

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

11 October 2017

Item: 2

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

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

1. SUMMARY

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

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

2. REASON FOR PANEL DETERMINATION

- 2.1 The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.
- 2.2 Irrespective of the recommendation, Cllr Alexander has called the application to be determined at the appropriate Panel, at the request of Eton Town Council and in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

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

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

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

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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

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

5. MAIN LEGISLATION AND POLICIES RELEVANT TO THE DECISION

Town and Country Planning Act 1990 (as amended)

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

5.2 Sec 70 (2) states:

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

Planning and Compensation Act 2004

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

5.4 Sec 38(6) states:

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

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

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

5.6 Section 66(1) states:

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

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

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

NPPF 2012

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

Royal Borough Local Plan 1999, incorporating alterations adopted 2003

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

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

These policies can be found at:

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

Borough Local Plan: Submission Version 2017

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

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

5.11 The NPPF states that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 27 September 2017 with the intention to submit the Plan to the Planning Inspectorate thereafter. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

Other Supplementary Planning Documents, Local Strategies or Publications

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

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

More information on these documents can be found at:

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

Historic England guidance

5.13 The following HE guidance is also pertinent:

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

Environment Agency guidance

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

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

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

Principle of sustainable development

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

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

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

Vitality and prosperity of the Town Centre

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

Flood risk

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

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

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

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

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

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

The preservation and enhancement of heritage assets

- 6.18 The designated heritage assets that would be affected by the proposed development comprise the Conservation Area, the setting of a number of Listed Buildings, and, potentially, any archaeological resource on the site. Before assessing the impact of the proposals on these assets, their significance (individually and/or in combination, needs to be identified.
- 6.19 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of a Conservation Area when dealing with a planning application therein. Advice in the NPPF (paragraphs 128 and 129), requires that an applicant should describe the significance of any heritage assets affected by the proposed development, and should set out how it would affect the significance of the same. The application was accompanied by a Heritage Impact Assessment which addressed these requirements in relation to the Conservation Area.
- 6.20 The NPPF underlines the desirability of new development making a positive contribution to local character and distinctiveness (para 131). Policy CA2 of the Local Plan requires that in Conservation Areas any development should enhance or preserve the character and appearance of the area, while new buildings should be of a high design standard, sympathetic in terms of siting, proportion, scale, form, height, materials and detailing to adjacent buildings and the character of the area in general.
- 6.21 The Council's published Townscape Assessment 2010 notes for Eton that:

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

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

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

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

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

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

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

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

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

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

Housing

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

Residential amenity

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

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

Highways and movement

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

Infrastructure provision

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

Other Material Considerations

- 6.48 Housing Land Supply Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of this presumption, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.49 It is acknowledged that this scheme would make a modest contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwellings would also weigh in favour of the development.

7. CONCLUSION

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

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

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

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

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

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

Consultees

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

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

9. APPENDICES TO THIS REPORT

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

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

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

(as amended).

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

with guidance contained within the NPPF 2012.

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

Informatives

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

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

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