

## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

WEDNESDAY, 9 DECEMBER 2015

**PRESENT:** Councillors Phillip Bicknell (Chairman), Malcolm Alexander (Vice-Chairman), Michael Airey, John Bowden, John Collins, Gary Muir and Shamsul Shelim

Also in attendance: Councillors Jack Rankin and Derek Wilson.

Officers: Wendy Binmore, Melvin Andrews, Sarah.L.Smith, Chris Nash, Jenifer Jackson, Laurel Isaacs and Janette Brettell.

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Samantha Rayner.

### DECLARATIONS OF INTEREST

**Cllr Bicknell:** Declared a personal interest in items two and three as his fellow ward councillor, Natasha Airey had called the applications in. however, he had not spoken to her about the items and had come to panel with an open mind.

**Cllr M. Airey:** Declared a personal interest in items three and four as the applications were called in by his wife, Councillor Natasha Airey. He confirmed he had not discussed the applications with his wife and had come to panel with an open mind.

**Cllr Bowden:** Declared a disclosable pecuniary interest in item four as he has a residence within 100 yards of the application site. Cllr Bowden left the room and did not take part in the discussion or the vote on this item.

**Cllr Shelim:** Declared a personal interest in item four as his fellow ward Councillor, Jack Rankin called in the item to panel and he has a business opposite the application site and also a property in St Leonards Road. He stated he had come to panel with an open mind. He also declared a personal interest in item five as his fellow ward councillor, Jack Rankin had called in the item to panel but Cllr Shelim had not discussed the item with Cllr Rankin and he had come to panel with an open mind.

### MINUTES

**RESOLVED:** That the minutes of the meeting of the Panel held on 11 November 2015 be approved subject to the following amendment:

**Janette Brettell, Environmental Protection Officer should also be listed as in attendance.**

### PLANNING APPLICATIONS (DECISION)

The Panel considered the Director of Development and Regeneration's report on planning applications received and received updates in relation to a number of applications, following the publication of the agenda.

N.B.: Updates were received in relation to planning applications marked with an asterisk

Application

Applicant and Proposed Development

15/02292\*

Mr Elawadi - The Flaming Cow: Amendments to fenestration/ventilation at Flaming Cow Unit A Windsor Bridge Court 75 High Street Eton Windsor SL4 6BT – **THE PANEL VOTED to APPROVE the application and grant planning permission with the conditions listed in Section 9 of the main report and with the amended conditions listed in Section 3 of the Panel Update Report as stated below:**

- i. The window serving the restaurant (annotated to be fixed shut on the plans hereby approved) shall be fixed shut, and shall remain unaltered and fixed shut for the lifetime of the development. Reason: To ensure the internal extraction system to control odour works effectively in conjunction with the louvres in the window. In the interest of residential amenity – Local Plan Policy NAP3.
- ii. The proposed ventilation louvres on window WG03 (which are for the air-condition unit) will be permanently open however they must be connected to the condenser unit via sealed ductwork so that there is no air escape. The louvres on WG02 must be permanently closed. The following measures shall be adhered to for the lifetime of the development:
  - a. No air should be taken from inside the restaurant during this process.
  - b. The louvres are not designed to be opened and closed manually or other.  
Reason: to protect the residential amenities of the area. Relevant Policy Local Plan NAP3.

**Seven Councillors voted in favour of the motion (Cllrs M. Airey, Bowden, Collins, Grey, Muir, Shelim and Bicknell), and one Councillor voted against (Cllr Alexander).**

(The Panel was addressed by Robert Edwards and Ros Rivas in objection, Eton Town Councillor Malcolm Leach in objection and, and Richard Clark, barrister, on behalf of the applicant).

15/02762\*

Mr and Mrs Knowles: Erection of a detached dwelling and garage following demolition of existing dwelling and garage at 31 Bolton Avenue, Windsor SL4 3JE – **The Panel VOTED UNANIMOUSLY to APPROVE the application and grant planning permission with the conditions listed in Section 9 of the Main Report and also with the additional condition in Section 3 of the Panel Update Report as listed below:**

- i. No development shall take place until an Arboricultural Method Statement and Tree Protection Plan specific to this scheme, has been submitted and approved in writing by the Local Planning Authority. The Tree Protection Plan and Arboricultural Method Statement shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations. The approved tree protection 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. Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies – Local Plan DG1, N6.

(The Panel were addressed by Claire Milne in objection and Peter Knowles, the applicant in favour).

15/02897

Mr Azam: No 48. Construction of two storey side extension following demolition of existing garage. No 50. Construction of two storey side extension following demolition of existing garage and conservatory. Land between No 48 and 50. Construction of new detached dwelling at 48 and 50 and Land Between 48 and 50 Ilingworth, Windsor - **THE PANEL VOTED to APPROVE THE APPLICATION against the Director or Development and Regenerations recommendations for the reasons as listed below:**

- i. The building has an acceptable size, and design and the amended plans have reduced the scale of the building. Whilst the plot is not the same size as those in the area, it is not considered to be harmful to the character and appearance of the area. The proposal complies with Policies DG1, H10, H11, T5, P5, N6 of the Local Plan.
- ii. Conditions are delegated to officers.

**Five Councillors voted in favour of the motion (Cllrs Collins, Grey, Muir, Shelim and Bicknell) and three Councillors voted against the motion (Cllrs M. Airey, Alexander and Bowden).**

(The Panel were addressed Steve Hessey, the agent in favour).

15/03161\*

East Berkshire College: Three storey rear extension with associated amendments to car park layout at East Berkshire College, St Leonards Road, Windsor, SL4 3AZ - **THE PANEL VOTED to APPROVE THE APPLICATION and grant planning permission with conditions as listed in Section 9 of the Main Report.**

(The Panel were addressed by Councillor Jack Rankin).

**Six Councillors voted in favour of the motion (Cllrs M. Airey, Alexander, Collins, Grey, Muir and Bicknell) and one Councillor voted against the motion (Cllr Shelim), Cllr Bowden left the room and did not take part in the vote.**

15/03452\*

McLaren Vale Ltd: Replacement building to provide 4 no. 2 bedroom apartments including penthouse, parking and associated landscaping works following demolition of existing building at The Mill House, Barry Avenue, Windsor - **THE PANEL VOTED that the application be DEFERRED and DELEGATED. The application was approved subject to conditions listed in Section 9 of the Main Report and additional conditions in Section 3 of the Panel Update Report (listed below), subject**

to:

1. **The satisfactory completion of a mechanism / undertaking to secure provision and future maintenance of the landscaped area adjacent to the building, in the grounds of the bowls club.**
2. **The receipt of a section 106 Unilateral Undertaking to prevent future occupiers obtaining parking permits and to secure the provision of a one-way sign.**

**Additional Conditions listed in Section 3 of the Panel Update Report:**

- i. The finished floor levels of the ground floor apartment shall be set at or above 20.97 metres AOD. The development shall incorporate the flood resistance and flood resilience measures set out in the Flood Risk Assessment submitted with this application. There shall be no raising of existing ground levels on the site. Reason: To ensure that the ground floor flat is not inundated with flood water during a time of flooding. To prevent the increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity, Relevant Policies – Local Plan F1.
- ii. Prior to any equipment, machinery or materials being brought onto the site, a full Arboricultural Method Statement with details of the measures to protect, during construction, the trees shown to be retained on the approved plan, 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 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 prior written approval 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.

**Seven Councillors voted in favour of the motion (Cllrs M. Airey, Alexander, Bowden, Collins, Grey, Muir and Bicknell) and one Councillor voted against the motion (Cllr Shelim).**

(The Panel were addressed Dido Milne, the agent in favour).

ESSENTIAL MONITORING REPORTS (MONITORING)

Details of Planning Appeal Decision Report were noted.

The meeting, which began at 7.00 pm, finished at 8.50 pm

CHAIRMAN.....

DATE.....