

## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

WEDNESDAY, 15 JUNE 2016

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

Also in attendance: Councillor E. Wilson

Officers: Melvin Andrews, Wendy Binmore, Alistair Barnes, Daniel Gigg, Jenifer Jackson, Laurel Isaacs and Claire Pugh.

### APOLOGIES FOR ABSENCE

None received.

### DECLARATIONS OF INTEREST

**Cllr Alexander** – Declared a prejudicial interest in item four as he will be appointed as a member of the Board at the end of June. Cllr Alexander left the room during the debate and the vote.

**Cllr Bicknell** - Declared a personal interest in item two as he is the Chairman of Windsor and Eton Football Club and if the all weather football pitch is approved, Windsor and Eton Football Club may want to use it. Cllr Bicknell also declared a personal interest in item four as he is a full member of the Fire Authority Board. Cllr Bicknell left the room during the debate and the discussion.

**Cllr Rayner** – Declared a pecuniary interest in items two and three and left the room during the debate and the discussion of both items.

**Cllr E. Wilson** – Declared a personal interest in item three as his son attends and his wife works in nearby schools.

### MINUTES

**RESOLVED UNANIMOUSLY: That the minutes of the meeting of the Windsor Urban Development Control Panel held on 25 May 2016 be approved.**

### PLANNING APPLICATIONS (DECISION)

16/00083\* Mr Muir: Replacement and raising of roof to provide habitable accommodation at first floor at Brymays, Rays Avenue, Windsor SL4 5HG – **THE PANEL VOTED UNANIMOUSLY to REFUSE for the amended reasons in Section three of the Panel Update Report as listed below:**

- The Proposed first floor extension would appear significantly overbearing and dominating when viewed from the rear gardens of numbers 3, 5, 7 and 9 Rays Avenue which are directly adjacent to the application site. The proposal therefore, fails to comply with Policy H14 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating

Alterations Adopted 2003), and Core Planning Principle Bullet Point 4 (paragraph 17) of the National Planning Policy Framework.

(the Panel was addressed by Lee Thomas in objection)

- 16/00851\* Legoland Windsor Park Ltd: Development of a new ride to replace the existing Loki's Labyrinth attraction, including erection of new building, entrance portal, courtyard, temple and associated queue line, infrastructure and landscaping at Ninjago, Legoland, Winkfield Road, Windsor – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Borough planning Manager's recommendations and with the conditions listed in Section 9 (except condition 8) of the Main Report (condition 8 was covered in the Panel Update Report).**

(The Panel was addressed by Ingrid Fernandes on behalf of Legoland Windsor).

- 16/00907\* Graeme Aldous: Construction of synthetic turf pitch, floodlighting, fencing, drainage and ancillary works at Dedworth Middle School, Smiths Lane, Windsor SL4 5PE – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Borough Planning Managers recommendations and to secure the Community Use Agreement through S106 and condition the hours of use and hours of illumination to 8am to 9pm ever day each year..**

(The Panel were addressed by the Head boy and Head Girl of Dedworth Middle School and Will Calvert (Windsor Youth Football Club) in support of the application and Cllr E. Wilson in objection).

- 16/01114\* Mr Craker: Erection of 5 x 4 bedroom town houses, a block of 9 x 2 bedroom apartments with access, parking, landscaping and associated works, following the demolition of existing fire station as approved under planning permission 15/01889 without complying with condition 11 (vehicle parking and turning space) to amend wording, 26 (approved plans) to substitute some approved plans under planning permission 15/03742/VAR at Royal Berkshire Fire and Rescue Service, Windsor Fire Station, St Marks Road, Windsor SL4 3BE – **THE PANEL VOTED UNANIMOUSLY to DEFER and DELEGATE the Borough Planning manager to grant planning permission on the satisfactory completion of Deed of Variation (S106 Agreement) to secure the infrastructure in Section 7 of the Main report and with the conditions listed in Section 10 of the Main report. Councillor Quick chaired this item as Cllrs Alexander and Bicknell left the room during the discussion and vote.**

- 16/01440\* Quantum Estates: Erection of 9 dwellings and new access following demolition of No. 23 at 23 and Land Rear of 17 to 21 Clewer Hill Road, Windsor – **THE PANEL VOTED UNANIMOUSLY to REFUSE the application in accordance with the Borough planning Manager's recommendations in the Main Report, but the reasons recommended for refusal are amended as discussed in Section 2**

**of the Panel update Report and set out in Section 3 of the Panel Update Report, as listed below:**

- The layout and design of the proposed buildings would result in cramped relationships with the surrounding residential development that would be harmful to the character of the surrounding area, and would introduce a scale of built form that would be harmful to the character and amenity of its surroundings. This harm would arise from: the width of the two terraces across the site; the proximity of the two buildings comprising Plots 2 – 9 and of the ends of the access road to the side boundaries, which would result in there being little space available for significant planting along these boundaries that could assist in mitigating the impacts of the development on the properties to either side; and the amount of hardstanding in front of the Plots 2 – 9 houses, which would result in a blurring of the clearly defined plots at this site. The proposal is therefore contrary to saved policies DG1, H10 and h11 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and to advice in the National Planning Policy Framework Section 7 (Requiring Good Design).
- The proposed would be detrimental to the privacy of surrounding properties at Clewer Hill Road and Kimber close, particularly from overlooking second floor windows in the proposed townhouses (Plots 2 – 9) and from the rear balconies at Plots 6 – 9. In addition the siting and width of the terraced buildings on the rear of the plot combined with their height would present a mass that would be harmful to the outlook of the occupiers of Kimber Close. The proposal would be contrary to Core Planning Principle 4 of the National Planning Policy Framework (NPPF).
- While the level of car parking would be sufficient for nine 3 bedroom dwellings some of the dwellings could be utilised as four-bedroom houses, and the development does not provide sufficient car parking to meet the likely level of future demand for car parking. As such, the proposal is contrary to Local plan Policies DG1, P4 and T5.

(The Panel was addressed by Emrys Kay, Sheena Cater and Margaret Parsons in objection and Philip Ross the Agent in support).

TREE PRESERVATION ORDER 002 OF 2016 – CLEWER YOUTH AND COMMUNITY CENTRE 39A PARSONAGE LANE, WINDSOR

T1 – Oak

**Background**

The TPO has been made to safeguard the visually prominent Oak tree within the grounds of Clewer Youth and Community Centre, Parsonage Lane, Windsor. The Oak tree is considered a primary landscape feature and makes a significant contribution to the character and appearance of the area and is important within the local and wider landscape and softens the built environment. The Local Authority deemed it expedient to serve a preservation order to

ensure the retention of this prominent landscape feature and to protect it from further inappropriate pruning which could negatively affect the character of the area. The TPO is not designed to hinder the appropriate management of the trees and consent for works in line with good arboricultural practice would not be unreasonably withheld.

The Tree Team were made aware that the resident at The Old Stable Yard adjacent to the Community Centre had instructed a tree surgeon to carry out pruning work in accordance with their common law rights to the mature Oak tree growing within the Community Centre. At that time the tree was not protected and over the weekend of the 17<sup>th</sup> and 18<sup>th</sup> of January the resident employed a tree surgeon to exercise those common law rights; the tree surgeon pruned a significant quantity of branch material from the stem growing over the rear garden of the Old Stable Yard. In this instance it was expedient to serve a TPO to ensure the long term protection of the tree, the TPO was served on Monday the 18<sup>th</sup>.

**THE PANEL VOTED UNANIMOUSLY to NOT CONFIRM the TPO because the amenity value of the tree has been eroded.**

#### ESSENTIAL MONITORING REPORTS (MONITORING)

Details of Planning Appeals Received and the Appeal Decision Report were noted.

The meeting, which began at Time Not Specified, finished at Time Not Specified

CHAIRMAN.....

DATE.....