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NOTICE OF MEETING

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WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 19TH JULY, 2017

At 7.00 pm

in the

COUNCIL CHAMBER - GUILDHALL, WINDSOR,

TO: MEMBERS OF THE WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS MALCOLM ALEXANDER (CHAIRMAN), PHILLIP BICKNELL (VICE-CHAIRMAN), MICHAEL AIREY, JOHN BOWDEN, WISDOM DA COSTA, JESSE GREY, EILEEN QUICK, SAMANTHA RAYNER AND SHAMSUL SHELIM

SUBSTITUTE MEMBERS

COUNCILLORS NATASHA AIREY, CHRISTINE BATESON, MALCOLM BEER, HASHIM BHATTI, LYNNE JONES, GARY MUIR, NICOLA PRYER, JACK RANKIN, WESLEY RICHARDS, SIMON WERNER AND EDWARD WILSON

Karen Shepherd - Democratic Services Manager - Issued: 11 July 2017

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

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest.	5 - 8
3.	<u>MINUTES</u> To confirm the minutes of the previous meeting.	9 - 12
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning & Property/Development Control Manager's report on planning applications received. 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	13 - 82
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring reports.	83 - 84

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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.

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MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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' means a discussion by the members of meeting. In order to avoid any accusations of taking part in the discussion or vote, Members should move to the public area or leave the room once they have made any representations. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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Agenda Item 3

WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 21 JUNE 2017

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

Also in attendance: Councillors Hashim Bhatti and Gary Muir

Officers: Wendy Binmore, Mary Kilner, Jenifer Jackson, Claire Pugh and Paul Cross

APOLOGIES FOR ABSENCE

None.

DECLARATIONS OF INTEREST

None.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 24 May 2017 be approved.

PLANNING APPLICATIONS (DECISION)

17/00482* Medina Property Development Ltd: Construction of a residential development comprising (Building A) a three storey block containing 7 x 1-bed, 5 x 2-bed flats (Buildings B1 and B2) two terraces of 3 x 3-bed dwellings, (Building C) a part three/part four storey block containing 9 x 1 bed, 7 x 2-bed flats. (Building D) a part four/part five storey building containing 16 x 2 bed, 5 x 3-bed flats, (Building E) a part four/part five storey building containing 4 x 1-bed, 15 x 2-bed flats, (Block F) a four storey building containing 7 x 1 bed and 8 x 2 bed flats. Refuse and cycle stores, new road and pavements/cycleways with parking (surface and underground) and amenity/play space, hard and soft landscaping, ancillary works following demolition of existing works following demolition of existing commercial buildings at Street Record, Shirley Avenue, Windsor – **THE PANEL VOTED to DEFER and DELEGATE to the Head of Planning authority to refuse planning permission with the reasons 1 – 5 listed in Section 9 of the main report, with an additional reason for refusal on inadequate SUDS information should the LLFA object.**

Five Councillors voted in favour (Cllrs Airey, Alexander, Bicknell, Da Costa and Quick) and four Councillors voted against (Cllrs Bowden, Grey, S. Rayner and Shelim).

(The Panel was addressed by Kevin Scott and Cllr Hashim Bhatti in objection and Mr Saqib Butt, the applicant in support)..

17/00761* Mr R Ellis Mr M Bird: Subdivision of existing property from 2 No 1 bedroom flats and 1 No. 2 bedroom flat to 3 No 1 bedroom flats, including reconstruction of rear lean to extension at 8 Clarence Road, Windsor SL4 5AD – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Head of Planning’s recommendations and grant planning permission subject to the completion of a satisfactory S106 Unilateral undertaking to restrict parking permits to 1 per flat and with the conditions listed in Section 9 of the Main Report and with the amended condition as listed below:**

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

17/00762* Mr R Ellis Mr M Bird: Consent for subdivision of edexisting property from 2 No 1 bedroom flats and 1 No 2 bedroom flats to 3 No 1 bedroom flats, including reconstruction of rear lean to extension at 8 Clarence Road, Windsor SL4 5AD. – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Head of Planning’s recommendations and grant listed building consent with the conditions listed in Section 9 of the Main Report and with an additional condition to ensure that materials are as per those specified in the application as listed below:**

- The Materials to be used on the internal and external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local planning Authority. Development shall be carried out in accordance with the approved details. Reason: in the interests of protecting the character and appearance of the listed building. Relevant Policies – Local Plan LB2

17/00861* Mr and mrs Poole: Hip to gable extensions to front and rear to accommodate loft conversion to form habitable accommodation and two storey rear extension at 75 St Andrews Crescent, Windsor SL4 4EP – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Head of Planning’s recommendations and grant planning permission with the conditions listed in Section 9 of the Main Report.**

(The Panel were addressed by Kevin Scott in objection with a statement of objection from Cllr E. Wilson read out by the Head of Law and Governance).

17/00940 Mr Nar: Construction of an outbuilding (retrospective) at 29 Tilstone Close, Eton Wick, Windsor SL4 6NG – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Head of Planning’s recommendations and authorise the Head of Planning to establish whether the building is on neighbouring land and if it is, require the applicant to serve Certificate B on the neighbour; and if it was established that the building did not come onto neighbours land and Certificate A (which has been completed) is correct, permit the application.**

(The Panel was addressed by Jeremy Peter on behalf of the applicant).

ESSENTIAL MONITORING REPORTS (MONITORING)

All details of the essential monitoring reports were noted.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

The meeting, which began at 7.00 pm, finished at 8.20 pm

CHAIRMAN.....

DATE.....

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Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

19th July 2017

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.	17/00045/FULL	Recommendation	DD	Page No.	15
Location:	The Moorings Willows Riverside Park Windsor SL4 5TG						
Proposal:	Upgrade and renewal of existing services to the moorings, replacement of existing electric hook-up and water points, mooring bollards, upgrading of black and grey water drainage system with bespoke drainage system and replacement of sheds.						
Applicant:	Haulfryn Group Ltd	Member Call-in:	Cllr Nicola Pryer	Expiry Date:	10 March 2017		
<hr/>							
Item No.	2	Application No.	17/00425/FULL	Recommendation	REF	Page No.	43
Location:	Land To Rear of 250 To 284 Horton Road Datchet Slough						
Proposal:	Erection of two new commercial units (Use class B2 - general industrial) within the existing commercial site.						
Applicant:	Mr Loveridge	Member Call-in:	Cllr Gary Muir	Expiry Date:	28 March 2017		
<hr/>							
Item No.	3	Application No.	17/00769/ADV	Recommendation	REF	Page No.	61
Location:	Advertising Right Jubilee Arch Windsor						
Proposal:	Consent to display one internally-illuminated double-sided monolith						
Applicant:	Royal Borough of Windsor And Maidenhead	Member Call-in:	Not applicable	Expiry Date:	28 April 2017		
<hr/>							
Item No.	4	Application No.	17/01189/LBC	Recommendation	REF	Page No.	67
Location:	Guildhall High Street Windsor SL4 1LR						

Proposal: Installation of working-at-height safety features including replacement walkways, collapsible handrails and fall arrest system. Renovation and decoration works to the ground floor western elevation including surface rendering and primary/ancillary entrances and associated stonework detailing. Refurbishment of lead waterproofing to cornice and renovation of existing first floor sash windows.

Applicant: Mr Searle **Member Call-in:** Not applicable **Expiry Date:** 30 May 2017

Item No. 5 **Application No.** 17/01346/FULL **Recommendation** REF **Page No.** 73

Location: 40 St Leonards Avenue Windsor SL4 1HX

Proposal: 2x rear dormers and 4 No. front roof lights to facilitate a loft conversion, alterations to front elevation (external materials) to include replacement metal balustrade panel with glass

Applicant: Mr Harrison **Member Call-in:** Cllr Jack Rankin **Expiry Date:** 20 June 2017

Appeal Decision Report & Planning Appeals Received

Page No. 83

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

19 July 2017

Item: 1

Application No.:	17/00045/FULL
Location:	The Moorings Willows Riverside Park Windsor SL4 5TG
Proposal:	Upgrade and renewal of existing services to the moorings, replacement of existing electric hook-up and water points, mooring bollards, upgrading of black and grey water drainage system with bespoke drainage system and replacement of sheds.
Applicant:	Haulfryn Group Ltd
Agent:	Mr Jeremy Lambe
Parish/Ward:	Bray Parish/Clewer North Ward

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

1. SUMMARY

- 1.1 The application comprises several elements, including engineering operations, replacement sheds, and above ground facilities. Some elements are considered to be appropriate development within the Green Belt, but part of the scheme is not, and so for that reason the whole scheme is classed as inappropriate development. The development is considered to result in a limited impact on the openness of the Green Belt.
- 1.2 The development is considered to have an acceptable impact in terms of flood risk, upon protected trees and on the character of the area. There are considered to be Very Special Circumstances (VSC) (in that the development will modernise facilities and help improve the visual appearance above existing facilities), and this VSC is considered to outweigh the harm to the Green Belt identified.

It is recommended the Panel defer and delegates authority to the Head of Planning to grant planning permission with the conditions listed in Section 9 of this report subject to the submission of an updated ecology survey which raises no new material issues.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Pryer for the reason that it is in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to land within Willows Riverside Park, to the north of the existing dwellings on the site, next to the river. The land within the application site consists of a grassed area, and footpath (not a public right of way) and high quality principle landscape trees. The trees growing on the site are subject to tree preservation order TPO 17/1995. The application site is situated within the designated Green Belt.
- 3.2 The application site is situated within the flood zone 2 and 3a.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission for the upgrade and renewal of existing services to the moorings, replacement of existing electric hook-up and water points with standard Marine Service bollards, new mooring bollards, upgrading of black and grey water drainage system with bespoke drainage system and replacement of sheds to provide for covered wheelie bin storage.

- 4.2 The mooring bollards would be placed on the on the river bank and would replace the existing brackets and mooring bollards which are up to one metre in height. The new mooring bollards would be 200 mm in height. The applicant advises that mooring bollards are moveable to accommodate various lengths of boats and would be positioned on the camp-shedding on the river bank.
- 4.3 The application proposes new Marine Service Bollards in place of existing services 'hook-up' boxes are located along the river bank approximately 3m to 4m away from the edge of the river. The existing hook-ups consist of square plastic / polypropylene boxes located on steel posts up to 1.2m above ground level. The proposal shows 15 new service bollards which would range in heights of between 1.2-1.3 metres in height.
- 4.4 The plans also show a new trench with electrical, mains water, and to and internet supply to be provided on the bank next to the river. This would run below ground level. The plans also show a foul drainage inspection chamber and pump chambers.
- 4.5 The plans depict that 7 of the existing metal storage bins would be replaced by a timber bin stores. There are no changes shown on the plans in respect of the other metal storage units on site.

Ref.	Description	Decision and Date
91/01625 /FULL	Continued use of riverbank for thirty three residential and leisure boat moorings. This permission was subject to two conditions which stated: " <i>This consent shall apply only to the mooring of traditional boats or houseboats being capable of navigation by an independent integral means of propulsion</i> " and " <i>no more than thirty three boats shall be moored at the site at any one time</i> ". The reason for these conditions was to protect the visual amenities of this riverside site which is located within the Metropolitan Green Belt.	Granted Permission 11.02.1992
15/01833 /FULL	Replacement of 33 residential and leisure boat moorings with 13 houseboat moorings for the siting of 13 houseboats together with associated services/storage/bin stores/parking landscape and environmental improvements	Withdrawn on 10 th December 2015

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Green Belt- Paragraphs 80, 81 87, 88, 89, 90

Flood risk- Paragraph 100

Design- Paragraphs 57, 58

Biodiversity- 109 and 117

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

Green Belt	Character of area	Trees	Flood Risk
GB1, GB2	DG1, N2	N6	F1

These policies can be found at

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

Supplementary planning documents

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

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Acceptable impact on River Thames corridor	SP4
Manages flood risk and waterways	NR1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Green Belt;
- ii Flood Risk;
- iii Impact on trees
- iv Character of area
- v Ecology

Green Belt

6.2 The application proposes a number of elements, some of which are considered to be appropriate forms of development within the Green Belt, and some inappropriate within the Green Belt.

Appropriate forms of development in the Green Belt

6.3 The proposed electrical, mains water supply, foul water drainage, and below ground pumping station are all considered to constitute engineering operations, which provided that they preserve the openness of the Green Belt constitute appropriate development, as per paragraph 90 of the NPPF. In this case, as the proposed service runs, pumping station and foul water drainage are below ground, these would preserve the openness of the Green Belt.

- 6.4 Seven of the existing metal storage sheds are proposed to be replaced with timber stores to accommodate bins. The replacement stores would be taller than the existing sheds by 30- 40 cm, however, they would be smaller in width by circa 40cm. The new bins would also be shallower by circa 60 cm than the existing storage sheds. Although the new stores would be taller than the existing sheds, they would also have smaller footprints than the existing stores, and as such it is not considered the replacement sheds would be materially larger. This element would accord with paragraph 89 of the NPPF.
- 6.5 The application also proposes new mooring bollards and new marine service bollards. They would be considered facilities for the purposes of paragraph 89 of the NPPF, however, under paragraph 89 the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, are appropriate, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In this case, under planning permission 91/01625/FULL the moorings are for residential and leisure. As such, not all of the new bollards will be used purely for outdoor recreation purposes, and so they would not constitute appropriate development within the Green Belt under paragraph 89 of the NPPF.
- 6.6 As part of the scheme is inappropriate development, the whole scheme is considered to be inappropriate development in the Green Belt. Such development should be refused unless a case of Very Special Circumstances can be made which outweighs the harm to the Green Belt, and any other harm. Substantial weight should be given to any harm to the Green Belt.

Impact on openness of the Green Belt

- 6.7 In this case, the replacement bin stores are not considered to be materially larger than the existing sheds and so would not have a harmful impact on the openness of the Green Belt. With regard to the mooring bollards, there would be 45 low level mooring bollards (20cm high) proposed to replace the mooring fixings which currently exist. These would exist instead of the steel brackets (approximately 1.0m in height), angled iron posts and bollards that are currently utilised. In terms of openness this element is considered to be an improvement of the existing situation.
- 6.8 With regard to the new marine service bollards these would replace the existing services 'hook-up' boxes (there are approximately 25) which are circa 1.2 metres in height. These would be removed. The 15 marine service bollards would be 1.1- 1.3 metres in height. The new service bollards would be more substantial than the existing hook up boxes, but there would be less of them across the site. As there would be less of these, but they are more substantial in size, it is considered that they would have a limited impact on the openness of the Green Belt. It is considered that the proposed development (as a whole) would have a limited impact on the openness of the Green Belt.

Flood Risk

- 6.9 The application site lies within Flood Zone 2 (medium risk) and 3a (high risk) defined by the Environment Agency Flood Map as having a medium and high probability of flooding, this is also shown on the maps within the Council's Strategic Flood Risk Assessment (published June 2017). National Planning Policy requires the Sequential Test to be applied (demonstrate that there are no other sites at a lower risk of flooding which could accommodate the development) is passed. The Flood Risk Assessment sets out that as the proposal is related to upgrading and replacing current services on site there are no other locations which the proposals could be considered. The development will be at the River Thames at this location out of necessity, as this is where boats are permitted to moor. It is agreed that the development is required to serve the residential and leisure moorings, that the development has to take place in this location, and as such the Sequential Test is passed.
- 6.10 As the development would fall into water compatible development, according to the Flood Risk Vulnerability Classification table in the NPPG there is no requirement for the Exceptions Test to be applied.

- 6.11 In respect of the flood risk, the development is not considered to increase flood risk to others. The replacement bin stores would have a smaller footprint than the existing storage sheds. The FRA sets out that it is recommended that the bollard configuration on each mooring is set so that the cable termination point is set above 21.61mAOD (1 in 100 year flood +35% climate change allowance). The measures within the FRA can be secured by planning condition (see recommended condition 5).

Impact on trees

- 6.12 The trees growing on the site are subject to tree preservation order TPO 17/1995. The trees make an important contribution to the character of the area.
- 6.13 Amendments have been made to the plans for the underground services and inspection chamber to be re-sited to avoid the root protection areas of trees where possible. Subject to planning conditions to secure a method statement for undertaking the development, the scheme is considered to have an acceptable impact on protected trees. (see conditions 6,7 and 8).

Character of area

- 6.14 The proposed timber bin stores and bollards (marine service and mooring bollards) are considered to be acceptable within the river setting of this site where it is expected for boats to be moored. The development is considered to have an acceptable impact upon the character and appearance of the area, and setting of the Thames.

Ecology

- 6.15 An ecology survey was undertaken at the site in March 2015 in support of a previous application. The survey undertaken includes the current application site boundary. However, the surveys are almost two years old and if the development does not commence before the end of 2017, the Council's ecologist has recommended that the surveys are updated. It is considered that the applicant should do an updated ecology survey before the application is determined (should planning permission be granted). On the receipt of a satisfactory ecology survey, certain conditions relating to ecology/biodiversity may be necessary and advice from the Council's Ecologist will be sought; such conditions will be added through the delegated authority.

Other considerations

- 6.16 Concern is raised by the occupier of number 41 Main Road over the bin store and foul water drainage pump causing harm to residential amenity. The bin store is not considered to cause harm to neighbouring residential amenity. The plans show 3 pump chambers along the bank of river; these are not in very close proximity to residential properties, however, a condition can be imposed to secure details of the method/mitigation to ensure any noise is to an acceptable level (see condition 3). The proposed foul water inspection chamber would be close to some residential properties on the park, however, this would be below ground and measures could be implemented mitigate noise to an acceptable level (so as not to breach any noise standards covered by Environmental Protection).
- 6.17 The lack of community consultation before the application was submitted is not a reason to refuse the application.
- 6.18 It has been questioned why an upgrade of services is required, however, this is not relevant to the planning assessment.
- 6.19 It would not be reasonable or necessary to impose a planning condition specifying floating homes cannot utilise the upgraded services. The original planning permission for the residential and leisure moorings and its conditions is still valid and should be complied with.

- 6.20 Concern is raised over the loss of amenity land for residents at Willows. There is no local plan policy that would control the amount of amenity space. Any stipulations in the licence for the park cannot be considered under the planning assessment. Notwithstanding this, this proposal would not remove the grassed area by the river.
- 6.21 Concern has been made about sewage leaking into the river; however, the Environment Agency has not raised an objection over the risk of pollution from the proposed sewer run. Thames Water is not a statutory consultee on the planning application.
- 6.22 It is not relevant to the planning assessment why boats require bin stores, however, given that the land has planning permission for residential and leisure moorings it would seem reasonable for bin stores to be provided. The fire risk associated with the proposed material is not relevant to the planning consideration.
- 6.23 It is stated that the application is lacking in conditions attached to the plans to ensure control of certain aspects. This is not necessary; the Local Planning Authority will impose planning conditions that meet the tests in the National Planning Practice Guidance (in that they are necessary; relevant to planning and to the development to be permitted; enforceable; precise and; reasonable in all other respects).
- 6.24 In respect of residents of Willows Riverside being able to fish, this is a private matter and not relevant to the planning assessment. The place of the marine service bollards will not restrict residents to access the river.
- 6.25 Comment is made about some residents paying a premium for a riverside plot; this is not a relevant to the planning consideration.
- 6.26 The application is not proposing to remove the seats that exist.
- 6.27 Whether or not the upgrades to the services are essential would not necessarily constitute part of the Very Special Circumstances.
- 6.28 If the developer undertakes works which causes damage to other property, the developer is responsible and the matter will need to be resolved privately.
- 6.29 The application contains plans showing the proposed replacement sheds. Details of the below ground pump have been provided.

Planning Balance and the Case of Very Special Circumstances

- 6.30 In this case the development is considered to be inappropriate development in the Green Belt, which is by definition harmful. The development is considered to have a limited impact on the openness of the Green Belt.
- 6.31 The applicant has put forward that the proposal represents an improvement to the visual amenity of the Green Belt with the removal of numerous bollards, fixing posts, structures, service connection points, aerial posts, lights, wheelie bins and associated paraphernalia located on the river bank. This will significantly tidy up the appearance of the river bank, the setting of the River Thames and reduce the sprawl that has previously occurred.
- 6.32 The applicant further set out that the proposed services and infrastructure are far less obtrusive than the existing situation at the Moorings. There will be a reduction from approximately 100+ mooring fixings, posts and bollards, this number will be reduced to 45 low level purpose designed timber mooring bollards which are 200mm in height and 110mm in diameter. The replacement of all electric hook-up boxes and water point connections with purpose designed marine service bollards located adjacent to the camp shedding on the river bank will also be a visual improvement with the removal of pipework and cabling running across the surface of the river bank.

6.33 The Local Planning Authority accepts this position. It is also taken into account that only one element proposed under this scheme is deemed to be inappropriate development within the Green Belt, and the other development would be appropriate development. Given that this site has planning permission for residential and leisure moorings, it is considered reasonable to expect the operator/owner to upgrade facilities to serve boats that use these moorings. Given that the mooring service bollards(which is part of the development deemed to be inappropriate) are a facility that is reasonably expected for use by residential or leisure boats, and this is in connection with a lawful use at the site. On the basis that the updated ecology survey identifies that there would be no harm to ecology as a result of the proposed development, it is considered that the above represents Very Special Circumstances that outweighs inappropriate development in the Green Belt, and the limited harm to the openness of the Green Belt.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

7.1 277 occupiers were notified directly of the application.

7.2 The planning officer posted a site notice on the 12th January 2017.

7.3 A number of the objection letters received refer to the floating home moored on site at present, and the belief that the upgrading of the moorings to ultimately cater for more of the floating homes. It should be acknowledged that it is not for the Local Planning Authority to anticipate what the applicant may or may not do. This planning assessment can only considered whether the proposal put forward under the planning application is considered acceptable or unacceptable on planning grounds.

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

Comment		Where in the report this is considered
1.	The structures on the river would result in an unacceptable impact on the landscape and result in encroachment.	6.14
2.	The replacement sheds should be in a cluster, rather than in a line across the bank of the river. They should also be in a camouflage finish so they blend in.	6.14
3.	The installation of the bespoke drainage system involves flexible piping. The EA made strong concerns about the system in respect of raw sewage going into the river.	See response from the EA in table below.
4.	If they decide to install mooring bollards into the river bed to stabilise the new installation this could affect flooding conditions.	6.9-6.11
5.	Object to the houseboats which the applicant wishes to moor- they will have an adverse impact on character and appearance of the area.	7.3
6	Since the previous application for floating homes was withdrawn, the applicant has moored a floating home on site- questions if this is legal.	7.3
7	Supports the tree officer concerns over the application.	6.12-6.13
8	If the applicant does not have permission for the floating homes, why do they need a sewage system?	6.18
10	Asks that is planning permission is granted that a condition is put on to prevent floating homes to reinforce the floating homes cannot use these services and that existing floating homes are removed.	6.19
11	Will the mooring bollards result in flooding?	6.9-6.11
12	More boats will require more parking spaces to be provided	7.2
13	Concerns over drainage	6.9-6.11
14	Access for emergency service vehicles should be provided.	7.3
15	Feel that allowing this application will be a precursor to permitting floating homes in the future.	7.3

16	This proposal seems to be similar to the scheme which was previously withdrawn when a number of groups objected to it.	7.3
17	There is intention to erect further 7 wooden sheds along the riverside which are not shown on this application; this is puzzling- there is a current ban by this company on residents not being allowed to erect wooden sheds because of fire risk.	6.22
18	Waste bins and sheds will destroy the view of the river.	6.14
19	The number of mooring bollards and their positioning is not given.	4.2
20	The Willows is 15.25 acres in total of which 10% should be made over to residents for use as park amenity area as per the operator's licence issue by the LA. The site is currently below the required amount stipulated in the site licence.	6.20
21	The raw sewage will leak out into the river	6.21
22	This is flood zone 3. Are the moorings designed to cope with rapidly flooding river? What will happen to all the services, sewage, electric, water, connected to the mooring?	6.9-6.11
23	I cannot find any plan or explanation about the sheds that will replace the existing ones. There is documentation about the bins enclosures that will replace 7 sheds, but nothing about the replacement of others. Same for foul system or pump. Want details on measurements, material etc..	Information has been submitted.
24	Plans are not adequate to show nature of new mooring facilities.	4.2-4.3
25	These plans are identical to the previously withdrawn scheme, aside from the omission of the floating homes.	7.2
26	Application should be deferred until more information is received.	Noted.
27	The upgrade and renewal of services is completely inappropriate and unnecessary for traditional boat moorings.	6.18
28	The proposed upgrade will require the digging of trenches along the currently designated amenity area for residents at the Willows Riverside Park to allow for the installation of water, electricity and BT cables. I believe no impact assessment has been undertaken for the protected trees. It will also cause disruption wildlife.	6.12-6.13 and 6.15
29	Question the ultimate intent of this scheme.	7.3
30	It will impact on the amenity space by the river, which is important to residents who are elderly or vulnerable.	6.20
31	There appear to be no conditions attached to the plans to prevent excessive noise from pumping stations, to ensure the privacy of residents; to protect the views of the river and its openness, to avoid parking problems, to ensure that sheds to house the waste bins are kept clean to prevent them from becoming infested by rodents, to prevent excessive noise if the boats are used as holiday 'get aways'	6.23
32	Why do boats need sheds, they have no gardens?	6.18
33	A sequential test has not been undertaken.	6.9
34	The EA needs to be engaged on this application.	See comments from the EA
35	The application should be rejected as it fails to provide sufficient details, plans and designs. Many points only appear as a small comment on a plan but without any further mention or information to substantiate them. For instance: details about the trench, design for the proposed sheds, information about foul systems, pump, etc	Noted. It is considered there is sufficient information to determine the application.

36	<p>The scale of the proposed development far outweighs any potential “environment improvements” as the reduction of grey/black water would be small considering the reduced number of moorings on this site.</p> <p>Therefore, this is an inappropriate development within the Green Belt (policies GB1 and GB2) and permission from the Environment Agency for proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Thames is required.</p>	6.30-6.33
37	<p>Local policy states that neighbouring communities and residents, who are likely to be impacted by the application, should be consulted but once more this has not happened.</p>	See 6.17
38	<p>The design for the proposed bins enclosure does not clearly show if it will be covered or not. Who will be responsible for cleaning it and putting it on the road for rubbish collection it. If these are not emptied often or kept dirty, it will smell and create an environment propitious to rats and germs on the riverfront. These are likely to have an adverse impact on the houses nearby.</p> <p>- Combustible material used in bin enclosures</p>	This is not relevant to the planning assessment.
39	<p>The mooring licence is for 33 BOATS residential and leisure BOAT moorings”. In my view, the continuous use of the work “houseboats” aims to create confusion.</p>	The description of the original planning permission is clear.
40	<p>Deliberately, the pictures show the worst of the moorings as they were 2 years ago, before the eviction of the boaters. This is what I understood to be the “residential paraphernalia” continuously repeated in the document. No improvements to the moorings can prevent this from happening. This is controlled by the mooring rules set by the park management and it is up to them to ensure they are followed.</p>	Noted.
41	<p>The layout seems to indicate that 13 marine bollards will be placed on the moorings. This seems to indicate a reduction of at least 20 residential/leisure boat as opposed to 33 stated in the mooring licence. This contravenes one of the EA objectives and objection to the application 15/01833/FULL (see below)”.</p> <p><i>“There is a shortage of moorings on the non-tidal River Thames. We understand that to enable the potential development to take place the applicant has evicted 20 residential boats and 13 leisure boats. The loss of this number of official moorings in an area where there is such a shortage is very significant. This is not supported within policy 18, section 10.3 of the Thames Waterways Plan 2006-2011.”</i></p> <p>2. The fishing area reserved for residents seems to have disappeared</p>	See comments from the EA in table below.
42	<p>The fishing is an amenity available to residents and which is used to attract residents to the park. However, it seems to have been taken over by moorings as marine bollards are proposed to be installed in this area.</p> <p>I would request that in the unlikely event of this application being approved, it should include a condition to “protect the green amenity and fishing areas reserved for park residents from any development as they are among the facilities provided to park residents”.</p>	6.23

43	There are many “features” proposed in the site layout which are not described or explained anywhere else such as a “chamber” on the western side of the moorings.	The description is considered accurate.
44	The size proposed for the mooring bollards is inconsistent, i.e. in one place it says 200mm and in another 500mm. Which one is correct?	4.2
45	Replacement storages and bin enclosures are bigger and bulkier than the current metal sheds and will do nothing to reduce or maintain the openness of the Green Belt (in this case, area is not a good measurement to be used). It will be the opposite.	6.7
46	if this application is approved, my house will be surrounded by a “chamber”, bin enclosures, sheds and 2 Foul systems near my garden. I do not fully understand what these are, but I am really concerned about the adverse impact they might have on my house and the risk of ground contamination	6.16
47	There are people in the park who have paid extra to a riverside plot.	6.25
48	The seven sheds intrudes into the amenity area	6.20
49	The existing amenities were acceptable for the traditional boats that were previously moored here (before they were evicted)- don't therefore see why this upgrade is required.	6.18
50	Development is inappropriate in the Green Belt.	6.2-6.8
51	The risk of ground and water contamination in the event of a flood is high as sewage will be installed in a trench alongside river bank in flood zone 3.	6.21
52	The application shows 13 marine bollards- does this indicate 13 floating homes are still planned?	7.3
53	Too many large sheds and bin stores on the bank.	6.14
54	Existing poles prevent boats coming onto land in flood event, will marine bollards also have this function?	No
55	Should this application be approved, it should be conditioned to be used in accordance with the terms of the mooring licence (i.e. for traditional boats).	6.23
56	There are a lot of elderly, disabled and vulnerable people within Willows. The moorings are treasured by many who have benches placed in memory of their loved ones and offers a place to provide a safe healthy meeting place.	6.26
57	The applicant has not presented their rationale for the application.	Noted.
58	There are many options for a boat to deal with sewage as it cannot be connected to a drainage system while navigating. Furthermore, the “PLA Byelaw 49” comes into force on 1 January 2015, with the aim to prevent the discharge of sewage into the Thames, which is consistent with the continuing improvement of the Thames environment. This added to the fact that a traditional boat does not require to be connected to a drainage system, eliminates the need to for a bespoke drainage system.	6.18

59	Connection to BT lines is already available in the park. It needs to be taken into consideration that landlines are becoming obsolete, mobile phone, mobile broadband and wireless services are widely available and therefore a permanent connection may no longer be a solution required by many, particularly boaters as they are likely to still need to be connected when away from the moorings. Therefore, the installation of BT cables in a trench is not be required.	6.18
60	Inappropriate development in the Green Belt with no "Very Special Circumstances" (VSC) attached to it	6.30-6.33
61	The development cannot be classified as a VSC as services to the moorings are already in place and it does not provide any essential services.	6.27
62	The development is on the edge of the river, in an area classified as flood zone 3, covered by mature trees protected by TPO and there is a risk that the tree roots will be damaged.	See main report
63	The Flood Risk Assessment (FRA) states that climate changes are likely to increase the risk of flooding. It concludes "...higher flood levels than those presented in this report may be experienced in the future..." and acknowledges that "...there is potential for both groundwater and surface water flooding...". Hence this area is not appropriate for any development.	6.9-6.11
64	The openness of the Green Belt and setting of the Thames would be adversely impacted as the proposal includes bin storages placed alongside the riverbank, chambers, pumps, foul systems, mooring and marine bollards and replacement of existing sheds, which despite being similar in function, would be bigger and more obtrusive. The so called "paraphernalia" (which has been over used as a justification for this development) would not be impacted at all because it is no longer there (picture below) and, even if it were, anything scattered on the riverbank would not be removed by the proposed development as the "paraphernalia" is nothing else but the result of a combination of human behaviour, park management and poor mooring rules. Hence it is incorrect to expect that that the proposed development would tidy up the appearance of the riverbank and reduce the sprawl	See main report

65	<p>Taking into consideration the scale of the work and the reduced number of moorings, the harm to the Green Belt far outweighs the small environmental improvement that this proposal would bring (note that the numbers of moorings are being reduced from 33 to about 13, which is the number of marine bollards being proposed)- there would be conflict with paragraph 87 of the NPPF.</p>	6.30-6.33
66	<p>This development is neither a mineral extraction nor engineering operations nor local transport infrastructure nor re-use of buildings nor a development brought forward under a community Right to Build Order. Hence, this development is inappropriate in the Green belt.</p> <p>Besides, the “structures” that would be scattered on the riverbank and green area will be more obstructive. The reduction on the mooring fixings is mainly due to the fact the number of moorings will be reduced, even though this is not explicitly said.</p>	See main report.
67	<p>The trench alongside the river, cables, chambers, etc. will reduce the capacity for the ground to absorb water and may increase flood risk to nearby houses. I am assuming the trench will be covered by hard surface?!</p>	6.9-6.11
68	<p>The proposed development will do nothing to enhance the natural environment. On the contrary, by digging at the edge of the river it will have an adverse impact on wildlife and green area.</p>	6.15
69	<p>When I read the word “pump”, immediately “noise, electricity, enclosure” comes to mind and I would object to it, more so if it is located near my house or garden.</p> <p>There are drawings of existing sheds and electric boxes but there is no design or explanation if and what they would be replaced with. Many people are mistakenly thinking that the 25 sheds will be replaced by only 7 bin enclosures. In my understanding the remaining sheds will be replaced by bigger ones but this is not clearly described in the documentation. It is very misleading</p>	See report.
70	<p>Flexible pipe may rupture during a flood event and contaminate water and ground, which could affect the green amenity area reserved for park residents and the river. Has this been addressed by a “Sustainable Drainage Systems Approving body” as required by the “Floods and Water Management Act 2010”?</p> <p>There are also concerns over the capacity of the sewerage infrastructure to accept higher volumes as there have been numerous foul water discharge incidents near this site in the last few years. Has advice been sought from Thames Water Utilities regarding the capacity of the system to manage the waste by this development?</p>	6.21.
71	<p>Excavation work is proposed to take place near the houses edging the moorings and it may cause land subsidence and/or adversely impact their bases and structures, causing irreparable damage to them. This could have a huge financial implication for the homeowners.</p>	6.28

72	<p>it is incorrect to state that “The proposals will tidy up the appearance of the river bank, the setting of the Thames and will be far less obtrusive than the existing services, bollards and structures currently located on the river bank moorings” (Green Belt statement 3.09). Structures will be bigger, ropes will still be used to connect boats to land and wires to bollards, and pipes to water, etc. And unless sprawl is controlled by the park management via a good set of rules, this will not happen. Besides, no one expects moorings to look pristine like a hotel reception.</p>	See main report.
73	<p>Incorrect terminology: Use of “houseboat / boat” moorings instead of BOAT moorings as per 1991 licence</p> <ul style="list-style-type: none"> o FRA is incorrect to say that park amenities include only a club house and laundry as well as access roads and services. The amenity area is part of the facilities provided to park residents as part of the park licence and equates to 10% of the park area and as such should be protected from development. o It is not correct to say “As the development is “for a like-for-like replacement of services and storage sheds the proposals are not expected to increase flood risk elsewhere”. The replacement is not like-for-like. 	Noted.
	<p>in the unlikely event of this application be approved, the council should consider to use conditions or planning obligations (NPPF 203) to make it more acceptable and prevent inappropriate developments in the moorings at the Willows Riverside Park. The aim of these conditions are:</p> <ul style="list-style-type: none"> To protect the openness of the Green Belt To protect the Setting of the Thames To protect views/to and from the river To protect the moorings and Green Belt from future inappropriate developments To protect the green amenity and fishing areas reserved for park residents from any development or encroachment, including its use for car parking. To prevent flat-float/pontoon type boats/houseboats to moor in the park as it is what the 1991 moorings licence seeks. 	6.23

Consultee	Comment	Where in the report this is considered
Environment Agency	<p>We have reviewed the recently submitted Flood Risk Assessment (by Thomas Mackay, dated February 2017 – ref. 17010_WillowsRiversidePark_FRA_FINAL_v1-0). We can now withdraw our objection to the application, subject to the inclusion of the following conditions and informatives in any permission granted.</p> <p>CONDITION The development permitted by this permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> 1. The bollard configuration should be set to above 21.61 AOD – this is above our recommended 1% 35% climate change level. 2. All bins and bin stores shall be securely fixed to the ground to prevent any washing away during a flood event. 3. All development should be carried out in line with the drawings submitted. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. <p>REASONS</p> <ol style="list-style-type: none"> 1. To prevent damage to the bollards as much as possible during flood events. 2. To ensure minimal damage to surroundings when flood event occurs. 3. These are the plans for the development that have been reviewed and are appropriate for the location. <p>Pollution Prevention During Construction INFORMATIVE Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:</p> <ul style="list-style-type: none"> - the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. <p>Flood Risk Activity Permit INFORMATIVE The applicant is required to obtain a Flood Risk Activity Permit (under the Environmental Permitting Regulations) for activities beside/in/under/over the Thames (Lower) Main River. They are advised to view the Environment Agency’s website at https://www.gov.uk/guidance/flood-risk-activities-environmental-permits for further details on this requirement.</p> <p><u>Updated Comments</u></p> <p>We have reviewed the requested condition and would like to</p>	6.9-6.11 and recommended conditions.

	<p>apologise as it was an error on our part. Please include the following revised condition as an alternative:</p> <p>CONDITION The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> 1. All bins and bin stores shall be securely fixed to the ground to prevent any washing away during a flood event. 2. All development should be carried out in line with the drawings submitted. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>REASON</p> <ol style="list-style-type: none"> 1. To ensure minimal damage to surrounding when flood event occurs. 2. These are the plans for the development we have reviewed and see as appropriate for the location. 	
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Other consultees

Consultee	Comment	Where in the report this is considered
South Bucks District Council	Offers no objection to the proposal.	Noted.
Council's Ecologist	<p>An ecology survey was undertaken at the site in March 2015 in support of a previous application. The survey undertaken includes the current application site boundary. Following a site visit, it is confirmed that the habitats on site remain unchanged since the previous survey was undertaken.</p> <p>However, the surveys are almost two years old and if the development does not commence during 2017, it is recommended that an updated ecology survey is undertaken in order to ensure the site conditions have not become more suitable to support protected species.</p> <p>A number of designated sites were recorded within 2km of the proposed development. The applicant's ecologist concluded that due to the distance between the protected sites and development, it is unlikely that there will be any adverse effects.</p> <p>In order to reduce the impact of the development on The River Thames, it</p>	6.15

is recommended that a Construction Environmental Management Plan is provided which will include details of sensitive lighting and the prevention of pollution events. Should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice be incorporated into suitably worded condition.

The majority of the habitat on site was recorded as being of negligible ecological value (amenity grassland, building, and hard standing). There was no evidence of, or habitat on site to support, otter, water vole, reptiles, amphibians, badgers or hedgehogs and therefore no further surveys for these species/ group of species is required.

The scattered trees were found to be of value to bats and breeding birds which is discussed below.

Bats

A number of trees on site were recorded as having low and moderate potential to support roosting bats. Bats and their roosts are afforded strict protection under the Wildlife and Countryside Act 1981(as amended), and the Conservation of Habitats and Species Regulations 2010 (as amended) and are a material consideration under the National Planning Policy Framework (NPPF). It is understood from the development plans that no trees with bat roost potential are to be removed as part of the development.

As the development plans have changed since the ecology survey was undertaken, it is recommended that confirmation is sought that none of the trees with the potential to support roosting bats are to be affected by the development. If the trees with potential to support roosting bats are to be removed during, or affected by, the development, further survey should be undertaken and the survey results provided to the Local Planning Authority, prior to planning permission being granted.

To ensure that there are no indirect impacts on bats that may be using the site, the ecological report gives recommendations for sensitive working practices which should be implemented during development. Should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice be incorporated into a suitably worded condition.

Breeding Birds

There was habitat on site that had the potential to support breeding birds including the trees and shrubs. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended.

The ecology report makes reference to the protection of breeding birds during works including ensuring tree and scrub removal is undertaken outside the breeding bird season (which spans from March to August inclusive) or any nesting bird habitat and areas within close proximity to the proposed works should be checked by a qualified ecologist prior to works being undertaken. Should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice be incorporated into a suitably worded condition.

Mammals

Mammals including otter and hedgehogs could enter the site during development. The ecology report outlined a precautionary method of working to protect any mammals on site. Should

	<p>the Local Planning Authority be minded to grant planning permission, it is recommended that this advice be incorporated into a suitably worded condition.</p> <p>Biodiversity Enhancements Paragraph 109 of the NPPF states that: “The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”. In addition, Section 40 of the Natural Environment and Rural Communities Act 2006 states that “Every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.</p> <p>The applicant’s ecologist has recommended several biodiversity enhancements which could be included into the development proposals to increase the biodiversity opportunities at the site. These included wildlife friendly planting, sensitive lighting, the inclusion of bat and bird boxes on buildings and retained mature trees and installation of coir rolls onto the existing banks. Should the Local Planning Authority be minded to grant planning permission, it is recommended that a suitably worded planning condition is included requiring the applicant to incorporate all the biodiversity enhancements recommended within the ecology reports</p>	
Lead Local Flood Authority	The application has little change to the impermeable area and therefore the Lead Local Flood Authority has no comments to make in this instance.	Noted.
Highway Authority	Offers no objection.	Noted.
Bray Parish Council	Recommended for refusal - GB2 - Unacceptable development in the Green Belt. N2 - Inappropriate development in the setting of the Thames. Insufficient detail to fully determine the work being done.	See main report.
Cookham Parish Council	<p>The Planning Committee of Cookham Parish Council has been made aware of the application 17/00045 for the upgrading of moorings at Willows Riverside Park in Windsor.</p> <p>We understand that the application has been called in to the Development Control Panel and so would like to reiterate the objections submitted in December 2015 which cite the Committee's concerns about the type of craft that will be allowed to moor there following the upgrade.</p> <p>Our Planning Committee Chairman's comments are as follows: It is clear from the objections raised by the Environment Agency, Bray Parish Council and many others to the previous application that any subsequent development of this site to allow the mooring of non-traditional boats should not be permitted because of the detrimental impact on the Green Belt and the setting of the Thames. Such development would establish a principle which, if repeated along the Thames in Cookham Parish, would be strongly resisted by residents and the Parish Council would have no hesitation in</p>	7.3

	encouraging objection to it.	
Tree Officer	<p>The trees growing on the site are subject to tree preservation order TPO 17/1995.</p> <hr/> <p>COMMENTS</p> <hr/> <p>I have considered the additional information in the revised Arboricultural impact assessment (AIA) and draft arboricultural method statement (AMS) provided by Haulfryn Group Ltd dated April 2017 together with the updated Draft Tree Protection plans, proposed services sheets 1-3 and the points raised in the letter from Stephen Westmore Arboricultural Consultant dated 28th April 2017.</p> <p>The route of the services has now been amended to as far as possible avoid the root protection areas (RPAs) of retrained trees these changes are shown on all the amended proposed services sheets and the tree protection plans. The reference to plan 3703-312D in 5.3 of the AMS will need to be updated to the latest revision (E).</p> <p>I note from point 2 of the letter that the provision of inspection chambers has now been omitted from the scheme. A single foul water inspection chamber (FW01) is still shown within the RPAs of G32 and T33 however plan 3703-310 suggests that the location for this chamber is yet to be agreed and I would recommend that this be confirmed as part of the final AMS and TPP.</p> <p>The references to the use of multiple trenches have been removed from the document.</p> <p>I note that the locations of the service bollards are now shown on the plans and that the new mooring bollards are to be fixed to the existing camp-shedding. If any additional excavation works or vehicle access within the root protection areas of retained trees is required to install these bollards it would need to be agreed with the LPA.</p> <p>The amended tree protection fencing and ground protection details shown on the draft tree protection plan are suitable to enable the protection of the trees shown to be retained.</p> <p>The proposal to use a trenchless solution to install the utilities unless prevented by site conditions is appropriate. As suggested in the AMS the use of compressed air soil displacement to excavate trenches would be the best alternative if it is shown that site conditions prevent the use of a trenchless solution.</p> <p>I note that a soil assessment is due to be completed shortly and that this will inform if a trenchless solution will be possible. I also note from 5.9 and 5.10 that a separate methodology for the installation of the services is to be produced. If this application is approved I would recommend a condition that the method and method statement for the installation of the services be approved by the Local Planning Authority before that start of any works on the site.</p> <hr/>	6.12-6.13 and recommended conditions.

	<p>Recommendation</p> <hr/> <p>There are no objections to the proposed development subject the above recommendations and the suggested conditions.</p> <p>Tree Protection during utility installation – Details to be submitted</p> <p>Prior to any equipment, machinery or materials being brought onto the site, details of the methodology for the installation of the underground utility apparatus, including any necessary tree protection is to be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all work to install the utilities.</p> <p><u>Reason:</u> To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies – Local Plan DG1, N6.</p> <p>Tree Protection – Implemented as approved</p> <p>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 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.</p> <p><u>Reason:</u> To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies – Local Plan DG1, N6.</p> <p>Tree Retention/Replacement</p> <p>No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the 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 tree work 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.</p> <p><u>Reason:</u> In the interests of the visual amenities of the area. Relevant Policies – Local Plan DG1, N6.</p>	
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8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed layout
- Appendix C – Elevations of proposed bin stores, marine service bollards and underground pumps

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 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 existing electric hook-up and water points and mooring bollards shall be removed and the land restored to its former condition within 1 month of the development hereby permitted being completed.
Reason: The development is within the Green Belt, and the proposed development is granted on the basis that the existing development to be replaced is removed.
- 3 Details of the noise rating level from all plant and equipment (collectively) associated with this development shall be submitted to and approved in writing by the Local Planning Authority. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. The methodology, results and mitigation for noise rating shall be submitted to and approved in writing by the Local Planning Authority. The development shall be maintained in accordance with the approved details.
Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.
- 4 Works of repair or maintenance of plant, machinery or equipment shall only be carried out at the site between 08:00 and 18:00 hours Mondays to Fridays, 08:00 and 13:00 on Saturdays and at no time on Sundays, or Bank Holidays or Public Holidays without the prior written consent of the Local Planning Authority.
Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.
- 5 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
 1. All bins and bin stores shall be securely fixed to the ground to prevent any washing away during a flood event.
 2. All development should be carried out in line with the drawings submitted. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.Reason: To ensure minimal damage to surrounding when flood event occurs.
- 6 Prior to any equipment, machinery or materials being brought onto the site, details of the methodology for the installation of the underground utility apparatus, including any necessary tree protection is to be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all work to install the utilities.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 7 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 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.

- 8 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the 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 tree work 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.
- 10 All areas of land that is currently grassed where the new underground services will be laid shall be returned to grass following the installation of the underground services.
Reason: In the interests of the visual amenities 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.

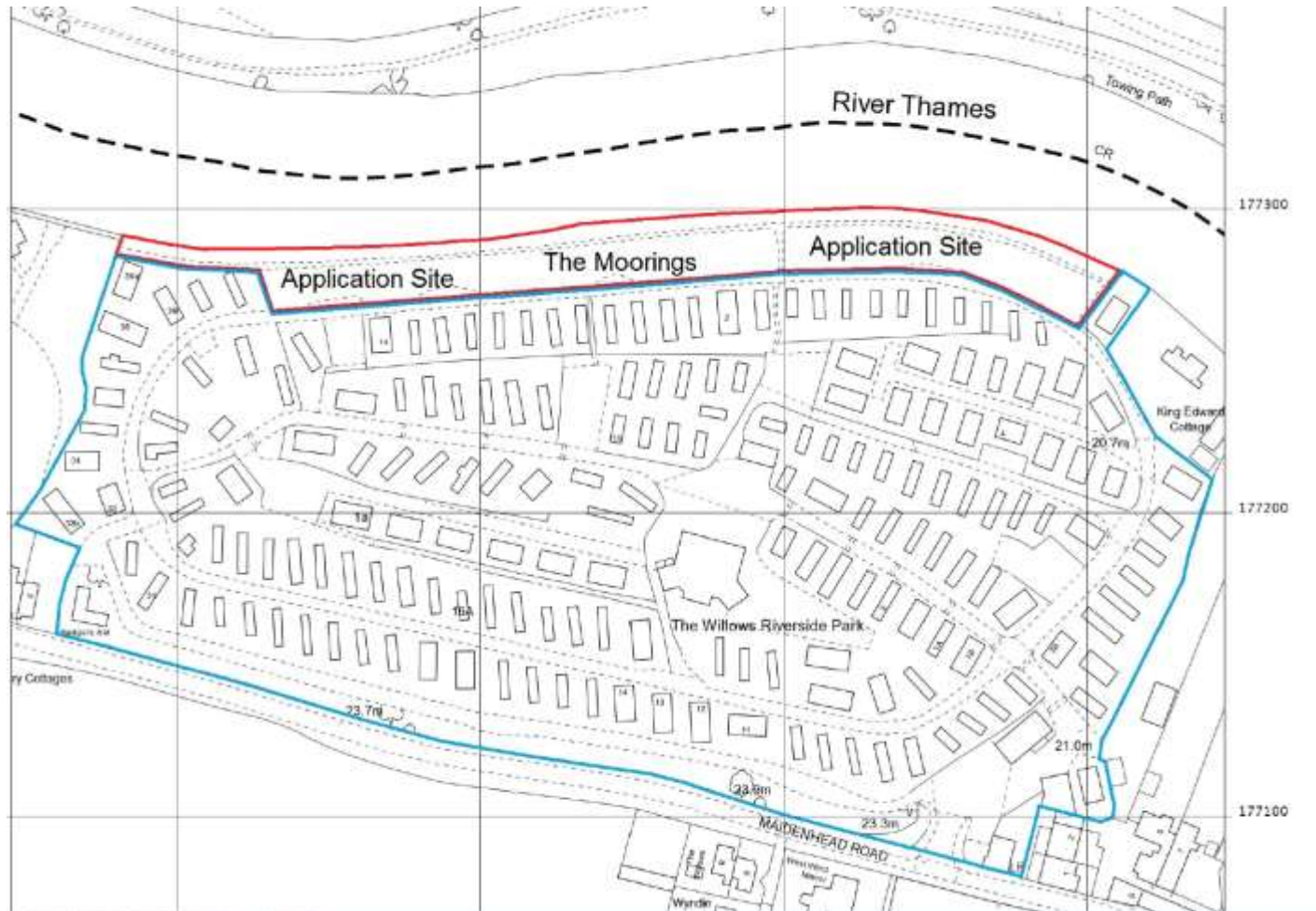
Informatives

- 1 This planning permission does not supersede original planning permission 91/01625/FULL for the residential and leisure boat moorings and the conditions on planning permission 91/01625/FULL should be complied with.
- 2 Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
- the use of plant and machinery
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds
 - the control and removal of spoil and wastes.
- 3 The applicant is required to obtain a Flood Risk Activity Permit (under the Environmental Permitting Regulations) for activities beside/in/under/over the Thames (Lower) Main River. They are advised to view the Environment Agency's website at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> for further details on this requirement.

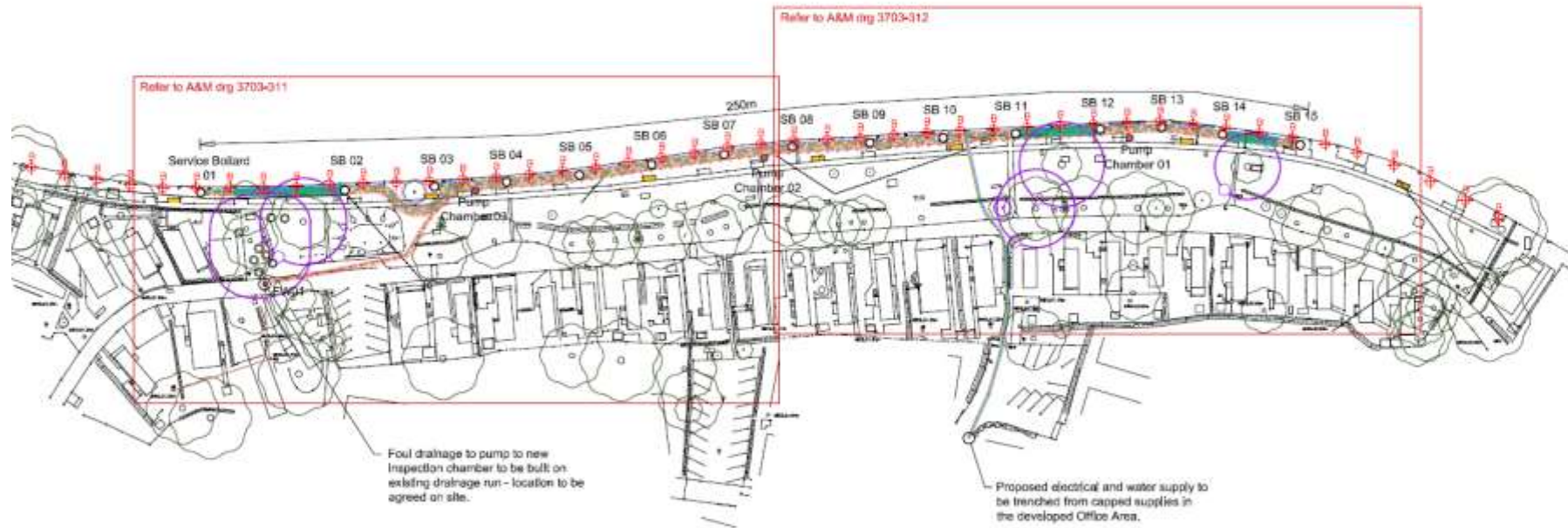
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Appendix A- Site Location

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


Appendix B- Proposed layout



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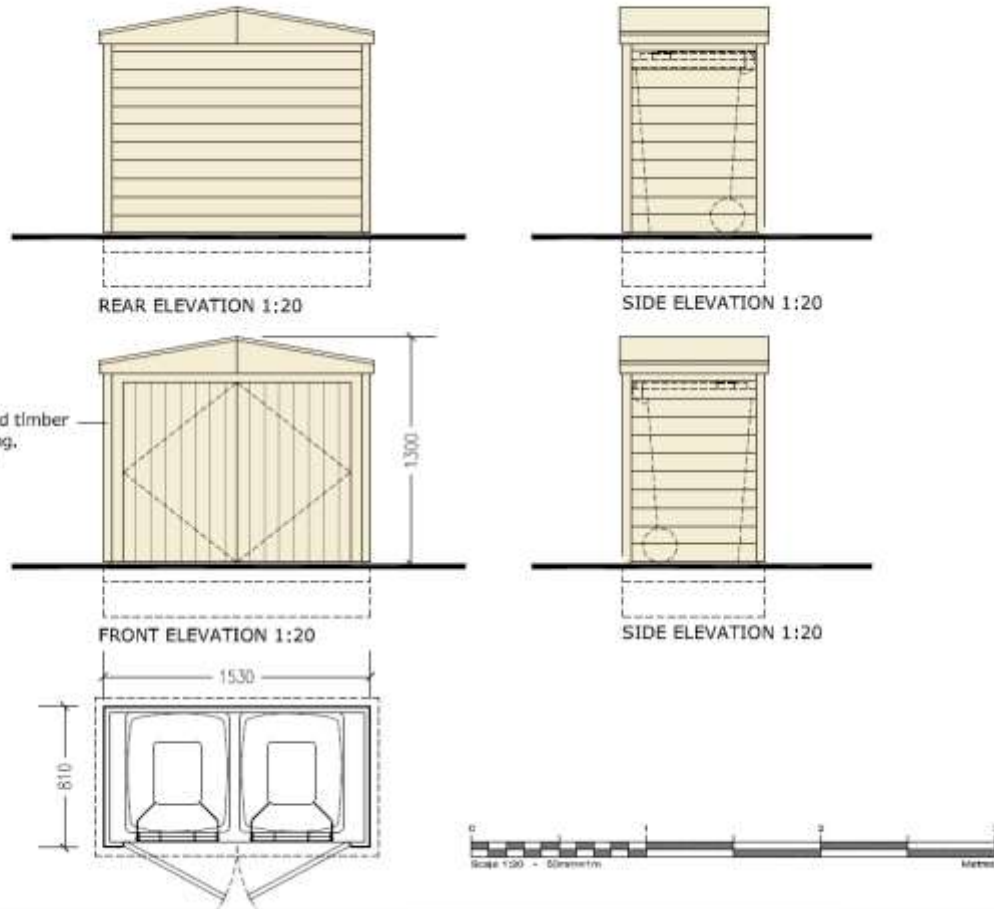
LEGEND:

- | | | | |
|---|---|---|---|
|  | Proposed service trench route |  | Proposed foul water drainage inspection chamber |
|  | Root protection areas |  | Proposed pumping station to be supplied by Harroquip |
|  | Services in root protection areas to be supplied via Impact muling (trenchless technology) where practically possible |  | 7No. Existing metal storage units to be replaced by Apex timber bin store - to be purchased by client & installed by main contractor |
|  | Proposed mains water supply - to connect to capped supply in Office Area Development |  | Proposed Mooring Bollard - Indicative positions denoted for the 45 No. Mooring Bollards. Please note that this style of mooring bollards is movable to accommodate various lengths of boats, therefore the final positions denoted along the riverside can change to suit different boat lengths as and when required |
|  | Proposed electrical supply - Refer to electrical contractors dwg when available | | |
|  | Duct for proposed 4-core cable supply for TV & internet supply. | | |

Proposed Bin store

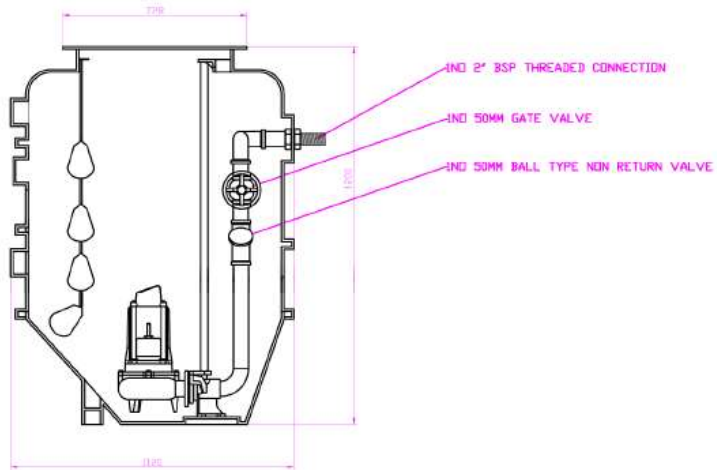
WILLOWS RIVERSIDE PARK

PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS - PROPOSED TIMBER BIN ENCLOSURE

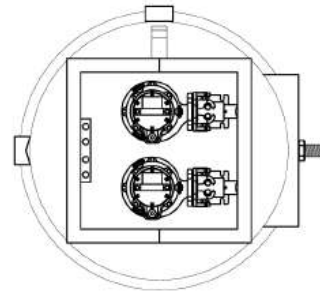
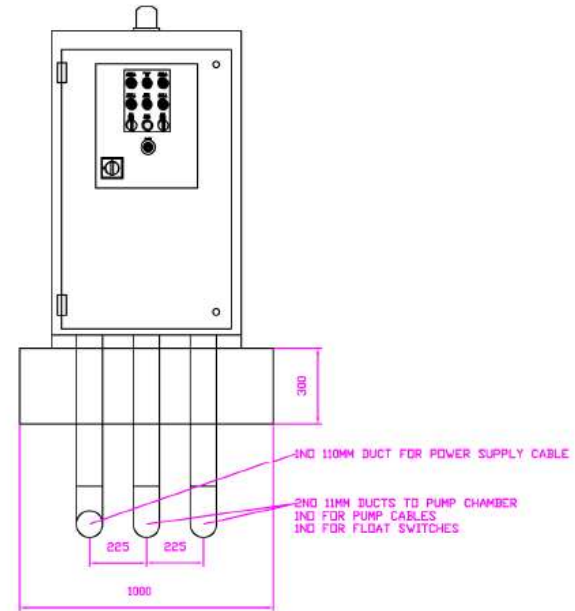


Underground pump

41



KIOSK DETAIL



This drawing and any article according to the details her property of Horroquip Pump

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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

19 July 2017

Item: 2

Application No.:	17/00425/FULL
Location:	Land To Rear of 250 To 284 Horton Road Datchet Slough
Proposal:	Erection of two new commercial units (Use class B2 - general industrial) within the existing commercial site.
Applicant:	Mr Loveridge
Agent:	Fiona Jones
Parish/Ward:	Datchet Parish/Datchet Ward
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

SUMMARY

- 1.1 This application was reported to Panel on the 24th May 2017 where Panel resolved to defer the application for 2 cycles to allow for the EA to comment on the additional information in respect of flood risk that was submitted by the applicant.
- 1.2 The detailed comments from the Environment Agency are set out in the table at section 7. In summary, the EA maintains its objection as the applicant has not demonstrated that the site is not within flood zone 3b, where the proposed development should not be permitted. In addition, even if the applicant could overcome the in principle objection, the EA advises that the submitted FRA fails to adequately demonstrate that the proposed development will not impede flood flows and/or reduce storage capacity thereby increasing the risk of flooding on site and/or elsewhere.
- 1.3 There is a requirement for the development to pass the Sequential Test. Officers questioned why the applicant has not searched sites within the whole of the Borough to undertake the Sequential Test, and the applicant has provided the reasoning behind this (see paragraphs 6.7-6.8) , but officers do not agree with this approach. The applicant also makes the case that the employment site in Shirley Avenue and the Vansittart Estate is not a reasonable alternative, as both sites are in flood zone 3. It is known that Shirley Avenue is within flood zone 3a which is a lower risk of flooding than flood zone 3b. Officers dispute the case made by the applicant. The Council published the Housing and Economic Land Availability Assessment in June 2017, and so the sites in this document should be used for the Sequential Test. It is not considered that this development passes the Sequential Test.

Original Summary

1. SUMMARY

- 1.1 While National Planning Policy is supportive of development that helps economic growth, this scheme for two new commercial units would be within the Functional Floodplain (Flood Zone 3b) where this type of development would be unacceptable because of high flood risk.
- 1.2 Further, insufficient information has been provided in order for an assessment to be made as to whether the scheme would retain adequate parking for other operators on site, and whether sufficient space could be provided for service vehicles to the new B2 'General industrial' units. Without this information, it is not possible to assess whether the development would have an acceptable impact on highway safety.
- 1.3 The development is considered to be of an acceptable appearance within the context of this site, and given the authorised use of the site it is not considered the new units would result in a significant adverse impact upon neighbouring residential amenity. However, given the issues surrounding flood risk and transport the application is recommended for refusal.

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 units are situated within Flood Zone 3b. The units are inappropriate within this flood zone, as set out in the National Planning Practice Guidance and Council's SFRA. The scheme fails to pass the Sequential Test. The scheme conflicts with Paragraphs 100 and 103 of the NPPF, and Local Plan Policy F1.
2.	The application contains inadequate information on existing operators and levels of parking provision on site, and whether the proposed development would impact upon this. The application also fails to demonstrate that adequate parking would be provided for the two new units. Insufficient parking could lead to an overspill onto surrounding roads which would be harmful to highway safety and convenience.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Muir, irrespective of the recommendation of the Head of Planning because of the Local Resident's interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site relates to land that has planning permission for storage and general industrial use, car wash, sale and fitting of tyres and the repair and maintenance of vehicles. These uses were permitted on appeal in 2011. There are several buildings and structures on the site which are occupied by various businesses. During the course of the application an amended site location plan (depicting the application site boundary) was received which removed an area of land from the application site boundary, as the application site originally included Green Belt land that did not benefit from planning permission for commercial uses.
- 3.2 It was apparent from the site visit that cars are parked on the land where the new units are proposed, although it is not known which operator these cars are in connection with.
- 3.3 The new units would be sited on land that is not within the Green Belt. The land on which the new units would be sited are within Flood Zone 3b (developed) according to the RBWM Strategic Flood Risk Assessment, however, as the land where the new units would go does not have buildings on, the site for the new units is classed as flood zone 3b- functional flood plain.
- 3.4 Close to the application site are residential properties situated on Horton Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The relevant planning history for the site is set out below.

Application Reference	Description	Decision
12/03165/CONDIT	Details required by condition 1 (details of filtration and extraction system) and 2 (management plan to control fugitive emissions) of planning permission 12/00832 for the retention of a spraybake unit (retrospective)	Approved 20 th December 2012.
12/02312/CONDIT	Details required by conditions 1 (filtration, extraction and stack height), 2 (management plan for dust and VOCs), 3 (noise assessment) and 4 (opening hours) of planning permission 12/00832 Retention of a spraybake unit (retrospective).	Partial approval/refusal 5 th October 2012.

12/00832/FULL	Retention of a spraybake unit (retrospective)	Permitted 22 nd June 2012
12/01340/CONDIT	Details required by conditions 1 b (control of fumes) of Enforcement Appeal Decision 10/00635/ENF Unauthorised c/u of land to various storage and general industrial uses, and formation of areas of hardstanding	Approved 28 th May 2012
12/00829/CONDIT	Details required by conditions 1 b (control of fumes) of the Enforcement Appeal Decision 10/00635/ENF Unauthorised c/u of land to various storage and general industrial uses, and formation of areas of hardstanding	Refused 11 th April 2012.
11/02693/CONDIT	Details required by conditions of the Enforcement Appeal Decision 10/00635/ENF 1 (details to be submitted and approved), 2 (development shall not be carried out, other than in areas delineated on the plan), 3 (hours of business), 4 (noise levels), 5 (site to be used in accordance with the appeal decision and no other purpose, without the prior approval in writing of the Local Planning Authority), 6 (material stored shall not be stacked or deposited to a height exceeding 2.0 metres), 7 (no additional plant or machinery shall be installed on the site under or in accordance with Part 8 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended))	Partial approval/refusal 1 st November 2011
11/03496/CONDIT	Details required by conditions 1i a (site drainage) b (control of fumes) d (one way system) and iv (timetable for implementation) of the Enforcement Appeal Decision 10/00635/ENF Unauthorised c/u of land to various storage and general industrial uses, and formation of areas of hardstanding	Partial approval/refusal on the 31 st January 2012.
10/00635/ENF	Unauthorised c/u of land to various storage and general industrial uses, and formation of areas of hardstanding	Appeal allowed on the 29 July 2011

- 4.2 The application proposes 2 new commercial units for B2 'General industrial' use. The units would be situated between existing units on the site (marked as unit 3 and 6 on the submitted layout plan). Units 3 and 6 are used as a tyre business and car repair and body shop.
- 4.3 The new units would each have a height of around 4.8 metres to the ridge, and 3.4 metres to the eaves. They would each have a width of around 12 metres and a depth of 8.2 metres. There would be a gap of around 1 metre between the new units.
- 4.4 The site layout plan shows new parking areas to be provided for the new units directly in front of these units and also in front of units 3 and 6. A line of tree planting is also shown along the boundary with the rear garden areas on Horton Road that abut the site.
- 4.5 Access into the site is off a one way access that comes off Horton Road, the access out of the site is onto Mill Place.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

Supporting the Economy- Paragraph 19

Flood Risk- Paragraphs 100-103

Transport- Paragraph 32

Design- Paragraphs 58, 60, 61, 64

Securing a good standard of amenity for all- core principle

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	Flood Risk	Polluting development
DG1, E6, E10	P4, T5	F1	NAP3

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Manages flood risk and waterways	NR1
Employment	ED1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

Supplementary planning documents

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

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view at:

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Principle of development;
- ii Flood risk;
- iii Neighbouring amenity;
- iv Parking and Highway Safety

Principle of development

6.2 Planning permission was granted for the change of use of land to various storage and general industrial uses, and formation of areas of hardstanding on the area of land shown as the application site in this current application. The area of land where the 2 new commercial units would be sited benefits from planning permission for mixed use for storage and general industrial use. In principle, the siting of these 2 new commercial units in a B2 general industrial use are considered to be acceptable in principle (when looking at policies E1 and E6 of the Local Plan which are considered to be broadly consistent with the aims of the National Planning Policy Framework). However, under policy E6 of the Local Plan the main considerations will be whether the scheme would have an undesirable intensification of activity to the detriment of the local environment, or to the amenities of neighbouring properties. These issues amongst other planning considerations will be considered later within this report.

Flood risk

- 6.3 The Flood Risk Assessment submitted by the applicant identifies that site lies partially within flood zone 2 (medium probability) and flood zone 3a (high risk flooding), however, the Local Planning Authority disagrees with this assertion within the Flood Risk Assessment. The site for the two new units and parking areas falls within Flood Zone 3b 'developed' according to the Royal Borough of Windsor and Maidenhead's Strategic Flood Risk Assessment (SFRA) map published in January 2014. The SFRA (Level 1) was published in June 2017 which is the most up to date SFRA, and this shows that the buildings would be sited on land that is shown to be in functional flood plan (flood zone 3b). The Environment Agency also states that the site is within the functional flood plain.
- 6.4 The Royal Borough of Windsor and Maidenheads SFRA defines Flood Zone 3b as areas subject to flooding in events up to the 1 in 20 design event.
- 6.5 The commercial units are classified as 'Less Vulnerable' in accordance with the National Planning Practice Guidance (NPPG). On this basis, the 2 new commercial units as 'less vulnerable development' on land surrounding existing buildings in flood zone 3b should not be permitted, as per the advice in the National Planning Practice Guidance.
- 6.6 In accordance with the advice contained within the NPPF and NPPG, the Sequential Test should be applied. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. The applicant has submitted a Sequential Test which has assessed sites within a 5 mile radius of the application site. The Sequential Test includes Windsor within the area of search, but does not assess sites within this area. For example Shirley Avenue and the Vansittart Estate are both allocated employment sites within the adopted Local Plan where B2 uses can be situated, however, neither of these sites were assessed in the Sequential Test. It is known that there are vacant premises on Shirley Avenue, and it is not been demonstrated by the applicant why this site or its premises are not suitable. Shirley Avenue is situated in the flood zone, but is at a lower risk of flooding than the application site and so would be sequentially preferable in respect of flood risk. The applicant makes the case these sites not reasonable alternatives as they are in flood zone 3a. This is not the case as this flood zone is at a lower risk of flooding than the application site which is flood zone 3b. The Sequential Test submitted does

not adequately demonstrate that there are no other suitable sites at a lower risk of flooding that could be developed/used and so the scheme fails to pass the Sequential Test.

- 6.7 The applicant has provided further explanation in respect of why the area of search was used (which does not use the whole of the Borough) their reasons are below:

'The site is not located centrally within the Borough. The borough has significant variance between its longest and shortest axis, when viewed as a simplified geometric shape. Our chosen criteria more closely reflects the behaviour of future site users, when considering behavioural models such as central place theory.'

'For a site such as this we feel it is more appropriate to use a search based on a radius around the site, as the maximum distance by which a site would be considered an unreasonable alternative is unlikely to be influenced by administrative boundaries.'

Conversely if a site were situated within the centre of a relatively equi-form administrative area, of a size that was appropriate then in this instance we would consider the use of the administrative boundary as the search boundary appropriate.'

- 6.8 Officers consider that the area of search should use all potential sites within the Borough. As the Sequential Test has not been passed, no further assessment of the acceptability of the development in the flood zone is required.

Climate Change

- 6.9 Notwithstanding the above, the submitted FRA also fails to assess the impact of climate change (which is a requirement of National Planning Policy), and it fails to demonstrate that the loss of the flood plain storage within the 1 in 100 flood extent with an appropriate allowance for climate change can be mitigated for.

Character of the area

- 6.10 In terms of the siting and design of the proposed units, they would sit in between two existing commercial units on site, and would have a similar appearance to unit 3 ('A and T tyres'). It is considered that the appearance and scale of the proposed units is in keeping with the commercial character of this site.
- 6.11 The plans also show new parking areas to the front of the new units, with 3 parking spaces marked out for each of the new units. There are a number of cars stored on this part of site, although it is not known which existing business on site this is in association with. It is considered that the laying down of the proposed parking areas in a formal arrangement would have an acceptable appearance within this site.
- 6.12 The site layout plan shows the planting of new trees along the boundaries with the rear gardens of properties on Horton Road. There is approximately a 3 metre gap between the new units and the boundary with the gardens on Horton Road. It is not considered that this size gap would allow for trees to grow to maturity to allow for an effective screening to the units. The scheme is acceptable in terms of character, even if the landscaping is not likely to become established.

Impact on residential amenity

- 6.13 Consideration must be given to the fact that this part of this site has planning permission for mixed use and general industrial, and as such activities in the B2- general industrial use class can take place on this part of the land which would generate a certain level of noise and activity that would have an impact on the amenity of neighbouring residential properties. There is an argument that placing 2 new units in the B2 general industrial use class could result in an intensification of activity on the site, as the units provide cover, and so B2 activities could take place in all weather conditions, whereas such activities on outdoor space could be limited by the weather. Also having the units may allow for equipment/machinery associated with B2 activities to be used that may not be used in outdoor space. However, there is the counter argument that

having units to house the B2- general industrial activities may be preferable than having the activity in an area outside, as measures could be applied to the building to reduce noise levels, whereas such measures could not be implemented onto an outdoor area. Ordinarily there would likely be an objection over having units in the B2- general industrial use class in such close proximity to residential properties, however, given the authorised uses on the site and the current level of noise and activity that neighbouring residential properties can experience, it is not considered that this proposal would make conditions significantly worse to warrant refusal of the application on this ground.

- 6.14 The two new units would be sited close to the boundaries with the rear gardens of numbers 264, 270 and 272 Horton Road. Given that these rear garden areas are in excess of 15 metres in depth, taken with the height of the units, and the fact that new units are not situated next to the more private outdoor space of these gardens, it is not considered the units would be unduly overbearing to these gardens.

Parking and Highway Safety

- 6.15 On the application forms it is stated the floorspace of the new buildings would be 214 square metres (combination of 2 units). The current parking strategy has a parking requirement of 1 space per 35m² which gives a requirement of 6.1 spaces to be provided. Whilst the site layout plan shows 6 parking spaces, it does not show where service vehicles would park on site. Service vehicles would be expected for a 'B2-general industrial use', and this is acknowledged at paragraph 9.8.3 of the Council's Parking Strategy.
- 6.16 There are a number of operators on the site, and the application does not provide information on the floorspace of existing buildings on site, neither does it provide information on the number of car parking spaces each operator on site has. Without this information it is not possible to make an assessment on whether the 2 additional units would be acceptable on transport grounds, as it is not known if they would displace vehicle parking for existing operators, and if so whether sufficient parking would be retained for the other operators on the site as result of this proposed development.
- 6.17 Insufficient information has been submitted in order to make an assessment of whether the development would have adequate parking provision and whether other operators on the site would have sufficient parking. In addition, the site layout plan does not show that service vehicles can be accommodated to serve the units. It has not been demonstrated that the development would have an acceptable level of parking, and in turn an acceptable impact on the highway network.

Response to interested parties comments

- 6.18 Given the permitted uses on the site, which includes 'B2-general industrial and storage', it is not considered that units within the 'B2- general industrial use class' would result in in a level of disturbance and activity from traffic above the permitted uses on site. Conditions could be imposed to restrict times for hours of operation and timing of service vehicles.
- 6.19 All neighbouring properties to the site were sent letters to notify them of the application.
- 6.20 The LPA must consider the proposals put forward under the application.
- 6.21 If the current operators are failing to abide by opening hours, this matter should be reported to planning enforcement, it cannot be considered under the determination of this application.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

25 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 15th February 2017.

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

Comment		Where in the report this is considered
1.	Concerns over noise from B2 industrial units	6.13-6.14
2.	Concerns over noise and disturbance from traffic	6.18
3.	Concerns over the impact on flooding.	6.3-6.8
4.	Unable to find neighbour notification list- have all neighbours been notified?	6.19
5.	What will the units be used for?	4.1
6	Parking on the site is already inadequate for the existing operators, with businesses using the opposite side of Horton Road for parking.	6.15-6.17
7	Is there a way to comprehensively redevelop area, rather than adding on in this way.	6.20
8	Site is a mess to look out onto.	Noted.
9	Concerned when tyre fitting business and spray bake move to bottom of number 276 Horton Road and the impact this will have on their garden.	6.14
10	Current operators fail to abide to operating hours.	6.21
11	The area is struggling with severe traffic congestion, and the 2 new units will exacerbate this.	6.15-6.17
12	Development will contribute to downgrading of the area.	Noted.
13	Current site is a massive eyesore- this development will worsen this.	Noted.
14	Planting of line of trees would be helpful for screening the development, but never before have trees been planted when required.	6.12

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	<p>The Environment Agency OBJECTS to the proposed development, as submitted, on the following grounds:</p> <p>We have reviewed the Flood Risk Assessment (FRA) ref 407.05598.00002 (SLR, November 2016, Issue 1).</p> <p>Technical Guidance to the National Planning Policy Framework (NPPF) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the application falls within Flood Zone 3b as defined by Royal Borough of Windsor and Maidenhead's Strategic Flood Risk Assessment (SFRA) as having a high probability of flooding.</p> <p>The development type in the proposed application is classified as Less Vulnerable in accordance with table 2 of the Technical Guide to the NPPF. Tables 1 and 3 of the Technical Guide to the NPPF make clear that this type of development is not compatible with this Flood Zone and should not therefore be permitted.</p> <p>The Royal Borough of Windsor and Maidenheads SFRA defines Flood Zone 3b as areas subject to flooding in events up to the 1 in 20 design event. The SFRA distinguishes between Flood Zone 3b Functional Floodplain and Flood</p>	6.3-6.9

	<p>Zone 3b Developed. Flood Zone 3b Developed is defined as existing buildings that are considered impermeable to floodwater. Flood Zone 3b Developed relates solely to the footprint of existing solid buildings. The land surrounding these existing buildings are important flood flow paths/and or flood storage, and these must be retained. In accordance with the SFRA we therefore consider the site to lie within Flood Zone 3b, the functional floodplain.</p> <p>Only upon successfully overcoming our policy objection should the following objections be addressed.</p> <p>The FRA submitted with this application does not comply with the requirements set out in paragraph 30 part 7 of the Planning Practice Guidance to the NPPF. The submitted FRA does not therefore provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development.</p> <p>In particular, the submitted FRA fails to</p> <ul style="list-style-type: none"> • Demonstrate the sequential test has been applied. • Meet the requirements of the second part of the flood risk Exception Test. • There is no assessment of the impact of climate change using appropriate climate change allowances. • Demonstrate the loss of flood plain storage within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change caused by the proposed development can be mitigated for. 	
<p>Environment Agency</p>	<p>Response on additional information submitted by the applicant:</p> <p>Having reviewed the submitted information, we maintain our objection to the application and recommend refusal of planning permission on this basis for the following reasons.</p> <p>Reasons 01</p> <p>The National Planning Policy Framework (NPPF) and the associated National Planning Practice Guidance (NPPG) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each flood zone. According to table 2 of the NPPG, ID reference 7-066-20140306, the proposed development is classified as 'less vulnerable'.</p> <p>In accordance with our hydraulic modelling Thames Lower Reach 3 2009, the site of the proposed development is located within the 5% annual probability (1 in 20) flood extent. This is defined by the Royal Borough of Windsor and Maidenhead (RBWM) Strategic Flood Risk Assessment (SFRA) as flood zone 3b (functional floodplain). As noted in the NPPF and the associated NPPG this is 'the area where water <i>has</i> to flow or be stored in times of flood'.</p> <p>Table 3, reference ID 7-067-20140306, of the NPPG</p>	

makes clear that **this type of development is not compatible with the flood zone in which it falls. Consequently the proposed development should not be permitted.**

Even if the proposed vulnerability of the development was appropriate in this flood zone or the applicant could clearly demonstrate that the site is located outside of flood zone 3b **and that RBWM determined that the proposed development passed the flood risk sequential test** (this is separate/different from concluding that the development vulnerability is appropriate in a flood zone), we would have the following additional concerns and would **maintain an objection** to the proposed development for the reasons outlined below.

Reasons 02

The FRA submitted with this application and the additional information included in the letter reference 407.05598.00002 dated 16 May 2017 do not comply with the requirements set out in NPPF and associated NPPG. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. Subsequently the submitted application is contrary to paragraph 103 of the NPPF and saved policy F1 of the RBWM local plan (adopted 2003).

In particular, the submitted FRA fails to adequately demonstrate that the proposed development will not impede flood flows and/or reduce storage capacity thereby increasing the risk of flooding on site and/or elsewhere.

Further Explanation

The letter reference 407.05598.00002 dated 16 May 2017 and prepared by SLR Consulting Ltd states that it is proposed to construct the units to be flood resilient and floodable rather than seek to exclude flood waters.

However, the submitted FRA and drawings do not demonstrate that the proposed units are floodable up to the 1% annual probability (1 in 100) with an appropriate allowance for climate change flood level or that the increase in built footprint within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change will be directly compensated for. This is necessary to prevent the new development reducing flood plain storage and displacing flood waters, thereby increasing flood risk elsewhere.

Level for level compensation is the matching of volumes lost to the flood plain, through increases in built footprint, with new flood plain volume by reducing ground levels. Please note for this to be achievable it requires land on the edge of the floodplain and above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to be available. A comparison of ground levels (topographical survey) with modelled flood plain levels will show land above the 1%

annual probability (1 in 100) flood level with an appropriate allowance for climate change to be used as compensation.

Level for level flood plain compensation is the preferred method of mitigation because voids, stilts or undercroft parking tend to become blocked over time by debris or domestic effects leading to a gradual loss of the proposed mitigation. If it is not possible to provide level for level flood plain compensation then other forms of mitigation may be considered if agreed with the Local Planning Authority (LPA). The FRA must demonstrate that level for level compensation has been considered, explain why it was not possible to provide it and detail how any associated risks from the chosen form of mitigation can be minimised.

If voids are proposed as an alternative form of mitigation these will need to be floodable, with the underside of the void above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. The LPA must also be satisfied that they can enforce a condition to maintain the voids as designed and that an adequate maintenance plan is in place to ensure the voids remain open for the life time of the development.

If the LPA are not satisfied that alternative mitigation measures are appropriate then the applicant should revise their development proposals to ensure that there will be no increase in built footprint on this site.

We have reviewed the information submitted with regards to the assessment of the impacts of climate change. We can confirm that we are satisfied with the flood levels derived for the 1% annual probability plus 35% and 70% allowances for climate change.

Overcoming Our Objections

The applicant may be able to overcome our objection by clearly demonstrating that the site is located outside of flood zone 3b and that the proposed 'less vulnerable' land-use is appropriate for the flood zone that the site is located within.

Upon satisfactorily demonstrating this, the applicant must clearly demonstrate to the local council that the flood risk sequential test has been appropriately addressed and successfully passed.

Additionally the applicant will then need to satisfactorily address objection point 2 by submitting an FRA which fully demonstrates that the development will not increase flood risk elsewhere and where possible reduces flood risk overall.

Advice to LPA

Sequential Test

In accordance with the National Planning Policy Framework paragraph 101, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning

	authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework. Our flood risk standing advice reminds you of this and provides advice on how to do this.	
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Other consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	<p>To enable the highway authority to make a meaningful assessment of the total parking requirement for the entire site details of each operator together with square meterage needs to be submitted.</p> <p>The application form states the proposal is for 2 new B2 use units. It gives a figure of 214m²; it is assumed this is for both units and not each. The current parking strategy has a parking requirement of 1 space per 35m² this gives a requirement of 6.1 spaces; this appears wholly inadequate as there are to be 7 staff. In addition for light industrial uses we would expect 1 van or lorry space per unit.</p> <p>Vehicle Movements / per day: Exact numbers unknown – However as a general rule B2 attracts vehicle movements at the rate of 10 per 100m² which equates to around 22 per day. Again as there are to be 7 staff this figure appears to be on the low side. A more accurate figure can be derived once all site usage details have been supplied for the parking assessment</p> <p>Additional Comments: The principle of the proposals is acceptable to the highway authority. However given the levels of curtilage parking and unknown end use the proposals as presented are unacceptable to the highway authority.</p>	6.15-6.17
Environmental Protection	<p>No objection, subject to conditions for-</p> <ul style="list-style-type: none"> -Industrial noise -hours of operation -lighting control -Odour control and ventilation - noise containment 	Noted.
Parish Council	No objection.	Noted.
Council's Ecologist	<p>No ecological information was submitted with this application. However, following a site visit, the site was found to be of very low ecological value and comprised bare ground, hard standing and a structure. The structure comprised a metal frame and a flat, corrugated iron roof, which did not contain features that were suitable to support roosting bats. There was no other habitat on site suitable to support other protected species.</p> <p><i>Biodiversity Enhancements</i></p>	Noted.

	<p>Paragraph 109 of the NPPF states that: “<i>The planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures</i>”. In addition, Section 40 of the Natural Environment and Rural Communities Act 2006 states that “Every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.</p> <p>In order to increase the biodiversity on site, bird and bat boxes could be installed onto the new buildings, if appropriate. Should the Local Planning Authority be minded to grant planning permission, it is recommended that this advice is incorporated into a suitably worded planning condition.</p>	
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8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site layout
- Appendix C – Elevations

9. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The new units are situated within flood zone 3b functional floodplain according to the Royal Borough of Windsor and Maidenhead Strategic Flood Risk Assessment. The units are classed as a less vulnerable use, and such a use is identified as inappropriate development within the functional flood plain, as set out in the National Planning Practice Guidance and the Royal Borough of Windsor and Maidenhead Strategic Flood Risk Assessment. The scheme fails to pass the Sequential Test. The scheme conflicts with Paragraph 100 and 103 of the National Planning Policy Framework, and Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted 2003).
- 2 The application contains inadequate information on existing operators and their levels of parking provision on site, and whether the proposed development would impact upon this. The application also fails to demonstrate that adequate parking would be provided for the two new units taking into account service vehicles. It has not been demonstrated that the scheme would provide acceptable levels of parking and would have an acceptable impact upon highway safety. The scheme conflicts with Policies DG1,P4 and T5 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted 2003).

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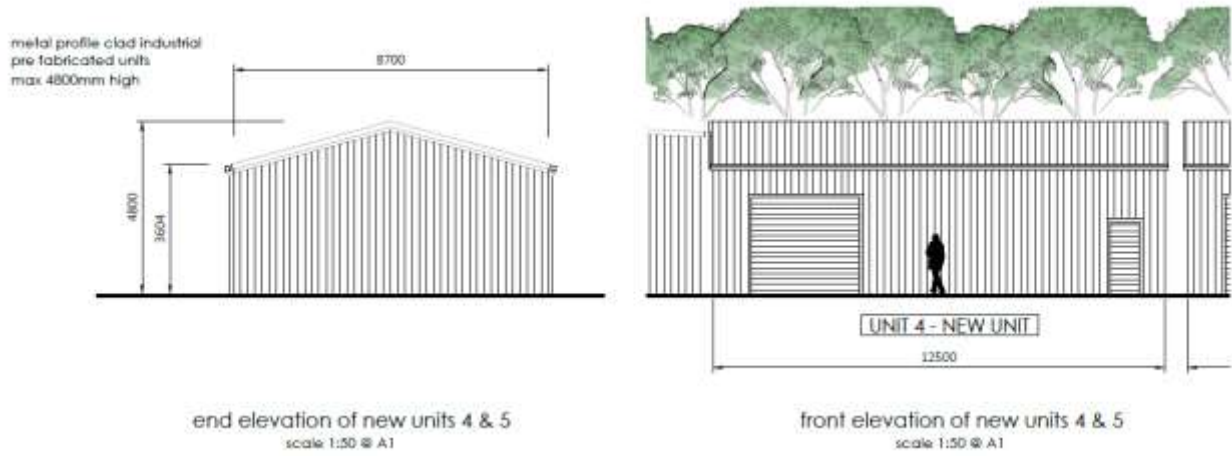
Appendix A- Site location plan



Appendix B- Proposed layout



Appendix C- Elevations



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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

19 July 2017

Item: 3

Application No.:	17/00769/ADV
Location:	Advertising Right Jubilee Arch Windsor
Proposal:	Consent to display one internally-illuminated double-sided monolith
Applicant:	Royal Borough of Windsor And Maidenhead
Agent:	Not Applicable
Parish/Ward:	Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: Josey Short on 01628 683960 or at josey.short@rbwm.gov.uk

1. SUMMARY

1.1

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. | By virtue of the scale, style, illumination and positioning of the proposed advertisement it would be unacceptable in the Windsor Town Centre Conservation Area as it would have a detrimental impact on the existing view from the station to Windsor Castle. Mindful of this, it is considered that the proposed advertisement would be contrary to policy ADV1 and ADV2 of the Councils Local Plan. |
| 2. | The proposed monolith and illuminated projections would obscure the existing views within the Conservation Area. Given the location between to two significant listed buildings it is considered this would be contrary to policy CA2 and LB2 of the Councils Local Plan. |

2. REASON FOR PANEL DETERMINATION

- The Head of Planning is not authorised to determine the application as the Council owns the land and is the applicant.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on Jubilee Arch within Windsor town centre, close to the junction with Thames Street. As such, the site falls within the Windsor Town Centre Conservation Area and Zone 1 of The Windsor Town Centre Shopfront and Advertisement Guidance. By virtue of the proposed positioning, the site is only accessible on foot.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks advertisement consent to display one internally illuminated double sided monolith. The proposed monolith would be a free standing structure in its location and would be internally illuminated with an illuminance level of 2500 candela per metre. The monolith would have a relatively central position on Station Approach close to the junction with Thames Street. The monolith would have a height of 2.512 metres, width of 1.09 metres, a depth of 0.18 metres and would be manufactured from extruded aluminium and finished in black/brown powder coated paint finish. The front of the monolith facing Thames Street would display a non illuminated static shop directory map and the rear facing the station would display a 55 inch digital LED screen. The site would not adjoin any properties within this location.
- 4.2 No relevant planning history.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections;-

1. Section 12 – Conserving and enhancing the historic environment

National Planning Policy Guidance

2. Advertisements – view at:
<https://www.gov.uk/guidance/advertisements>

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	Advertisement
DG1, H10, H11	CA2, LB2	ADV1, ADV2

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

The NPPF sets out those decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

Supplementary planning documents

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
https://www3.rbwm.gov.uk/downloads/download/501/placemaking_and_design
- 1 RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area – view at:
https://www3.rbwm.gov.uk/downloads/file/742/shopfronts_and_advertisements_in_windsor_town_centre_conservation_area
- 2 RBWM Windsor Town Centre Conservation Area Appraisal (parts 1-6) – view at:
https://www3.rbwm.gov.uk/downloads/download/216/conservation_areas

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The visual impact the proposal would have on the conservation area and locality in general and on the nearby listed building.
- ii The impact of the proposed works on public safety

Visual Impact

- 6.2 The proposed monolith would be positioned on Jubilee Approach close to the junction with Thames Street. To the east of the site is Windsor Castle which is a Grade I listed building, an ancient scheduled monument located on crown land and within a historic park or garden. In addition to this, the Conservation Area appraisal details that Windsor Castle gives the Conservation Area an international status as the home of the oldest inhabited Royal residence in the world. To the west of the site would be Windsor Royal Station which is a Grade II listed building converted into a shopping centre.
- 6.3 Mindful of the above and given the proposed location of the monolith, it would be located in a highly sensitive location in which the character of the listed buildings and Conservation Area locality must be preserved. By virtue of the presence and scale of the proposed structure, it is considered that this would have a detrimental impact on the existing relationship between the two historic structures and within the conservation area. Furthermore, it is considered that the height and mass of the proposed monolith, alongside the scale of the proposed advertising screen would have an overbearing impact to pedestrian users of Jubilee Arch.
- 6.4 Paragraphs 133 and 134 of the National Planning Policy Framework (NPPF) make reference to substantial harm to a heritage asset and detail exceptions to this. In this instance, given the nature of the works and the proposed distance from the aforementioned heritage assets, it is considered that the proposed monolith would not result in substantial harm and as such it is necessary to assess the public benefit of the proposal. In this instance, given the existing signage in this location, it is considered that there would be no public benefit which would justify the positioning of the monolith.
- 6.5 In addition to the above, Policy ADV2 of the Councils Local Plan states;-
'2) Signs shall preferably be non illuminated. Where illumination is necessary it should be discreet and full details of the method of illumination and a measurement of the maximum sign face luminance should be submitted at the time of the application.'
- 6.6 In addition to the above, the Shopfronts and Advertisements in Windsor Town Centre Conservation Area define the application site as Zone 1. With reference to Zone 1 Signage Policy, the document states;-
'Advertisements will be strictly limited to traditional styles and materials and illumination is not encouraged. Some properties are recognised to require some form of illumination to their advertisements, particularly for evening opening.'
- 6.7 With the above taken into account, it is considered that the proposed method of advertisement, illumination and the advertisements themselves would too have a detrimental impact on the existing view from the station to the castle. As such, it is considered that the proposal would not preserve or enhance the character of the Conservation Area and would have a detrimental impact on the historic and architectural value of Windsor Castle and the Royal Station opposite. Mindful of this, it is considered that the proposed works would not comply with policies CA2 and LB2 of the Councils Local Plan in this instance. No information of the types of advertisements which would be projected has been provided in support of this application. Additionally, by virtue of the type of advertisement within Zone 1, it is not recognised to require some form of illumination and no justification of this has been provided. As such it is considered that the proposed advertisements are therefore considered to be contrary with planning policies ADV1 and ADV2 of the Councils Local Plan.

Public Safety

- 6.8 The east façade of the proposed monolith would display a non illuminated map. As no details of this and the materiality of it have been submitted, it is not possible to assess the impact this would have on the highway of Thames Street which is would front. The proposed LED screen advertisements would be on the adjacent side of the monolith and as such it is considered that this aspect of the proposal would have no impact on public safety of highway users.
- 6.9 When the scale of the proposed monolith is taken into account along side the width of Jubilee Arch it is considered that it would not impair the routes of pedestrians and as such no concern is raised in this regard.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Three occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 28th March 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 30th March 2017.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Conservation Design Officer (verbal comments) :	Objection. The monolith would fail to comply with policy ADV2 of the Councils Local Plan and would be inappropriate in the Zone 1 location, as defined by 'Shop Fronts and Advertisements in Windsor Town Centre Conservation Area'	Please see paragraphs 6.4 and 6.5

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

9. RECOMMENDED FOR REFUSAL

- 1 By virtue of the style, illumination and positioning of the proposed advertisement it would be unacceptable in the Zone 1 location of the Windsor Town Centre Conservation Area as it would have a detrimental impact on the existing view from the station to Windsor Castle. Mindful of this, it is considered that the proposed advertisement would be contrary to policy ADV1 and ADV2 of the Councils Local Plan.
- 2 The proposed monolith and illuminated projections would obscure the existing views within the Conservation Area. Given the location between to two significant listed buildings it is considered this would be contrary to policy CA2 and LB2 of the Councils Local Plan.

Appendix II – Visual Representation of Proposed Monolith



Sign Location 1

Proposed location for monolith sign at junction of Station Approach and Thames Street, SL4 1PL
Monolith size is 1090mm wide x 2612mm high x 189mm deep.

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

19 July 2017

Item: 4

Application No.:	17/01189/LBC
Location:	Guildhall High Street Windsor SL4 1LR
Proposal:	Installation of working-at-height safety features including replacement walkways, collapsible handrails and fall arrest system. Renovation and decoration works to the ground floor western elevation including surface rendering and primary/ancillary entrances and associated stonework detailing. Refurbishment of lead waterproofing to cornice and renovation of existing first floor sash windows.
Applicant:	Mr Searle
Agent:	Ms Deniz Beck
Parish/Ward:	Windsor Unparished/Castle Without Ward
If you have a question about this report, please contact: Olivia Mayell on or at olivia.mayell@rbwm.gov.uk	

1. SUMMARY

- 1.1 Windsor Guildhall is a Grade I Listed Building. The proposal is to add safety features onto the roof to allow for safer access, decorative works to the west elevation and refurbishment to lead water proofing and renovations works to ten of the first floor windows. Insufficient information has been provided to determine whether the proposed alterations would affect the significance of the Listed Building or preserve its special architectural and historic interest in compliance with the requirements of both National and Local Plan Policy and the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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. | Insufficient supporting information has been provided by the applicant, as required by paragraph 128 of the NPPF, in order to allow the application to be determined. |
|----|--|

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The Grade I Listed Windsor Guildhall is located within the Windsor Town Centre Conservation Area. It was designed by Sir Thomas Fitz and begun in 1687. There are suggestions that due to Fitz dying in 1688, before its completion, that it was finished by Sir Christopher Wren. When first built Guildhall consisted of a first floor meeting chamber supported by Portland stone Doric columns which enclosed a corn exchange at ground level. In 1829 an extension to Guildhall was commissioned by the then mayor James Bedborough following the demolition of a butchers shambles and housing at the back of Guildhall. The two storey brick and stone extension complimented the existing corn exchange and also included an open market space beneath. The original extension consisted of external arches and internal pillars much like the corn exchange. The extension became enclosed in 1905 and the enclosed archways became glazed windows.
- 3.2 The first floor has nineteen sash windows thirteen 6 over 6 located on the north south and east elevations and six 9 over 6 on the west elevation. The western ground floor elevation has three doors; the left and right are much smaller in height and width to the middle door which serves as an entrance to the museum. All are currently painted red with a gloss finish and gold detailing. Set further forward than the surrounding building line Guildhall has a prominent presence on

Windsor's High Street. It is located less than 100 metres from Windsor Castle, the only other Grade I listed building in the highly sensitive Windsor Town Centre Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Below is a list of the most relevant planning history:

Ref.	Description	Decision and Date
95/01797/LBC	INTERNAL AND EXTERNAL REPAIRS AND ALTERATIONS	App 1996 by Secretary of State
12/01799/LBC	Replacement of two rear first floor windows	PERM 17.08.2012

- 4.1 The proposal is for several different works in varying locations in the building, the first is to upgrade the current safety features on the roof of Guildhall. The current walkways are slatted timber and are considered by the applicant to become dangerous when wet so it is proposed to change these walkways to PVCu planks mechanically fixed to a chamfered "T" section. It is also proposed to add a stepped walkway on the western side of the roof to allow safe passage from the main access hatch to the perimeter walkway, a collapsible safety handrail on the northern side of the roof and a 'Mansafe' fall prevention system which will be fixed to the structure through the roof covering.
- 4.2 The second part of the proposal is work to the ground floor western elevation. The existing elevation is now unpainted after work to remove the stucco and paint was completed several years ago. The work proposed is to remove the remaining paint left on the elevation and repair the stonework detailing around the three doorways. It is then proposed that the elevation be re-rendered and the elevation, doors, decorative lintels and corbels repainted.
- 4.3 The third part of the proposal is for the repair and/or removal and replacement of a number of sash windows on the first floor and repair work to the lead waterproofing.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 Planning (Listed Buildings and Conservation Areas) Act 1990

Listed Buildings

With respect to Act, the applicable statutory provisions are:

- 1 Section 16(2) which regards listed building consent for any works; and
- 2 Section 66(1) the determination of applications

5.2 National Planning Policy Framework Sections

Paragraph 128 requiring applicants to describe the significance of heritage assets.

Paragraph 131 requires local planning authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets.

Paragraph 132 relating to the impact of significance on any heritage assets.

Paragraph 134 relating to the weight given to public benefits of a proposal against the harm on the heritage asset.

5.3 Royal Borough Local Plan

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

Listed Building
LB2

These policies can be found at

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

Borough Local Plan Submission Version – Policy HE1

5.4 Other Local Strategies or Publications

Other Strategies or publications relevant to the proposal are:

- Windsor Town Centre Article 4 Direction Paint Colours
- Windsor Town Centre Conservation Area Appraisal - RBWM

More information on these documents can be found at:

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

5.5 Historic England Good Practice Advice in Planning Notes

Historic England has produced new guidance on the interpretation and implementation of the NPPF and PPG with regard to the historic environment in the form of:

- 1 Historic England *Good Practice Advice in Planning Note 1: Conservation Area Designation, Appraisal and Management* (Historic England, 2016);
- 2 Historic Environment *Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking* (Historic England, 2015a);
- 3 Historic Environment *Good Practice Advice in Planning Note 3: The Setting of Heritage Assets* (Historic England, 2015b); and
1. Historic England *Good Practice Advice in Planning Note 4: Tall Buildings* (Historic England, 2015c).

6. EXPLANATION OF RECOMMENDATION

6.1 The key issue for consideration is:

- i Insufficient information has been provided in order to determine the application.

Insufficient information

6.2 The submitted Heritage Statement is considered to provide insufficient details of the architectural elements of the Grade I Listed Building affected, the significance of those elements and the justification for these works. The Heritage Statement states that fixing elements to the roof “*has the potential to harm the fabric of the roof and care should be taken to minimise this*”, but does not elaborate on this. The potential mentioned has not been investigated and any mitigation strategies to limit this potential have not been provided. There has also been no assessment on the significance of the roof and therefore its impact on the fabric has not been assessed only the impact on the aesthetic value, despite stating that “*the building retains considerable evidential value and significance.*” Complete plans and details showing exactly where the fixings for the PVCu planks, the fall arrest safety apparatus or collapsible handrail would be on the roof have not been submitted. The drawing no. 2146-3-02-A only shows through a series of coloured dotted lines the paths that the systems would take. Without these drawings it is not possible to assess the impact that these proposed roof top features would have on the fabric of the heritage asset.

6.3 The proposal included further work to remove the remaining stucco and paint from the western elevation although no method statement was supplied as to how this would be removed with damaging the stone, despite a request for further information. No evidence yet provided as to if the elevation was painted originally, why it should be painted now and what impact it will make.

- 6.4 It is still unclear as to the exact work being carried out on the windows and even how many windows are included in this proposal. The Design and Access Statement has a total of twelve windows (two in the Ascot Room and ten in the Council Chamber) however the submitted drawing no. 2146-3-02-A details only 10 windows as does the Heritage Statement. There has been no assessment provided as to the condition of these windows and therefore what work is being proposed. The complete removal and replacement of any windows on this building would need thorough justification as to the need, the loss of historic fabric would cause irreversible harm that can not be taken lightly or without evidence that the windows are indeed beyond repair. After visiting the site it was not evident that this is the case and the removal of any of the windows would result in significant loss of historic fabric and damage to the building which would be unavoidable. The fenestration is generally considered an important part of the special architectural and historic interest of any Listed Building and in this case the sash windows are specifically mentioned in the Listed Building description. The repair of historic windows is generally considered the acceptable conservation approach unless the windows are beyond all practical repair; no supporting justification is provided for work or the approach recommended.
- 6.5 There is no mention in any documents (Design and Access, Heritage Statement or submitted drawings) that four of the windows marked for repair/replacement are blocked from the inside with oak panelling. It is therefore unknown as to how these windows would be repaired/replaced as any removal of the interior panelling would need a separate Listed Building Consent to be granted before work could begin. A method statement should have been provided with the application documents to explain this part of the proposal.
- 6.6 Due to the insufficient information submitted by the applicant it is not possible to assess the level of impact that the proposals will have upon the significance of this Grade I Listed heritage asset. The applicant was provided with the opportunity to withdraw the application or make further submissions, this has not been forthcoming.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

The case officer posted a statutory notice advertising the application at the site on 27th May 2017. No letters of support or objection have been received.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Historic England	No Comment	6.2-6.4

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plans and elevation drawings
- Appendix C – Documents detailing safety features
- Appendix D – Heritage Statement
- Appendix E – Design and Access Statement

9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

Insufficient supporting information for works to the Grade I Listed Building has been provided by the applicant to allow the application to be determined and the justification for those works as required by the NPPF paragraph 128 and 132. The council is therefore unable to assess compliance with policy LB2 of the Royal Borough Local Plan.

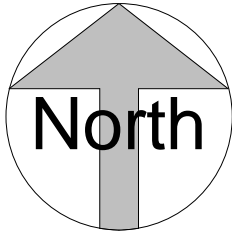
Project Title
Windsor Guildhall,
High Street,
Windsor SL4 1LR

Client
Windsor & Maidenhead BC

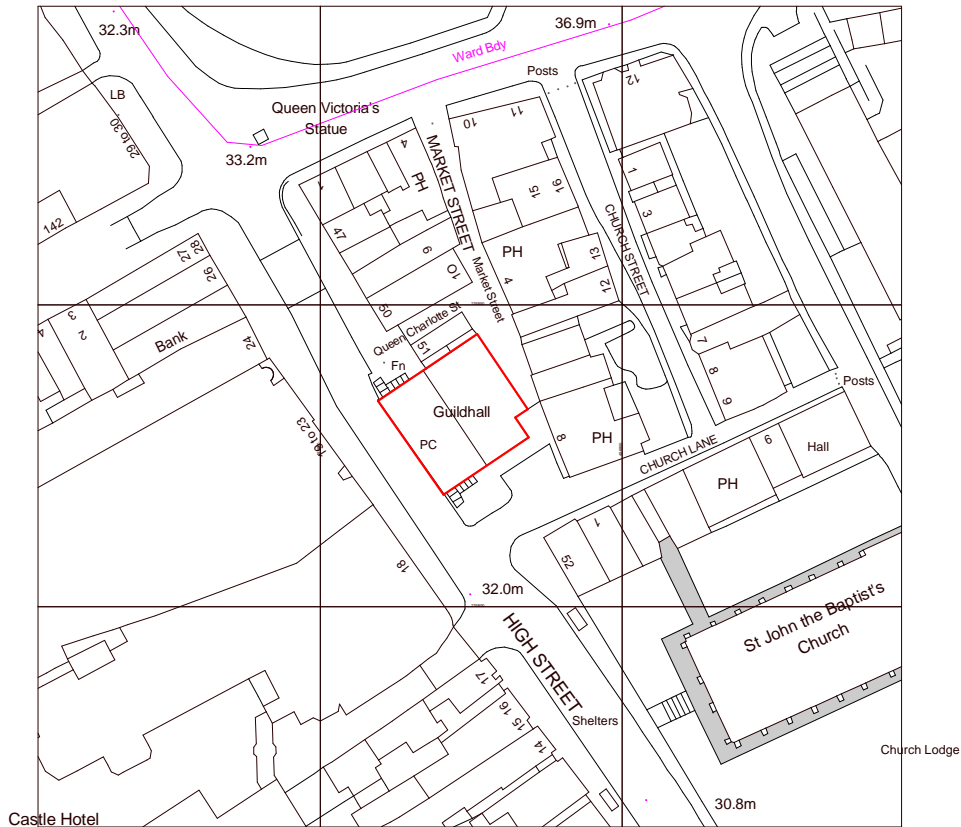
Drawing Title
Existing Location Plan

Scale	Date	Drawn	Ch'kd
1:1250 @A4	01/2017	SKW	DB

Project No.	Stage	Drawing No.	Rev.
2146	2	01	—



VISUAL SCALE 1:1250 @ A4



Ordnance Survey, (c) Crown Copyright 2017. All rights reserved. Licence number 100022432

1

Existing Location Plan

1 : 1250

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WINDSOR URBAN DEVELOPMENT CONTROL PANEL

19 July 2017

Item: 5

Application No.:	17/01346/FULL
Location:	40 St Leonards Avenue Windsor SL4 1HX
Proposal:	2x rear dormers and 4 No. front roof lights to facilitate a loft conversion, alterations to front elevation (external materials) to include replacement metal balustrade panel with glass
Applicant:	Mr Harrison
Agent:	Not Applicable
Parish/Ward:	Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: Greg Lester on 01628 682955 or at greg.lester@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposal is an amendment to a previously refused scheme (17/00185/FULL), with minor changes to the size and form of the roof extension. Materials have been made more in keeping with the existing; however it is not considered the proposed alterations have overcome the previous reason for refusal.
- 1.2 The proposed dormer window to the rear appears as a bulky addition tantamount to a roof extension rather than a subordinate dormer window. Due to the narrowness of the building this gives the property an overly vertical emphasis and as such the design is incompatible with the host dwelling and that of neighbouring properties which are currently very uniform. The dormer is also considered to be of poor design and would not comply with the Borough's design standards set out in Appendix 12 of the Local Plan. The dormer window would harm the conservation area due to being of an undesirable design and scale. The dormer would cause less than substantial harm to the character and appearance of the conservation area; however, there are no apparent public benefits which outweigh this harm. The proposal is therefore contrary to policies DG1, H14 and CA2 of the Royal Borough of Windsor and Maidenhead Local Plan and paragraphs 56, 58, 60, 61, 64 and 134 of the National Planning Policy Framework.

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. | The proposed roof extension is of a scale which is considered incompatible with the host dwelling, appearing as a bulky roof extension rather than a subordinate dormer window. The proposal emphasises the narrowness and overly vertical form of the building and is harmful to the host dwelling and neighbouring properties. The design of the roof extension is poor and fails to relate to the host dwelling. Less than substantial harm would be caused to the Conservation Area, but no public benefit would result from the proposal. |
|----|---|

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Rankin, in the event the application is recommended for refusal, in the Public Interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application dwelling is a 3 storey town house on St Leonards Avenue, Windsor. The area is within the Inner Windsor Conservation Area and the majority of properties in this area are 2 storey Victorian terraces. The subject property is part of a limited development of 3 storey town houses, none of which have a similar roof extension to that proposed. The same style of roof extension is present of at least two of the two storey Victorian terraces properties in the immediate vicinity of the site.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is an amendment to a previously refused application (17/00185/FULL), which sought to carry out similar works to those proposed.
- 4.2 The current scheme has seen the height and width of the roof extension slightly reduced from that previously sought, and the materials changed to match those used on the existing dwelling.
- 4.3 The current proposal seeks full planning permission for the following works: large rear dormer and 4 x front roof lights to facilitate a loft conversion. There are also minor alterations to the front of the dwelling including the replacement of the existing metal balustrades with a glass panel.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections

Royal Borough Local Plan

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

Issue	Local Plan Policy
Design in keeping with character of area	DG1
Acceptable impact on appearance of area	DG1 & H14
Acceptable impact when viewed from nearby occupiers	H14
Maintains acceptable level of privacy for nearby residents	H14
Maintains acceptable level of daylight and sunlight for nearby occupiers	H14
Sufficient parking space available	P4
Preserves or enhances Conservation Area	CA2

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact on the character and appearance of the area
- ii The impact on residential amenity
- iii Parking provision

The impact on the character and appearance of the Conservation area and design

6.2 There are a number of Local Plan policies which are relevant to the determination of this application. Policy DG1 of the Local Plan sets out more general design guidelines, however, it is H14 which deals specifically with the design of household extensions. This policy sets out that extensions should not adversely affect the character or appearance of the original property, neighbouring properties or the street scene in general. Policy CA2 provides additional guidance for development within conservation areas and requires that development either enhances or preserves the character or appearance of an area; this is the statutory test in the Act. It is consistent with National Planning Policy which sets out that great weight should be given to the conservation of heritage assets (Inner Windsor Conservation Area).

6.3 Where a development would cause harm then there are two levels of possible harm, these are 'Substantial harm' and 'less than substantial harm'. In this case it is considered that the proposal would cause less than substantial harm and it is necessary therefore for this harm to be weighed against the public benefits of the proposal as set out in paragraph 134 of the NPPF. It should be noted that the fact of harm to a heritage asset is still to be given more weight than if it were simply a factor to be taken into account along with all other material considerations.

6.4 The proposed dormer window to the rear appears as a bulky addition tantamount to a roof extension rather than a subordinate dormer window. Due to the narrowness of the building this gives the property and overly vertical emphasis and as such the design is incompatible with the host dwelling and also that of the neighbouring properties which are currently very uniform. The proposed materials have been amended from those previously proposed, and would match the existing materials. However, despite the change in materials, overall the proposals would disrupt the simple appearance of the roof of the terrace. The dormer window would harm the conservation area due to being of an undesirable materials, design and scale. The Borough's design standards in Appendix 12 of the Local Plan set out that dormers should be hipped or gable ended and should not be overbearing or top heavy. The proposed dormer does not accord with this guidance. Whilst attention has been drawn to other similar schemes that have been granted planning permission in the vicinity, these are on buildings that are two storey in nature and are somewhat wider in appearance. It is further considered that the presence of a design that is considered to be of poor quality in the vicinity should not, of itself, be taken as a precedence that such a design is acceptable for other applications.

6.5 The dormer would cause less than substantial harm to the character and appearance of the conservation area; however, there are no apparent public benefits which outweigh this harm. In

addition the proposal represents poor design which is incompatible with the host dwelling. The proposal is therefore contrary to policies DG1, H14 and CA2 of the Royal Borough of Windsor and Maidenhead Local Plan and paragraphs 64 and 134 of the National Planning Policy Framework. Section 66 of the Act which sets out the statutory test to preserve and enhance is not met.

- 6.6 The other proposed additions are considered to be acceptable provided that conservation style roof lights which are flush with the roof are used.

The impact on residential amenity

- 6.7 To the rear of the application site are the rear gardens and rear facing windows of the St Leonard's Road properties. The proposed dormer would provide views into these properties and gardens, however, would not provide any views which are not already provided by the first and second floor rear facing windows.
- 6.8 Sufficient outdoor amenity space will remain on site for the enlarged dwelling.

Parking Provision

- 6.9 The proposed enlargements will increase the number of bedrooms from 2 to 3. Within the Borough's adopted parking standards both 2 and 3 bedroom properties are required to provide the same number of on site parking spaces and as such the proposal complies with the Borough's parking standards and policy P4 of the Local Plan.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

8 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 18 May 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 18 May 2017

No letters of representation have been received.

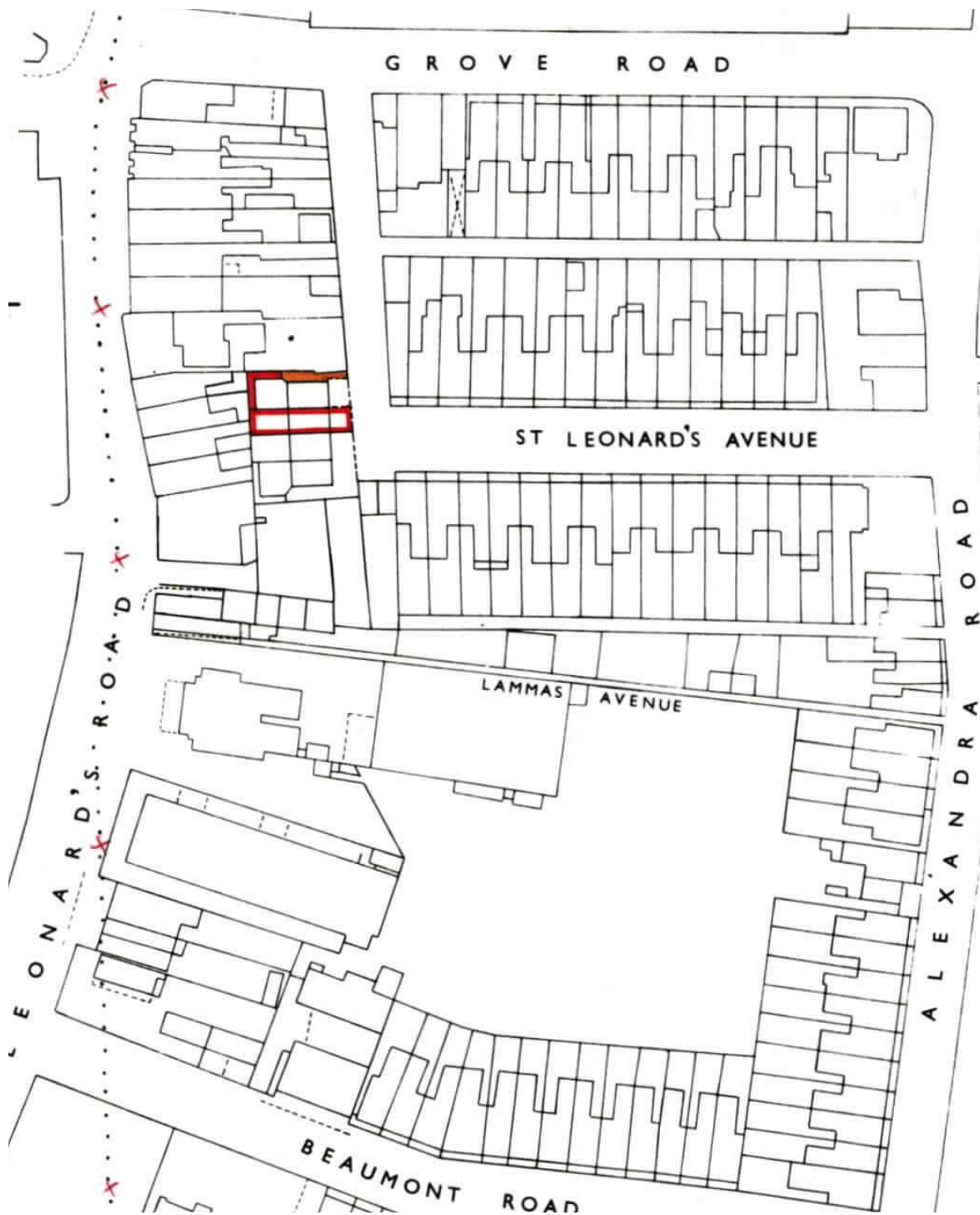
9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

10. RECOMMENDED FOR REFUSAL for the following reason:

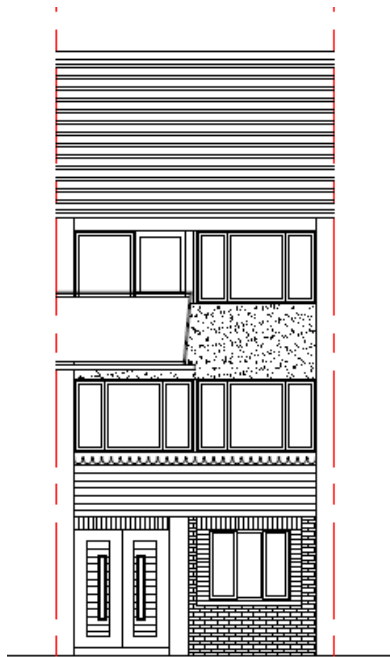
The proposed roof extension is of a scale which is incompatible with the host dwelling and as such appears as a bulky roof extension rather than a dormer which is subordinate to the main dwelling. Furthermore the narrowness of the property means that the extension gives the dwelling an overly vertical emphasis which harms the host dwelling and neighbouring properties. The dormer is of poor design and does not relate well to the host dwelling, and the dormer is contrary to the Borough's design guidance set out in Appendix 12 of the Local Plan. The site is located in a Conservation Area; It is considered that the dormer window would cause less than substantial harm to the heritage asset and there are no public benefits which outweigh this harm. As such the proposal is considered contrary to Local Planning Policies DG1, H14 and CA2 and paragraphs 56, 58, 60, 61 64 and 134 of the National Planning Policy Framework.

Appendix A – Site Location Plan

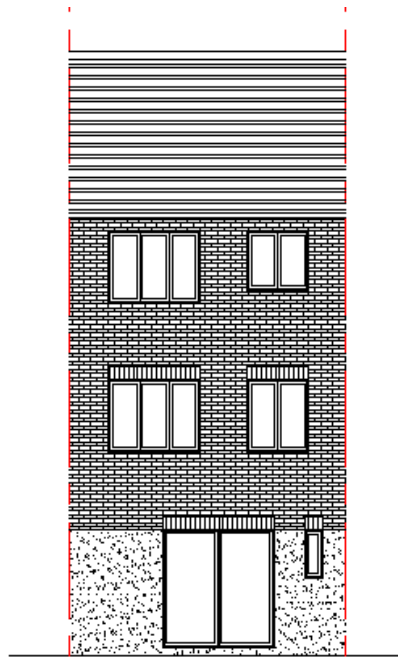


Appendix B – Existing and Proposed Elevations and Floor Plans

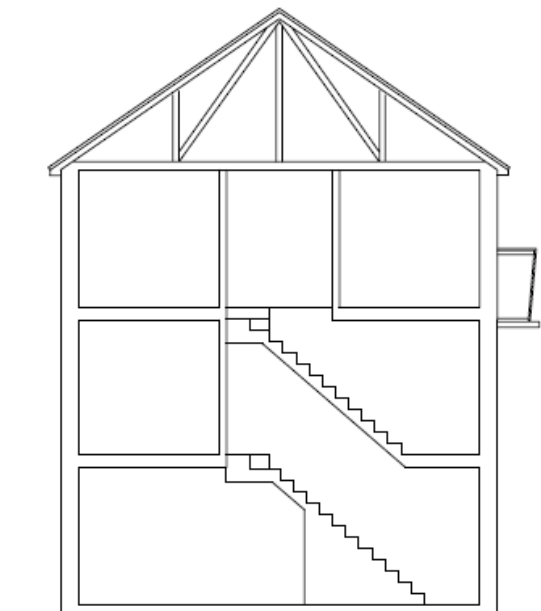
Existing



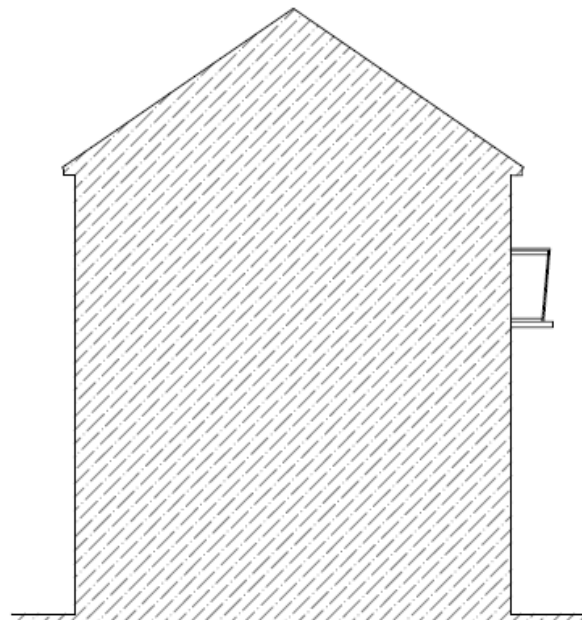
FRONT ELEVATION



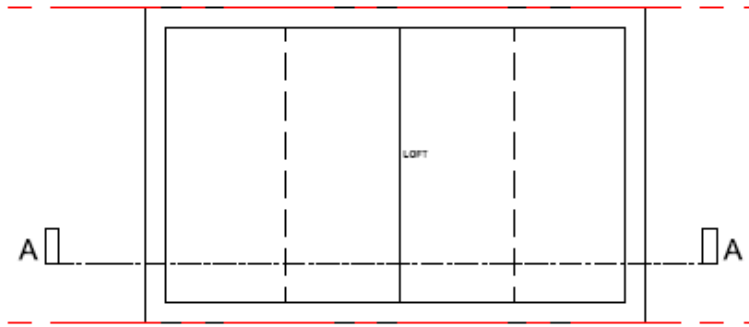
REAR ELEVATION



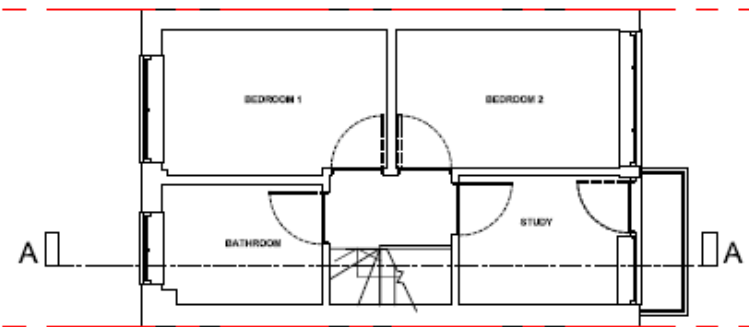
SECTION A-A



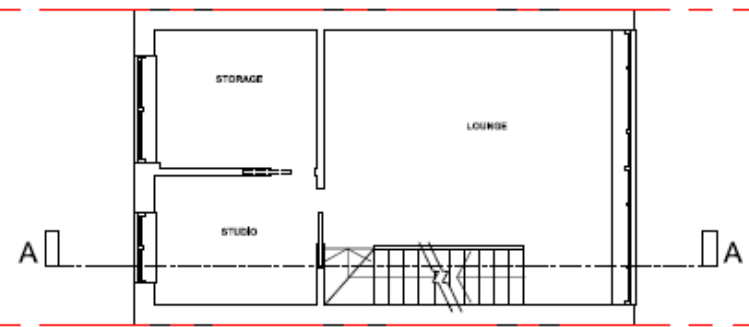
SIDE SECTIONAL ELEVATION



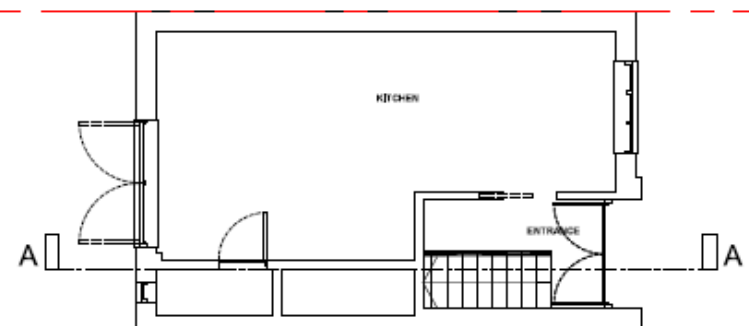
LOFT PLAN



SECOND FLOOR PLAN

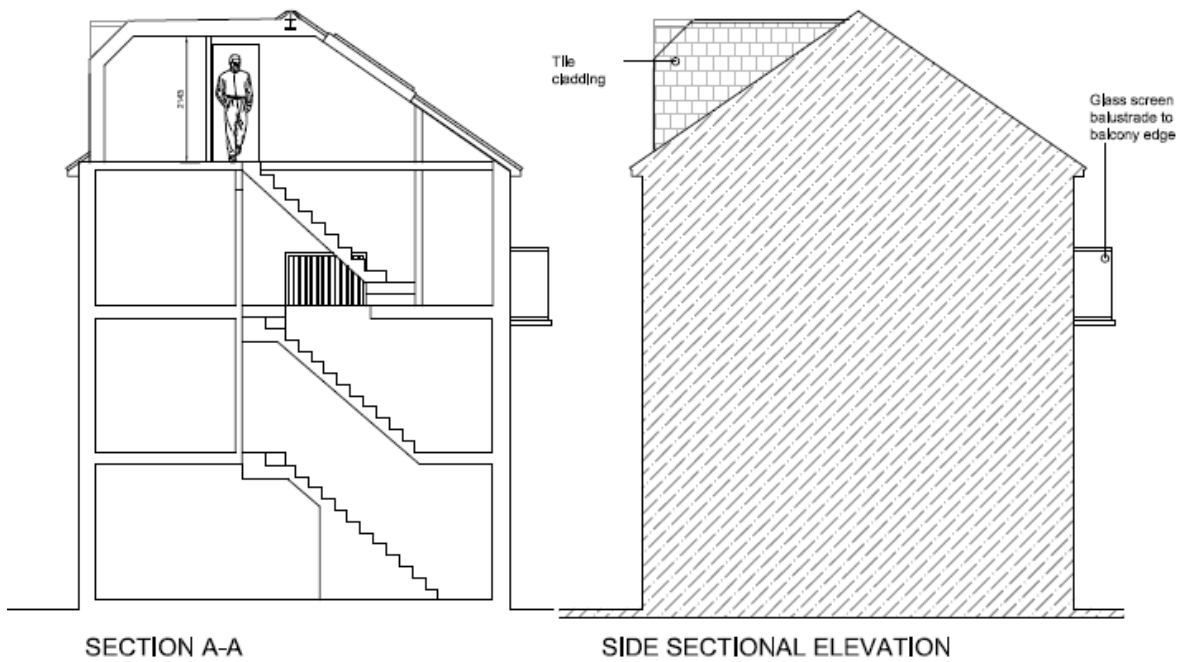
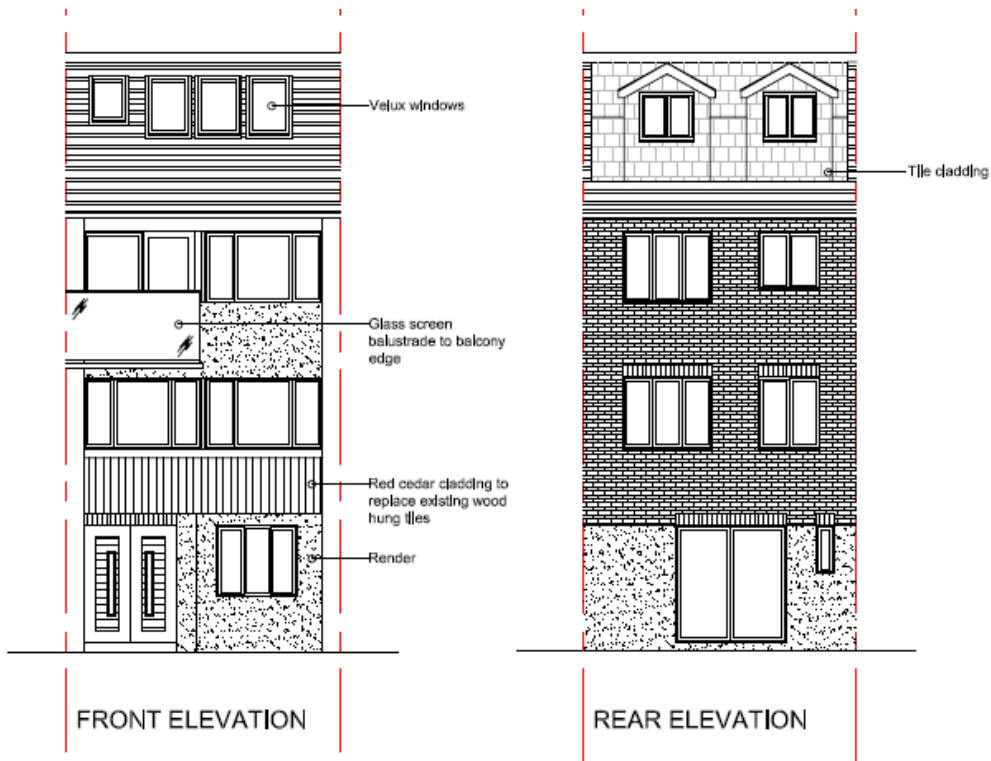


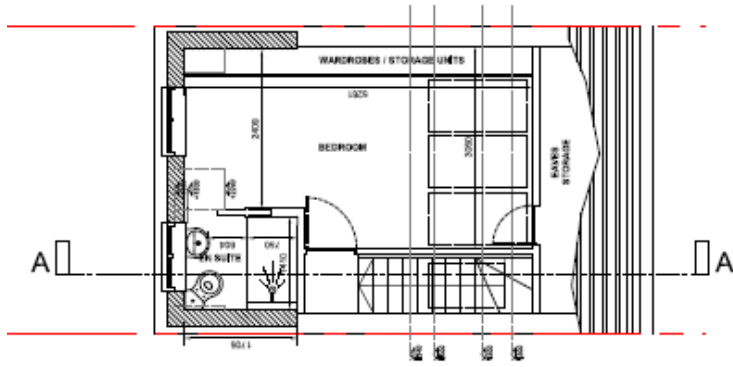
FIRST FLOOR PLAN



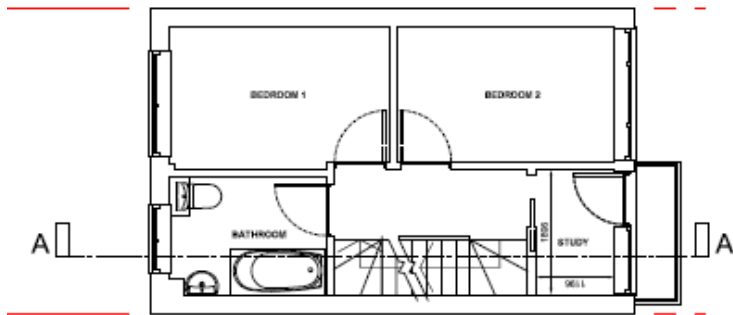
GROUND FLOOR PLAN

Proposed

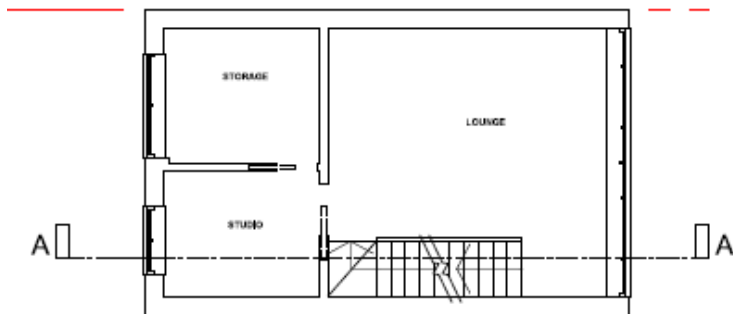




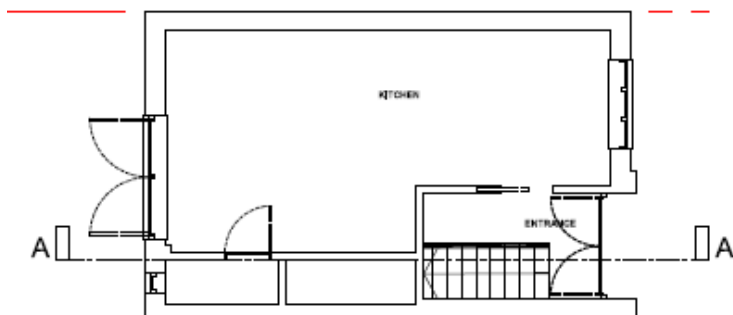
LOFT PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

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Appeal Decision Report Agenda Item 5

9 June 2017 - 7 July 2017

WINDSOR URBAN

Appeal Ref.: 17/60049/REF **Planning Ref.:** 16/02839/FULL **Plns Ref.:** APP/T0355/D/17/
3170900

Appellant: Ms Demi Erdogan 41 Westmead Windsor SL4 3NN

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: First floor side extension.

Location: **41 Westmead Windsor SL4 3NN**

Appeal Decision: Dismissed **Decision Date:** 21 June 2017

Main Issue: The Inspector concluded that the proposal would unacceptably harm the character and appearance of the building and the local area. It therefore conflicts with the aims of Policies DG1 and H14 of the RBWM Local Plan and the NPPF, to secure high quality design and to ensure that extensions do not adversely affect the original property or the street scene. The Inspector recognised the appellant's need to extend her house and noted that no neighbours objected.

Planning Appeals Received

8 June 2017 - 7 July 2017

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

Ward:

Parish: Windsor Unparished
Appeal Ref.: 17/60056/REF **Planning Ref.:** 16/03865/FULL **PIns Ref.:** APP/T0355/D/17/3175049
Date Received: 8 June 2017 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Replacement roof, 2 No.rear dormers and 1 No. front dormer, 1 No. front and 1 No. side roof light's to facilitate a loft conversion, alterations to fenestration and additional parking
Location: **21A Nelson Road Windsor SL4 3RQ**
Appellant: Mr And Mrs Charlie Hayhoe **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

Ward:

Parish: Windsor Unparished
Appeal Ref.: 17/60058/ENF **Enforcement Ref.:** 16/50423/ENF **PIns Ref.:** APP/T0355/F/17/3174706
Date Received: 8 June 2017 **Comments Due:** 20 July 2017
Type: Enforcement Appeal **Appeal Type:** Inquiry
Description: Appeal against the Enforcement Notice: Unauthorised works to a Listed Building.
Location: **The Gate House Rear of 50 And 51 Sir Christopher Wren Hotel And Spa Thames Street Windsor SL4 1PX**
Appellant: The Sir Christopher Wren Hotel Limited **c/o Agent:** Mr Malcolm Honour RPS CgMs 140 London Wall London EC2Y 5DN