

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

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

1 February 2017

Item: 1

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| Application No.: | 16/02134/FULL |
| Location: | 35 - 37 Peascod Street Windsor |
| Proposal: | Erection of office (B1) building with retail (A1) space at ground floor, following demolition of existing building. |
| Applicant: | LFD Group Limited |
| Agent: | Mr Ben Willcox - WaM Architecture |
| Parish/Ward: | /Castle Without Ward |
| If you have a question about this report, please contact: April Waterman on 01628 682905 or at april.waterman@rbwm.gov.uk | |

1. SUMMARY

- 1.1 This scheme proposes the demolition of a pair of modern (1960's/70's) three storey buildings fronting the south east side of Peascod Street, and their replacement with a taller four storey building. The new structure would largely follow the existing irregular ground floor footprint of the combined plots, although the top floor would be set in from the Peascod Street frontage, and the main building itself would also be separated here from the neighbouring 19th century building (no. 34) by a full height gap leading to an entrance to the upper floors.
- 1.2 The scheme would provide retail use on the ground floor with three storeys of offices above. This mixed commercial building would result in a more efficient use of the land area than is currently the case and would provide an improvement in the standard and interest of the public realm, adding to the diversity of high quality buildings in this vibrant part of Windsor, to the benefit of the character and appearance of the Conservation Area.
- 1.3 The scheme would have no adverse impact on highway safety, would provide attractive, accessible and up-to-date office working space and retailing facilities for the town, and would comprise sustainable development in all other respects. Subject to fulfilment of investigatory archaeological conditions requirements, the proposals would have a neutral or positive impact on any below ground heritage value of the area. Appropriate cycle and refuse storage facilities will be provided within the building.

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| It is recommended that the Panel grants planning permission with the conditions listed in Section 10 of this report. |
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2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 This 0.04 ha site is an amalgam of no's 35-37 Peascod Street. It has a frontage onto Peascod Street but no rear access. The site has, for some years, been split into two units: 35-36 comprises a retail unit on the ground floor (Robert Dyas), with two floors of office/storage space above while no. 37 trades as 'The Works' as retail on the ground floor with a single floor of accommodation over, and a pillar and beam framework above to bring the façade to three storey height. Both units have standard full-glazed modern shopfronts, heavy fascias carrying bold advertising, and are in medium to poor repair.

- 3.2 Peascod Street is known to have formed one of the routes leading south west from the Castle since early medieval times, and is currently a principal retail thoroughfare for the town. It is a pedestrianised for much of the day with deliveries only permitted later in the afternoon. The street is level-paved and its non-vehicular nature is emphasised by street furniture and some tree planting.
- 3.3 Irregular plot shapes along the south eastern side of Peascod Street mean that on the street frontage the site is flanked by the modern Post Office Building to the south west, and to the north east by the unlisted late 19th century no. 34. Further back into the site the plot abuts the rear part of no. 33, which is a Grade II Listed Building and the curtilage of no.32 (also Listed Grade II) where planning permission has recently been granted – and not yet built – for a residential development of flats, although this relationship is not obvious on the Peascod frontage. The streetscape shows a transitional arrangement, in a downhill direction from Peascod Place, from four storeys at no. 31, then the three storey no.32, the two-and-a-half storey no. 33 (Claire’s), the brick three-storey gabled unlisted no. 34 (Thornton’s) and then the horizontally-emphasised block of no’s 35-36 and no. 37 at three storeys.
- 3.4 The 1960’s/70’s Post Office building to the south west of no. 37, which is allocated in the adopted Local Plan as a redevelopment site, continues the horizontal characteristic over three storeys, then at the end of the terrace, the more recent development of 40-41 Peascod Street, returning on the junction with William Street, takes the roofscape up to four storeys, albeit in a top-floor set-back format.
- 3.5 On the opposite side of the street from the site no’s 107 – 111 Peascod Street comprise a late 20th century brick redevelopment of four storeys. Other modern units of varying width, height and fenestration pattern continue north eastwards from this point, including the ‘Daniels’ building.
- 3.6 At the north eastern end of Peascod Street the Castle terminates this long irregularly framed vista. The buildings on both sides of Peascod Street channel this uphill view between a variety of eaves heights, storey levels, fenestration details, building materials and roof heights, but with a generally smooth (although not straight) building line. Numerous alleys and side streets punctuate the street, but are only clearly perceived at the point of their junction. In the view from the Castle, buildings fronting Peascod Street form a general stepping down arrangement in which even the taller structures still accord with the pattern of gradual descent, beyond which the trees of the Great Park form a backdrop.
- 3.7 Although cut off by other development from the network of routes to the south east of the site, the rear of the property does, and will continue to have, a partial visual relationship with other built forms and open spaces on the approach to Peascod Street from the Library, along Sun Passage, and through the current car park area towards Peascod Place. From this position the rear elevations of Peascod Street properties present a relatively poor aesthetic, although newer units such as that near the junction of Mellor Walk and Sun passage have made significant improvements to the area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 There is no relevant history for the site other than the lengthy pre-application enquiry lodged in 2015 for the current proposal. During pre-application discussions with successive Planning and Conservation Officers the scheme progressed through a number of iterations, and the application proposal is considered to have heeded the advice given during that process. The Design and Access Statement accompanying the application sets out this evolution. The scheme has been augmented and amended further, as requested, during the assessment of this consequent formal planning application.
- 4.2 Full planning permission is sought for the demolition of the structures currently occupying the site of no’s 35-37 Peascod Street, and the construction of a brick and glazed building of three principal storeys and one subordinate “penthouse” storey. Additionally bronze metal is proposed for its fenestration, shop front fascia and stall riser, recessed side entrance, cladding and roof. Amendments to the scheme have refined the design of the street frontage to better differentiate between the two plots, in fenestration detailing and size. A common theme is carried across the

new building now in buff coloured brick (changed from brown), with openwork towards the top of parapets both reducing their weight and referencing other “tapering” patterns in older buildings (including the Castle). The pillar adjoining no. 34 has also become more slender as part of these revisions.

- 4.3 Access arrangements will remain as present, with staff access, deliveries and collections from the site all operated from Peascod Street. Both cycle parking and refuse/recycling storage will be accommodated within the building. No vehicle parking is proposed to serve the development.
- 4.4 While no firm details are supplied, air conditioning and other extraction venting arrangements for the shop and offices are to be positioned on the roof of the building, rather than on any elevation where this may cause disturbance or nuisance to neighbouring occupiers.

5. MAIN RELEVANT LEGISLATION AND POLICIES RELEVANT TO THE DECISION

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

- 5.1 Sections 16, 66 and 72 of the Act are relevant to the assessment of this proposal.

Historic England Guidance

The following HE guidance is also pertinent: Conservation Principles – 2008; Setting of Heritage Assets -2011; Managing Significance in Decision-taking in the Historic Environment – 2015, and Making Changes to Heritage Assets 2016.

NPPF 2012

- 5.3 Of relevance to this application are paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 1 (Building a strong, competitive economy), 2 (Ensuring the vitality of town centres), 4 (Promoting sustainable travel), 7 (Requiring good design) 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment) of the NPPF 2012.
- 5.4 The scheme is considered to comprise sustainable development, for which there is a simple presumption in favour expressed in the NPPF. There are no material considerations that indicate otherwise.

Royal Borough Local Plan policies

- 5.5 The relevant Local Plan policies are:

| Within settlement area | Heritage and townscape | Highways | Environment | Infrastructure |
|-------------------------------|--|-----------------|--------------------|-----------------------|
| E1, S1 and WTC1 | CA1, CA2, LB2, ARCH3, ARCH4, DG1, E10, SF1 | T7 and P4 | N6, F1, NAP3 | IMP1 |

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

Other Local Strategies or Publications

- 5.6 Other Strategies or publications relevant to the proposal are:
 - Windsor Town Centre Conservation Area Appraisal
 - RBWM Parking Strategy

- RBWM Townscape Assessment
- Shopfronts and Advertisements in Windsor Town Centre Conservation Area

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i. Principle of the commercial development, supporting the vitality and prosperity of the Town Centre;
- ii The conservation and enhancement of heritage assets, and the character and appearance of the townscape;
- iii Movement, safety and convenience; and
- iv Impact on the environment.

Principle of development

6.2 The site lies within the Primary Shopping Core of the town, and within its Commercial Centre. The redevelopment of the site to provide upgraded retail and expanded business floor space complies with the purpose of policies E1, E10, S1 and WTC 1 of the Local Plan, and with the guidance of the NPPF in terms of enhancing the economic well-being of the town centre.

Heritage asset conservation and enhancement, and impact on townscape character and appearance

- 6.3 The proposed development will stand within an important and busy part of the commercial core of the town, within a designated Conservation Area, and within the settings of Listed Buildings. The proposal needs to be assessed against normal townscape and design criteria and, specifically, on how it would impact on the designated heritage assets. To make such judgements, it is important to identify what the character of the site's context is, the extent and nature of the setting of affected Listed Buildings, and the attributes of the Conservation Area upon which the proposed development would impact.
- 6.4 In line with legislative requirements and national policy advice, the proposed development application is fully detailed, and is accompanied by a comprehensive Heritage Statement for above ground assets and a Design and Access Statement.
- 6.5 The application site lies within the "Retail Core, including Windsor and Eton Station" character area of the Windsor Town Centre Conservation Area. Peascod Street forms one of the earliest routes in the town leading south westwards from the Castle, and the survival of its alignment is important to the history of the town as a whole. The buildings lining it have been overwritten numerous times, and now represent a wide variety of building eras including post-medieval remnants, Georgian, Victorian, 20th century and 21st century structures. Along the street length the structures vary in age, plot width and depth, storey and overall height, form, roofscape and materials, architectural style and merit, and state of repair. The wall materials palette for this part of the town is varied, including a good amount of brickwork, either exposed red or painted, and some render, together with large areas of glazing in the shopfronts and on upper elevations of modern buildings. Roofs are principally in slate, red clay or metal. Also, there are flat roof buildings.
- 6.6 A unifying characteristic of the street is the alignment of the ground floor of the structures along a common (though not straight) building line, each tightly abutting the next except where, occasionally, alleys or narrow side streets interrupt the frontage, or where wider openings such as King Edward's Court and William Street allow side elevations of corner plot buildings to contribute to the street scene.

- 6.7 The route sweeps down the hill from the Castle, and although not totally uniform, the perceived composite building height on either side generally follows this gradient. This sweep also enables a view uphill to the Castle from most points along Peascod Street, and therefore forms part of the wider visual setting of this Grade I Listed Building. Peascod Street, and the buildings fronting it, also contribute to the setting of other Listed Buildings near to the application site, although their aspect is clearly different from that of the Castle. Here the visual cast of the setting is limited to the reading together of structures where they adjoin or are capable of being appreciated from within the narrow street itself, or from the network of spaces to the rear of Peascod Street.
- 6.8 The character of Peascod Street that justifies its inclusion in the Windsor Town Centre Conservation Area designation does not come from a uniformity of building age or design, but from the continuity of built mass along the street itself and the historic alignment of this route since at least medieval times. The application site, and development on it, contributes to the wider setting of the Castle as part of this built enclosure to Peascod Street. The site also forms part of the settings of other nearby Listed Buildings (no's 33 and 32 Peascod Street) in this way, but additionally the impact of the design of the proposed building should be assessed more intimately for these close by properties, according to the individual attributes of the Listed Buildings themselves.
- 6.9 The principal characteristic of the Conservation Area, and of the settings of the Castle and other Listed Buildings, is the continuous built form along the street, and the current structures on the application site are part of this. However, their individual designs do not contribute positively to the appearance of the Conservation Area or to these settings, so their replacement would not reduce the value of the heritage resource. The impact that the proposed development would have on the significance of these heritage assets is considered to be acceptable because the continuity of built form would be maintained, and the existing mediocre buildings would be replaced with new work of much better architectural composition and higher quality.
- 6.10 The scheme would improve the calibre of development visible from pedestrian routes to Peascod Street from the Library - from Sun Passage and further south. The quality of the architectural design and materials, and the creation of active building facades in this direction are considered to be enhancements of the Conservation Area and of the vibrancy of the locality.
- 6.11 It is also considered that the proposed scheme would have a neutral to beneficial impact on the settings of no's 33 and 32 Peascod Street, as although taller and of bolder fenestration than the current structures, the new building would continue the theme of diversity in style and form that typifies the setting of these properties, while reflecting the plot definitions of the existing units. As noted above, the quality of materials and architectural composition of the proposed development is a clear uplift from the existing buildings on the site.
- 6.12 The over-arching characteristic of the townscape close to the application site is the variety of the structures along the street within a general envelope of route-lining development. While there are some older buildings close by, predominantly no's 35-37 are set amongst, and are read with, other 20th and 21st century structures, (adjacent to the site and on the opposite side of Peascod Street).
- 6.13 It is considered that the proposed development would not have an overbearing impact: the recessed top storey and side entrance guard against the building being too prominent in the street scene, rather than jutting into it, and the parapet wall refinements and materials simplification also assist the scheme's integration with its context. It is considered that the increased height of the new building on the application site would not create significant increased shade within Peascod Street: any such noticeable impact would be limited to the early part of the day, during winter months.
- 6.14 Although taller than the neighbouring unlisted no. 34, the scheme design would provide a visual gap between it and the main body of the new building, akin to a traditional alley, to provide access to the upper office floors. This allows a clearer presentation of the gabled frontage of this late 19th century building than is currently afforded by the modern no. 35-36. The spacing and alignment of the fenestration on the new building would vary to reflect the former definition of the

separate units: that closest to no. 34 takes reference from the base of the pediment on its gable, as does the free-flying parapet which frames the recessed side entrance.

- 6.15 The materials for the scheme have been amended from brown to buff colour for the brickwork, and the timber louvres on the Peascod façade have been omitted to simplify the palette. Metal detailing on the shop front now includes a stall riser and a fascia: the recommended architectural detailing condition includes the fine detail of the shopfront design, to accord with policy SF1 guidance.
- 6.16 The Council has, in considering this planning application, had special regard to the desirability of preserving affected Listed Buildings or their settings or any features of special architectural or historic interest which they possess, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the application has been considered on the basis of the Development Plan, including Local Plan Policies DG1, CA1, CA2, LB2 and with regard to the NPPF. Paragraph 131 of the NPPF has been considered and the new development would make a positive contribution to local character and distinctiveness. 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.
- 6.17 The archaeological potential of the site can be suitably investigated and safeguarded through measures required by condition. The scheme is considered to be acceptable in local and national planning policy terms with regard to heritage and urban design matters, namely Local Plan policies DG1, E10, CA2, LB2, ARCH3 and ARCH4, and the NPPF 2012.
- 6.18 The significance of the Heritage Assets affected by the scheme has been identified, the impact of the proposals on such significance assessed, and any safeguards to secure an acceptable development set out. The impact of the development on the character and appearance of the public realm is considered to be beneficial: the proposal is a high quality design that is distinctive architecture. The proposals are considered to accord with the design requirements of the Local Plan in policies DG1, E10, CA2 and LB2 and with expected standards of quality in the NPPF.

Movement, safety and convenience

- 6.19 The site has no car parking associated with it, nor is any proposed. Its location within the Town Centre is well served by public transport (bus and train services), and as cycle parking is also to be provided within the building the scheme is considered to have a satisfactory impact on highways in terms of the movement of staff and customers to and from the site. Refuse storage and collection management for future users of the building can be secured the recommended condition, prior to the occupation of the relevant floors. The design notes level access into and around the building, including lift access to all office floors. With the recommended conditions safeguarding appropriate provisions, with the Local Plan requirements of policies DG1, E10, T7 and P4.

Environmental impacts

- 6.20 It is considered that the proposal would, with recommended safeguards in place, have an acceptable impact on the environment in terms of amenity, land and water resource protection and bio-diversity. Its form and position in relation to other existing and now permitted developments nearby would allow adequate light and open aspect for the residential units at the rear of no. 32 Peascod Street (which are yet to be built), and details of any extraction plant, which may produce noise and other emissions nuisance from the shop or offices, can be controlled by condition. Similarly safeguards in relation to any land contamination issues may be managed through a precautionary condition.
- 6.21 The scheme would not increase the impermeable area of the site, being a replacement of the existing building footprint with another, albeit with additional storeys. Any piling operations will need to ensure that no sub-surface sewerage infrastructure is damaged or compromised, and the demolition and construction operations can be controlled in terms of noise, dust and smoke pollution through the recommended conditions and informatives.

- 6.22 As demolition of a roof space is proposed, the site was subject of an ecological survey and assessment, finding that the property was not likely to host a bat population. The scheme would have no negative effect on wildlife or other landscaping, subject to the concerns raised by the Tree Officer being addressed through the CEMP.
- 6.23 Subject to the recommended conditions, it is considered that the development would comply with the Local Plan in terms of policies DG1, E10, F1, NAP3 and N6.

Other Material Considerations

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The proposed shop floor area is not considered to be a large retail warehouse. Consequently the scheme would make no CIL payment as rates for offices and for general retail are set at £0.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

11 occupiers were notified directly of the application on its first submission. The same occupiers, and all those who made comment initially, were notified of the amended proposals.

A statutory notice advertising the application was posted at the site and the application was advertised in the Maidenhead & Windsor Advertiser as a site affecting the character and appearance of a Conservation Area on 21 July 2016

15 comments were received objecting to the original application and a further 1 comment received objecting to the amended proposal, summarised as:

| Initial Comment | | Where in the report this is considered |
|-----------------|--|--|
| 1. | No objections to the principle but the design has no respect to the historical character and would not enhance the Conservation Area. | Paras 6.3 – 6.18. |
| 2. | The height and style of the proposed building would be overbearing and intrusive. | Para 6.13. |
| 3. | Erosion of the street scene and detrimental to the character of the street within the Conservation Area. | Paras 6.3 – 6.18. |
| 4. | The increased height would exacerbate the shadow on the street and would make it darker and overbearing, destroying the ambience of this historical street. | Para 6.13. |
| 5. | Size, pattern, line and frames of the windows bear no relationship to the neighbouring properties. | Paras 6.14. |
| 6. | The building would ignore the key view status of the Castle crowning the top of the hill and the roofline of the adjacent buildings should be respected and. | Paras 6.3 – 6.18. |
| 7. | To have no parking provision is not realistic and would put extra pressure onto already insufficient parking around the town. | Para 6.19. |
| | Windsor and Eton Society: Strongest possible objection to the design of the building: National important Conservation Area and has some eighteen listed buildings and twenty three non-designated heritage buildings along its relatively short length and the design in particular the irregular | Paras 6.3 – 6.18. |

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| | <p>fenestration would be at odds with the rest of the buildings on Peascod Street and would make this building unduly prominent.</p> <p>The frontage of the proposed building would be too tall in relation to the surrounding properties as is clearly seen by the street scene illustration in the Design and Access Statement.</p> <p>The materials are inappropriate and not part of the local palette of materials which is recommended in the townscape assessment and the materials would stand out inappropriately and;</p> <p>A simpler design with more vertical elements and the building in red or buff standard bricks would be more in keeping with the local palette of materials of Peascod Street.</p> | |
| Amended proposals | | |
| 1. | <p>The changes do not address the inappropriate design, height or scale of the effect on the streetscape in this prominent location on one of Windsor's main street. The height is overbearing and the design of the façade is unsympathetic and adds nothing to this area of important historic value with direct views leading to Windsor Castle. It would be a "carbuncle" if Planning give approval is given for such construction in this sensitive area.</p> | Paras 6.3 – 6.18. |

Statutory consultees

| Consultee | Comment | Where in the report this is considered |
|----------------------------|--|--|
| Highway Authority | <p>The site is located within Windsor town centre and is classed as being very accessible, very near train stations, numerous bus stops and public car parks. The Highways Authority is willing to accept zero level of parking. The transport statement notes the provision of 4 cycle spaces, but a minimum of 7 cycle spaces for the offices and 2 cycle spaces for the retail unit should be provided, together with additional visitor cycle spaces. Details of refuse management should also be supplied for the retail and office unit.</p> <p>[Amended plans] No objections subject to the recommended conditions and informatives being attached in the event of planning permission being granted.</p> | Para 6.19. |
| Lead Local Flood Authority | <p>No details are submitted of the management of surface water or any evidence that the development does not increase flood risk to the surrounding area.</p> | Para 6.21. |
| Conservation Officer | <p>Summary: The proposed replacement building would, on the basis of the existing structure, represent preservation of the character and appearance of the street scene of Peascod Street and would not, therefore harm the conservation area. The setting of nearby listed buildings would not be negatively altered such that the significance of listed buildings would be harmed. The new building references important elements of the conservation area, such as narrow plot widths, the undulating window positions and the use of brick, which is considered an appropriate way to achieve modern space in a historic setting.</p> <p>CONSIDERATIONS:</p> <ol style="list-style-type: none"> 1) Significance –setting of Grade II listed buildings, Windsor Town Centre Conservation Area 2) Impact 3) Policy | Para 6.3 – 6.18. |

4) Recommendation

DESCRIPTION OF PROPOSAL:

The proposal is to demolish two unremarkable 3 storey 20th century buildings and replace them with a contemporary retail and office block of 4 storeys.

ANALYSIS and COMMENT:

1) Significance of the heritage asset

Windsor Town Centre conservation area sits on a medieval core and the built form is a mixture of post-medieval remnants with Georgian and Victorian development, focussed around the castle.

The application site sits within 'The retail core, including Windsor and Eton Central Station' character area, as defined within the Windsor Town Centre conservation area appraisal.

Peascod Street is one of the oldest streets in Windsor and was well established in medieval times. Nowadays, it has a very varied built form with each building being quite markedly different from adjacent buildings. Furthermore, the palette of materials along Peascod Street is equally varied. Within the environs of the application site are many 20th century buildings with limited architectural quality. Some 20th century development has amalgamated plots to produce uncharacteristically wide frontages along Peascod Street. There are some listed buildings nearby to the application site and some remaining historical non-listed buildings. But predominantly the nearby buildings, both across the street and adjacent are 20th century.

I concur with the heritage statement that the existing buildings have very limited or even no merit in terms of the character and appearance of the conservation area, other than their presence as a building maintain the building line of the street and their evidence of historic building plot widths and depths.

The significance of nearby listed buildings is affected by the visual appearance and character of nearby buildings, in the sense that they provide an urban environment. The existing buildings subject of this application add very little to the significance of the nearby listed buildings, other than they inhabit continuous built form along Peascod Street, as was historically the case, with access routes through yards and smaller functional buildings to the rear of properties.

2) Impact on significance of the heritage asset

Conservation Area

The proposed removal of the 2 existing buildings that play, at best, a neutral part in the historical character and appearance of the conservation area does not raise concerns.

The new building a thoughtful, high quality design and clearly references historic character, including:

- through 2 separate window treatments to each half of the façade to reference the existing and historical plot widths

- the undulating window positions, which is a characteristic of the streetscene when looking up and down Peascod Street
- the use of brick, which is a traditional material seen in Windsor Town Centre conservation area
- continue the building line along Peascod Street
- The entrance position to the side of the building echoes a through passage seen elsewhere along Peascod Street (although no access through would be possible)

The proposed height of the building, together with its taller floor height, will introduce a different scale of building to that which exists. However, the heritage statement confirms that 4 storey buildings have existed at the site and so this proposal is not out of character with the history of the street. Furthermore, the variety of building heights that makes the roofscape Windsor interesting would be perpetuated through this proposal.

I concur with the heritage statement's assessment that the once active rear yards along Peascod Street have been replaced with bland, uninteresting and often inactive rear elevations. This proposal reintroduces interest in the rear elevation, which is positive for the vibrancy of the conservation area as seen from the south and south east of the site (access to the library etc).

The amended scheme seeks to provide a slightly softer junction between the adjacent non-listed building (with pitched roof and decorative pedimented gable), a clear yet less solid parapet.

Setting of listed buildings

The setting of nearby listed buildings will not be harmed by virtue that the varied streetscape and character of the environs will be maintained. Whilst the building is taller than that which exists, it is considered that it would not affect the buildings significance.

Conclusion

In conclusion, on balance, the proposed new building pays sufficient regard to characteristics of the conservation area, and interprets them in a contemporary manner, to achieve a high quality office and retail scheme. My view is that the proposal would not harm the character and appearance of the conservation area. The proposal would not harm the significance of the heritage asset and would make a positive contribution to local distinctiveness.

The proposed demolition of the existing buildings raises no objection, so long as a scheme for an acceptable replacement building or buildings is permitted concurrently, as is the case here.

The Council has, in considering this planning application, had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as required under

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| | <p>Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the application has been considered on the basis of the Development Plan, including Local Plan Policies DG1, CA1, CA2, LB2 and the NPPF.</p> <p>Paragraph 131 of the NPPF has been considered and the new development would make a positive contribution to local character and distinctiveness.</p> <p>The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>3) Relevant policies</p> <p>The legislation, policies and guidance relevant to these applications are:</p> <p>The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – s.16, s.66, s.72 Saved Local Plan Policies – DG1, CA1, CA2, LB2, NPPF – Core planning principles, Part 7 paras. 58, 60, 61, and Part 12 paras. 126, 129, 131, 132, 134 Windsor Town Centre Conservation Area Appraisal Historic England Guidance; Conservation Principles 2008, Setting of Heritage Assets 2011, Managing Significance in Decision-Taking in the Historic Environment- 2015, and Making Changes to Heritage Assets- 2016</p> <p>4) Recommendation:</p> <p>Approve</p> <p>CONDITIONS:</p> <p>External materials to be agreed prior to use Lighting Rainwater goods Pigeon deterrent details</p> | |
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Other consultees

| Consultee | Comment | Where in the report this is considered |
|-----------|--|--|
| Ecology | The site is unlikely to support protected species as the buildings have flat roofs, and no other visible features that could support bats. If bats or breeding birds are found during development, however, advice from an ecologist should be sought. The opportunity to include biodiversity enhancements into the scheme (swift boxes and house sparrow boxes) should be taken. | Para 6.22. |
| Trees | There are no trees on the site itself, but if the demolition and construction works make use of the off-site car park area to the south east of the site, three trees in this area, which benefit from the protection of the designated Conservation Area, may be adversely affected. As a contingency the CMP condition should incorporate protection measures for these trees. | Para 6.22. |

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| Archaeology | The site lies in an area of high archaeological potential, in the historic core of the medieval town. Limited archaeological investigations have been carried out to date in the town. While neither of the current buildings on the site has a basement, it is understood that no. 36 was formerly the St George Public House, which may have been cellared. As such the potential for undisturbed archaeology on the site may be diminished, but nevertheless the proposed redevelopment gives a rare opportunity to examine any below ground heritage, and a condition to cover this is recommended. | Para 6.17. |
| Thames Water | No objection with regard to sewerage infrastructure capacity. Recommends a condition to require details of piling proposals and methodology, to safeguard any nearby subsurface sewerage infrastructure. | Para 6.22. |
| Environmental Protection | Recommends informatives relating to controls to limit or prevent pollution from dust, noise, and smoke emissions from the demolition and construction operations. | Para 6.20. |

9. APPENDICES TO THIS REPORT

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

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
3. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. Where there is a risk that trees may be adversely affected, the submitted details shall include the nature and extent of protection of such trees, in accordance with the recommendations set out in BS5837:2012. The plan shall be implemented as approved and maintained 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, and of the protection of trees which contribute to the character and appearance of the Conservation Area. Relevant Policies - Local Plan CA2, N6 and T5.
4. Prior to the first occupation of any parts of the development hereby permitted, details of any plant, machinery or equipment in relation to air conditioning of the building, including details of appearance, housing and sound insulation measures, and a maintenance schedule for it, shall have been submitted to and approved in writing by the Local Planning Authority. Any such plant, machinery or equipment shall be housed either within the envelope of the building or be located on its roof, and shall be installed and operated only in accordance with the approved details.
Reason: To protect the amenity of nearby residents and other business occupiers and in the interests of the character and appearance of the Conservation Area. Relevant Policies - Local Plan CA2, DG1, E10, N6 and NAP3.

5. No part of the development shall be occupied until secure cycle parking facilities have been provided within the building 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
6. 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.
7. No development shall take place until the implementation has been secured of a programme of archaeological work (which may comprise more than one phase of investigation) in accordance with a written scheme of investigation, which has been submitted to and approved by the local planning authority.
Reason: The site lies in an area of high archaeological potential, particularly in relation to the important medieval settlement of Windsor. A programme of works is required to mitigate the impacts of development and to record any surviving remains to advance the understanding of their significance in accordance with Paragraph 141 of the NPPF and policies ARCH 3 and ARCH 4 of the Local Plan.
8. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
Reason: The proposed works will be in close proximity to, and has the potential to damage, underground sewerage utility infrastructure. Relevant policies are E10 and DG1 of the Local Plan.
9. The flat roof area of the ground floor part of the development hereby approved shall not be used as a balcony, roof garden or outdoor amenity area without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan E10.
10. No development shall take place until drawings (elevations, plans and sections) at a scale of not less than 1:20, of full architectural detailing of the following matters have been submitted to and approved in writing by the Local Planning Authority: shopfront; fenestration (including reveals, dressings, glazing bar profiles, opening mechanism) doors; railings; balcony barriers; rainwater goods; parapet and plat band profiles; vents; and pigeon-deterrent measures. The development shall be completed in accordance with the approved details and so maintained thereafter.
Reason: To secure an appropriate standard of build quality and appearance, in the interests of the character and appearance of the Conservation Area, in accordance with national and local planning policy as set out in Policies CA2, DG1, SF1, E10, S1 and WTC1 of the Local Plan.
11. Prior to the commencement of construction of the development hereby permitted details of the surface water drainage of the site shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be so maintained thereafter. Reason: To ensure the protection of the water environment, and to minimise the risk of flooding in the locality. Relevant policies DG1, E10 and F1 of the Local Plan.
12. If, at any time when carrying out the approved development, contamination is found that was not previously identified it must be reported immediately in writing to the Local Planning Authority. Prior to any further works in the affected area, an investigation and risk assessment, remediation

scheme and verification report must be undertaken which will be the subject of the approval in writing by the Local Planning Authority. No development on the site shall resume unless in accordance with the approved remediation scheme.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried safely without unacceptable risks to workers, neighbours and other off-site receptors. Relevant Policy - Local Plan NAP4.

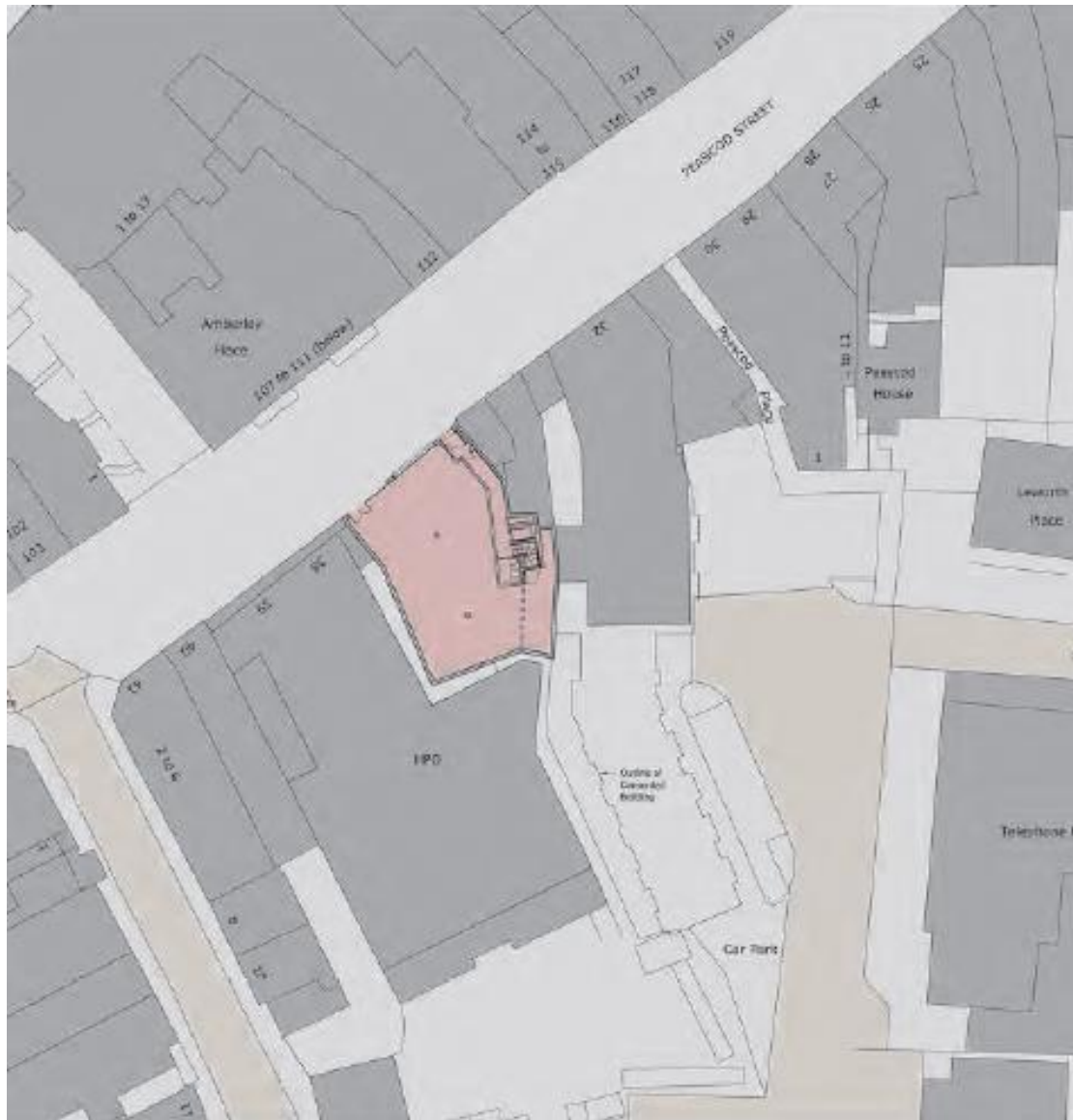
13. No works of demolition shall commence on the site until the Local Planning Authority has received and acknowledged notification from the developer of the letting of a contract, including a timetable for the works, for the construction of the development hereby permitted. Reason: In the interests of public safety and to safeguard the character and appearance of the Conservation Area. Relevant policies CA2, DG1 of the Local Plan.
14. The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

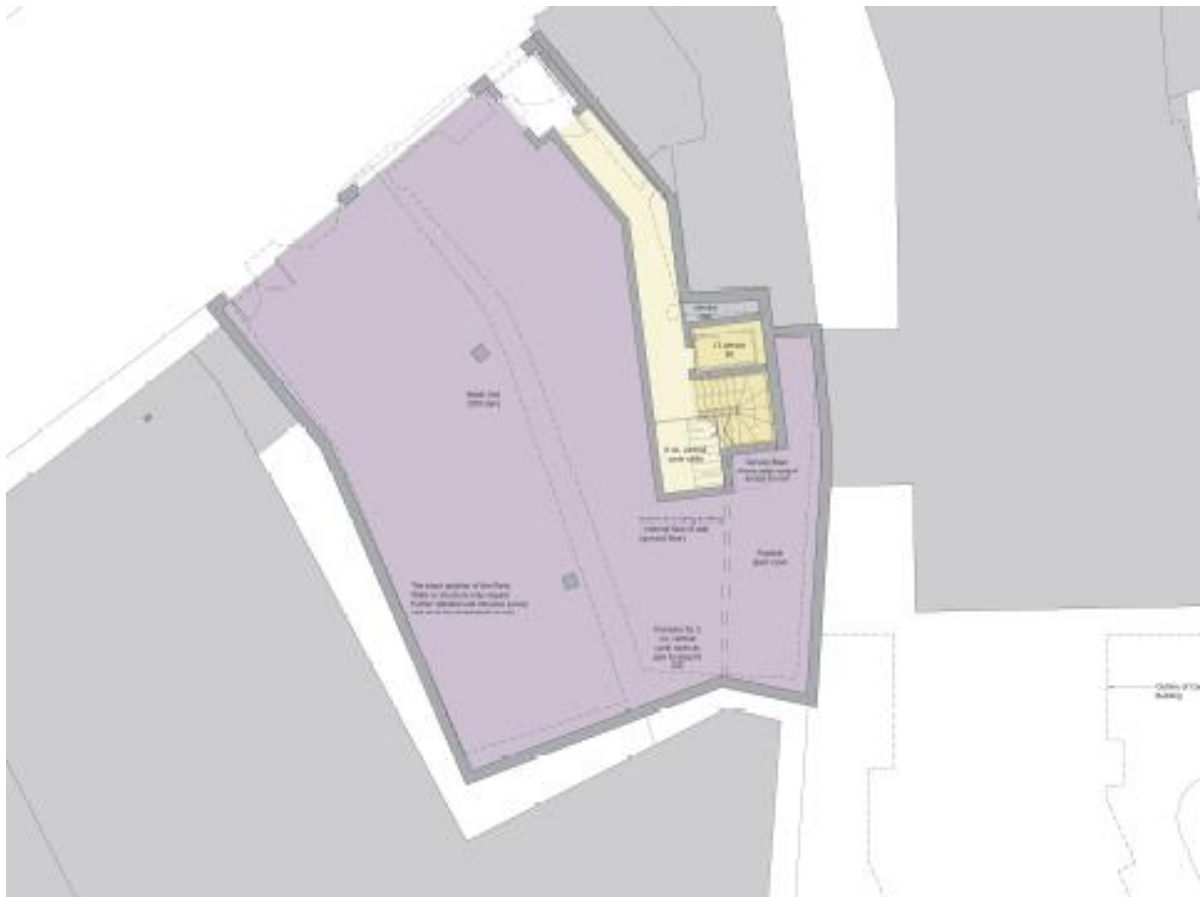
1. The applicants' contractor is advised to apply for a prior consent, which controls the hours of working and can stipulate noise limits on the site. This is covered by the Control of Pollution Act 1974. Such an agreement is entered into voluntarily, but is legally binding. The applicant's attention is also drawn to the provisions under British Standard Code of Practice B.S. 5228: 2009 'Noise Control on Construction and Open Sites'. The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00-18.00 Saturday 08.00-13.00 No working on Sundays or Bank Holidays. Please contact the Environmental Protection Team on 01628 683830.
2. The applicant and their contractor should take all practical steps to minimise dust deposition which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control and this is available on the internet: - London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the - Building Research Establishment: Control of dust from construction and demolition activities
3. The applicant should be aware that any burning on the site or associated with the development that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. No fires should take place on construction sites and all demolition and construction waste should be taken off site for recycling or disposal.
4. The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
5. Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.
6. No builder's materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

7. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

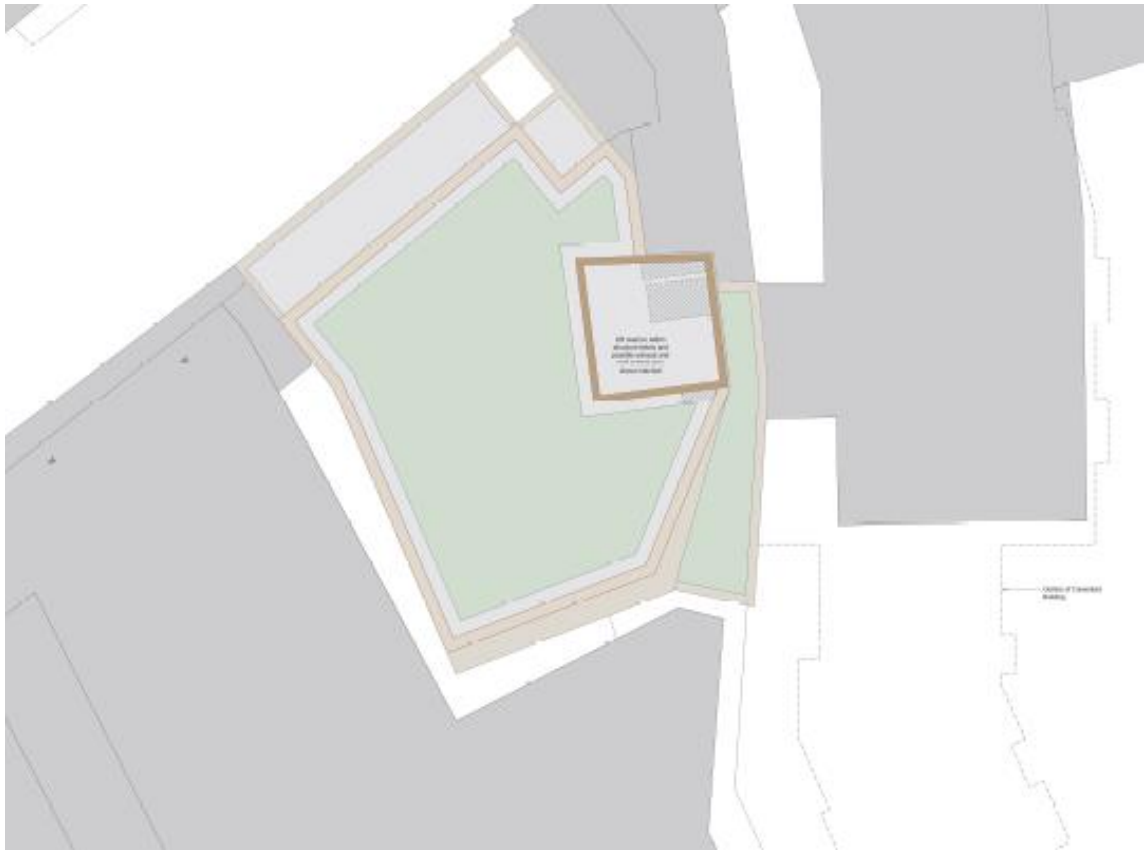
Appendix A Site location plan and street scene



Appendix B Floor Plans and elevations











WINDSOR URBAN DEVELOPMENT CONTROL PANEL

1 February 2017

Item: 2

| | |
|-------------------------|---|
| Application No.: | 16/03274/FULL |
| Location: | Land Adjacent To 6 Bridgeman Drive Windsor |
| Proposal: | Erection of 2 pairs of semi detached houses with associated access and parking. |
| Applicant: | Oakridge Developments UK Ltd |
| Agent: | Mr Paul Sehmi |
| Parish/Ward: | Windsor Unparished/Clewer East Ward |

If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk

SUMMARY

- 1.1 This application was reported to Panel on the 7th December 2016, where Panel resolved to defer the application for 2 cycles to allow for a site visit.
- 1.2 This report has been updated to incorporate the comments in the previous Panel Update report. 11 of objections were received at the time of the last Panel. An additional letter from a neighbour (who has previously objected) has been received to advise that bat boxes have been put up in number 5 St John's Road, and question whether this changes the recommended conditions; this is addressed in the table of neighbour comments. There is no change to the previous recommendation.

Original Summary

- 1.3 The proposed development for 2 pairs of semi-detached dwellings would have an acceptable impact on the character and appearance of the area, and on the setting of the neighbouring Listed Building. In terms of living conditions, there would not be any significant impact on occupiers of the neighbouring properties and the proposals would provide for a good standard of amenity for future occupiers of the development.
- 1.4 There would be sufficient on site parking which meets adopted standards. There would not be enough space on site for a refuse vehicle to turn and leave in a forward gear; however, a bin collection area is shown at the front of the site where residents can put their bins on collection day. The siting of the collection is within guidance for bin carry distance for both residents and refuse collectors. The proposals would be acceptable in respect of highway safety and convenience.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to land which is in the ownership of, and use by, number 6 Bridgeman Drive. The application site is rectangular shaped and measures circa 0.1 hectares.
- 3.2 The site is surrounded by residential properties on all sides which are two storeys in height. To the South is a listed building which has been converted into apartments.
- 3.3 The dwellings on Bridgeman Drive are gable ended buildings, with pitched roofs; they tend to be finished in brick and at first floor level there is tile hanging or plastic cladding to the front. The houses are of a fairly simple appearance.

3.4 Bridgeman Drive is a cul-de-sac which serves a mix of dwellings, flats and retirement flats (Bridgeman Court).

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

| Application Reference | Description | Decision |
|-----------------------|---|--|
| 16/02202/FULL | Erection of 2 pairs of semi detached houses with associated access and parking. | Withdrawn on the 30 th August 2016. |

4.1 The application proposes two pairs of semi-detached houses. The dwellings would be sited on land used in association with number 6 Bridgeman Drive. The dwellings would be sited perpendicular to number 6 Bridgeman Drive and would be an extension to the cul-de-sac.

4.2 The dwellings would be set back in their plots, with the parking and turning areas provided to the front of the dwellings. A total of 8 car parking spaces would be provided on site.

4.3 The dwellings would have pitched roofs and would have a height of 7.4 metres to the ridge, and 4.6 metres to the eaves. The dwellings in Bridgeman drive are approximately 7 metres high. The dwellings would be finished in brick (to the ground floor level), with render applied to first floor level.

4.4 The proposed rear gardens would range from 8-12 metres in depth.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

Core Planning Principles

Section 14 - Decision taking

Section 17 - Securing a good standard of amenity for all

Section 32 - Traffic

Sections 61 and 64 - Character of area

Section 132 - Heritage Assets

Royal Borough Local Plan

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

| Within settlement area | Highways and Parking | Aircraft noise | Setting of Listed Building |
|------------------------|----------------------|----------------|----------------------------|
| DG1, H10, H11 | P4, T5 | NAP2 | LB2 |

These policies can be found at

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

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact on character and appearance of area;
- ii Impact on the Setting of the Listed Building;
- iii Residential Amenity;
- iv Parking and Highway Safety;
- v Trees.

Impact on character and appearance of area

6.2 The site consists largely of garden land. Such land is not considered as 'previously developed' according to definitions in the NPPF. However, such land may be developed where requirements of Local Plan policies H10, H11 and DG1 relating to layout, character and appearance are met. These policies are considered to be consistent with the NPPF.

6.3 It is considered that the proposed dwellings in this location in the layout shown would provide an appropriate arrangement as an extension of the cul-de-sac. The amount and form of development on the site is considered to be appropriate in the context of the established pattern of houses in Bridgeman Drive. The scheme would provide for fairly ample gardens; each garden is circa 6 metres wide and 8-12 metres deep. The proposed houses would also have front gardens that would allow for some soft landscaping to be incorporated, which will help to soften the appearance of the built form (condition 6 requires details of soft landscaping to be provided) and reflect the frontages found along Bridgeman Drive.

6.4 The new houses would be higher (by around 0.5m) than the dwellings on Bridgeman Drive. This height is considered to be acceptable in relation to the heights of buildings within the cul-de-sac given that the new houses will be set away allowing for the transition to these marginally taller buildings. In terms of the wider area, the height will be acceptable in glimpses through.

6.5 The dwellings are of a simple design, which picks up on the simple appearance of dwellings on Bridgeman Drive. It is considered that the use of brick (a common material in the area) and render is an appropriate material within this area.

Impact on the Setting of the Listed Building

6.6 To the south-west of the application site is Recognition House which is a Grade II Listed Building dating back to 1853. The proposed dwellings are considered to be of a good design. The buildings have been kept to a scale that respects surrounding buildings, and owing to this and the space retained between the new dwellings and the neighbouring Listed Building (a gap of 18 metres), it is not considered that the development would cause harm to the setting of the Listed Building. In arriving at this conclusion, regard has been paid to the statutory test under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

6.7 The side elevation of the proposed dwellings would face numbers 4 and 5 St John's Drive. This flank elevation would face part of the boundaries of each of these rear garden areas, with most of the rear garden boundaries unobstructed by the two storey part of the building. The proposed dwellings would be visible from these gardens, but given that the built form will only be built along part of the rear boundary to the gardens, and the dwellings would have pitched roofs, it is not considered that the development would be unduly overbearing or lead to an unacceptable loss of light/overshadowing to these rear gardens. No windows are shown in the first floor of the side elevation of plot 4 which would face these garden areas, and it is considered it would be

necessary to restrict windows being inserted in this elevation at first floor in order to protect the privacy of neighbours (see condition 12).

- 6.8 It is acknowledged that the site layout plan does not show the footprint of number 4 St John's Road accurately, however, it is not a planning requirement for this neighbouring dwelling to be shown accurately. The block plan is based on the detailed plotted on OS. Notwithstanding this, it is not considered that the proposed dwelling would reduce light to any habitable room windows in this dwelling to an unacceptable level, given there is a distance of over 5 metres between the side elevation of the proposed dwelling and the ground floor kitchen window of number 4, and this window is angled away from the proposed side elevation, it is considered that this scheme would not result in an acceptable loss of light to this window.
- 6.9 Turning to the impact on the dwellings on Albion Place, the rear elevations of the proposed dwellings are in excess of 25 metres from the rear elevations of these dwellings. There is ample distance from the proposed dwellings for it not to have any significant detrimental impact on the living conditions of the occupiers of these neighbouring properties.
- 6.10 In terms of the impact on the flats (Recognition House) to the south, there is sufficient distance between the proposed dwelling and this building (over 17 metres) not to result in an overbearing impact or unacceptable loss of light to habitable room windows. Recognition House has large grounds, and so it is not considered that the flank elevation would be unduly overbearing to the grounds or lead to an unacceptable level of overshadowing.
- 6.11 There is a side window at first floor in 6 Bridgeman Drive, this window serves a stairwell (non-habitable room), and there would be a gap of 16 metres between the new dwelling and the side elevation. There is considered to be an acceptable impact on the amenity of this dwelling.
- 6.12 Each dwelling would have a sufficient garden area, and it is considered number 6 Bridgeman Drive would retain an adequate garden area (over 8 metres deep and 9 metres wide).

Parking and Highway Safety

- 6.13 Four, 3 bedroom dwellings within this location have the potential to generate 24 to 48 vehicle movements per day. With regards to the visibility splays the access can provide sufficient visibility splays given the site being at the end of a cul-de-sac. The plan provided shows the existing access is to remain to serve the 2 existing properties and will be extended to serve the 4 new properties. There is adequate space for a car to wait on the access road if two vehicles meet at the narrower point of access and are not able to pass. It is not considered that this arrangement would adversely impact on the free flow of traffic at the end of this cul-de-sac.
- 6.14 The existing dwellings 6 and 7 Bridgeman Drive will retain the same level of parking on site and will enter and leave the site in the same manner. Each of the dwellings would have 2 car parking spaces for each 3 bed house. All of the car parking spaces measure 2.4m x 4.8m and behind each bay there is a minimum of 6.0m manoeuvrability which enables a vehicle to enter and exit the site in a forward gear. The level of parking provision would meet the parking standards set out in the Council's Parking Strategy.
- 6.15 A swept path analysis shows a 7.5 tonne box van able to enter and exit the site in a forward gear. A refuse store would be provided for each property and a collection point for refuse bins is proposed towards the front of the site. The collection point is provided because a refuse vehicle would not be able manoeuvre within the site. It is considered that the area of hardstanding for the bin collection point would need to be increased to accommodate the wheelie bins. A condition (see condition 10) is recommended to secure details of this bin collection point area to be provided (which demonstrates that the area is large enough). The siting of the bin collection point would be within recommended carry distances for future occupiers of the houses and refuse collectors. In terms of a fire engine, a fire engine can get within 45 metres of the furthest dwelling and this would meet the recommendations in Manual for Streets. The development is considered to have an acceptable impact on highway safety. A separate pedestrian access is not required for this size of development.

Trees

- 6.16 The trees included in the tree survey are not subject to a tree preservation order. Two shrubs (cherry laurel and ornamental shrub) are shown for removal; there is no objection to their loss as they offer limited amenity value. Work has been undertaken to heavily cut back and reduce the size of trees T1, T2, T3 and T5 which are both on and off-site trees to the North West and south east. A condition is recommended (see condition 5) to secure the details of tree protection measures.

Other Material Considerations

Housing Land Supply

- 6.17 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.
- 6.18 The site is not situated within the flood zone, and as this is not a major development there is no planning requirement to provide Sustainable Drainage.
- 6.19 The site notice was displayed close to the application site, as required in the planning legislation. In addition, 42 properties were directly notified of the application by letter.
- 6.20 The Highway Authority has assessed the application (taking into account the context of the local area) and considers the scheme would have an acceptable impact on highway safety.
- 6.21 An objector has raised concern over the impact of the development on number 2 St John's Road. The application site does not touch the boundary of this property, however, condition 7 requests details of the boundary treatments to be submitted to the LPA for approval.
- 6.22 The Council's ecologist is satisfied bat mitigation is not required on site. A condition for biodiversity enhancements is recommended in the Panel update report.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be in the region of £84,480.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

42 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 31st October and the application was advertised in the Maidenhead & Windsor Advertiser on the 3rd November 2016.

11 letters (one letter is from the manager of Bridgeman Court on behalf of the residents) were received objecting to the application, summarised as:

| Comment | Where in the report this is considered |
|--|--|
| 1. Bridgeman Drive already has a large population resulting in pressure on parking, congestion and facilities. Any further development should no be allowed. | 6.13-6.15. |
| 2. Parking is already an issue in the area, and the scheme provides insufficient parking. | 6.13-6.15. |

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| 3. | Already considerable congestion with a dangerous access to the Cloisters, together with frequent visits from nurses and ambulances Bridgeman Court. | 6.13-6.15. |
| 4. | The new access is narrow and would not allow large vehicles to enter. Fire engines would not be able to get into the site; the development would be a fire trap. | 6.15. |
| 5. | Refuse and other large vehicles would not be able to get into the site- distance from dwellings to road is 25 metres. | 6.15. |
| 6. | There was damage to the road when the Cloisters were built, and large vehicles to build this development are likely to cause damage. | This is not a planning consideration. |
| 7. | Development will cause flooding to Bridgeman Drive, as the existing site is a natural overflow. | 6.18. |
| 8. | The SUDS system proposed is not suitable for the site. | 6.18. |
| 9. | Trees will need to be cut back to facilitate the development. | 6.16. |
| 10. | The 4 dwellings would be overbearing and out of keeping with other dwellings on the road. | 6.2-6.5. |
| 11. | This appears to be garden grabbing which the NPPF resists. | 6.2. |
| 12. | Allowing this scheme would cause danger to highway safety and could result in a resident of Bridgeman Court being knocked down. | 6.13-6.15. |
| 13. | A much better proposal would be for 2 detached dwellings- this would give a less overcrowding sense to the properties on St John's Drive. | Noted. |
| 14. | Scheme is overdevelopment of the site. | 6.2-6.5. |
| 15. | Scheme is obviously to provide family homes, and there is no pedestrian access for young children or use of buggies. | 6.15. |
| 16. | Criticism over where the site notice was displayed. | 6.19. |
| 17. | The need to store bins next to number 5 Bridgeman Drive indicates overdevelopment of the site. Is there enough capacity of the site to store recycling food and green waste? | 6.15. |
| 18. | Concerns over level of traffic that would be generated in the area; it would result in detriment to highway safety. | 6.13-6.15. |
| 19. | The information contained in the Transport Statement is not accurate. | 6.20. |
| 20. | Occupiers of the dwellings are likely to have more than 2 cars - parking is inadequate. | 6.14. |
| 21. | The scheme is garden grabbing and would take away the garden for number 6; this conflicts with planning policy. | 6.2-6.5. |
| 22. | The design is inappropriate; the 12 original dwellings in Bridgeman Drive are detached houses, these semi-detached dwellings will look out of keeping. | 6.2-6.5. |
| 23. | Concerns over the impact on number 2 St John's Road. | 6.21. |
| 24. | Bats feed at number 5 St John's Road, which resulted in them putting bat boxes up. Question whether this would make a difference to the recommended conditions. | 6.22. |
| 25. | Concerns over the impact on parking. | See 6.13-6.14. |
| | Concerns over impact from construction vehicles: road is not suitable for large vehicles. | Condition 4 would secure a Construction Management Plan. |
| 26. | Development would create traffic hazards and the cul-de-sac would not be a safe place for children to be in. | See 6.13-6.15. |
| 27. | New dwellings will dominate the gardens of numbers 4 and 5 St Johns Drive which are small gardens anyway. The plans may look ok on paper but you would need to see from the ground to understand what the impact really will be. | See 6.7. |
| 28. | The plans do not accurately show the footprint of number 4 St John's Road. The distance from the western edge of the flank wall from plot to number 4 St John's Drive is about 8.5 metres. | See 6.8. |

| | | |
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| 29. | The distances marked on the proposed site plan does not show the correct distances and therefore cannot be relied on. | There is no requirement for distances to be marked on the plans. Also see section 6.8. |
| 30. | The flank wall of plot 4 would be 1 metre off the boundary fence with number 4- this is very narrow- would it meet wheelchair accessible standards? | There is no requirement to provide disabled access within the plot. |
| 31. | The flank wall of plot 4 would form an intrusive barrier from the kitchen window, back door and sitting room window of number 4 St Johns Road. | See 6.8. |
| 32. | The southern side of number 4 St Johns Road would be impacted by overshadowing caused by the property and it would reduce light to the kitchen and sitting room window. | See 6.7-6.8. |
| 33. | Having the dwelling 1 metre off the boundary does not fit in with the other dwellings in the area. | The proximity of the dwellings to the boundaries is considered to be acceptable within this area. See 6.2-6.5. |
| 34. | Concerns over drainage and impact on neighbouring land from run-off. | 6.18. |
| 35. | Trees were removed from site before the tree survey was undertaken. | Noted, however, the trees removed were not protected. |
| 36. | Request clarification over what tree survey proposes in terms of tree removal. | 6.16. |
| 37. | The site has been home to wildlife in the past. | Noted- see comments from the Council's ecologist. |
| 38. | Scheme is overdevelopment of the site. | 6.2-6.5. |
| 39. | The parking areas for 6&7 Bridgeman Drive "will not be altered in any way". No one has consulted me on this, and it is not clear to me how my drive would be defined. I do not see any pavements to the proposed new access, and there is an obvious safety issue here. (Number 7 Bridgeman Drive). | 6.13-6.15. |
| 40. | Large vehicles that cannot enter the site will stop and block the entrances to number 6 and 7 Bridgeman Drive. | 6.13-6.15. |

Other consultees

| Consultee | Comment | Where in the report this is considered |
|-------------------|--|---|
| Highway Authority | All of the proposals submitted comply with the Local Authorities current standards, therefore from a highways point of view we can offer no objection to the proposal subject to complying with the following conditions: <ul style="list-style-type: none"> ☐ Access constructed in accordance with the approved drawing. ☐ Submission of a construction management plan. ☐ Parking and turning space approved and retained. ☐ Refuse and recycling facilities in accordance with | 6.13-6.15 and see recommended conditions. |

| | | |
|--------------------------|--|---|
| | approved drawing. | |
| Environmental Protection | No objections. | Noted. |
| Tree Officer | Offers no objections, subject to conditions for trees shown for retention to be retained, details of tree projection measures, and details of landscaping to be approved. | 6.16 and recommended conditions. |
| Council's Ecologist | <p>Following a site visit, the site seemed to be of low ecological value. There were no structures on site and no trees with the potential to support bats. The majority of the site was well maintained lawn with limited potential for amphibians and reptiles.</p> <p>The hedgerow, shrubs and small trees had the potential to support breeding birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended. Vegetation removal should be undertaken outside the breeding bird season (which spans from March to August inclusive) or else should be undertaken immediately subsequent to checks by an experienced ecologist. Should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice be incorporated into a suitably worded condition or Informative Note.</p> <p>A mammal hole was recorded on site, with evidence of use by foxes. All mammals receive some protection under the Wild Mammals (Protection) Act 1996, which makes it an offence to intentionally cause this species unnecessary suffering by certain methods, including crushing and asphyxiation. In addition, the site had potential to support hedgehogs, a priority species, which makes them a conservation priority under Section 41 of the NERC Act 2006. The development should be undertaken sensitively with regards to foxes and other mammals and the fox hole should be dug out by hand in order to prevent injury or suffering to foxes. Should the local planning authority be minded to grant planning permission, it is recommended that this advice is incorporated into a suitably worded condition.</p> <p>Paragraph 109 of the NPPF states that: "The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity.</p> <p>No biodiversity enhancements have been presented with this application. In order to contribute to a net gain in biodiversity at this site, it is recommended that a Biodiversity Enhancement Plan is provided to the LPA detailing the provision and maintenance of ecological enhancements for the site post development. Should the local planning authority be minded to grant planning permission, it is recommended that this advice is incorporated into a suitably worded condition.</p> | <p>With regard to vegetation removal and the protection of foxes and hedgehogs; these species are protected by other legislation and so it is not considered necessary to impose planning conditions. Informatives are recommended.</p> <p>With regard to the biodiversity enhancements a condition is recommended.</p> |

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B - Elevations and floor plans

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

1. The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. Prior to the construction of the dwellings hereby approved, samples of the materials to be used on the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1.
3. No development shall take place until a detailed plan showing the existing and proposed ground levels of the site together with the slab and ridge levels of the proposed development, relative to a fixed datum point on adjoining land outside the application site, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
Reason: In the interest of the visual amenities of the area. Relevant Policy - Local Plan DG1.
4. Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained 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.
5. No tree or hedgerow shown to be retained in the approved plan (Drawing SE7732/02) shall be cut down, uprooted or destroyed, nor shall any retained tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any approved tree work shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority. Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan (Drawing SE7732/02), shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing and ground protection in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies Local Plan DG1, N6.
6. Prior to the construction of the dwellings hereby approved, full details of both hard and soft landscape works, shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it,

is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

7. Prior to the first occupation of the dwellings hereby approved, details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) shall be submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.

Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.

8. No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.

9. No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

10. Notwithstanding the detail contained on the approved plan, no part of the development shall be occupied until a plan showing the amended bin collection point area has 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. A refuse management plan shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of the dwelling, and following first occupation of the dwelling, the management plan shall be adhered to for the lifetime of the development.

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, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (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 dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1, and to ensure an adequate amount of parking is retained on site. Local Plan Policy P4

12. No window(s) shall be inserted at first floor level in the north east elevation(s) of the dwelling (marked plot 4 on the approved plan).

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers, in accordance with the requirements of the NPPF.

13. Prior to the first occupation of the dwellings hereby approved, details of the lighting along the access road and the car parking area (including specification of the lights, LUX levels and operational times) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter shall be retained as operational.

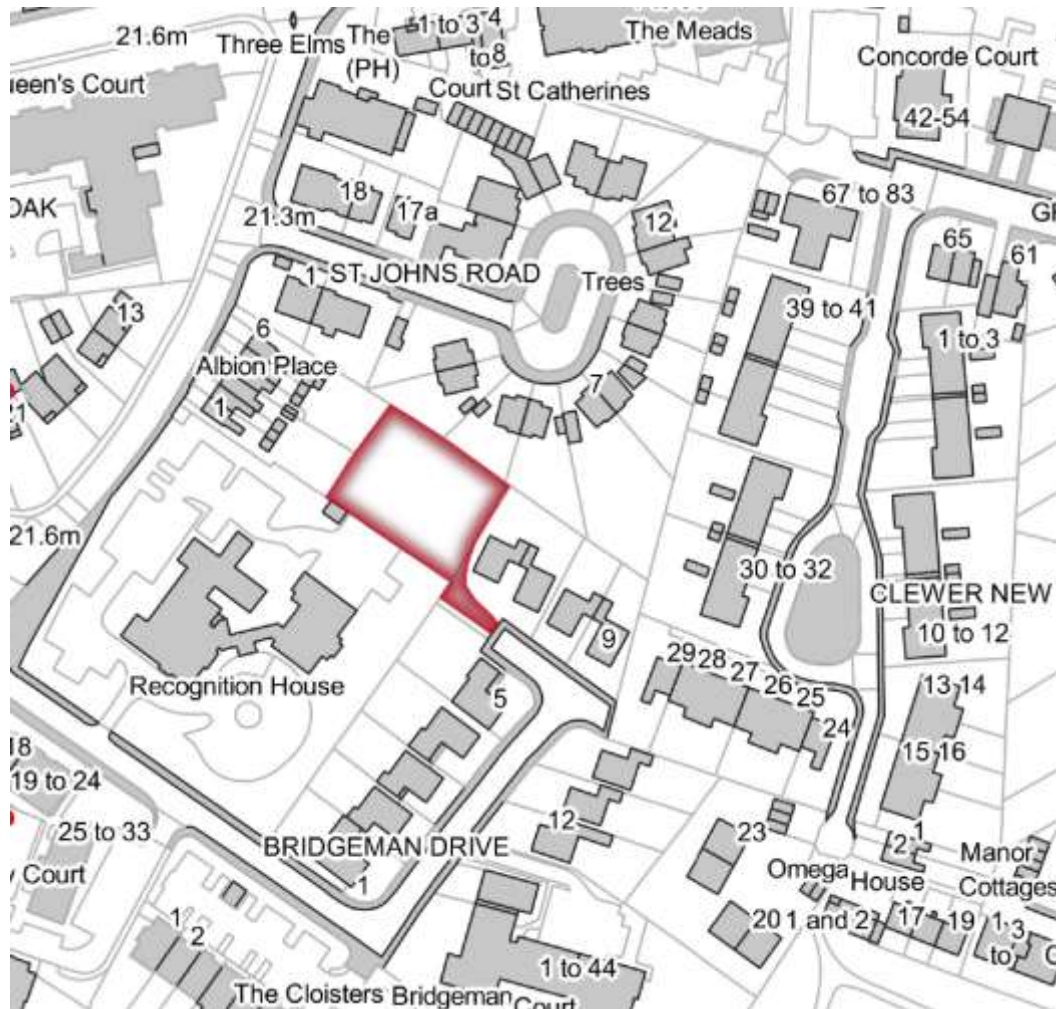
Reason: In the interests of residential amenity and the safety and security of the site. Relevant Policy - Local Plan H10, Core Principle 4 of the National Planning Policy Framework

14. No gates shall be erected across the approved access.
Reason: To maintain the open character of the area and in the interests of highway safety - Local Plan Policy DG1, T5.
15. Prior to the construction of the dwellings hereby approved, full details of biodiversity enhancements shall be submitted to and approved in writing by the local planning authority. The biodiversity enhancements shall be retained thereafter in accordance with the approved details.
Reason: In the interests of enhancing biodiversity as required by the NPPF.
16. 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. Breeding birds, their eggs and active nests are protected under the Wildlife and Countryside Act 1981, as amended. It is advised that there should be no building demolition, or tree, shrub and hedgerow removal be undertaken inside the breeding bird season (March to August inclusive) or such works are to be undertaken immediately following inspection by a qualified ecologist.
2. The attention of the applicant is drawn to the protection of mammals under the Wild Mammals (Protection) Act 1996 and under Section 41 of the NERC Act 2006 when undertaking the development.

Appendix A- Site location and site layout





Refer to site history for the
 details of the site. The site
 is located on the corner of
 the street and the
 street.

Refer to the site history for the
 details of the site. The site
 is located on the corner of
 the street and the
 street.

Double Storey House with
 House Deck

Double Storey House with
 House Deck

Double Storey House with
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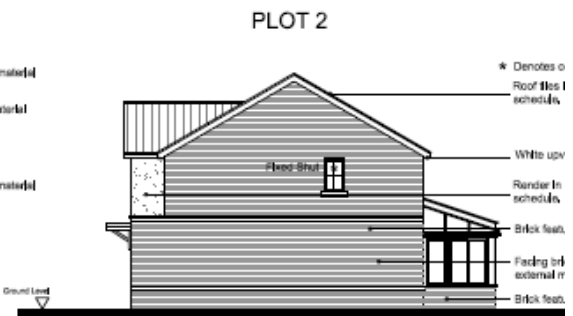
Double Storey House with
 House Deck

Appendix B- Elevations and Floor plans

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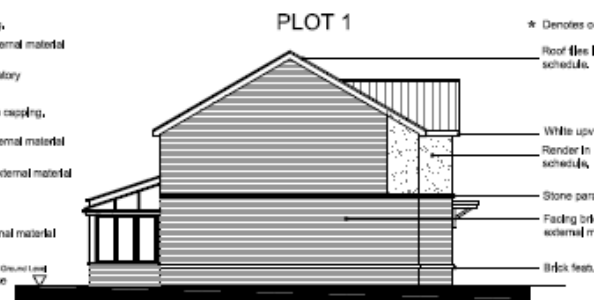
PROPOSED FRONT ELEVATIONS 1:100



PROPOSED SIDE ELEVATIONS 1:100



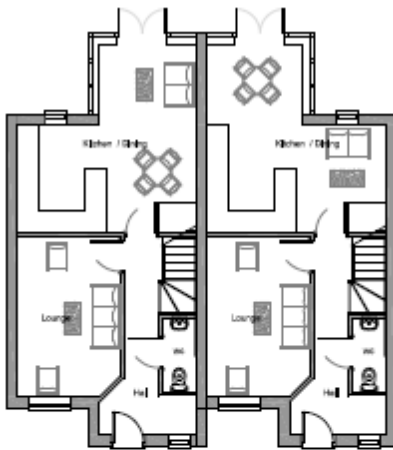
PROPOSED REAR ELEVATIONS 1:100



PROPOSED SIDE ELEVATIONS 1:100

PLOT 1

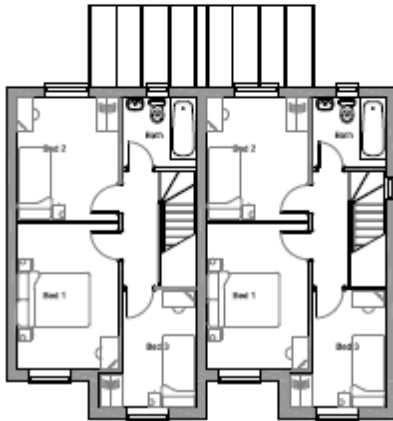
PLOT 2



GROUND FLOOR PLANS 1:100

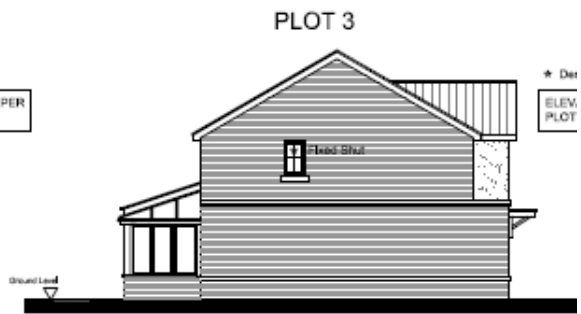
PLOT 1

PLOT 2





* Denotes obscure glazing
 ELEVATION TREATMENTS AS PER PLOT 1 AND PLOT 2 ABOVE



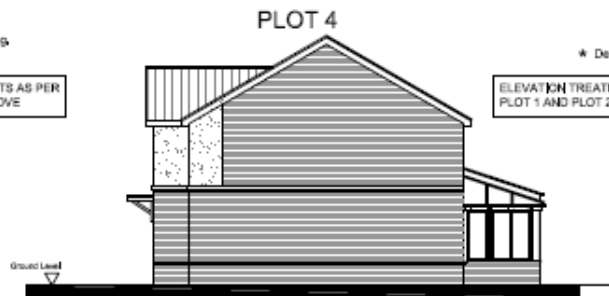
* Denotes obscure glazing
 ELEVATION TREATMENTS AS PER PLOT 1 AND PLOT 2 ABOVE

PROPOSED FRONT ELEVATIONS 1:100

PROPOSED SIDE ELEVATIONS 1:100

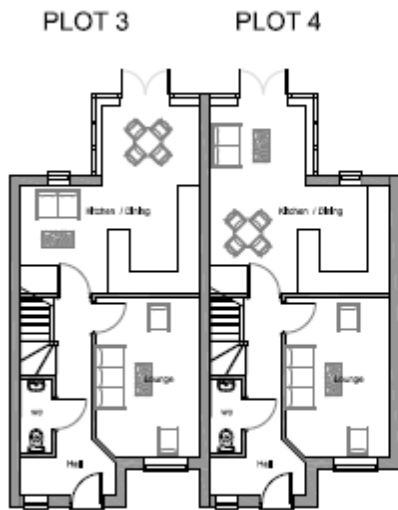


* Denotes obscure glazing
 ELEVATION TREATMENTS AS PER PLOT 1 AND PLOT 2 ABOVE

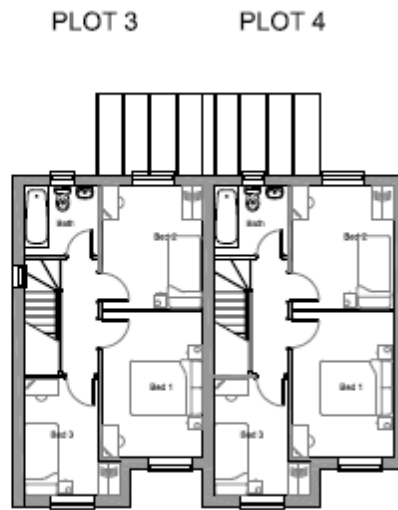


* Denotes obscure glazing
 ELEVATION TREATMENTS AS PER PLOT 1 AND PLOT 2 ABOVE

FIRST FLOOR PLANS 1:100



GROUND FLOOR PLANS 1:100



FIRST FLOOR PLANS 1:100

0 1 2 3 4 5 6 7 8 9 10 Metres