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NOTICE

OF

MEETING

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

will meet on

WEDNESDAY, 20TH JULY, 2016

At 7.00 pm

in the

COUNCIL CHAMBER - GUILDHALL,

TO: MEMBERS OF THE WINDSOR URBAN DEVELOPMENT CONTROL PANEL

COUNCILLORS MALCOLM ALEXANDER (CHAIRMAN), PHILLIP BICKNELL (CHAIRMAN), MICHAEL AIREY, JOHN BOWDEN, JOHN COLLINS, JESSE GREY, EILEEN QUICK, SAMANTHA RAYNER AND SHAMSUL SHELIM

SUBSTITUTE MEMBERS
COUNCILLORS NATASHA AIREY, HASHIM BHATTI, NICOLA PRYER, GARY MUIR, JACK RANKIN, WESLEY RICHARDS AND EDWARD WILSON

Karen Shepherd - Democratic Services Manager - Issued: 11 July 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Wendy Binmore** 01628 796 251

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AGENDA

PART I

ITEM	SUBJECT	PAGE NO
1.	APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest.	5 - 6
3.	MINUTES To confirm the minutes of the previous meeting.	7 - 10
4.	PLANNING APPLICATIONS (DECISION) To consider the Head of Planning & Property/Development Control Manager's report on planning applications received. • **Items 16/01097 and 10/01098 (109 High Street, Eton) has been WITHDRAWN from the agenda** Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. http://www.rbwm.gov.uk/pam/search.jsp or from Democratic Services on 01628 796251 or democratic.services@rbwm.gov.uk	11 - 224
5.	ESSENTIAL MONITORING REPORTS (MONITORING) To consider the Essential Monitoring reports.	225 - 228

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In accordance with the requirements of the Local Government (Access to Information) Act
1985, each item on this report includes a list of Background Papers that have been relied
on to a material extent in the formulation of the report and recommendation.
The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,
although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as
"Comments Awaited".
The list will not include published documents such as the Town and Country Planning Acts
and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,
as the instructions, advice and policies contained within these documents are common to
the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading "Remarks".

STATEMENT OF THE HUMAN RIGHTS ACT 1998

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect
for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.
The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where

  a) that body has a piece of business or land in the area of the relevant authority, and

  b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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 conrrary 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 17th and 18th 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 18th.

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…….....

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

20 July 2016 **Item:** 1

Application No.:	15/02248/FULL
Location:	Thames Court 1 Victoria Street Windsor SL4 1YB
Proposal:	Construction of 5 storey building with associated car parking (including provision for public use at specific times), access and landscaping works following demolition of existing office building.
Applicant:	BMW (UK) Trustees Limited
Agent:	Mr Philip Marsden - Savills (UK) Limited
Parish/Ward:	Castle Without Ward

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

1. SUMMARY

1.1 This application for the proposed five storey office building was reported to Panel on the 25th May 2016. At the meeting Councillors resolved to defer the application in order for Officers to ask the applicant if they wanted the description of the development to be updated to include the use of the car park for the public at specific times, and to allow Councillors to visit the site in order to consider the impact on the Conservation Area, to view a sample panel of the materials, and to consider the impact of the proposal on the amenity of neighbouring properties.

1.2 The applicant agreed to the change of the description of the development (see paragraphs 6.42-6.43). Neighbours and contributors were consulted on the change to description. At the time of writing this report, three letters of objections have been received in response to the change of description of the development. These letters strongly reinforce the objections already made to this planning application, but in respect of the proposed use of the car park by the public, the main concerns are summarised as:

1. How the car park would be managed? This detail is not provided and is critical for consideration.
2. Concerns over the security to the flats at Victoria Court if the car park is opened up to the public.
3. How will parking be maintained for the residents of Victoria Court?

1.3 Officers are of the view that the detail of how the public use of the car park would be managed and enforced is critical to understand if it would be acceptable. Also, such an arrangement would need to be secured through a legal agreement and this has not been offered. Notwithstanding this, Officers maintain the view that the proposed use of the car park by the public at specific times is not a benefit that would outweigh the adverse impacts of the development.

1.4 The report has been updated to consider the impacts on the occupiers of the fairly recently constructed apartments at number 15 Victoria Street to the west of the application site. It is not considered the proposed development would cause an unacceptable impact on the residential amenity of these apartments, and this assessment is set out in paragraphs 6.30- 6.32 of this report.

1.5 The original report is reproduced below and updated taking into account the points raised above.

Summary

1.1 The application proposes the demolition of existing office space, and the erection of a larger office building. A new access and re-configured car park area is proposed. The site is situated within the town centre and the Windsor Town Centre Conservation Area. The Highways Authority has raised an objection to the proposal on the basis that the Travel Plan does not have acceptable targets to shift the mode of travel from the car, given the lack of parking provided for the development. However, officers are not of the view that this objection would form a valid reason for refusal, when the office development is situated within a sustainable town centre location, and the site can be accessed by people walking or taking the train.

1.2 The proposed office development would provide benefits namely positive impacts to the local economy, the provision of high specification office space within the Borough and potentially the use of the car park by the public during weekends. However, these benefits are not considered to be significant enough to outweigh the less than substantial harm caused to the character and appearance of the Conservation Area. The proposal is also considered to have an unacceptable impact on the amenity of neighbouring residential properties. As such the scheme is recommended for refusal for the reasons summarised below.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):	
1.	**The proposal owing to its combined height and mass set close to the road would be out of keeping with the size of surrounding properties and as such the building would appear overdominant and incongruous. The scale of the building will be emphasised by the large glazed openings. The proposal would result in less than substantial harm to the character and appearance of the Conservation Area, and the public benefits are not considered to outweigh this harm.**
2	**The proposal would result in unacceptable overlooking and overbearing impact to the detriment of the occupier's use of the balcony to the apartment in Lancaster House. The proposal would also result in an unduly overbearing impact to the outlook to bedroom windows in apartment block of Victoria Court.**

2. REASON FOR PANEL DETERMINATION

The Borough Planning Manager and Lead Member for Planning consider it appropriate that the Panel determines the application.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site comprises a building which faces both Victoria Street and Sheet Street in Windsor. The building subject to this planning application was formerly used as office, but has been vacant for some months. The building adjoins Victoria Court which faces Sheet Street and was built the same time as the office building, however, the residential element is not subject to this planning application. The existing building steps up to 5 storeys in height and a large proportion of this building (the later addition to the building) which faces Victoria Street is two stories in height.

3.2 The site is a prominent one within the Windsor Town Centre Conservation Area, and is close to Listed Buildings to the north and east, including Hadleigh House which is Grade II* Listed. To the south of the site is the Victoria Barracks and Lancaster House, which comprises office space, with apartments on the upper floor.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The application seeks planning permission for the demolition of the existing office building, and the construction of a 5 storey office building, with associated car parking, access and landscaping works. The proposed building would measure approximately 18.5 metres in height to the highest point (the fifth storey). The height to the fourth storey would be at around 15.1 metres. The height to the third storey would be 12.1 metres. The fourth and fifth floors would be set back from the edges of the building, with the top storey of the building being more set back than other floors.

The existing office space has a floorspace of 2,662 square metres. The proposed building would have a floorspace of 5,117 square metres, thereby increasing the amount of office floorspace by 2,455 square metres.

4.2 The building will make use of brick and glazing on the elevations of the building on three floors. Metal and glazing will be used on the fourth and fifth floors.

4.3 Amended plans were received during the course of the application, which were consulted on. The changes to the scheme were:

1. Its height was reduced by lowering the roof level by 200mm and the height of the plant enclosure screen;
2. A reduction in the width of the two upper levels and revised material treatment;
3. The elevations were reduced in scale, particularly the Victoria Street elevation, by creating more set-backs at different levels and reflecting the surrounding building lines and the use of different material finishes creating new articulation within the building;
4. The elevations were unified in terms of architectural language and materials to create a more coherent development; and
5. The building line was stepped back at various points to reduce its impact on the street scene and improve its relationship with adjacent buildings.

The applicant's updated Design and Access Statement (DAS) and Heritage Statement describes the scheme as:

1. *The proposed office building represents a modest increase in the height and scale in comparison to the existing buildings on the site. It is explained that contrasts in scale are not unusual in urban areas and can contribute to the rich and varied character of an area.*

2. *The palette of materials proposed for the structure includes a combination of dark and light brick with a metal and glazing cladding system to upper floors. The use of brick reflects the established and predominant use of the material in this part of the Conservation Area.*

3. *The proposed elevation to Victoria Street is considered to be the building's frontage, the focal point being the north east corner with its lowered glazed block and framing in a lighter brick. The façade employs a clear vertical emphasis at the ground to second floor, subdividing the elevation in to an appreciable configuration of three bays which is reminiscent of the scale, form and rhythm of surrounding terraced townhouses.*

4. *Due to the carefully considered architectural quality, scale, siting, detailing and palette of materials the Heritage Statement considers that the proposed development preserves the significance of the surrounding listed buildings, including the grade II* House and numerous grade II listed buildings on Sheet Street.*

5. *The proposal facing Bachelor's Acre will present a hugely improved facade to the park, with more definition than the existing building. The tower of Saxon House the dominant feature in this view and that dominance is not challenged. The impact on this, the edge and therefore the backdrop of the Conservation Area is positive.*

6. *The parapet line of the adjacent buildings on Victoria Street have been respected and continued in the proposed development and the grid of plot width and fenestration rhythm common across the Conservation Area, currently missing from the existing building is echoed and reinforced.*

7. *In relation to the junction of Victoria Street and Sheet Street, the statements conclude that the proposed development makes the most significant positive contribution to the Conservation Area. The new square will be an open, accessible, well lit and passively surveilled space that will mark and punctuate along Sheet Street which alludes to the larger open space around the corner that is Bachelor's Acre.*

8. *In terms of the Victoria Street elevation, the set backs and use of different coloured brickwork reduces the appearance of scale and reflects the building lines and proportions of the adjacent building. In terms of the scale, again due to the set back design, the applicant asserts that the upper floors will not be visible within the immediate street scene. In the applicant's opinion, the proposed development will result in a significant improvement in the quality of the building at the application site which will have a positive impact on the Conservation Area.*

4.4 The existing central vehicular access to the site would be removed, and a new vehicular access would be created next to Barrack Lane. 38 parking spaces, (including 4 wheelchair bays) would be provided. The agent in submitting additional information suggested that the car park could be made available for public use during the weekends for a 5 year period, however, this proposal has not been put forward formally as part of the application.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework, Sections:

1. Paragraph 7- Sustainable Development
2. Paragraph 14- Decision making
3. Paragraph 17- Providing a good standard of amenity
4. Paragraph 18- Building a strong competitive economy
5. Paragraphs 128, 131 and 134- Heritage Assets

Royal Borough Local Plan

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

	Within settlement area	Conservation Area	Setting of Listed Building	Highways/ Parking issues
Local Plan	DG1, E1, E10	CA2	LB2	T5, P4

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Planning Obligations and Developer Contributions
- Interpretation of Policy R2 to R6 - Public Open Space provision
- Sustainable Design and Construction

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Townscape Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- Conservation Area appraisal - view at:
  http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i Townscape (including impact on the character of the area, impact on Conservation Area, and Setting of Listed Buildings)

ii Impact on neighbouring residential amenity;

iii Parking and Highways;

iv Developer contributions;

v Economic Impacts

vi Ecology

vii Sustainable Design

viii Surface Water and Drainage

ix Archaeology

x Planning Balance

Principle of providing office space

6.2 The application site is within the town centre boundary. The Local Plan supports office development in town centres. The NPPF is more recent than the Local Plan and this continues to support the 'town centre first' approach to the location of offices. As such the principle of providing office space is considered to be acceptable in accordance with planning policy.

Townscape (including character of the area, impact on Conservation Area, and Setting of Listed Buildings)

6.3 The site is located within two defined character areas of the Windsor Town Centre (WTC) conservation area appraisal, these being 'Sheet Street and Park Street area' and 'Bachelors Acre and Surrounds'. The site appears to have been successively developed over time with residential uses along Victoria Street and commercial uses behind (within the south of the plot) and part of the site a vehicle garage during the late 20th century. The primary frontages for the site were and remain onto Victoria Street. Adjacent to the site, the Barracks site has also developed with all the buildings demolished during the late 20th century. Along Sheet Street numerous plots have been redeveloped during the 20th century.

6.4 The 'Bachelors Acre and Surrounds' character area in particular has experienced considerable areas of redevelopment, as identified in the Conservation Area appraisal. However, the Conservation appraisal also identifies Thames Court as an example of a large, modern commercial building that is not in keeping with the prevailing character and appearance of the Conservation Area. It is also described as a particularly imposing building. Larger plots sizes are identified as the part of the character of the site area. Some of the other key features of the area are:

1. To the north along Sheet Street there is a strong rhythm formed by the terrace of traditional buildings, of three storeys with attics and basements;
2. The buildings adjacent to the application site are generally 2-and-a half storeys;
3. There are modern buildings in the vicinity of the site that vary in scale rising up to three storeys, sometimes over a basement, with a fourth floor in the roof;
4. Views along Victoria Street are closed by the Grade II* Hadleigh House, a late 18th Century three-storey house with attics and a basement. This view is framed by the Grade II listed public house on the north side and the application site on the South side.

Loss of Existing building

6.5 The existing 1970s office block was constructed in the 1970s and was designed by architects Elaine Denby and Gordon Badnell. The architects are not significant in the context of 20th century architecture and Number 5 Victoria Street (part of the application site) is slightly later in date and in the form of a two storey terrace and constructed of London stock brick with decorative concrete lintels. Both structures are consistent with the general palette of materials found in this part of Windsor.

6.6 The building is not considered to be of architectural merit, however, the positives of the building are that it has a definitive entrance which addresses the junction of Victoria Street and Sheet Street. The scale and massing of the existing building is broken up. The scale and modelling of this building helps the transition between the fine grain of traditional terraces to the north and the more open grain with lower scale buildings to the south. The existing building is considered to have a neutral impact on the character and appearance of the Conservation Area.

6.7 As such, there is no objection in principle to the loss of this building.

Whether the redevelopment scheme has an acceptable impact on the character of the area, the character and appearance of the Conservation Area, and the setting of Listed Buildings.

6.8 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of the Conservation Area. In considering the impact on the Conservation Area, it is important to assess the impact on views into and out of the Conservation Area.

Victoria Street

6.9 As noted, the buildings to the west of the application site on this road, are 2 and 2- and -half stories in height. Whilst a replacement building may be acceptable at the site, the building has to respond to its local context. It is not considered that the proposed scheme has adequately responded to its local, historical context, as the building fails to relate to the surrounding buildings, which are broken up in mass and have strong articulation. The proposed building would be sited in close proximity to 13-15 Victoria Street. 13-15 Victoria Street has a height of 7.3 metres to the eaves. The eaves height is what is read as the main height of this neighbouring building, as the mansard roof slopes away from the road and is set back. The height to the third floor of the new building would be 12.5 metres. There would be an abrupt increase in height to the new building from 13-15 Victoria Street. The scheme does not provide a gradual transition in scale from the smaller buildings to the west on Victoria Street, and as such the building when viewed in this street scene appears overdominant and incongruous when viewed in the setting of these smaller scale buildings. The proposed building appears as a large unrelieved mass of building, which is set hard up against Victoria Street, and this makes the building appear dominant when viewed within this predominantly historical streetscene.

6.10 The updated DAS explains that the style of architecture utilises the proportions and rhythm found in classical architecture with a restrained and contemporary palette of detail and materials. In this case, however, the proportions used in classical architecture has not come through in the design of the building. The large glazed vertical openings extend up the 3 storeys, with different treatment to the fourth and fifth floors. It is not considered that the rhythm and proportions in the glazing reflects classical proportions. The level of glazing proposed would appear excessive and out of keeping with surrounding buildings. The tall glazed openings would also re-inforce the scale of the building by giving it a very strong vertical emphasis.

Bachelors Acre

6.11 The views from Bachelors Acre (which is within the Conservation Area) of the proposed building will be noticeable. Bachelors Acre is a well used open public space, and the views of the main elevation of the building will be clearly visible. Again, to reiterate the above point, the abrupt increase in height from the neighbouring buildings to the west of the application site on Victoria Street would be apparent, and this is evident in the verified views (Position 1) submitted by the

agent. The building known as Saxon House, opposite the site is larger in scale than the buildings to the west of Victoria Street. However, it is not comparable in scale to this proposed building. Notwithstanding this, Saxon House has a different setting from the application site, and has Bachelors Acre situated next to it which provides sufficient space for the setting of this building.

Junction of Sheet Street and Victoria Street

6.12 This is a key focal point when descending Sheet Street within the Conservation Area. It is at this point that the relationship of the new building would be viewed against the flats of Victoria Court. Victoria Court is 3 stories in height and has a mansard roof. The proposed office building would adjoin these flats, and so it is considered imperative that the relationship of the new building relates well to this building which is to remain. It is not considered that the new building has been designed to tie in with Victoria Court. The proposed building is not considered to relate well to the height or roof shape of the adjoining flats. The proposed fourth floor which would be finished in metal and glazing would appear bulky and overdominant in this view; although the architect has attempted to 'lighten' this floor, the resultant design fails to achieve a light weight structure, and it is considered it would be a dominating element that would look at odds with the surrounding roofscape which comprises of predominantly pitched roofs. The juxtaposition of the new building with Victoria Court will appear awkward. A strong and definitive entrance, which would be expected at such a focal point within the Conservation Area, is not achieved by the proposal.

The junction of Frances Road and Kings Road and Sheet Street

6.13 This point is situated outside of the Windsor Town Centre Conservation Area, but close to the boundary with the Inner Windsor Conservation Area. Whereas the existing building can be seen over the Barracks when looking from this point, the building is smaller in scale, and most of what can be seen is the mansard roof, which blends in with the roof of the barracks because of the similar lead colour materials. When looking at the proposed building, a much greater extent of the building will be seen as it would be larger in scale particularly because it would have a large bulky, flat roof. The proposed design of the roof and use of materials means that it will stand out in this view detrimentally. As such the views into the Windsor Town Centre Conservation Area will be adversely impacted.

6.14 The context of the site is that the buildings in the immediate area tend to be on larger plots, and this is acknowledged within the Conservation Area Statement. The existing building at Thames Court has an appropriate building to plot ratio because it comprises of a number of distinct elements that break up its overall mass and give the appearance of separate buildings albeit they are one building. The proposed scheme would alter this current form, so that the proposed building would dominate the site. This is considered to be out of keeping with other sites in the local area.

6.15 Owing to the more localised harm caused to this part of the Conservation Area, rather than wider harm to the Conservation Area, it is considered that the proposal would result in less than substantial harm. As such the requirement under paragraph 134 of the NPPF is for this harm to be weighed against the public benefits of the proposal, including securing its optimum viable use (OVU). The public benefits arising from the proposal will be considered in the planning balance and whether these outweigh the harm caused.

Setting of the Listed Building

6.16 Section 66 of the Planning (Listed Building and Conservation Area) Act 1990 explains that in granting planning permission which affects the setting of a Listed Building, regard shall be had to the desirability of preserving the building, or its setting or any features of special architectural or historic interest which it possesses.

6.17 Hadleigh House (Grade II* Listed) is situated on Sheet Street, however, this building has an important view when approached from Victoria Street. The existing buildings on Victoria Street can be seen in the context of Hadleigh House, but do not compete or interfere with views or setting of this building. The setting of Hadleigh House is an urban town with Windsor Castle's Long Walk to the rear, and buildings within its setting have a close urban grain fronting onto the street. The proposed office building would be significant in scale, and would be more prominent in views when

looking down Victoria Street onto Hadleigh House than the existing building. In this town centre location where the urban grain is tighter, a building may be visible when looking onto a Listed Building, however, it has to be considered whether impact would be so significant that it would adversely impact on the setting of the Listed Building. The buildings along Victoria Street frame Hadleigh House when looking down this street, however, it is not considered that the proposed building would detract from the view of Hadleigh House and its setting when looking down Victoria Street.

6.18 The Corner House is a Grade II Listed Building, situated opposite to the application site. Again, it is acknowledged that the scale of the new building will be larger than surrounding buildings and would result in harm to views within the Conservation Area, it is considered that the development would preserve the setting of the Corner House.

Impact on neighbouring residential amenity

Daylight and Sunlight

Victoria Court

6.19 Victoria Court (which contains residential flats) adjoins the building subject to this application, and would remain connected to the proposed office building.

6.20 A Daylight and Sunlight Review was submitted during the course of the application. The review is based on the methodologies set out within the Building Research Establishment Guidelines entitled 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011)''. The result of the review show that the reduction in daylight to the rooms of Victoria Court would be acceptable and in accordance with these guidelines.

Lancaster House

6.21 In respect of the impact on Lancaster House, the daylight and sunlight review also includes windows that benefit from planning permission.

6.22 An assessment on the daylight and sunlight review shows that there are some isolated impacts but the retained daylight and sunlight amenity to this property can be considered to be good. The report concludes that given the dual aspect nature of the rooms, the daylight distribution within all of the rooms can be considered above the recommended requirements of guidance. A floor plan approved under reference 15/02665/FULL for Lancaster House can be seen in Appendix D.

6.23 The proposed development would not have an unacceptable impact on daylight to the rooms in both Victoria Court and Lancaster House.

Impact on Privacy

Victoria Court

6.24 In respect of the elevation of the proposed building that would face Victoria Court, there is no glazing proposed, and as such there would not be unacceptable overlooking to these flats. Roof terrace areas are proposed, however, these are at fourth floor, and are set away from the windows in Victoria Court, as such it is not considered that there would be unacceptable overlooking to these flats.

Lancaster House

6.25 In respect of the impact on Lancaster House, the rear elevation of the proposed building comes within 2 metres of Lancaster House. The glazing from the office building would overlook the balcony area which serves the residential floor of Lancaster House. This area is the only outdoor space that the residential part of Lancaster House has. Whilst this is a town centre location where a higher degree of overlooking could be expected compared to a suburban location, in this case it is the very close proximity of the new building to the balcony of Lancaster House, together with

the level of glazing proposed that would make this area severely overlooked and this is considered to be unacceptable.

Impact on outlook

Victoria Court

6.26 As explained previously, there are windows within Victoria Court that are impacted by the existing office building. The judgement in this case is whether the increase in the scale of the building, compared to the existing building would cause an unacceptable impact on these windows in terms of their outlook, but more particularly to habitable rooms such as a living room or bedroom, which are afforded greater protection in terms of outlook.

6.27 The windows in Victoria Court are labelled on a plan within the daylight and sunlight review document, which is included in Appendix E for convenience, as are the details of the rooms which they serve. The layout of the rooms in Victoria Court at first floor level and their relationship to the existing office building are shown on the plan in Appendix E. The table below summarises the impact on these windows.

Window number	Officer Comment
W2/second, W3/second, W1/second, W9/First, W10/First, W9/ground, W10/ground, W8/ground, W8/first	The window already looks onto the existing office building, and as such the increase in the scale of the building is not considered to significantly worsen the outlook from these windows
W6/ground and W7/ground, W6/first and W7/first	The view from this bedroom is partially onto the flank elevation of the existing office building, and partially onto the car park, with Lancaster House beyond. The proposed office development would increase the angle of the building by around 16 degrees and the building would extend across the width of the car park at this angle for a greater depth and height than the existing building. Owing to the increase in the angle of the building, together with the extent to which building run across the site, this would change the outlook from the bedroom window of the flat, so that their outlook would see mostly the flank elevation of the office building. This outlook from a habitable room window, which is the primary bedroom window is considered to be unacceptable, and it is considered the new building would be overbearing to the outlook of this window
W10/ground, W11/First, W5/ground, W5/first, W4/First, W4/ground, W3/ground, W3/first, W2/ground, W2/first, W1/ground, W1/first	In urban areas such as this, it is not unusual for a new building to be seen, the test is whether the new building would be unduly overbearing to the outlook of the habitable room windows. In this case, it is not considered that the new building would have an unduly overbearing impact to the outlook of these windows which would warrant refusal of this application.

Lancaster House

6.28 Turning to the impact on Lancaster House, the close proximity of the new building to the balcony area of Lancaster House has been previously discussed. The proposed office building would be unduly overbearing to the balcony area of Lancaster house; this balcony is a small area and is the only outdoor space for the residential use of the building, meaning it will be more intensively used. Again, objection is not raised to a building being seen from this area, however, owing to the extremely close proximity of the building at the sheer mass proposed, it is considered that the building would feel oppressive to occupiers utilising the balcony area.

6.29 In conclusion, the proposal fails to comply with paragraph 17 of the NPPF which requires proposals to provide a good standard of amenity for all.

Impact on apartments at 15 Victoria Street

6.30 In terms of the impact on the building at 15 Victoria Street (west of the application site). The proposed building (where it is built up close to the boundary with Barrack Lane) would impact on side facing windows in this building. However, the existing building at Thames Court already impacts upon the outlook and light to these side facing windows at ground and first floor level, and so it is not considered that the proposed development would result in an unacceptable reduction in daylight or outlook to these windows. In respect of the second floor side facing windows in number 15 Victoria Court (where the proposed building comes in close proximity with the boundary with Barrack Lane), these include a secondary window to a bedroom, a principal window to a study/bedroom and a stairwell window. In terms of the secondary bedroom window, the impact is considered to be acceptable, as the main outlook and source of daylight to this room will be from the window in the front elevation. In respect of the bedroom/study, this would not be a main bedroom (there are 3 other bedrooms in this apartment), and this room would be more likely to be used as a study (a non-habitable room) and so the impact on outlook and daylight is considered acceptable. In terms of the stairwell window this is not a habitable space, and so is not afforded protection in respect of light or outlook.

6.31 In respect of the other windows in the side elevation located further back within this neighbouring building, the new building would not come in such close proximity of these windows, and there would be a gap of over 10 metres maintained. As such the impact upon these windows is considered to be acceptable in terms of outlook and daylight. It also has to be taken into account that these are side facing windows and side windows do not normally have the same freedom from visual intrusion that normally applies to windows contained in principal front or rear elevations.

6.32 There is glazing proposed in parts of the elevation of the new building which faces 15 Victoria Street. Whilst this may provide some overlooking to windows into the apartments of number 15 Victoria Court, it must be taken into account that this is a town centre location, where a higher degree of overlooking may be expected, and this elevation would face side facing windows. It should also be noted that, as the scheme is for office use it is likely to be occupied at different times from the neighbouring residential use.

Parking and Highways

6.33 Victoria Street is a classified un-numbered local distributor road that provides an alternative link between the B470 Sheet Street and the A332/A308. Parking on Victoria Street is controlled by permit holder parking, short term parking restrictions and double yellow lines. Similar parking restrictions apply on Sheet Street. Victoria Street and Sheet Street are both subject to a 30mph speed limit.

6.34 The applicant predicts that during the morning and evening peak periods the development is likely to introduce a net increase of 30 and 27 vehicular trips respectively. The Highway Authority considers that the increase is likely to be more than this; but are of the view that if a travel plan with appropriate targets in is secured that the traffic generated from the proposal is unlikely to have a material impact upon the surrounding road network.

6.35 The site currently provides 2662 square metres of office space, served by 45 parking spaces, 4 of which are parked in tandem. This application site is within an area of good accessibility as defined by the Council's Parking Strategy. The maximum parking standards for an area of good accessibility is 1 parking space per 100 square metres of floorspace. As such, 51 parking spaces would need to be provided in order to meet the maximum parking standard. The scheme would provide 38 parking spaces, and so the parking shortfall would be 13 parking spaces. However, this is an accessible location and the parking standard is maximum standard, not a minimum standard.

6.36 In the applicant's Transport Assessment, 56% of staff drive (average for Windsor Town Centre), which in this instance could potentially lead to 192 cars attracted into Windsor Town Centre. The targets set in the applicant's travel plan are set out in the table below.

Target	Indicator	Mode Split				
		Baseline Year 0	Year 1	Year 2	Interim Year 3	Final Year 5
Staff						
Achieve a 5% decrease in single occupancy vehicle trips for staff per year for the first 3 years.	Modal split monitoring surveys for SOV use	56%	50%	45%	40%	To be decided at a later date with RBWM

6.37 The Highway Authority is not of the view that these targets are ambitious enough. Based on the targets set in the travel plan, the Highway Authority is of the view that the development would have severe impact upon traffic flows in the town centre and the viability of the public car parks, which are under pressure.

6.38 Whilst the Highway Authority is concerned over the impact if the Travel Plan targets are not revised, Planning Officers would not recommend refusal of the application on this basis as this is a sustainable town centre location, where people can travel by train or walk to work. In addition, parking standards are maximum and there are no specific local circumstances that would justify provision of the 51 parking spaces.

6.39 When the amended plans were submitted, together with additional information, it was put forward that the general public could make use of the car park at weekends for a 5 year period. The agent understands that there is a strong desire for additional parking facilities within Windsor town centre, particularly at peak times, from both the resident and business community. They explain that it will be necessary to agree a formal management plan with the Council, but the initial proposal is to allow a minimum of 28 spaces to be made available for public use from 7am on Saturday to 9pm on Sunday.

6.40 The Council's Parking Strategy at Section 5 sets out that the Council will seek to maximise the use of car parking space through shared public and private use at suitable times of the day, or week, or year, as appropriate. It should be noted that the description has not been changed to include this proposal, and not been consulted on (this would need to be done, should Panel be minded to approve the application on this basis). The public use of the car park would be a benefit. The detail on the management of this arrangement has not been provided, however, there would be concerns over this proposal, and how this parking arrangement could be monitored and enforced at the weekends. In addition the Crime Prevention and Design Officer from Thames Valley Police, advised on this scheme when the design was being evolved that unsecure rear court parking facilities can be problematic, and if left unsecure the car park may become vulnerable to unauthorised casual intrusion, anti social behaviour (ASB) and criminal activity, the entrance to this car park must be made secure through the inclusion of electronic pedestrian and vehicle gates. If the car park was made open to the public on the weekends, this would make this car park area unsecure and could result in problems for residential occupiers of the adjoining flats. It is highly unlikely that the applicant would want their asset affected by the potential security issues and this may also affect the ability of the applicant to let the building. This may explain the limited period that the car park could be used for the public, as suggested by the applicant. Although not formally proposed, the benefit of such a proposal will be weighed in the balancing exercise against the adverse impacts from the proposed development.

6.41 The location of the proposed access is considered to be acceptable. In the amended plans there is now space within the car park area for smaller delivery vehicles to turn within the site. The larger refuse collection vehicle stops on Victoria Street and do not need to enter the site. Residents of Victoria Court would have a longer carry distance for their refuse, in excess of the guidelines in the Manual for Streets, but this is only a guideline and would not be a reason for refusal.

Use of the car park by the public at limited times

6.42 The description of the development was amended to include the use of the car park by the public at specific times. Neighbours and contributors were consulted on the amended description, and given a 21 day period to comment. The agent has provided the following details in respect of the proposed public use of the car park*:*

The applicant has confirmed that they are happy to enter into a legal agreement in respect of the potential future use of the proposed car parking spaces at the application site for public use. However, it is not possible for the applicant to provide a formal commitment / obligation in respect of the provision of spaces for public uses at this stage as the requirements of the tenant(s) for the office floorspace are unknown. Given the objective of the development is to deliver Grade A floorspace and attract 'blue chip' businesses to Windsor in accordance with the Council's wider economic and inward investment strategies, flexibility needs to be retained to meet their potential requirements. However the applicant is alert to the requirement for additional parking spaces within Windsor to help support the wider centre and the dual use of the car park is something that the applicant is committed to delivering where possible.

The following obligations are suggested by the applicant to be included as Heads of Terms to a legal agreement:

1. The application seeks provision for the use of the proposed car parking spaces for private use with the potential for public use at certain times.

2. Should the applicant propose to make the car parking at the application site available for use by general members of the public it can only do so subject to the following controls / criteria:

a. The provision of at least 28 parking spaces to be made available for use by general members of the public;

b. The car park can only be made available for use by general members of the public between the following hours:

1. 19:00 - 23:00 - Monday to Friday
2. 08:00 – 23:00 - Saturday and Sunday

c. The car park will not be made available for use by members of the general public until a formal Car Park Management Plan has been submitted to and agreed in writing by the Local Planning Authority.

d. The Car Park Management Plan will include details of:

i. Number and location of spaces;
ii. Hours of operation;
iii. Details of charges and payment methods;
iv. Details of necessary infrastructure (e.g. barriers, signage, 'pay and display' machines, etc); and
v. Any other relevant management and operational considerations required in order to ensure the facility can operate effectively and safely.

e. *Planning permission / advertisement consent will be obtained for any infrastructure required in association with the public use of the car park before it is made available for use by general members of the public*.

6.43 Officers are of the view that insufficient information has been provided in order to understand how the use of the car park by the public would be managed and enforced. This information is critical in understanding if the public use of the car park is feasible, and also to ensure the car park remains secure. Although the applicant is willing to enter into a legal agreement, they cannot commit to this and so this does not provide certainty that this element of the scheme could be provided. In addition, as an end user has not been identified, this may create uncertainty as to whether the public use of the car park could be secured. Notwithstanding this, Officers maintain the view that the offer of the use of the car park for the public is not a significant enough benefit that would outweigh the harm caused by the proposed development.

Economic Impacts

6.44 A report produced by Regeneris Consulting assesses the economic benefits of the potential employment generation resulting from the development of this new office building.

. This has the potential to generate economic benefits as follows:

-The potential for a gross employment level of 320-416 full time equivalent employees
-The potential for employment on the site to support additional jobs in the wider Windsor and Maidenhead economy through indirect and induced effects.
- A boost to the local construction sector job creation with opportunities for training and apprenticeships benefiting the local resident population.
-A contribution to the local and regional economy through increased expenditure in the town centre and the wider region during construction and post occupation
-. Modernisation of an existing employment site thereby improving the choice and flexibility of business space

6.45 The proposal has the potential for significant economic benefits, and this needs to be considered in the planning balancing exercise.

Ecology

6.46 The building was subject to a detailed inspection for bats. Following detailed examination of potential roosting sites, the buildings were recorded as having negligible potential to support roosting bats. The applicant's ecologist has recommended that a precautionary approach to works at the site is adopted, including soft demolition of the buildings should the Local Planning Authority be minded to grant planning permission. The proposed development is considered to have an acceptable impact on ecology.

Sustainability

6.47 The council has an adopted 'Sustainable Design and Construction' Supplementary Planning Document which was formally adopted in June 2009. It is a material consideration in the assessment of planning applications and its purpose is to help improve the sustainability performance of buildings and spaces through their construction and subsequent use.

6.48 Major developments such as this one are required to meet and provide evidence in support of the BREEAM requirements as well as other issues such as; energy consumption, on-site renewable energy generation, water management, waste management etc. An Energy Statement has been submitted, which sets out that the development will aim to meet the BREEAM standards of 'Very Good', and sets out the measures it could incorporated to meet this. It is considered that a condition could be imposed to ensure the building meets this standard.

Surface water and drainage

6.49 The proposed surface water drainage strategy outlined in the Surface Water Drainage and SuDS Assessment accompanying this application indicates that permeable paving and tank storage, with a flow control system, will be provided to limit surface water runoff to 5 l/s for all storm events up to and including the 1 in 100 year plus climate change event. In principle this is acceptable.

Archaeology

6.50 The application site lies just outside of the historic medieval core of Windsor. Sheet Street was an important thoroughfare leading south from the medieval town and began to be developed from the early post-medieval period onwards. While the site therefore has a modest archaeological potential, it has been substantially developed with the construction of the current office building in the 1970s and housing prior to this. Owing to the built development that exists on site, there are not considered to be implications for the buried archaeological heritage.

Other Material Considerations

6.51 Paragraph 66 of the NPPF states that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. The agent did undertake a public exhibition prior to making the planning application, and did take on board some views expressed. Even if members of the community feel that their comments have not been incorporated in the scheme, this would not warrant refusal of the application.

6.52 Members of the public question the need for so much additional office space, when there is so much vacant office space within Windsor, and other buildings have been converted from office space to residential. It should be noted that National or Local Planning Policy does not require the Local Planning Authority to take into account existing vacant office space in the locality in considering whether new office space is acceptable in the town centre.

6.53 Concern is raised over the noise and disturbance that would arise during the demolition/construction phases of development and the impact this would have on the personal and work life of occupiers in the adjoining flats of Victoria Court. Whilst this is appreciated, a certain level of noise and disturbance would be expected with new development, however, this would not constitute a valid reason to refuse planning permission. In addition, construction workers may be able to look into the windows of flats during construction, but this would not be a valid reason to refuse planning permission. In respect of concerns over construction traffic, if planning permission was granted a Construction Management Plan would be required.

6.54 The potential impact that the demolition/construction of the building could have on the structural stability of the adjoining flats is not a planning consideration. Dust and hours of working during construction are not a planning consideration, but these would be matters that Environmental Protection would have remit over.

6.55 Concern is raised over how residents of Victoria Court would access their parking spaces during the construction period. However, this is a private matter that would need to be managed by the developer during the construction process. It is not a valid reason to refuse planning permission.

6.56 Concern is raised over the development resulting in a decrease in value of surrounding properties, however this is not a planning consideration.

6.57 Comment is made that planning policy favours a three storey building for the site. It should be noted that planning policy does not restrict the building to being 3 storeys at the site.

6.58 Concern is raised over the new building and that it will reduce sunlight to the roof terrace of the Corner House. The roof terrace is not a private amenity space, and is not afforded significant protection in terms of light. Given this is a town centre location, a higher density of development would be expected, and it would not be unreasonable for a new building to be higher than a roof terrace to a public house.

6.59 An objector states that the development would create a security risk to the Barracks. The Barracks have not commented on this planning application. The agent submitted the proposals to Thames Valley Police Secure by Design before submitting the application, who commented that the car park area should be made secure and should incorporate an access control system, but these comments were made in order to make the development secure, not specifically in relation to the Barracks. It is not considered that an office development would pose a security risk to the Barracks.

6.60 An objector suggests that a cinema and art gallery could be included in the redevelopment, however, this is not what planning permission is sought for and the application has to be considered on its merits.

Developer Contributions

6.61 The Community Infrastructure Levy Regulations 2010 (CIL Regulations) which came in force on the 6 April 2015, allows the Council to raise funds from developers undertaking new building projects in the borough to support and fund new infrastructure that the Council and local communities may require. However, planning obligations may still be sought to mitigate local impact if they are still necessary to make the development acceptable in planning terms provided that the obligations meet the tests outlined in the CIL Regulations. In this case planning obligations would not be sought as potential highway projects would not meet the tests set out in the CIL regulations at Regulation 122.

Planning Balance

Benefits

6.62 There will be economic benefits that could arise through increasing the amount of office space- both direct and indirect impacts, and temporary effects from employment during the construction period. This scheme is likely to have positive impacts but very localised ones for the economy and temporary ones in the case of construction works.

6.63 Another temporary benefit for 5 years could arise if the car parking area was made available to the public on the weekends, as it would assist in providing parking in a town where there is recognised pressure for parking. If this was a benefit that was considered to weigh in favour of the application, the description would need to be amended and the application re-advertised, although there are concerns over the monitoring and security if the car park is made open to the public. This element would also require a legal agreement to secure it as benefit.

6.64 The Borough's Employment Land Review (ELR) from 2009 shows that there is an identified supply requirement for 85,900sqm of B1 office floorspace up to 2026. The emerging ELR is also indicating there is a requirement for a further supply of office floorspace. The proposal would provide a net addition of 2,455sqm which will assist in meeting the quantitative demand. In addition office demand has focused on new and good second hand space and the ELR notes that older stock is not in as high demand. The new office building would therefore go to meeting a demand and this is a benefit of the proposal.

Adverse Impacts

6.65 The main report sets out the adverse impacts of the scheme in detail. To summarise, these are the less than substantial harm caused to the character and appearance of the Conservation Area, and the adverse impacts on neighbouring residential amenity. In addition, no evidence has been submitted to justify why this scale of building is required, and why a scheme with less floorspace could not be provided, and so in weighing the benefits and adverse impacts of the scheme, there is nothing which supports the justification of why this scale of building is necessary.

6.66 The benefits of the scheme have been identified previously and include the provision of high specification office space, benefits to the local economy, and the potential to make the car park available to the public during weekends, public benefits also include the Optimum Viable Use (OVU). In terms of the OVU, it would appear that this relates more to proposals affecting the use of heritage asset, for example, a change of use of a listed building. The NPPG under the heading "What is a viable use for a heritage asset and how is it taken into account in planning decisions" seems to also infer that the assessment is based on the use of a building and the advice refers to heritage assets having a viable use. It further advises that where there are a range of alternative viable uses, the OVU may not necessarily be the most profitable one. It is therefore considered that the OVU is not relevant to this development. However, if the OVU was applied, the existing building is considered to have a neutral impact on the character and appearance of the Conservation Area. From this perspective it would be preferable to utilise the existing building

compared to the proposed building which is considered to cause harm. No evidence has been put forward to show why the existing building could not be retained. The public benefits which would be mainly local ones and temporary that would not benefit the public at large are not considered to outweigh the less than substantial harm caused to the Conservation Area as required by paragraph 134 of the NPPF. The heritage qualities of Windsor are world-renowned and these qualities should be preserved and where possible enhanced. Therefore any public benefits would need to be significant to outweigh the harm. The ones put forward by the applicant would not be significant. As the National Planning Policy Guidance (NPPG) advises public benefits need to be of a nature or scale to be of benefit to the public at large and should not be just a private benefit.

6.67 Paragraph 14 of the NPPF sets out that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 14 of the NPPF sets out guidance for decision making. Officers are not of the view that this proposed development is a form of sustainable development, as there is identified harm to the character and appearance of the Conservation Area, and the public benefits are not considered to outweigh this harm. As such the proposal is not considered to accord with Local Plan Policies DG1, CA2, P4 , which are all considered to be consistent with the requirements of the NPPF and therefore relevant to the determination of the proposal.

7. CONSULTATIONS CARRIED OUT

Consultation on amended description to include public use of car park

7.1 3 letters were received in relation to the public use of the car park, as a result of neighbour and contributor notification, with a deadline of the 27th June 2016 to comment:

Comment		Where in the report this is considered
1.	Feel the offer of the car park for the public is a 'red herring' which has been put forward in an attempt to gain planning permission.	6.42-6.43
2.	Adverse impact on parking spaces accessed by the residents of Victoria Court. How will this be managed?	6.42-6.43
3	Concerns over the security to flats of Victoria Court if the car park is opened to the public and not made secure. The security of the car park was raised by Thames Valley Police.	6.42-6.43
4	The application lacks detail on the management plan that would be put in place to secure access and satisfactory safe operation as a safe public car park.	6.42-6.43
5	The limited number of parking spaces being offered to the public at limited times, should not be significant weight, as it will do little to address parking problems in Windsor.	6.42-6.43
6	When the existing office was used, workers would park in residents spaces, and it was difficult to enforce. If the car park is opened up to the public, how would parking being monitored and enforced?	6.42-6.43

Windsor and Eton Society reinforce their original objections to the scheme, adding that they are concerned about inadequate parking being provided.

Officer response: Noted, these points were addressed in the original report.

Comments from interested parties

23 occupiers were notified directly of the application.
The application was advertised in the Maidenhead & Windsor Advertiser 13th August 2015 (for development affecting the setting of a Conservation Area) and on the 10th September 2015 for as development affecting the setting of a Listed Building.
The planning officer posted a statutory notice advertising the application at the site on 6th August 2015.

14 letters were received objecting to the application, summarised as:

Comments on originally submitted plans

Comment		Where in the report this is considered
1.	Over development of the site.	6.3-6.18
2.	Would adversely impact on views in the Conservation Area, of Listed Buildings, and at higher levels of Windsor Castle.	6.3-6.18
3.	The building is not of a high enough design to preserve of enhance the character and appearance of the Conservation Area.	6.3-6.18
4.	Conflict with paragraph 66 of the NPPF which expects development proposals to take into account the views of the community.	6.51
5.	The proposed building with the larger amount of glazing in proximity to Lancaster House result in over looking to this building and to the residential use on the upper floors of this building.	6.25 and 6.28
6	Considers the proposed building to be aesthetically pleasing, but has objections to the scheme (these matters set out in this table).	Noted.
7	Questions the need for additional office space, when there is so much office space in Windsor that is vacant.	6.52
8	Concerns over the impact on the work life of an occupier in one of the flats at Victoria Court as they work from home.	6.53
9	A couple who live in a flat in Victoria Court are in their mid 30s and do not have children, but are planning to. They do not have sufficient funds to move if required. If the demolition and construction is allowed, they would be unable to have a child for the duration of the works as it would be clear that noise, dust and debris caused by such a large proposal would curtail their family plans.	6.53
10	The construction works would prevent an ill mother staying at the flats in Victoria Court.	6.53
11	Concerns over traffic flow and the danger to highway safety.	6.33-6.41

12	Concerns over construction workers on site looking into the windows of flat 8, Victoria Court.	6.53
13	Concerns that the demolition and construction period would adversely impact on the personal life of occupiers in the flats of Victoria Court.	6.53
14	Concerns over how you demolish such a large part of a building without adversely impacting on the adjoining flats in Victoria Court.	6.54
15	Parking for Victoria Court is provided under the building; where would residents park during construction?	6.55
16	Concerns over traffic construction during construction, and post development.	6.53
17	The proposed office building does not relate well to the flats at Victoria Court which are to remain.	6.3-6.18
18	The development will devalue the prices of properties In Victoria Court.	6.56
19	The development would adversely impact on the bedroom windows to flat 2 Victoria Court, it would cover their windows and block out light and air.	6.27
20	Concern over the loss of daylight and privacy to flat 9 Victoria Court.	6.27
21	This proposed development is gross overdevelopment.	6.3-6.18
22	Inadequate consultation was undertaking with neighbours before submitting the planning application.	6.51
23	Noise, dust, and severe vibration will be the primary concerns during both the demolition and groundwork construction phases.	6.54
25	Planning policy is said to favour a maximum of 3 storeys and Saxon House opposite Thames has just 3 storeys so if this application is granted it should be on the basis of it comprising 3 storeys and so being no higher (or fractionally so)	6.57
26	When Thames Court was constructed in 1983 they had a client (Price Waterhouse now PriceWaterhouse Coopers (PwC)) a multinational professional services firm with revenues of US$ 34 billion who had agreed, in advance, to lease the entire building. Unless the current freeholder has a similar settled arrangement the likelihood of their leasing this building to anywhere near capacity is little beyond mere unsubstantiated hope and expectation.	Noted.
27	Reports from economists and their like have a long and disreputable record of unreliability as they are barely capable of accurately forecasting that night will follow day let alone anything less certain.	Noted.
28	The parking would be reduced even though the building will substantially increase in floorspace. This goes against planning policy and common sense.	6..33-6.41
29	The proposed parking arrangements would not work for future workers of the office, or for residents in Victoria Court.	6.33-6.41
30	If permission is granted a condition should be applied to ensure that there will be two-way vehicle traffic in and out of the new building with separate barriers or security gates for entrance and egress as the present drawings are unclear on this aspect.	6..33-6.41
31	Development would adversely impact residential properties in Victoria Court and Lancaster House, through being overdominant.	6.26-6.29
32	Whilst the existing building is of no particular merit it is far less intrusive that the proposed larger building due to the fact that is has a more traditional formulation with 5 Victoria Street being	6.3-6.18

	essentially a separate unit that respects the existing buildings in the general area.	
33	The immediate area is characterised by most buildings not being above 3 storeys in height rather than the five storey building offered.	Noted.
34	The local planning authority (LPA) also needs to remember that it was they who forced amendment of the original [circa 1980] proposals by demanding that an "all-office (commercial) building" was not acceptable to them, and provision for a residential element (then planned to be called Victoria House) was the condition imposed for planning consent to be granted for the construction of what became Thames Court. Therefore, this reality needs to be acknowledged and the best way of doing so is to give greater, sympathetic, but not overwhelming, consideration to the residents' legitimate interests even if some of them are, inevitably, very personal.	Noted.
35	If the site must be redeveloped the 'footprint' needs to be scaled back to the existing with no more than 3 storeys permitted and the general design 'softened'.	Noted.
36	This will worsen the traffic in this part of Windsor which is already a problem.	6.33-6.41
37	Further increase in noise will adversely impact residents.	6.53
38	The proposal will stop sunshine going to the roof terrace of the Corner House (public house), and this will prevent people using this outdoor space.	6.58
39	The increase in size to the Barracks will pose a security threat to the Barracks.	6.59
41	The proposal would significantly reduce light to most flats in Victoria Court.	6.19-6.23
42	The proposed building would overshadow buildings of significant architectural merit such as Hadleigh House and the Corner House.	6.16-6.18
43	The building is featured in 'A Portrait of Windsor' by Mark Stenning.	Noted.
44	Residents of Victoria Court would not be able to access their vehicles.	6.55
45	There are not currently enough parking spaces for the existing office.	Noted.
46	Concerns over the proposed access- it would lead to major delays for access and egress.	6.33-6.41
47	The plans would completely alter the public space at the junction of Victoria Street and Sheet Street. This would create a dangerous situation for drivers at this point.	6..33-6.41
48	Would not be able to rent their flat in Victoria Court during the construction period and this would result in financial hardship.	6.56
49	Residents would have a longer carry distance for bins with the vehicular access being moved.	6.41
50	Strongly opposes the development, but if approval is given wants the following to be noted: • Any change in the appearance of the office part of the building should, with the permission of all Victoria Court Leaseholders, be replicated in the residential part of the building i.e. new wall cladding and the applicant should finance this • Leaseholders of properties in Victoria Court who rent out their properties should be finically compensated for loss of earnings during construction • The proposer should bay for new double or triple glazed windows in Victoria Court	Noted, however, these are all private matters and not relevant to the planning consideration.

	• Measures should be put in place so that occupiers of the flats can access their cars • Areas should be cleaned regularly during demolition and construction phase • Financial retainer should be put in place by the proposers for at lease 10 years following construction.	
51	With existing office spaces in Windsor empty and some being converted into residential sites (for example Elizabeth House just meters away on Sheet Street), I do not feel there is evidence of demand to support such an increase – developing this area does not guarantee tenants.	6.52
52	Whilst I do not object to an office being developed in a modern and attractive way, I am concerned that the extent of this (as outlined in the proposals) sets this building at odds with the surrounding areas. The aesthetics of the glass building are not in keeping with the 80's style of the adjoining flats and, I argue, is not appropriate for this location – Windsor Town Centre, a Conservation area.	6.3-6.18
53	The current proposal is vastly different from the existing site and I see no "reference" in designs to the style in which it was intended.	6.3-6.18
54	Concerned that reducing the number of spaces and relying on the implementation of a chaotic "buddy scheme" will only add to the parking problems, particularly as the number of employees is likely to increase with the almost doubling of the office space.	6.33-6.41
56	Considers the proposed building would overlook the windows of the flats of Victoria Court	6.24

Comments on Amended Plans and additional information

Comment		Where in the report this is considered
1.	Considers the scheme will block out natural light to the bedroom of flat 2 Victoria Court.	6.19-6.23
2.	Scheme is overdevelopment which affects important views in the Conservation Area, the setting of Listed Buildings and at higher levels of the Castle.	6.3-6.18
3.	Concerns over the loss or parking spaces and the proposed arrangement.	6.33-6.41
4.	The proposed building with the larger amount of glazing in proximity to Lancaster House result in over looking to this building and to the residential use on the upper floors of this building	6.25
5.	The daylight and sunlight assessment shows the reduction in light to Victoria Court and Lancaster House which is unacceptable.	6.19-6.23
6	The development would overlook and be completely overbearing to the residential use of Lancaster House. The south west corner of the building only stands 1.5 off Lancaster House.	6.28
7	The revised proposal is still an overdevelopment of such a small site. The latest proposal is only 47 m2 smaller than the original plans, an insignificant change. The new site provides a 92% increase in gross internal area – from 2662m2 to 5117m2.	6.3-6.18
8	Do not feel that there is evidence of demand to support such an increase; development of the site in this way does not guarantee tenants or the creation of new jobs.	6.52
9	Still concerned that the design of the building is at odds with surrounding buildings.	6.3-6.18

10	Concerns that the proposed parking layout will prevent occupiers of Victoria Court from accessing the parking spaces.	6.55
11	The suggestion by the applicant that the car park could be used by the general public is an ill thought out proposal. Who would manage such an arrangement, and how could the public be prevented parking in the spaces of Victoria Court?	6.43
12	Major concern over the structural works required.	6.53
13	The proposal would replace one ugly building with another ugly building	6.3-6.18
14	Considers a cinema, a petrol station and an art gallery could be included in the office redevelopment.	6.60
15	Concerns remain over the impact on the personal life and work life of occupiers of Victoria Court during the construction period.	6.53
16	Writes on behalf of their neighbour in Victoria Court who is elderly and in ill health, and is very stressed by this proposal.	Noted.
17	Question remains over necessity of this office space.	6.52
18	Impact on property values.	6.56
19	The amended plans were a waste of time, with minimal changes.	Noted.
20	Adverse impact on outlook from the flats of Victoria Court.	6.27
21	The employment information submitted is made up	Noted.
22	Objects to the proposal to make the car park available to the public on the weekends- it would breach the rights of the lease and would create security issues.	6.42-6.43
23	There are no public advantages from this proposal, despite what the economic assessment claims.	6.66

Statutory consultees

Consultee	Comment	Where in the report this is considered
Historic England	<u>Original Comments</u> The existing 1970s office block on the site has a neutral impact on the character and appearance of the Conservation Area. Whilst not of particular architectural merit, it addresses the junction of Victoria Street and Sheet Street, a key focal part in this part of the Conservation Area. Its scale and modelling help the transition between the fine grain of traditional terraces to the north and the more open grain with lower scale buildings to the south. The proposed office development is of a much greater scale and mass than the existing building, paying little heed to its context. It is overly bulky, with very little modelling to relive its mass. It would dominate the street scene along Victoria Street and Sheet Street. The design does not adequately address the junction and it would erode the quality of the townscape here. Although no assessment of the character of this part of the Conservation Area has been submitted, it is evident that the proposed development would cause some harm to the character and appearance. No evidence is submitted to justify the scale of development, not are any public benefits expressed. Historic England recommends a better assessment of the significance of this part of the CA is	6.3-6.18

	submitted; the scheme revised to reduce its harmful impact and that the opportunity is take to enhance the CA. . <u>Comments on Amended Plan and Additional Information</u> The amendments have sought to overcome our previously-stated concerns and this is to be welcomed. However, only some of the issues have been addressed and these only partially. The site analysis does not assess the heritage significance in any way, as required by para. 128 of the NPPF. The reduction is height is minimal, a full storey would need to be omitted to make the reduction meaningful. The same applies to the setting back from the Victoria St frontage – this is a marginal improvement only. These amendments do not make an appreciable difference to the overdominant scale of the building. The junction of Victoria St and Sheet St remains awkward. This is a very important part of townscape and there exists an opportunity to enhance this area. This is a material consideration in accordance with para. 131 of the NPPF. The verified views are to be welcomed. However, we do not agree with all the conclusions, which appear to be subjective. A proper assessment of the visual impact on heritage assets should include reference to a baseline assessment of significance in order to substantiate assertions that the impact is beneficial. Also, especially with regard to viewing position 6, it should be acknowledged that views into and out of a conservation area are material considerations. The *setting* of the conservation area is important as well. Historic England remains of the view that the proposed building should be reduced in height and bulk. We recommend that the opportunity is taken to enhance the junction of Victoria St and Sheet St so that it makes a positive contribution to the conservation area. This amended design still causes harm to the significance of heritage assets. If minded to approve this application the local authority should satisfy itself that there are public benefits which outweigh this harm.	
Highways	**Revised Parking Proposal** The scheme now proposes 38 spaces with 4 cars parked in tandem. This level of parking provision for the size of the development is not considered acceptable. In support of this level of parking provision the Highway Authority expected the Travel Plan to include robust tangible measures and targets to reduce the impact of the development on the highway network. Based upon occupancy levels of 12.7m^2 the new development could accommodate 342 employees.	6.33-6.41

<table>
<tr>
<td></td>
<td>The 2011 Census Data, referred to in the applicant's Transport Assessment, 56% of staff drive (average for Windsor Town Centre), which in this instance could potentially lead to 192 cars attracted into Windsor Town Centre.

Details of the Travel Plan targets are listed in the following table.

Table 3.1: Travel Plan AIM Targets
<table>
<tr><th rowspan="2">Target</th><th rowspan="2">Indicator</th><th colspan="5">Mode Split</th></tr>
<tr><th>Baseline Year 0</th><th>Year 1</th><th>Year 2</th><th>Interim Year 3</th><th>Final Year 5</th></tr>
<tr><td colspan="7">Staff</td></tr>
<tr><td>Achieve a 5% decrease in single occupancy vehicle trips for staff per year for the first 3 years.</td><td>Modal split monitoring surveys for SOV use</td><td>56%</td><td>50%</td><td>45%</td><td>40%</td><td>To be decided at a later date with RBWM</td></tr>
</table>
This clearly suggests that the current proposal is unsustainable and would have severe impact upon traffic flows in the town centre and the viability of the public car park.

Therefore, based on the above the Highway Authority cannot support the application.</td>
<td></td>
</tr>
<tr>
<td>Local Lead Flood Authority</td>
<td>The proposed surface water drainage strategy outlined in the Surface Water Drainage and SuDS Assessment accompanying this application indicates that permeable paving and tank storage, with a flow control system, will be provided to limit surface water runoff to 5 l/s for all storm events up to and including the 1 in 100 year plus climate change event. In principle this is acceptable.
The submitted calculations and outline drawings also indicate the provision of adequate storage to be practical.
The Lead Local Flood Authority would therefore have no objection to the proposed development subject to the conditions for a detailed design of the surface water drainage system to be submitted and approved.</td>
<td>6.49</td>
</tr>
</table>

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Windsor and Eton Society	Objects. Regus House occupies a focal point in the Inner Windsor Conservatin Area and the junctions of Victoria Street and Sheet Street. Any building replacing the existing one should enhance the area. The existing building does not have any particular architectural merit, however the 5 storey building proposed is totoally misconceived. The design is not suiable for the centre of Windsor. The building would dominate the nearby Listed Buildings and detract from their settings, particualry Hadleigh House. They are unable to see that the bulding would not comprimise local views, especially that of the Castle.	6.3-6.18

	Questions why this much offfice space is needed , when so many offices in the town are being converted to residential. The proposal will harm the character and appearance of the Conservation Area. The application does not comply with the NPPF. <u>Comments on amended scheme</u> Consider the changes to the plans are of little consequence. The floorspace has been reduced to 5,117 sq m from 5,168 sq m. This compares with 2,662 sq m for the present building. View 1 of the verified views shows the truly massive scale of the proposed building. The changes are insufficient for us to take a different view to the one originally expressed. We urge for the application to be refused.	
Tree Officer	There are no trees on site and no opportunity for tree planting either under the exiting scheme or proposed. I therefore have no objections to the proposal, as the site is already heavily developed. However, it should be noted the current extent of low level planting in raised borders will be reduced in scale should the proposal be implemented. This will give the development a harder appearance compared with existing. If you are minded to grant planning permission then a landscaping condition should be applied.	Noted.
Council's Ecologist	During the preliminary ecological appraisal, the applicant's ecologist concluded that the buildings on site may have the potential to support roosting bats. Further bat survey of these buildings was recommended by the applicant's ecologist within the report but these surveys were not originally submitted with this application. As bats and their roosts are protected under UK and European legislation and are a material consideration when determining planning applications, further survey for bats was requested by the Local Planning Authority. These have now been provided by the applicant. Both buildings on site were subject to a detailed inspection, in particular the aspects of the building that were originally identified to be suitable to support roosting bats. Following detailed examination of potential roosting sites, the buildings were recorded as having negligible potential to support roosting bats. The applicant's ecologist has recommended that a precautionary approach to works at the site is adopted, including soft demolition of the buildings and should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice is incorporated in a suitably worded condition or informative note.	6.46
Berkshire Archaeology	The application site lies just outside of the historic medieval core of Windsor. Sheet Street was an important thoroughfare leading south from the medieval town and began to be developed from the early post-medieval period onwards. While the site therefore has a modest archaeological potential, it has been substantially developed with the	6.50

	construction of the current office building in the 1970s and housing prior to this. The application plans show the proposed new building substantially on the footprint of the existing building, which is to be demolished. Car parking to the rear is to remain as is. It is also noted that the existing component of the structure on the Sheet Street frontage is to remain. On this basis, Berkshire Archaeology is content, on balance, that there are no implications for the buried archaeological heritage from this proposal and therefore no further action is required.	
Council's Conservation Officer	The application fails to properly assess the significance of Windsor Town Centre Conservation Area and the impact of the proposal on that significance. This makes assessing the impact of the proposal far less clear than it could be. The demolition of the existing office blocks does not raise objections. However, the proposed new building would appear to cause harm to the character and appearance of the conservation area, and hence its significance, because the scale is at odds with its context as appreciated from various view points, its unbroken mass along Victoria Street which fails to successfully incorporate characteristic building plot widths and variety across the street elevations and the awkward junction of the proposed office with the existing residential building along Sheet Street. The proposal fails to take the opportunity to make a positive contribution to local character and distinctiveness and fails to sustain and enhance the significance of the conservation area. There are no overriding public benefits set out within the application that would outweigh the harm that would be caused by the scheme.	6.3-6.18

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed Elevations
  Appendix C- Proposed Floor Plans
  Appendix D- Approved floor plan under 15/02665/FULL
  Appendix E- Plans from Daylight and Sunlight Review

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

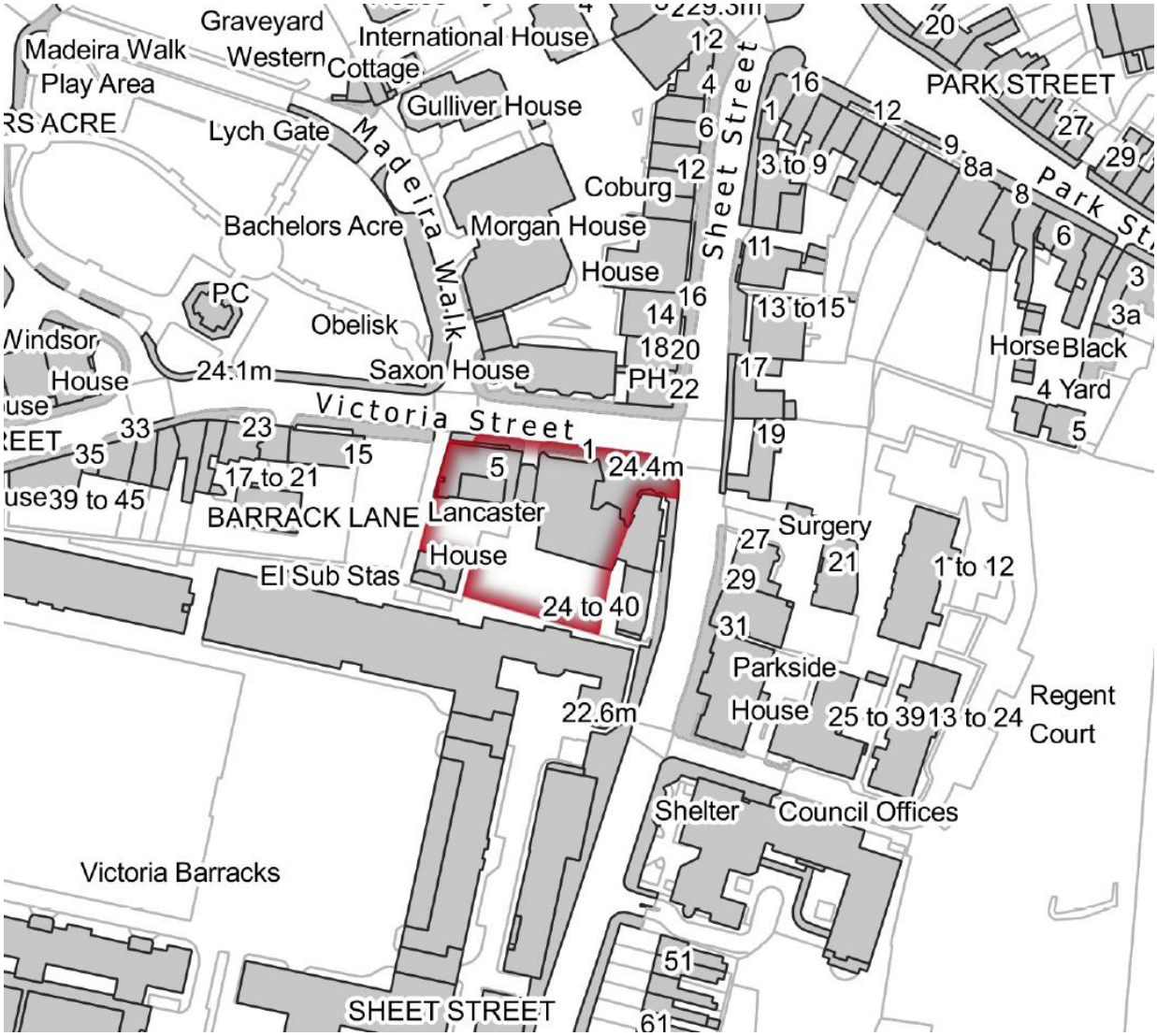
In this case the issues have not been successfully resolved.

9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1 The proposal owing to its combined height and mass set close to the road would be out of keeping with the size of surrounding properties and as such the building would appear overdominant and incongruous, resulting in adverse impact on the streetscene and character and appearance of the area. The scale of the building will be reinforced by the large glazed openings which are not in keeping with the local vernacular. The proposal would result in less than substantial harm to the character and appearance of the Conservation Area, and the public benefits identified are not considered to outweigh this harm. The proposal is considered to conflict with Paragraph 134 of the National Planning Policy Framework and with Policies DG1(3) and Policy CA2 (1, 2 and 3) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003).

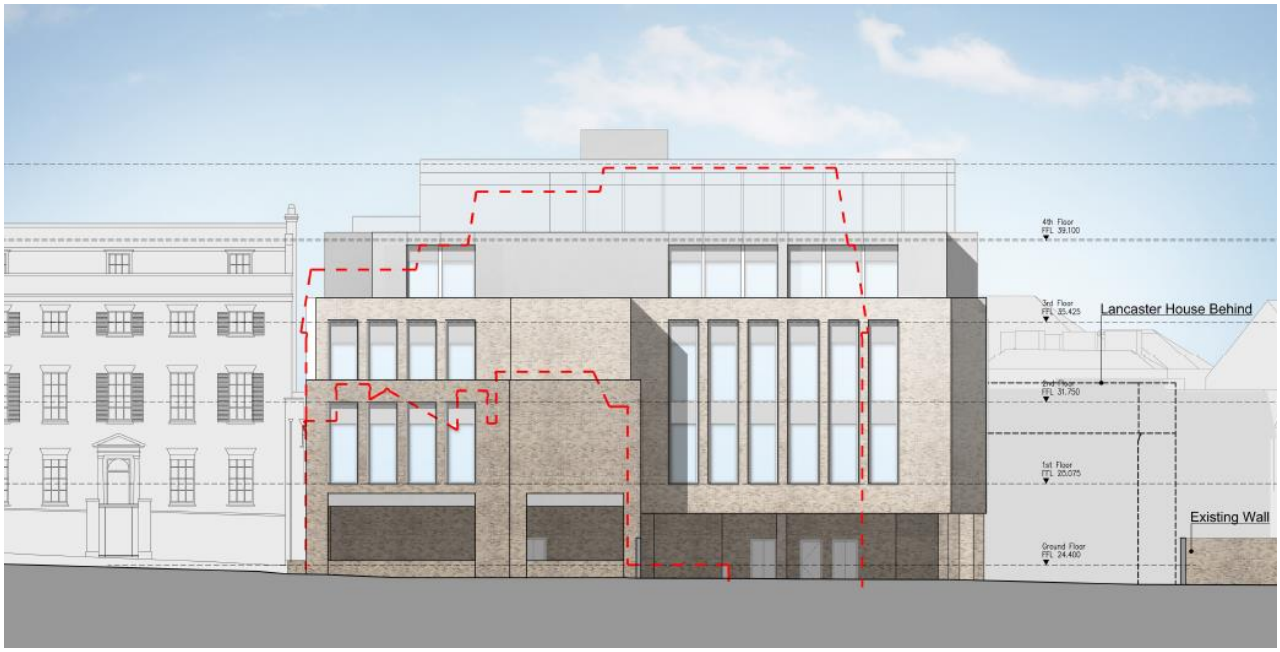
2 The proposal would result in unacceptable overlooking and overbearing impact to the balcony of Lancaster House. The proposal would also result in an unduly overbearing impact to the outlook to bedroom windows in Victoria Court, labelled W6/ground, W7/ground, W6/first and W7/First on the plan included within the Daylight and Sunlight Review. As such the proposal is considered to conflict with Paragraph 17 of the National Planning Policy Framework in that it fails to secure a good standard of amenity for existing occupants of the neighbouring residential properties.

Appendix A- Site location

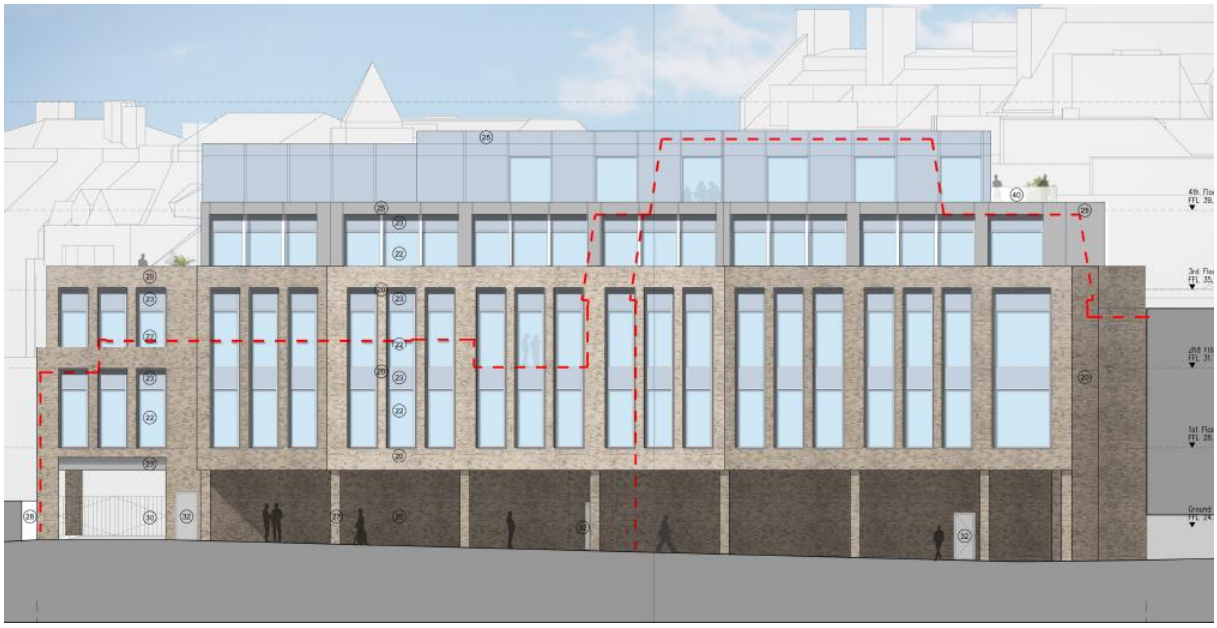


Appendix B- Proposed Elevations

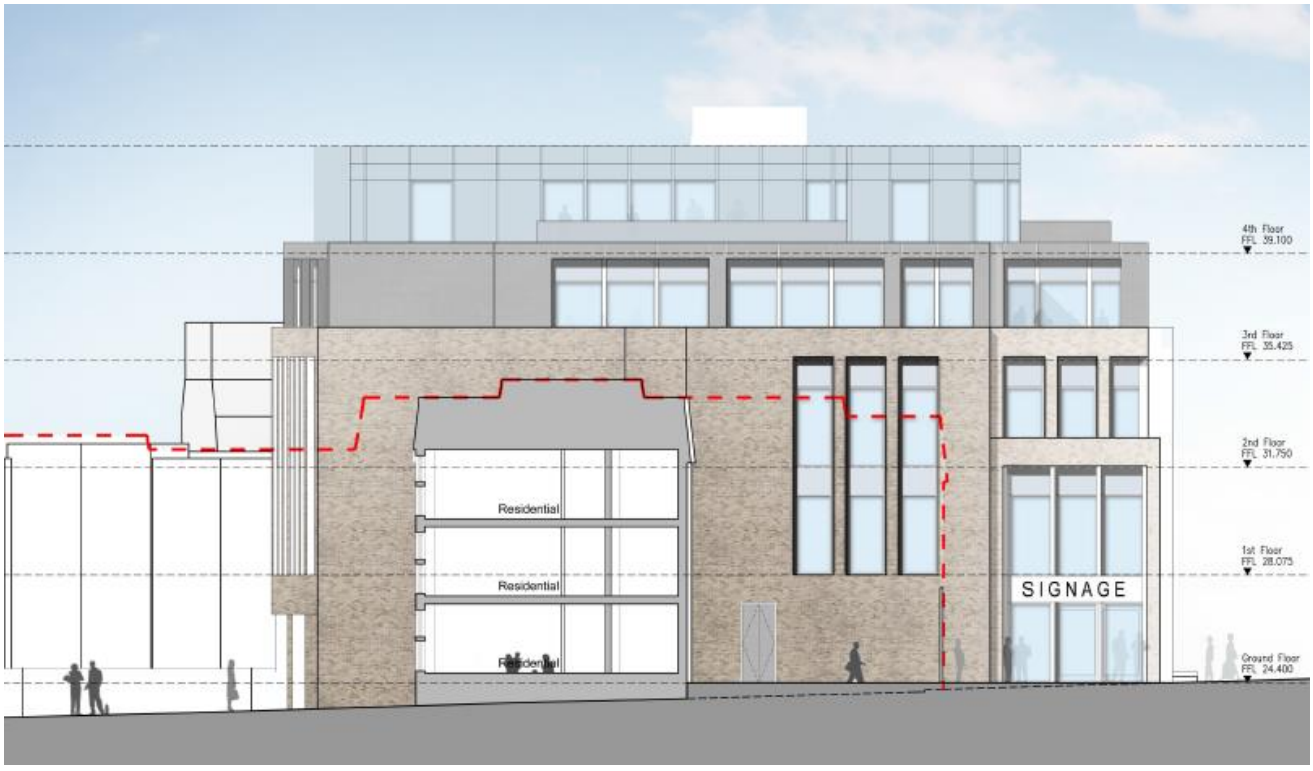
Proposed North Elevation – Victoria Street



Proposed West Elevation – Facing 13-15 Vitoria Street

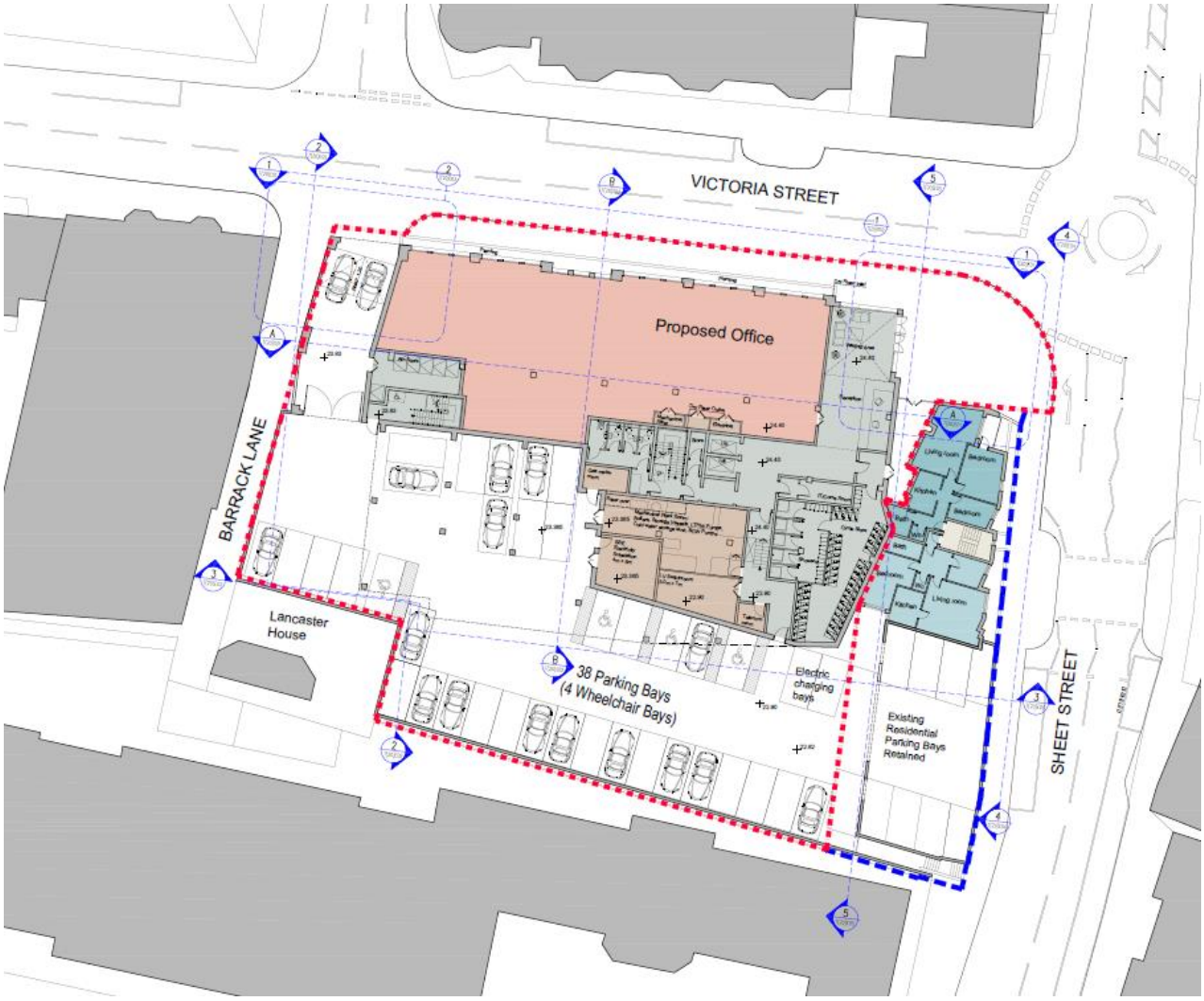


Proposed South Elevation- rear elevation

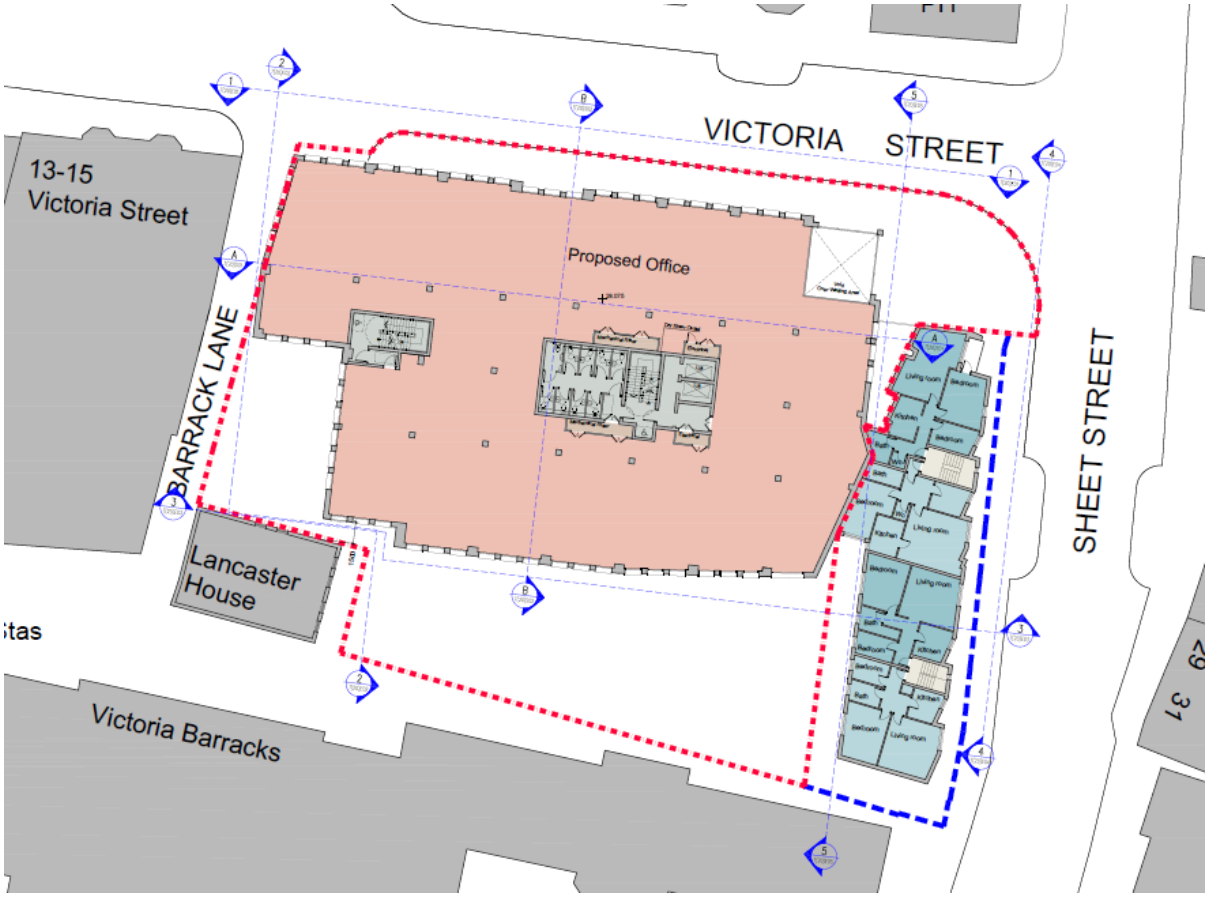


Proposed East Elevation- facing Sheet Street

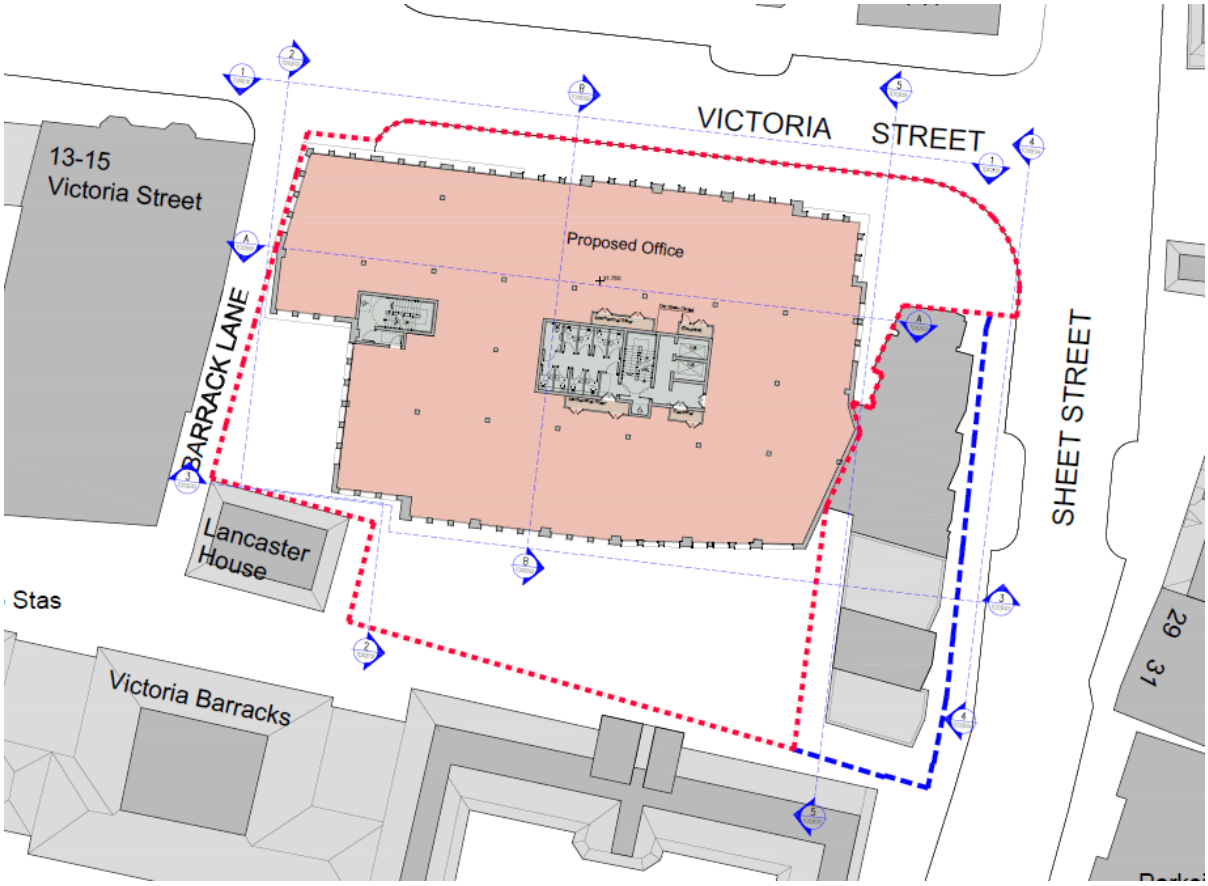
Appendix C- Proposed floor plans



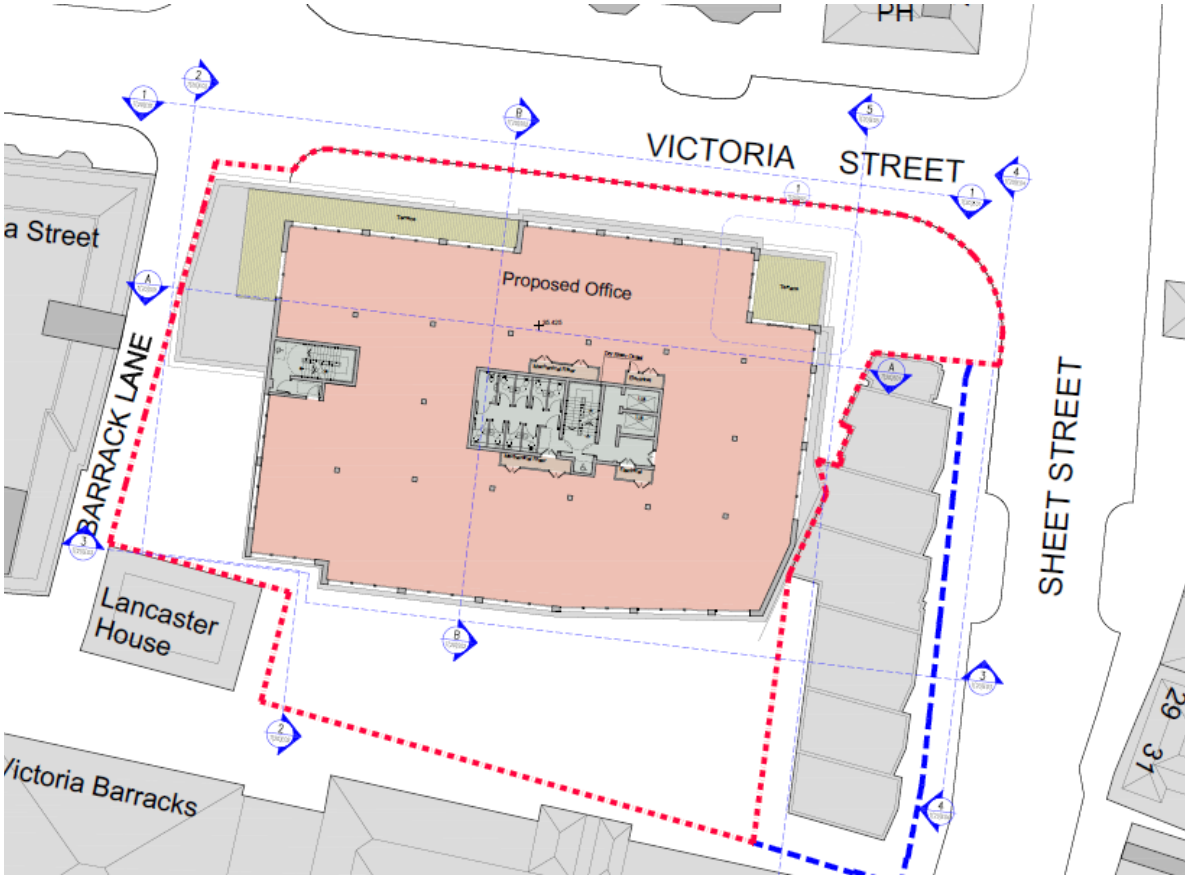
Proposed ground floor



Proposed first floor

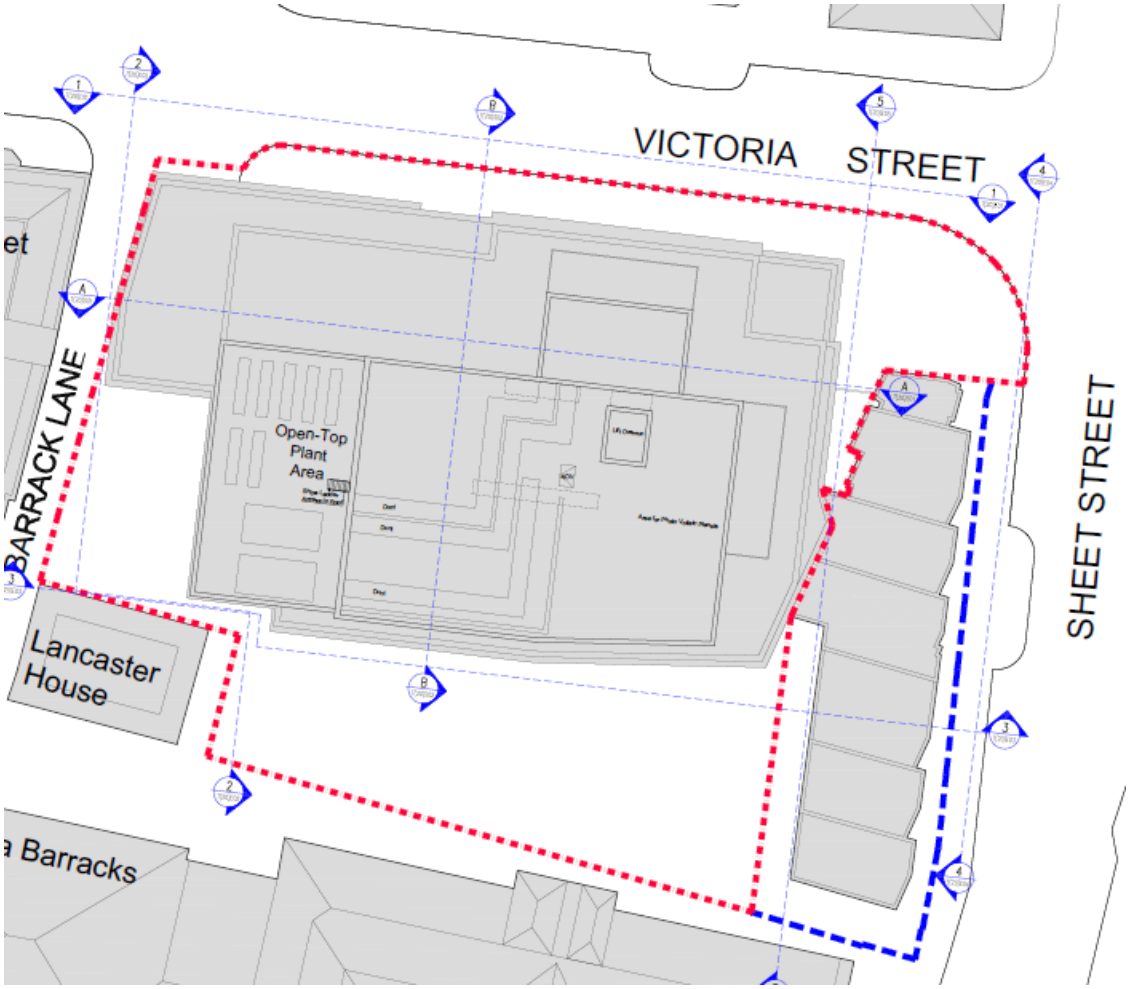


Proposed second floor



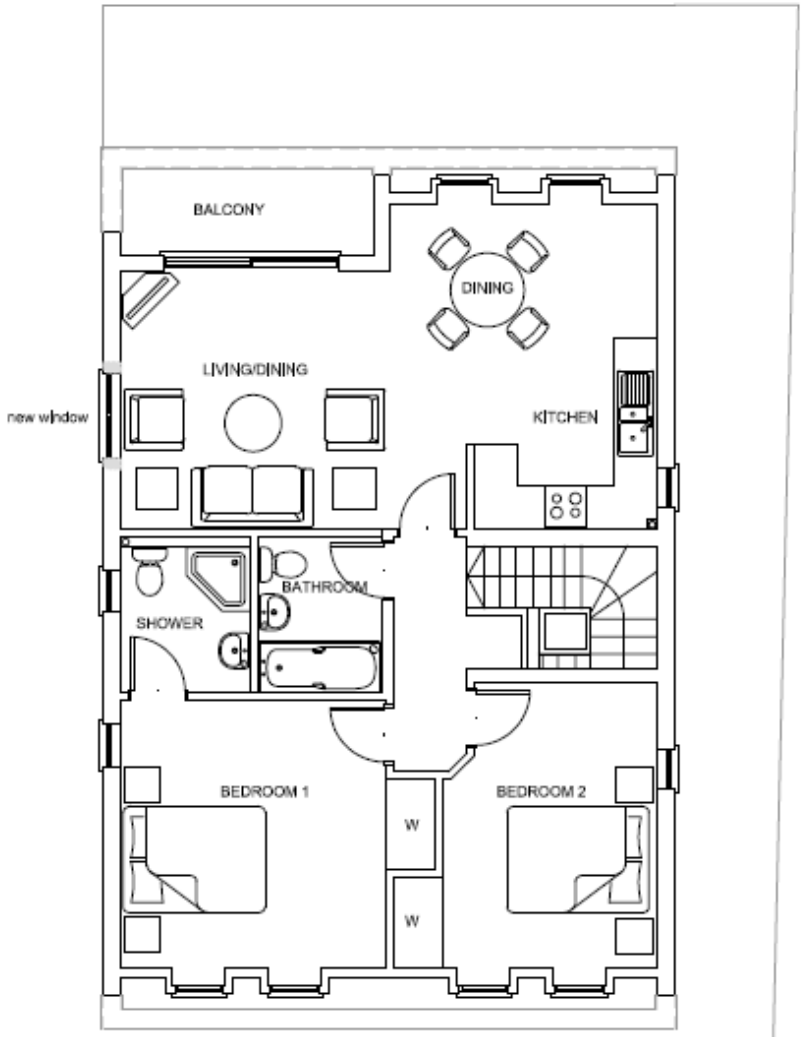
Proposed third floor

Proposed fourth floor

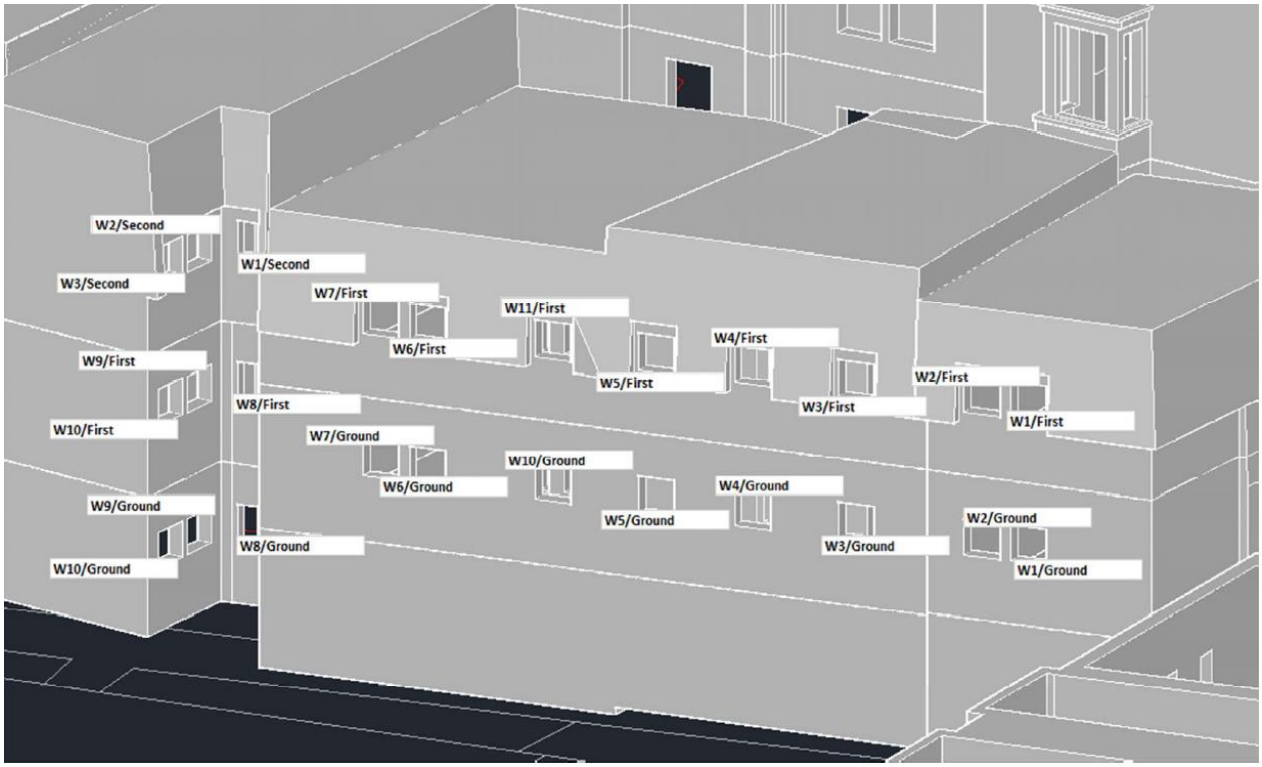


Proposed roof plan

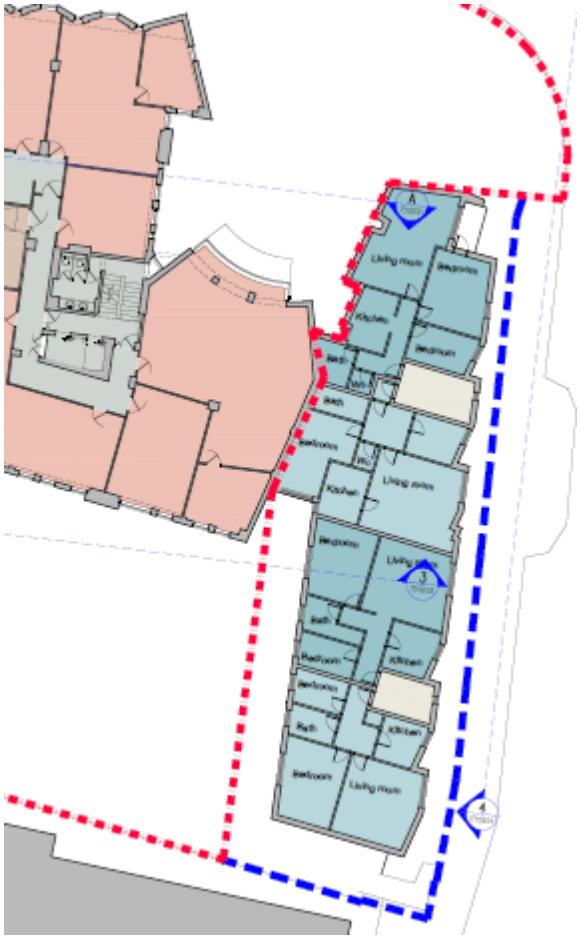
Appendix D- Approved layout plan at Lancaster House



Appendix E- Plans from Daylight and Sunlight Review



Windows in Victoria Court



Layout of Victoria Court

20 July 2016 **Item:** 2

Application No.:	15/03135/FULL
Location:	Datchet Mead Cottage 145A Slough Road Datchet Slough SL3 9AE
Proposal:	Construction of 9 dwellings; 2 x two beds, 2 x three beds and 5 x four beds following demolition of existing dwelling. Associated landscaping and parking
Applicant:	Howarth Homes Plc
Agent:	Mr Sam Tiffin - Progress Planning
Parish/Ward:	Datchet Parish

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

1. SUMMARY

1.1 This application for the development of nine houses on the northern edge of Datchet was considered by Councillors at the Windsor Urban Development Control meeting of 25th May 2016, when a decision was deferred to allow Officers to seek a legal opinion on whether affordable housing should be provided on the site. The position is as follows:

- Planning Practice Guidance was recently amended so that for residential developments of ten units or less, which have a combined gross floorspace of no more than 1000 sqm should be excluded from affordable housing levies and tariff based contributions. In this case, the development is for 9 dwellings, but the floorspace being provided exceeds 1300 sqm.

- The application land is currently in the same ownership as 145 Slough Road (the Datchet Mead Hotel) and the two sites are contiguous. The two sites have separate permissions which if implemented would provide for a total of 16 residential units - 4 houses at the application site along with 12 flats at the Datchet Mead Hotel site. Taken together, they would have been liable for provision of affordable housing under Policy H3, although the fact that the planning applications were made on the two sites and permission granted separately resulted in this fact being overlooked. The current application if granted would result in an increase in the number of units being provided across the two sites from 16 to 21.

1.2 The applicant has in this case offered to provide three houses within the development (Plots 2 - 4) as shared-ownership affordable housing. This is in line both with the recent amendments to Planning Practice Guidance, and because the two sites are contiguous the requirements of Policy H3 are triggered. The applicant is working towards signing a section 106 agreement on this matter, with the aim of having completed this by the date of the meeting where this report will be considered. The affordable housing issue is discussed below in more detail at 6.7 - 6.10.

1.4 Since the meeting on 25th May the second of two emergence surveys for bats in the existing derelict dwelling at the site has been submitted. This is currently being assessed by the Council's ecologist, and her comments will be provided in an update report. As noted in the report for the earlier meeting, this needs to demonstrate that the development can be carried out without adversely impacting bats, before planning permission can be granted.

1.5 The application is located at the northern end of the excluded settlement of Datchet, immediately adjacent to the Green Belt. Subject to providing appropriate landscaping it would provide an acceptable mix of dwelling sizes in a common building style which incorporates features of the Georgian dwellings located within other parts of Datchet. While this is quite a dense development for a village-edge location, it is noted that opportunities for new housing in Datchet are limited. The detailed layout of the scheme has evolved since the application was submitted, and includes provision of a native hedge on the Green Belt boundary and between the rear gardens of the houses adjacent to this boundary, so ensuring a soft edge to the development and an acceptable transition from the building form within the settlement area to the open countryside adjacent to the site. The design of the houses is acceptable, and largely coincides

with the footprints of the houses in an extant permission for four larger dwellings. For reasons related to landscape character which are explained in the main discussion in this report, it is intended that key hedgerows will be protected in a section 106 planning obligation, which sets out obligations for retention and any replacement of the hedge.

1.6 The site is in a floodable area. A safe flood escape route can be provided, and in view of this and the planning history of the site, the Environment Agency has not objected to the proposal. The application has provided a sequential test assessment of other sites which demonstrates that the development is needed to help meet the Borough's housing need, and the provision of this including shared ownership houses meets the "exceptions test" requirement as set out in Planning Practice Guidance.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	**To grant planning permission subject to demonstrating that there will be no unacceptable impacts on protected wildlife that cannot be properly mitigated and on the satisfactory completion of an undertaking to secure affordable housing and the retention of boundary hedges necessary to retain the rural edge character of the site, and with the conditions listed in Section 9 of this report.**
2	**To refuse planning permission if it cannot be demonstrated that significant impacts on protected wildlife can be mitigated, and / or because a satisfactory undertaking has not been completed by 1st August 2016, for the reason that affordable housing would not be provided and that the proposed development would not secure landscape improvements necessary to prevent adverse impacts on the character of the area.**

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The application site consists of about 0.53 hectares near the northern end of Datchet, which contains a now-derelict single dwelling. The site is located to the rear of 139 -145 Slough Road. Number 145 being the Datchet Mead Hotel, and is accessed via a private road between the Hotel and number 143. The site is not within the Green Belt but it is located at the edge of the settlement.

3.2 The site is largely undeveloped in that most of the land to the rear (south) of the cottage is laid to grass, and there is no landscape planting (other than scattered trees) on or close to the site boundaries. The site is identified in the Townscape Assessment within a Leafy Residential Suburban area, while the immediately surrounding countryside is classified in the Landscape Character Assessment as a Settled Farmed Floodplain.

3.3 The site and its access are located in Flood Zone 2, with the south-western corner of the site in Flood Zone 3. However, a larger part of the site is within the area that would become Flood Zone 3 with future climate change.

3.4 Numbers 143 and 145 Slough Road both have extant planning permissions for the development of apartment buildings, each to accommodate 12 flats.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposal is to demolish the existing dwelling and build six detached and three terraced houses, all designed in a stylistically similar Georgian or Regency style. Car parking would be provided both within garages and externally.

4.2 The existing access lane, which is located between numbers 143 Slough Road and the Datchet Mead Hotel, has been widened in commencement of an extant planning permission dating from 2011. This lane would be extended further into the property to serve the new dwellings, close to the rear boundaries of 141 - 143 Slough Road (including 'Westfield', which is located between numbers 141 and 143). Houses in the development would be located to the rear of five adjacent properties in all, including 139 and 139A as well as 141 - 143.

4.3 The site has the following relevant planning history:

Ref.	Description	Decision and Date
10/02486/FULL	Construction of 4 detached dwellings with 3 attached garages and one detached garage, including entrance gates, following demolition of existing.	Permitted, 17.06.2011. Following approval of conditions details (as in the next line of this table) the application was commenced by formation of the access road, so that this permission is considered to be extant.
12/03289/CONDIT	Details required by condition 3 (materials), 4 (acoustic insulation) and 5 (programme of archaeological works) of planning permission 10/02486 for the construction of 4 detached dwellings with 3 attached garages and one detached garage, including entrance gates, following demolition of existing.	Details approved, 15.01.2013
14/01778/FULL	Erection of 6 dwellings following demolition of existing	Refused, 01.08.2014

4.4 The 2010 permission is considered to have commenced because following the approval of its pre-commencement conditions as noted above, the driveway into the property was widened and formed in accordance with the approved plans. Section 106 contributions required on commencement have also been paid. The permission is therefore considered to be extant.

4.5 The 2014 application was refused for the following reasons:

1 *The scale, massing and number of proposed dwellings in conjunction with the extent of hardstanding between Plots 3, 4, 5 and 6 would have a detrimental and unsympathetic impact on the character of the character and amenity of this edge of settlement site, resulting in the overdevelopment of the site in a way that would be is out of keeping with the spacious character and pattern of development in the area. The proposal therefore fails to comply with advice contained within the National Planning Policy Framework and with Policies H10, H11, DG1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations adopted June 2003).*

2 *The proposal does not contribute to the mix of housing types that is needed to ensure the continued sustainability of the social fabric of the local community. In addition, although for the previous permission it was agreed that affordable housing did not need to be provided as part of the proposal, in formulating a proposal for six houses at this site it is considered that this should be revisited in order to ascertain whether a proportion of shared-ownership houses could and should be developed at the site. Without a mix of smaller as well as larger houses within a development of six dwelling units along with this further consideration of affordable provision, the application is contrary to Policies H3 and H8 of the Royal Borough of Windsor and Maidenhead Local Plan.*

3 *In the absence of a survey of bats and other protected wildlife species, the application has not demonstrated that it could be carried out without detriment to protected wildlife, contrary to advice contained within the National Planning Policy Framework and with Natural England's Standing Advice.*

4 *While complying or able to comply in most respects with the Council's standards for access roads, visibility for vehicles exiting the site and car parking provision, it is unclear whether the Council's refuse vehicles (which measure 11.38m x 2.49m) would be able to enter and exit the site in a forward gear. In addition the garage for Plot 5 is of substandard length. While these matters could be successfully addressed if the proposal was acceptable in all other respects, as submitted the car parking and turning provisions within the site are substandard, and contrary therefore to Policies P4 and T5 of the Royal Borough of Windsor and Maidenhead Local Plan.*

5 *The development fails to make provision for off-site infrastructure and amenity improvements directly related to the development in accordance with the Council's adopted Supplementary Planning Documents and Guidance on Infrastructure and Amenity Requirements and Public Open Space. Accordingly, the proposal fails to comply with saved Policies IMP1, R3 and T6 of the Royal Borough of Windsor and Maidenhead Local Plan, with the Planning Obligations and Developer Contributions Supplementary Planning Document and with the Interpretation of Policies R2 to R6 - Public Open Space provision Supplementary Planning Guidance.*

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6, 7, 8, 9, 10, 11 and *Decision-taking*

Royal Borough Local Plan

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

Within settlement area	Green Belt	High risk of flooding	Protected trees	Pollution and noise	Archaeology	Highways / parking issues
DG1, H10, H11	GB1, GB2, GB3	F1	N6	NAP3, NAP4	ARCH3	T5, P4

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction
- Planning for an Ageing Population
- Supplementary planning guidance: Policy H3 of the Local Plan - Affordable housing

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Townscape Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Strategic Flood Risk Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration include whether matters in the previous refusal have been overcome in this proposal (the first five issues below correspond to the five reasons for refusal), along with three additional issues:

(i) whether the urbanising effect of the proposals are acceptable at this edge-of-settlement location;

(ii) whether the mix of housing types and tenure are acceptable;

(iii) impacts on protected wildlife;

(iv) highways safety and vehicle access;

(v) provision for off-site infrastructure and amenity improvements;

(vi) whether the proposal is acceptable in terms of flood risk;

(vii) the impact on the amenities of the neighbouring residents; and

(viii) impact on trees.

Whether the urbanising effect of the proposals are acceptable

6.2 The first reason for refusal in the 2014 decision cited the proposed scale, massing, number of proposed dwellings and the extent of hardstanding between Plots 3, 4, 5 and 6 as having a detrimental and unsympathetic impact on the character and amenity of this edge of settlement site, which would result in the overdevelopment of the site so that it would be out of keeping with the spacious character and pattern of development in the area. While this proposal increases the number of dwellings proposed, they are however smaller than in the 2014 application. Building coverage in both applications is virtually identical at approximately 852 sq.m. including garages which are free-standing in the current scheme and integral in the refused application. The proximity of Plots 4 and 6 to the site's boundary with the Green Belt contributed to the unacceptability of the refused application. In this proposal, it is considered that a better balance of built forms with landscaped areas can be achieved by providing additional hedges between the rear gardens along with the planted areas proposed for the fronts of the houses. The larger area of hardstanding between Plots 3, 4, 5 and 6 in the refused application would be reduced in this scheme and the smaller buildings in this proposal would result in more gaps particularly between Plots 1 - 6, allowing glimpses of vegetation through these gaps and so breaking up the mass of built form within the site.

6.3 Considered against the Local Plan, Policy H10 requires new residential development to provide high standards of design and landscaping while Policy H11 sets out that development should not introduce a scale which would be incompatible with or cause damage to the character and amenity of the area. Policy DG1 provides more general design guidance, applicable to both residential and non-residential development. The interpretation of these policies is assisted by the Council's Townscape Assessment (TA) and the Landscape Character Assessment (LCA). The site and the adjacent residential properties within the settlement area are classified within a "leafy residential suburb" townscape character area in the TA, specifically as character area 13A (Eton and Slough Roads, Datchet), while the adjacent countryside is defined within the LCA as "settled floodplain farmland", specifically as landscape character area 13d.

6.4 The TA notes that development intensification is one of the forces for change within this townscape type, and recommends principles to be taken into account in formulating development proposals within this area, including:

- Retention of mature trees and planning for future planting that allows space for planting to mature;
- A coordinated approach to new tree planting in terms of species and stature, with

plantings of larger trees in key visual locations;
- Use of hedging for boundaries in preference to other boundary treatments such as walls, fences, gates and railings;
- Sensitive contemporary design responding to its immediate context; and
- Use of gravel surfacing for driveways in preference to tarmac and block paving.

6.5 With regard to the Green Belt countryside abutting the site, the Landscape Character Assessment sets out (at paragraphs 3.13.62 and 3.4.6) that the wooded 'greenness' of the surrounding Datchet landscape is an important characteristic of the area, and that standardised housing designs and construction materials, and the densification of housing plots within and on the fringes of existing settlements can compromise their distinctive characteristics and landscape setting.

6.6 This proposal could result in a more suburban character at the edge of the Green Belt countryside, and in order to avoid this it is considered that the landscape and townscape character of the proposal needs to be very carefully managed to ensure that the better characteristics of both the “leafy residential” townscape and the landscape quality of the adjacent countryside are not unacceptably eroded. The careful management of this site is therefore of particular importance in providing an appropriate buffer between those developments and the Green Belt countryside to the west. This would only be achieved if the selection of appropriate materials used in hard surfacing and the landscaping provided would reinforce rather than detract from the area’s character. It is noted that the plots are smaller than those existing adjacent to the site, and a rural hedge would be provided along the Green Belt boundary. In this application the ability to reinforce the rural-edge character of the site includes provision in additional to a hedge on the Green Belt boundary additional hedges between the rear gardens of the houses, together with a mechanism to ensure that it will be permanently retained. While landscaping is generally secured by way of a condition, in this case it is considered that the greater permanence needed to ensure that the positive qualities of this rural edge site requires a section 106 planning obligation that sets out the responsibilities for maintenance and, where necessary, replanting of boundary hedges between adjacent property owners. This has been agreed with the applicant, and the site plan at Appendix B shows the extent of the hedges that would be protected in the planning obligation. In line with advice in the Townscape Assessment, planting of larger growing native tree species elsewhere within the development should also be provided for, and softer gravel driveway surfaces used for as much of the driveways and vehicle manoeuvring areas as is possible. The design of the houses themselves is stylistically rather uniform and does not fully follow the TA advice to avoid repetitive design. However, the overall size of the development is small enough to avoid an unacceptable replication of the same housing design and the incorporation of a terrace of three houses and another smaller dwelling at Plot 1 alongside the above landscape measures are considered to provide an acceptable design solution for the site. Subject to the retention of the rural hedging as provided for by the section 106 obligation, the first reason for refusal would be satisfactorily overcome.

The mix of housing types and tenure

6.7 The applicant has explained that the mix of housing proposed here has been advanced as there is currently not a strong market for the larger houses approved in the extant permission within this part of the Borough. A particular benefit of this proposal is the mix of housing that would be provided, which would include both smaller and mid-sized dwellings. The proposed mix to be provided is 2 x two-bedroom, 2 x three-bedroom and 5 x four-bedroom houses.

6.8 The second reason for refusal in application ref. 14/01778/FULL (copied at 4.5 above) suggested the potential for providing shared-ownership houses. While this was not required in the extant permission for four dwellings granted in 2011, the issue was raised again during the assessment of this application and the first Panel report for the 25th May 2016 Panel meeting set out that a proportion of the dwellings proposed should be provided as shared ownership housing. The Panel resolved to request a legal opinion on whether the local planning authority should seek affordable housing on the site, and this has now been provided by the Council’s solicitors. The advice given notes that Planning Practice Guidance was recently amended so that residential developments of ten units or less, which have a combined gross floorspace of no more than 1000

sq.m, should be excluded from affordable housing levies and tariff based contributions. In this case, the development is for 9 dwellings, but the floorspace being provided exceeds 1300 sq.m.

6.9 The advice sought also requested ownership details for both the application land and that in two neighbouring sites, 143 and 145 Slough Road (the Datchet Mead Hotel), both of which were subject to recent applications which have however now been withdrawn (16/00979/VAR and 16/00980/VAR). Title searches have shown that number 143 is under separate ownership, but that the Datchet Mead Hotel is currently in the same ownership as the application site. (There has until recently also been an interest in a company by the owners of 143 and 145, but this is of no effect in this application.) The two sites in the same ownership, numbers 145 and 145A, are contiguous and share the same access road, and have separate permissions which if implemented would provide for a total of 16 residential units - 4 houses at the application site along with 12 flats at the Datchet Mead Hotel site. Taken together, these would have been liable for provision of affordable housing under Policy H3, although the fact that the planning applications were made and permission granted separately for the two sites, and perhaps also because the two applications were made more than two and a half years apart, resulted in this requirement being overlooked. The current application if granted would result in an increase in the number of units being provided across the two sites from 16 to 21. It is considered that the two sites should be considered together for affordable housing purposes, but because the extant permission for the Datchet Mead Hotel site can be implemented without any requirement for affordable housing (it was assessed as being under the 15 unit threshold in Policy H3), it is only the current application that can be considered for affordable housing requirements at this stage.

6.10 The applicant has in this case offered to provide three houses comprising Plots 2 - 4 in this application as shared-ownership affordable housing, and for the above reasons this provision is fully justified in policy terms. The applicant is working towards signing a section 106 agreement on this matter, and it is understood that they are aiming to have completed this by the date of the meeting where this report will be considered. Progress will be reported in an update.

Impacts on protected wildlife

6.11 Previous work to identify wildlife habitat at the site included an emergence bat survey that identified a soprano pipistrelle bat roost in the existing now-derelict house at the site. An updated preliminary bat survey was undertaken for this application in December 2015 but given that bats would normally be in hibernation at that time of the year, the applicant's consultant recommended a further emergence survey to be undertaken. The agent has advised that two emergence surveys are intended to be carried during the spring months and both of these have now been carried out. The first (1st May) survey has shown that there is some activity at the site, including confirmation of likely occupation of the derelict dwelling by at least one soprano pipistrelle bat as previously identified. The second emergence survey has also now been undertaken, and the results are currently being assessed by the Council's ecologist. Her comments will be provided in an update report. As noted in the report for the Panel meeting of 25th May, this issue needs to be resolved by ensuring that the development can be carried out without adversely impacting bats, before planning permission can be granted. However, it appears highly likely that the proposals will be able to comply with Natural England's guidance and that the third reason for refusal in the 2014 decision would then be overcome. If however the additional survey work does not overcome the previous objection, the application would need to be refused for that reason.

6.12 Preliminary survey results of the remainder of the property suggest that there are no other wildlife issues that could not be provided for by a condition as recommended in Section 9 below. This will be covered in an update report.

The remainder of this report remains unaltered from the report to the 25th May meeting, apart from renumbering of the paragraphs below:

Highways safety and vehicle access

6.13 The Highways consultation response for this application originally objected on grounds that the internal roadway was not wide enough to meet the Council's standards and that it had not been demonstrated that a refuse vehicle could turn within the site. The internal road dimensions have been amended in the updated layout plan being considered, although the issue of refuse vehicle

turning space is still being clarified and there is sufficient space within the turning area show on the submitted plan to enlarge it slightly if necessary. If any further amendment is required it will be reported in an update. Subject to the conditions sought in the Highways consultation response being included in any permission, there are no objections to the proposals on highways or access grounds, and the fourth reason for refusal in the 2014 planning decision has therefore been overcome.

Off-site infrastructure and amenity improvements

6.14 The fifth reason for refusal in the 2014 planning decision related to the provision of infrastructure and amenities made necessary by the development, through the Council's then-existing section 106 framework. The provisions of the Community Infrastructure Levy (CIL) Regulations 2010 have however prevented seeking pooled Section 106 financial contributions and the fourth reason for refusal has therefore fallen away.

Flood risk

6.15 At the time that the 2010 permission was being considered, the site was classified by the Environment Agency within Flood Zone 2 (Medium Risk) which places it at a risk of flooding that is between 1 in 100 and 1 in 1000 annual probability of flooding in any given year. However, for this application the EA has advised that the site is within the 1% Annual Exceedance Probability (AEP) (1 in 100 year) plus 20% allowance for climate change flood extent with a higher risk of flooding than the previous modelling indicated.

6.16 In line with national planning guidance, a sequential test assessment and Flood Risk Assessment (FRA) have been submitted with the application. The sequential test assessment provided for this application shows that the proposals are need to help meet the Borough's housing needs. The FRA demonstrates that the development is capable of complying with the Local Plan Policy F1 requirement that applications in flood-prone areas may only be approved if they do not (i) put additional people at risk of flooding, (ii) reduce the capacity of the flood plain to store water and / or (iii) impede the flow of flood water. The FRA shows that a safe flood escape route can be provided that would allow future residents to escape the site during a severe flood event, fully satisfying point (i) in the policy. In regard to points (ii) and (iii), the provision of compensatory flood storage areas within the development would ensure that flood plain capacity is not reduced, and as the site would be at the edge of the flooded area where flood water velocity would be slow, flood flows would also not be impeded. Condition 10 is required to secure the compensatory flood storage areas proposed within the FRA, and the Environment Agency has raised no objection to the proposal in its consultation response subject to the condition being included. The condition also provides for finished floor levels to be set at the minimum needed to protect the properties against climate change and for the levels in the flood escape route from the site (the access roadway) also to be provided.

6.17 Where applications in floodable areas demonstrate that the above criteria have or can be met, residential development proposals must also pass the "exceptions test", which requires the application to demonstrate sustainability benefits to the local community. It is noted that the section 106 infrastructure provisions already secured in the extant permission have been paid. This includes a contribution towards the Parish Council's river wall repair and tree replacement projects, and to a range of other infrastructure provision. The FRA clearly sets out that the footprint of the proposed scheme is the same as the extant permission which has been implemented, it is considered that the "exceptions test" requirements would be met for the application.

The amenities of the neighbouring residents

6.18 The dwellings at adjacent properties fronting onto Slough Road all have very long gardens of about 45 metres or so in depth, and as such the proposal would not result in any significant harm to the amenities of those properties. Plot 2 - 6 would face towards the rear of the properties on Slough Road but given that they would be set 14 metres away from their rear boundaries, window-to-window separation distances of at least 55 metres would be achieved. This is sufficient to prevent any adverse impact on privacy within the neighbouring dwellings.

Trees

6.19 There are a number of trees and hedges around the perimeter of the site and which are not subject to a Tree Preservation Order, but which nevertheless contribute to the character of the site. A tree survey and constraints plan was submitted during the course of the application and concerns expressed by the Council's Tree Officer have been addressed in amended plans. Tree protection would be provided by condition 2 as recommended below.

Other material considerations

6.20 The Environmental Protection Officer has requested a condition on any planning permission in relation to possible site contamination, and this is recommended as condition 7 below. It is also usually the case that a condition to require the submission and approval of sound insulation and ventilation details be included in this location, in order to protect future occupants from unreasonable levels of aircraft noise, as recommended in condition 8.

6.21 While preliminary archaeological investigations were undertaken in response to a condition in the extant permission, the approved Project Specification included a requirement for second phase work to be carried out. Given the high potential for significant archaeology in this area and that the second phase work has not been carried out, condition 5 sets out the standard requirement for a scheme of archaeological investigation to be submitted and approved prior to the commencement of any further excavations in connection with the development.

Housing Land Supply

6.22 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 applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The Borough Council cannot demonstrate a 5 year housing land supply.

6.23 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

24 occupiers were notified directly of the application, and the planning officer posted a statutory notice advertising the application at the site on 5 November 2015.

One letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Risk of flooding to other properties from loss of flood plain storage	6.15 - 6.17
2.	The Council has given permission for two apartment blocks adjacent to the site.	3.4
3.	Is there any provision for increasing education and local medical infrastructure	6.12
4.	Concerns about traffic safety from vehicles exiting the development	6.11

Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council:	No objection subject to their being sufficient parking facilities and highway concerns on the access to and from the site being considered.	6.11
Environment Agency:	No objection to the proposal as submitted. However, the proposed development will only meet the requirements of the National Planning Policy Framework (NPPF), if the following measures are implemented and secured by way of a **PLANNING CONDITION** on any planning permission. Without this condition the proposed development poses an unacceptable risk to people and the environment and we would object to the application. **Condition** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) reference 150690/FRA/NJ/01, dated September 2015 and prepared by LANMOR Consulting and the following mitigation measures detailed within the FRA: - Provision of compensatory flood storage as detailed in the FRA and referenced in the drawing number 150690/FRA/04 titled Proposed Flood Volumes and included in Appendix C of the FRA - Finished floor levels will be set no lower than 19.94 metres above Ordnance Datum (AOD)	6.15 - 6.17

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highways:	The site just falls into a 30mph zone. Outside the site there is a 6.4m wide carriageway together with a 2.7m wide footway adjacent to the site. With regards to the visibility splays the access can provide 60m to the right (first line of approach) and 70m to the left with some partial obstruction with the decorative wall, which is owned by the Datchet Mead Hotel. Amended plans now being considered show a roadway of adequate widths, including a 2.0m wide footpath within the main part of the site. Refuse lorries and other large vehicles of similar size would be able to turn within the site and exit in a forward gear. The level of parking provided for each unit complies with the Local Authorities standards and all of the parking spaces scale to our current standards. Additional cycle storage should be provided within the rear garden for each dwelling. Acceptable refuse stores and	6.11

	collection points are shown on the submitted plan.	
Environment Protection:	No objections subject to land contamination studies being undertaken.	6.20
Trees:	Initial objections have been addressed through the submissions of amended drawings, which include repositioning of Plots 1 to allow for the retention of one B category tree that would have been removed, and of Plot 9 to take the dwelling out of the root protection area of one tree along the boundary.	6.21
Ecology:	An initial Phase 1 wildlife survey revealed likely occupation of the derelict house by bats and the possibility of badgers using other parts of the overgrown site. Permission should not be granted until emergence surveys to ascertain the presence of bats have been completed and it has been ascertained whether or not suitable mitigation can be provided. Conditions are recommended to ensure that badgers and other mitigated wildlife are not adversely impacted by the proposals.	6.9 - 6.10

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - layout drawings, elevations and floor plans
- Appendix C - layout drawing for the refused application, ref. 14/01778/FULL
- Appendix D - layout drawing for the extant permission, ref. 10/02486/FULL

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. 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 In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved *Tree Protection Plan* and accompanying tree survey details; and paragraphs (i) and (ii) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.
i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing

shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written 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 and N6.

3 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

4 No demolition shall commence in association with the development until a biodiversity mitigation strategy, and details of habitat provision / improvements, has been submitted to and approved in writing by the local planning authority. The approved mitigation measures shall then be implemented in their entirety within the timescales approved within the strategy.
Reason: In order to comply with advice in the National Planning Policy Framework 2012.

5 No development shall take place within the area of archaeological interest until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the continued preservation in situ or by record of any finds made in this area of archaeological interest. Relevant Policies - Local Plan ARCH2 and ARCH4.

6 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1

7 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until clauses (i) to (iv) of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until clause (iv) has been complied with in relation to that contamination.

(i) Site Characterisation:
An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

1. A survey of the extent, scale and nature of contamination.
2. An assessment of the potential risks to:
   - human health
   - property (existing or proposed) including buildings, crops, livestock, adjoining land,
   - groundwaters and surface waters,
   - ecological systems,
   - archaeological sites and ancient monuments.
3. An appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's `Model

procedures for the Management of Land Contamination, CLR 11'.

(ii) Submission of Remediation Scheme:
A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme:
The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(iv) Reporting Unexpected Contamination:
In the event that contamination is found at anytime when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of clause (i), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of clause (ii), which is the subject of the approval in writing of the Local Planning Authority.
Reason: To ensure that any contamination within the site is identified and remediated. Relevant Policies - Local Plan NAP3 and NAP4.

8 No development shall take place until details of the measures to be taken to acoustically insulate all habitable rooms of the development against aircraft noise, together with details of measures to provide ventilation to habitable rooms, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried out and completed before the development is first occupied for residential purposes and retained.
Reason: To ensure an acceptable living environment for future occupiers. Relevant Policies Local Plan NAP2, H10.

9 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. The details shall include:
(i) a plan showing retained trees;
(ii) materials to be used in hard surfaces, in accordance with advice in the RBWM Townscape Assessment for this Townscape Character Area;
(iii) soft landscaping to include appropriate plantings of heavier grade specimens including species that are typical of this Townscape Character Area;
(iv) species including plants that are of value as wildlife food sources, numbers, grades and planting methods for all plantings (and in addition including minimum volumes of soil to be provided in tree pits to ensure that the species and varieties selected will reach their full potential on this site);
(v) boundary treatment including hedges and any fences, walls and gates; and
(vi) routing of underground services.
If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

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

10 The flood mitigation measures provided for in the approved Flood Risk Assessment (FRA) reference 150690/FRA/NJ/01 rev. B, dated September 2015 and prepared by LANMOR Consulting and the following mitigation measures detailed within the FRA shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the FRA unless otherwise agreed in writing, by the Local Planning Authority. The approved measures include:

- Provision of compensatory flood storage as detailed in the FRA and referenced in the drawing number 150690/FRA/04A *Proposed Flood Volumes* and included in Appendix C of the FRA.
- Finished floor levels to be set no lower than 19.94m Above Ordnance Datum (AOD).

All void openings and spaces shall be kept free and clear of any obstructions for the lifetime of the development; void spaces may not be used for any other purpose including storage, other than for the temporary storage of flood water.
The internal access road shall be raised to a minimum of 19.5m AOD to provide a safe escape.
Reason: To ensure that the development prevents increasing flood risk on-site or elsewhere by ensuring that a satisfactory compensatory storage of flood water is provided, and that it will be appropriately flood resistant and resilient. Relevant Policies Local Plan F1 and paragraph 103 of the National Planning Policy Framework (NPPF).

11 No development shall commence until details of all finished slab and roof levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interest of the visual amenities of the area. Relevant Policy - Local Plan DG1.

12 No development shall take place until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. The development shall be carried out and subsequently retained and maintained in accordance with the approved details.
Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

13 No other part of the development shall commence until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1

14 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The hard surface vehicle access and parking area shall be made of porous materials and retained as such, or provision shall be made and retained to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property. The space approved shall then be kept available for parking and turning in association with the development.
Reasons: (i) To reduce surface water run-off in compliance with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document. (ii) To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4 and DG1.

15 No construction shall commence until details of the external appearance and materials to be used in the construction of the refuse bin storage area and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be

provided before the first occupation of the dwellings that they serve and then kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development, and which are commensurate with the intended quality of the development. Relevant Policies - Local Plan T5 and DG1.

16 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

17 Irrespective of the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or subsequent modifications thereof), no doors may be added to the fronts of carports without the written permission of the Local Planning Authority, and the car port and garage accommodation on the site shall be kept available for the parking of vehicles associated with the development at all times.
Reason: To ensure that the site retains an appropriate balance between built form and open areas, and that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan DG1 and P4.

18 No further window(s) shall be inserted at first floor level or in the roof in the side elevation of Plot 7 facing 139 and 139A Slough Road without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring residents.

19 Other than any demolition materials that are re-used in the construction of the approved dwellings, all materials resulting from the demolition of the existing dwelling shall be removed from the site within one month of the practical completion of the development or first occupation of any of the approved dwellings whichever is the sooner.
Reason: To ensure that no debris is left on the site that could result in lower flood storage capacity and to ensure a satisfactory form of development. Relevant Policies - Local Plan F1, DG1 and H11.

20 Irrespective of the provisions of Classes A, B and E of Part 1 and Class A Part 2 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house and no erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure other than in accordance with the approved plans or with details approved in accordance with conditions of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The site is in flood plan and located adjacent to the Green Belt boundary, and strict control over the form of any additional development which may be proposed in required. Relevant Policies - Local Plan F1, DG1 and H11.

21 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.

APPENDIX A.

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REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Site Location Plan

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	010	00	1:1250 @ A4
DATE	DRAWN	CHECKED	STATUS	
28/09/2015	DB	BW	For approval	

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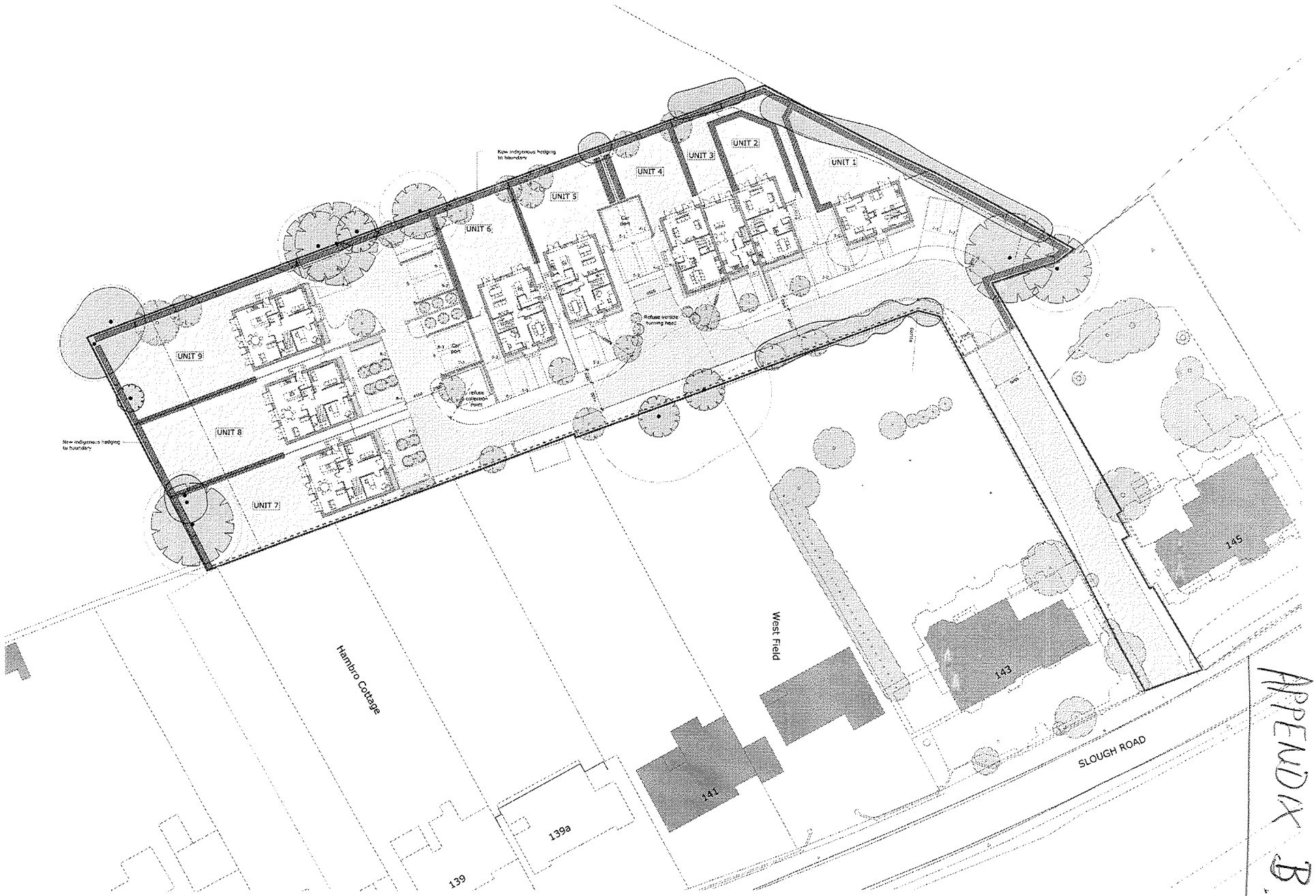
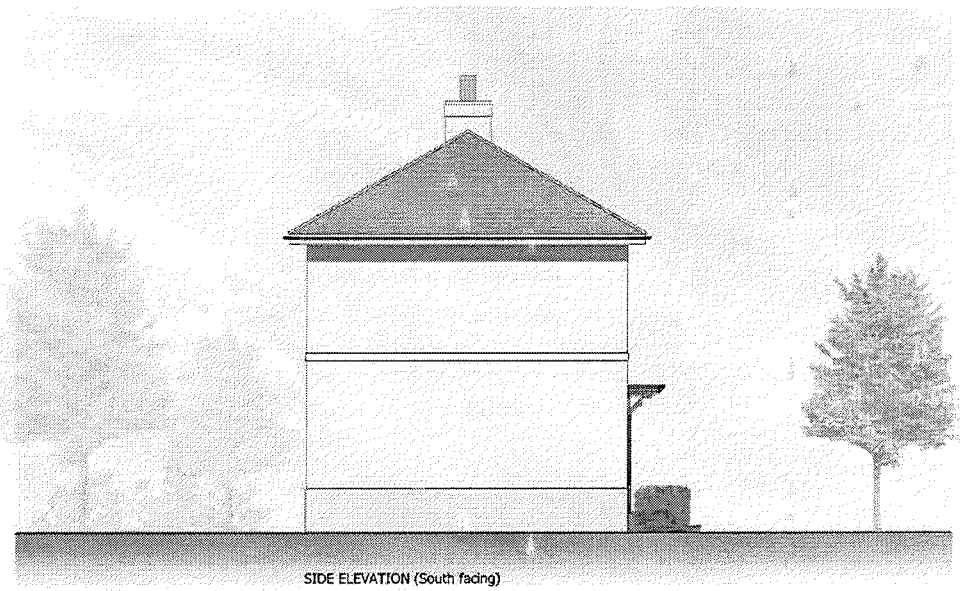
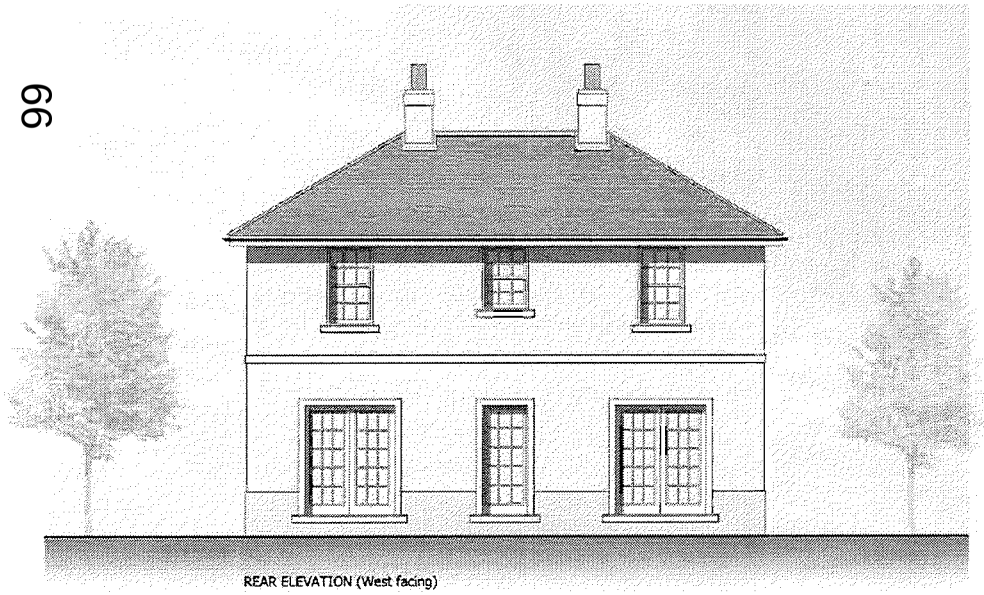
RIBA


UNIT 1
UNIT 2
UNIT 3
UNIT 4
UNIT 5
UNIT 6
UNIT 7
UNIT 8
UNIT 9
New indigenous hedging to boundary
Refuse vehicle turning head
Refuse collection point
Car port
Hambro Cottage
West Field
SLOUGH ROAD
139
139a
141
143
145
New Indigenous Hedge
Supplementary Planning
N
willcox meilwes
APPENDIX B

FRONT ELEVATION (East facing)



SIDE ELEVATION (South facing)



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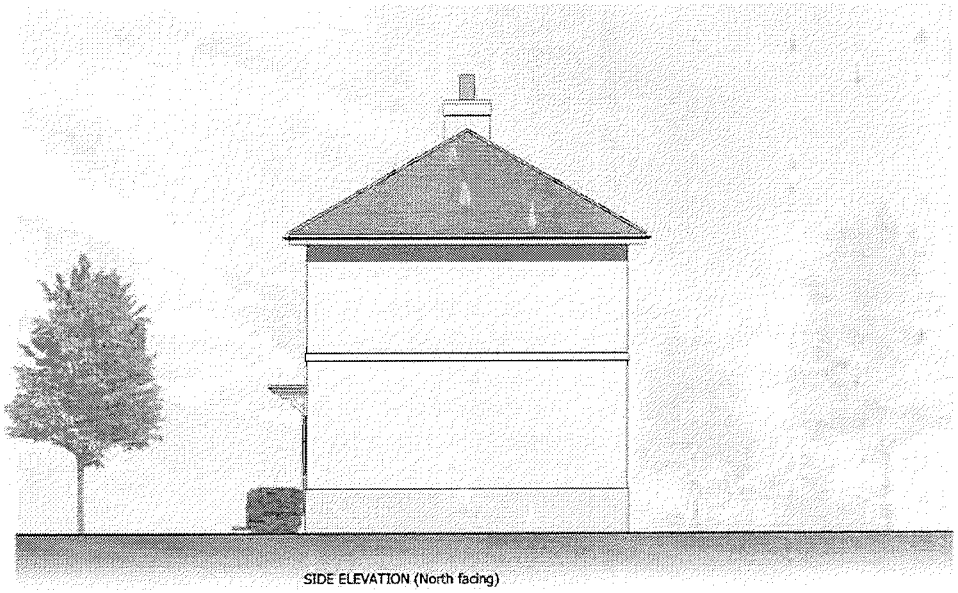

SIDE ELEVATION (North facing)

0m 5m 10m

REV	DATE	DESCRIPTION	DRAWN
00	16/09/15	Issued for planning	NR

willcox and meilwes

CLIENT
Howarth Homes

PROJECT
Datchet
145A Slough Road

DRAWING TITLE
Unit 1 Elevations

PROJECT No	OWG TYPE	DWG No	REV	SCALE
202	PL	301	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
16/09/2015	DB	BW	Approval

Castle Mill House, 13 Castle Hill,
Windsor, Berkshire, SL4 1PD
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www.WillcoxMeilwes.com

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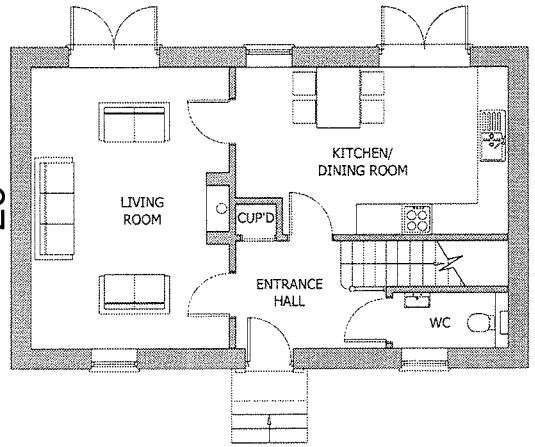
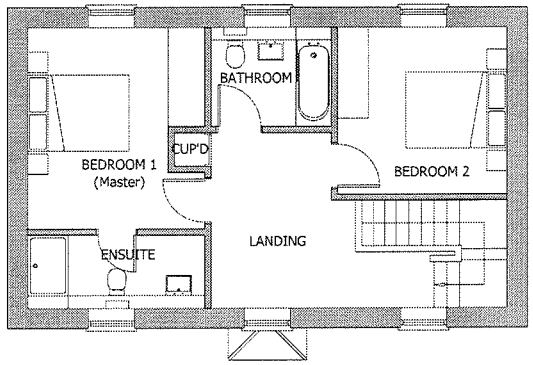


GROUND FLOOR PLAN



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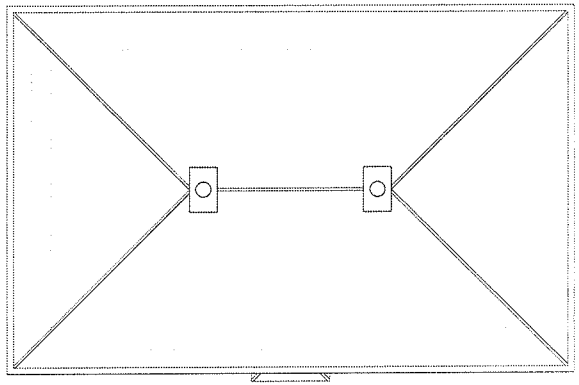

ROOF PLAN

willcox and meilwes

REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Unit 1 - Proposed Floor Plans

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	200	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
07/09/2015	DB	BW	For approval

Castle Hill House, 12 Castle Hill,
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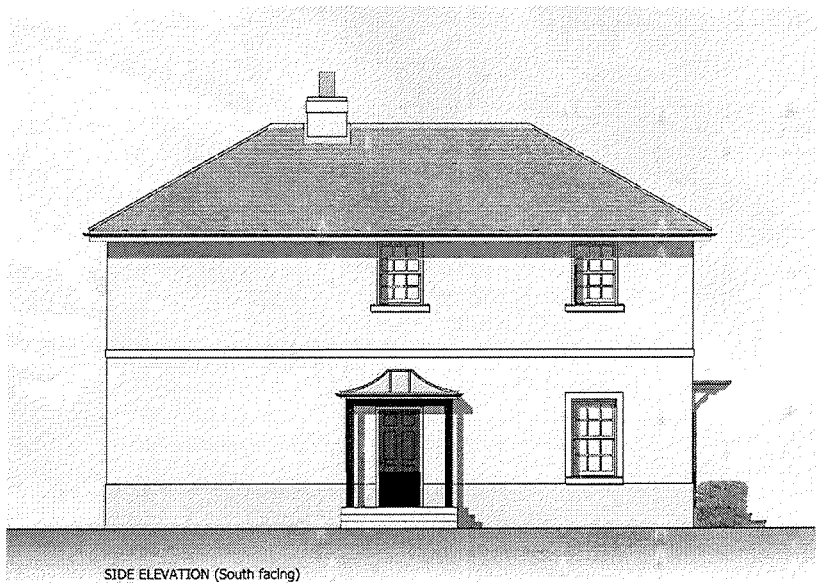
FRONT ELEVATION (East facing)



SIDE ELEVATION (South facing)

REAR ELEVATION (West facing)

SIDE ELEVATION (North facing)

0m 5m 10m

REV	DATE	DESCRIPTION	DRAWN
00	Sep'15	Issued for planning	KR

CLIENT
Howarth Homes

PROJECT
Datchet
145A Slough Road

DRAWING TITLE
Unit 2, 3 & 4 Elevations

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	302	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
16/09/2015	DB	BW	Approval

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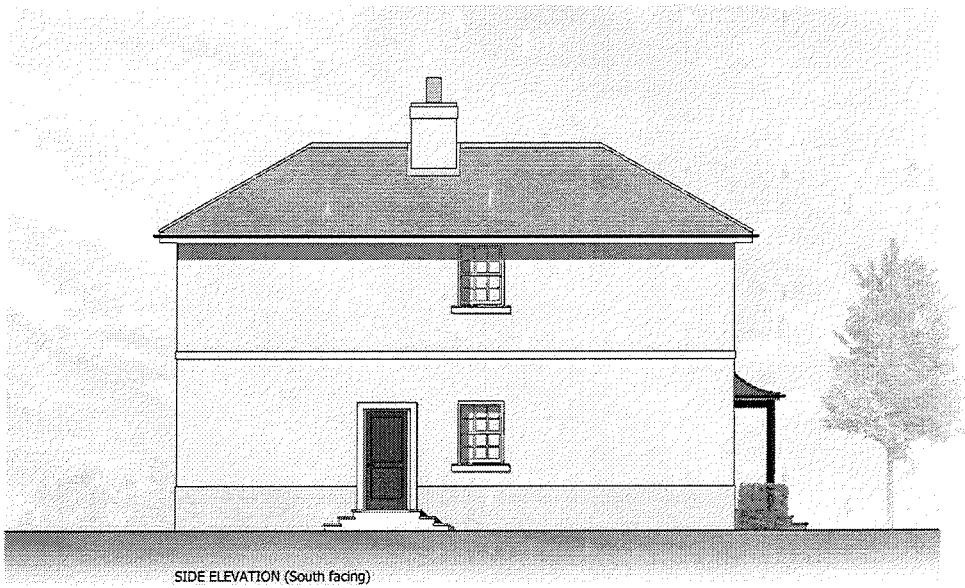

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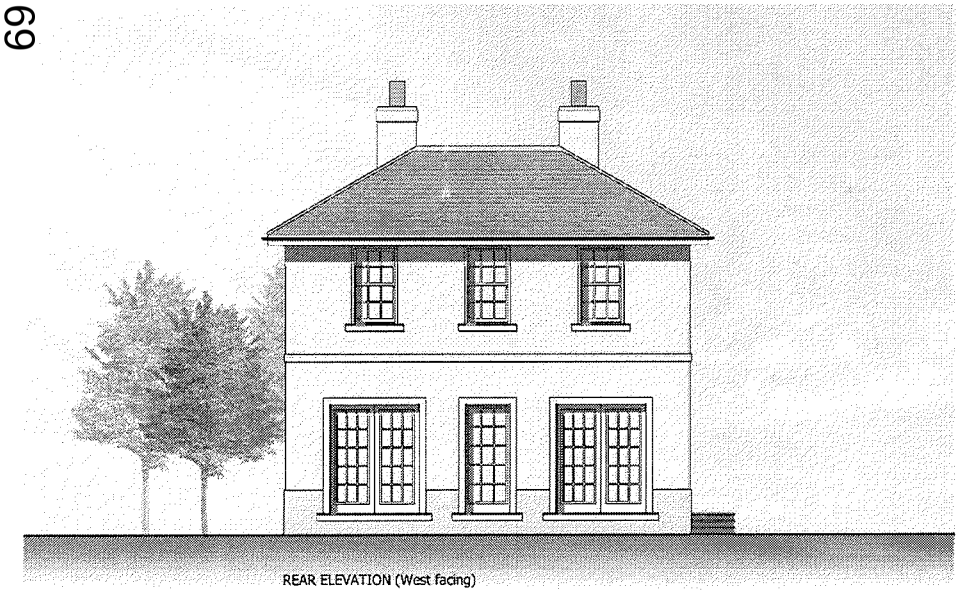

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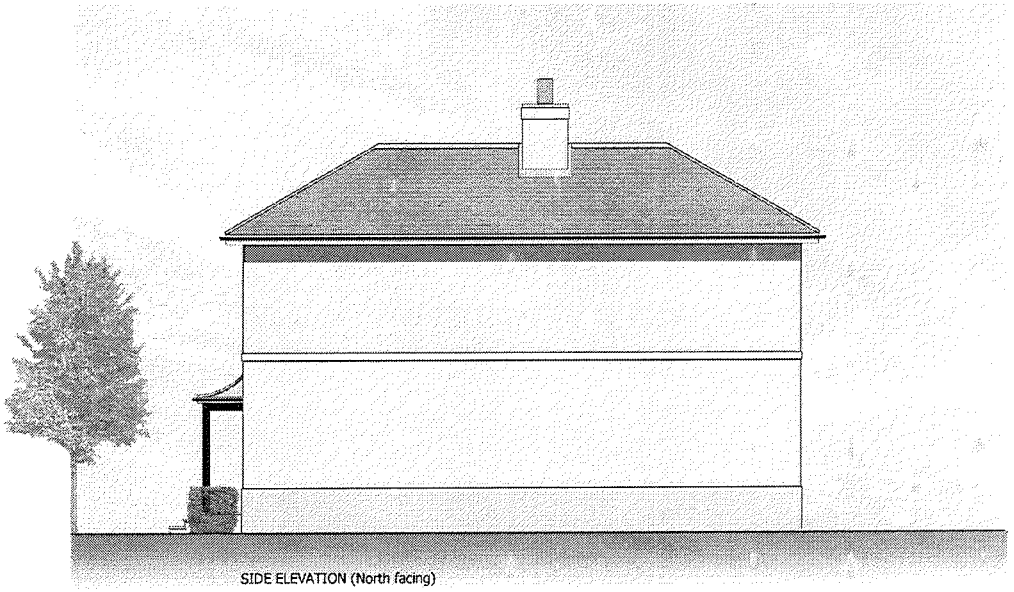

SIDE ELEVATION (North facing)

0m 5m 10m

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REV	DATE	DESCRIPTION	DRAWN
00	Sep'15	Issued for planning	KR

CLIENT
Howarth Homes

PROJECT
Datchet
145A Slough Road

DRAWING TITLE
Unit 5 Elevations

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	303	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
16/09/2015	DB	BW	Approval

Castle Hill House, 12 Castle Hill,
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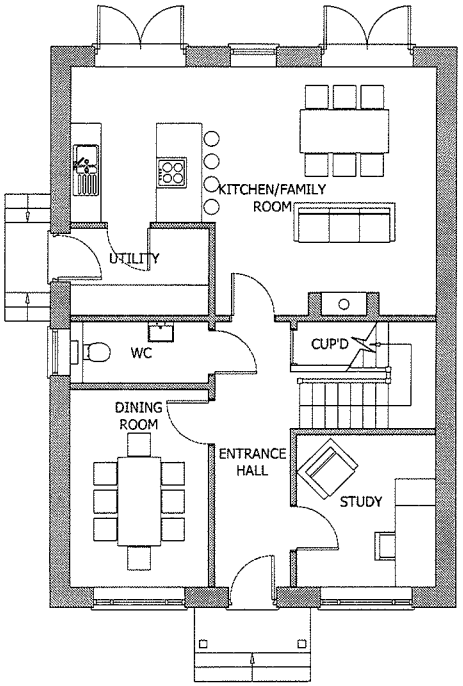

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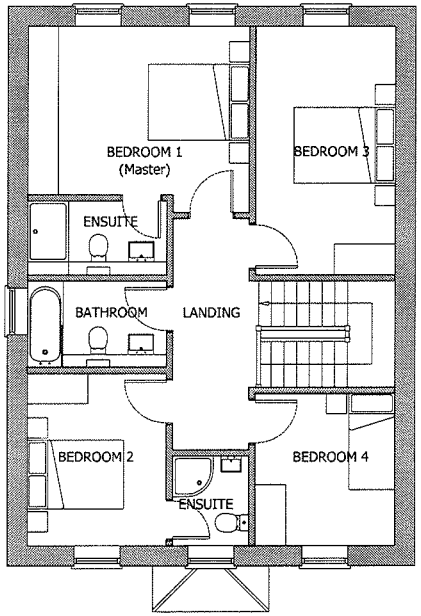

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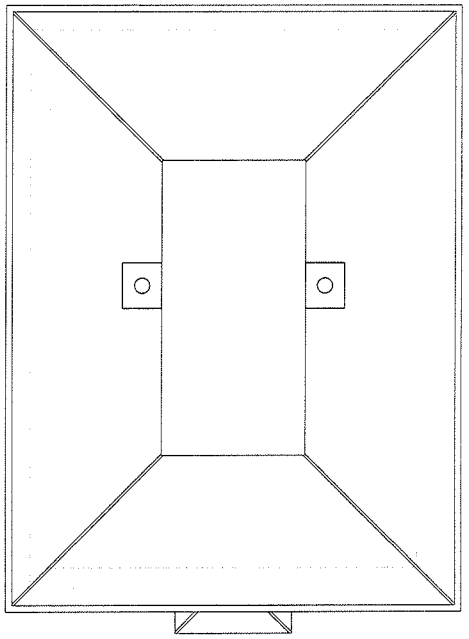

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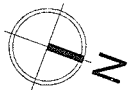

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REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Unit 5 - Proposed Floor Plans

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	202	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
29/09/2015	DB	BW	For approval

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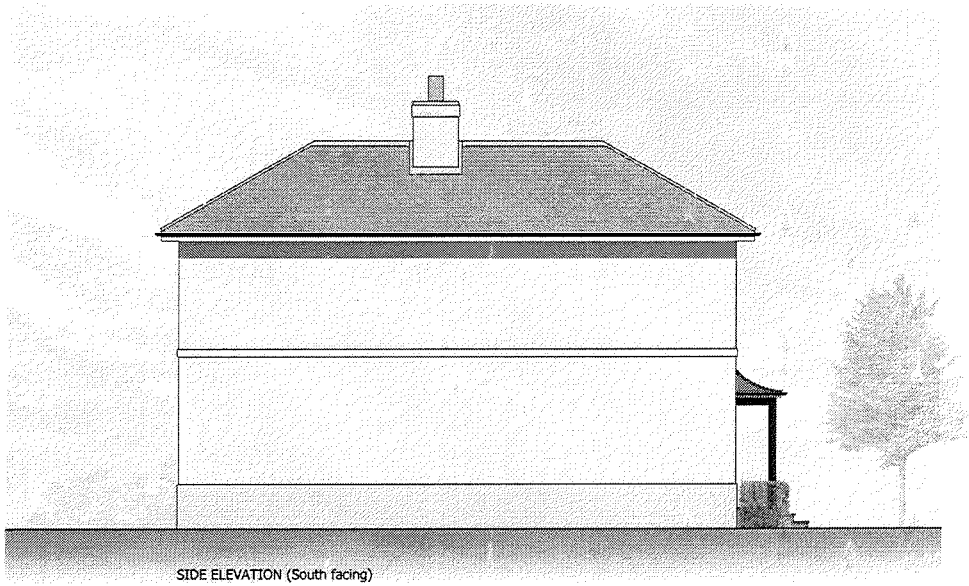
FRONT ELEVATION (East facing)



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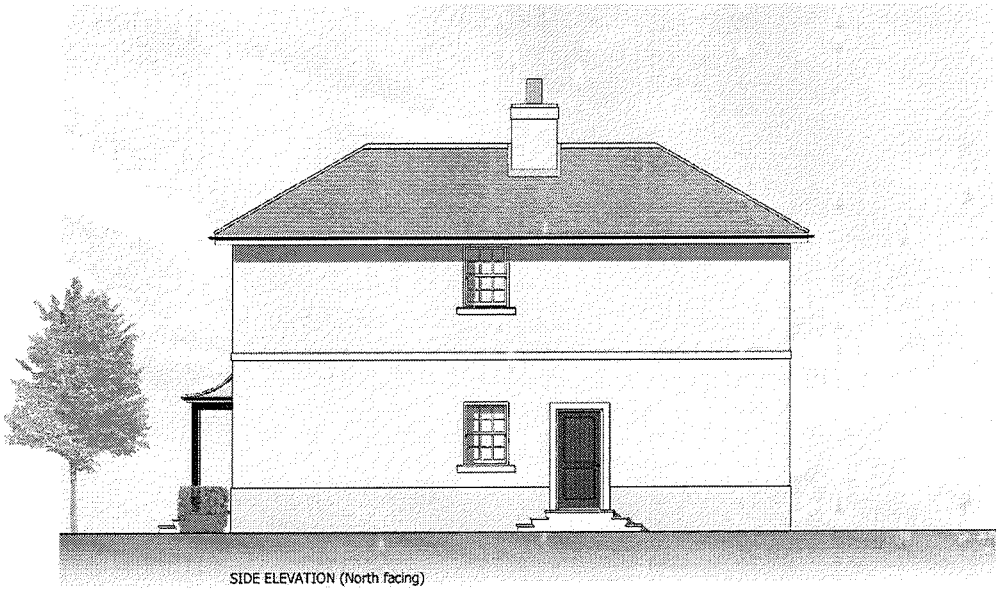

SIDE ELEVATION (North facing)

0m 5m 10m

TE	DESCRIPTION	DRAWN
VU	Sep'15 Issued for planning	KR

CLIENT
Howarth Homes

PROJECT
Datchet
145A Slough Road

DRAWING TITLE
Unit 6 Elevations

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	304	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
16/09/2015	DB	BW	Approval

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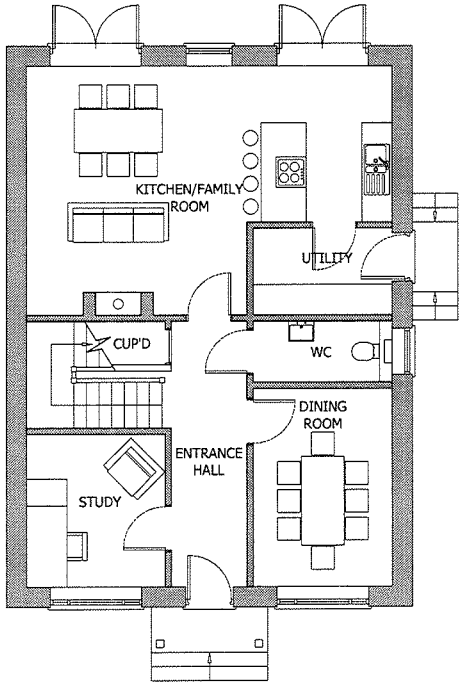

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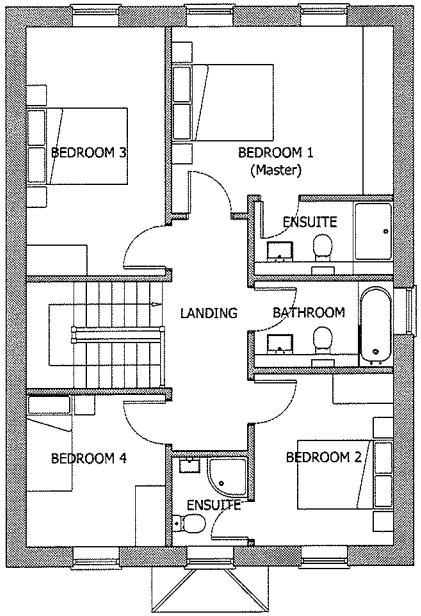

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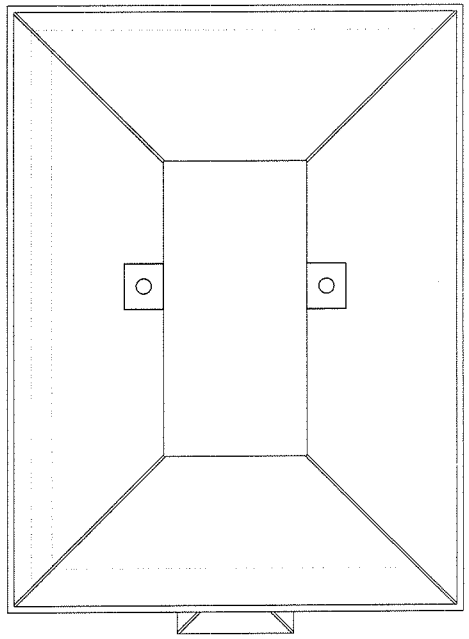

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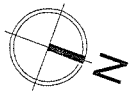

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REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Unit 6 - Proposed Floor Plans

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	203	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
29/09/2015	DB	BW	For approval

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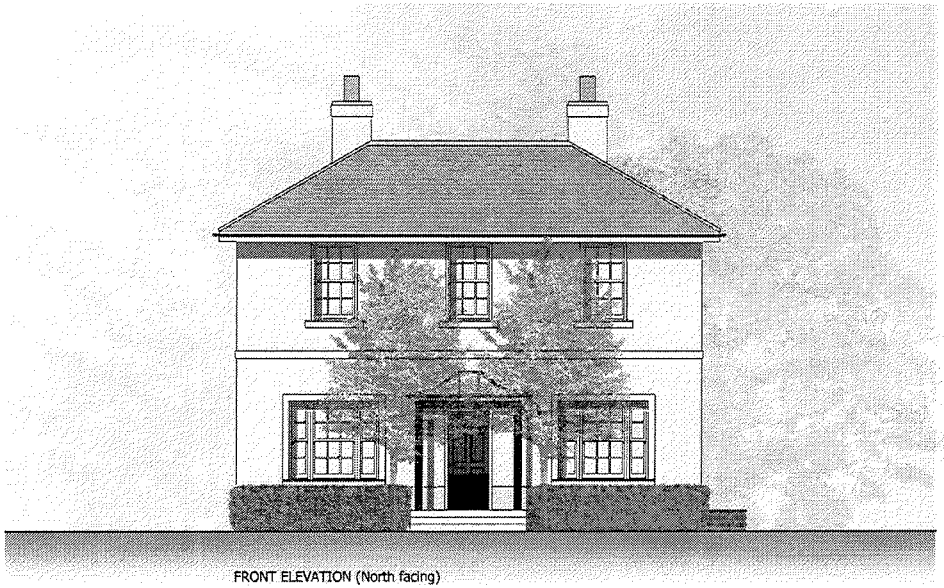
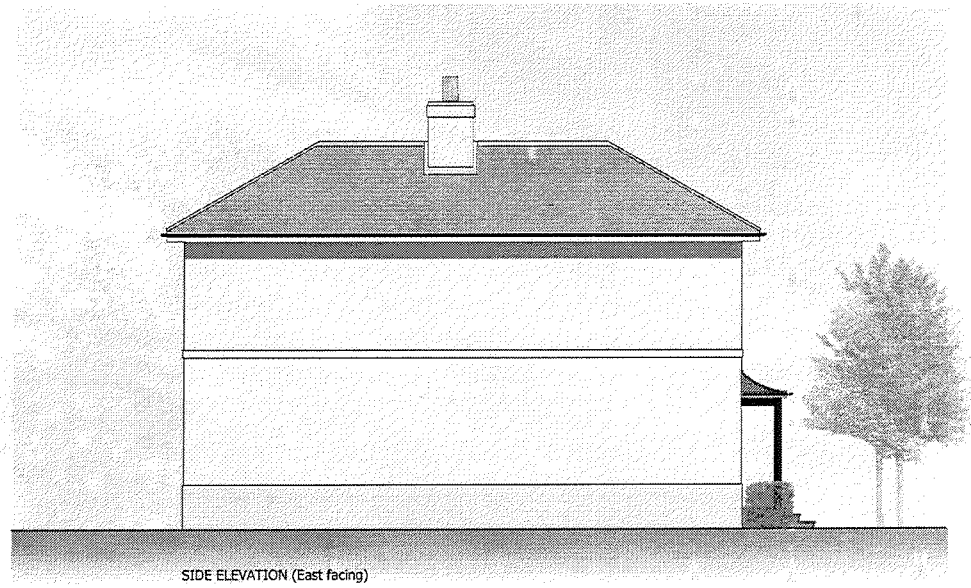
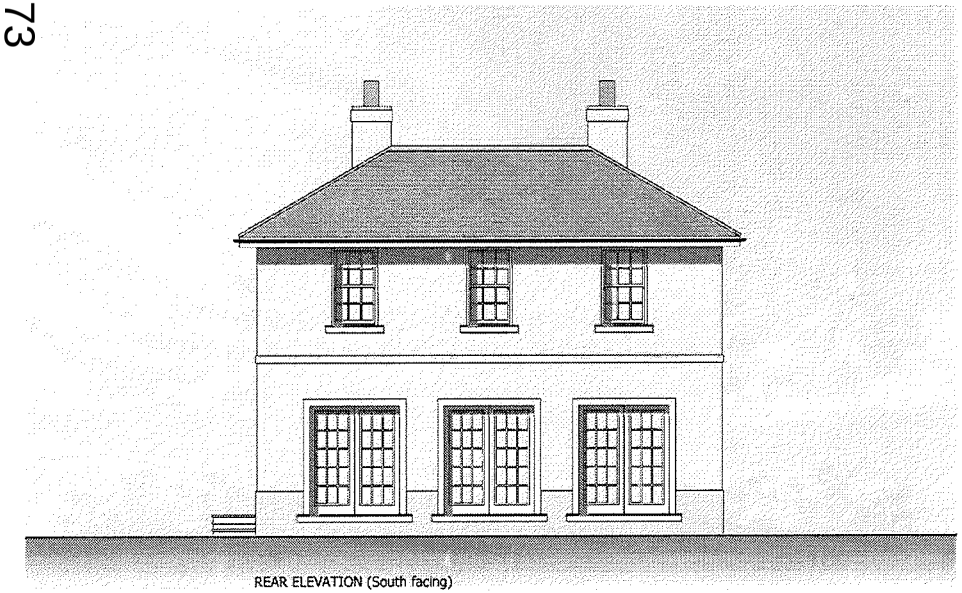
RIBA



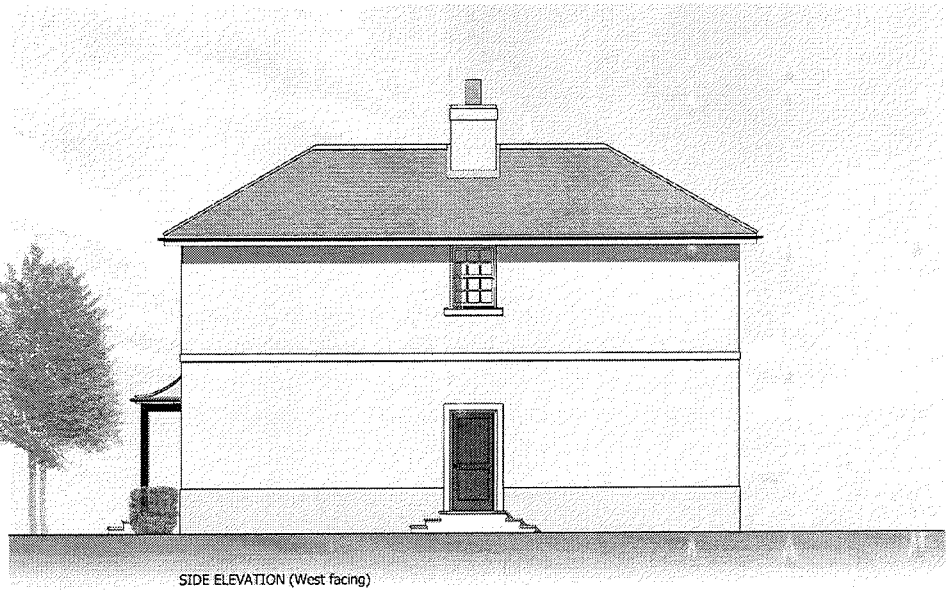
FRONT ELEVATION (North facing)



SIDE ELEVATION (East facing)



REAR ELEVATION (South facing)



SIDE ELEVATION (West facing)

0m 5m 10m

willcox and meilwes

REV	DATE	DESCRIPTION	DRAWN
00	Sep'15	Issued for planning	KR

CLIENT
Howarth Homes

PROJECT
Datchet
145A Slough Road

DRAWING TITLE
Unit 7, 8 & 9 Elevations

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	305	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
16/09/2015	DB	BW	Approval

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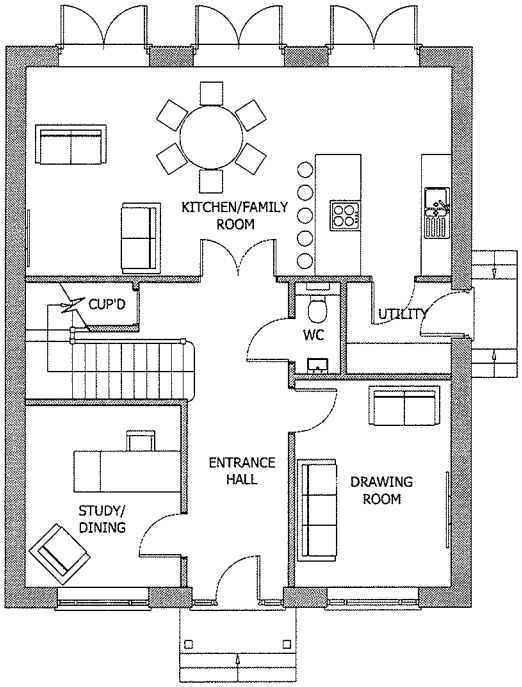
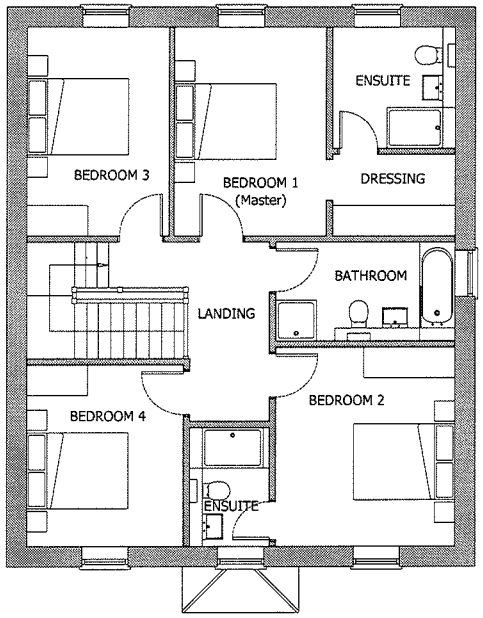


GROUND FLOOR PLAN



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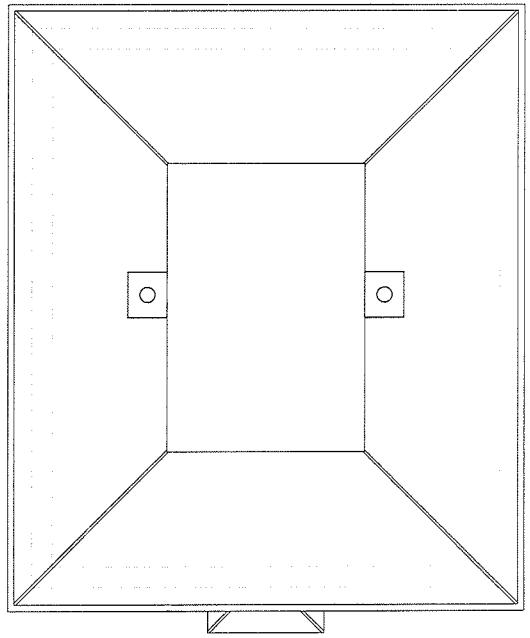

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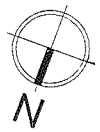

0m 5m

willcox and meilwes

REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Unit 7 - Proposed Floor Plans

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	204	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
29/09/2015	DB	BW	For approval

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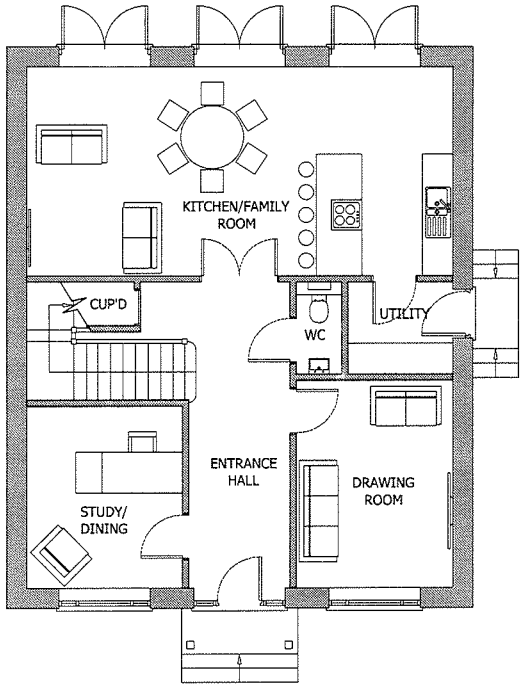

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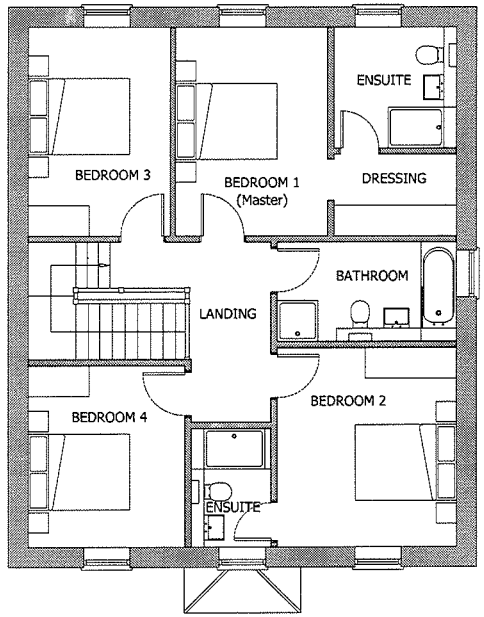

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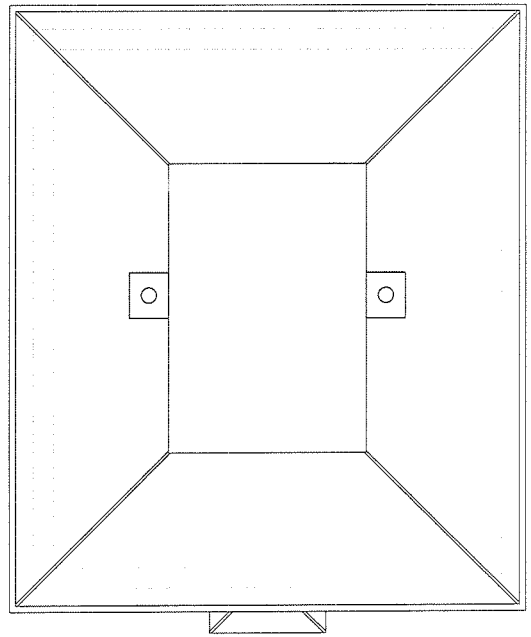

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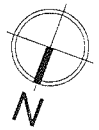

0m 5m

willcox and meilwes

REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Unit 8 - Proposed Floor Plans

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	205	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
29/09/2015	DB	BW	For approval

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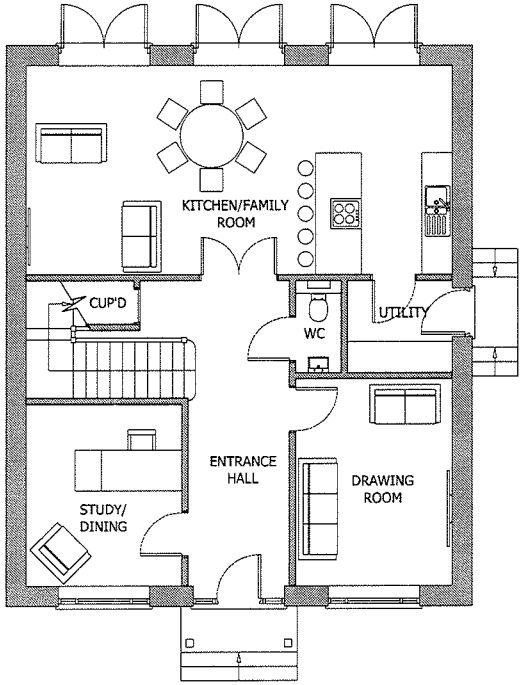

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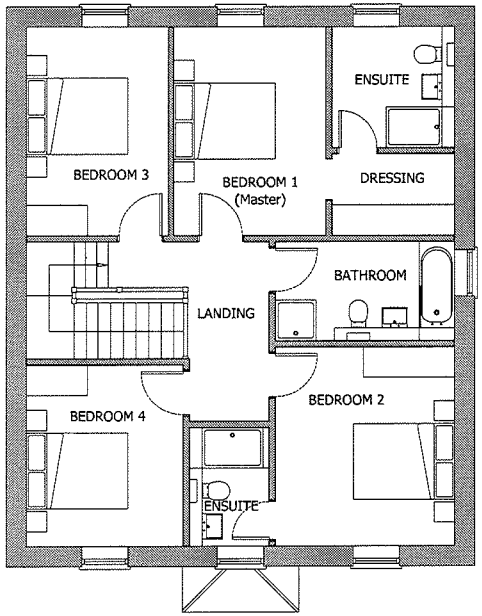

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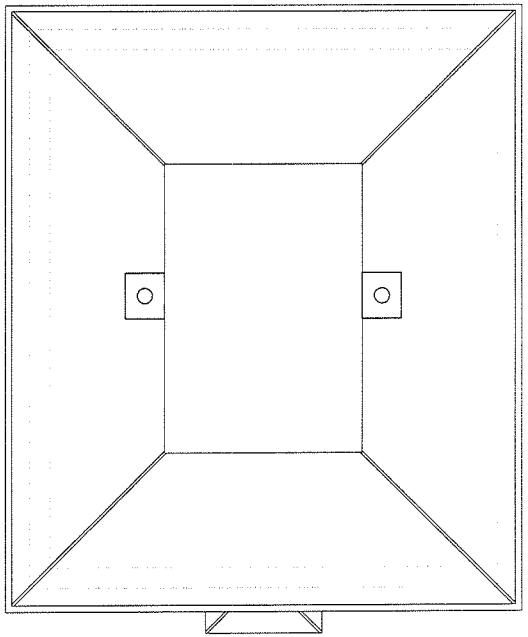

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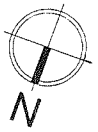

willcox and meilwes

REV	DATE	DESCRIPTION	DRAWN
00	Sep '15	Issued for approval	DB

CLIENT
Howarth Homes

PROJECT
145A Slough Road
Datchet

DRAWING TITLE
Unit 9 - Proposed Floor Plans

PROJECT No	DWG TYPE	DWG No	REV	SCALE
202	PL	206	00	1:100 @ A3

DATE	DRAWN	CHECKED	STATUS
29/09/2015	DB	BW	For approval

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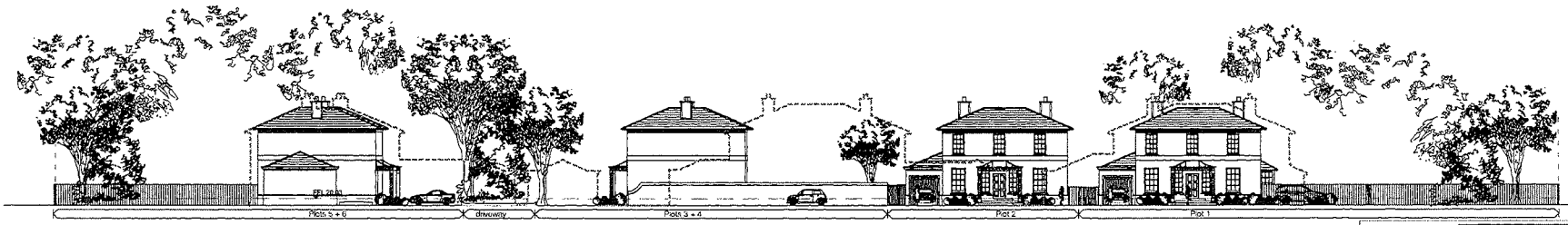


MATERIALS

ROOF - NATURAL SLATE ROOF FINISH
WALLS - RENDER FINISH & FAIR FACED BRICKWORK
WINDOWS AND DOORS PAINTED TIMBER
CLOSE BOARDED 1.8 H TIMBER FENCE
PERMEABLE BLOCK PAVIOURS TO PRIVATE DRIVEWAYS
PERMEABLE COMPACTED GRAVEL ACCESS ROAD
FLAG STONE FOOTPATHS AND PATIO AREAS

SCHEDULE OF ACCOMMODATION

ALL FIGURES ARE GROSS INTERNAL AREA IN SQM

TYPE 1	-	221
TYPE 2	-	217
TYPE 3	-	221

77

PLANNING

PROPOSED SITE PLAN

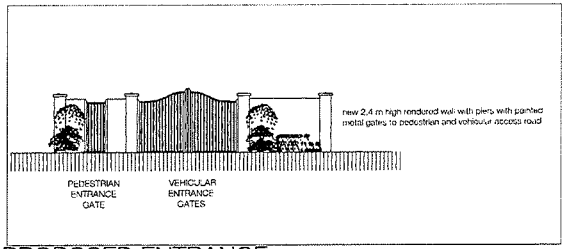
145A DATCHET MEAD COTTAGES, DATCHET

Legend
line of previously consented scheme ref: 10/02486/FUL

revisions

project: 145A Datchet Mead Cottages, Slough Road, Datchet		
drawing title: Proposed Site Plan		
date: May 2014	scale: 1:200@A1	number: 14/06/10
for	drawn: ES	checked: NO

DANKS BADNELL
CHARTERED ARCHITECTS

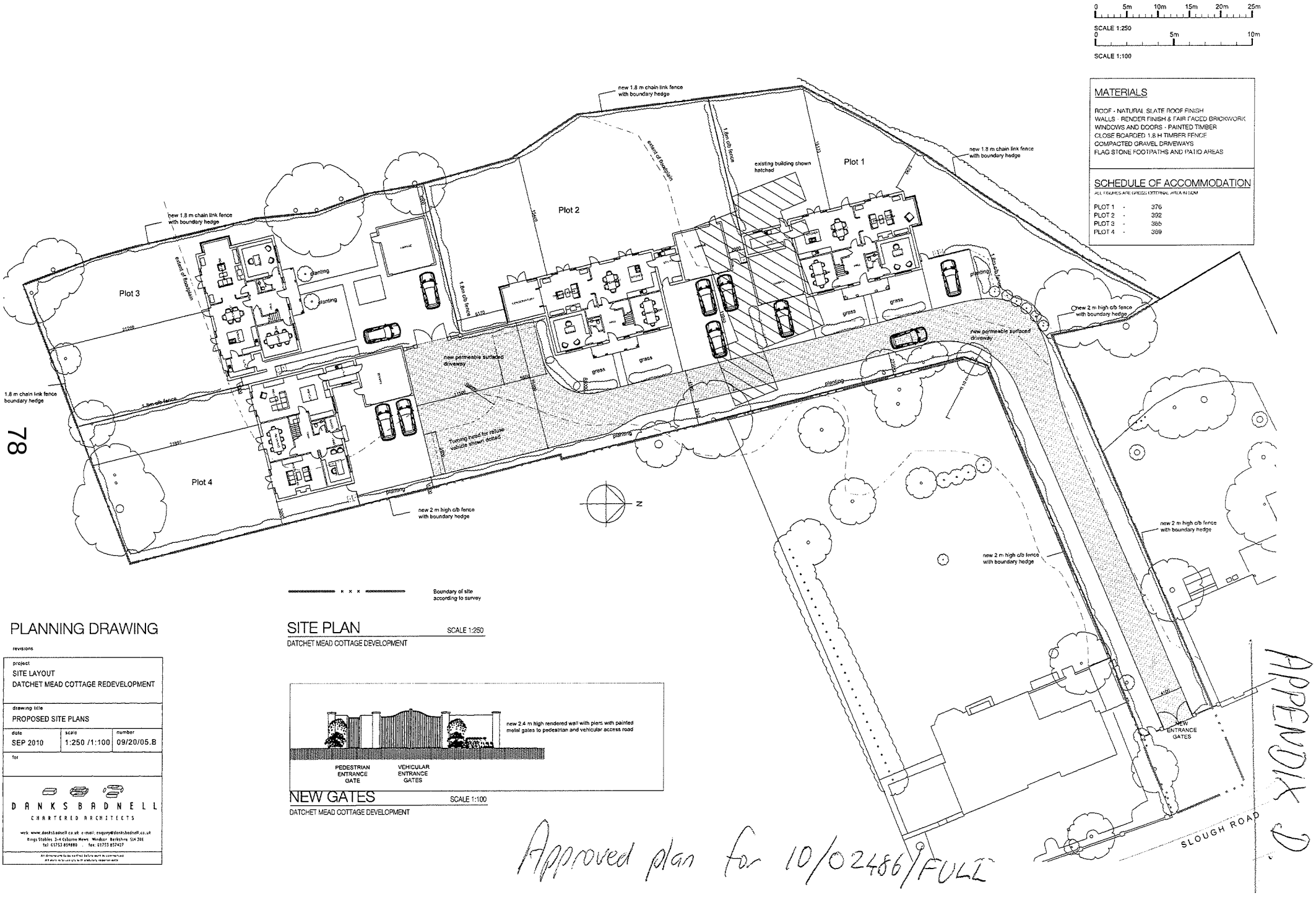


PROPOSED ENTRANCE GATES

145A DATCHET MEAD COTTAGES, DATCHET

Refused plan for 14/01778/FULL

APPENDIX C



PLANNING DRAWING

revisions

project: SITE LAYOUT DATCHET MEAD COTTAGE REDEVELOPMENT		
drawing title: PROPOSED SITE PLANS		
date: SEP 2010	scale: 1:250 /1:100	number: 09/20/05.B
for		

DANKS BADNELL
CHARTERED ARCHITECTS
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Kings Stables 3-4 Osborne Mews Windsor Berkshire SL4 3DE
tel: 01753 859880 fax: 01753 857427

SITE PLAN

SCALE 1:250

DATCHET MEAD COTTAGE DEVELOPMENT

NEW GATES

SCALE 1:100

DATCHET MEAD COTTAGE DEVELOPMENT

Approved plan for 10/02486/FULL

20 July 2016 **Item:** 3

Application No.:	15/03465/FULL
Location:	Street Record Shirley Avenue Windsor SL4 5LH
Proposal:	Erection of residential development of 93 dwellings including 2 x 2 bed, 4 x 3 bed houses, 25 x 1 bed, 57 x 2 bed and 5 x 3 bed flats, refuse and cycle stores, with new road and pavements/cycleways with parking (surface and underground) and amenity space, hard and soft landscaping, ancillary works following demolition of all existing commercial buildings.
Applicant:	Medina Property Limited
Agent:	Mr M Carter- Carter Planning Ltd
Parish/Ward:	Clewer North Ward

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

1. SUMMARY

1.1 The site is within a protected employment site in the RBWM Local Plan and there is therefore an objection in principle to the development of this site for wholly residential purposes.

1.2 The proposals as put forward would result in detrimental impacts on residential occupiers to the south, in East Crescent, at 52 Vale Road, and on an approved but as yet unimplemented residential proposal at Vale House, to the north of the site.

1.3 The layout of the proposed development and quality of the design of individual buildings is not of sufficient quality to justify a development of the density proposed.

1.4 The proposals would result in a loss of a community facility.

1.5 The proposal will result in a lower number of vehicle trips to and from the site, so this is a direct benefit of the proposals. However, this does not overcome the other objections. Some adjustments to cycle and bin stores would be required in order to provide a fully acceptable layout.

1.6 The site is in a floodable area. However, a Flood Risk Assessment has been submitted which satisfactorily addresses the flood issues in the development, and the 'sequential test' assessment has been addressed. The development is also able to meet the 'exceptions test' requirement of in the National Planning Practice Guidance.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 10 of this report):	
1.	Shirley Avenue is an identified employment area allocated primarily for industrial and small scale distribution and storage uses. It has not been demonstrated that the loss of this site to the alternative use of housing would not harm industrial land supply within the Borough and the local economy.
2	The height and scale of buildings within the proposed development together with the location of windows overlooking adjacent properties result in significant and demonstrable detrimental impacts on the residential amenities of occupiers to the south of the site, in East Crescent and at 52 Vale Road, and in additional on Plots 13 and 14 within an approved but as yet unimplemented residential proposal at Vale House, to the north of the site.
3	The layout of the proposed development and the quality of the design of individual buildings is not of sufficient quality to justify a development of the density proposed, and would fail to take the opportunity available for high quality design in the proposed

	redevelopment. This would result in significant and demonstrable harm to the character of the area which would not be outweighed by the provision of additional housing stock to the Borough. Additional work is also required to ensure that details such as workable cycle and bin store layouts are provided, and that they are appropriately located within the development.
4	The proposals would result in a loss of a community facility.
5	By reason of the reliance on obscure glazing of habitable room windows to avoid direct overlooking of neighbouring properties from some of the habitable rooms within the development, the proposals would not provide a sufficient standard of amenities for all future occupiers of the development. In addition the provision of some single aspect flats on the north side of Building C would result in those flats receiving no sunlight.
6	Failure to secure provision for off-site infrastructure and amenity improvements directly related to the development
7	Failure to secure affordable housing

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Collins, for the reason that the development is different to what was made available at a public exhibition prior to the submission of the application.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The application site forms the south-eastern part of the Shirley Avenue - Vale Road Industrial Area, which is a protected employment site in the RBWM Local Plan. It consists of six buildings which are located to either side of Shirley Avenue. The eastern boundary is shared with the Clewer Memorial Recreation Ground and the southern boundary with residential properties at 52 Vale Road and 36 - 60 East Crescent (even number range). To the north of the site and also within the designated employment area, there is a medical centre on the Vale Road frontage, with industrial buildings on the balance of the land that is included in the two sites noted above in the recent Housing Assessment and Employment Land documents. On the opposite side of Vale Road there are residential flats, which are three stories high adjacent to the street frontage (four storeys to the rear of this development), and the Sandown Park Care Home which is largely three-storeys in height but rises to four storeys towards the corner of Hanover Way, directly opposite the junction of Shirley Avenue with Vale Road.

3.2 The buildings at the application site are in a mix of commercial uses. One building within the group, Technor House, has a D2 community use as noted in Section 3 below.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposal is to demolish the existing buildings at the site and construct five blocks of flats and two short terraces each consisting of three houses. The buildings would be arranged along both sides of Shirley Avenue, extending from close to the Vale Road frontage towards the site's eastern boundary with Clewer Memorial Recreation Ground.

4.2 The buildings are identified as Buildings A through to F, as follows:

4.3 On the south side of Shirley Avenue and the public footpath to the Memorial Recreation Ground:

- Building A would be three-storey located in approximately the same position as the existing Howden's joinery building, providing twelve flats (6 x 1-bedroom and 6 x 2-bedroom). This would be located to the north of the closest existing residential neighbour, 52 Vale Road.
- Two short terraces each of three houses would provide a total of 2 x 2-bedroom and 4 x 3-bedroom dwellings, and are identified as 'B' on the layout plan. These are located in the approximate position of the existing Technor House, and to the north and rear of properties at 46 – 58 East Crescent (even numbers only). The terraces would be set perpendicular to Shirley Avenue in a mirrored layout pair that provides vehicular access between the two

terraces, with the smaller houses to be two-storeys high adjacent to the boundary with properties in East Crescent, rising to three stories for the remaining houses.
- Building C would be located at the south-eastern corner of the site, towards the Clewer Memorial Ground boundary and to the north of 36, 38 and 40 East Crescent. The public footpath from the eastern end of Shirley Avenue to the Memorial Ground would be located to the north of this building, which would rise from three stories for the more southern part of the building, adjacent to the East Crescent residential properties, rising to five storeys adjacent to the footpath. It would accommodate 11 x 1-bedroom and 8 x 2-bedroom flats.

4.4 On the north side of Shirley Avenue and the public footpath to the Memorial Recreation Ground:

- Building D would accommodate 15 x 2-bedroom and 5 x 3-bedroom flats over five storeys of accommodation, located directly north of Building C and to the north of the public footpath, in approximately the same location as the existing premises of Windsor Vehicle Leasing. The closest residential neighbours, if built, would be two detached houses in the approved but as yet unimplemented development at Vale House, 100 Vale Road (at present, this area is occupied by a paved yard with the existing employment premises).
- On the western side of Building D, there are two rights of way serving properties to the north, and these would be retained with the space between them to be provided as an amenity space to be available for the use of all occupiers in the development.
- Building E would be further westwards on this side of Shirley Avenue on part of the existing Medina Dairy site. accommodating 20 x 2-bedroom across five storeys.
- Building F would be located adjacent to the Vale Road frontage of the site, also on part of the existing Medina Dairy site. This building would accommodate 15 x 2-bedroom and 5 x 3-bedroom flats over four levels of accommodation.

4.5 Buildings A and F are intended to be shared ownership housing, providing 14 x 1-bedroom and14 x 2-bedroom in this tenure.

4.6 The properties within the application site have the following relevant planning history:

Technor House:

Ref.	Description	Decision and Date
Reference	**Description**	**Decision and Date**
05/00759/COU	Change of Use of premises to Islamic education and community facility with a prayer room	Refused but subsequently granted on appeal
08/00908/VAR	Use as an Islamic education and community facility with a prayer room with variation of Condition 3 of appeal permission 05/00759 so that generated noise shall not exceed the background noise level by more than 5dB	Permitted, 14.07.2008

Depot on corner with Vale Road:

04/84801/COU	Change of use from warehouse and offices to children's play area (D2)	Refused, 10.03.2004
04/85471/COU	Change of use from warehouse and offices to children's play area (D2). Resubmission of 04/84801	Refused, 17.08.2004
04/01234/COU	Change of use of premises from B8 (warehouse and office) to D2 (Children's adventure play centre).	Refused, 30.11.2004

Howdens Joinery Ltd, Unit 1:

14/00652/DEM	Demolition of the Joinery showroom workshop and stores, two storey to Vale Road with rear single storey storage area off Shirley Avenue	Prior approval not required, 13.03.2014

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 6, 7, 8, 9, 10 and *Decision-taking*

Royal Borough Local Plan

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

	Loss of employment land	High risk of flooding	Protected Trees	Noise pollution	Highways /Parking issues
Local Plan	E5	F1	N6	NAP3	T5, P4

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Planning Obligations and Developer Contributions
- Interpretation of Policy F1 – Area Liable to Flood
- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Townscape Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Strategic Flood Risk Assessment - view at:
  http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i The principle of redevelopment of the site for residential use;

ii Relationships to neighbouring residents and occupiers;

iii Scale, site layout, building design and landscaping;

iv Site density;

v Flood risk issues;

vi The mix of housing types and tenure, including affordable housing;

vii Loss of community use;

viii The amenity of future residents of the building; and

ix The adequacy of car parking and the impact on highway safety in the area.

The principle of redevelopment of the site for residential use

6.2 The application site is within the Shirley Avenue - Vale Road Industrial Area, which is a protected employment site as identified by RBWM Local plan E2. Local Plan Policy E5 seeks to resist changes of use within these areas to use classes other than B1(c), B2 and B8. The employment area as identified in the Local Plan maps is bisected by Vale Road, and all of the land within the western part of the site has been redeveloped for residential use and a care home, Sandown Park, or in the case of one site is the subject of planning permissions for residential redevelopment (the Drain Centre, Teradyne Building, Hanover Way, ref. 14/03416/FULL and 15/01079/LEG). In contrast, the whole of the employment land on eastern side of Vale Road remains in employment uses, although the Vale House site on the northern end of this area has planning permission for redevelopment with fourteen houses (RBWM ref. 14/02975/FULL and subsequent permissions). The application site shares a 52m long section of its northern boundary with that site.

6.3 Consultation was undertaken in the Borough Local Plan Preferred Options consultation in 2014 on the possible removal of the employment designation for the whole of the protected employment area, and for the possible designation of the protected land on the eastern side of Vale Road for housing or mixed uses. (references *Employment Site Assessments* December 2013, site REM9, and *Housing Sites Assessments*, January 2014). The Preferred Options consultation presented a mixed picture on the principle of releasing the Vale Road employment land for housing or mixed uses, with representations both for and against the allocation of the land on the eastern side of Vale Road for either housing or for mixed uses including a significant residential component.

6.4 More recently, the Draft Borough Local Plan has been released for discussion (June 2016). This includes Shirley Avenue as an allocated housing site.

6.5 The NPPF paragraph 216 advises that weight may be given to the relevant policies in emerging plans according to:

- The stage of preparation (the more advanced, the greater the weight that may be given).
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objection, the greater the weight that may be given).
- The degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the emerging policies to the NPPF, the greater the weight they may be given).

6.6 At this stage it is not considered that any weight can be given to the draft Borough Local Plan. It is accepted that draft policy BLP13 sets out allocated housing sites with Shirley Avenue identified as site HA19 but the application stands to be determined now. As such, it is considered that there is an objection in principle to the development of this site for wholly residential purposes.

Relationships to neighbouring residents and occupiers

6.7 The proposal would result in unacceptable relationships for adjacent residential properties from several of the buildings due to their scale and proximity to common boundaries and overlooking, as follows:

6.8 Building A, a three storey building, would be located some 5m from the northern boundary with 52 Vale Road, and 10m from the rear boundary of 60 East Crescent. In the amended plans under consideration, some of the habitable room windows have been deleted from the southern elevation, but the height of the building itself at 10.8m would be over dominant in relation to this neighbouring property. Evergreen screening along the northern side of the rear garden would assist in mitigating this dominance for as long as it remains in place, (although it could however be subject to an application for its removal under the High Hedges Act from future occupiers at Building A so its continued existence cannot be guaranteed). Windows and balconies (including Juliet balconies) in the eastern elevation of the building would however overlook occupiers in

their gardens in East Crescent, number 60 being the worst affected. Minimum separation between habitable room windows would be 40m (again, for number 60), and being at an acute angle this would be sufficient to protect against unacceptable loss of privacy within dwellings at East Crescent. Overlooking of residents using their rear gardens would however be more pronounced.

6.9 Buildings B1 and B2, the group of six houses, have been designed to step down towards the East Crescent boundaries, and are considered to protect the amenities of these properties (refer to 6.18 below for comments on the design as viewed from these neighbouring dwellings).

6.10 At Building C, a part-three, part-four and part-five three storey building, the lowest element would be 8.5m to the eaves of a monopitch roof which rises to 10m high, with the south-facing wall located some 3.5m from the northern (rear) boundaries of 36, 38 and 40 East Crescent. The highest five-storey element would be 17.4m high and approximately 16m from these boundaries, while a shorter four-storey element would be up to 13.5m high and would be set 8.5m to 10.5m off the rear boundary at number 40. Windows in the closest element would serve a kitchen / living room (obscure glazed) and a bedroom on each of the ground, first and second floors, and in the four-storey element kitchen / living rooms at first, second and third floor levels. At fifth floor level, the East Crescent properties would be subject to overlooking in glimpses from the roof terrace, although this could be overcome through adjustments in the adjacent roof height and / or screening. However, neither this nor the obscure glazing of a kitchen / living rooms in the three storey element would be sufficient to overcome the overdominance and overlooking from this building. In addition, west-elevation balconies on first, second and third floors would result in views to the rear of other East Crescent properties.

6.11 Building D would also be a part-three, part-four and part-five storey building. While the overall footprint of this building is larger than that at Building C, the heights of the elements are similar to those noted above for Building C, with the lowest element on the north side of the building and a monopitch roof reducing in height towards this boundary. As noted at 6.2 above, this property has an extant permission for 14 houses; Plots 13 and 14 at this site would be directly to the north of Building D with the minimum separation of approximately 7m from the three-storey element's to the flank wall at Plot 14, and bedroom windows at ground, first, second and third floor levels overlooking the area of rear garden closest to the house at a minimum horizontal distance of 6m. Balconies on the north-east corners of the building at first, second and third floor levels would also overlook the rear garden at Plots 14; Plot 13 would also be overlooked from all of these vantage points from a minimum distance of 15m. While the Vale Road development has not been implemented, the location of a large building in this location would severely compromise the future amenities of Plots 13 and 14.

6.12 Building E (five stories) would also have a range of north-facing windows and balconies facing the Vale House site, although the presence of industrial buildings between the two sites and the distance, which is over 30m from the flank wall of the closest approved property, Plots 6 and 11, mitigate these impacts to some extent. Nevertheless there will be some actual and perceived over looking, particularly of the rear gardens at those properties.

6.13 Building F would also have a range of windows on the north side facing the Vale Road development. However, the presence of industrial buildings between the two sites and the increased separation distance would mitigate these impacts.

6.14 Buildings A and F (both three storeys) would face the Sandown Park Care Home, with separation distances of over 25m. In the context of this active street frontage, it is considered that this is sufficient to mitigate impacts of views between habitable room windows. It is also considered that there are no amenity considerations arising for the occupiers of non-residential buildings immediately to the north of the site.

6.15 In summary, the proposals would result in poor relationships with neighbouring properties, and the very significant and demonstrable impacts on existing and approved properties is such that this application is recommended for refusal.

Scale, site layout, building design and landscaping

6.16 The redevelopment of the site presents an opportunity for 'place making' of a high quality. It is imperative therefore that the various elements of the development should be fitted together in a way that presents a coherent whole. The application has aimed to achieve that through a consistent pallet of materials. However, the various elements of the development - houses, a shared amenity space, and flats of varying scales together with their ancillary bin and cycle stores - have been fitted together in a disparate fashion. The above consideration of impacts on neighbours also makes it clear that the scale of some of the buildings is unacceptable. The layout is considered unacceptable for the following reasons:

6.17 On the Vale Road frontage, Buildings A and F are aligned to the front building line of the industrial buildings to the north, which now accommodate a fitness centre immediately adjacent to the site, a doctors surgery and Vale House to the north of that. While the doctor's surgery incorporates high quality design features it is single storey as is the fitness centre, which in its appearance clearly shows its origins as a single storey building. Vale House, while two-storeys, is as already noted subject to permission for housing, and this would establish a tighter relationship to the Vale Road frontage with three new houses. The existing buildings to the north do not therefore constitute the best future arrangement of buildings at Shirley Avenue, and it is considered that any buildings in the locations of Building A and F should face Vale Road square-on, to establish a new street frontage for the development.

6.18 For Shirley Avenue itself, the closest building to the junction would be Building F. Its entrance faces Shirley Avenue, but from a point directly in front of it the entrance itself would not be visible, as this is the location chosen for the bin and cycle store for this building. In contrast, Building A does address the Shirley Avenue frontage more successfully in this respect; however the space between both of these entrance buildings would be dominated by car parking and the next building on both sides of the road, Building B1 on the southern side and Building E on the north. Block E addresses its street frontage whereas for both B1 and B2 the perpendicular orientation results in rear gardens being located alongside the street frontage. Boundary treatment as proposed is suburban in character, contrasting with the more urban character of the larger buildings; close boarded fences with brick pillars are proposed. This could be modified to a more acceptable materials, such as iron fences and hedges, but overall the mix of buildings and suburban gardens provided in the western part of this layout is not considered to provide a clearly identifiable townscape that takes the opportunity available here to provide a new residential neighbourhood of high quality. Proceeding east, the shared amenity space is located between two rights of way to commercial land to the north. This appears to be almost a 'left over' space, which has been selected as such because it is regarded as a less-developable part of the site. The spaces between Buildings B2 and C and to the west of Building D are again dominated by car parking, and the access to Clewer Memorial Recreation Ground visually dominated by Building C.

6.19 A wider footpath would be provided on the south side of Shirley Avenue, at 3m wide. This has been suggested as a shared cycle-pedestrian path; however, it is considered that the number of traffic movements on Shirley Avenue would not be so great as to require a separated cycle way, and the width of the path would be best dedicated to pedestrian use only (with the exception of cycles for younger children).

6.20 While a common pallet of exterior building materials is shown on the computer generated images for the application, at least one elevation in every principle building in the development is unacceptable devoid of design features and interest. This is particularly the case on the north and south elevations which face neighbouring properties, which are either limited in the opportunities to provide habitable room windows due to overlooking that would otherwise occur, or simply flat elevations (e.g. north elevation of Building E) and, in some cases, both (south elevations of all the buildings facing properties in East Crescent. Other less acceptable features, including the open car parking areas under Building C, which are supported by relatively slim pillars that add little visual weight to these parts of the buildings, and the prominent garage doors which face into and dominate the space between Buildings B1 and B2. In addition, the balconies are largely provided as 'add-on' features, and not well integrated into the structures of the buildings. While the use of different materials in the exterior cladding would assist in unifying the buildings within the development, it is also considered that this is used here as a means of covering what would largely be buildings with little inherent design interest.

6.21 Limited street tree planting is proposed on Shirley Avenue itself, although some of the locations chosen for trees adjacent to building, car parking areas and to the bin / cycle store for Building F suggest that growing conditions would be difficult. There is an opportunity to provide a pleasant landscaped area in the area designated as common amenity space on the north side of Shirley Avenue. However it is not considered that this would outweigh the shortcomings of the scheme.

6.22 In summary, the site layout and design of the buildings and landscaping is also not of a quality that would justify the approval of this number of dwellings. The proposals have been subject to considerable discussion with the applicant both prior to the application being made and during the course of the application, when amended drawings were submitted.

Site density

6.23 With a site area of 1 hectare, the density of the development would be 93 units / hectare (ha). This is lower than provided for nearby, for example in the recent approval on the Teradyne Building in Hanover Way (ref.14/03416/FULL) a density of 130 units / ha would be provided (43 flats on 0.33 ha). It is noted that the current application was developed while the Local Plan's Preferred Options consultation was underway, when 110 units were proposed for the whole of the land on the eastern side of Vale Road. In the draft Borough Local Plan, draft policy BLP13 includes Shirley Avenue as an allocated housing site (HA19), with an indicative dwelling number of 80. While a higher number of dwellings would not be discouraged, it would need to demonstrate both acceptable relationships to neighbouring properties and a high quality layout and building design which have not been demonstrated in this application. For that reason, the application must also be refused on grounds that the density proposed is not justified by the proposals as put forward.

Flood risk issues

6.24 The site is subject to a high risk of flooding, with flooding likely to occur at least once every 100 years (Flood Zone 3). Residential development is defined as a "more vulnerable" use within Planning Practice Guidance (PPG), and such development is considered appropriate in flood risk terms within Flood Zone 3 subject to satisfying other flood related criteria.

6.25 In line with national planning guidance, a sequential test assessment and Flood Risk Assessment (FRA) have been submitted with the application. While the Environment Agency has objected to the scheme, this is on the basis that the sequential test requirement had not been met. However, this has in fact been satisfied, and the planning case officer has written to the Environment Agency to advice them of this.

6.26 The FRA demonstrates that the development is capable of complying with the Local Plan Policy F1 requirement that applications in flood-prone areas may only be approved if they do not (i) put additional people at risk of flooding, (ii) reduce the capacity of the flood plain to store water and / or (iii) impede the flow of flood water. The FRA shows that a safe flood escape route can be provided that would allow future residents to escape the site during a severe flood event, fully satisfying point (i) in the policy. In regard to points (ii) and (iii), the development would substantially reduce the amount of impermeable paving at the site. Additional flood storage areas could also be provided within the development by reducing ground levels within the park (subject to being able to provide acceptable transitions for both able and disabled access).

6.27 Where applications in floodable areas demonstrate that the above criteria have or can be met, residential development proposals must also pass the "exceptions test", which requires the application to demonstrate sustainability benefits to the local community. In this case, the development is able to provide access to flood escape routes for properties to the north, both at the Vale House site and for residents at Rutherford Close and any other properties that need it to the north (the section 106 agreement for Vale House, ref. 14/02975/FULL, also provides for access to flood escape routes across the site from Rutherford Close and also includes access for cycle use and pedestrian use from that site. This should also be provided here, in any acceptable application, in order to fully address the exceptions test requirement.

The mix of housing types and tenure, including affordable housing

6.28 Policy H3 and the associated SPG require that residential development sites of 0.5 ha or more in area, and / or those that would result in a net increase of 15 units or more, should provide a proportion of affordable housing on site. Buildings A and F are proposed as shared-ownership affordable housing, and would provide a total of 28 units - 14 x 1 bdr. and 14 x 2 bdr. This equates to providing 30% of the unit numbers within the development. This would need to be secured in a competed section 106 agreement in any acceptable application.

6.29 Policy H8 supports proposals that contribute towards improving the range of housing accommodation in the Borough, including dwellings for small households. The mix proposed is considered to be acceptable. Policy H9 provides for a proportion of housing units in large schemes to be wheel-chair accessible, and this would need to be secured in any acceptable scheme.

Loss of community use

6.30 Technor House has an existing community use, as noted in the planning history above. Local Plan policy CF1 provides that the Council will not allow the loss of community facilities to occur unless it can be demonstrated that the facility is no longer needed, or the facility is provided elsewhere. The applicant has advised that discussions are continuing on the provision of this facility elsewhere. However, no firm details have been provided of how this would be achieve, and the application must therefore be refused on grounds of not demonstrating that the proposal would not result in the loss of a necessary community facility.

The amenity of future residents of the building

6.31 The applicant has confirmed that the space provided in all dwellings complies with the requirements of the National Space Standards. Whilst not adopted by the Council, this provides a useful rule of thumb for assessing the standards of amenity available for future residents. Most of the flats would be dual aspect, which is a positive aspect of the proposals as submitted. However, there are three single aspect flats in Building C that are north facing, which would not be capable of receiving direct sunlight other than in the early morning and evening in the summer months. It is considered that for the amenity of future residents flats with a north elevation only would not be acceptable.

6.32 In the amended plans, some of the windows that would have overlooked neighbouring properties have been deleted, and other windows serving habitable rooms are shown as obscure glazed. This would not provide an acceptable standard of amenity for future residents, and the incorporation of this feature is unfortunately symptomatic of the effort to provide more flats in unsuitable locations than the site appears able to provide.

The adequacy of car parking and the impact on highway safety in the area.

6.33 The Highways Officer has commented that car parking, cycle storage, bin storage and vehicle manoeuvring provision are all acceptable. However, this is subject to some modifications to the direction of door-opening for the stores, and to demonstrating acceptable internal layouts within the bin store. A further request has also been made to superimpose the limits of the public highway on the proposed site plan. This is due to a concern being raised that extent of the adopted highway, including the combined width of both the footway and carriageway, exceeds the combined width of the proposed footway and carriageway in the proposed layout drawings. This is not acceptable, and in the absence of this plan it appears that the layout may rely on closing some of the public highway. This issue is therefore added to the recommended reason for refusal on the basis of unacceptable design and layout.

6.34 The proposals would result in less traffic movements than the existing business uses at the site.

Other Material Considerations

6.35 The Environmental Protection officer has requested conditions to be included in any planning permission, to include details of acoustic measures / insulation against aircraft noise along with

other measures noted in Section 8 below. If permission is granted, details of acoustic insulation from noise from adjacent industrial / commercial occupiers should also be provided.

6.36 Further information submitted in respect to site ecology is currently being assessed by the Council's ecologist, and will be provided either in an update report or verbally at the meeting where this application will be submitted.

6.37 No comments have been received regarding trees, although in discussion with the Council's Tree Officer some concerns were raised in respect to impacts on trees within the adjacent Clewer Recreation Ground. It is also noted that there are two reasonably good quality (B category) hornbeam trees within the site, and given the time that it would take for replacement trees to reach their current stature it is considered that these should be incorporated into any acceptable future application.

6.38 Inadequate infrastructure for disposal of sewerage has been raised by Old Windsor Parish Council as an issue. This requirement is a statutory obligation of the statutory undertaker, and is not material to the determination of the application. Supply of gas, electricity and water is also a matter for the relevant statutory undertakers.

Housing Land Supply

6.39 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 applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The Borough Council cannot demonstrate a 5 year housing land supply.

6.40 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. However, it is the view of the Local Planning Authority that that the socio-economic benefits of the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed, contrary to the adopted local plan policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 This development would place additional pressure on local services and infrastructure. The Council requires local services and infrastructure to be improved alongside development and to be funded by the developer in accordance with its Supplementary Planning Documents setting out the relevant costs (see paragraph 5.3). In this case these improvements can be secured through an undertaking under S106 of the 1990 Planning Act completed before planning permission is granted. Details of the funding and projects are shown below.

Education	Dedworth Middle School - 2017 School Expansion Project	£211,154.38
Public Open Space	Appropriate, related public open space projects including but not limited : 1. Path from end of Shirley Avenue to Clwere Memorial Recreataion Ground childrens' playground; and 2. Commuted sum for maintenacne of ameity space within the developmetn (subject to confirmation).	£23,000.00 £4500.00
	Total Contributions	£238,654.38

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

The application was advertised in the Maidenhead & Windsor Advertiser 19th 2015 and the planning officer posted a statutory notice advertising the application at the site on 26th November 2015.

39 occupiers were notified directly of the application, including reconsultation on 18th May 2016, following the submission of amended drawings.

19 neighbours and interested parties have written to object to the application, summarised as:

Comment		Where in the report this is considered
	The first five comments below were in a joint letter from 11 properties at East Crescent, and additionally in other individual letters, including from the West Windsor Residents Association and Windsor and Eton Society:	
1.	Building C has not been reduced in height, this still appears be 16.6 metres from ground level to the roof and a total of 17.4 metres to the very top - this includes the photo voltaic panels. This will be a truly overbearing presence, out-of-scale in terms of its appearance compared with existing development in the vicinity.	6.7 - 6.15
2.	It is mentioned that Building C replaces a large, existing building. However, in actuality all that is currently visible is the tip of the roof, it is low and very unobtrusive. Building C is still only 4 metres from rear garden boundaries at East Crescent. The building would dominate the skyline.	6.7 - 6.15
3.	The proposal is out of keeping with the area and an over development of the site. Approving this current design will set a precedent as there is nothing comparable right at the end of anyone's garden in the vicinity. The Sandown Care Home on the corner of Vale Road and Hanover Way is the tallest nearby building and even that is not five storeys high. It does not back on to any resident's garden, or invades anyone's privacy. The proposed building (including balconies) would overlook rear gardens and houses at East Crescent, removing the level of privacy to which residents believe they are entitled.	6.7 - 6.15
4.	Increased traffic with the possibility of an extra 93 vehicles coming and going in such a small area.	6.32
5.	Impacts on bats	6.34
6.	Loss of employment land is contrary to Local Plan policies E1, E2 and E5	6.2 - 6.6
7.	Threat to local businesses at the site	6.2 - 6.6
8.	Inadequate infrastructure for disposal of sewerage and provision of gas, electricity and water	6.36
9.	Requirement for additional school places	Section 7

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency:	Object on grounds that the sequential test assessment has not been met.	This has been overcome; refer 6.22 - 6.27

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highways:	133 car parking would be provided, which satisfies the Highway Authority's requirements for the number and mix of units proposed. The Borough cycle parking standard is currently set at 1 space per unit, which in this instances attracts a demand for 93 spaces. There are several cycle storage facilities positioned across the site, providing a total of 95 spaces. Whilst the number of cycle spaces complies with the Borough's standard the applicant is required to submit detailed plans of the cycle parking arrangement to ensure these are accessible and fit for purpose. This can be secured by a suitably worded planning condition. The site layout allows refuse and service vehicles to enter and leave the site in a forward manner. This should be further reinforced by the applicant offering-up for adoption the areas required for the service vehicles to undertake these manoeuvres. This can be secured by a combined Section 38/278 Agreement. The application is accompanied by a Transport Assessment (TA). Briefly, the purpose of the TA is to report on any transport issues relating to the development and identify measures to be taken to overcome the anticipated transport impacts of the scheme. In terms of traffic generation the Highway Authority's figures differs slightly from those submitted by the applicant. Based upon the applicant's assessment the site has the potential to generate circa 720 trips per days, with the proposed residential generating 435 vehicular movements. Our assessment suggests 742 and 486 vehicular trips for the existing and residential units respectively. Nevertheless, the Highway Authority agrees that the overall the proposal would lead to a reduction in vehicular trips into the surrounding area.	6.31 - 6.32
Old Windsor Parish Council	Inadequate infrastructure for disposal of sewerage	6.36
Environmental Protection:	Requested conditions to be included in any planning permission, to require details to be submitted and approved of acoustic measures / insulation against aircraft noise, investigation and remediation of any contamination from past land uses, and dust / smoke control during construction.	6.36
Ecology:	An extended Phase 1 habitat survey was submitted, which identified that seven buildings on site had low or very low potential to support bats and further survey was recommended. None of the trees were found to have the potential to support roosting bats. A detailed inspection survey of the buildings was then undertaken in August and September 2015. The inspection revealed a small number of bat droppings on a door within building 4 beneath a gap between the external wall and asbestos sheeting. The applicant's ecologist stated "*This would suggest a bat may have been using this gap for roosting*". In addition, some	6.34

	access points suitable to support bats were recorded within several of the buildings on site. Further emergence surveys were undertaken in order to establish whether the roost recorded during the daytime inspection was currently in use and whether the buildings support additional bat roosts. During the further survey no bats were recorded roosting within any of the buildings and the applicants ecologist concluded that there is very low potential for roosting bats during the maternity and hibernation season and therefore a European Protected Species Licence is not required. However, during the emergence survey there was limited access to the area of the building where the bat droppings were recorded and therefore a roost within that section of the building may have been missed. Paragraph 99 of the ODPM Circular 06/2005 states "*It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".* The emergence surveys did not cover the area of the building where bat droppings were discovered and therefore the status of the roost could not be confirmed. In addition, no further information on which species were recorded roosting have been provided. Further survey work is therefore required. If planning permission is granted, suitably worded conditions should be included in regard to potential impacts on reptiles in two small areas of vegetation that would be cleared as part of the proposals, and for birds. Biodiversity Enhancements are also recommended in any acceptable application.	
Berkshire Archaeology:	Berkshire Archaeology's Historic Environment Record notes very few known archaeological monuments or finds spots within 500m of Shirley Avenue. This site has also been substantially developed and there is currently little, if any, areas of the site that have not been impacted by the construction of buildings, roads and hard standings. On the basis of the above, Berkshire Archaeology is content that the archaeological potential of this site is limited and therefore no mitigation of the archaeological impacts are sought in relation to this proposal. No further action is therefore required as regards the buried archaeological heritage.	Noted.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and layout drawing
- Appendix B - elevation drawings and floor plans
- Appendix C - site layout at Vale House (14/02975/FULL)

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought

solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have not been successfully resolved.

10. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

1 Shirley Avenue is a designated employment area, as identified in Local Plan policy E5 and the Proposal Map, allocated primarily for industrial and small scale distribution and storage uses. It has not been demonstrated that the loss of this site to the alternative use of housing would not harm industrial land supply within the Borough and the local economy. The proposal is contrary to Policies E2 and E5 of The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations adopted June 2003).

2 The height and scale of buildings within the proposed development together with the location of windows overlooking adjacent properties result in significant and demonstrable detrimental impacts on the residential amenities of occupiers to the south of the site, in East Crescent and at 52 Vale Road, and in additional on Plots 13 and 14 within an approved but as yet unimplemented residential proposal at Vale House, to the north of the site. Ass such, the proposal is contrary to saved Policies H10, H11 and DG1 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.

3 The layout of the proposed development and the quality of the design of individual buildings is not of sufficient quality to justify a development of the density proposed, and would fail to take the opportunity available for high quality design in the proposed redevelopment. This would result in significant and demonstrable harm to the character of the area which would not be outweighed by the provision of additional housing stock to the Borough. Additional work is also required to ensure that details such as workable cycle and bin store layouts are provided, and that they are appropriately located within the development. As such, the proposal would be contrary to saved Policies H10, H11, DG1 of the Royal Borough of Windsor and Maidenhead Local Plan and to advice in the National Planning Policy Framework.

4 The proposals would result in a loss of a community facility at Technor House. The application has not demonstrated that the facility will be provided elsewhere, and the proposal is therefore contrary to Local Plan policy CF1 and to advice in the NPPF.

5 By reason of the reliance on obscure glazing of habitable room windows to avoid direct overlooking of neighbouring properties from some of the habitable rooms within the development, the proposals would not provide a sufficient standard of amenities for all future occupiers of the development. In addition the provision of some single aspect flats on the north side of Building C would result in those flats receiving no sunlight. The proposal is contrary to advice in the NPPF.

6 In the absense of an undertaking to secure associated off-site infrastructure and amenity improvements directly related to the development in accordance with policy IMP1 of the Royal Borough of Windsor and Maidenhead Local Plan (Incorporating Alterations Adopted June 2003).

7 The proposal fails to provide a mechanism for securing affordable housing in accordance with the Policy H3 The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations adopted June 2003) and adopted Supplementary Planning Document 'Planning Obligations and Developer Contributions' 2005 (as amended)

0m 50m 100m 200m

scale 1:1250 @ A3

REVISIONS

NOTES
ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT SCALED FROM DRAWING. THIS DRAWING IS COPYRIGHT. DRAWINGS TO BE READ IN CONJUNCTION WITH THE SPECIFICATION AND CONTRACT DOCUMENTS. ERRORS AND OMISSIONS TO BE REPORTED TO THE ARCHITECT.

EDGINGTON SPINK·HYNE CHARTERED ARCHITECTS
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Proposed Housing Development
Shirley Avenue
Windsor

Site Location Plan

SCALE (A1) 1:1250@A3 CAD REF 5174-1100
DATE Oct 2015 DRAWN S. Hessey

APPENDIX A.

PROPOSED SITE PLAN

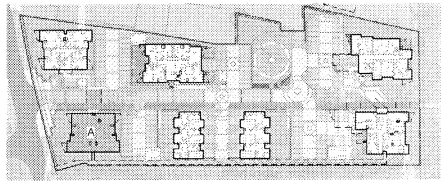
Medina Sites - Shirley Avenue - Windsor

August 2015 5174 1120 E

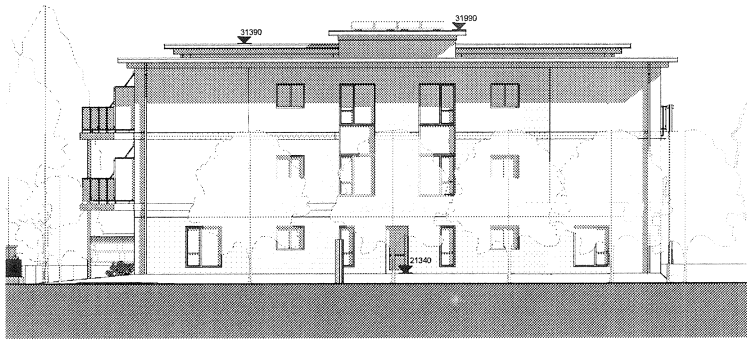
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1

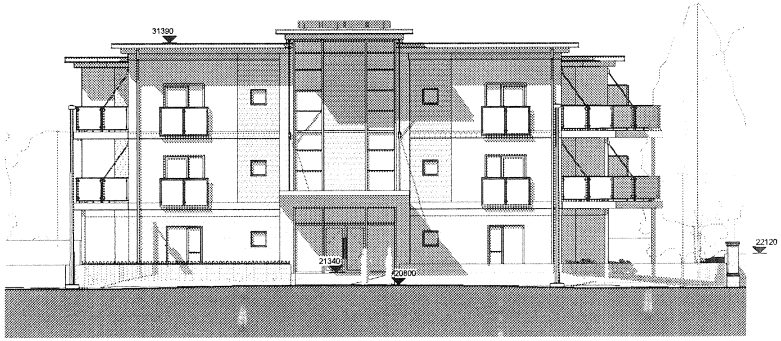


Building A Key Plan
1 : 1000

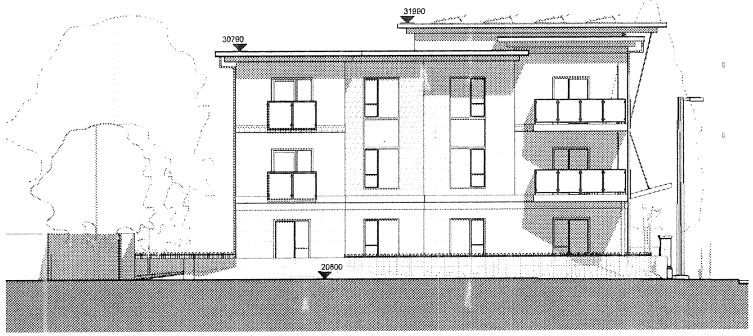


BUILDING A - SOUTH ELEVATION

BUILDING A - WEST ELEVATION



BUILDING A - NORTH ELEVATION



BUILDING A - EAST ELEVATION

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

BUILDING A - ELEVATIONS

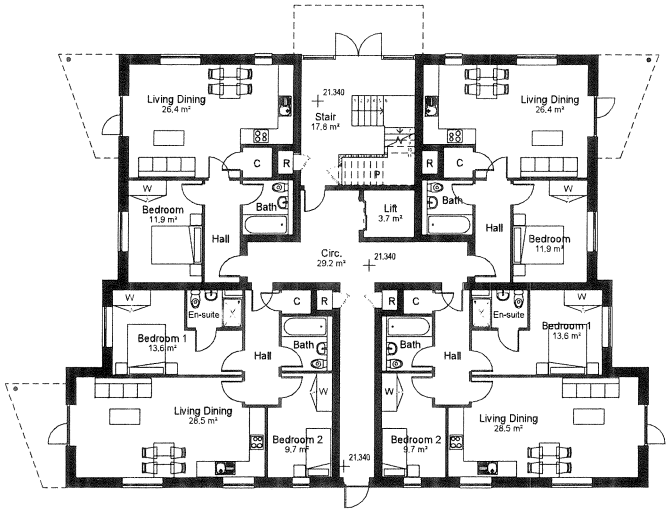
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1300 B

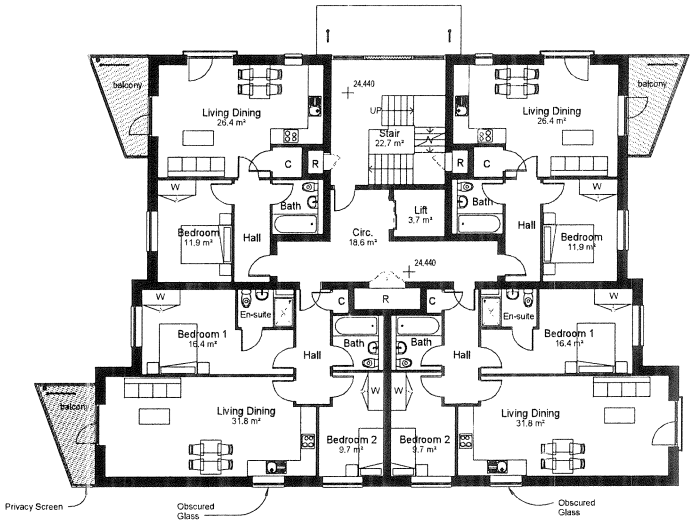
APPENDIX B.

0m 2m 4m 6m 8m 10m

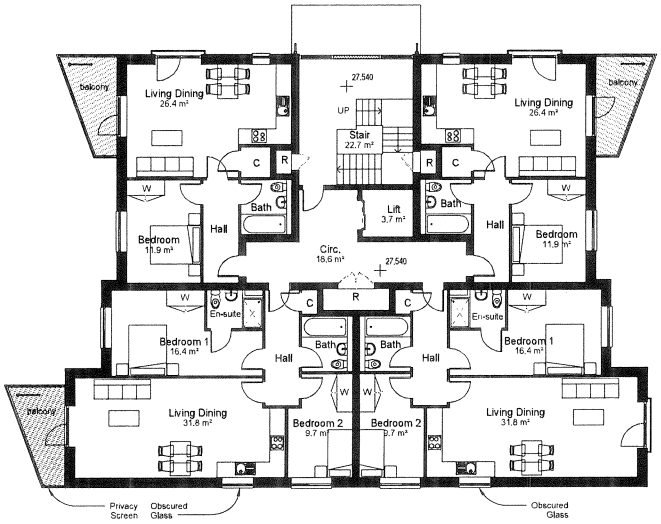
SCALE 1 100 @ A1



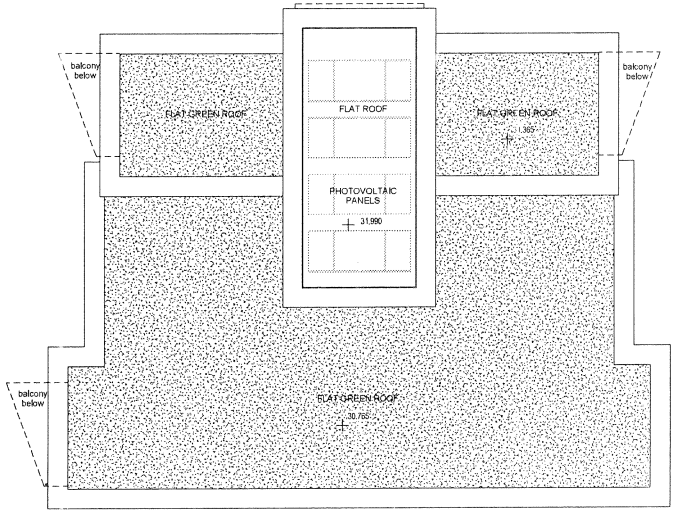
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



Roof Plan Copy 1

BUILDING A - FLOOR PLANS

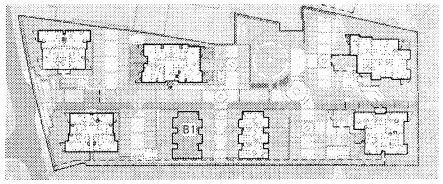
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 - 1200 B

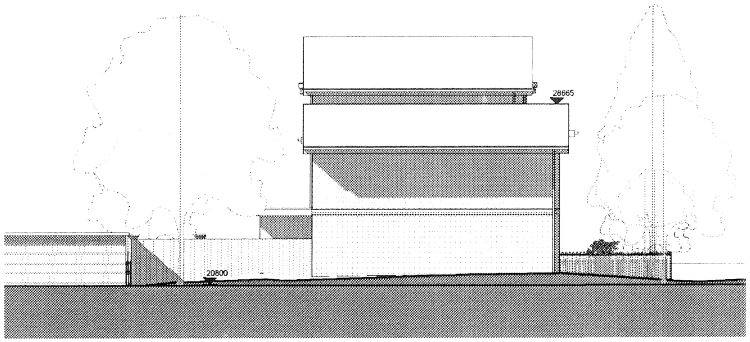
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

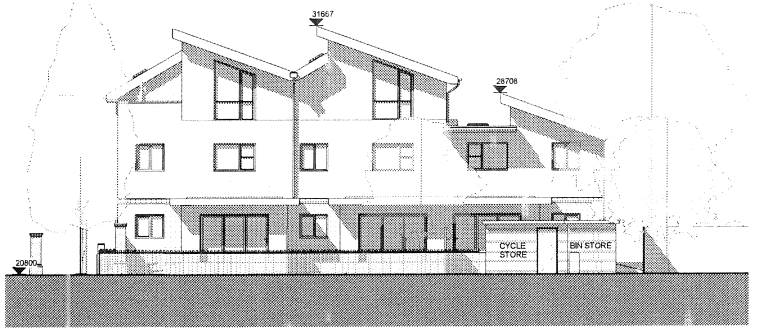
SCALE 1:100 @ A1



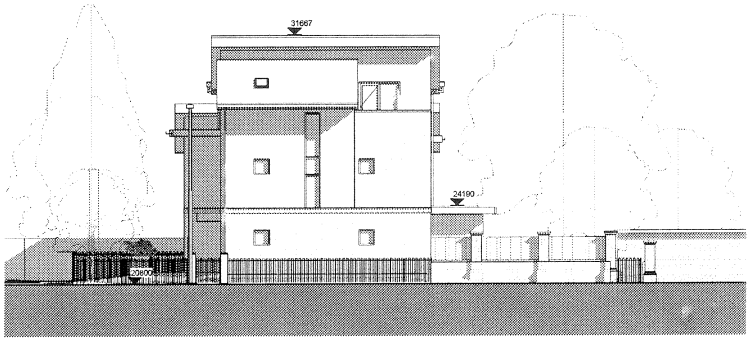
Building B1 Key Plan
1 : 1000



BUILDING B1 - SOUTH ELEVATION



BUILDING B1 - WEST ELEVATION



BUILDING B1 - NORTH ELEVATION

BUILDING B1 - EAST ELEVATION

BUILDING B1 - ELEVATIONS

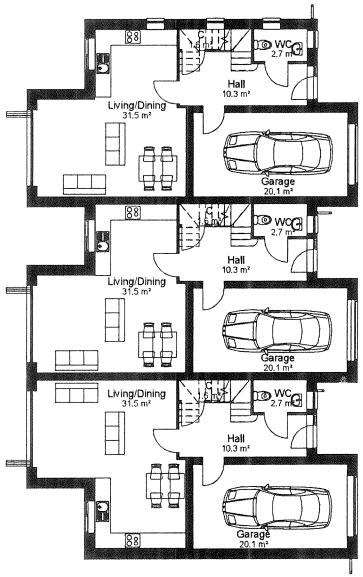
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1301 C

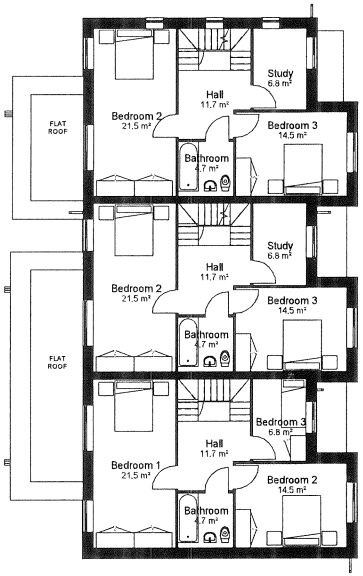
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

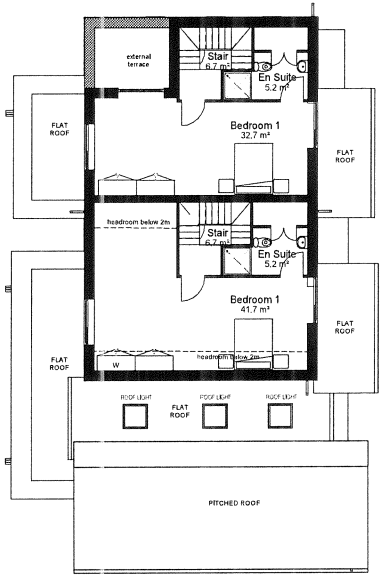
SCALE 1:100 @ A1



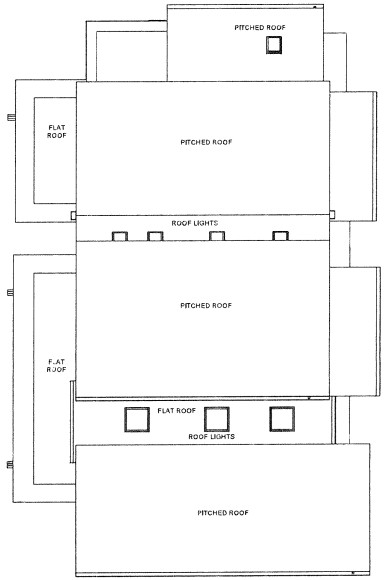
BUILDING B1 - GROUND FLOOR PLAN
1 : 100



BUILDING B1 - FIRST FLOOR PLAN
1 : 100



BUILDING B1 - SECOND FLOOR PLAN
1 : 100



BUILDING B1 - ROOF PLAN
1 : 100

BUILDING B1 - FLOOR PLANS

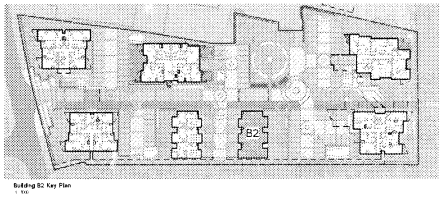
Medina Sites - Shirley Avenue - Windsor

November 2015 5174 1212

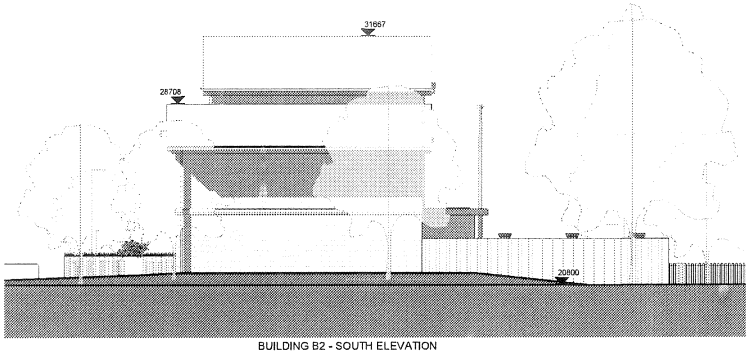
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

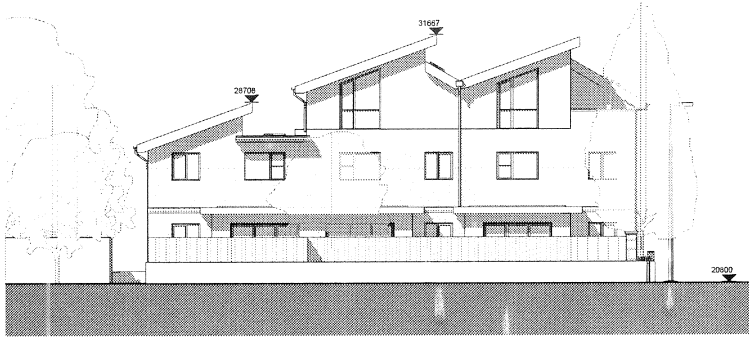
SCALE 1:100 @ A1



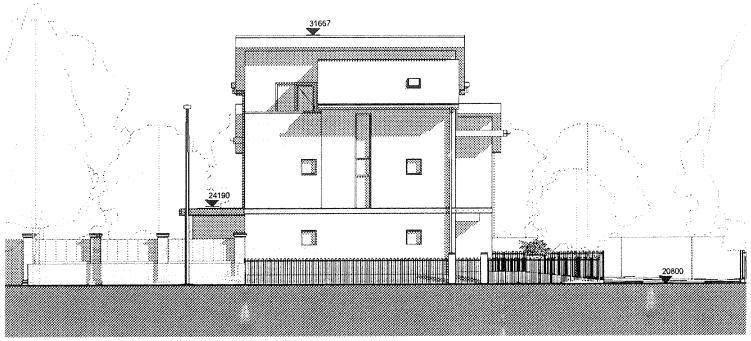
Building B2 Key Plan



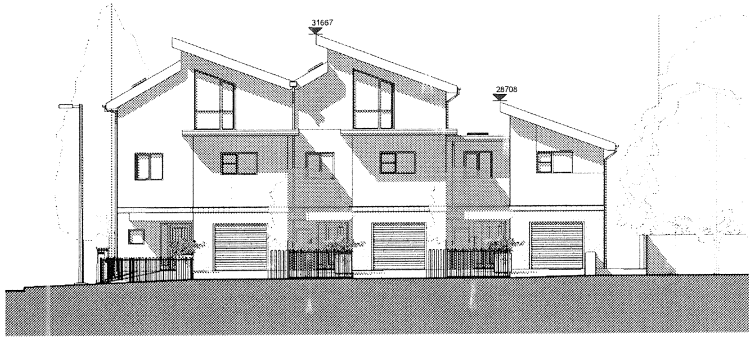
BUILDING B2 - SOUTH ELEVATION



BUILDING B2 - EAST ELEVATION



BUILDING B2 - NORTH ELEVATION



BUILDING B2 - WEST ELEVATION

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

BUILDING B2 - ELEVATIONS

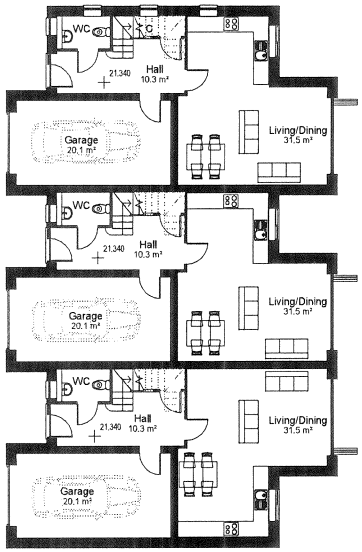
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1312 A

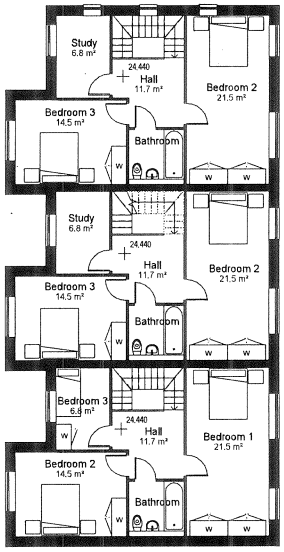
0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1

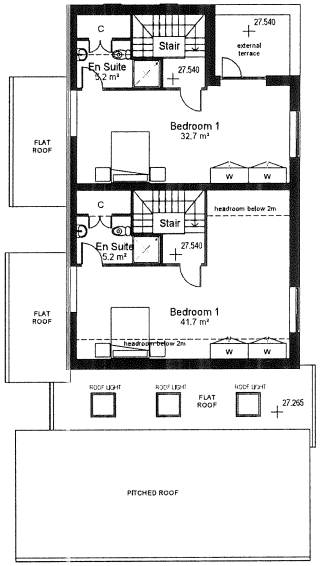
100



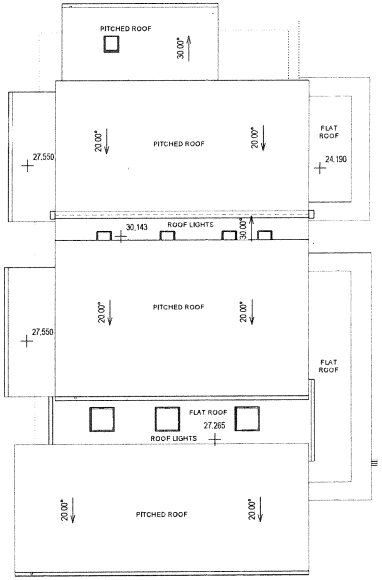
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



ROOF PLAN

BUILDING B2 - FLOOR PLANS

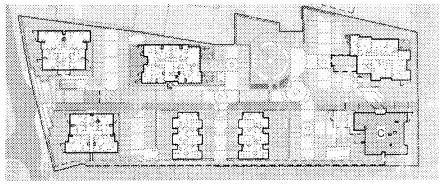
Medina Sites - Shirley Avenue - Windsor

August 2015 5174 - 1210 B

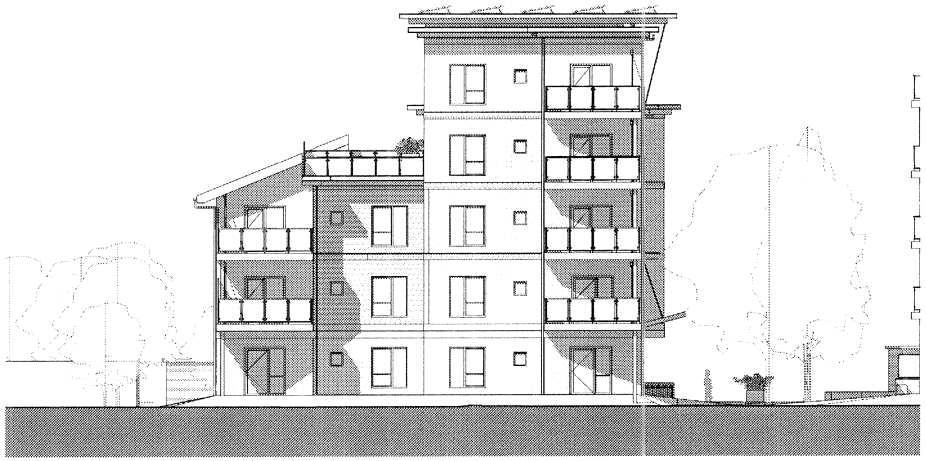
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

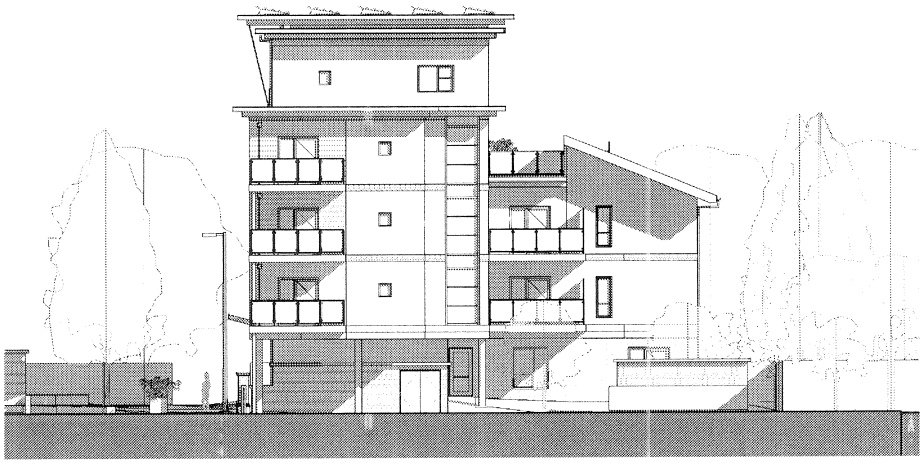
SCALE 1:100 @ A1



Building C Key Plan
1 : 1000



BUILDING C - EAST ELEVATION



BUILDING C - WEST ELEVATION

BUILDING C - EAST & WEST ELEVATIONS

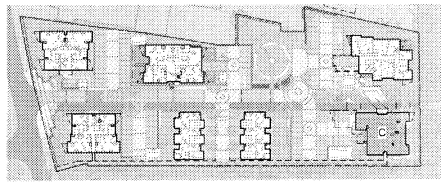
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1303 B

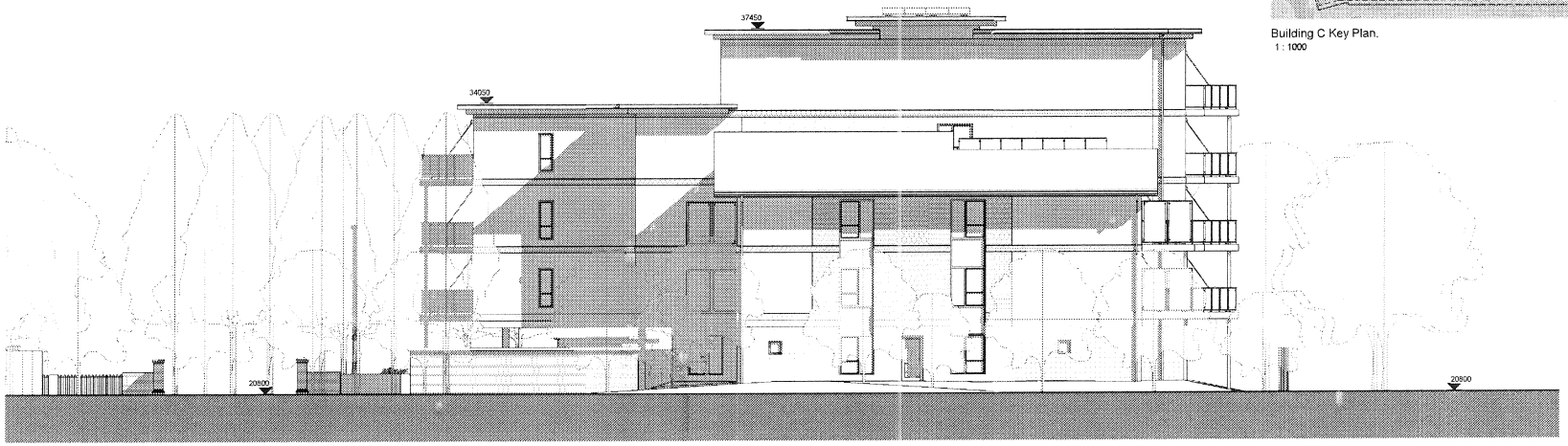
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1



Building C Key Plan.
1 : 1000



BUILDING C - SOUTH ELEVATION

BUILDING C - NORTH ELEVATION

BUILDING C - NORTH & SOUTH ELEVATIONS

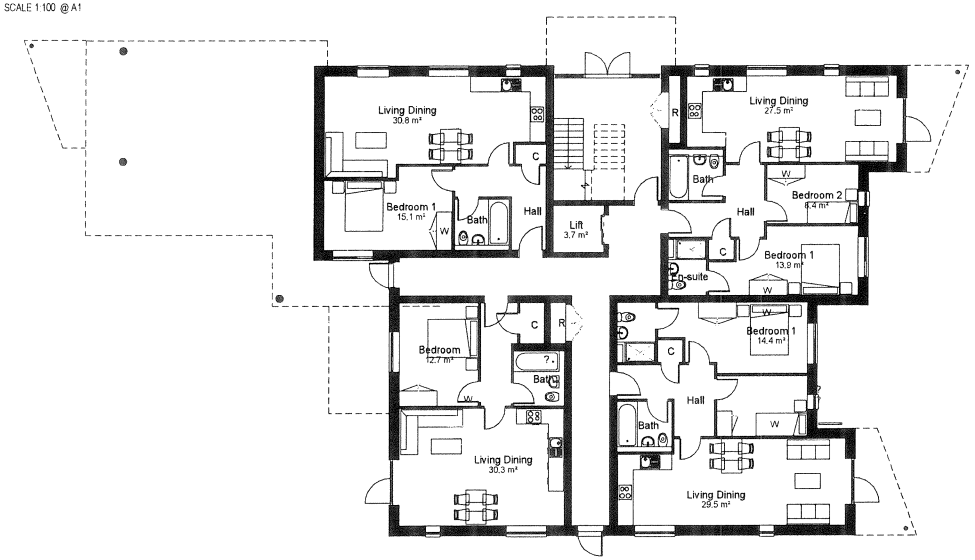
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1302 B

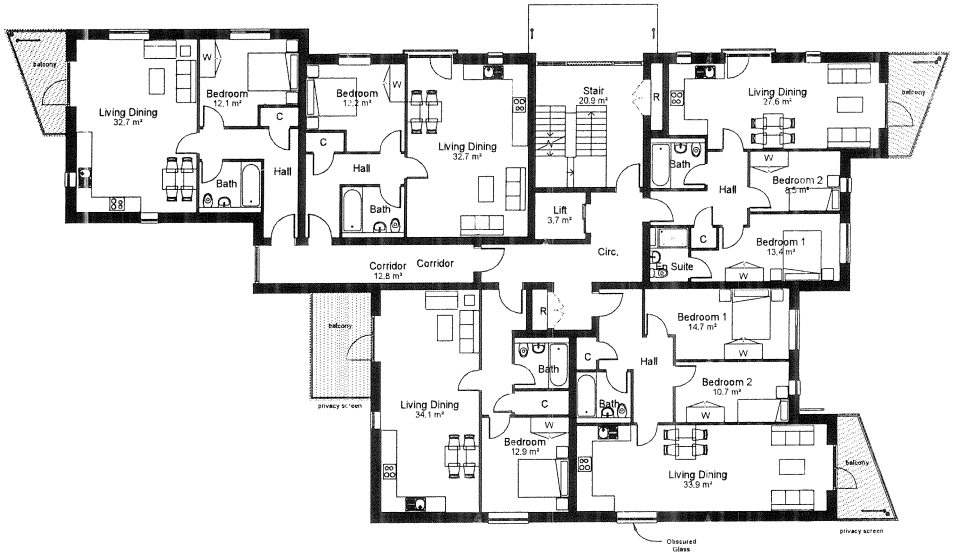
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1

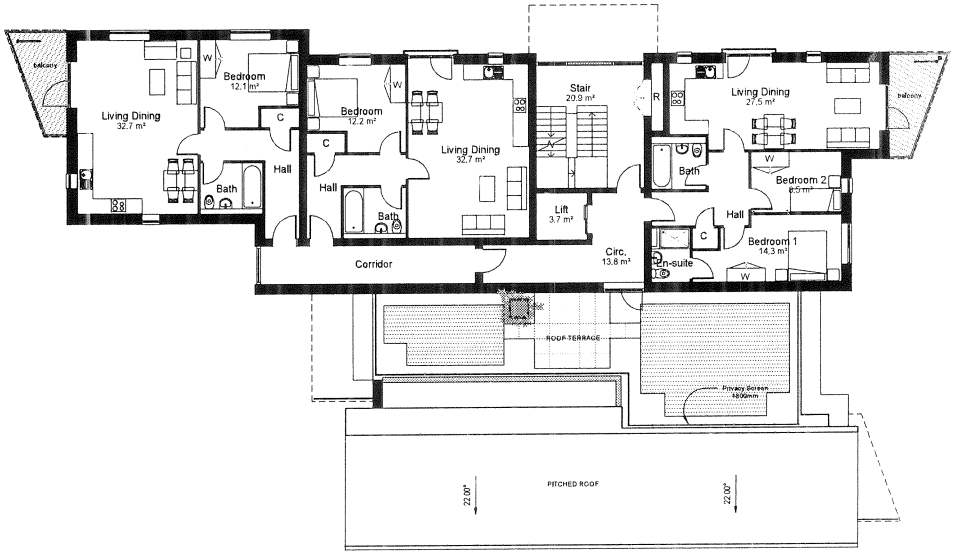


GROUND FLOOR PLAN



FIRST FLOOR PLAN

SECOND FLOOR PLAN



THIRD FLOOR PLAN

BUILDING C - FLOOR PLANS - sheet 1 of 2

Medina Sites - Shirley Avenue - Windsor

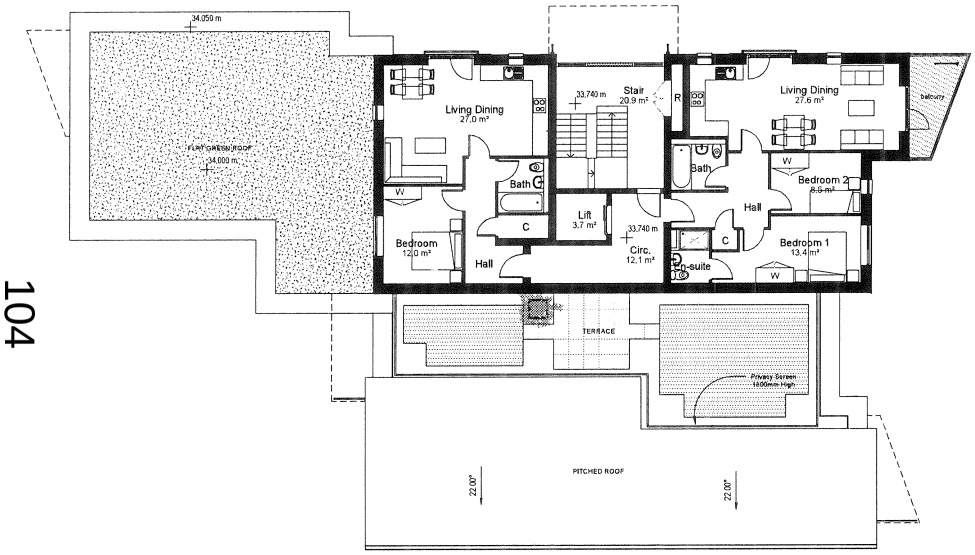
April 2016 5174 - 1220 B

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

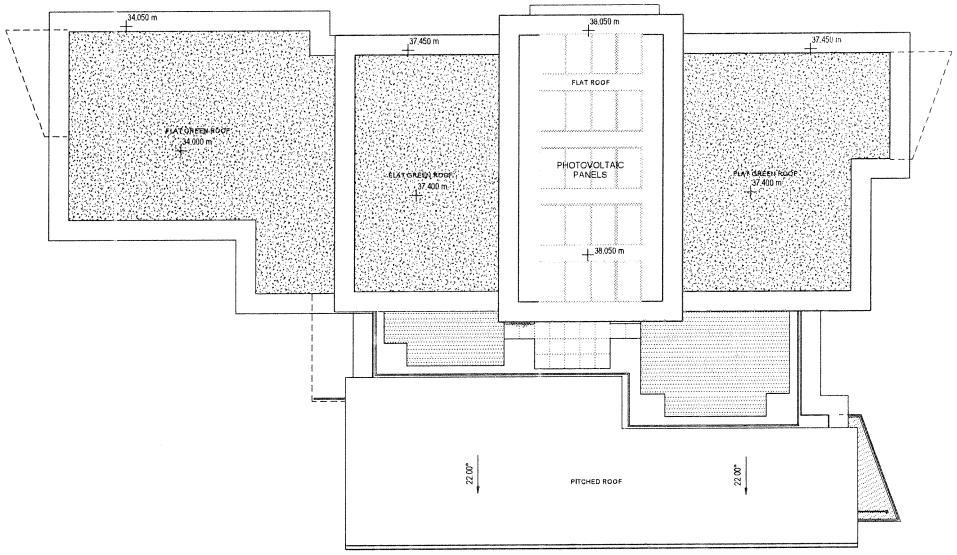
0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1

104



FOURTH FLOOR PLAN



ROOF PLAN

BUILDING C - FLOOR PLANS - sheet 2 of 2

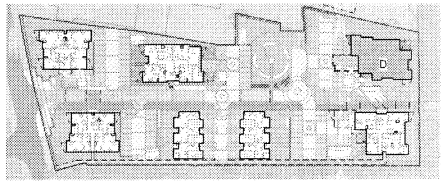
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 - 1221 B

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1



Building D Key Plan.
1 : 1000

BUILDING D - SOUTH ELEVATION

BUILDING D - NORTH ELEVATION

BUILDING D - NORTH & SOUTH ELEVATIONS

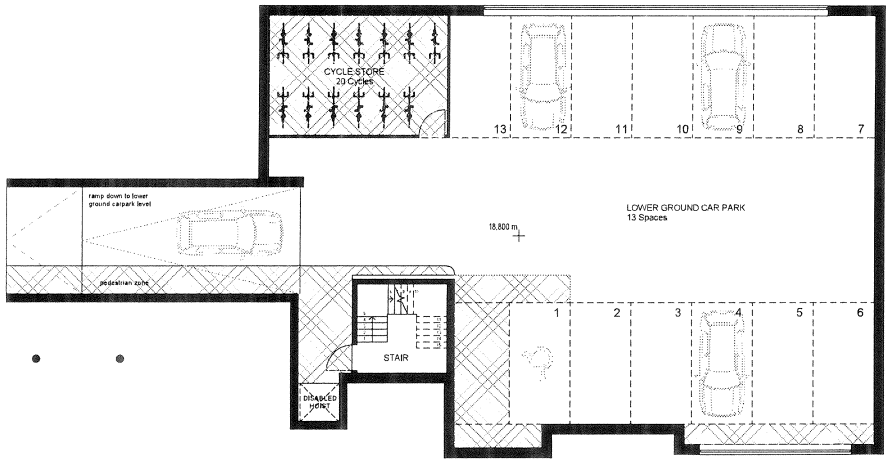
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1304 B

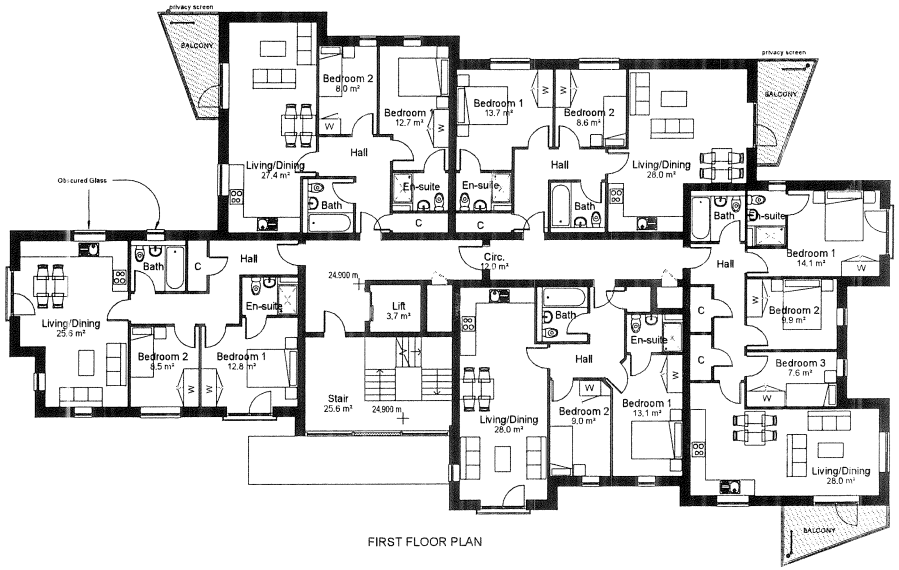
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

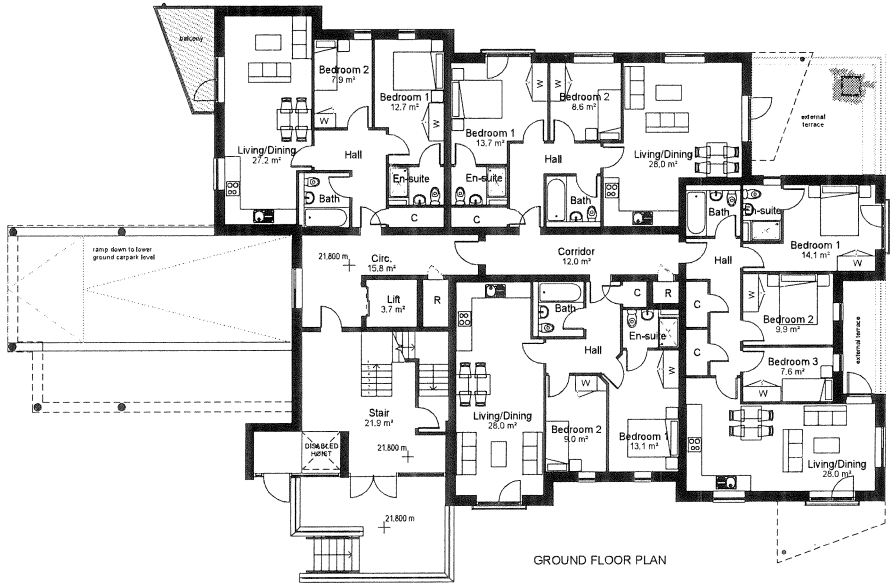
SCALE 1:100 @ A1



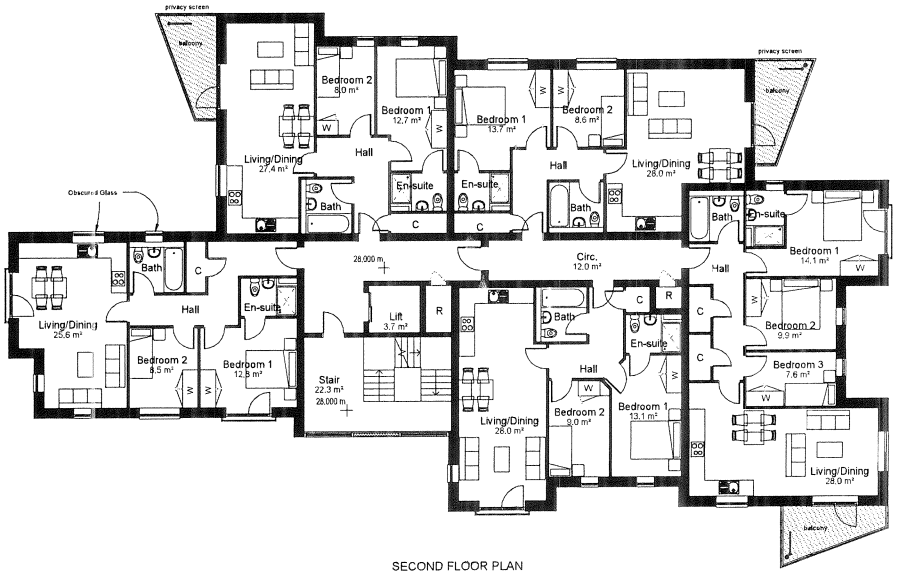
LOWER GROUND CAR PARK PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN



SECOND FLOOR PLAN

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

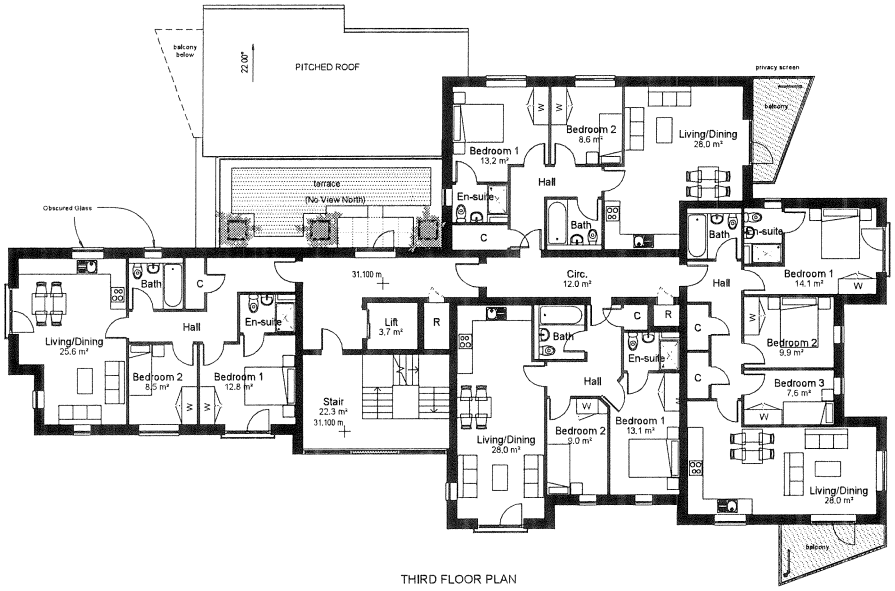
BUILDING D - FLOOR PLANS - sheet 1 of 2

Medina Sites - Shirley Avenue - Windsor

April 2016 5174 - 1230 C

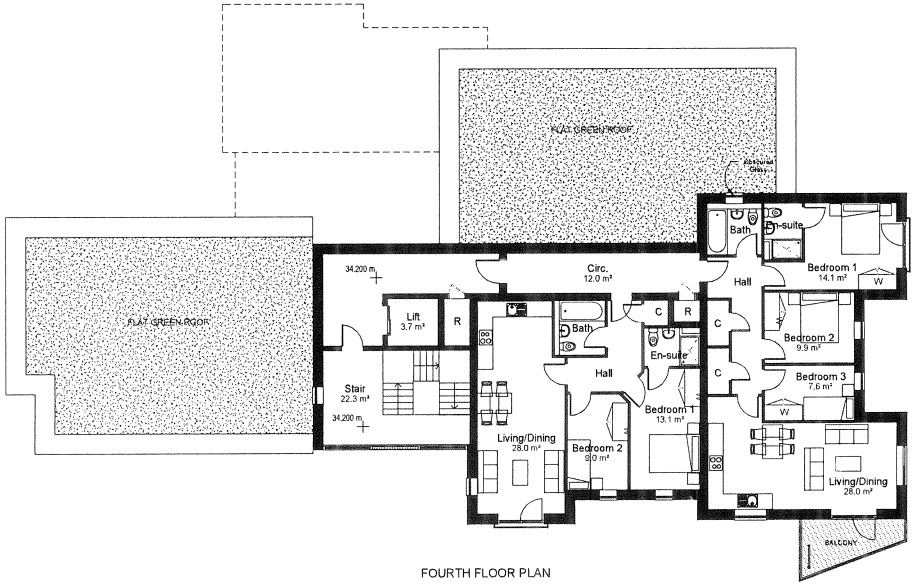
0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1



THIRD FLOOR PLAN

ROOF PLAN



FOURTH FLOOR PLAN

BUILDING D - FLOOR PLANS - sheet 2 of 2

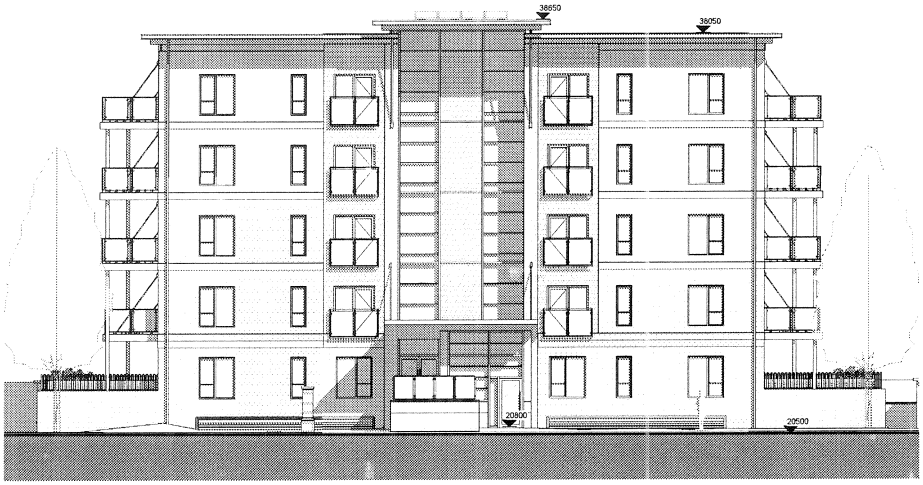
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 - 1231 B

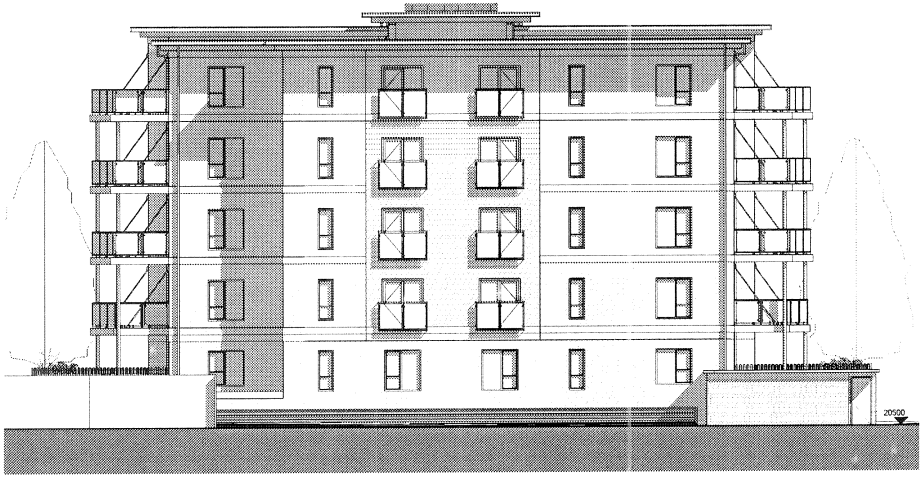
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

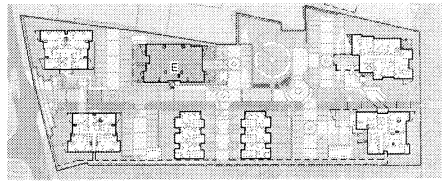
SCALE 1:100 @ A1



BUILDING E - SOUTH ELEVATION



BUILDING E - NORTH ELEVATION



Building E Key Plan.
1 : 1000

BUILDING E - NORTH & SOUTH ELEVATIONS

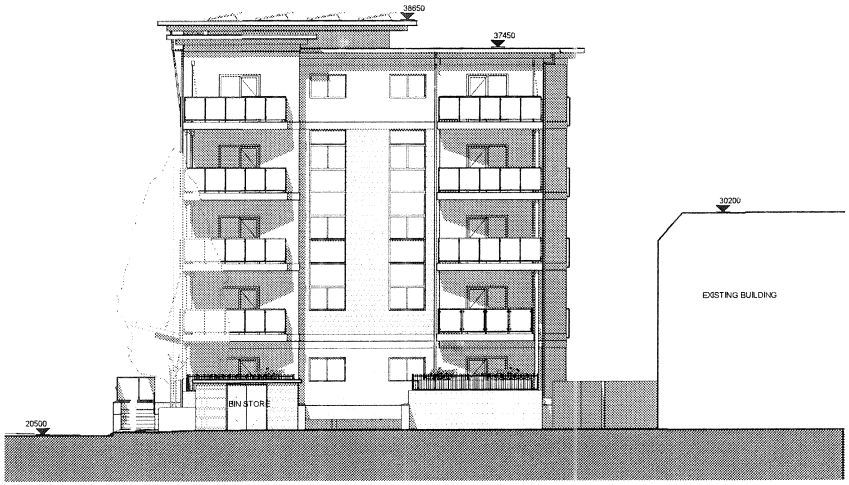
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1306 B

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

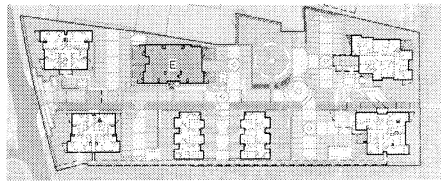
0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1



BUILDING E - EAST ELEVATION

BUILDING E - WEST ELEVATION



Building E Key Plan
1 : 1000

BUILDING E - EAST & WEST ELEVATIONS

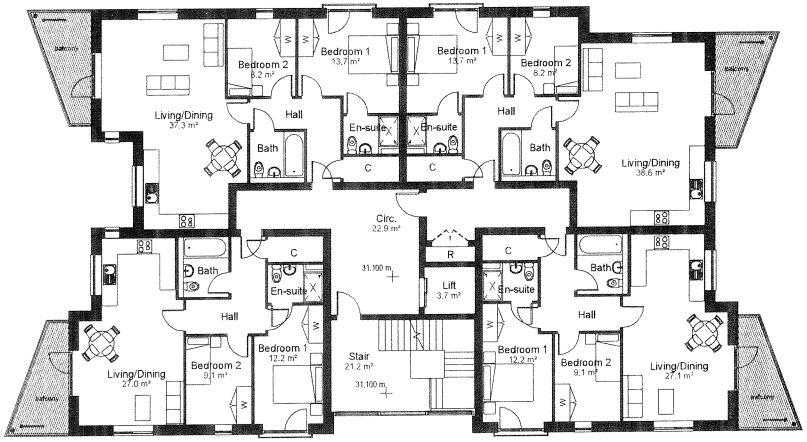
Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1307 B

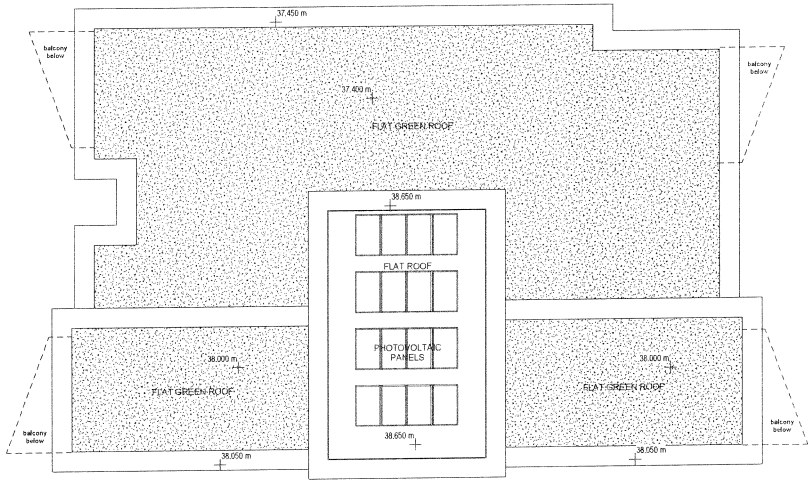
EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1



THIRD FLOOR PLAN



ROOF PLAN

FOURTH FLOOR PLAN

110

BUILDING E - FLOORS PLANS - sheet 2 of 2

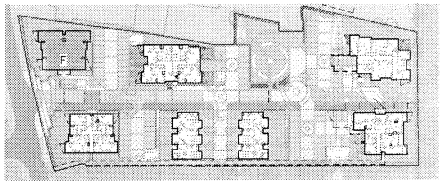
Medina Sites - Shirley Avenue - Windsor

August 2015 5174 - 1241 A

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

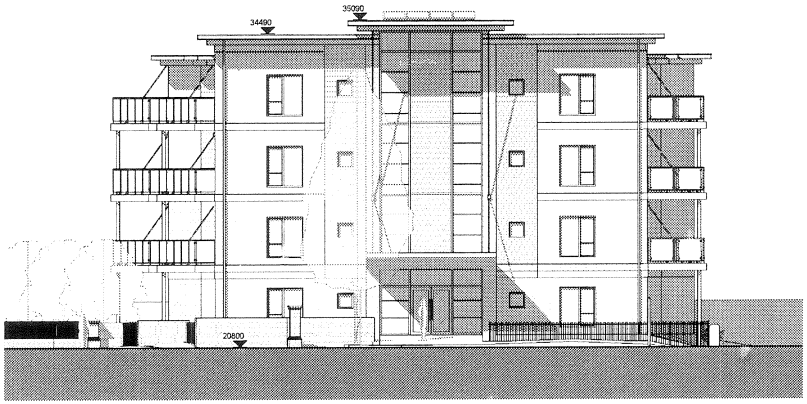
SCALE 1:100 @ A1



Building F Key Plan
1 : 1000

BUILDING F - NORTH ELEVATION

BUILDING F - EAST ELEVATION



BUILDING F - SOUTH ELEVATION

BUILDING F - WEST ELEVATION

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

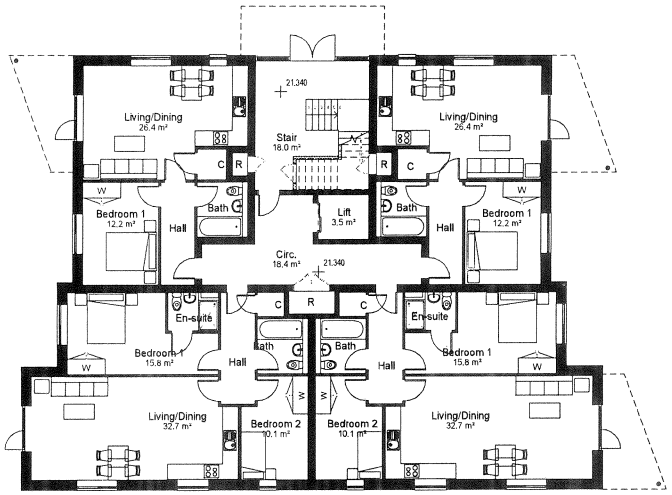
BUILDING F - ELEVATIONS

Medina Sites - Shirley Avenue - Windsor

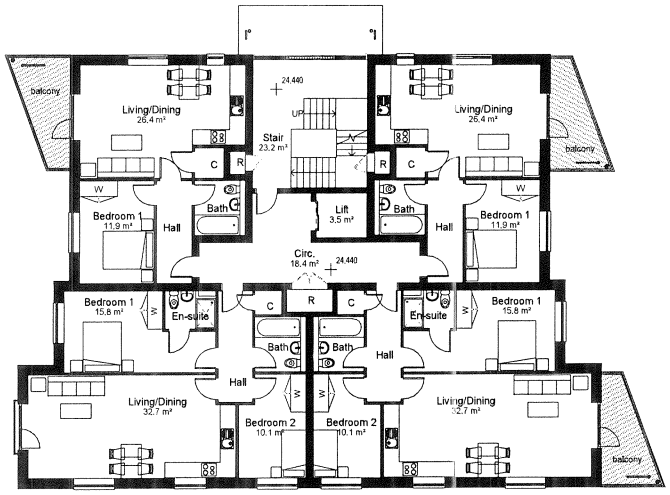
April 2016 5174 1308 B

0m 2m 4m 6m 8m 10m

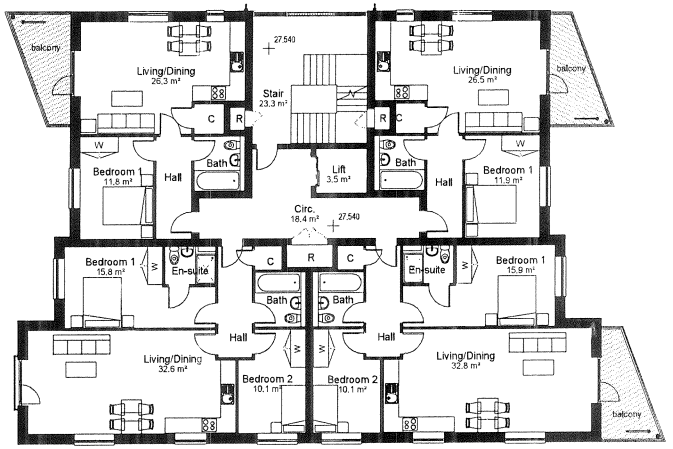
SCALE 1:100 @ A1



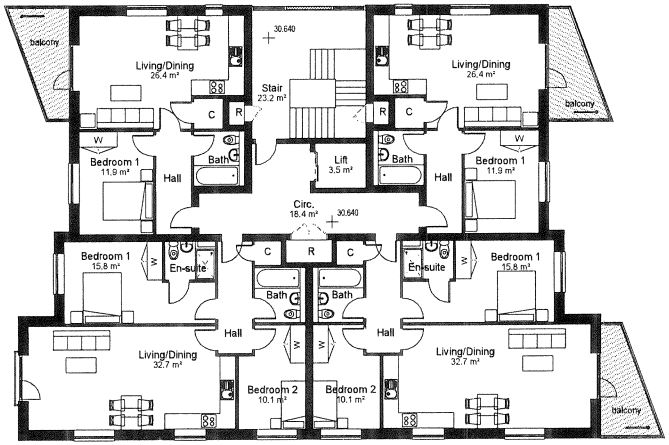
GROUND FLOOR PLAN



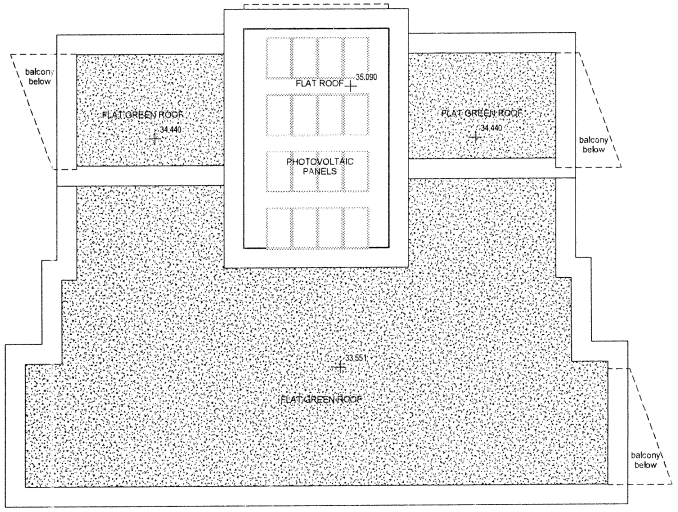
FIRST FLOOR PLAN



SECOND FLOOR PLAN



THIRD FLOOR PLAN



ROOF FLOOR PLAN

BUILDING F - FLOOR PLANS

Medina Sites - Shirley Avenue - Windsor

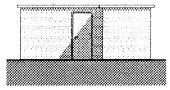
April 2016 5174 - 1250 C

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS

0m 2m 4m 6m 8m 10m

SCALE 1:100 @ A1

Bin & Cycle Store A - South Elevation
1 : 100



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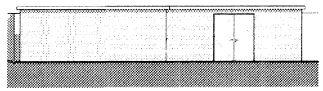
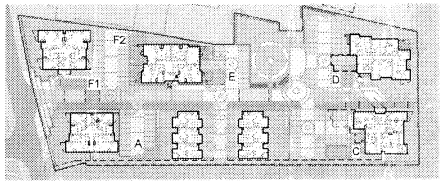


Bin & Cycle Store A - North Elevation
1 : 100

Bin & Cycle Store A - East Elevation
1 : 100



Bin and Cycle Store Key Plan
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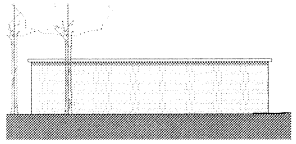
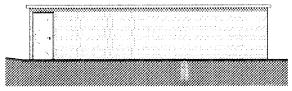


Cycle Store C - South Elevation
1 : 100

Cycle Store C - West Elevation
1 : 100



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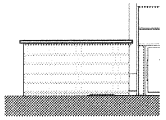
1 : 100

Cycle Store C - East Elevation
1 : 100



Bin & Cycle Store D - South Elevation
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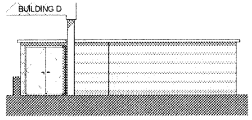

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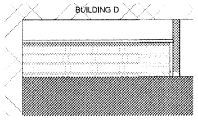

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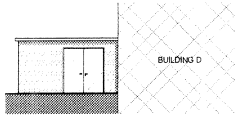

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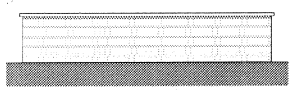
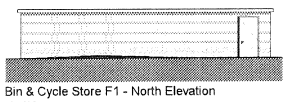
1 : 100



Bin & Cycle Store F1 - South Elevation
1 : 100

Bin & Cycle Store F1 - West
1 : 100



Bin & Cycle Store F1 - North Elevation
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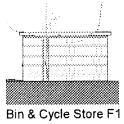

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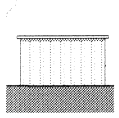

Bin Store E - South Elevation
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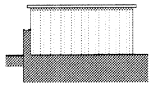

Bin Store E - West Elevation
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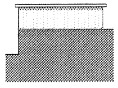

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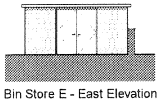
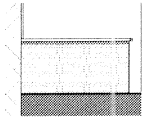
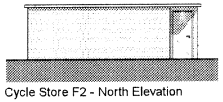


Bin Store E - East Elevation
1 : 100



Cycle Store F2 - East Elevation
1 : 100



Cycle Store F2 - North Elevation
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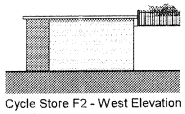

Cycle Store F2 - West Elevation
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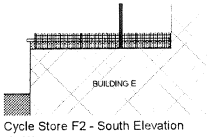


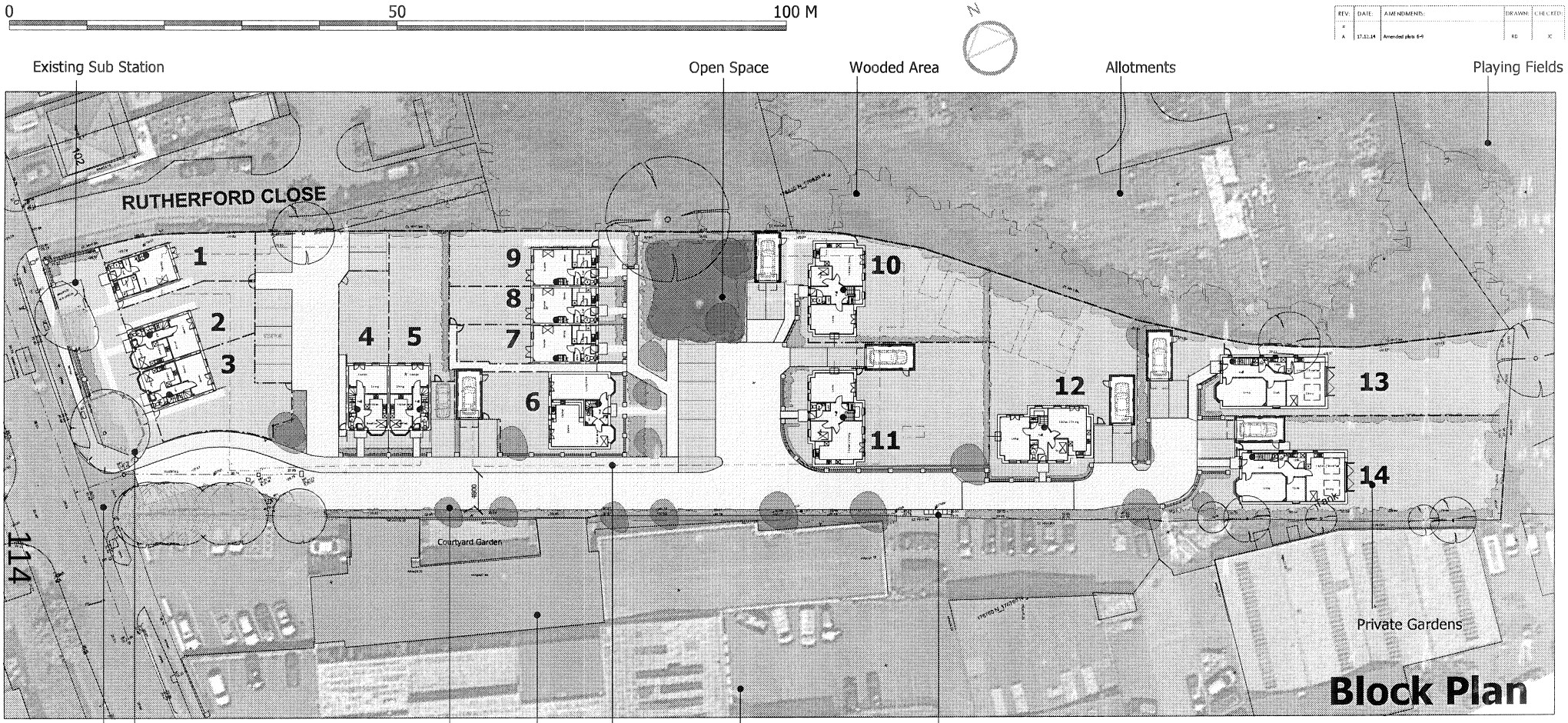
Cycle Store F2 - South Elevation
1 : 100

BIN AND CYCLE STORE - ELEVATIONS

Medina Sites - Shirley Avenue - Windsor

April 2016 5174 1309 B

EDGINGTON SPINK • HYNE CHARTERED ARCHITECTS



REV.	DATE	AMENDMENTS	DRAWN	CHECKED
-				
A	17.12.14	Amended plots 6-9	RD	JC

Schedule of Accommodation		
	No. of units	Parking per unit
2 bed houses	4	2 allocated/driveway
3 bed houses	4	2 driveway
4 bed houses	6	3 garage + driveway
Total	14	34 + 1 visitor space

CLIENT:
Vale Property Developments Ltd

PROJECT:
Vale House
Windsor

DRAWING:
Block Plan

SCALE: 1:500 @ A3 DWG NO: 1429 P 102

DATE: Sept '14 REV: A

Approved layout for Vale House site
14/02975/FULL

APPENDIX C.

PRO VISION
PLANNING & DESIGN
Grosvenor Court, Winchester Road, Ampfield, Winchester, Hants. SO51 9BD
Tel: 01794 368 698 Fax: 01794 368 637
10 West Mills Yard, Fennel Road, Newbury. RG14 5LP
Tel: 01635 40184

20 July 2016 **Item:** 4

Application No.:	16/01031/FULL
Location:	Windsor Girls School Imperial Road Windsor SL4 3RT
Proposal:	Single storey infill extension, two storey front extension, demolition and relocation of bin store and cycle shelter, amendments to fenestration, cladding of reception block, reconfiguration of parking and associated landscaping
Applicant:	Miss Derczynska
Agent:	Mr Simon McNabb - McBains Cooper
Parish/Ward:	Clewer East Ward

If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk

1. SUMMARY

1.1 There are no objections to the principle of the proposed works. The design and scale of the proposed extensions are considered to be in keeping with the existing building and the impact on the street scene would be acceptable.

1.2 There are no highway objections to the proposal subject to the inclusion of the conditions listed in section 9 of this report. (conditions 6,7 and 8).

1.3 There are no concerns over the impact to important on or off site trees subject to the inclusion of the suggested conditions listed in section 9 of this report.(conditions 3,4 and 5).

1.4 The information submitted does not sufficiently set out how surface water will be managed and there is no evidence to back up the statement in the application form that the development does not increase flood risk to the surrounding area. The applicant is planning to submit additional information and as such it is recommended that the panel defer and delegate the application to allow for officers to resolves these issues.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission on the submission of a satisfactory flood risk assessment and the provision of the information requested by the lead local flood authority with the conditions listed in section 9 of this report and suitably worded conditions to ensure the development is undertaken in accordance with flooding and drainage information.
2.	To refuse planning permission if the information requested by the lead local flood authority is not provided by the 1st August and found to be acceptable.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site is located on the corner of Imperial Road and Longbourn. The school consists of a cluster of buildings dating back to the 1970's and is surrounded by green space and deciduous trees. The site is located to close to two tree preservation areas (one to the south and one to the north) and there are a number of mature trees along the Imperial Road frontage. These trees are considered to form an important part of the character of the area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
02/82901/FULL	Erection of single storey and two storey side extensions and single storey front and rear extensions.	Permitted 06.02.2003
04/85500/FULL	Erection of a 2 storey infill extension	Permitted 07.03.2005
12/00152/FULL	Construction of a sports hall with attached single storey facilities building and plant equipment	Permitted 30.03.2012

4.1 The proposal is for a number of extensions and alterations to the Windsor Girls school, including; the demolition of the existing single storey dining/catering block and the erection of a 2 storey teaching block in its place and a new single storey front extension between the assembly hall and plant building. Works are also proposed to the visitor/staff entrance block, including re-cladding the front in timber and the addition of a new aluminium entrance sign. The car parking on site will be increased to 83 spaces by increasing both the existing hardstanding and grasscrete parking areas. This requires the removal of 2 B category and 3 C category trees. It is also proposed to landscape the approach to the pupil entrance; however, no further details have been submitted at this time.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections; 4. Promoting sustainable transport, 7. Requiring good design and 10. Meeting the challenge of climate change, flooding and coastal change.

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees
DG1	P4, T5, T7	N6

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Sustainable Design and Construction view at: http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i Character and appearance

ii Highway safety

iii Trees/landscaping; and

iv Flooding/drainage

Character and appearance

6.2 The school buildings have no particularly strong architectural merit, however, do have a clear style. The proposed extensions are predominantly to the front of the site and therefore not only impact on the character of the host building but also on the street scene. It is considered that the design and materials proposed respect the existing character of the building and as such would not harm the character of the street scene.

Highway safety

6.3 Imperial Road forms part of the B3173, a primary distributor road within the Borough which is considered to be a strategically important route as it is a main link from the M4 to Legoland/Ascot and beyond. On average it carries around 17,000 vehicles per day rising to in excess of 18,000 at certain times of the year. Vehicular access to Windsor Girls School is off Longbourn which has a priority junction with Imperial Road. Both roads have 30mph speed restriction. There are two accesses to Windsor Girls School which operate an in/out arrangement. Pedestrian access is also available by the out access. This arrangement will be unchanged.

6.4 The total number of staff is 99 comprising 42 full time and 57 part time staff. The school currently provides 66 parking spaces and the increase to the 83 spaces being proposed. There are no current parking issues at the site as there is the potential to park within the access roads, however, the additional parking spaces are welcomed and will allow the school to manage parking on site more efficiently. A loading/delivery area is also to be provided away from the proposed parking area.

6.5 It is stated within the school travel plan that only 1% of pupil's cycle which equates to 7.2-8 spaces rounded. There also needs to be adequate cycle provision for staff and out of hour's activities. Therefore the existing level of 20 spaces is considered acceptable. However this needs to be monitored among pupils and staff, it is recommended that this is secured in an updated travel plan (see condition 8 in section 9 of this report). Numbers of students walking to school is of a reasonably high level.

6.6 The increased parking will produce additional vehicle movements at the site; however, it is likely that these vehicles would have been travelling within the local highway network and as such is unlikely to cause highway safety issues.

6.7 There are no objections on highway grounds subject to the conditions 6, 7 and 8 suggested in section 9 of this report.

Trees/landscaping

6.8 The submitted arboricultural report and tree protection plan are considered sufficient. 2 B category trees and 3 C category trees are being removed from the front of the school to make room for the extended parking area and 2 U category trees are also to be removed from around the site boundary. It is not considered that the loss of these trees will negatively impact on the character of the area due to the high number of trees already on site. In addition landscaping is proposed around the pupil entrance at the front of the school, however, details of this have not yet been submitted. Subject to conditions 3,4 and 5 suggested in section 9 below the impact on important trees is considered to be acceptable.

Flooding/drainage

6.9 At the time of writing this report there are outstanding drainage issues. The application submitted does not contain details of how the surface water will be managed and there is no evidence to back up the statement that the development does not increase flood risk to the surrounding area. Comments are also yet to be received by the Environment Agency. Additional information has therefore been requested on a number of issues and this information is currently being awaited. It is recommended that the application be deferred and the decision delegated to allow the for the Borough Planning Manager to either approve or refuse the application depending on whether satisfactory drainage information is submitted.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

97 occupiers were notified directly of the application.
The planning officer posted notice advertising the application at the site on 8th April 2016.
No comments were received.

Other Consultees

Consultee	Comment	Officer response
Highway Officer	There are no highway objections subject to the inclusion of conditions relating to; a construction management plan, vehicle parking and turning space and cycle storage.	The suggested conditions have been included. See conditions 6,7 and 8 in section 9 below.
Arboricultural Officer	Recommends approval subject to conditions relating to; Tree Protection, Tree Retention/Replacement and a Landscaping Scheme.	The suggested conditions have been included. See conditions 3, 4 and 5 in section 9 below.
Lead Local Flood Authority	The application submitted does not contain any details of how the surface water will be managed and there is no evidence to back up the statement in the application forms that the development does not increase flood risk to the surrounding area. Until further information is submitted, I recommend that the application is not approved on surface water drainage areas.	See section 6.10 of this report.
Environment Agency	Comments awaited.	See section 6.10 of this report.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing and proposed floor plans
- Appendix C – Existing and proposed elevations

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS 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 shall take place until specifications of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1

3 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars (arboricultural report by Martin Dobson Associated dated 1 June 2016 including the tree protection plan forming Appendix MD4) before any equipment, machinery or materials are brought on to 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. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

4 No tree or hedgerow shown to be retained in the approved plans (arboricultural report by Martin Dobson Associated dated 1 June 2016 including the tree protection plan forming Appendix MD4) shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with these approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.

5 No development shall take place until full details of both hard and soft landscape works (principally new tree planting), have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as thatoriginally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.

6 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

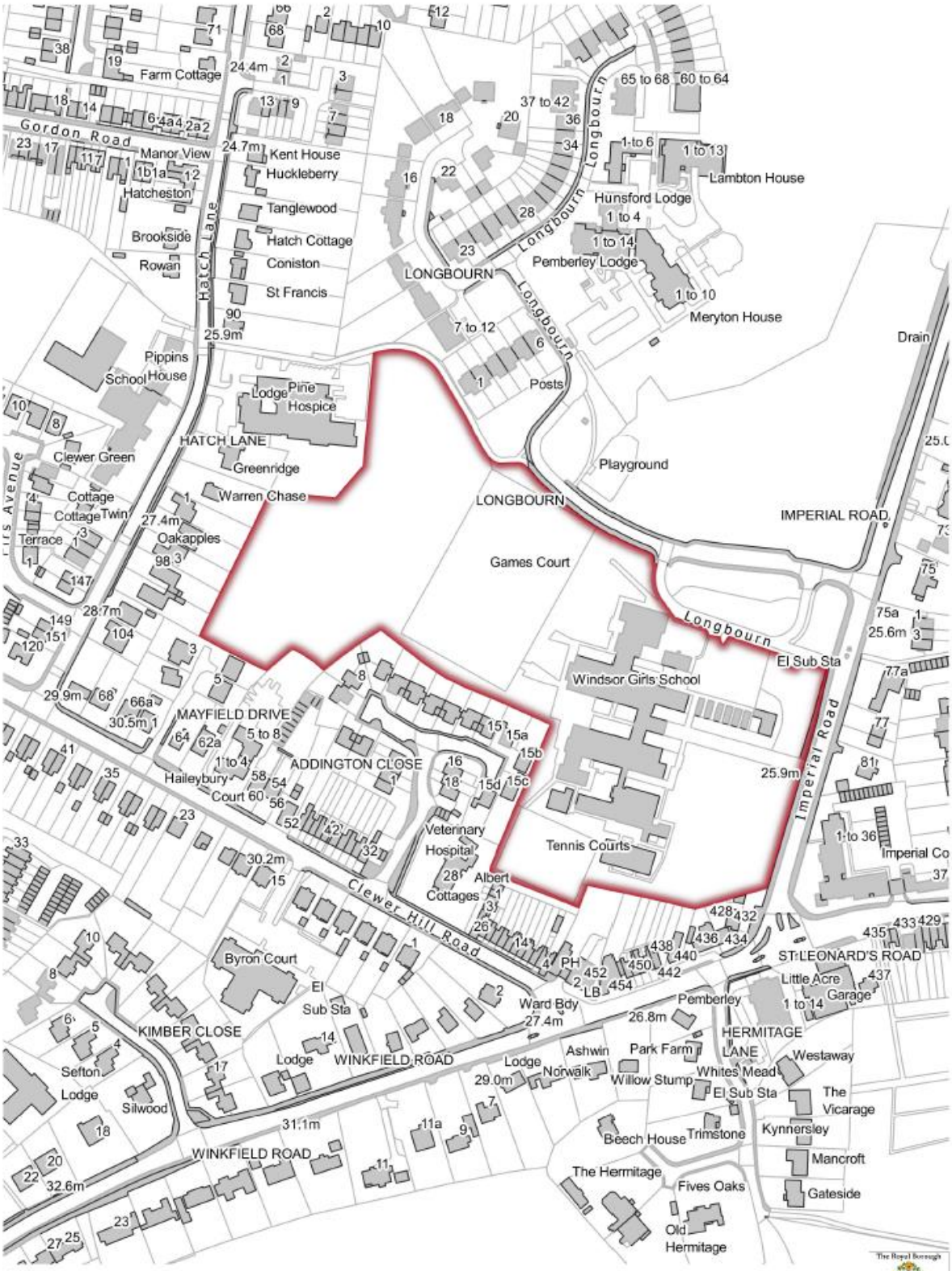
7 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

8 20 covered, safe and secure cycle parking spaces shall be retained as a minimum. These spaces should be reflected within an updated travel plan which shall be submitted to and

approved in writing by the Local Planning Authority within 6 months of the date of this permission. The plan shall be implemented in accordance with the approved details and this level of cycle provision needs to be reassessed each year as part of the School Travel Plan requirements to ensure its adequacy.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.

9 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.

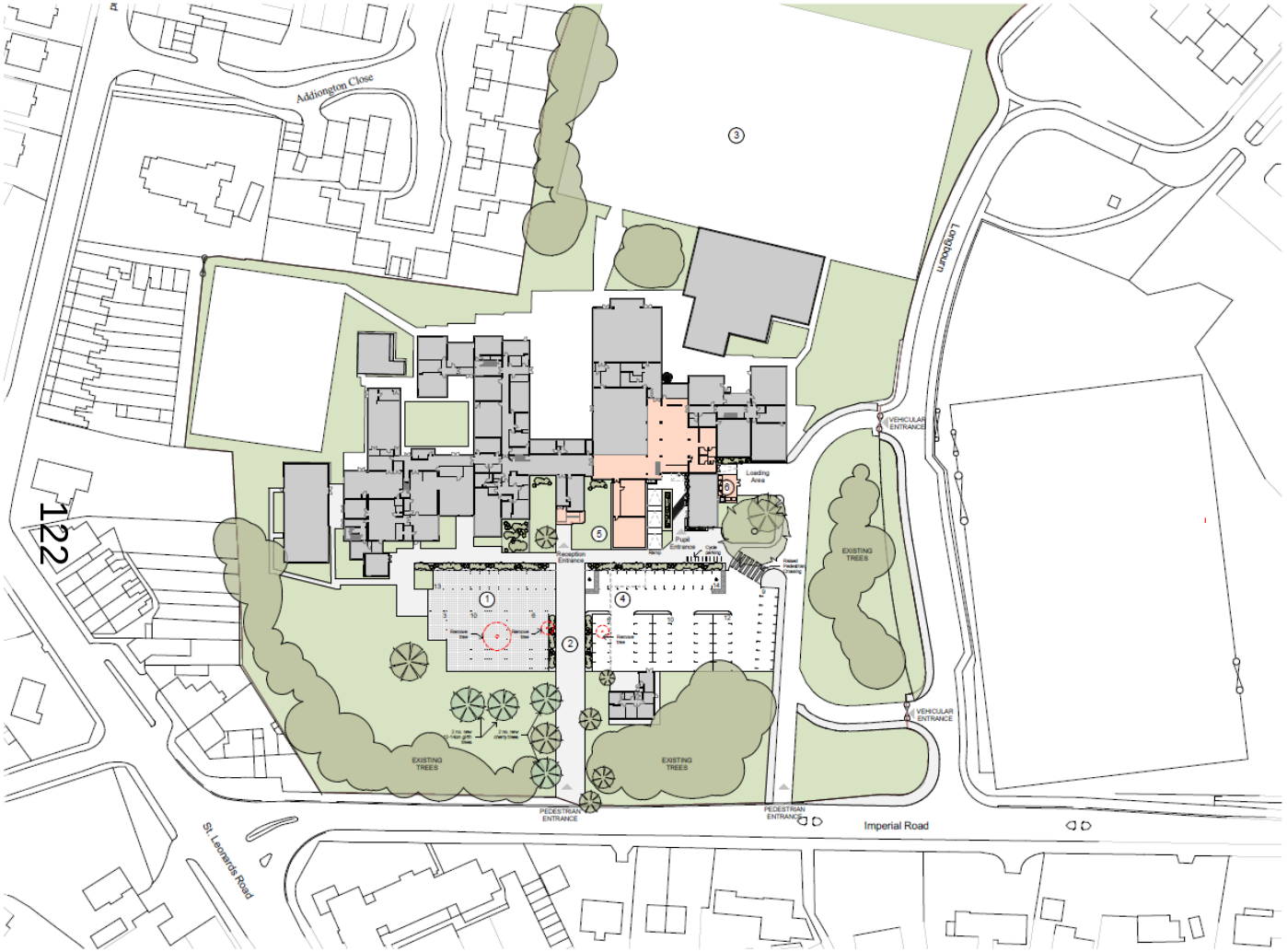
Appendix A – Site location plan



Scale @ A4 1:2,500

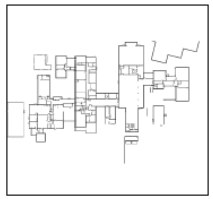
Windsor & Maidenhead

Proposed site plan



1 **PROPOSED SITE PLAN**
1 : 500

SCALE 1:100



KEY PLAN

KEY

1. GRASSCRETE PARKING AREA EXTENDED TO ACCOMODATE OVERFLOW PARKING
2. PROPOSED TREES AND SHRUBS
3. RESURFACE ASTROTURF PITCHES
4. EXISTING SINGLE STOREY BRICK STORE AND WALL TO BE DEMOLISHED. REFUSE AND BICYCLE STORE TO BE RELOCATED. REMOVE AND REPLACE HARDSTANDING AND WHITE LINE PARKING SPACES
5. SINGLE STOREY CANTEEN AND DINING BLOCK TO BE DEMOLISHED AND REPLACE WITH 2 STOREY TEACHING BLOCK
6. RELOCATED REFUSE AND BICYCLE STORE

- SITE BOUNDARY LINE
- NOT IN WORKS
- PROPOSED WORKS
- TO BE DEMOLISHED
- EXISTING TREES
- NEW TREE
- TREE TO BE REMOVED

REV	AMENDMENT	DATE	CHKD
P 4	Issued for comment	11.05.2016	SMN
P 3	Issued For Planning	22-03-2016	SMN
P 2	Issued For Comment	15-03-2016	SMN
P 1	Issued For Comment	26-02-2016	SMN

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CLIENT
ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

PROJECT
WINDSOR GIRLS' SCHOOL
IMPERIAL ROAD, WINDSOR, BERKSHIRE
SL4 3RT

DRAWING TITLE
SITE PLAN
PROPOSED

ARCHITECTURE

DATE CHARTED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	SMN	MB	As indicated@ A1	

DRAWING / DOCUMENT REFERENCE										STATUS
5881SA	WGS	MBC	XX	SI	DR	A	00204	DS	P 4

MBC No.	PROJECT NUM.	ORIGINATOR	ZONE	LEVEL	TYPE	ROLE PLAN	NUMBER	REVISION

Appendix B – Existing and proposed floor plans

Existing ground floor

Proposed ground floor

Existing first floor

KEY PLAN

1 **EXISTING FIRST FLOOR PLAN**
1 : 100

SCALE 1:100

REV	AMENDMENT	DATE	CHKD
P 4	Issued For Planning	22-03-2016	SMN
P 3	Issued For Comment	10-03-2016	SMN
P 2	Issued For Comment	26-02-2016	SMN
P 1	Issued For Comment	11-02-2016	SMN

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PROJECT
WINDSOR GIRLS' SCHOOL
IMPERIAL ROAD, WINDSOR, BERKSHIRE
SL4 3RT

DRAWING TITLE
FIRST FLOOR
EXISTING PLAN

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	SMN	MB	As indicated@ A1	

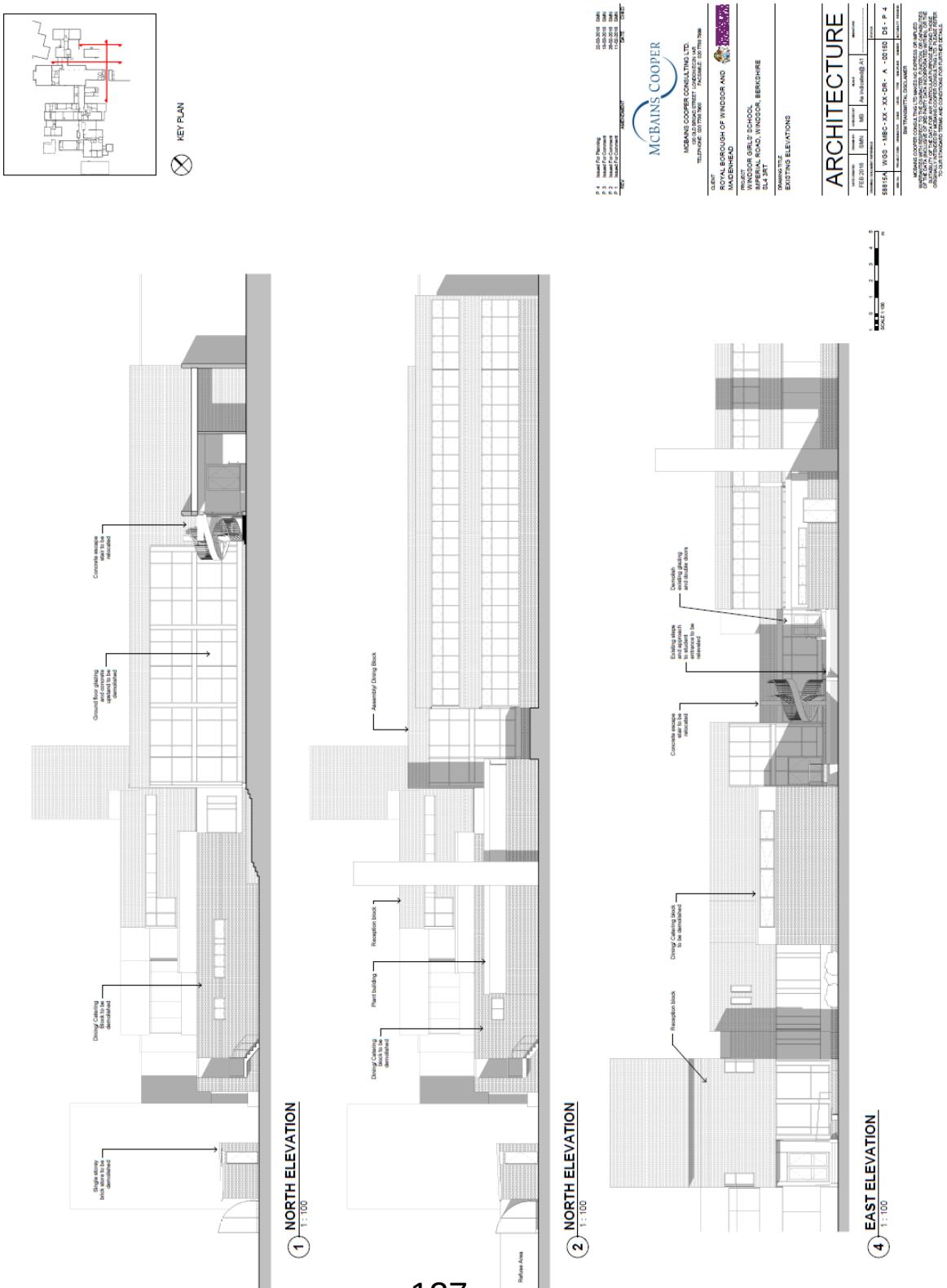
DRAWING / DOCUMENT REFERENCE				STATUS
5881SA	WGS - MBC - XX - 01 - DR - A - 00100			DS - P 4
XREF No.	PROJECT ORIGINATOR ZONE LEVEL TYPE DISCIPLINE NUMBER			ACTIVITY REVISION

BIM TRANSMITTAL DISCLAIMER

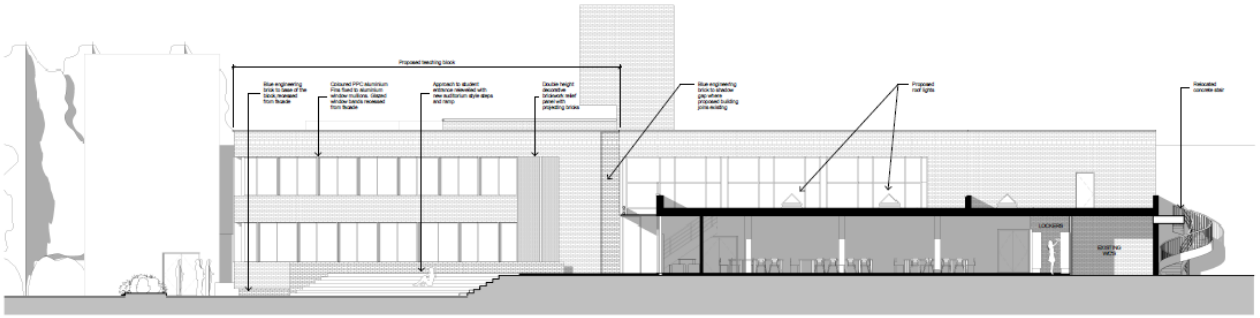
Proposed first floor

Appendix C – Existing and proposed elevations

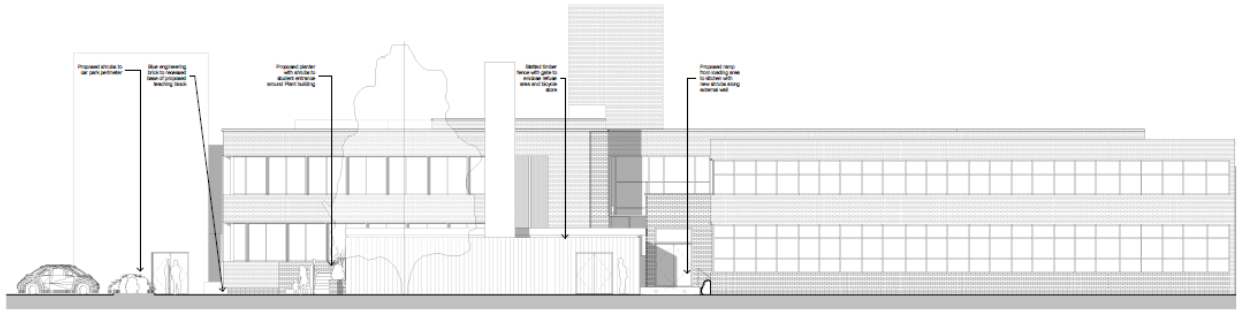
Existing north and east elevations



Proposed north elevation



1 NORTH ELEVATION
1 : 100



2 NORTH ELEVATION
1 : 100

KEY PLAN

SCALE 1:100

REV	AMENDMENT	DATE	CHKD
P 4	Issued For Planning	22-03-2016	SMN
P 3	Issued For Comment	18-03-2016	SMN
P 2	Issued For Comment	26-02-2016	SMN
P 1	Issued For Comment	11-02-2016	SMN

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ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

PROJECT
WINDSOR GIRLS' SCHOOL
IMPERIAL ROAD, WINDSOR, BERKSHIRE
SL4 3RT

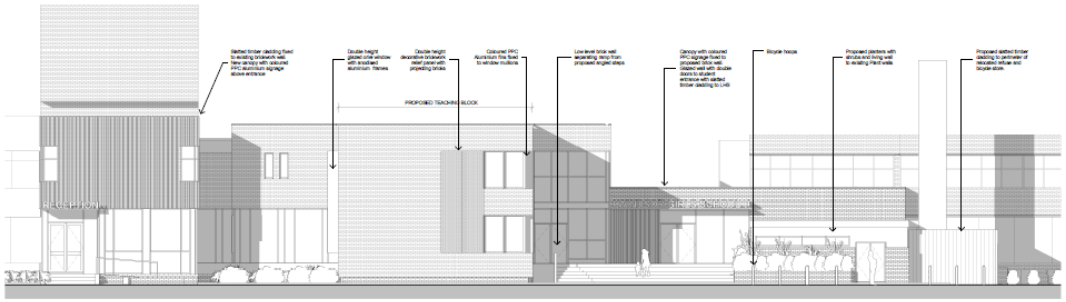
DRAWING TITLE
PROPOSED ELEVATIONS

ARCHITECTURE

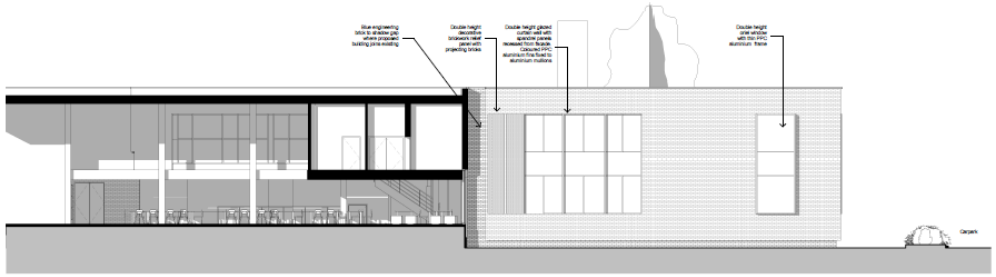
DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	SMN	MB	As indicated@ A1	

DRAWING / DOCUMENT REFERENCE	STATUS
5881SA WGG - MBC - XX - XX - DR - A - 00170	DS - P 4

BIM TRANSMITTAL DISCLAIMER



1 **EAST ELEVATION**
1 : 100



2 **SOUTH ELEVATION**
1 : 100

KEY PLAN

SCALE 1:100

P 2	Issued For Planning	22-03-2016	SMN
P 1	Issued For Comment	15-03-2016	SMN
REV	AMENDMENT	DATE	CHKD

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CLIENT
ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

PROJECT
WINDSOR GIRLS' SCHOOL
IMPERIAL ROAD, WINDSOR, BERKSHIRE
SL4 3RT

DRAWING TITLE
PROPOSED ELEVATIONS

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	SMN	MB	As indicated@ A1	

DRAWING / DOCUMENT REFERENCE		STATUS
5881SA	WGS - MBC - XX - XX - DR - A - 00171	DS - P 2

MBC NO.	PROJECT NUM.	ORIGINATOR	ZONE	LEVEL	TYPE	DISCIPLINE	NUMBER	AUTHORITY	REVISION

BIM TRANSMITTAL DISCLAIMER

20 July 2016 **Item:** 5

Application No.:	16/01033/FULL
Location:	The Windsor Boys School Maidenhead Road Windsor SL4 5EH
Proposal:	Sheltered enclosure to 6th Form fire escape, extension to main visitor entrance and single storey infill extension to dining hall. Single storey extension to changing rooms and alterations to first floor fenestration of proposed staff room. New security fence with gate at staff entrance with associated minor landscaping works.
Applicant:	Miss Derczynska
Agent:	Mr Simon McNabb
Parish/Ward:	Castle Without Ward

If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk

1. SUMMARY

1.1 The proposal is for a number of extensions to the Windsor Boys school, including; extensions to the sixth form and visitor entrances, a single storey extension to the changing rooms and a new security fence and gate at the staff entrance.

1.2 There are no objections to the principle of these works. The design and scale of the proposed extensions are considered to be in keeping with the existing building and the impact on the street scene would be acceptable.

1.3 There are no highway objections to the proposal subject to the inclusion of the conditions listed in section 9 of this report. (conditions 5,6,7 and 8).

1.4 There are no concerns over the impact to important on or off site trees subject to the inclusion of the conditions listed in section 9 of this report.

1.5 The information submitted does not sufficiently set out how surface water will be managed and there is no evidence to back up the statement in the application form that the development does not increase flood risk to the surrounding area. The applicant has been asked to submit additional information and as such it is recommended that the panel defer and delegate the application to allow for the Borough Planning Manager to resolve these issues.

1.6 The site is located within flood zone 3; however, at the time of writing this report no flood risk assessment has been submitted. The applicant intends to submit a flood risk assessment (FRA) and as such it is recommended that the application is deferred and delegated to allow for the Borough Planning Manager to either approve or refuse the application following the receipt of the FRA or to refuse the application should an FRA not be forthcoming by 1st August 2016.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission on the submission of a satisfactory flood risk assessment and the provision of the information requested by the lead local flood authority with the conditions listed in section 9 of this report and suitably worded conditions to ensure the development is undertaken in accordance with flooding and drainage information.
2.	To refuse planning permission if a satisfactory flood risk assessment is not submitted and/or if the information requested by the lead local flood authority is not provided by the 1st August 2016.

2. REASON FOR PANEL DETERMINATION

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

Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site is located on the corner of Maidenhead Road and Vansittart Road. The Maidenhead Road is in very close proximity to the Windsor relief road (A355/A332) which links to junction 6 of the M4 motorway providing links to London and Reading. The School site is a mixture of green playing fields, an artificial sports pitch and car parking. The School is situated within the Thames Flood Plain. The School has pedestrian access either from the Maidenhead Road or Vansittart Road. The main vehicular access to the site is on Vansittart Road which leads to the School's reception and Car Parking. Vehicular access is also provided off Maidenhead Road. It is proposed that this access is re established for staff and visitors only.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
93/01683/FULL	Construction of a synthetic grass sports pitch surrounded by a 3 metre high fence and eight 16 metre high floodlighting columns.	Permitted 07.03.1994
03/83233/FULL	Erection of an extension to provide new sixth form accommodation and performing arts block.	Permitted 27.02.2003
04/85266/FULL	Erection of two storey external lift enclosure.	Permitted 23.06.2004
10/00148/FULL	Single storey extension within an existing courtyard.	Permitted 22.03.2010

4.1 **The proposal**

The development involves development across the site to improve the current accommodation which is listed below.

A. 6th Form Entrance

It is proposed that the existing fire escape stair from the 6th Form Centre is refurbished and semi enclosed to create an entrance, giving the 6th Form a public presence from Maidenhead Road. A slatted timber box with slim line roof would surround the staircase allowing natural light and ventilation into the student entrance as well as concealing the existing ductwork. The proposed enclosure is approximately 4.9 metres tall and 2.7 metres wide and includes Aluminium signage to the roof.

B. Staff/Visitor Entrance

The scheme proposes to relocate the schools administration, Head Master and reception to the old building facing Maidenhead Road. A contemporary single storey annex is proposed to the school entrance facing Maidenhead Road. This simple contemporary box is clad in slatted timber and glazing with a thin profiled metal roof which cantilevers out from the box, creating a canopy above the entrance. The entrance is approximately 13.8 metres wide (not including the roof overhang) and 3.6 metres tall. Aluminium signage is proposed and the roof would match the sixth form block.

C. Hall extension

The existing hall (located within the middle of the school) will be extended to provide approximately an additional 125sqm of dining space, primarily for 6th form pupils. The extension will consist of a contemporary, single storey, glass box with lightweight roof. The extension is an infill extension and would not be visible from public vantage points.

D. Changing room extension

The proposed single storey extension of the changing facility (located to the west of block 2 in the middle of the school) will provide approximately an additional 66sqm. The single storey extension will be faced with similar brickwork as the adjoining building, with a number of recessed windows, replicating the surrounding fenestration. The proposed extension is approximately 3.7 metres tall.

E. Other works

The proposal also involves the introduction of a new 1.8 metre tall metal security fence and gate at the staff and sixth form entrances as well as minor associated landscaping works.

5 MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections; 4. Promoting sustainable transport, 7. Requiring good design and 10. Meeting the challenge of climate change, flooding and coastal change.

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees	Flooding
DG1	P4, T5	N6	F1

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Sustainable Design and Construction - view at: http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i Character and appearance;

ii Highway safety

iii Trees/landscaping; and

iv Flooding/drainage

Character and appearance

6.2 The school buildings are not listed, nor is the site located within a conservation area. The buildings are of a high design standard (particularly on the Maidenhead Road side) and contribute positively to the surrounding area. The proposed extensions to the main and sixth form entrances are to be finished predominantly in contemporary materials such as timber, glass, and metal. The designs of these extensions along the Maidenhead Road elevation are also more

contemporary. The choice of design and materials allows for a clear distinction between the old and new and whilst the extensions contrast with the historic fabric of the school, the high quality of the design ensures they do not detract. The extension to the existing hall would also to be finished predominantly with glazing, it is not considered that this would detract form the existing buildings. This element would also not be visible form public vantage points and would not therefore impact on the street scene. The changing room alterations read more as an extension to the school rather than a new addition like the sixth form and main entrance and as such it is proposed to be finished in matching brickwork. This is considered to be an acceptable approach for this element. There are no objections to the designs and materials proposed, however, it is recommended that samples of the materials are secured prior to commencement to ensure that they are of a high standard. See suggested condition number 2 in section 9 below.

Highway Safety

6.3 The short section of Maidenhead Road changing to Arthur Road at the junction with Vansittart Road is a classified unnumbered highway. It is considered to be strategically an important route as it forms a main link from the A332 (M4) link into central Windsor. Maidenhead Road is heavily trafficked with traffic counts of over 10,000 vehicles per day (December 2012). It is quite likely that spring/summer and autumn numbers will be higher given the levels of tourism in Windsor. The existing points of access onto Maidenhead Road are to be maintained with the two accesses available for visitor parking between the hours of 9am and 2:45pm. The 1st eastern access is to become an entry only access and the 2nd western access is to become an exit only access. No entry and exit signs are proposed to be installed as appropriate. It was understood that as the revised frontage is to be used as the primary 6th form's access a separate pedestrian gate was to be included. This does not appear to have been done therefore it will need to be covered by condition. See suggested condition Number 6 in section 9 below.

6.4 The existing vehicular and cycle parking areas are to remain and 9 new spaces (1 disabled) are proposed by the Maidenhead Road entrance. There are no objections on parking grounds. It is also considered unlikely that the proposals would have a material effect on vehicle trips to/from the school.

6.5 The school travel plans is being assessed by the Boroughs Road Safety Officer & School Travel Plans Co-ordinator. A new travel plan should be secured by condition which incorporates the proposed alterations to the Maidenhead Road accesses. See condition number 7 in section 9 below.

Trees/landscaping

6.6 The submitted arboricultural report and tree protection plan are considered sufficient. Subject to conditions 3 and 4 suggested in section 9 below the impact on important trees is considered to be acceptable.

Flooding/Drainage

6.7 The proposed development passes the sequential test as there is no other secondary school location in Windsor (for boys) for this development to go. However, at the time of writing this report there are outstanding drainage issues. The application submitted does not contain details of how the surface water will be managed and there is no evidence to back up the statement that the development does not increase flood risk to the surrounding area. No flood risk assessment has also been submitted and comments are yet to be received from the Environment Agency. Additional information has therefore been requested on a number of issues. It is recommended that the panel defers and delegates the decision on the application to allow the Borough Planning Manager to either approve or refuse the application depending on whether satisfactory flooding and drainage information is submitted.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

98 occupiers were notified directly of the application.
The planning officer posted a notice advertising the application at the site on 21st April 2016. No comments were received.

Statutory Consultees

Consultee	Comment	Officer response
Highways Officer	There will be no highways objections to the proposals as presented subject to the inclusion conditions relating to signage for accesses onto Maidenhead Road, pedestrian access from Maidenhead Road, parking provision, an updated travel plan and a construction management plan.	The suggested conditions have been included. See conditions 5 to 8 in section 9 below.
Arboricultural Officer	Recommends approval subject to conditions relating to tree protection and tree retention/replacement.	The suggested conditions have been included. See conditions 3 and 4 in section 9 below.
Lead Local Flood Authority	The application submitted does not contain any details of how the surface water will be managed and there is no evidence to back up the statement in the application form that the development does not increase flood risk to the surrounding area. Until further information is submitted, I recommend that the application is not approved on surface water drainage areas.	See section 6.7 of this report.
Environment Agency	Comments awaited	See section 6.7

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing and proposed floor plans
- Appendix C – Existing and proposed elevations

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS 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 shall take place until a specification of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1

3 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars (arboricultural report by Martin Dobson Associated dated 31 March 2016 including the tree protection plan forming Appendix MD4) before any equipment, machinery or materials are brought on to 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. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

4 No tree or hedgerow shown to be retained in the approved plans (arboricultural report by Martin Dobson Associated dated 31 March 2016 including the tree protection plan forming Appendix MD4) shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with these approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.

5 Prior to their erection details of the signage for both accesses onto Maidenhead Road shall be submitted and approved in writing by the local planning authority. The signage shall be implemented and maintained in accordance with these details.
Reason: In the interest of highway safety. Relevant Policies - Local Plan, T5

6 A pedestrian entrance is required along the Maidenhead Road frontage to ensure that the 6th form students can enter and exit the site when the vehicular access gates are locked. Details of how this pedestrian access will be provided should be submitted to and approved in writing prior to the commencement of works or demolition on site.
Reason: In the interest of highway safety. Relevant Policies - Local Plan, T5

7 An updated school travel plan which incorporates the restricted access times for the Maidenhead Road accesses shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this permission. The plan shall be implemented in accordance with the approved details.
Reason: In the interests of the free flow of traffic and conditions of highway and pedestrian safety in the area. Relevant Policies Local Plan T5

8 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

9 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.

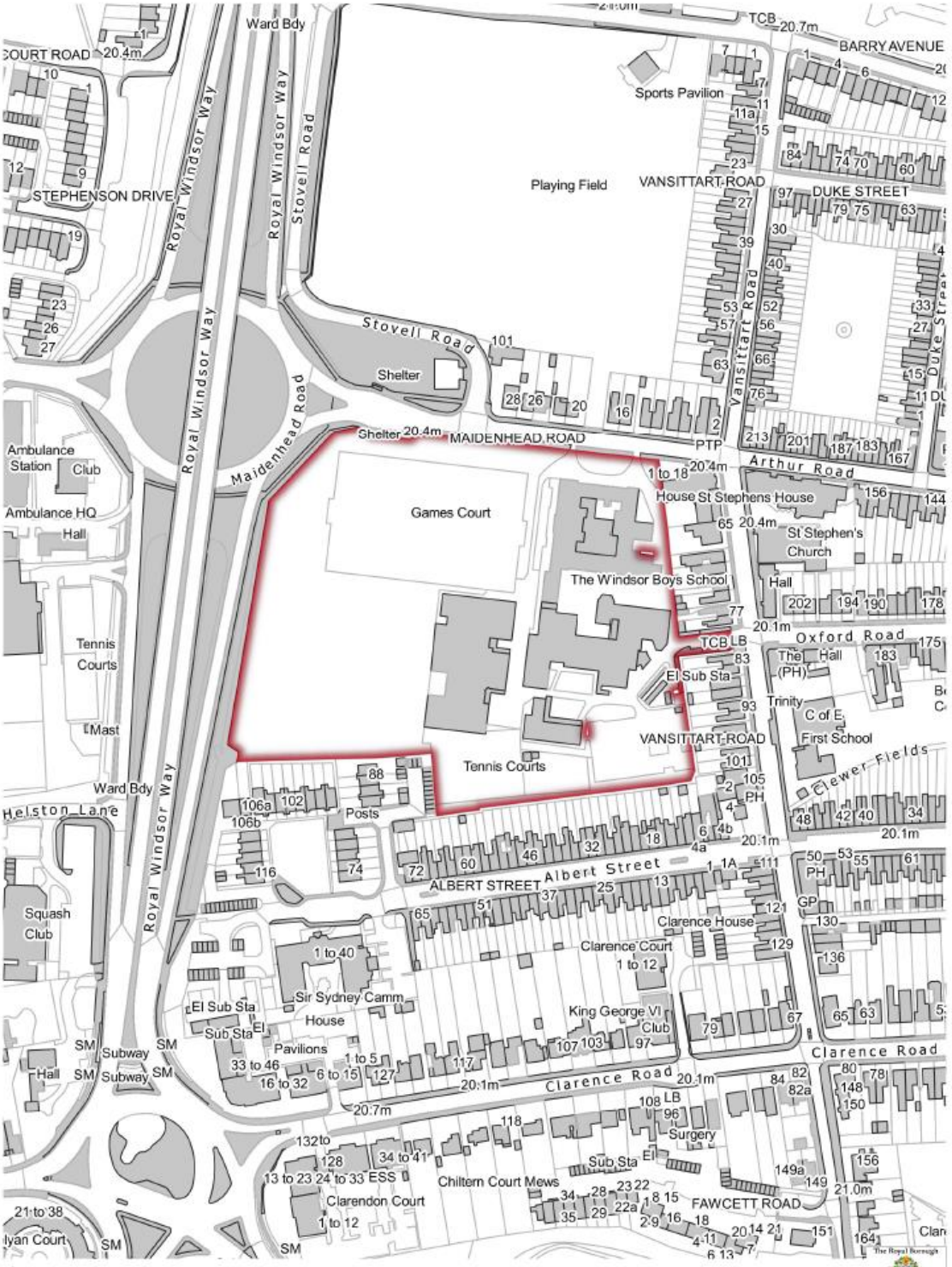
Informatives

1 The 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.

2 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.

3 The applicant is advised that any proposed new signage may require advertisement consent.

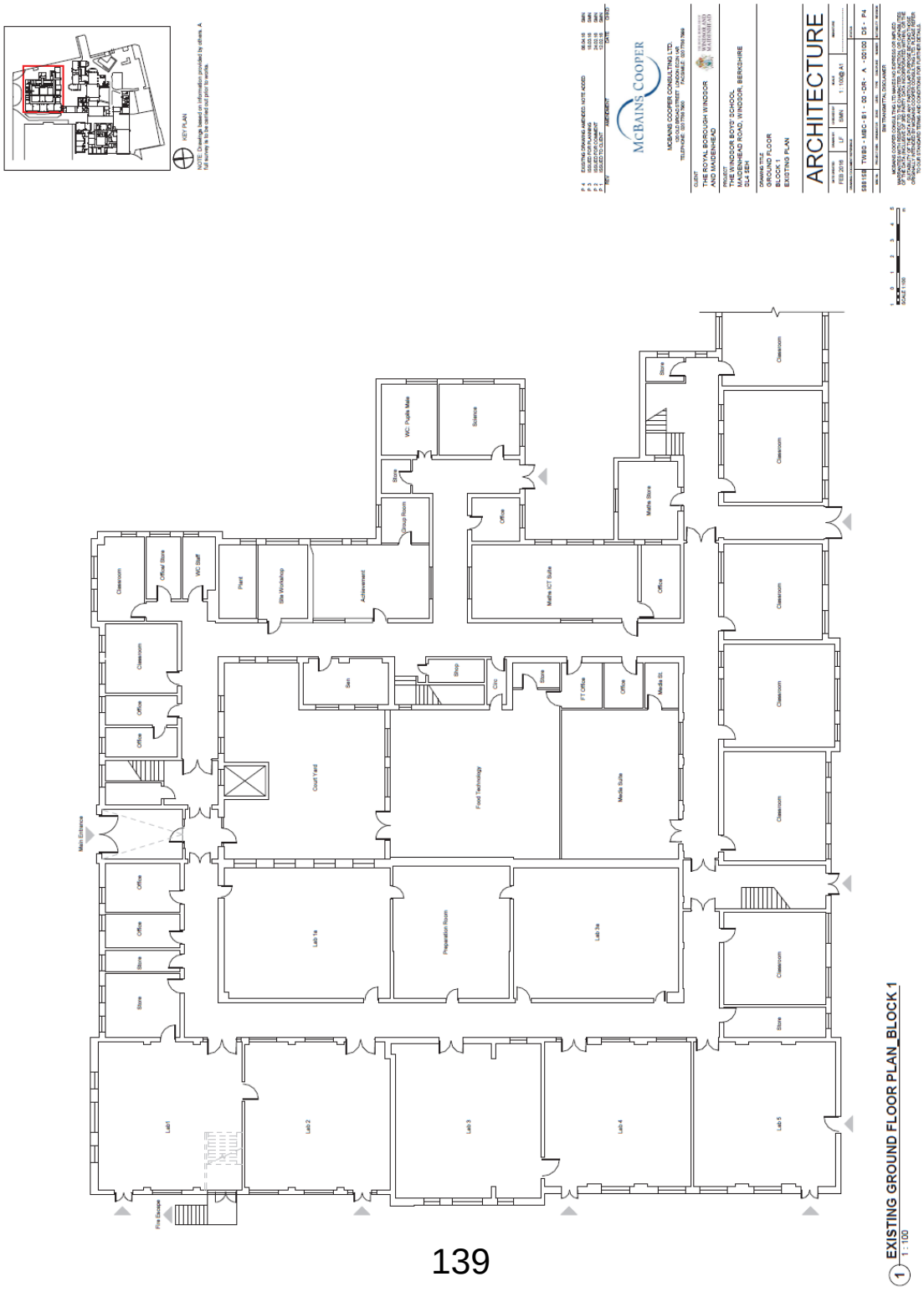
Appendix A – Site location plan



Proposed site plan

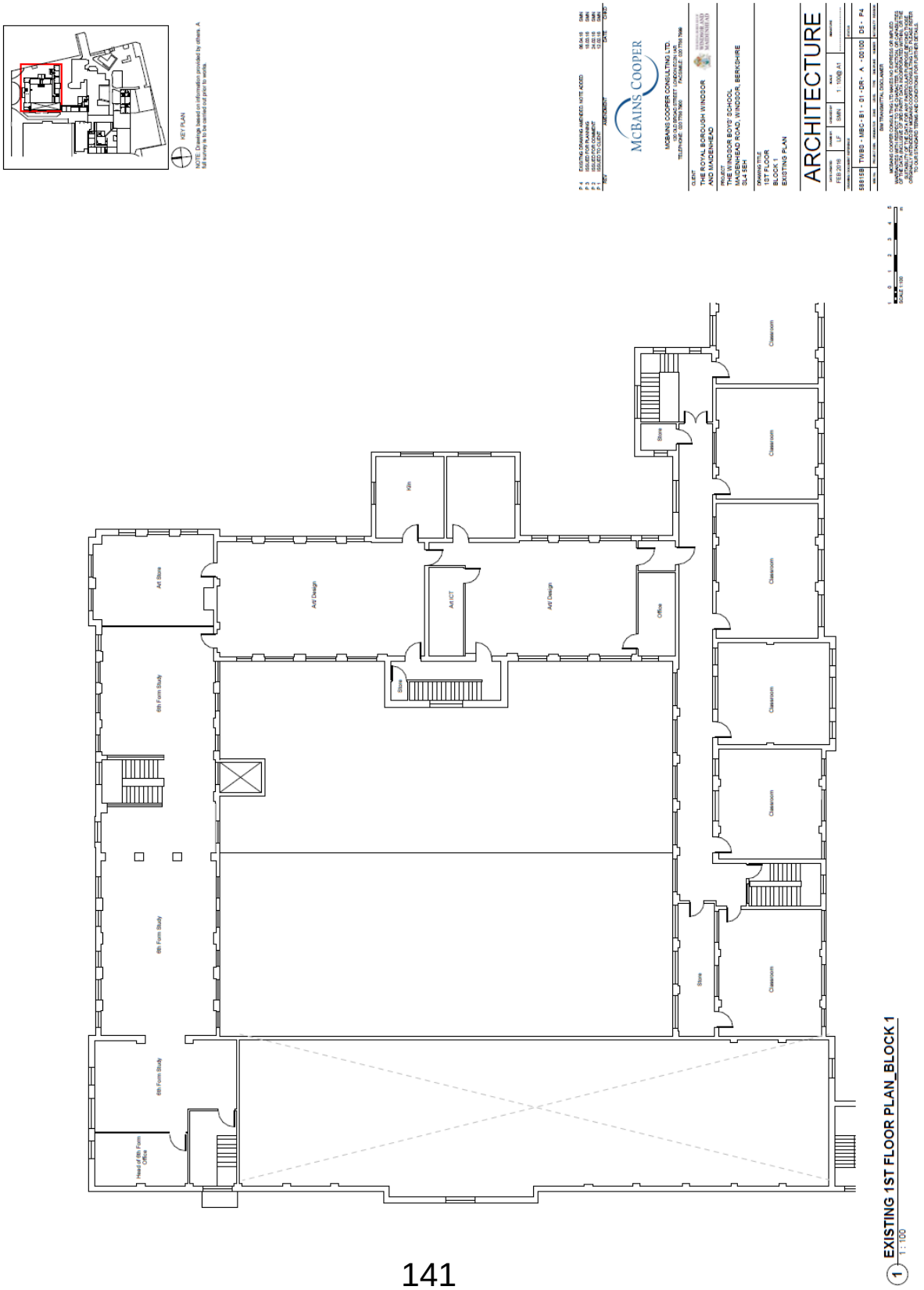
Appendix B – Existing and proposed floor plans

Existing ground floor – Block 1



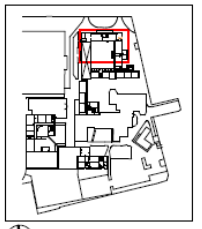
Proposed ground floor - Block 1

Existing first floor – Block 1



Proposed first floor – Block 1

142



KEY PLAN

NOTE: Drawings based on information provided by others. A full survey is to be carried out prior to works.

LEGEND

To be demolished

Not in scope

P 5	EXISTING WINDOW AMENDED	06.04.16	SMN
P 4	EXISTING FENESTRATION AMENDED. NOTE ADDED	07.04.16	SMN
P 3	ISSUED FOR PLANNING	18.03.16	SMN
P 2	ISSUED FOR COMMENT	24.02.16	SMN
P 1	ISSUED TO CLIENT	12.02.16	SMN
REV	AMENDMENT	DATE	CHKD

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CLIENT
THE ROYAL BOROUGH WINDSOR AND MAIDENHEAD

PROJECT
THE WINDSOR BOYS' SCHOOL
MAIDENHEAD ROAD, WINDSOR, BERKSHIRE
SL4 5EH

DRAWING TITLE
1ST FLOOR
BLOCK 1
PROPOSED PLAN

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

DRAWING / DOCUMENT REFERENCE	STATUS
5981SB TWBG - MBC - B1 - 01 - DR - A - 00120	DS - PS

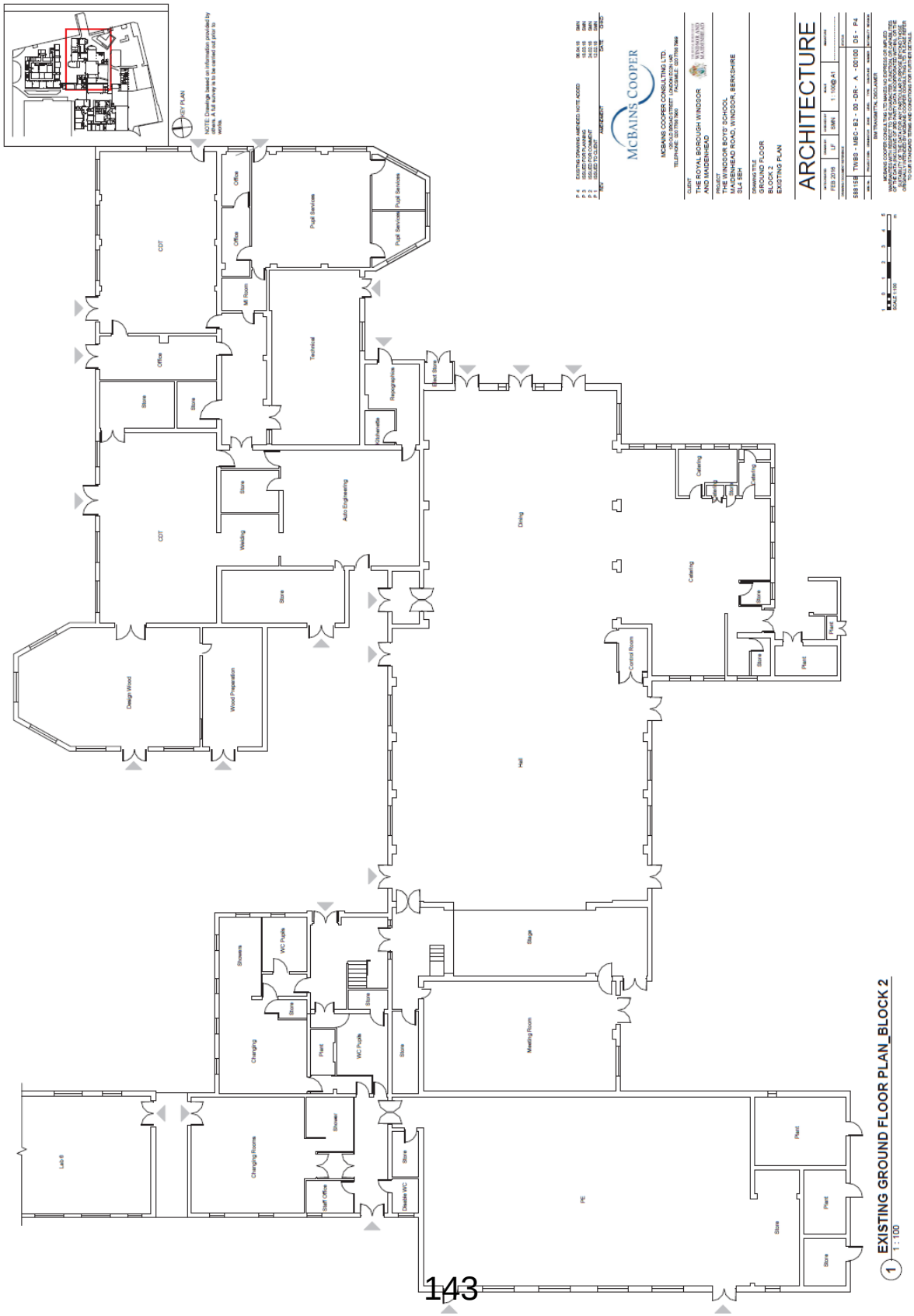
DOC. No.	PROJECT ORIG.	ORIGINATOR	ZONE	LEVEL	TYPE	SUB-FILE	NUMBER	AUTHORITY	REVISION

BIM TRANSMITTAL DISCLAIMER

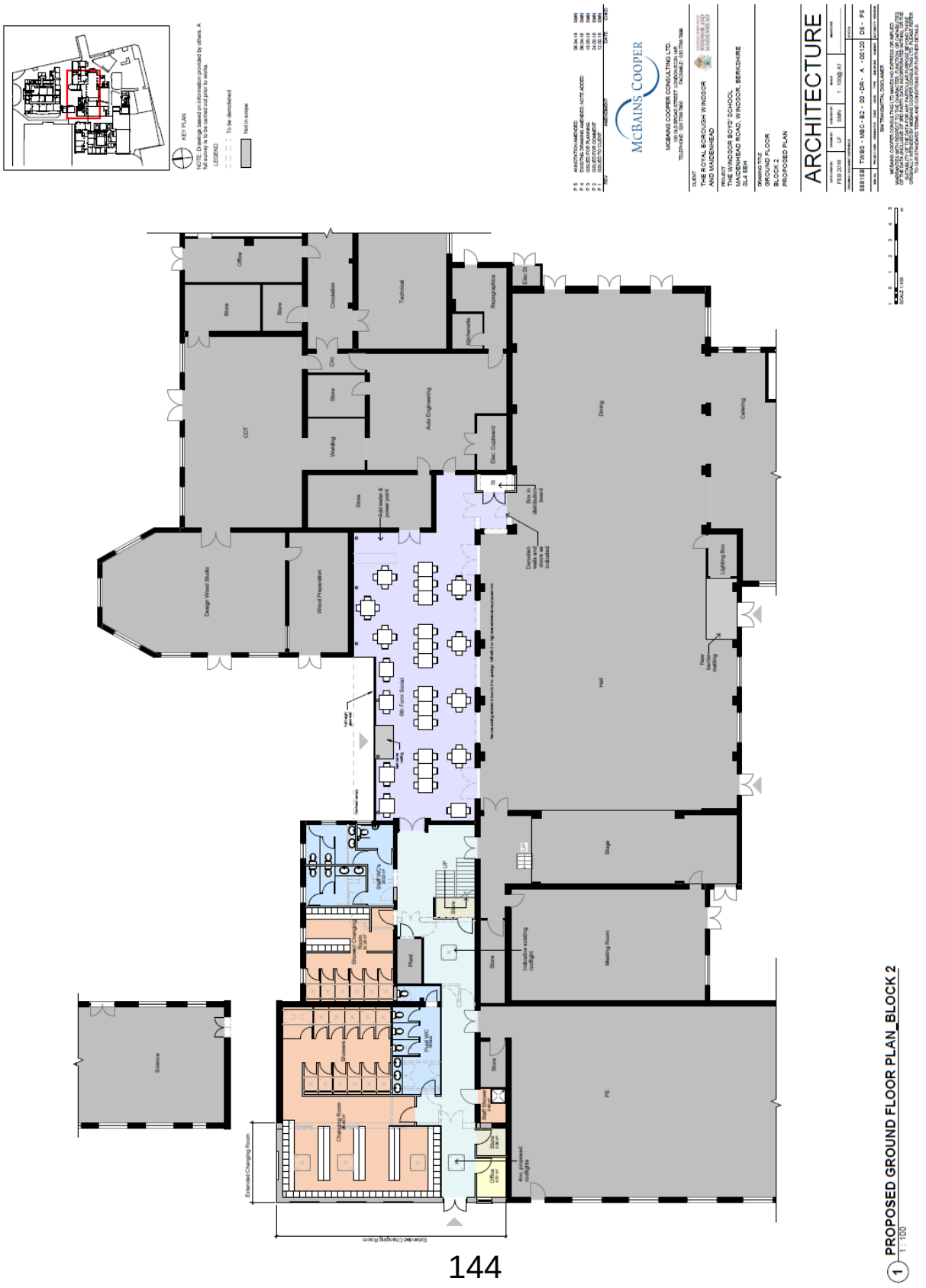
1 PROPOSED 1ST FLOOR PLAN_BLOCK 1
1 : 100

SCALE 1:100

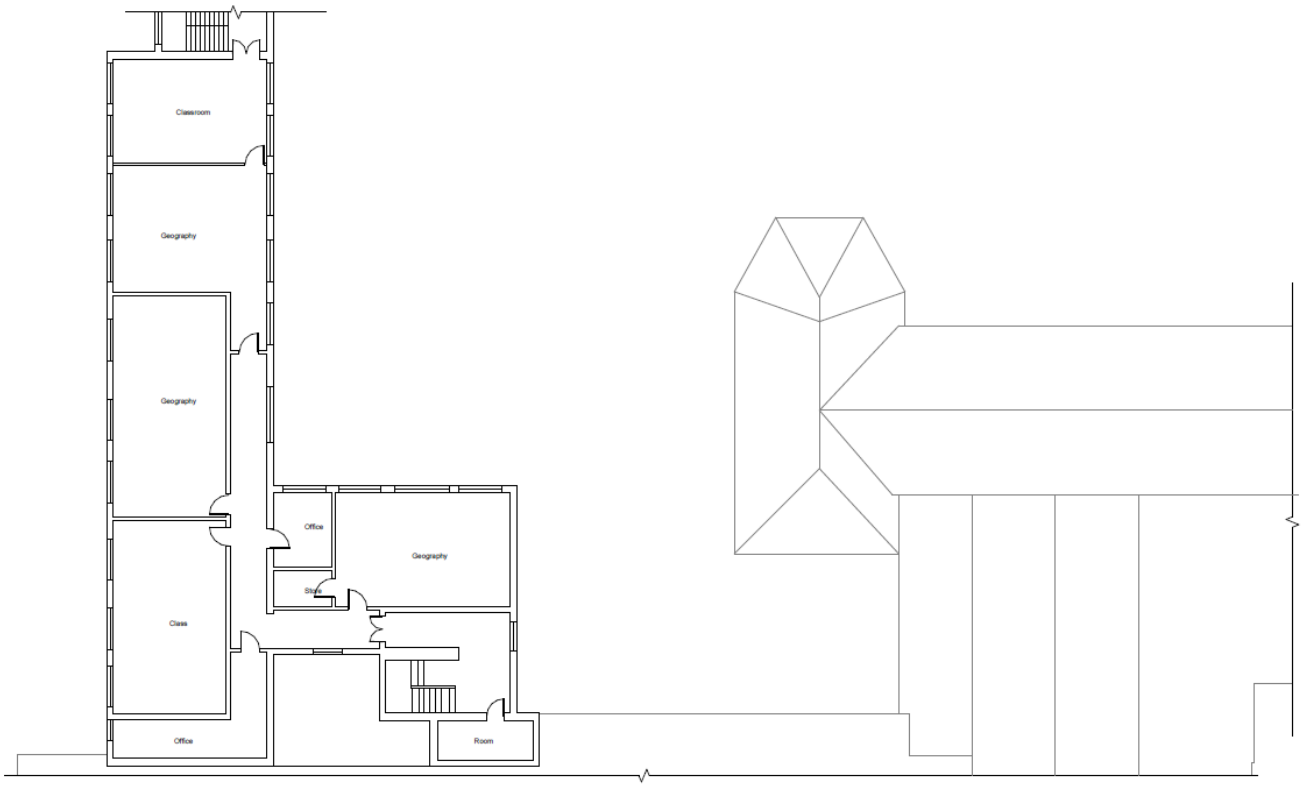
Existing ground floor – Block 2

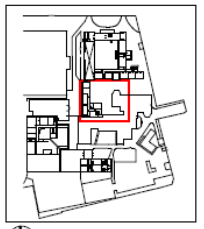


Proposed ground floor – Block 2



Existing first floor – Block 2





KEY PLAN

NOTE: Drawings based on information provided by others. A full survey is to be carried out prior to works.

REV	AMENDMENT	DATE	CHKD
P 4	EXISTING DRAWING AMENDED. NOTE ADDED	06.04.16	SMN
P 3	ISSUED FOR PLANNING	16.03.16	SMN
P 2	ISSUED FOR COMMENT	24.02.16	SMN
P 1	ISSUED TO CLIENT	12.02.16	SMN

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CLIENT
THE ROYAL BOROUGH WINDSOR AND MAIDENHEAD

PROJECT
THE WINDSOR BOYS' SCHOOL
MAIDENHEAD ROAD, WINDSOR, BERKSHIRE
SL4 5EH

DRAWING TITLE
1ST FLOOR
BLOCK 2
EXISTING PLAN

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

DRAWING DOCUMENT REFERENCE: 5881SB TWBS - MBC - B2 - 01 - DR - A - 00100 STATUS: D5 - P4

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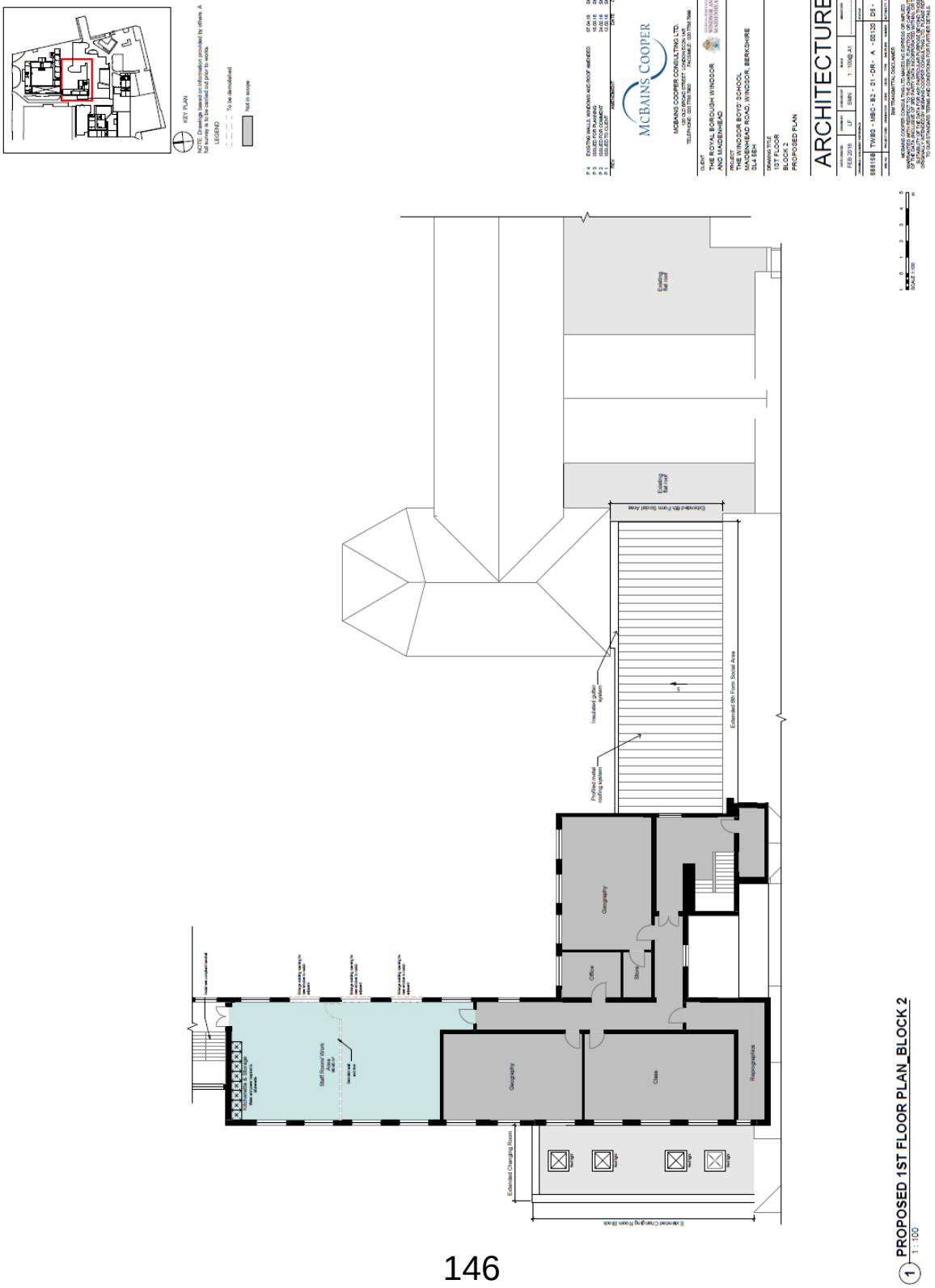
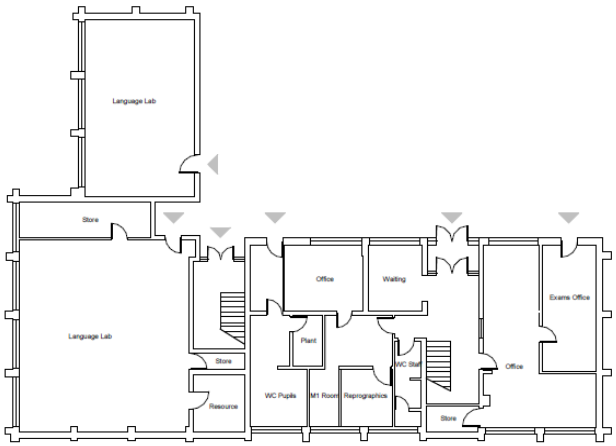
SCALE 1:100

1 EXISTING 1ST FLOOR PLAN_BLOCK 2
1 : 100

Proposed first floor – Block 2



Existing ground and first floor – Block 3



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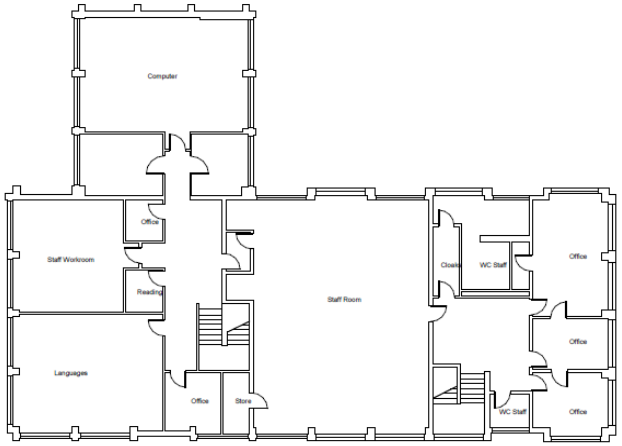
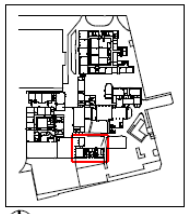
1 : 100



2 EXISTING 1ST FLOOR PLAN_BLOCK 3
1 : 100

SCALE 1:100



KEY PLAN

NOTE: Drawings based on information provided by others. A full survey is to be carried out prior to works.

REV	AMENDMENT	DATE	CHKD
P 2	ISSUED FOR PLANNING	10.03.16	SMN
P 1	ISSUED FOR COMMENT	24.02.16	SMN

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CLIENT
THE ROYAL BOROUGH WINDSOR AND MAIDENHEAD

PROJECT
THE WINDSOR BOYS' SCHOOL
MAIDENHEAD ROAD, WINDSOR, BERKSHIRE
SL4 5EH

DRAWING TITLE
GROUND & 1ST FLOORS
BLOCK 3
EXISTING PLAN

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

DRAWING / DOCUMENT REFERENCE	STATUS
598158 TWBO - MBC - B3 - ZZ - DR - A - 00100	DS - P2

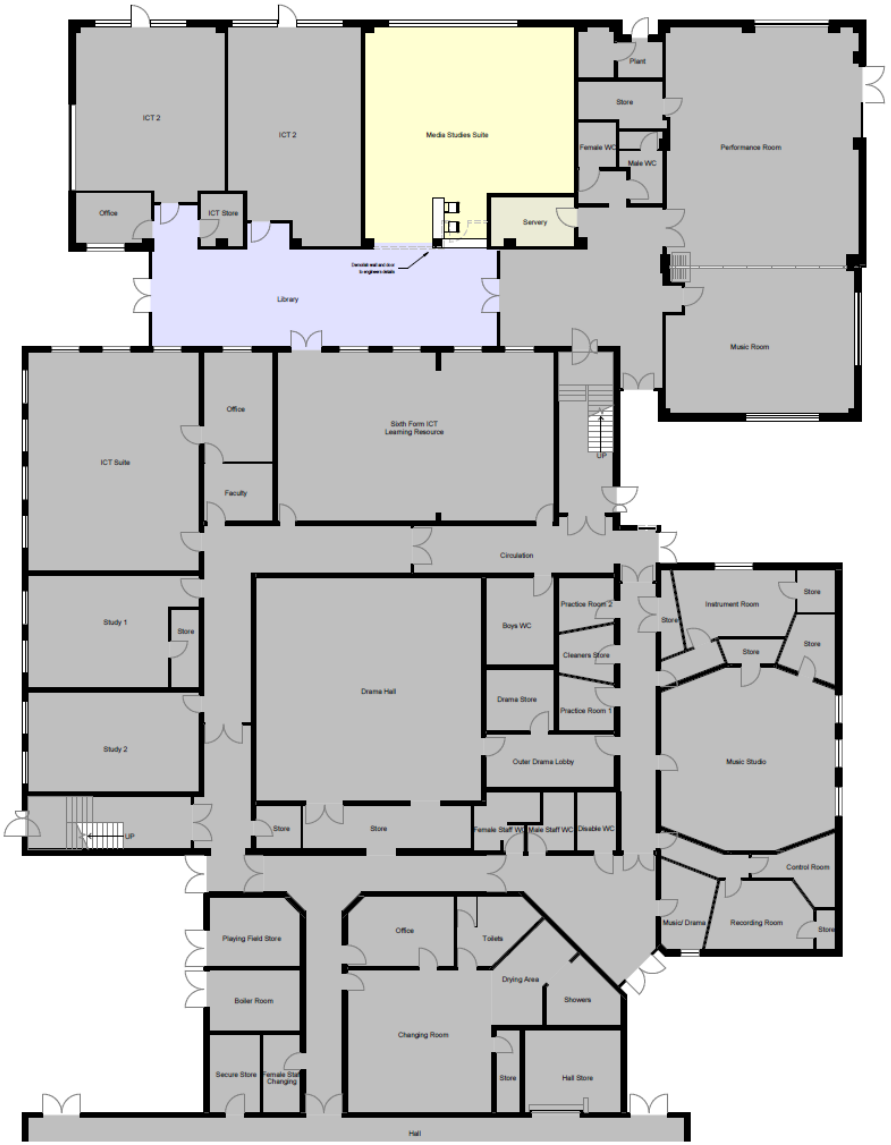
MB No.	PROJECT NUM.	ORIGINATOR	ZONE	LEVEL	TYPE	DISCIPLINE	NUMBER	ACTIVITY	VERSION

BIM TRANSMITTAL DISCLAIMER

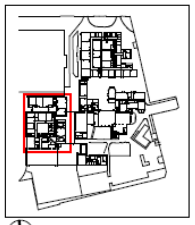
Proposed ground and first floor – Block 3

Existing ground floor – Block 4

Proposed ground floor – Block 4



1 **PROPOSED GROUND FLOOR PLAN_BLOCK 4**
1 : 100



KEY PLAN

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LEGEND

To be demolished

Not in scope

REV	AMENDMENT	DATE	CHKD
P 3	EXISTING FENESTRATION AMENDED. NOTE ADDED	07.04.16	SMN
P 2	ISSUED FOR PLANNING	18.03.16	SMN
P 1	ISSUED FOR COMMENT	24.02.16	SMN

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PROJECT
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MAIDENHEAD ROAD, WINDSOR, BERKSHIRE
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DRAWING TITLE
GROUND FLOOR
BLOCK 4
PROPOSED PLAN

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

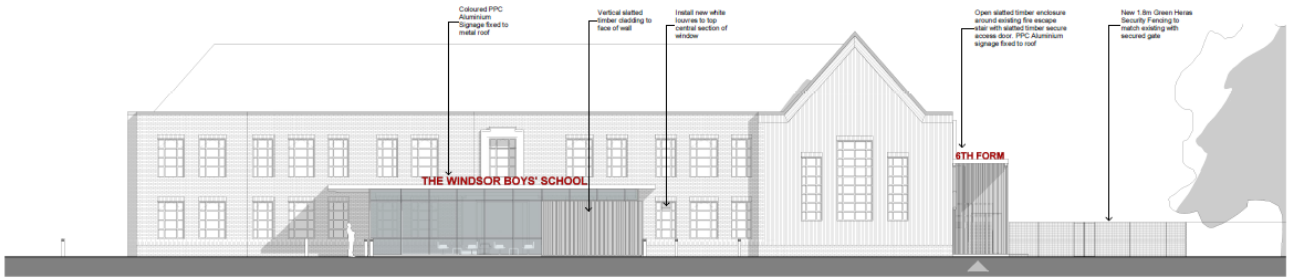
DRAWING / DOCUMENT REFERENCE	STATUS
5881SB TWBS - MBC - B4 - 00 - DR - A - 00120	DS - P3

BIM TRANSMITTAL DISCLAIMER

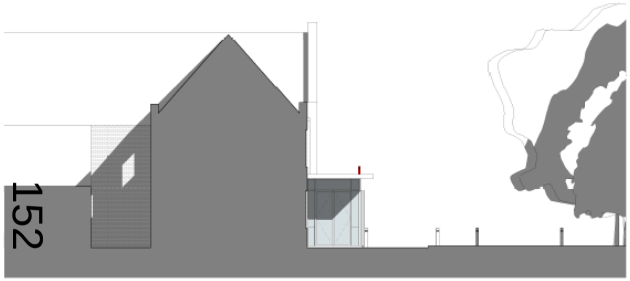
SCALE 1:100

Appendix C – Existing and proposed elevations

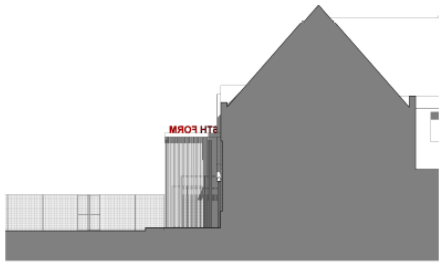
Existing elevations – Block 1



1 PROPOSED NORTH ELEVATION_BLOCK 1
1 : 100

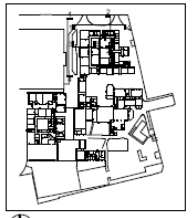


2 PROPOSED EAST ELEVATION_BLOCK 1
1 : 100



3 PROPOSED SOUTH ELEVATION_BLOCK 1
1 : 100

4 PROPOSED WEST ELEVATION_BLOCK 1
1 : 100



KEY PLAN

NOTE: Drawings based on information provided by others. A full survey is to be carried out prior to works.

REV	AMENDMENT	DATE	CHKD
P 5	LOUVRE ADDED TO NORTH ELEVATION WINDOW	01.06.16	SMN
P 4	EAST AND SOUTH ELEVATION ADDED	06.04.16	SMN
P 3	ISSUED FOR PLANNING	18.03.16	SMN
P 2	ISSUED FOR COMMENT	24.02.16	SMN
P 1	ISSUED TO CLIENT	12.02.16	SMN

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PROJECT
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SL4 5EH

DRAWING TITLE
PROPOSED ELEVATIONS
BLOCK 1

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

DRAWING / DOCUMENT REFERENCE													REVISION
5881SB	TWBS	MBC	B1	ZZ	DR	A	00170	D5	P5

BIM TRANSMITTAL DISCLAIMER

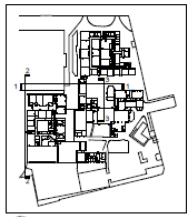
SCALE 1:100

Existing elevations – Block 2

1 EXISTING NORTH ELEVATION_BLOCK 2
1 : 100

2 EXISTING WEST ELEVATION_BLOCK 2
1 : 100

3 EXISTING EAST ELEVATION_BLOCK 2
1 : 100



KEY PLAN

REV	AMENDMENT	DATE	CHKD
P 3	ISSUED FOR COMMENT	10.03.16	SMN
P 2	ISSUED FOR COMMENT	24.02.16	SMN
P 1	ISSUED TO CLIENT	12.02.16	SMN

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PROJECT
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DRAWING TITLE
EXISTING ELEVATIONS
BLOCK 2

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

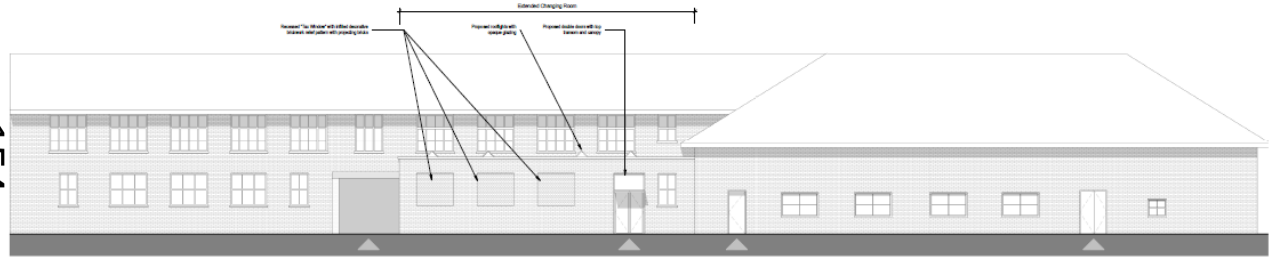
DRAWING / DOCUMENT REFERENCE	STATUS
5881SB TWBS - MBC - B2 - ZZ - DR - A - 00150	D5 - P3

BIM TRANSMITTAL DISCLAIMER

SCALE 1:100

Proposed elevations – Block 2

1 PROPOSED NORTH ELEVATION_BLOCK 2
1 : 100



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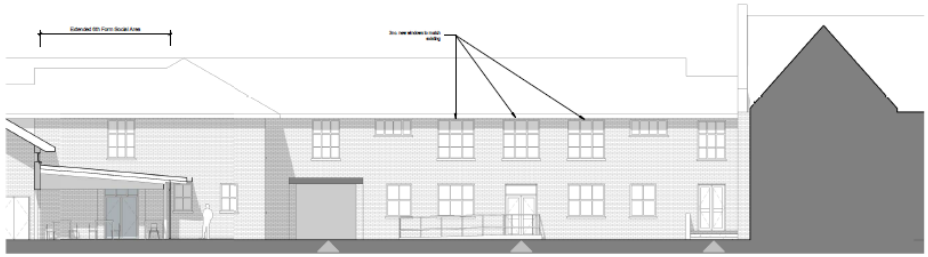
1 : 100



3 PROPOSED EAST ELEVATION_BLOCK 2
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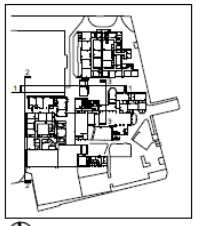

KEY PLAN

NOTE: Drawings based on information provided by others. A full survey is to be carried out prior to works.

REV	AMENDMENT	DATE	CHKD
P 4	ANNOTATION AMENDED AND NOTE ADDED	06.04.16	SMN
P 3	ISSUED FOR PLANNING	18.03.16	SMN
P 2	ISSUED FOR COMMENT	24.02.16	SMN
P 1	ISSUED TO CLIENT	12.02.16	SMN

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PROJECT
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MAIDENHEAD ROAD, WINDSOR, BERKSHIRE
SL4 5EH

DRAWING TITLE
PROPOSED ELEVATIONS
BLOCK 2

ARCHITECTURE

DATE CREATED	DRAWN BY	CHECKED BY	SCALE	SIGNATURE
FEB 2016	LF	SMN	1 : 100@ A1	

DRAWING DOCUMENT REFERENCE	STATUS
5881SB TWBS - MBC - B2 - ZZ - DR - A - 00170	D5 - P4

BIM TRANSMITTAL DISCLAIMER

SCALE 1:100

20 July 2016 **Item:** 6

Application No.:	16/01097/FULL
Location:	109 High Street Eton Windsor SL4 6AN
Proposal:	Single storey rear and two storey side extensions with amendments to fenestration, following the removal of the existing non-original extensions. Part change of use to class C3 (residential)
Applicant:	Mr Shymansky
Agent:	Mr Alex Chapman - Lewandowski Architects Ltd
Parish/Ward:	Eton Town Council

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

Application No:	16/01098/LBC
Location:	109 High Street Eton Windsor SL4 6AN
Proposal:	Single storey rear and two storey side extensions with amendments to fenestration, following the removal of the existing non-original extensions. Part change of use to class C3 (residential)
Applicant:	Mr Shymansky
Agent:	Mr Alex Chapman - Lewandowski Architects Ltd
Parish/Ward:	Eton Town Council

If you have a question about this report, please contact: Rachel Fletcher on 01628 685687 or at rachel.fletcher@rbwm.gov.uk

1. SUMMARY

1.1 This report considers both the full planning and listed building consent applications for this proposal, which is to extend this dwelling at the sides and rear, and provide three flats on the first and second floors of the building in place of two flats. The site is in a Conservation Area and the building itself is Grade 2 listed. The design and layout of the scheme is considered acceptable in this sensitive context.

1.2 The site is in a floodable area, and while a Flood Risk Assessment has been submitted and the Environment Agency has not objected, further information is awaited from the applicant in regard to development in this floodable area and risk to future occupants. This is a sequential test assessment of other available sites at a lower risk of flooding and demonstration that a safe flood escape route can be provided for future the residents. Further information on these points is to be provided in an update report.

1.3 In considering the listed building application, the Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the application has been considered on the basis of the Development Plan, including Local Plan Policy LB2 Local Plan Policies DG1, CA1, CA2, LB2 and the NPPF.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	**To grant planning permission on (i) the satisfactory submission of a sequential test assessment of other available sites at a lower risk of flooding and of a safe flood escape route for future residents; and (ii) completion of an undertaking to secure future residents' car parking restrictions as set out in Section 6 and with the conditions listed in Section 10 of this report.**

2	**To refuse planning permission if a satisfactory sequential test assessment of other available sites at a lower risk of flooding and / or a safe flood escape route for future residents has not been received by 1 August 2016, and / or a completed undertaking to secure the residents car parking restriction have not been provided by 31 August 2016, for the reason that the proposal does not satisfy National Planning Guidance on development in floodable areas, and / or puts future residents at an unacceptable risk from flooding, and or that the development would result in an unacceptable increase in on-street car parking demand.**

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Alexander, because of the degree of public comment and interest in the application.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The application property is a listed building on the western side of the High Street close to its junction with Eton Court. The site forms part of the Eton Conservation Area. The building itself consists of a number of elements dating over several centuries of construction and occupation. Some of these are of significant architectural and historic interest visible both internally and externally, although there also appear to be at least two unauthorised PVC framed replacement windows in the rear and side elevations.

3.2 The ground floor of the building is currently occupied by a photographic studio business and contains reception areas, studios, offices and store rooms. Access to this is from the High Street. The first floor contains offices, a store room used by the photographic studio business and part of an apartment which also occupies part of the second floor. The second floor is in residential use. Both business and residential uses share car parking to the rear.

3.3 The site is within Flood Zones 2 and 3.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposal is to extend the existing building to the side and rear following the demolition of the existing single storey side and rear extensions, which are not considered to be of any historic significance. The extensions would be built on the same footprint as the existing, with the most prominent part of the proposal being the two storey side extensions to replace the existing single storey, while those at the rear would be single storey in height. Internal works are also proposed, re-ordering the existing internal rooms mainly at first and second floor levels but with some minor alterations on the ground floor.

4.2 The proposals will also result in some of the commercial space at first floor level becoming residential accommodation, and with the extensions one additional 2 bed flat would be provided, resulting in one 1-bedroom flat and two 2-bedroom flats / maisonettes over the first and second floors. (The existing accommodation consists of one 1-bedroom flat and one 2-bedroom flats/maisonettes.)

4.3 The majority of the ground floor would remain in business use, with a small portion of the new extension to be utilised as an entrance foyer for the residential accommodation above; first and second floor levels would be occupied solely by residential accommodation, as follows:

- Maisonette 1 will occupy parts of the first floor including parts of both the existing building and the proposed extension, and provide two bedrooms and an open plan living room and kitchen. This apartment also has a terrace which would be located above the proposed single storey rear extension. Two sash windows on the rear elevation would be replaced with double glazed timber sash windows of matching appearance.
- Maisonette 2 would also be spread across parts of both the existing building and new extension, with a new opening proposed in the end gable wall of the original building to provide access between the living room and kitchen. The bathroom will be accessed via an existing window opening which is proposed to be enlarged to become a doorway and the

existing staircase would be retained to provide access to two double bedrooms at second floor level. A new roof light is proposed above this staircase to provide natural light, ventilation and additional headroom.

- Maisonette 3 would be located solely within the existing building and use the existing main staircase to provide access from the living room, kitchen and bathroom at first floor to a second floor bedroom. The existing roof light over the main staircase will be repaired where necessary and retained.

4.4 The property has the following planning history:

Ref.	Description	Decision and Date
97/76026/LBC	Installation of street lighting flood lamp with associated cable and control box to front elevation	Permitted 02.02.1998
15/03655/FULL	Single storey rear, part two storey, part three storey side extensions.	Withdrawn 16.12.2015
15/03657/LBC	Consent for single storey rear, part two storey, part three storey side extensions, Internal and external refurbishments and associated works following demolition of non-original extensions to existing buildings.	Withdrawn 16.12.2015
16/01098/LBC	Consent for single storey rear and two storey side extensions with internal and external refurbishments and associated works following demolition of non-original extensions to existing buildings.	Listed building application being considered alongside this full planning application.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework, Section 2, 4, 6, 7 10, 11 and 12.

Royal Borough Local Plan

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

Within settlement area	High risk of flooding	Conservation Area	Listed Building	Highways, car parking and cycle storage	Area specific policies
DG1, H10, H11	F1	CA2	LB2, LB3	T5, P4, T7	ETN1

Supplementary planning documents

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy F1 - Areas liable to flooding
- Sustainable Design and Construction
- Planning for An Ageing Population

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- RBWM Strategic Flood Risk Assessment
- RBWM Townscape Assessment

View the above guidance at:

http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

- Conservation Area appraisal - view at http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i whether the proposal would harm the special historic or architectural interest, including the setting of, listed buildings, and if there is harm whether there are public benefits that would outweigh that harm;

ii whether the proposal would preserve or enhance the character and appearance of the Eton Conservation Area;

iii other design issues;

iv whether the proposal would, either by itself or cumulatively with other similar proposals, impede the flow of flood water, reduce the capacity of the flood plain to store flood water, or increase the number of people or properties at risk from flooding;

v the impact on the amenities of the neighbouring residents; and

vi the adequacy of parking on the site and the impact on highway safety in the area.

Impact on the historic character and fabric of Listed Buildings

6.2 The Council has had special regard to the desirability of preserving the listed building and their setting, and any features of special architectural or historic interest which they possesses, as required under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the application has been considered on the basis of the Development Plan, including Local Plan Policy LB2 and the NPPF. Paragraph 131 of the NPPF says that when determining applications local authorities should take account of the desirability of sustaining and enhancing heritage assets and putting them to viable uses consistent with their conservation and the desirability of new development making a positive contribution to local character and distinctiveness.

6.3 A significant part of the south-facing flank wall of the original building would be covered up. Whilst the current visibility of the gable elevation is interesting and an attractive feature, covering up the majority of the gable elevation would not reduce the historical significance of the building. As the heritage statement sets out, within the last century this elevation was largely obscured from view because buildings continued along the western side of High Street.

6.4 It is considered that the blend of contemporary and traditional architectural features as a design approach for the side extension is appropriate because it ensures the extension represents the era within which is was constructed and allows the listed building to remain prominent and visually distinct. The quality of finish will be important and can be managed through condition. The proposed use of brick as a traditional material will compliment the listed building.

6.5 Proposed internal alterations to facilitate the new flats are small scale and would retain to a large extent the existing layout of the listed building. Where modifications are to be made they have careful been chosen in locations that have far less significance such as the 19th century rear extensions to the building. A new single doorway through the gable wall of the oldest part of the building to facilitate the flat arrangements is a minor change that would not harm the special interest of the building.

6.6 It is considered that the setting of other important listed buildings including those along High Street would not be compromised. Current views from Jubilee Square area towards Grade II

listed St John's church to the north east would be obscured however it is not considered that this view is an essential part of the significance of the church building, although serendipitous views are an attractive element of a townscape.

6.7 Overall, the proposals retain and repair the important historical fabric of the listed building. It is considered that the proposals would preserve the special interest of 109 High Street and therefore would not cause harm as set out in the NPPF. The quality of the proposal together with some traditional external materials ensures the scheme complies with Local Plan Policy LB2. The public benefits of the continued use of the building for residential use together with much needed repairs to the building are genuine heritage benefits. It is also considered that the proposal would not harm the setting of nearby listed buildings.

Effects on the character and appearance of the Eton Town Centre Conservation Area

6.8 NPPF 126 advises that new development should make a positive contribution to local character and at paragraph 137 that opportunities for new development should be sought in Conservation Areas that enhance or better reveal the significance of the Conservation Area. Where a proposal would cause less than substantial harm NPPF paragraph 134 explains that there should be public benefits from the scheme that outweigh that harm including putting the building to its optimum viable use.

6.9 The design of the side extension is clearly contemporary, and would provide a clear contrast between the old and new buildings at the site. While this differs from the styles of surrounding buildings, the design is of high quality and it is considered that this will preserve the appearance of the Conservation Area by providing an appropriately scaled extension that is "of its time" while also achieving a considerable sympathetic approach to the extension of the building. The more traditional but less visible extensions at the rear are also considered to be acceptable. In arriving at this recommendation special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.10 The proposed extensions are therefore also considered to achieve the aims of paragraph 126, and while some of the historic fabric - part of the side wall at first floor level and (in perspective) the second floor level will be lost in views from surrounding public viewpoints- the restoration and refurbishment of the listed buildings will achieve the aim of paragraph 137. The heritage benefits of the continuing use of the building for largely commercial ground floor with residential above and the repairs to be undertaken to the building constitute heritage benefits and the scheme meets the requirements of NPPF paragraph 134.

Other design issues

6.11 Policy N2 (Setting of the Thames) requires further consideration of design in this specific setting, and Policy DG1 also seek high standards of design in the layout, appearance and landscaping of new development. The Council's consideration of these matters is assisted by the Townscape Assessment (TA), which provides a very detailed assessment of the Borough's townscape areas and characteristics. The TA classifies the area as a Historic Town Core, and while there is an area of post-war flats to the south west this is not visible from public vantage points around the application site.

6.12 The small park at the corner of Eton Court makes an important contribution to the streetscape and the proposed extensions would not diminish the character of that area. The design and access statement explains that it is not anticipated that the building work would disturb the planting in Jubilee Gardens. This area is outside the application site boundary.

6.13 There is also some scope for introducing discreet landscape elements in the rear car parking area, which would further contribute to the setting of the listed building and to the character and

appearance of the Conservation Area. (see condition 4 in section 10 of this report under conditions for application 16/01097/full).

6.14 As noted above however, the overall design is considered to be acceptable in this historic context. It is also satisfies the requirements of policy N2 and DG1 in this respect.

Flooding issues

6.15 The site lies within an area at risk from flooding. Flood Zone 3 is land assessed as having a 1 in 100 or greater annual probability of river flooding (>1% in any given year), and is classified as being at High Risk in flooding terms; Flood Zone 2 is at a moderate risk of flooding. The building itself is in Flood Zone 2, while the land to the rear is in Flood Zone 3. Local Plan Policy F1 provides for residential development within the flood plain only where it can be demonstrated that the proposal would not, either alone or cumulatively with other development, impede the flow of flood water and increase the number of people at risk from flooding. The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) both support this stance. NPPG also advises that development should be directed to the least vulnerable part of its development site.

6.16 NPPG advice requires the following information to be provided for residential sites in areas that are as risk of flooding:

(i) a 'sequential test' assessment of other available sites, which should demonstrate that there are no less floodable sites where the development could be provided,
(ii) a site specific Flood Risk Assessment, and
(iii) for development in Flood Zone 3, a demonstration that the development would provide wider sustainability benefits to the community (the 'exceptions test').

6.17 No sequential test document had been submitted at the time of writing this report, and this issue remains to be fully addressed before any planning permission can be granted for the application. Any additional information will be reported in an update.

6.18 A site specific Flood Risk Assessment has been submitted. The proposal would not result in any additional coverage at ground floor level and the proposal would therefore result in no loss of flood plain capacity or impedance of the flow of flood water. The proposed flats would be well above flood level. It remains for the applicant to demonstrate that a safe escape route can be provided, and progress on this matter will also be reported in an update.

6.19 Because the building itself is in Flood Zone 2 and in line with advice in NPPG as cited above, the application is not required to pass the 'exceptions test'.

Impacts on the amenities of the neighbouring residents

6.20 It is not considered that either the additional windows provided in this extended building or the rear facing first floor level balcony would result in any significant overlooking or loss of privacy to nearby properties. The proposal would also not result in any perceptible loss of light to windows serving adjacent properties.

Parking and highway safety

6.21 The site is deemed to be within a sustainable area being within 500m from the Windsor and Eton Riverside train station which has links to London. Therefore the minimum parking standard is deemed to be acceptable, which is for 1.5 spaces per 60sqm for the ground floor commercial use (3 spaces per 120sqm) and 1 car parking space for each one or two bed flat. As there are eight existing spaces with an allocation of five spaces for the shop and one space each for the flats, the existing on-site car parking would be sufficient to meet this requirement. It is considered that a section 106 planning obligation to restrict future residents of the new flats from being eligible for on-street parking permits would be required. A number of conditions are requested in the Highways consultation response including a requirement for a construction management plan to be submitted and approved, and these are recommended below (conditions 2,7,8 and 9).

Other Material Considerations

Trees

6.22 There are a number of trees located at the rear of the site. Local Plan policy N6 requires a tree survey to be submitted with any application, and for good quality trees to be retained as part of any development proposal. While no tree survey was submitted, it is noted that the trees are well separated from the building, and it is therefore considered that the application is acceptable with the inclusion of a condition requiring submission and approval of tree protection details as recommended below at condition 10.

Housing Land Supply

6.23 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 applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

6.24 It is acknowledged that this scheme would make a contribution to the Borough's housing stock, subject to all other matters being resolved.

Aircraft noise

6.25 The area is subject to significant aircraft noise, and a standard condition to demonstrate that future occupiers will be protected against aircraft noise is recommended at condition 6.

6.26 Living conditions of future occupiers

The proposed residential unit that will be located to the rear of the building will benefit from a first floor outdoor terrace area. The two maisonettes that are closest to High Street will not. However, the existing flat arrangement does not benefit from private amenity space and therefore there is in essence no change in that situation. It is considered that the living conditions of future residents would be adequate and thus meet the requirements of the Core planning principles of the NPPF (paragraph 17).

6.27 Archaeology

The plan of the medieval town is largely unaltered and previous investigations along the High Street have recovered medieval and post-medieval remains. This proposal therefore lies in an area of archaeological importance and has the potential to impact on significant buried remains, particularly on the High Street frontage, where opportunities for archaeological investigation in Eton have been very limited.

6.28 It is therefore recommended that a condition (see condition 5) is attached to any planning consent granted so that, once details of known and proposed foundations are established, mitigation of the impacts of development can be proposed if merited. This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities 'should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

7.1 The Council's Community Infrastructure Levy (CIL) document was subject to examination in March of this year. While this development is likely to place additional pressure on local services and infrastructure, the CIL has not yet been adopted, so the development would not be liable for any financial contributions at this time.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Ten occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 18 April, and the application was advertised in the Maidenhead and Windsor Advertisers on 21 April 2016.

Six letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Scale and design of the proposed side extension is inappropriate in this location and as part of a listed building.	6.2 - 6.14
2.	Contemporary architecture has often been unsuccessful in Eton	6.2 - 6.14
3.	Concerns about construction traffic, as the rear of the site provides access to other nearby residential properties.	6.21

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	The proposed development as submitted is unlikely to increase flood risk on site and elsewhere. Therefore, we have **no objection** to the proposal as submitted. However, we wish to provide the following advice with regards to our remit. The proposed development is located within the 1% Annual Exceedance Probability (AEP) plus an appropriate allowance for climate change flood extent. In accordance with paragraphs 101 to 104 of the National Planning Policy Framework (NPPF), you must ensure that the 'development is appropriately flood resilient and resistant, including safe access and escape routes where required...' (NPPF paragraph 103). Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable. We enclose a copy of our safe access and egress guidance statement to assist you with your assessment. Please note we have not assessed the proposed access and egress route. We recommend that consideration be given to the use of flood resilience measures within the ground floor to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.	6.15 - 6.19

Other Consultees

Consultee	Comment	Where in the report this is

		considered
Highways:	No objections subject to section 106 to control access to future parking permits for the new flat, and to conditions.	6.21
Berkshire Archaeology:	This proposal therefore lies in an area of archaeological importance and has the potential to impact on significant buried remains, particularly on the High Street frontage, where opportunities for archaeological investigation in Eton have been very limited. However it is noted that the proposal involves the removal of non-original existing extensions and their replacement, along the same wall lines, with new extensions. At face value, this suggests limited impact on *in situ* remains, although the foundations for the existing extensions may be shallow and slight. A condition has been requested.	Condition 5

9. APPENDICES TO THIS REPORT

- Appendix A - site location plan
- Appendix B - proposed elevation drawings, floor plans and streetscene drawing
- Appendix C - existing elevation drawings, section and floor plans

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues it is considered that the issues have either been successfully resolved, or that they are likely to be resolvable.

10. CONDITIONS IF PERMISSION IS GRANTED

16/01097

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

2 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

3 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy Local Plan DG1, LB2 and CA2

4 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall

be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area and the setting of listed buildings. Relevant Policies - Local Plan DG1, CA2 and LB2.

5 No development shall take place, other than demolition of the extension to ground level, within the application area until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority.
Reason: The site lies within an area of archaeological potential, specifically within the historic core of the medieval settlement of Eton. A programme of works is required to mitigate the impact of development and to record any surviving remains so as to advance our understanding of their significance in accordance with national and local plan policy.

6 No development shall take place until details of the measures to be taken to acoustically insulate all habitable rooms of the development against aircraft noise, together with details of measures to provide ventilation to habitable rooms, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried out and completed before the development is first occupied for residential purposes and retained.
Reason: To ensure an acceptable living environment for future occupiers. Relevant Policies Local Plan NAP2, H10.

7 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

8 No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

9 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

10 Prior to any equipment, machinery or materials being brought onto the site or commencement of any works in connection with the planning permission including demolition, protection measures for the retained trees shall be implemented in full, in accordance with British Standard B5837:2005 unless otherwise agreed in writing by the Local Planning Authority. The protection measures shall be maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. 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 ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1, N6.

11 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.

16/01098/LBC

1 The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.

2 Rainwater goods shall be cast iron or cast aluminium.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

3 Prior to commencement a brick panel shall be created for inspection by the Local Planning Authority showing the proposed brick, bonding, mortar type, pointing detail and shall be approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

4 Prior to their insertion, details showing a section of proposed windows and external doors including opening surrounds shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

5 Prior to its use in the development a sample of coping material to be used (and elsewhere indicated for use) shall be provided to the Local Planning Authority and approved in writing. The work shall then be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

6 Prior to the commencement of the scheme a schedule of repairs to be undertaken to 109 High Street and a timeframe for the work shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

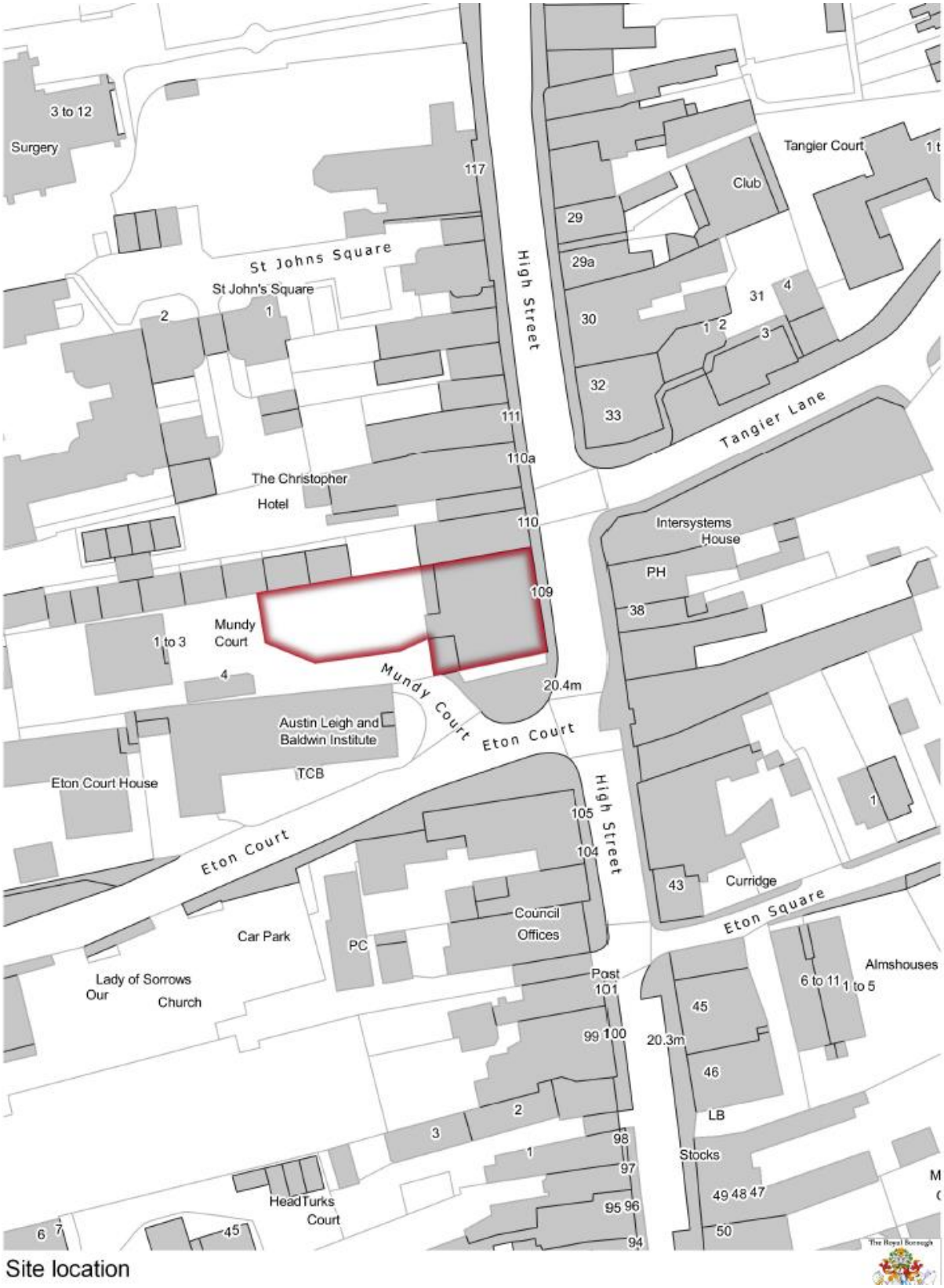
7 Where new openings are proposed in the listed building plaster will be made good with like-for-like plaster including lime plaster which it exists. Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

8 This consent does not permit the demolition or dismantling of any part of the building, or the removal of any internal feature, floor, wall or ceiling surface, except in so far as the alterations and extension hereby approved necessitate the removal of certain parts of the existing structure as shown on the approved plans.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2

9 Prior to installation further details shall be provided for the balustrade including a details plan of the detail and information about the materials and finish to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved detail.

Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

Appendix A – Location Plan

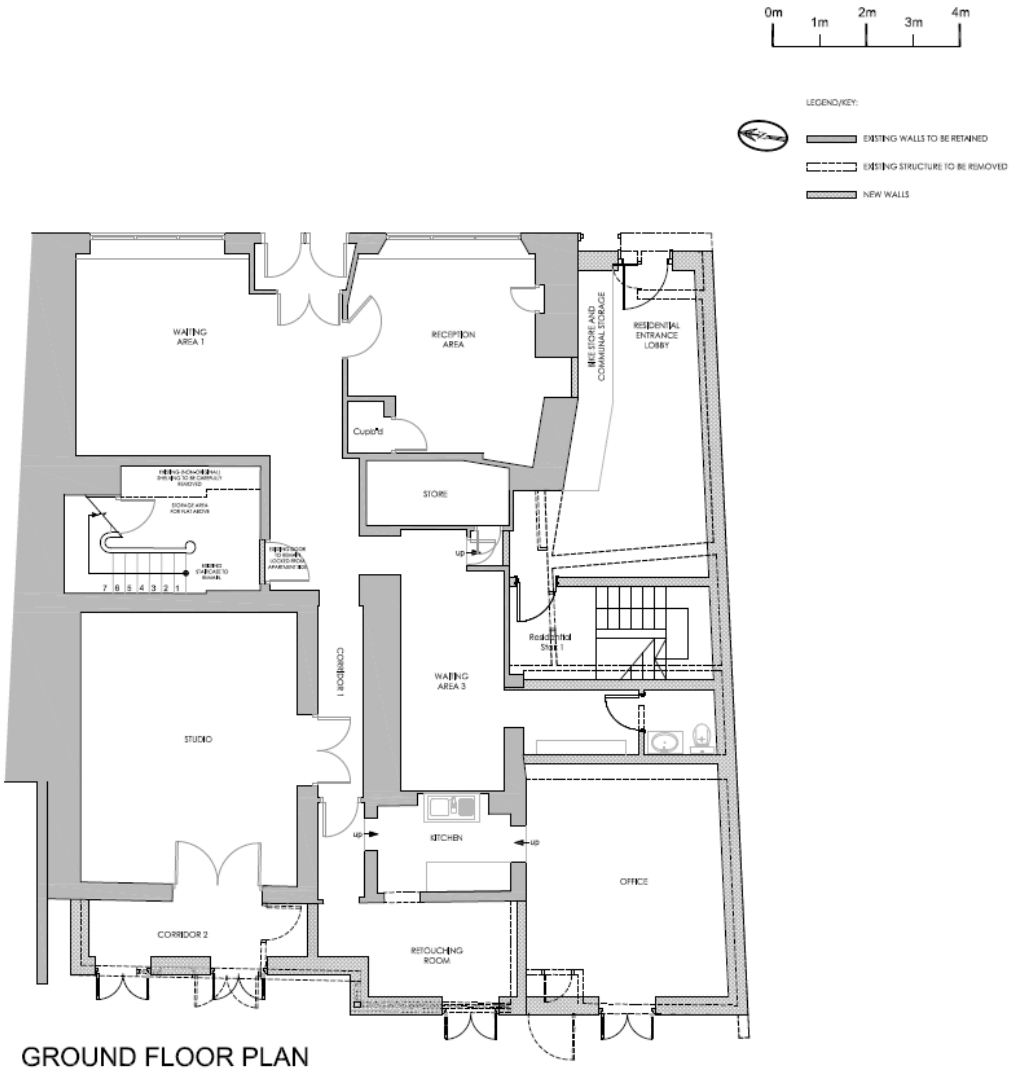


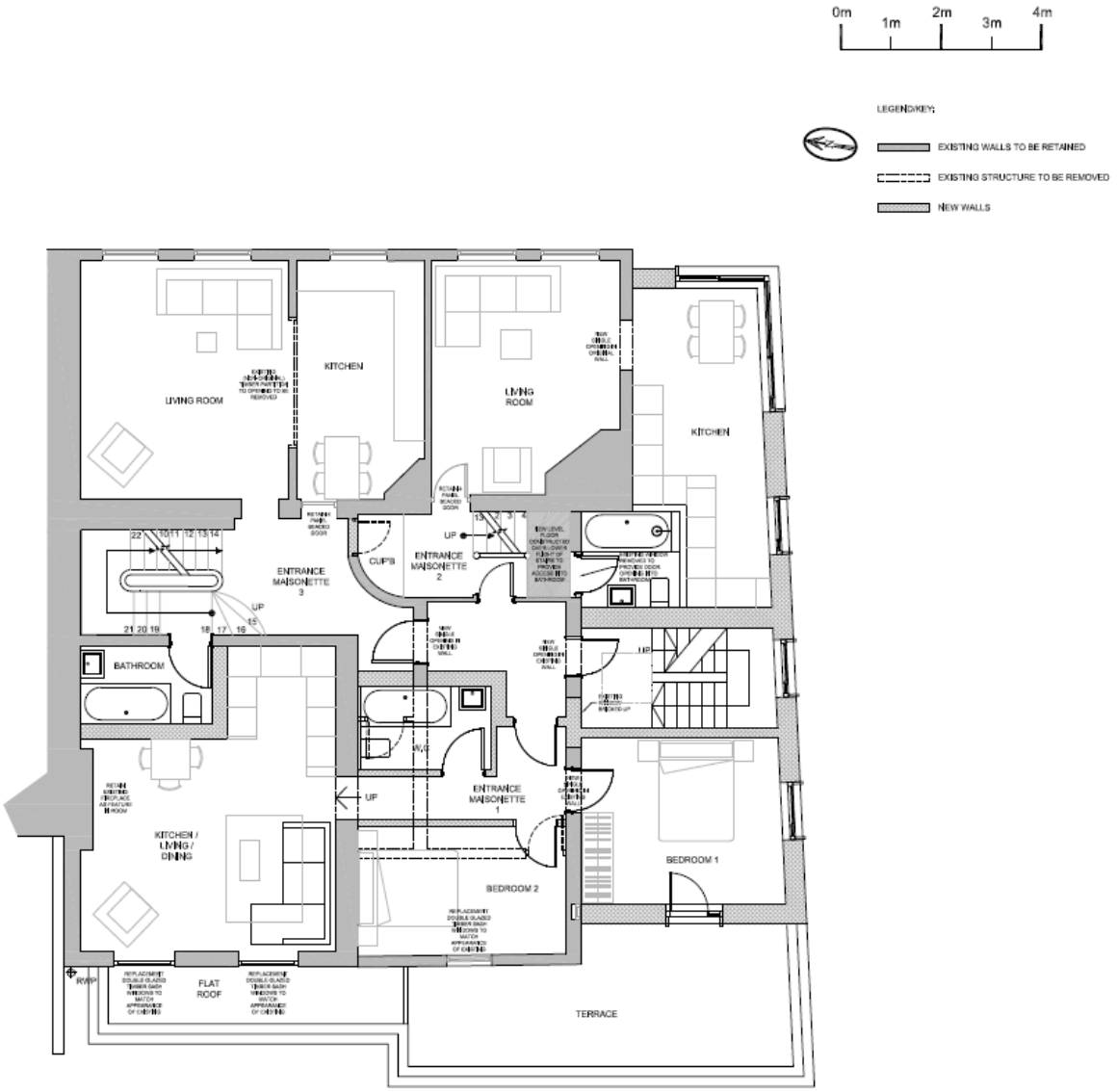
Appendix B – Proposed plans

FRONT ELEVATION
(EAST ELEVATION)

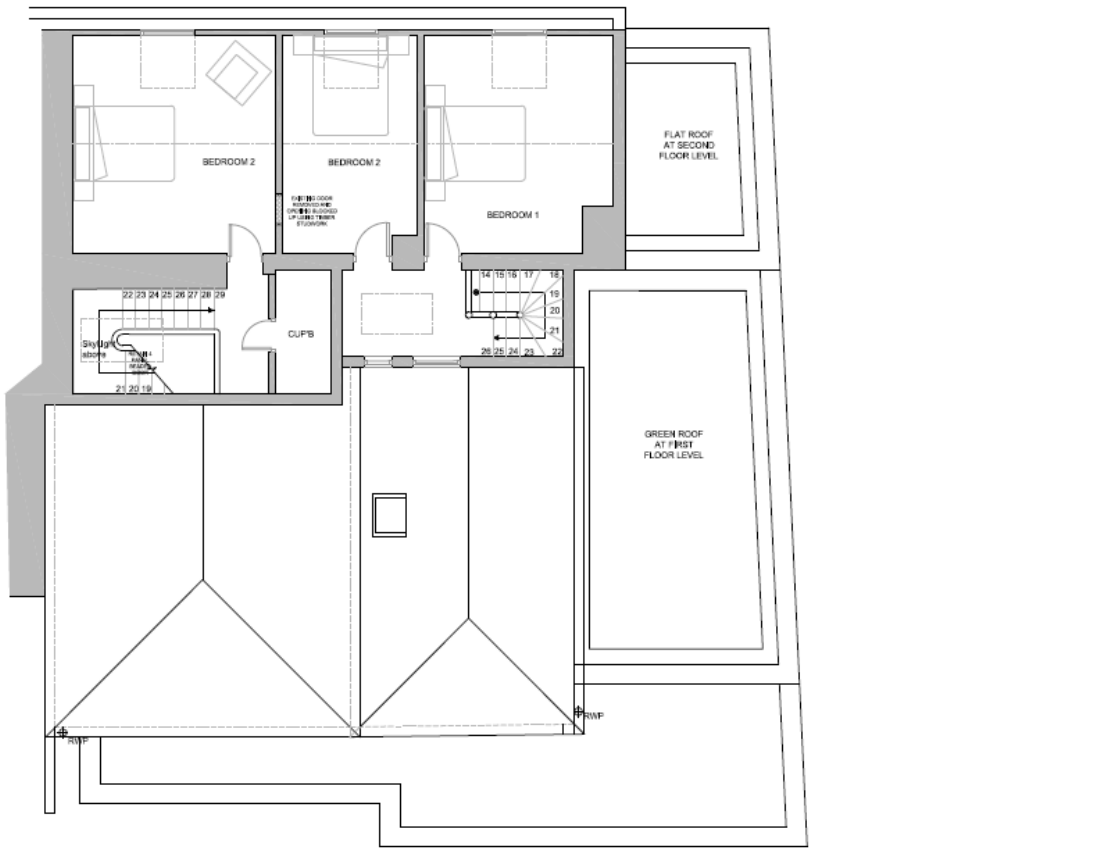
SIDE ELEVATION
(SOUTH ELEVATION)

REAR ELEVATION
(WEST ELEVATION)

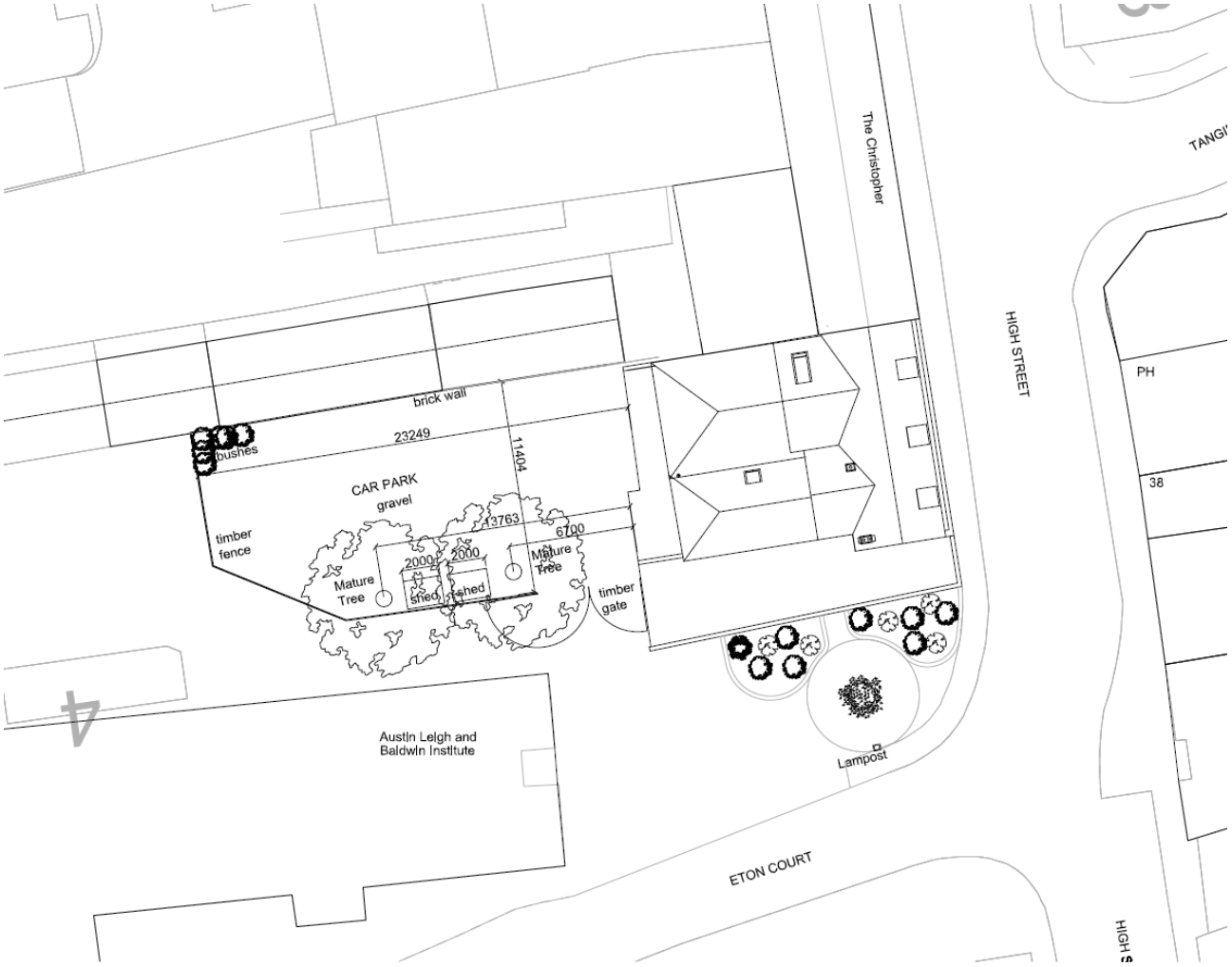

0m
1m
2m
3m
4m
LEGEND/KEY:
EXISTING WALLS TO BE RETAINED
EXISTING STRUCTURE TO BE REMOVED
NEW WALLS
WAITING AREA 1
RECEPTION AREA
Cupbds
STORE
BIKE STORE AND COMMUNAL STORAGE
RESIDENTIAL ENTRANCE LOBBY
up
Residential Store 1
CORRIDOR 1
WAITING AREA 3
STUDIO
KITCHEN
OFFICE
CORRIDOR 2
RETOUCHING ROOM
GROUND FLOOR PLAN



FIRST FLOOR PLAN

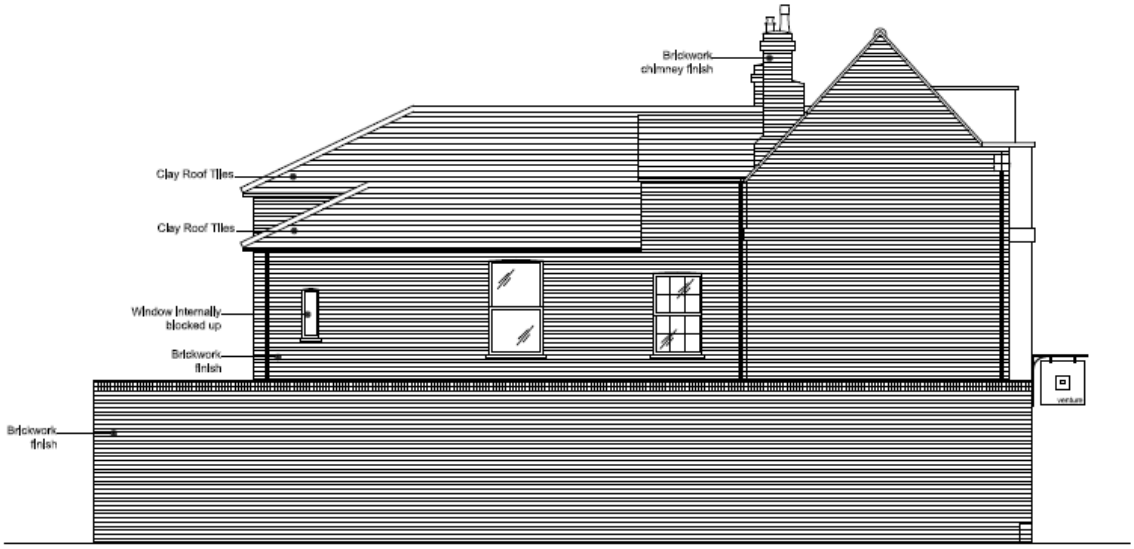


SECOND FLOOR PLAN

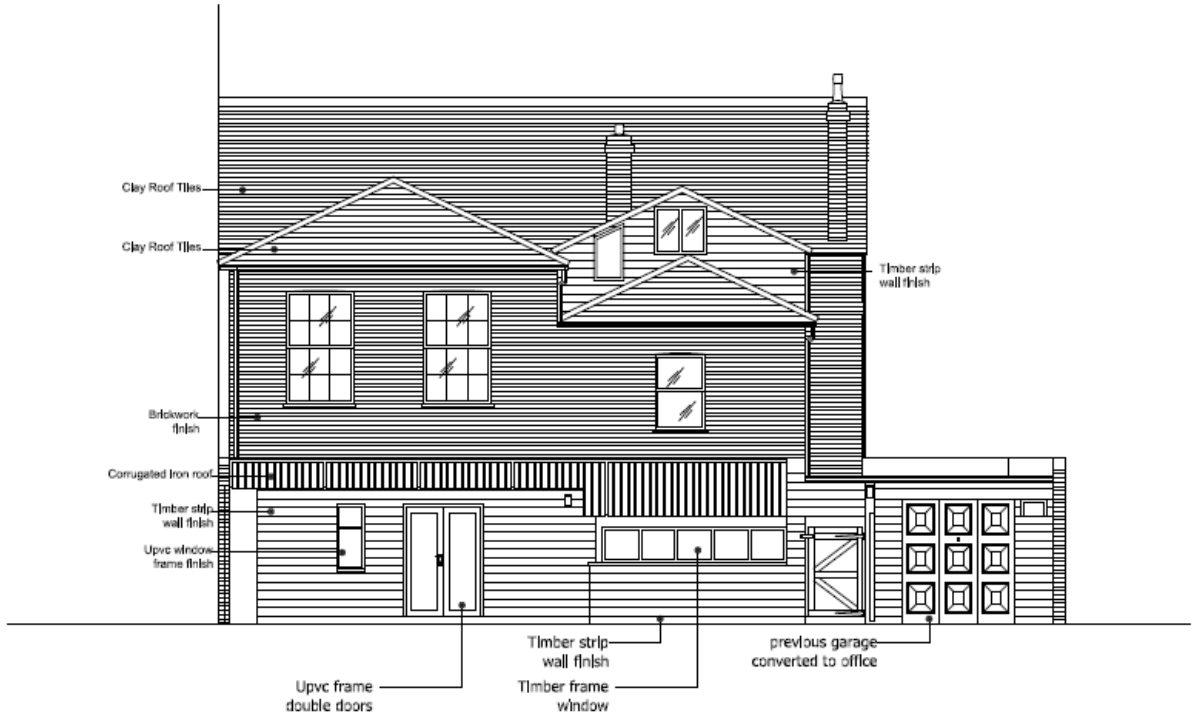

The Christopher
HIGH STREET
PH
38
brick wall
23249
11404
bushes
CAR PARK
gravel
13763
6700
timber
fence
2000
2000
Mature
Tree
shed
shed
Mature
Tree
timber
gate
Austin Leigh and
Baldwin Institute
Lampost
ETON COURT

Appendix C – Existing plans

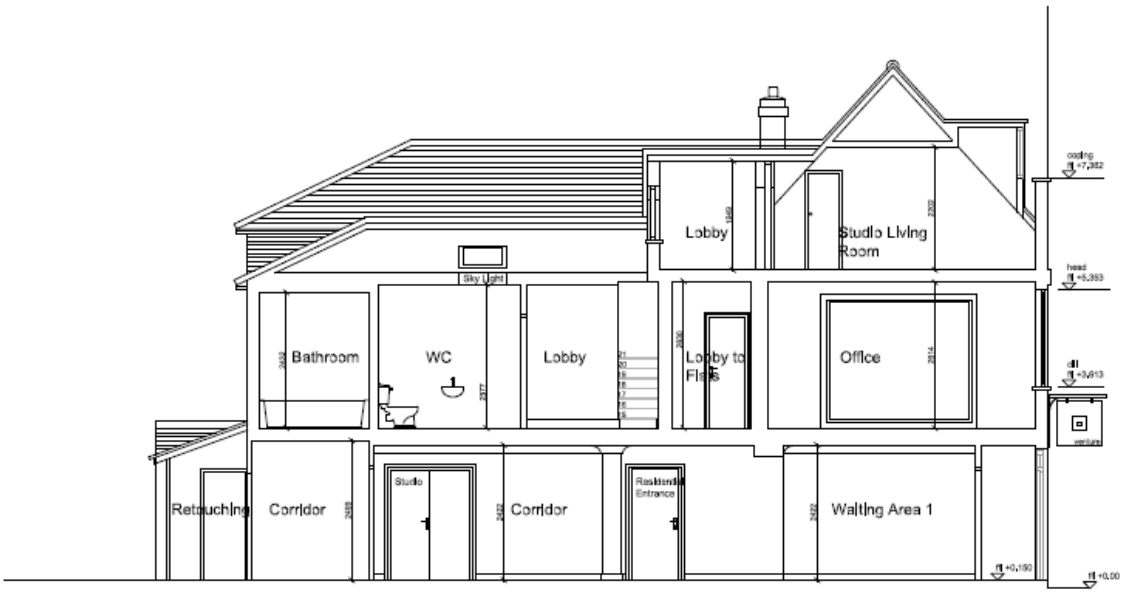
FRONT ELEVATION
(EAST ELEVATION)



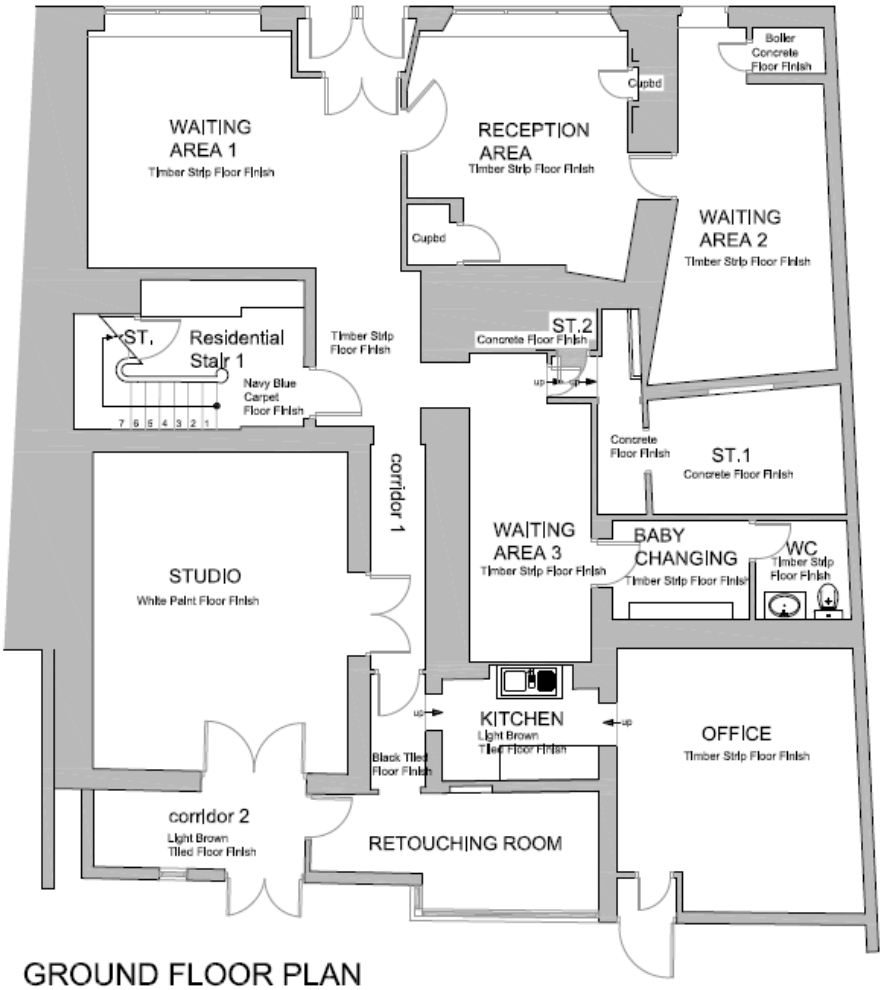
SIDE ELEVATION
(SOUTH ELEVATION)



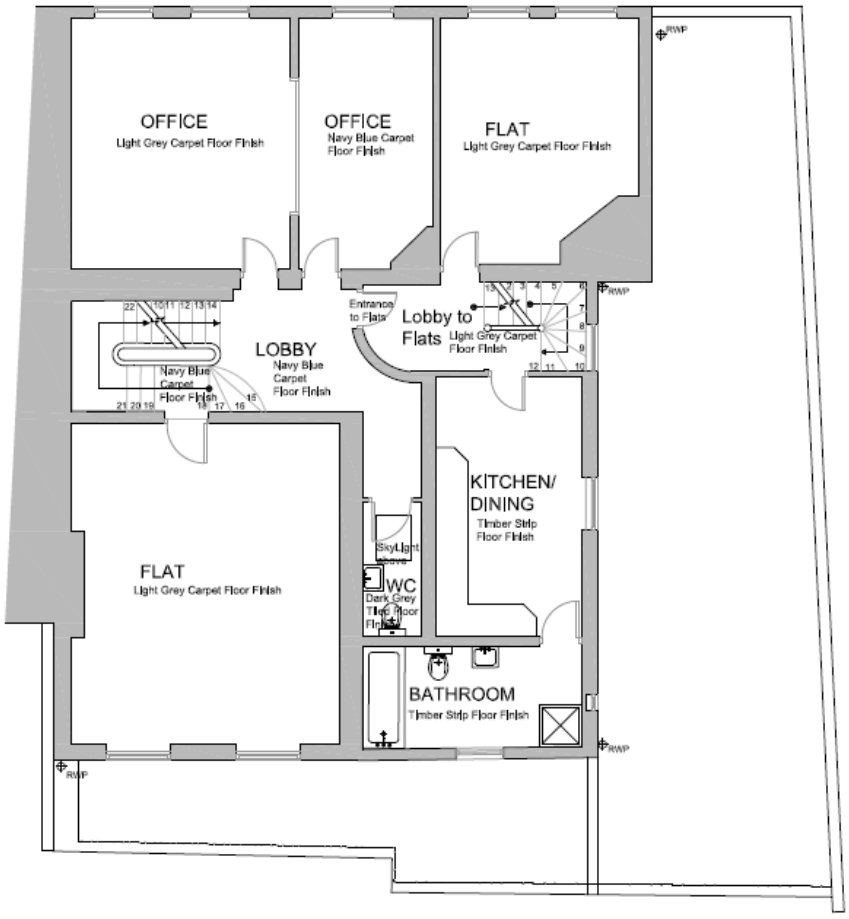
REAR ELEVATION
(WEST ELEVATION)


Lobby
Studio Living Room
Sky Light
Bathroom
WC
Lobby
Lobby to Flats
Office
Retouching
Corridor
Studio
Corridor
Waiting Area 1

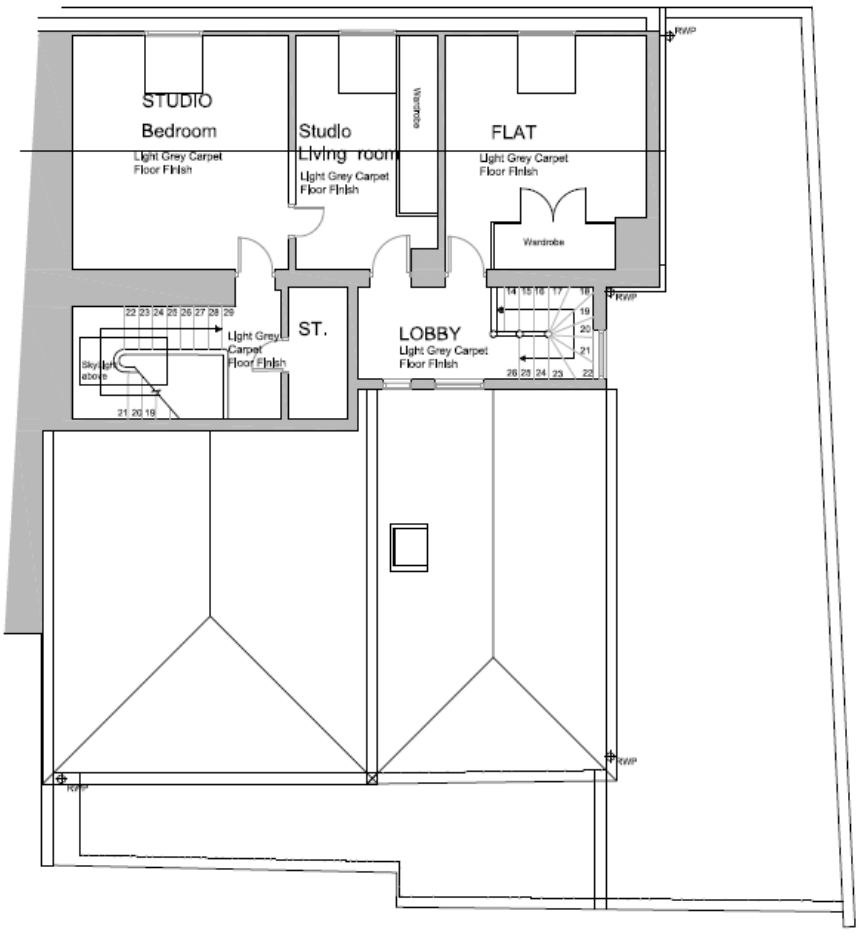
Section A-A



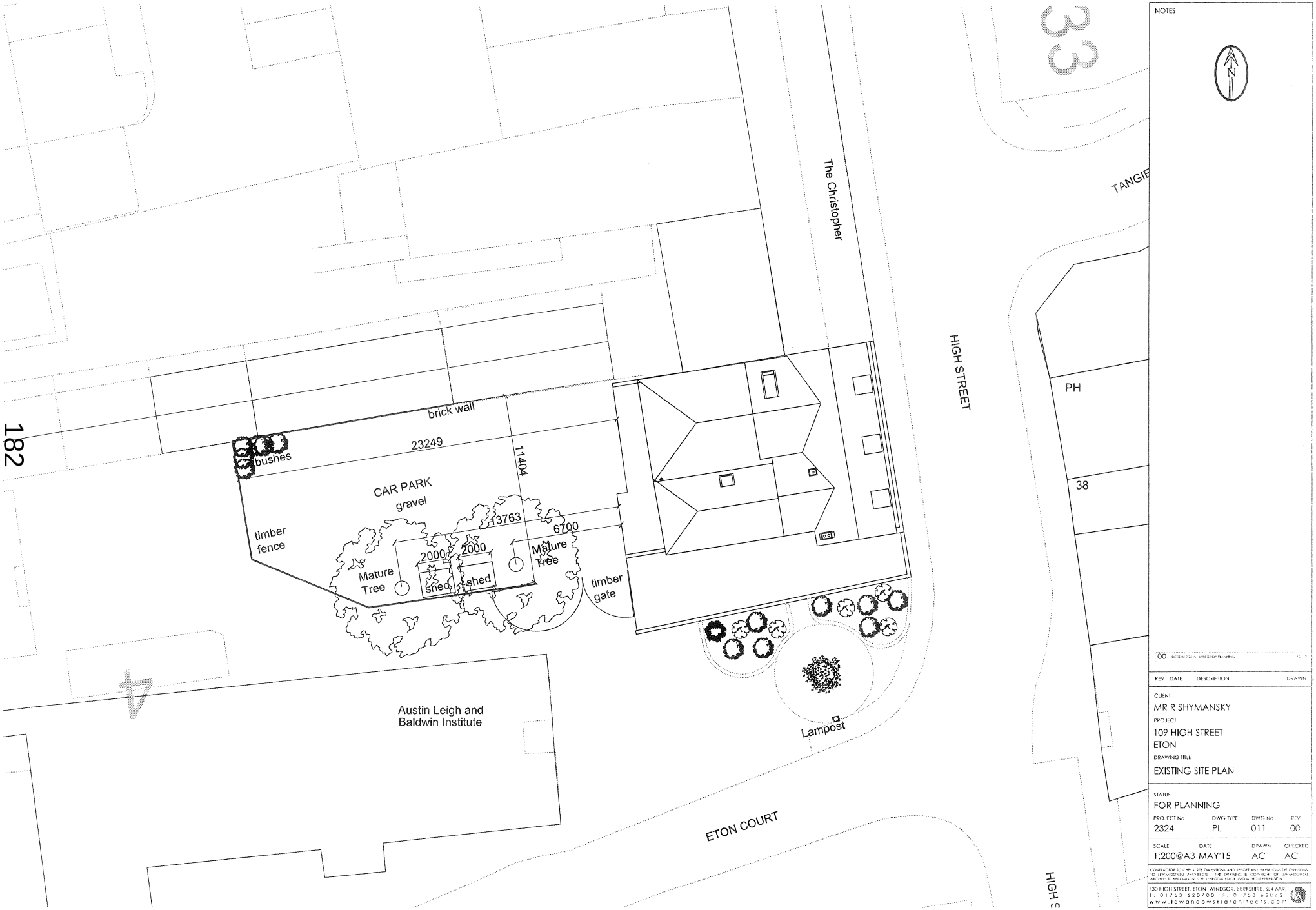
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



Lewandowski Architects

NOTES

REV	DATE	DESCRIPTION	DRAWN
00	OCTOBER 2015	ISSUED FOR PLANNING	

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING SITE PLAN

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	011	00

SCALE	DATE	DRAWN	CHECKED
1:200@A3	MAY'15	AC	AC

130 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AF
T. 01753 620700 F. 01753 620621
www.lewandowskiarchitects.com

APPENDIX C.

FRONT ELEVATION
(EAST ELEVATION)

Lewandowski Architects

NOTES

00 | [illegible]

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING EAST ELEVATION

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	030	00

SCALE	DATE	DRAWN	CHECKED
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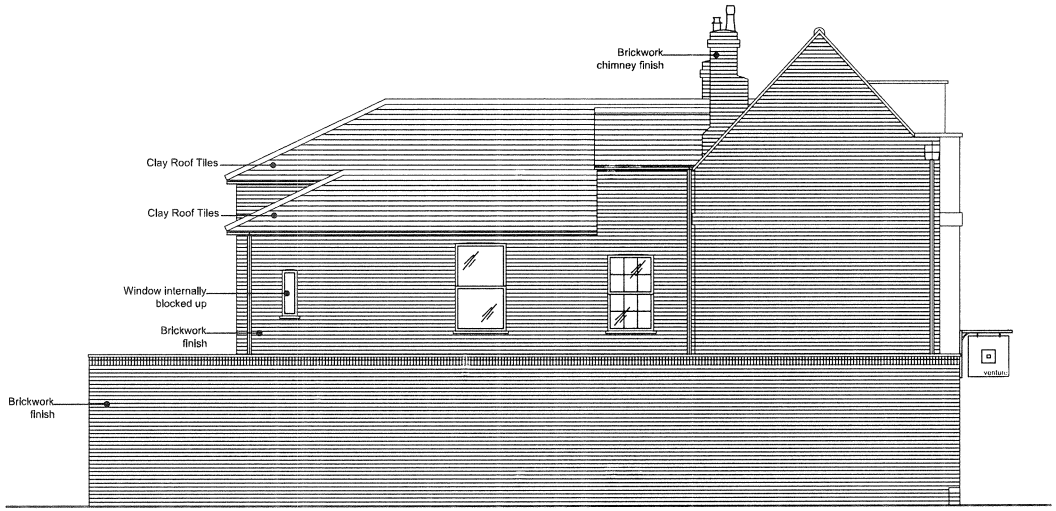
130 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AF
T. 01753 620700 F. 01753 620621
www.lewandowskiarchitects.com



SIDE ELEVATION
(SOUTH ELEVATION)

Lewandowski Architects

NOTES

00 OCTOBER 2015 ISSUED FOR PLANNING

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING SOUTH ELEVATION

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	031	00

SCALE	DATE	DRAWN	CHECKED
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130 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AR
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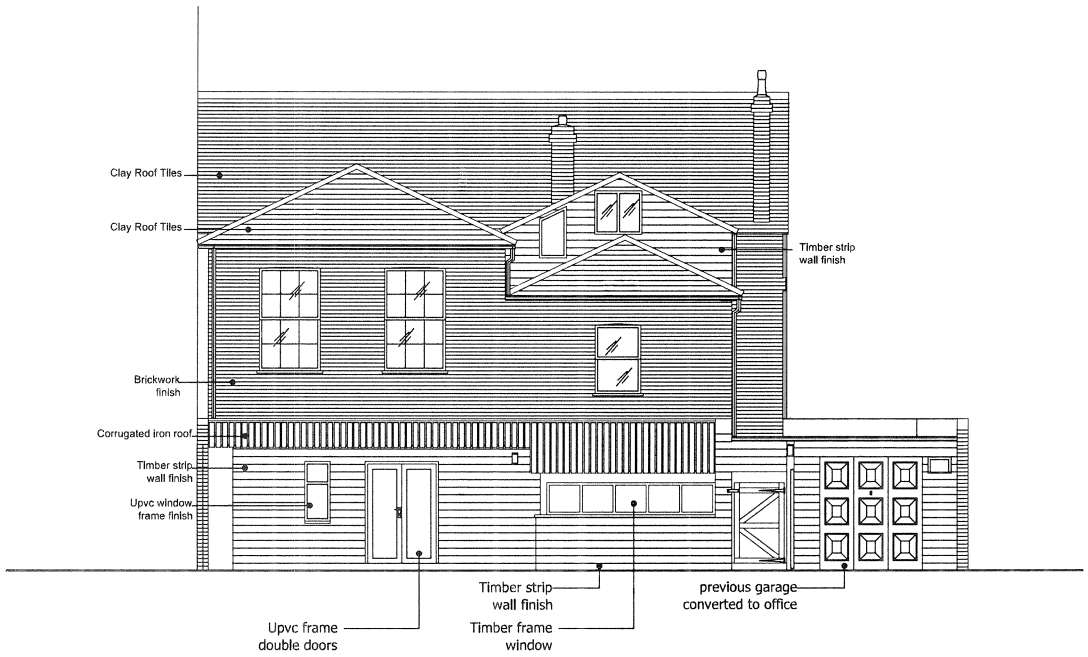

REAR ELEVATION
(WEST ELEVATION)

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NOTES

00 OCTOBER'15 RIGHTS FOR PLANNING

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING WEST ELEVATION

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	032	00

SCALE	DATE	DRAWN	CHECKED
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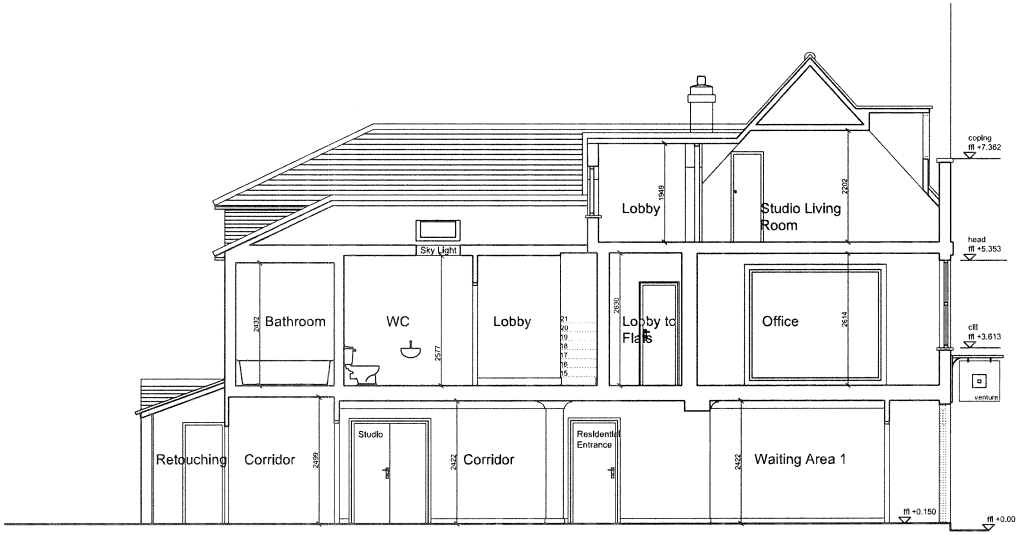

Section A-A

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NOTES

00 [illegible] ISSUED FOR PLANNING

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING SECTION

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	040	00

SCALE	DATE	DRAWN	CHECKED
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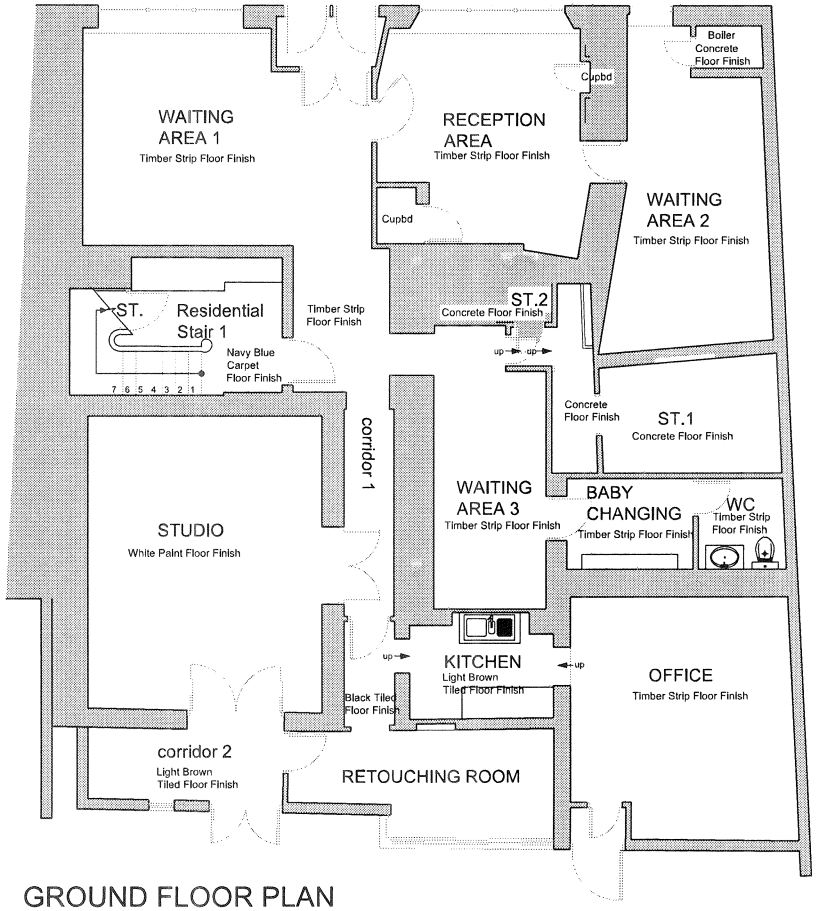

GROUND FLOOR PLAN

0m 1m 2m 3m 4m

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NOTES

00 FOR PLANNING

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING GROUND FLOOR PLAN

STATUS
FOR PLANNING

PROJECT NO	DWG TYPE	DWG NO	REV
2324	PL	020	00

SCALE	DATE	DRAWN	CHECKED
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130 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AF
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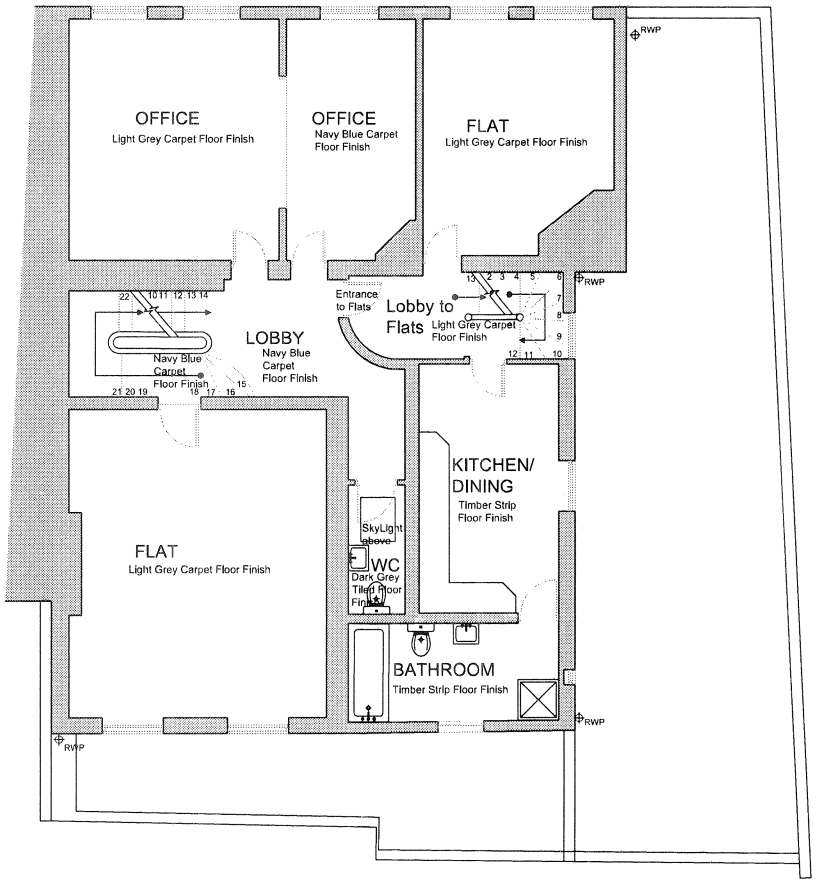

FIRST FLOOR PLAN

0m 1m 2m 3m 4m

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NOTES

00 OCTOBER 2015 ISSUED FOR PLANNING AC

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING FIRST FLOOR PLAN

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	021	00

SCALE	DATE	DRAWN	CHECKED
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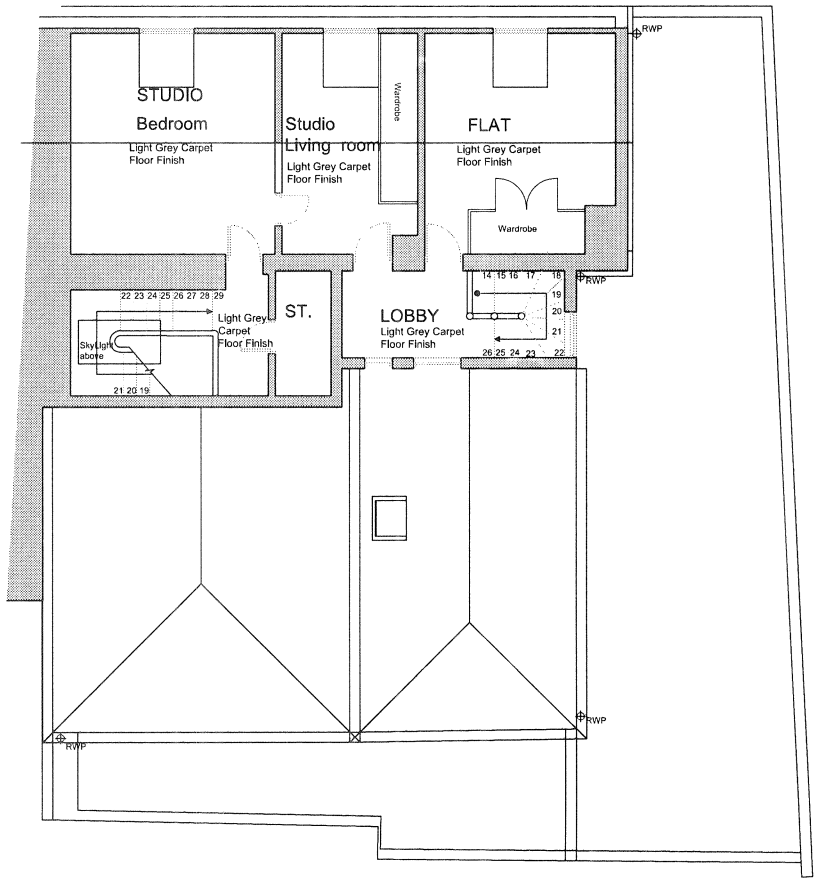

SECOND FLOOR PLAN

0m 1m 2m 3m 4m

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NOTES

00 October 2015 Issued for Planning AC

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING SECOND FLOOR PLAN

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
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SCALE	DATE	DRAWN	CHECKED
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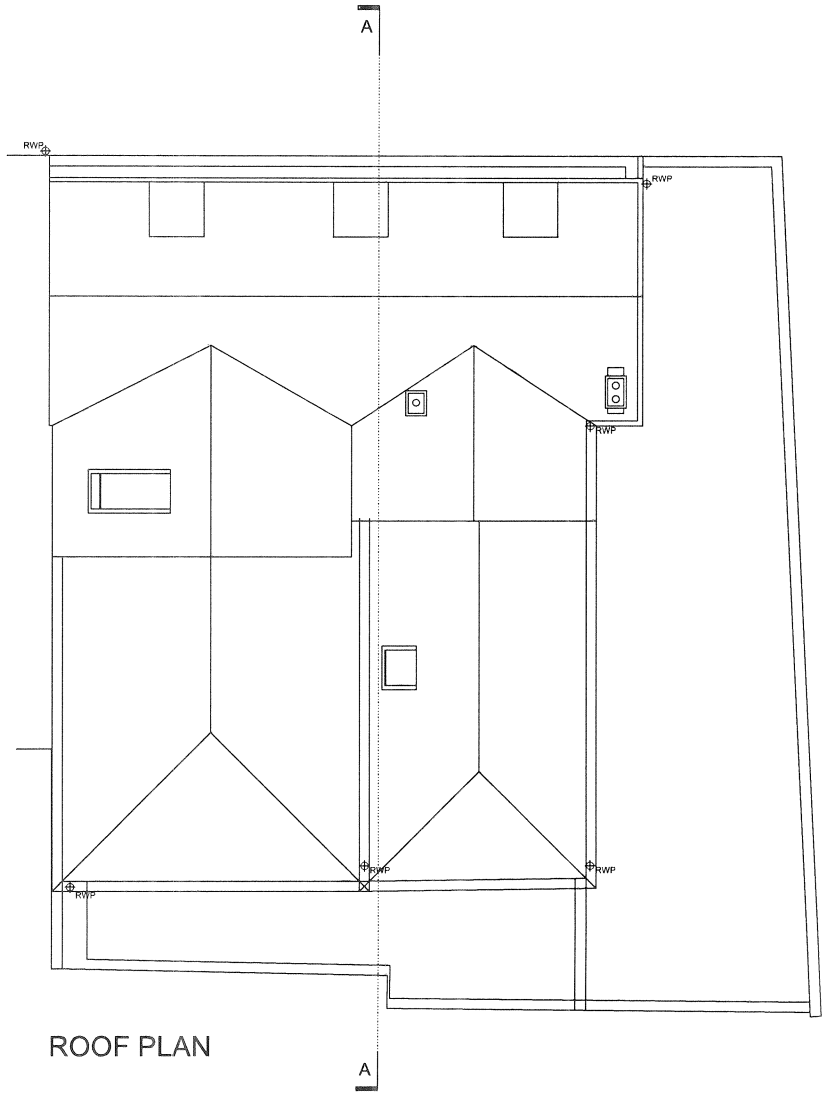

ROOF PLAN

0m 1m 2m 3m 4m

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NOTES

00 FOR PLANNING

REV	DATE	DESCRIPTION	DRAWN

CLIENT
MR R SHYMANSKY

PROJECT
109 HIGH STREET
ETON

DRAWING TITLE
EXISTING ROOF PLAN

STATUS
FOR PLANNING

PROJECT No	DWG TYPE	DWG No	REV
2324	PL	023	00

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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

20 July 2016 **Item:** 7

Application No.:	16/01683/FULL
Location:	36 - 37 Thames Street Windsor SL4 1PR
Proposal:	Change of use of first and second floors from B1/D1 to C3 to provide 4 x 1 bed apartments
Applicant:	Mr Bryant - Chesterton Holdings
Agent:	Mr Ben Willcox - WaM Architecture
Parish/Ward:	Castle Without Ward

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

1. SUMMARY

1.1 The application proposes the conversion of first and second floors from office (B1)/non-residential institution (D1) into residential use (4x1 bedroom flats). The principle of conversion of these floors (which are vacant) to residential use is considered to be acceptable, and in compliance with National and Local Plan Policy.

1.2 No external alterations to the building are proposed, and the scheme is considered to preserve the character and appearance of the Conservation Area. Parking is not proposed for the scheme, however, given this is a sustainable town centre location, parking is not required.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission with the conditions listed in section 9 of this report, subject to a legal agreement to restrict occupiers applying for parking permits is completed by the 31st August 2016.
2.	To refuse planning permission if a legal agreement restricting parking permits being issued is not completed by 31st August 2016.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The site relates to the first and second floors of number 36-37 Thames Street. The ground floor of the building is used as a restaurant, and does not form part of this application. The building is situated within Windsor Town Centre, within the designated Specialist Shopping Area.

3.2 The building is opposite to the Castle and sits within the Windsor Town Centre Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
16/01017/CLASSO	Change of use of offices to 4 flats	Withdrawn on 18th May 2016.
08/00040/CLU	Certificate of Lawfulness to determine whether the use of the first and second floor as a Beauty	Permitted on 12th February 2008.

	Training Centre (D1) and offices (B1) is lawful	

4.1 The application seeks planning permission for the change of use of the first and second floors at numbers 36-37 Thames Street from B1/D1 use to provide 4 x 1 bedroom apartments.

4.2 The application proposes no external alterations to the building. Access to the flats would be gained from a ground floor entrance from Thames Street (as per the existing situation). No parking is provided as part of the scheme, and refuse and recycling would be provided within each apartment.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Section 23- Ensuring the vitality of town centres
Section 129- Heritage Assets

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Conservation Area	Setting of the Thames
DG1, H6	P4, T5	CA2	N2

Other Local Strategies or Publications

- RBWM Parking Strategy - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i Principle of conversion;

ii Impact on the character and appearance of the Conservation Area;

iii Parking and highways;

iv Impact on residential amenity

Principle of conversion

6.2 Policy H6 of the Local Plan encourages the conversion to residential accommodation of office space and vacant upper floors in shopping areas (this site is in a specialist shopping area according to the proposals map). The NPPF also encourages a mix of uses within town centres. As such, the principle of the conversion of these upper floors to residential use is considered to be acceptable in principle.

Impact on the character and appearance of the Conservation Area

6.3 No external alterations to the building are proposed. The Design and Access Statement explains that the conversion will allow the front of the building to be renovated, which will improve the appearance of the building. The proposal is considered to preserve the character and appearance of the Conservation Area. The Council has paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Parking and highways

6.4 Parking is not provided as part of the scheme, however, given that this is a sustainable town centre location, parking is not required. A legal agreement is necessary to remove rights of future occupiers to apply for parking permit, and the applicant has indicated they are willing to enter into this agreement.

Impact on residential amenity

6.5 The scheme does not propose any new windows in the elevations. The residential use of the floors is not considered to have an unacceptable impact upon any nearby residential amenity. This is a town centre location where a higher degree of overlooking may be expected

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

6 occupiers were notified directly of the application.
The planning officer posted a site notice advertising the application at the site on 10th June 2016.
An advert was placed in the Maidenhead and Windsor Advertiser on the 9th June 2016.

No comments have been received to date.

Other Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection.	6.4
Environmental Protection	No objection.	Noted.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Elevations (Existing/Proposed)
- Appendix C – Proposed Floor plans

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

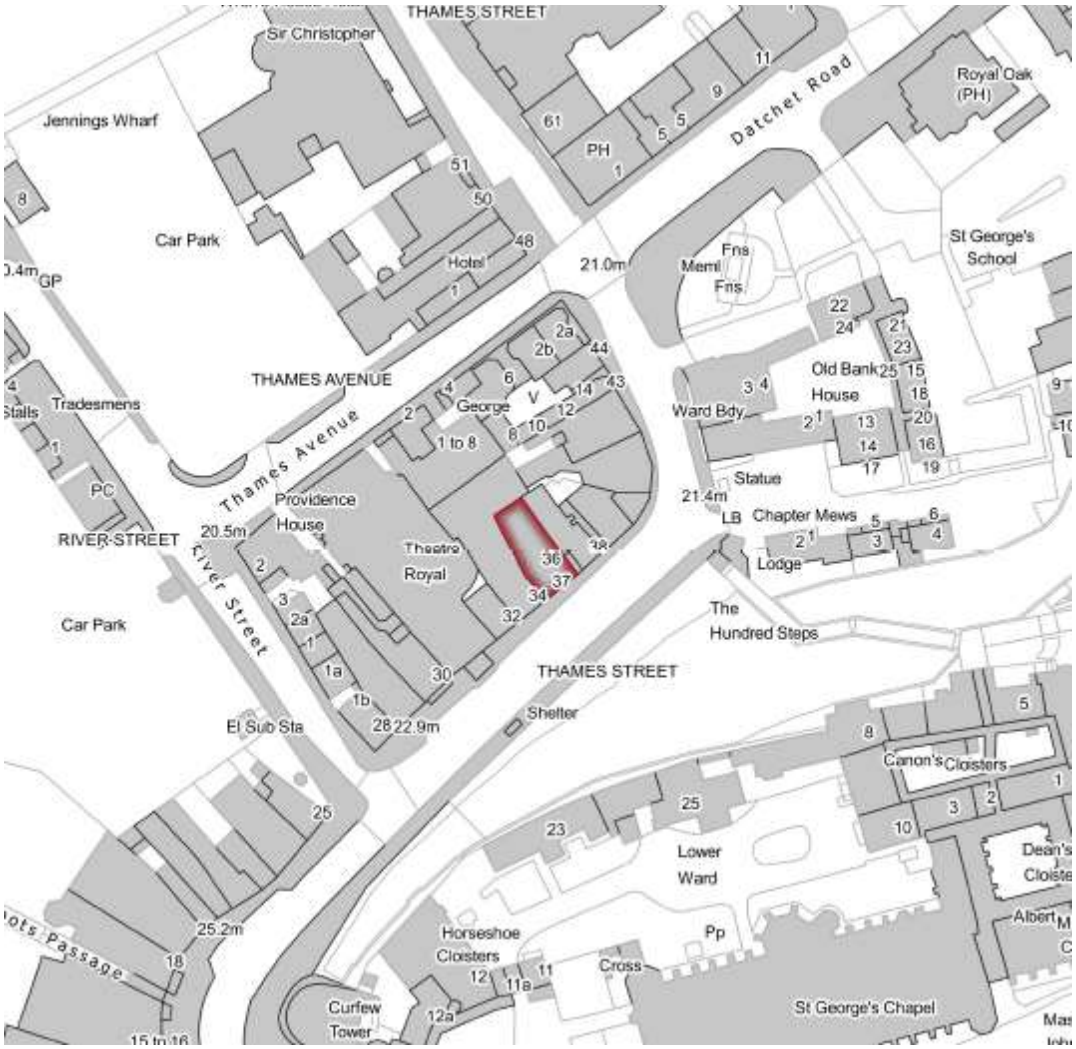
In this case the issues have been successfully resolved.

9. CONDITIONS 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).

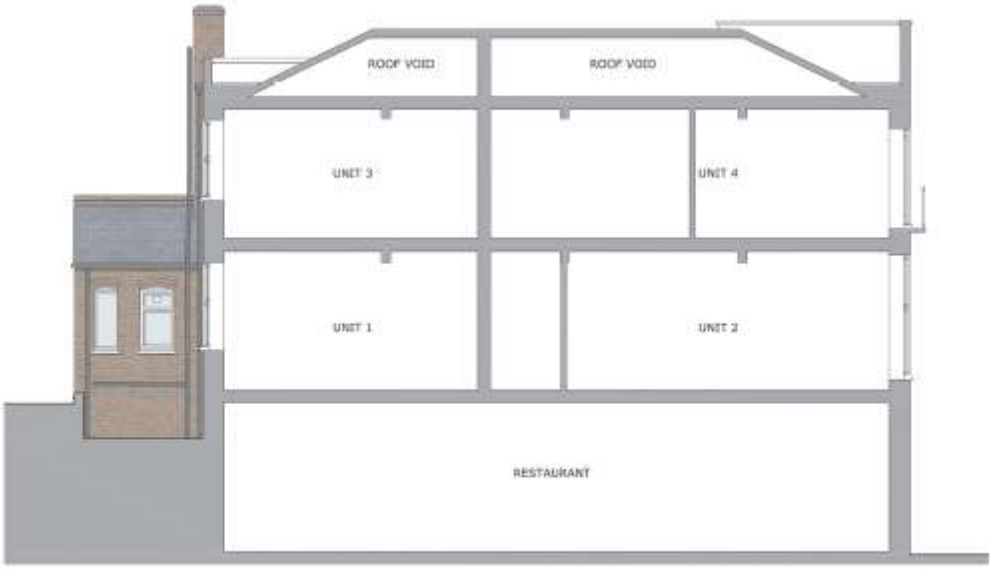
2 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Appendix A- Site location



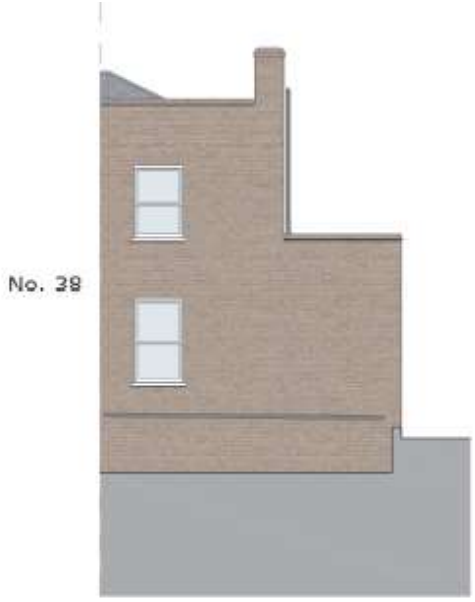
Appendix B- Elevations Proposed/Existing

FRONT ELEVATION
(South facing)



SIDE ELEVATION
(West facing)

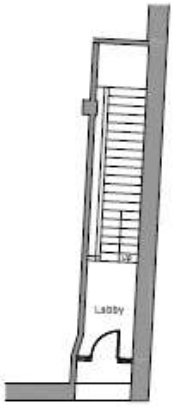
REAR ELEVATION
(North facing)



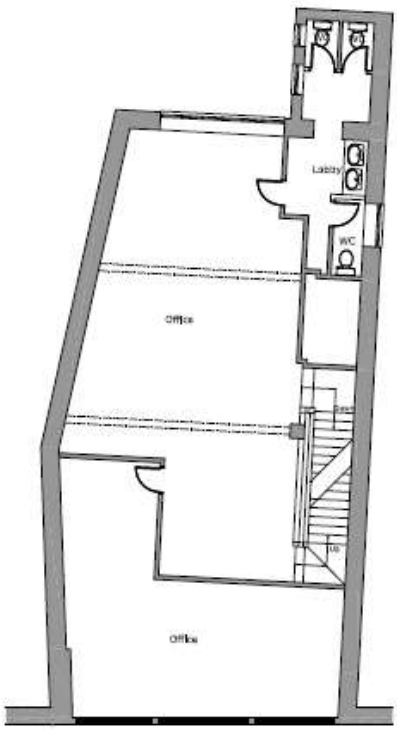
SIDE ELEVATION
(East facing)

Appendix C- Floor plans

Existing



GROUND FLOOR PLAN



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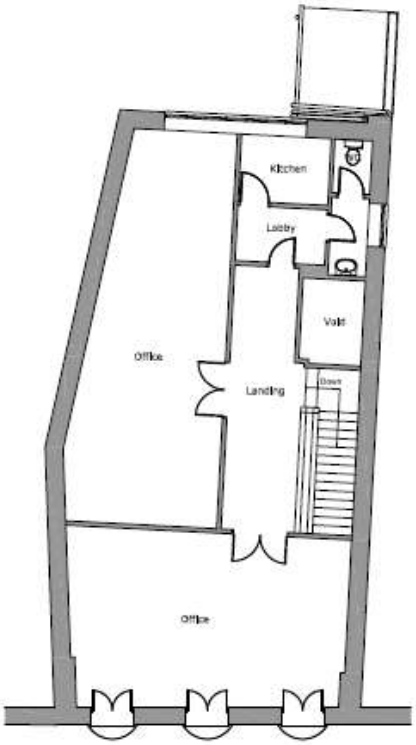
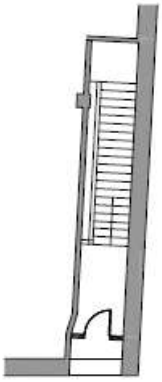
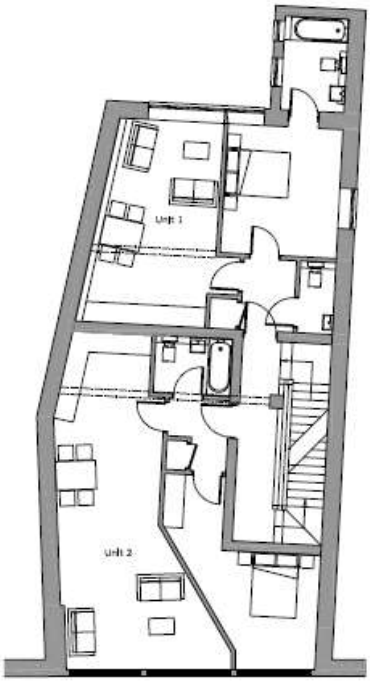


SECOND FLOOR PLAN

Proposed



GROUND FLOOR PLAN



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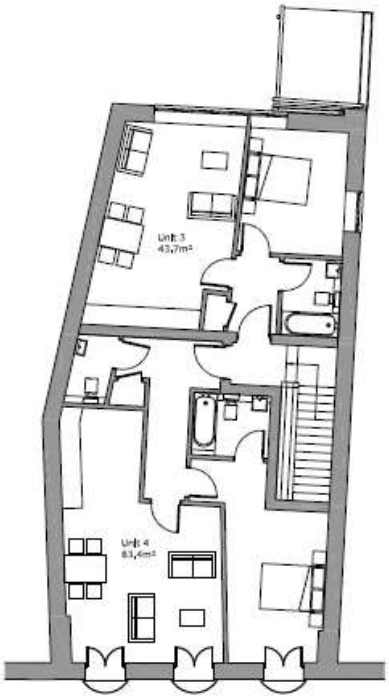


SECOND FLOOR PLAN

20 July 2016 **Item:** 8

Application No.:	16/01788/FULL
Location:	Alexandra Gardens Barry Avenue Windsor SL4 5JA
Proposal:	Construction of ice rink and attractions from November to January for a period of 3 years
Applicant:	Mr Coleman - Citiesonice Windsor
Agent:	Not Applicable
Parish/Ward:	Castle Without Ward

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

1. SUMMARY

1.1 The application seeks planning permission for the temporary use of Alexandra Gardens to host visitor/tourist attractions for the Christmas periods of 2016/17, 2017/18, and 2018/19. The attractions include an ice rink and other rides for children primarily.

1.2 The use of the park for this temporary period only, is considered to have limited impact on the setting of the Conservation Area (which is adjacent to the application site). In addition, as it will be in place for a temporary period only, it is not considered to result in the loss of an important open space.

1.3 The proposal is acceptable on transport grounds. The site is situated in Flood Zone 2 (medium risk flooding), however, as this is a temporary use and does not involve permanent construction, the number of people or properties being subject to flood risk is considered to be negligible.

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 Alexandra Gardens is a rectangular area of open space designated as Important Urban Open Land in the Local Plan, but is not designated as a registered Historic Park or Garden. The gardens run in an east to west direction between Goswell Road to the east and Barry Avenue and the railway line to the west. The gardens provide an area of open space between Barry Avenue and the River Thames to the north and the coach park/car park to the south. Barry Avenue is lined with mature trees and provides short stay on-street car parking. The gardens were likely to have been laid out in the late nineteenth century and comprise large lawned areas which are intersected with a number of paved walkways.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The application proposes the temporary use Alexandra Gardens for visitors/tourism attractions, including a marquee, an ice skating rink, and other rides/attractions for children primarily, for part of November through to early January in the years 2016/17, 2017/18 and 2018/19.

4.2 The applicant has explained that planning permission is being sought for a 3 year period so that an investment into lighting the area can be made. This would involve the use of natural white lighting as opposed to multi-colour lighting, which will make the area look more aesthetically leasing.

Ref.	Description	Decision and Date
15/01800/FULL	Erection of an Ice Rink with family funfair attractions for a temporary period for use by public over Christmas period from November 2015 until January 2016	Permitted on the 21st August 2015.
14/04074/FULL	Erection of a transportable amusement ride (sky swing) with kiosk/ catering area for a temporary period.	Refused 5th March 2015
15/00092/FULL	Bandstand with surrounding paving	Permitted on the 3rd March 2015
14/02390/FULL	Erection of an Ice Rink with family funfair attractions for a temporary period to be constructed from the 13th November 2014 in use between the 26th November 2014 through to 7th January 2015 and dismantled from site by 14th January 2015	Approved on the 10th October 2014.
12/00875/FULL	Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period to be constructed from the 11 May 2012 in use between the 18th May 2012 through to 15th July 2012 and dismantled and removed from site by 20th July 2012	Approved on the 25.05.12
11/00128/FULL	Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period to be constructed from the 4th April 2011 in use between the 9th April 2011 to 30th October 2011 and dismantled and removed from site by 4th November 2011.	Approved 17.03.2011
10/00009/FULL	Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period to be constructed from the 15th March 2010 in use between the 27th March 2010 to 31st October 2010 and dismantled and removed from site by 6th November 2010.	Approved 18.02.2010
08/03102/FULL	Erection of an observation/ferris wheel with associated equipment and facilities for a temporary period from 2nd April 2009 to 1st November 2009 and dismantled and removed from site by 8th November 2009	Approved 23.02.2009
08/00279/TEMP	Erection of a 52m high observation/ferris wheel with associated equipment and facilities for a temporary period 17th June to 7th November 2008.	Approved 11.06.2008
07/02201/VAR	Variation of condition 1 of approval 07/00074 to allow wheel until 9 November 2007	Approved 08.10.2007
07/00074/TEMP	Erection of a 55 metre high observation/ferris wheel with associated equipment and facilities for a temporary period of 16 weeks	Approved 01.03.2007
06/00705/TEMP	Erection of a 55 metre high observation/ferris wheel with associated equipment and facilities for a temporary period of 12 weeks.	Approved 26.05.2006

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

Paragraph 129- Development affecting the setting of a Heritage Assets

Royal Borough Local Plan

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

	Within settlement area	Flood Risk	Conservation Area	Highways/Parking issues	Visitor facilities
Local Plan	DG1, NAP3, R1, N2	F1	CA2	T5, P4	TM4

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy - view at: http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i The impact on the character and appearance of the Conservation Area;

ii Impact on Important Urban Open Space;

ii The impact on the living conditions of occupiers of nearby residents;

iii The impact on the area liable to flood;

iv Highway safety, including car parking.

The impact on the character and appearance of the Conservation Area

6.2 Alexandra Gardens is identified as important urban open land and is situated adjacent to the Windsor Town Centre Conservation Area. The use of Alexandra Gardens for visitors/tourism attractions, including, an ice skating rink, and other rides/attractions would have some limited impact on the setting of the Conservation Area, however, this impact is for a temporary period only, and so there is no concern in respect of any permanent harm to the setting of the Conservation Area. It is recommended that the height of the attractions (condition 3) does not exceed 6 metres in height, so the rides do not detract from the setting of Windsor Castle.

Impact on Important Urban Open Space

6.3 Policy R1 of the Local Plan seeks to protect important urban open land, however, as the use of the park for this attraction is for a temporary period only and the land would be returned to its original state when the structures are removed, there is not considered to be conflict with this Policy. The impact on the urban open space, has to be taken into account with the consideration of other material considerations. The loss of this space would only take place for a period of up to 10 weeks of the year. In addition, the scheme is likely to provide spin off benefits to the local economy and town centre (see section 6.3). Whilst this scheme would not be acceptable on a permanent basis (i.e. throughout the year), on balance the scheme on a temporary basis is considered to be acceptable.

Tourism

6.4 Policy TM4 of the Local Plan encourages purpose built facilities in the town centre subject to such facilities being sympathetic to the other objectives in the plan. Whilst Alexandra Gardens is outside of the town centre, given its close proximity, there could be some benefits to the town centre. The applicant has not submitted a strong case for the tourism benefits to Windsor town centre. The Windsor, Eton, Ascot Town Centre Partnership has provided the following information in respect of the benefits, which include:

1. *Windsor on Ice employee up to 24 staff. 14 of whom are from Windsor and the remaining from Slough and other boroughs.*
2. *Unique Christmas offer which is not offered by other neighbouring town centres.*
3. *Opportunity for local community groups, schools and charities to benefit from free access to the rink as part of the gala night and similar events.*
4. *Increased dwell time and footfall into the town centre (attendance of over 14000 people).*
5. *Discount for advantage card holders and shopper in the town centre.*
6. *Income for Visitor Information team via ticket sales.*

The impact on the living conditions of occupiers of nearby residents

6.5 There are no immediate residential properties neighbouring Alexandra Gardens that would be significantly adversely impacted by the development.

The impact on the area liable to flood

6.6 Alexandra Gardens is situated in flood zone 2 (medium risk flooding). Given that this application is for a less vulnerable use (in accordance with National Planning Policy), is for a temporary period, and does not entail any permanent construction, the number of people or properties being subject to flood risk is considered to be negligible, and the application is considered to be in compliance with Policy F1 of the Local Plan. The Flood Risk Statement submitted outlines these points.

Highway safety, including car parking

6.7 It is not considered that the scheme would result in significant additional traffic which would place an unacceptable pressure on parking.

Other considerations

6.8 Concern has been raised over the condition of the grass in the Gardens when these attractions are dismantled. On the previous application for this site, it was advised that it was not ideal to lay the grass in the winter, and that it is normally during March that land will be re-instated to its former condition; the Parks team previously advised that it is an aim to get the gardens back to their original condition in time for the Easter break.

6.9 Concern has been raised over the impact of the scheme on the bandstand, which objectors say should be used in the festive period. This is not a planning consideration, however, if the Council leases the land to the operator, it is up to the operator as to how the bandstand is used, although the applicant has advised that the rides would be laid out in order for the bandstand to be utilised.

6.10 It is stated that the planning permission should not be granted for a 3 year period. It is not considered that there is a planning reason not to allow a planning permission for a 3 year period.

6.11 Although there is likely to be noise from users of the ice rink and rides, it is not considered that this would be so much noise to warrant refusal. The park is a recreational space, and so a certain level of noise would be expected.

6.12 Concern is raised over the advertisements for the event being put up around the town. This is not however, relevant to the consideration of this planning application.

Planning Balance

6.13 Given that the scheme is located on an important urban open space, the proposed use would not be supported on a permanent basis (i.e. throughout the year). However, there are other material considerations set out in this report which would indicate that the use of the gardens for up to 10 weeks (to coincide with the festive period) , including the spin-off benefits to the local economy and to the town centre which weigh in favour of the development. In addition, if the rides are kept at a lower height as proposed, this will not interfere with views of Windsor Castle.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

14 occupiers were notified directly of the application.
The planning officer posted a notice advertising the application at the site on 20th June 2016.

4 letters were received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	It would seem that these facilities, draw visitors away from the town centre.	6.4
2.	The gardens are severely damaged, often until as late as August, which gives it little time to recover for the following year.	6.8
3.	Consideration should be given to moving the ice rink to Windsor Leisure Centre.	Noted.
4.	The bandstand should be made available to whoever wants to use it, and should not be incorporated into the site.	6.9
5	The 'attractions' take up at least as much space as the ice rink.	Noted.
6	A 3 year period for this is totally unacceptable- the damage caused every year us unsustainable.	6.10
7	The gardens were left by the National Trust for RBWM to look after.	Noted.
8	The land is supposed to be open, and provide unspoilt views of the Castle.	6.2
9	These are historic gardens.	3.1
10	The gardens are unusable for 4 months of the year.	Noted.
11	Adverse impacts from noise and lights- it spoils the tranquillity of gardens.	6.11
12	Tatty notices are posted in the town for advertising.	6.12
13	Shameless of the Council to use this site, when there is a traditional pitch for funfairs on the Brocas over the bridge.	Noted.
14	Having spent considerable time and money on the bandstand, one would think that the Council's intention is to restore the gardens to its former glory. There is no place for this 21st century funfair which obstructs the gardens.	Noted.
15	Many Windsorians appreciate the peace and tranquillity of the gardens.	Noted.
16	We should not tie ourselves to a 3 year planning permission.	6.10

17	The bandstand will not be able to be used, when this is in operation.	6.9
18	Will the operator include the bandstand, or not?	6.9
19	The Developer claims that "people made a day of visiting Windsor" and yet provides no evidence to back up this claim. Officers should be careful of accepting such claims without appropriate evidence.	Noted.
20	During the 14/15 season the Developer illegally flyposted across the wider area which caused both an eyesore and a cost to the council in removing such illegally placed posters. It now transpires that last season was not so successful and the Developer wishes to increase his promotional activities.	6.12
21	When the Panel refused the Sky ride they stated that they wanted to maintain and enhance the character of Alexandra Gardens. This does the very opposite.	Noted.
22	Fewer parking spaces available for those visiting the town.	6.7
23	Conservation Area deserves more respect than this.	6.3

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Indicative layout plan

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS IF PERMISSION IS GRANTED

1 The development shall not be commenced until the Monday of the second full week of November of 2016, 2017 and 2018 and the structures and equipment shall be dismantled and removed from site by the Friday of the second full week of January for 2017, 2018 and 2019. The land shall be restored to its former condition by the 30th April in each calendar year.
Reason: The proposal does not constitute a form of development that the Local Planning Authority would normally permit. However, in view of the particular circumstances of this application temporary planning permission is granted. Relevant saved policies - Local Plan CA2, DG1 and F1.

2 This temporary use of the land hereby permitted shall only operate between the hours of 10.00 hours and 21.00 hours.
Reason: To protect the amenities of nearby residents. Relevant saved policies - Local Plan NAP3.

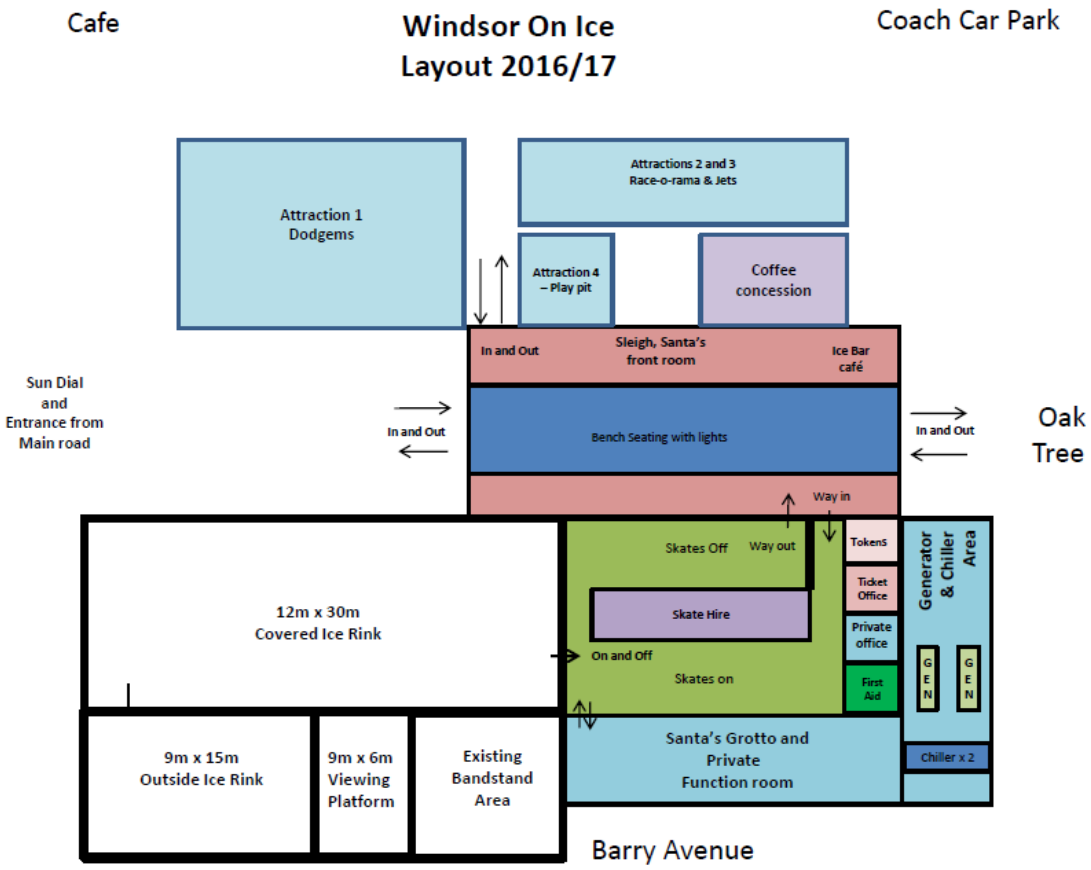
3 The height of the structures/ equipment permitted under this temporary use shall not exceed 6 metres in height (measured from ground level).
Reason: In order to safeguard the views of Windsor castle, and views into and out of the Conservation Area. Policy CA2

4 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.

Appendix A- Site Location

Appendix B- Indicative site layout



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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

20th July 2016

INDEX

APP = Approval
CLU = Certificate of Lawful Use
DD = Defer and Delegate
DLA = Defer Legal Agreement
PERM = Permit
PNR = Prior Approval Not Required
REF = Refusal
WA = Would Have Approved
WR = Would Have Refused

Item No. 1 **Application No.** 15/02248/FULL **Recommendation** REF **Page No.** 13

Location: Thames Court 1 Victoria Street Windsor SL4 1YB

Proposal: Construction of 5 storey building with associated car parking (including provision for public use at specific times), access and landscaping works following demolition of existing office building.

Applicant: BMW (UK) Trustees Limited **Member Call-in:** N/A **Expiry Date:** 26 November 2015

Item No. 2 **Application No.** 15/03135/FULL **Recommendation** DD **Page No.** 51

Location: Datchet Mead Cottage 145A Slough Road Datchet Slough SL3 9AE

Proposal: Construction of 9 dwellings; 2 x two beds, 2 x three beds and 5 x four beds following demolition of existing dwelling. Associated landscaping and parking

Applicant: Howarth Homes Plc **Member Call-in:** N/A **Expiry Date:** 12 April 2016

Item No. 3 **Application No.** 15/03465/FULL **Recommendation** REF **Page No.** 81

Location: Street Record Shirley Avenue Windsor SL4 5LH

Proposal: Erection of residential development of 93 dwellings including 2 x 2 bed, 4 x 3 bed houses, 25 x 1 bed, 57 x 2 bed and 5 x 3 bed flats, refuse and cycle stores, with new road and pavements/cycleways with parking (surface and underground) and amenity space, hard and soft landscaping, ancillary works following demolition of all existing commercial buildings.

Applicant: Medina Property Limited **Member Call-in:** Cllr Collins **Expiry Date:** 7 May 2016

Item No. 4 **Application No.** 16/01031/FULL **Recommendation** DD **Page No.** 117

Location: Windsor Girls School Imperial Road Windsor SL4 3RT

Proposal: Single storey infill extension, two storey front extension, demolition and relocation of bin store and cycle shelter, amendments to fenestration, cladding of reception block, reconfiguration of parking and associated landscaping

Applicant: Miss Derczynska **Member Call-in:** N/A **Expiry Date:** 5 July 2016

Item No. 5 **Application No.** 16/01033/FULL **Recommendation** DD **Page No.** 132

Location: The Windsor Boys School Maidenhead Road Windsor SL4 5EH

Proposal: Sheltered enclosure to 6th Form fire escape, extension to main visitor entrance and single storey infill extension to dining hall. Single storey extension to changing rooms and alterations to first floor fenestration of proposed staff room. New security fence with gate at staff entrance with associated minor landscaping works.

Applicant: Miss Derczynska **Member Call-in:** N/A **Expiry Date:** 8 July 2016

Item No. 6 **Application No.** 16/01097/FULL **Recommendation** PERM **Page No.** 157

Location: 109 High Street Eton Windsor SL4 6AN

Proposal: Single storey rear and two storey side extensions with amendments to fenestration, following the removal of the existing non-original extensions. Part change of use to class C3 (residential)

Applicant: Mr Shymansky **Member Call-in:** Cllr Alexander **Expiry Date:** 7 June 2016

Item No. 6 **Application No.** 16/01098/LBC **Recommendation** PERM **Page No.** 157

Location: 109 High Street Eton Windsor SL4 6AN

Proposal: Single storey rear and two storey side extensions with amendments to fenestration, following the removal of the existing non-original extensions. Part change of use to class C3 (residential)

Applicant: Mr Shymansky **Member Call-in:** Cllr Alexander **Expiry Date:** 7 June 2016

Item No. 7 **Application No.** 16/01683/FULL **Recommendation** DLA **Page No.** 193

Location: 36 - 37 Thames Street Windsor SL4 1PR

Proposal: Change of use of first and second floors from B1/D1 to C3 to provide 4 x 1 bed apartments

Applicant: Mr Bryant - Chesterton Holdings **Member Call-in:** N/A **Expiry Date:** 13 July 2016

Item No. 8 **Application No.** 16/01788/FULL **Recommendation** PERM **Page No.** 201

Location: Alexandra Gardens Barry Avenue Windsor SL4 5JA

Proposal: Construction of ice rink and attractions from November to January for a period of 3 years

Applicant: Mr Coleman - Citiesonice Windsor **Member Call-in:** N/A **Expiry Date:** 22 July 2016

Appeals Decision Report **Page no.** 211

Windsor Urban Panel

Application No.:	15/02248/FULL
Location:	Thames Court 1 Victoria Street Windsor SL4 1YB
Proposal:	Construction of 5 storey building with associated car parking (including provision for public use at specific times), access and landscaping works following demolition of existing office building.
Applicant:	BMW (UK) Trustees Limited
Agent:	Mr Philip Marsden - Savills (UK) Limited
Parish/Ward:	Castle Without Ward

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

1. SUMMARY

1.1 There were errors in the main report. This update report provides clarification over the description of the development, what the applicant is proposing in respect of the public use of the car park, and the acceptability of the development in respect of parking provision and travel plan targets proposed.

1.2 The applicant has provided samples of materials that could be used on the proposed building.

1.3 Comments from the Council's Parking Officer, and Thames Valley Police is respect of the proposed public use of the car park have been received. The applicant has provided comments in respect of security for the car park.

There is no change to the recommendation in the main report.

2. ADDITIONAL INFORMATION

2.1 The applicant has advised that they could sign a legal agreement for the use of the car park for the public, to include the Heads of Terms set out in paragraph 6.42 of the main report, and the additional Heads of Term referred to at paragraph 2.4 of this update report, and that they could sign this agreement before the grant of a planning permission.

2.2 The applicant has provided samples of materials that could be used on the proposed building, these are set out below:

The brick will be:

- Terca- Anglesey Weathered Buff
- Ibstock- Tonbridge Handmade Heather Grey

The cladding for the top floor of the proposed building will be metal; the following options for materials have been put forward.

- Bronze Satin Stainless
- Granex M1A Bronze Stainless
- Anthra- Zinc by VMZINC
- Quartz- Zinc Plus by VMZINC

2.3 The applicant is proposing that in order to provide further protection to the privacy of the residential unit at Lancaster House, the three windows on the Second Floor in closest proximity to the balcony would be fitted with opaque glazing, so that there would be no direct overlooking to Lancaster House. Officers are of the view that the development would still result in unacceptable overlooking to the balcony of Lancaster House, as only parts of the glazing are proposed to be opaque, and owing to the proximity of the proposed building and amount of glazing (that would not be opaque), there would still be overlooking to the balcony of Lancaster House.

2.4 An additional Head of Term is proposed in response to the comments from Thames Valley Police, the applicant is suggesting that details under the Head of Term for the Car Parking Management Plan would include details of CCTV to provide full coverage of the car park and vehicular entrance point.

2.5 There were errors in the main report, this update report corrects the points made in the main report.

Reference in main report	**Officer comments**
Paragraph 1.3- Proposed public use of car park	This paragraph is incorrect. Please refer to paragraph 6.42 of the main report. The applicant has indicated their willingness to enter into a legal agreement to secure the public use of the car park.
Paragraph 4.4- Reference to proposed public use of car park	Reference should be made to paragraph 6.42 of the main report.
6.37 and 6.38- Travel Plan targets	These paragraphs are incorrect. It was advised in the update report at the May 2016 Panel meeting that the revised Travel Plan targets were considered to be acceptable.
Pages 22 and 23 and consultee table- Reference to Highways raising an objection.	Highways are not raising an objection- this was explained in the update report at the previous Panel meeting.
Paragraph 6.39 and 6.40 (regarding the car park) are not up to date.	Reference should be made instead to paragraph 6.42

Comments from Consultees

2.6

Comment	**Officer response**	**Change to recommendation?**
Council's Parking Officer: *We would have to add the car park to the councils off street parking places order and then we could enforce.* *Any additional resident or public parking in the evening or at weekends would be greatly received.*	Noted.	No

Thames Valley Police Raise concerns over the proposed public use of the car park in respect of crime prevention terms. The main points for concern are summarised below: -Victoria Road car park is open to the general public 24/7 and suffers historic and existing issues of vagrancy, ASB, and criminal activity. -Public accessible rear parking courts are considered problematic in terms of crime prevention and community cohesion. They make rear boundaries, building and vehicles vulnerable to criminal activity as they lack natural surveillance, provide gathering opportunities and often attract anti social behaviour (ASB). -Due to the design and layout this rear court facility appears to lack natural surveillance outside of normal office hours. Secluded unrestricted areas such as this are likely to provide places where individuals can gather unobserved. -If the parking facility is opened up for public use, there are concerns over the above mentioned lack of surveillance and access control will leave the neighbouring Boundary of the Windsor Arm Barracks vulnerable.	The concerns are noted. However, if the application was being recommended for approval, it is considered that measures could be secured to ensure surveillance of the car parking area, such as lighting and CCTV. Also, the flats of Vitoria Court would overlook this area, providing a degree of natural surveillance.	No

3.

3

4

4

Windsor Urban Panel

Application No.:	15/03135/FULL
Location:	Datchet Mead Cottage 145A Slough Road Datchet Slough SL3 9AE
Proposal:	Construction of 9 dwellings; 2 x two beds, 2 x three beds and 5 x four beds following demolition of existing dwelling. Associated landscaping and parking
Applicant:	Howarth Homes Plc
Agent:	Mr Sam Tiffin - Progress Planning
Parish/Ward:	Datchet Parish

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

1. SUMMARY

1.1 There is evidence of bats at the site, as such this will require mitigation measures to be secured and implemented – such matters can be addressed through the use of a condition. The S106 Agreement is at an advanced stage and will need to be signed by relevant parties by 1st August 2016.

There is no change to the recommendation in the main report.

2. ADDITIONAL INFORMATION

2.1 The Bat Surveys have been reviewed by the Council's Ecologist. These show that the Soprano Pipistrelle bat has a roost in the existing building on the site. The applicant's ecologist has put forward measures to mitigate the impact on the bats. As such, a condition is recommended to secure the full details of the mitigation measures (see condition 4 of the main report).

2.2 The S106 Agreement is at an advanced stage but has not been signed. The Agreement will secure:
- the affordable housing;
- the landscaping on the boundary of the site; and,
- the previous obligations secured under the planning permission 10/02486/FULL.

Windsor Urban Panel

Application No.:	15/03465/FULL
Location:	Street Record Shirley Avenue Windsor SL4 5LH
Proposal:	Erection of residential development of 93 dwellings including 2 x 2 bed, 4 x 3 bed houses, 25 x 1 bed, 57 x 2 bed and 5 x 3 bed flats, refuse and cycle stores, with new road and pavements/cycleways with parking (surface and underground) and amenity space, hard and soft landscaping, ancillary works following demolition of all existing commercial buildings.
Applicant:	Medina Property Limited
Agent:	Mr M Carter- Carter Planning Ltd
Parish/Ward:	Clewer North Ward

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

1. SUMMARY

1.1 Since writing the main report, a further reason for refusal is recommended in respect of the development not passing the 'Exceptions Test' in relation to national planning policy in relation to flooding. In addition, clarification is provided on the status of the draft Borough Local Plan as a material consideration in the determination of this application.

The recommendation in the main report is changed to include an additional reason for refusal relating to the development not passing the 'Exceptions Test', as set out in section 3 of this update report.

2. ADDITIONAL INFORMATION

2.1 In order for the development to provide for sustainability benefits to the community to pass the exceptions test relating to national policy in respect of flooding, paragraph 6.27 of the main report refers to a safe escape being provided in this development which could also be used for neighbouring properties to the north, both at the Vale House site and for residents at Rutherford Close and other properties. However, it has not been demonstrated how this safe escape would link to the neighbouring sites and the mechanism to secure this so that it can be used by existing and future residents in this part of Dedworth. As such, it is considered that the exceptions test is not passed.

2.2 In the main report in relation to the principle of the development, paragraph 6.6 states that "...it is not considered that any weight can be given to the draft Borough Local Plan." The emerging Local Plan has been posted on the Council's website in advance of formal consultation and proposes to allocate this site for housing instead of employment.

2.3 The draft Borough Local Plan is at an early stage and is subject to formal consultation, so at this stage it can in fact be given limited weight, rather than no weight – as was specified in the main

report – as a material consideration in the determination of this planning application. However, given the limited weight to the draft Borough Local Plan as a material consideration, this is not sufficient to outweigh the conflict with policies of the current, adopted Local Plan.

3. RECOMMENDED REASONS FOR REFUSAL

Additional reason for refusal

The applicant has failed to demonstrate that the scheme will result in wider sustainability benefits to the community that outweigh flood risk and as such the development cannot pass the Exceptions Test. The proposal is contrary to paragraph 102 of the National Planning Policy Framework.

Windsor Urban Panel

Application No.:	16/01031/FULL
Location:	Windsor Girls School Imperial Road Windsor SL4 3RT
Proposal:	Single storey infill extension, two storey front extension, demolition and relocation of bin store and cycle shelter, amendments to fenestration, cladding of reception block, reconfiguration of parking and associated landscaping
Applicant:	Miss Derczynska
Agent:	Mr Simon McNabb - McBains Cooper
Parish/Ward:	Clewer East Ward

If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk

1. SUMMARY

Additional drainage information has been submitted. The Lead Local Flood Authority comments that the proposals to manage surface water drainage are not acceptable. For clarification the site is not located within the flood zone, and as such there is no requirement for the Environment Agency to be consulted or for a Flood Risk Assessment to be submitted. The recommendation has therefore been amended to reflect this.

It is recommended the Panel authorises the Borough Planning Manager:	
1.	To grant planning permission on the submission of the information requested by the Lead Local Flood Authority with the conditions listed in section 9 of the main report and suitably worded conditions to ensure the development is undertaken in accordance with drainage information.
2.	To refuse planning permission if the information requested by the Lead Local Flood Authority does not provide adequate drainage measures by the 24th August 2016.

2. ADDITIONAL INFORMATION

2.1 The amended drainage information is not acceptable. Additional information is required regarding; peak runoff rates and volumes and drainage systems. It is considered that an acceptable solution to these matters is possible, and as such it is recommended that the application is deferred to allow the Borough Planning Manager to approve the application following the submission of a suitable drainage strategy.

Windsor Urban Panel

Application No.:	16/01033/FULL
Location:	The Windsor Boys School Maidenhead Road Windsor SL4 5EH
Proposal:	Sheltered enclosure to 6th Form fire escape, extension to main visitor entrance and single storey infill extension to dining hall. Single storey extension to changing rooms and alterations to first floor fenestration of proposed staff room. New security fence with gate at staff entrance with associated minor landscaping works.
Applicant:	Miss Derczynska
Agent:	Mr Simon McNabb
Parish/Ward:	Castle Without Ward

If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk

1. SUMMARY

A Flood Risk Assessment (FRA) has been submitted. This has been assessed in section 2 below. For clarification whilst the site is located within flood zone 3 there is no requirement to consult the Environment Agency due to the proposed extensions being under 250sqm. Additional surface water drainage information has also now been submitted and this has found to be acceptable.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of the main report with the additional conditions in section 3 below.

2. ADDITIONAL INFORMATION

2.1 A Flood Risk Assessment has been submitted which confirms that it is not possible to provide a safe means of escape to an area wholly outside of the floodplain. However, in the River Thames catchment sufficient warning times can be given to alert the school of a flood. As such a safe means of escape is not considered necessary.

2.2 As the proposed developments are extensions to the existing school buildings it is not possible to raise the floor levels above the predicted flood levels in order to allow water to flow under the buildings and so as not to reduce floodplain capacity.

2.3 Instead a void in the school grounds is proposed which would fill up with water during a flood. This would be achieved by excavating a section of the school field to the west of the site. However, there are a number of trees along this boundary which form important screening and impact positively on the character of the area. It is not clear how the excavation would impact on these trees and there are concerns that they could be damaged. The proposed flood compensation is not therefore considered acceptable. Due to the constrained nature of the site it is considered unlikely there are any alternative locations for this flood compensation. As such excavation within the school grounds would not be feasible. The lack of flood compensation will affect the free flow of water and reduce the floodplain capacity in the event of a flood.

2.4 Paragraph 72 of the National Planning Policy Framework states that great importance is attached

to the ensuring a sufficient choice of school places is available to meet the needs of existing and new communities and Local Planning Authorities should give great weight to the need to create, expand or alter schools. There is fast-growing demand for pupil places across all ages locally and there are no other upper schools for boys within Windsor. The need to provide additional space for pupils at The Windsor Boys School is therefore high and as such it is considered that the benefits that the extensions would provide the school and the local community would outweigh the flood risk.

2.3 Additional drainage information has been submitted and has been found to be acceptable on surface water drainage grounds. The Lead Local Flood Authority has commented that they no longer object to the application subject to conditions. These suggested conditions are in section 3 of this report.

3. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

3.1 Notwithstanding the submitted details, no development shall take place until full details of the invert levels of the existing surface water system and the management and maintenance plan relating to the surface water drainage system have been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing, and maintained thereafter.

Windsor Urban Panel

Application No.:	16/01788/FULL
Location:	Alexandra Gardens Barry Avenue Windsor SL4 5JA
Proposal:	Construction of ice rink and attractions from November to January for a period of 3 years
Applicant:	Mr Coleman - Citiesonice Windsor
Agent:	Not Applicable
Parish/Ward:	Castle Without Ward

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

1. SUMMARY

1.1 Two letters of objection have been received; one letter from a resident and another from the Windsor and Eton Society. Issues raised are either ones which cannot be taken into account in the determination of the application, or are ones that have already been addressed in the main report.

There is no change to the recommendation in the main report.

Comments from Interested Parties

2.1 1 additional comment received, summarised as:

Comment	Officer response	Change to recommendation?
Plans are dated 2014 which means the applicant has given no consideration to changes in the park.	This is not a material planning consideration.	No
Attractions are not associated with Christmas.	This is not a material planning consideration.	No
Gardens will be out of use longer than the period specified, owing to recovery time needed for the park.	See 6.8 of main report	No
Granting a 3 year licence would tie the Council's hands, and would not allow for more appealing attractions that might come up.	See 6.10 of main report.	No
Last year the ice rink and attractions did not make profit.	This is not a material planning consideration	No
Did not see any provision for additional toilets.	This is not a material planning consideration	No
Would prevent use of the bandstand at Christmas.	6.9 of main report.	No

It is not for the applicant to offer use of the bandstand, that is for the council tax payers	6.9 of main report.	No
Attractions are noisy and ugly.	6.2 of main report	No
The use of the gardens for this purpose means elderly people can't use the gardens.	This is a temporary impact, and other parts of the open space are available.	No
Impact on parking	See 6.7 of main report.	No
Flood risk assessment is not credible	See 6.6 of main report.	No
A hefty fine must be imposed for illegal advertising.	See 6.12 of main report.	No
If upgrading the power supply is required, who will pay for it?	Not relevant to the planning consideration.	No
Would be happy for council tax to cover maintenance of the grass.	This is not a material planning consideration.	No

Comments from Consultees

2.2

Comment	Officer response	Change to recommendation?
Windsor and Eton Society comment that: Alexandra Gardens is a significant visual, recreation and landscape resource. The funfair attractions are contrary to the objectives of the Alexandra Gardens and Goswell Management Plan. Last year the gardens were unusable for the best past of 6 moths. Concerns that the attractions will render the bandstand unusable. If planning permission is granted, it should only be for 1 year	See main report.	No

Appeal Decision Report

4 June 2016 - 8 July 2016

WINDSOR URBAN

Appeal Ref.:	16/00018/REF	**Planning Ref.:**	15/03677/FULL	**Plns Ref.:**	APP/T0355/W/16/3142823
Appellant:	Mrs S Quinlan **c/o Agent:** Mr Duncan Duncan Gibson Duncan Gibson Consultancy 74 Parsonage Lane Windsor SL4 5EN				
Decision Type:	Delegated	**Officer Recommendation:**	Refuse		
Description:	Construction of 1 no. detached dwelling				
Location:	**Land At 17 Rydings Windsor**				
Appeal Decision:	Allowed	**Decision Date:**	27 May 2016		
Main Issue:	The Inspector states that despite being wider, the proposed dwelling would be in keeping with the height and appearance of the donor property and other dwellings in the same terrace. Although its corner location and diagonal boundary line would compromise the symmetry of the front garden area, there are similar design compromises elsewhere in the locality resulting from space constraints. The Inspector concludes therefore that the proposed development would not harm the character and appearance of the area and having had regard to all other matters raised concludes that the appeal should succeed and planning permission be granted.				

Appeal Ref.:	16/00036/REF	**Planning Ref.:**	15/01185/OUT	**Plns Ref.:**	APP/T0355/W/16/3145536
Appellant:	Mr Nick Pellew - Castle Members Club Ltd **c/o Agent:** Mr John Andrews John Andrews Associates The Lodge 66 St Leonards Road Windsor Berkshire SL4 3BY				
Decision Type:	Committee	**Officer Recommendation:**	Refuse		
Description:	Outline application with some matters reserved (Appearance, Landscaping, Layout and Scale) for the development for a health and leisure club with new access				
Location:	**Land At Excelsior Rowing Club Maidenhead Road Windsor**				
Appeal Decision:	Dismissed	**Decision Date:**	9 June 2016		
Main Issue:	The proposal would be inappropriate in, and lead to a significant reduction in the openness of, the Green Belt. Furthermore it would be likely to materially harm the character and appearance, and ecology, of the area. There are also unresolved flood risk issues. The substantial harm that would be caused by the proposal in these regards would not be clearly outweighed by the significant benefits identified, and therefore very special circumstances to justify the proposal do not exist.				

Appeal Ref.:	16/00043/REF	**Planning Ref.:**	15/04028/TPO	**Plns Ref.:**	APP/TPO/T0355/5120

Appellant: Karen Mitchell - First Port Property **c/o Agent:** Mr Tom Butterfield Dryad Tree Specialists Ltd Oak Hill Wood Street Village Guildford Surrey GU3 3ET

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: (T1) Oak (TPO 039 of 1996) - See description of works

Location: **Path Adjacent 25 Nightingale Walk Windsor**

Appeal Decision: Allowed **Decision Date:** 28 June 2016

Main Issue: The appeal tree makes a significant contribution to the visual amenity of the locality, street scene and the wider landscape and the proposed work would have no materially adverse effect on the form of the character and appearance of the area. The work can be justified on grounds of safety and amenity benefits.

Planning Appeals Received

4 June 2016 - 8 July 2016

WINDSOR URBAN

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at https://acp.planninginspectorate.gov.uk/ Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

Other appeals: The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email teamp13@pins.gsi.gov.uk

Parish/Ward:	Datchet Parish				
Appeal Ref.:	16/60068/ENF	**Enforcement Ref.:**	15/50554/ENF	**PIns Ref.:**	APP/T0355/C/16/3150896
Date Received:	28 June 2016		**Comments Due:**	9 August 2016	
Type:	Enforcement Appeal		**Appeal Type:**	Inquiry	
Description:	Appeal against the enforcement notice: Without planning permission the material change of use of the Land from residential to a mixed use of residential and business.				
Location:	**32 Montrose Way Datchet Slough SL3 9ND**				
Appellant:	Maninder Singh Virdi **c/o Agent:** Mr Anil Kakaria 18 Fairfield Avenue Datchet Slough SL3 9NQ				

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