal | | **Appeal Type:** | Written Representation | |
| **Description:** | Construction of a detached single storey 2-bedroom dwelling | | | | |
| **Location:** | **Land Between 3 And 4 And 5 Clewer Fields Windsor** | | | | |
| **Appellant:** | Mr William Ball **c/o Agent:** Mr Kevin J. Turner 4 Little Oaks Close Shepperton Surrey TW17 0GA | | | | |

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| **Ward:** | | | | | |
| **Parish:** | Datchet Parish | | | | |
| **Appeal Ref.:** | 18/60048/REF | **Planning Ref.:** | 17/03077/FULL | **Plns Ref.:** | APP/T0355/W/18/3198369 |
| **Date Received:** | 19 April 2018 | | **Comments Due:** | 24 May 2018 | |
| **Type:** | Refusal | | **Appeal Type:** | Written Representation | |
| **Description:** | Enlargement of first floor front extension as approved under 14/01700/FULL. | | | | |
| **Location:** | **Westfield 141A Slough Road Datchet Slough SL3 9AE** | | | | |
| **Appellant:** | Mr K Suri **c/o Agent:** Mr John Quartermaine FEUK Ltd 30 Cobblers Close Farnham Royal Slough SL2 3DT | | | | |