

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD
PANEL UPDATE**

Windsor Urban Panel

Application No.:	17/00482/FULL
Location:	Street Record Shirley Avenue Windsor
Proposal:	Construction of a residential development comprising (Building A) a three storey block containing 7 x 1-bed, 5 x 2-bed flats, (Buildings B1 and B2) two terraces of 3 x 3-bed dwellings, (Building C) a part three/part four storey block containing 9 x 1 bed, 7 x 2-bed flats, (Building D) a part four/part five storey building containing 16 x 2 bed, 5 x 3-bed flats, (Building E) a part four/part five storey building containing 4 x 1-bed, 15 x 2-bed flats, (Block F) a four storey building containing 7 x 1-bed and 8 x 2-bed flats. Refuse and cycle stores, new road and pavements/cycleways with parking (surface and underground) and amenity/play space, hard and soft landscaping, ancillary works following demolition of existing commercial buildings.
Applicant:	Medina Property Development Ltd
Agent:	Mr Mark Carter
Parish/Ward:	Windsor Unparished/Clewer North Ward
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The applicant has now provided adequate bat mitigation, and so reason for refusal 6 of the main report no longer applies. Clarification is provided on the need for a Travel Plan within this update report.
- 1.2 The applicant's arboriculturist has provided comments in response to the Council's tree officer, which are set out below.
- 1.3 Comments are awaited from the Lead Local Flood Authority, and it is recommended Panel defers authority to the Head of Planning to add a reason for refusal on inadequate Sustainable Drainage Scheme, should the Lead Local Flood Authority object.

It is recommended for Panel to defer and delegate to the Head of Planning authority to refuse planning permission with the reasons 1-5 listed in Section 9 of the main report, with an additional reason for refusal on inadequate SUDS information should the LLFA object.

2. ADDITIONAL INFORMATION

Bat mitigation

- 2.1 The applicant has submitted proposed bat mitigation, which would include the provision of 2 bat boxes to be erected on the site, either on trees, adjacent buildings or the new buildings.

Officer response: Noted, the mitigation is considered to be acceptable, and this removes the reason for refusal in relation to bats.

Travel Plan

- 2.2 In the main panel report at paragraph 6.48, it states that a travel plan should be secured through a legal agreement. Given that there is likely to be a reduction in traffic movements compared to the existing site, it is not considered necessary to secure a travel plan. In addition, the scheme makes provision for cycle storage, which would give occupiers other sustainable modes of transport to use (other than car).

Trees

- 2.3 The applicant's arboriculturist has provided further comments in response to the comments from the Council's Tree Officer; these are summarised below:

- There was a deliberate effort to keep the buildings in the estate layout to allow for future branch growth
- Drawing 166/102 Revision A was not reviewed, and this is a critical drawing
- The tree officer has referred to incorrect paragraphs from British Standard
- A shading assessment to show shade maps from retained trees throughout the seasons and during a typical day can be completed, although the architectural design has already accounted for tree shading potential on the building
- For those trees not subject to Tree Preservation Orders, the owner of the Shirley Avenue Site has the right to trim these back where they overhang the property boundary
- With regard to T5 (Hornbeam), the south west corner of B1 building only clips the Root Protection Areas by 1.5 metres square, while the canopy will only interface with the building by 4 square metres. The south west corner house has a considerably lower height than the first two houses in this group, and the west facing living room is only one storey and the upper canopy of T5 will be much higher than this. In addition, the end house's south elevation has no windows and natural light will arise from the east and west and therefore there will be no pressure from future residents to request additional pruning of T5 due to the limited outlook to the south. A limited amount of pruning of branches by up to 1.5m in the north east side of tree T5 will be required to enable construction access.
- **Block C-** We do not consider that trees T20 and T21 will be significant in this development as they are both poor quality with a limited life expectancy. If necessary the site owner may negotiate with the adjacent landowner to have these trees removed and may offer to replant similar new species further away from the property boundary although this will be at the site owner's discretion and with agreement from the neighbour. Block C is located outside the RPAs of the larger trees T22, 26, and T27 although there is a very slight clipping of the RPA of tree T22 in its south west corner by up to 1 m². There is clearance of 3.8m between the west canopy edge of tree T27 and the main elevation of the building and 2.5m between the tree and the balcony. The gaps between the canopies of T22 and T26 are 2.4 and 4.85m respectively. These trees will be protected during the construction phase. Tree T27 has the greater proportion of its crown mass on its north east and south sides and we will expect crown extension to be predominantly within these aspects with less growth on the west side. These trees are outside the development site and in a public park and they are protected by a recent Tree Preservation Order. The future residents will experience a degree of shading during the morning (in the summer) although they will appreciate the outlook onto these attractive trees.
- **Block D-** The proposed building footprint is outside the RPAs of trees T22, and T28-T34. T22 a category C2 Hornbeam would have to be removed as it would be too tight to the building. Tree T28 also has the majority of its crown mass on its east side and we expect crown extension growth to be concentrated on the north east and south sides with limited growth to the west. Tree T29 -T31 are mediocre quality Sycamores that could be removed with the agreement of the

site owner and new replacements of Acer species planted in the park further away from the property boundary.

- They are of the view that the landscaping has been carefully considered and the new trees will survive

Officer response to comments on trees:

2.4 Drawing 166/102 Revision A was reviewed by the Council’s tree officer, as this plan is included within the Arboricultural Method Statement (one of the documents that were listed as being reviewed). In respect of the comments made about the impact on protected trees, shading that would be cast and the quality of the proposed landscaping scheme, the Council’s tree officer disagrees with these comments, and their comments on the application still stand.

Sustainable Drainage

2.5 Comments are awaited from the Lead Local Flood Authority in respect of the additional information submitted by the applicant for the Sustainable Drainage Strategy. If the Lead Local Flood Authority raises an objection once they have reviewed this information, it is recommended that Panel authorises the Head of Planning to include this as an additional reason for refusal.

Unilateral Obligation

2.6 The applicant is willing and working on a unilateral agreement. The matters that would be covered within the legal agreement are set out below.

- Affordable housing provision
- A flood escape route for the site to the north which would be safe in the 1 in 100 year flood event
- Flood evacuation plan
- Implementation of the play area which is to be constructed and maintained by the developer
- Nomination of a management company who would be responsible for footpaths, grassed amenity areas, with details of how these areas would be maintained.

2.7 Comments from Interested Parties

Comments from Consultees

Comment	Officer response	Change to recommendation?
<p>Council’s Ecologist Although not very detailed, they have confirmed it can be dealt with under a Low Impact Class Licence and under that, it is likely that NE will only require a couple of bat boxes as mitigation, along with overseeing of works by an ecologist, which they have said they will be doing. Now the applicant has confirmed that mitigation will be provided, the Council’s ecologist considers a planning condition can be imposed to secure details of mitigation in line with Natural England Licence.</p>	<p>Noted. A condition could be imposed to secure this mitigation.</p>	<p>No</p>

Application No.:	17/00761/FULL
Location:	8 Clarence Road Windsor SL4 5AD
Proposal:	Subdivision of existing property from 2 No 1 bedroom flats and 1 No. 2 bedroom flat to 3 No 1 bedroom flats, including reconstruction of rear lean to extension
Applicant:	Mr R Ellis Mr M Bird
Agent:	Ms Nicola Broderick
Parish/Ward:	Windsor Unparished/Castle Without Ward
If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk	

1. SUMMARY

The applicants are in the process of completing a S106 agreement to restrict the number of parking permits to be obtained. Satisfactory amended and additional details have been submitted regarding internal detailing and a photographic record of the basement. The applicants have also submitted details of the proposed cycle store. The Conservation Officer is now satisfied with the proposal.

It is recommended the Panel grants planning permission subject to the completion of a satisfactory S106 Unilateral undertaking to restrict parking permits to 1 per flat and with the conditions listed in Section 9 of the main report with the amended condition in section 3 below

2. ADDITIONAL INFORMATION

- 2.1 The applicants have submitted details of the proposed cycle store. Condition 5 in the main report can therefore be modified to refer to the approved plans and details. See section 3 below.

3. AMENDED CONDITION RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED:

- 3.1 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved plans and details. 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

Application No.:	17/00762/LBC
Location:	8 Clarence Road Windsor SL4 5AD
Proposal:	Consent for subdivision of existing property from 2 No 1 bedroom flats and 1 No. 2 bedroom flat to 3 No 1 bedroom flats, including reconstruction of rear lean to extension
Applicant:	Mr R Ellis Mr M Bird
Agent:	Ms Nicola Broderick
Parish/Ward:	Windsor Unparished/Castle Without Ward
If you have a question about this report, please contact: Vivienne McDowell on 01628 796578 or at vivienne.mcdowell@rbwm.gov.uk	

1. SUMMARY

- 1.1 Satisfactory amended and additional details have been submitted regarding internal detailing and a photographic record of the basement has also be submitted. The applicants have also submitted details of the proposed cycle store. The Conservation Officer is now satisfied with the proposals.

It is recommended the Panel grants listed building consent with the conditions listed in Section 9 of the main report and with an additional condition to ensure that materials are as per those specified in the application. See section 3 below

2. ADDITIONAL INFORMATION

- 2.1 An additional condition is required on the Listed Building application to ensure that materials are as per those specified in the application. See section 3 below.
- 2.2 Pursuant to the corresponding planning application 17/00761, the applicants are in the process of completing a S106 agreement to restrict the number of parking permits to be obtained. This S106 is not required for the Listed Building consent.

3. ADDITIONAL CONDITION RECOMMENDED FOR INCLUSION IF LISTED BUILDING CONSENT IS GRANTED.

- 3.1 The materials to be used on the internal and 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 protecting the character and appearance of the listed building.
Relevant Policies - Local Plan LB2.

Application No.:	17/00883/LBC
Location:	66 Grove Road Windsor SL4 1HS
Proposal:	Listed building consent for the conversion of existing first floor bathroom into smaller internal bathroom and rear bedroom. Alterations involve the part demolition of a first floor wall. Build a cloakroom WC at basement level.
Applicant:	Ms Openshaw
Agent:	Mrs Angela Gabb
Parish/Ward:	Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: Jessica Stileman on or at jessica.stileman@rbwm.gov.uk

Application No.:	17/00861/FULL
Location:	75 St Andrews Crescent Windsor SL4 4EP
Proposal:	Hip to gable extensions to front and rear to accommodate loft conversion to form habitable accommodation and two storey rear extension.
Applicant:	Mr And Mrs Poole
Agent:	Mr P N Robson
Parish/Ward:	Windsor Unparished/Clewer South Ward
If you have a question about this report, please contact: Josey Short on 01628 683960 or at josey.short@rbwm.gov.uk	

1. SUMMARY

- 1.1 The Panel Update provides clarification of the light assessment carried out on the side window of neighbouring dwelling No. 73. Additional reference is made to the housing land supply detailed in the report and the schemes liability for CIL.

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

2. ADDITIONAL INFORMATION

- 2.1 Paragraph 6.5 of the officers report details the assessment carried out in order to assess the potential impact the proposed works would have on the bedroom window within the side elevation of No. 73. By way of clarification, the visible sky angle (also known as a vertical sky component) referred to, is the angle taken from the centre point of the window in question between the highest point of the obstruction and the top of the window and as such is the level of sky visible from said window. In this instance, the highest point of the obstruction is the ridge of the host dwelling. Paul Littlefair details this within chapter 2 of *Site Layout Planning for Daylight and Sunlight, A Guide to Good Practice*. Paragraph 2.1.6 states ;-

'The amount of daylight a room needs depends on what it is being used for. But roughly speaking if the visible sky angle is between 45 and 65 degrees special measures are usually required to provide adequate daylight. If the angle is less than 25 degrees, it is often impossible to achieve reasonable daylight even if the whole wall is glazed.'

- 2.2 With this taken into account, it is considered that a visible sky angle of 25 degrees would be unacceptable. In this instance, the visible sky angle is significantly greater than this at 50 degrees. It is noted that the proposed works would not increase the height of the existing dwelling and as such these angles would not change as a result of the proposed works. An assessment of this window has been carried out on site and mindful of the above it is considered that the proposed works would not significantly affect the light this window currently receives.
- 2.3 Paragraphs 6.17, 6.18 and 6.19 within the officer's report relate to a housing land supply. The proposed works relate only to the extension of an existing dwellinghouse. Mindful of this, it is noted that the aforementioned paragraphs do not apply in this instance.
- 2.4 It is calculated that the proposed works would not be CIL liable as the resultant increase in internal floor space would not exceed 100 sq. metres. Mindful of this, it is noted that paragraphs 7.1, 7.2 and 7.3 do not apply.

Application No.:	17/00940/FULL
Location:	29 Tilstone Close Eton Wick Windsor SL4 6NG
Proposal:	Construction of an outbuilding (retrospective)
Applicant:	Mr Nar
Agent:	Mr Gurprit Benning
Parish/Ward:	Eton Town Council/Eton Wick Ward

If you have a question about this report, please contact: Nuala Wheatley on 01628 796064 or at nuala.wheatley@rbwm.gov.uk

Application No.:	17/01277/LBC
Location:	10 Clarence Road Windsor SL4 5AD
Proposal:	Replacement of 5 box sash windows with slimline 12mm glass sealed box frame and sash windows.
Applicant:	Mr Bird
Agent:	Ms N Broderick
Parish/Ward:	Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: Olivia Mayell on or at olivia.mayell@rbwm.gov.uk

