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## NOTICE OF MEETING

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# WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

will meet on

**WEDNESDAY, 13TH SEPTEMBER, 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: 5 September 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](http://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 - 6
3.	<u>MINUTES</u>  To confirm the minutes of the previous meeting.	7 - 8
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. <a href="http://www.rbwm.gov.uk/pam/search.jsp">http://www.rbwm.gov.uk/pam/search.jsp</a> or from Democratic Services on 01628 796251 or <a href="mailto:democratic.services@rbwm.gov.uk">democratic.services@rbwm.gov.uk</a>	9 - 100
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u>  To consider the Essential Monitoring reports.	101 - 102



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## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

## **STATEMENT OF THE HUMAN RIGHTS ACT 1998**

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

## MEMBERS' 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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. 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.***

# Agenda Item 3

## WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 16 AUGUST 2017

PRESENT: Councillors Phillip Bicknell (Vice-Chair, in the Chair), Michael Airey, John Bowden, Wisdom Da Costa, Jesse Grey, Gary Muir, Eileen Quick and Samantha Rayner

Also in attendance: Councillor Derek Wilson

Officers: Mary Kilner, Jenifer Jackson, Claire Pugh, Josey Short and Andy Carswell

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Malcolm Alexander and Shamsul Shelim. Cllr Gary Muir was attending as a substitute.

### DECLARATIONS OF INTEREST

**Cllr S Rayner** – Declared an interest in items 17/00768, 17/00770 and 17/00895 as the Lead Member for Culture and Communities, as the items had been discussed previously at Culture and Communities Overview and Scrutiny Panel. Cllr S Rayner stated that she had no personal or pecuniary interest in the items and confirmed that she had attended Panel with an open mind, but would not take part in the voting on the items.

### MINUTES

**RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 19 July 2017 be approved, save for Cllr Grey's declaration of interest to be amended to state that he knew the applicant's father, not son.**

### PLANNING APPLICATIONS (DECISION)

(Panel updates were available for items marked with a \*)

17/00768 The Royal Borough of Windsor and Maidenhead: Consent to display one internally-illuminated double-sided monolith at Advertising Right Farm Yard, Windsor – **THE PANEL VOTED UNANIMOUSLY to DEFER and DELEGATE the application to the Head of Planning, in order for discussions to take place between the Head of Planning, Head of Highways and Head of Communities on relocating the monolith to a location that would not cause harm to public safety.**

17/00770 The Royal Borough of Windsor and Maidenhead: Consent to display one internally-illuminated double-sided monolith at RBWM Alexandra Gardens Coach Park, Alma Road, Windsor – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application, in accordance with the recommendation.**

17/00895 Mr Coleman: Construction of ice rink and attractions from 30<sup>th</sup> October to January 21<sup>st</sup> 2018 at Alexandra Gardens, Barry Avenue, Windsor SL4 5JS – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application subject to the conditions outlined in Section 9 of the report, in accordance with the recommendation.**

(The Panel was addressed by David Coleman, the applicant.)

17/00912 Mr Ball: Construction of a pair of 1 No. bedroom semi detached houses at Land between 3 and 4 and 5 Clewer Fields, Windsor – **The item was withdrawn from the agenda.**

17/01376\* Mr and Mrs Bussey: Construction of a garden pavilion at 9 Park Street, Windsor SL4 1LU – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application subject to the conditions in Section 9 of the report, in accordance with the recommendation.**

17/00857 and 17/01820 Mr Searle: Removal of obsolete rooftop smoke vent and replacement with modern automatic opening vents integrated with the existing modern smoke detection at Theatre Royal, 31-32 Thames Street, Windsor SL4 1PS – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application subject to the conditions in Section 9 of the report, in accordance with the recommendation.**

17/01867 Mr and Mrs Sheilds: Proposed second floor rear extension, raising of existing roof with loft conversion and new velux window to front of dwelling at 77 Arthur Road, Windsor SL4 1RT – **THE PANEL VOTED UNANIMOUSLY to DEFER the application for one cycle in order for Members to attend a site visit and assess the visual impact of the proposals.**

(The Panel received written representations on this application from the ward member, Cllr Jack Rankin.)

17/01943 Mr Briffa: Raising of main ridge and construction of L-shape rear dormer at 75 Arthur Road, Windsor SL4 1RT - **THE PANEL VOTED UNANIMOUSLY to DEFER the application for one cycle in order for Members to attend a site visit and assess the visual impact of the proposals.**

(The Panel received written representations on this application from the ward member, Cllr Jack Rankin.)

ESSENTIAL MONITORING REPORTS (MONITORING)

The contents of the essential monitoring report were noted by Members.

The meeting, which began at 7.00 pm, finished at 8.04 pm

CHAIRMAN.....

DATE.....



# Agenda Item 4

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Windsor Urban Panel

13th September 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

<b>Item No.</b>	1	<b>Application No.</b>	16/03035/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>	11
<b>Location:</b>	Windsor Racecourse Co Ltd Maidenhead Road Windsor SL4 5JJ						
<b>Proposal:</b>	Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver Ring and associated buildings.						
<b>Applicant:</b>		<b>Member Call-in:</b>	Not applicable		<b>Expiry Date:</b>	4 January 2017	
<hr/>							
<b>Item No.</b>	2	<b>Application No.</b>	17/01437/FULL	<b>Recommendation</b>	DD	<b>Page No.</b>	31
<b>Location:</b>	Dedworth Middle School Smiths Lane Windsor SL4 5PE						
<b>Proposal:</b>	Construction of a part single-storey building (new Sports Hall) and a part two-storey building (teaching block), new hard and soft landscaping works, and new staff car parking area to replace existing hard play area.						
<b>Applicant:</b>	Mrs Longworth-Krafft	<b>Member Call-in:</b>		<b>Expiry Date:</b>	27 June 2017		
<hr/>							
<b>Item No.</b>	3	<b>Application No.</b>	17/01617/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>	55
<b>Location:</b>	128 Oxford Road Windsor SL4 5DU						
<b>Proposal:</b>	Proposed L shape dormer to accommodate loft conversion.						
<b>Applicant:</b>	Mr Allard	<b>Member Call-in:</b>	Cllr Jack Rankin		<b>Expiry Date:</b>	17 July 2017	
<hr/>							
<b>Item No.</b>	4	<b>Application No.</b>	17/01867/FULL	<b>Recommendation</b>	REF	<b>Page No.</b>	63
<b>Location:</b>	77 Arthur Road Windsor SL4 1RT						
<b>Proposal:</b>	Proposed second floor rear extension, raising of existing roof with loft conversion and new velux window to front of dwelling.						
<b>Applicant:</b>	Mr & Mrs Shields	<b>Member Call-in:</b>	Cllr Jack Rankin		<b>Expiry Date:</b>	10 August 2017	

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**Item No.** 5      **Application No.** 17/01943/FULL      **Recommendation** REF      **Page No.** 75  
**Location:** 75 Arthur Road Windsor SL4 1RT  
**Proposal:** Raising of main ridge and construction of L-shape rear dormer  
**Applicant:** Mr Briffa      **Member Call-in:** Cllr Jack Rankin      **Expiry Date:** 21 August 2017

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**Item No.** 6      **Application No.** 17/02265/FULL      **Recommendation** REF      **Page No.** 83  
**Location:** 14 Clewer Fields Windsor SL4 5BW  
**Proposal:** First floor rear extension  
**Applicant:** Mr Aslan      **Member Call-in:** Cllr Jack Rankin      **Expiry Date:** 12 September 2017

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**Item No.** 7      **Application No.** 17/02376/FULL      **Recommendation** REF      **Page No.** 95  
**Location:** Studio 101 101 High Street Eton Windsor SL4 6AF  
**Proposal:** Change of use of shop (A1) to residential (C3)  
**Applicant:** Mr Cove      **Member Call-in:**      **Expiry Date:** 29 September 2017

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Planning Appeals Received

Page No. 101

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

**WINDSOR URBAN DEVELOPMENT CONTROL PANEL**

13 September 2017

Item: 1

<b>Application No.:</b>	16/03035/FULL
<b>Location:</b>	Windsor Racecourse Co Ltd Maidenhead Road Windsor SL4 5JJ
<b>Proposal:</b>	Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver Ring and associated buildings.
<b>Applicant:</b>	
<b>Agent:</b>	Mr Simon Chadwick
<b>Parish/Ward:</b>	Windsor Unparished/Clewer North Ward

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

**1. SUMMARY**

- 1.1 The proposed development is defined as inappropriate by Green Belt policy and guidance and is harmful by virtue of its inappropriateness, the loss of openness and the intensification of built development in this predominantly countryside location. This harm should be accorded **substantial weight** in the decision-making process for this application. The development should only be accepted if Very Special Circumstances can be demonstrated that outweigh the harm to the Green Belt and any other harm associated with the development. It is considered that the Very Special Circumstances case put forward by the applicant shows that while the harm to the Green Belt may be adequately mitigated, and that the economic benefits of the scheme outweigh the harm to the Green Belt, other harm that would be caused by the proposed development, in the form of risk to an increased number of people of the dangers of flooding, cannot also be set aside. Consequently, the proposal does not demonstrate that the VSC outweighs both the harm to the Green Belt and other harm, so the application should not be approved.
- 1.2 The applicant has set out a case for Very Special Circumstances which is that there is an existing and growing demand for hotel accommodation in the Windsor area, and that the location of a hotel in the already developed land area of the Windsor Racecourse complex would be of benefit to the Borough in meeting this demand, and would support the significant contribution that the racecourse makes to the visitor and business economy of the area.
- 1.3 The proposed building footprint lies partially within Flood Zone 3b (functional flood plain where flood water must flow or be stored) and where national guidance contained within the NPPF states that more vulnerable development, of the kind proposed in this application for a hotel, should not be permitted.
- 1.4 It is considered that the proposal has passed the flooding sequential test, in that it has been demonstrated that no alternative site, suitable for this scale and nature of development, is available on land at lower risk of flooding than is the application site. If the application site were to be wholly within Flood Zone 3a, then the scheme could go on to be assessed against the exceptions test, to see whether wider benefits to the community ensuing from sustainable development on the site outweigh the flood risk, whether the scheme can be considered to be safe for its lifetime, and whether it would cause increased flood risk elsewhere. However, as the proposal would fall partly within Flood Zone 3b, the development is inappropriate in principle, and is not considered to be sustainable.
- 1.5 The development proposal comprises a town centre use to be sited in an out-of-town location. The applicant has demonstrated, by carrying out a sequential test, that no alternative site, suitable for this scale and nature of development, is reasonably available on land within the town

centre, nor in an edge-of-centre location. It is considered that the applicant has demonstrated that the proposal would have no harmful effect on the vitality of the economy of the Town Centre.

- 1.6 The scheme proposes insufficient car parking space for the number of bedrooms comprised in the hotel, and for other non-residential uses of hotel facilities such as the bar, café and restaurant (which would be open to non-residents). However, land within the site and under the control of the applicant is available to provide additional car parking which could, with careful siting, surfacing and landscaping, have no harmful effect on the openness of the Green Belt.
- 1.7 The architecture of the new building is considered to be attractive and of high quality, and would be of marginal benefit to the operation of the flood plain by the removal of a current solid obstructive building and its replacement with another of a design to enable the flow of water beneath it. Mitigatory flood water storage is also proposed through the excavation of land to allow additional capacity in the flood plain close to the proposed building.
- 1.8 Further aspects of the proposal, relating to the impact of the development on the character and appearance of the open countryside, and on the setting of the Thames, and on the opportunities that the development would provide to enhance the appreciation of both, are also considered to have either a neutral or marginally beneficial weight in the balancing of factors for this case. Similarly although the scheme may disturb an area identified as of moderate to high potential in archaeological terms, the proposed development offers the chance to increase knowledge of the below ground heritage resource of the area, and to preserve this by record.
- 1.9 Notwithstanding that the matters identified by the applicant are capable of providing Very Special Circumstances, to weigh against the substantial harm caused to the Green Belt by dint of the inappropriateness of the proposed development, it is considered that the benefits described do not outweigh the harm associated with the development in relation to flood risk. It is therefore recommended that planning permission is refused for the proposed development.

**It is recommended the Panel refuses planning permission for the following summarised reasons:**

- i) The scheme comprises development of a more vulnerable nature on land identified as being partially in Flood Zone 3b (functional flood plain of the River Thames, where flood water *has* to flow) and as a consequence planning permission should not be permitted.**
- ii) The development would lie within the Green Belt, and is not of a type that may be considered to be exempt from causing substantial harm to the Green Belt as a result of its inappropriateness. The scheme cannot demonstrate Very Special Circumstances which outweigh *both* the substantial harm to the Green Belt (because of this inappropriateness) *and* other harm (flood risk to affect an increased number of people).**

## **2. REASON FOR PANEL DETERMINATION**

The Council's Constitution includes in its Scheme of Delegation that if, in the opinion of the Head of Planning and the Lead Member of Planning, it would not be appropriate to use delegated authority, a planning application may be brought before the appropriate Panel for determination. By reason of the scale and nature of the development, and the variety of planning issues to be addressed in the assessment of its application, it is considered that the case should be determined at the appropriate Area Development Management Panel.

## **3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site comprises 1.19 ha of land set well back from and to the north of the A308, within the larger grouping of the Royal Windsor Racecourse buildings, south and west of the River Thames. The plot is currently occupied in part by the single storey Silver Ring Canteen,

together with a number of other low-key buildings, including stable staff accommodation, hardstanding and some amenity grassland. In past years the site hosted a grandstand. The main drive into the complex, lined by mature Limes, is to the immediate south of the proposed hotel site, and serves the collection of grandstand, hospitality, stabling and other functional buildings which are clustered on the southern side of the course. The larger site of the racecourse spreads across relatively flat land bounded to the north and east by a long sweep of the Thames, with the Clewer Mill Stream to the south effectively creating an island of the site. A landing stage on the closest part of the Thames to the east of the site enables water-borne passage to the racecourse from Windsor Town, and other locations along the river. Other tree groups circle the Parade Ring and screen areas of car parking, and provide a stately edge to the racecourse on the river bank to the east of the complex. The nearest housing to the proposal site lies in Clewer, stretching towards the river to the south east of the site. More housing fronts onto the Maidenhead Road close to its junction with the Avenue serving the site.

- 3.2 The whole of the racecourse lies within the Green Belt, and is designated either Flood Zone 2 or 3. Local wildlife sites are identified on the eastern bank of the Thames and a Local Nature Reserve is designated further to the west, beyond the Marina.

#### 4. DESCRIPTION OF THE PROPOSAL AND PLANNING HISTORY

##### 4.1

Application Reference	Description	Decision and Date
17/02363/CPU	Certificate of lawfulness for use of the existing hardstanding to erect temporary stalls for a weekly Thursday market.	Pending consideration
13/02923/FULL	Provision of a 400 car Park and Ride facility with associated infrastructure and landscaping. Renewal of permission 10/02090/FULL	Returned (no decision)
13/1236/FULL	Creation of a slipway for use by amphibious vehicle to provide a sightseeing tour	Withdrawn 01.07.2013
11/02894/VAR	Use of Windsor Racecourse as a temporary transport hub for the Olympic Games, comprising the erection of temporary facilities as approved under planning permission 10/02670 without complying with condition 2 relating to the Local Area Traffic Management & Parking	Refused 02.02.2012
10/02671/FULL	Construction of temporary pedestrian river crossing for access to Eton Dorney for the Olympic Games	Permitted 21.01.2017
10/02670/FULL	Use of Racecourse as temporary transport hub for Olympic Games, comprising fencing, screening area, spectator facilities, trackway and temporary infrastructure works	Permitted 21.01.2011
10/02090/FULL	Provision of a 400 car Park and Ride facility with associated infrastructure and landscaping	Permitted 29.11.2010
10/01200/FULL	Construction of a two storey office reception building following demolition of existing turnstile and stores buildings	Permitted 22.07.2010
09/02339/FULL	2 storey office reception building following demolition of existing turnstile and stores building	Withdrawn 21.12.2009
07/00853/FULL	Erection of two additional fabric structures to provide catering area and toilet facilities for the riverside pavilion	Refused 21.05.2007
07/00852/FULL	Resurfacing of existing stone parking area with tarmac and new 2m palisade fence	Permitted 26.07.2007
02/82030/FULL	Erection of 7 temporary structures including 4 tents 1 storage unit and 2 refrigeration units	Withdrawn 08.12.2003
01/81369/FULL	Amend existing access junction, realign existing access road with associated resurfacing of roads (amended description)	Permitted 20.02.2002
01/80566/FULL	Renewal of consent 00/78987 for retention of single storey timber building for three years	Permitted 30.04.2001
00/79859/FULL	Erection of replacement bridge	Permitted 06.12.2000
00/78987/FULL	Renewal of consent 470703 for retention of single storey timber building for one year	Permitted 24.05.2000
99/78476/FULL	Erection of a replacement marquee	Permitted 19.01.2000
98/77580/FULL	New permeable finish to existing service track with macadam	Permitted 17.02.1999

	extension and fibre sand course crossing	
97/76216/FULL	Erection of new entrances to Balloon meadow Car park and renewal of 1992 consent	Permitted 22.07.1998
97/76212/RLAX	Removal of temporary planning consent (given in condition 1, application No. 471034) to allow the stable ladies hostel to become a permanent building	Permitted 15.07.1998
97/75419/FULL	Construction of bridge over mill stream	Permitted 23.03.1998
95/01848/FULL	Erection of a single storey prefabricated building to provide replacement stable office and canteen with link to adjacent stable lads hostel	Permitted 04.12.1995
95/01847/FULL	Erection of new groundsman's building to provide secure covered area for racecourse vehicles plus staff facilities and hurdle-mending room with adjacent secure compound enclosed by 2.4m high chain-link fence	Permitted 30.11.1995
95/01845/TEMP	Renewal of consent 470703 for retention of single storey timber building	Permitted 07.06.1995
94/01737/FULL	Erection of single storey tote building, toilet, turnstiles building & badge kiosk + enlargement of electrical switch room & new 2.4m high boundary wall (following demolition of silver ring tote/toilets/badge building)	Permitted 23.12.1994
94/01735/FULL	Erection of a new three-storey grandstand comprising betting hall, bars, tote, accommodation, dining area & executive boxes, (following demolition of tattersall stand, silver ring stand, tote building & shed)	Permitted 06.07.1994
93/01685/FULL	Erection of a replacement 3 storey grandstand comprising betting hall, bar/dining area & executive boxes, extension & refurbishment of existing silver ring stand to provide new bar & tote accommodation and toilet block	Permitted 18.01.1994
92/01524/FULL	Demolition of existing and erection of a replacement single storey eight-bedroom hostel for stable lads	Permitted 21.12.1992
92/01523/FULL	Enclosure of existing covered walkway between restaurants and members grandstand	Permitted 21.12.1992
92/01522/TEMP	Renewal of consent 465972 for retention of single storey building to provide dormitory/toilets for lady grooms	Permitted 21.12.1992
92/01519/TEMP	Retention of single storey timber building	Permitted 19.06.1992
92/01512/TEMP	Temporary use of land for storage of motor vehicles	Refused 12.01.1993
91/01628/FULL	Erection of a 2 storey building to provide 12 hospitality suites	Permitted 05.03.1992
89/02015/FULL	Erection of a 2 storey building comprising hospitality rooms and boxes	Withdrawn 03.07.1990
89/02014/FULL	Renewal of consent 462544 for a single storey building for administrative facilities for the institute of groundmanship	Permitted 13.06.1989

- 4.2 The planning application proposes the development of a four storey 150 bedroomed hotel, with reception, dining and bar facilities, and plant, service and staff rooms on the ground floor, and a fitness suite on the third floor, with guest rooms on all four levels. 20 of the guest rooms are proposed to be set aside for stable staff on race days.
- 4.3 Hard and soft landscaping indicated for the development would frame the T-plan shaped building with its principal approach through a plaza within the south western elbow of the structure, and car parking adjoining it served by a spur road from the avenue of retained Limes. This route would also bring taxis and pedestrians to the main entrance point on this side of the building. The longest stretch of the hotel would face onto the racecourse itself, continuing the alignment (and mirroring the purpose) of the grandstand to its east. Service and plant functions would be grouped on the western side of the southern wing.
- 4.4 Of four storeys, the building would have a modern rectilinear style, with a horizontal emphasis picked out in white painted steel framing on its mainly glazed racecourse frontage. The ground floor is shown to be slightly elevated and also recessed (to form a generous, partly sheltered terrace), with voids making up a large proportion of its base. First and second floors are cantilevered out over the ground floor restaurant and bar areas on the course frontage. On other

elevations the building is articulated in a variety of more solid materials, such as sections of buff brick and Portland stone walling. Accommodation on the third floor is inset again from the vertical, and alternates full depth glazing with zinc metal cladding to produce a darker appearance for the walls of this top layer. Photovoltaic panels are shown covering the flat roof.

- 4.5 Hard-surfaced car parking is indicated to the south west, on land between the hotel and the Avenue. It is suggested that further informal parking areas (used on race days) provide sufficient capacity to meet the parking standards of the Council, although the applicant asserts that the experience of the Hotel operator chosen (Hilton) is that a lesser number of parking spaces will be adequate for this size and type of hotel.

## **5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

- 5.1 According to the requirements of relevant planning legislation planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework is such a material consideration. It sets out the Government's planning objectives for England and indicates how these are expected to be applied. At its heart is a presumption in favour of sustainable development. NPPF guidance of relevance to this application is contained within paragraphs 6 and 7 (detailing the presumption in favour of sustainable development, incorporating its three aspects: economic, social and environmental) together with the core planning principles set out in paragraph 17. The proposal is also assessed against the thematic guidance in sections 1 (Building a strong, competitive economy), 2 (ensuring the vitality of town centres), 4 (Promoting sustainable transport), 7 (Requiring good design), 9 (Protecting Green Belt land), 10 (Meeting the challenge of climate change, flooding and coastal change), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment),

### **Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003**

- 5.3 Relevant policies of the Local Plan are:
- |       |  |
|-------|--|
| GB 1  | Acceptable uses and development in the Green Belt            |
| GB 2  | Unacceptable development                                     |
| N 2   | Setting of the Thames  |
| N 6   | Trees and development  |
| N 9   | Wildlife heritage sites                                      |
| DG1   | Design guidelines  |
| ARCH3 | Sites of archaeological importance and development proposals |
| ARCH4 | Sites of archaeological importance and development proposals |
| F 1   | Development within areas liable to flood                     |
| E1    | Location of development                                      |
| E10   | Design and development guidelines                            |
| S1    | Location of shopping development                             |
| T7    | Provision for cyclists                                       |
| P4    | Parking  |
| IMP1  | Infrastructure provision                                     |
| WTC1  | Town Centre Strategy   |

The policies above have been assessed and found to be in compliance with the NPPF and are therefore given substantial weight in the determination of this planning application. These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### **Borough Local Plan: Submission Version 2017**

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

SP 1 Spatial strategy  
 SP 2 Sustainability and placemaking  
 SP 3 Character and design of new development  
 SP 4 River Thames corridor  
 SP5 Development in the Green Belt  
 ED 3 Other sites and loss of floorspace in economic use  
 TR 1 Hierarchy of centres  
 TR 2 Windsor Town Centre  
 TR 6 Strengthening the role of centres  
 VT 1 Visitor development  
 HE 1 Historic Environment  
 NR 1 Managing flood risk and waterways  
 NR 2 Trees, woodlands and hedgerows  
 NR 3 Nature conservation  
 NR 5 Renewable energy generation schemes  
 EP 1 Environmental protection  
 EP 3 Artificial light pollution  
 EP 4 Noise  
 IF 2 Sustainable transport  
 IF 5 Rights of way and access to the countryside  
 IF 8 Utilities

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

This document can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/594/emerging\\_plans\\_and\\_policies/2](https://www3.rbwm.gov.uk/info/200414/local_development_framework/594/emerging_plans_and_policies/2)

### **Supplementary planning documents and other publications**

- ☐ Parking Strategy 2004
- ☐ The Interpretation of Policy F1 (Area Liable to Flooding) 2004
- ☐ Royal Borough of Windsor and Maidenhead Strategic Flood Risk Assessment 2014
- ☐ Townscape assessment 2010

More information on these documents can be found at:  
[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](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 – Green Belt
- ii Flood risk
- iii Town centre impact
- iv Design



- v Countryside and Thames
- vi Highways and transport considerations
- vii Impact on heritage (Archaeo)
- viii Ecology
- ix Light and noise pollution
- x Any other material considerations - trees
- xi The planning balance

### **Principle of development in the Green Belt.**

- 6.2 Section 9 of the NPPF set out the Government's approach to development in the Green Belt. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The NPPF apports five purposes to the Green Belt:
1. To check the unrestricted sprawl of large built-up areas;
  2. To prevent neighbouring towns merging into one another;
  3. To assist in safeguarding the countryside from encroachment;
  4. To preserve the setting and special character of historic towns; and
  5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land
- 6.3 Green Belt Boundaries can only be altered in exceptional circumstances through the preparation or review of a Local Plan. In the emerging draft Borough Local Plan, currently at Regulation 19 stage, there is no proposal to alter the Green Belt boundary to exclude any part of the racecourse complex.
- 6.4 Paragraph 87 of the NPPF explains that inappropriate development in the Green Belt is harmful and that it should only be approved in Very Special Circumstances. Paragraph 88 continues by stating that when considering planning applications, substantial weight should be given to any harm to the Green Belt. "Very Special Circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.5 The NPPF explains that the construction of new buildings should be regarded as inappropriate in the Green Belt although in paragraph 89 it sets out a limited list of exceptions, including " *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development*". Although the proposed development would be located on previously developed land, the proposed four storey development would clearly have a greater impact on the openness of the Green Belt than does the existing single storey Silver Ring Canteen and the surrounding hard surfacing areas; the proposed development does not fall within the list of exceptions. In policy terms, therefore, the development is inappropriate and by definition harmful to the Green Belt. Planning permission should only be granted for the scheme if Very Special Circumstances (VSC) can be demonstrated that would clearly outweigh this substantial harm and any other harm that the development would trigger.

6.6 The applicant has set out a case for VSC which is largely based on the public benefits of providing a hotel in Windsor to meet the need for tourist accommodation and the need identified for conferencing facilities; this position is supported by the emerging Borough Local Plan. The case is also made by the applicant that there is public benefit arising from the scheme in terms of supporting crucial business in Windsor, creating additional jobs in the area and therefore generally supporting the local economy. A third strand to the case is the benefit to the ongoing success and operation of the racecourse to introduce further diversification; this has a locational element clearly as the proposal would need to be located at the racecourse to deliver this benefit. Through consideration of the application it is clear that benefits would also accrue in giving opportunity for a greater appreciation of the river Thames setting, enhancements to ecology and knowledge of the archaeology of the area would be expanded. Taken together it is considered that these factors amount to Very Special Circumstances and can be afforded significant weight in the planning balance. This is addressed further at the end of the report.

### **Flood risk**

6.7 The application was accompanied by a Flood Risk Assessment and the Environment Agency has been consulted on the proposal. The application site is located partially in flood zone 3a but also within the functional flood plan, flood zone 3b; [this is confirmed by the Council's own Strategic Flood Risk Assessment completed in 2017 to support the emerging Borough Local Plan](#). In relation to the original submission the Environment Agency, as statutory consultee, took issue with the use of particular node to calculate the 1% and climate change levels in FRA but this has now been conceded (3<sup>rd</sup> consult reply). However, the position is clear that the development proposed is located within flood zone 3b where policy makes clear that permission should only be granted for essential infrastructure that cannot be located elsewhere. As such, harm would be caused by locating a more vulnerable use in the floodplain contrary to policy which should be weighed in the planning balance set out later in the report.

### **Town Centre impact**

6.8 It is the view of officers that the case has been made that the hotel is necessary to serve racecourse economically, and not just to satisfy general tourist accommodation needs of the area. A sequential test has been conducted in terms of locating a main town centre use (hotel) in an out of centre location; this makes clear the other sites which have been considered and why these have been discounted as not being suitable or available for the use proposed. It is considered that the sequential test is passed.

6.9 Retail impact has also been considered and addressed in the applicant's submission. Whilst there would be some impact on the Town Centre in Windsor it is limited and would not undermine the role of Town Centre by taking business out of centre. As such the proposal would be introducing further competition which is healthy and it would not be ruinous to choice. Any comments from the Visitor Manager will be reported in the Panel update.

### **Design**

6.10 The NPPF places great importance on development being high quality in terms of design. In Section 7 the NPPF explains that, in determining planning applications, local planning authorities should ensure development:

- Will function well and add to the overall quality of the area
- Establishes a strong sense of place
- Optimises the potential of the site to accommodate development
- Responds to local character
- Reflects the identity of local surroundings including material
- Is visually attractive as a result of good architecture and appropriate landscaping

- 6.11 It is considered that the racecourse has developed its own context in terms of giving consideration to design: this is not akin to local vernacular or even national period, the character is of a large, social, spectator sport, with elements of hospitality /entertainment - this is a more cultural than historic identity which has been influenced by the setting of the river too.
- 6.12 The proposed location of hotel is considered to be appropriate in design terms given the range of choices within the whole racecourse holding. The physical alignment of the proposed building with the existing grandstand is considered appropriate and the scale of the building is also comparable to that existing grandstand. The proposal would form a cluster with other facilities and buildings at the site. The approach from the avenue creates a welcome form of building, the presentation onto racecourse of many rooms but mostly of restaurant and bar is appropriate both in terms of spectators using the building but also as a design response to the riverside setting.
- 6.13 It is considered that the proposed design is contemporary, it incorporates a palette of materials that would give an attractive appearance and good performance; PV panels are to be located on the flat roof. As such the proposed building is considered to be fit for it's proposed purpose and adaptable for the future.

### **Countryside and Thames**

- 6.14 It has been set out in the consideration of the proposal under Green Belt policy that there would be an impact on openness of the Green Belt. Whilst the proposal is on previously developed land the scale of what is now proposed is significantly greater than the existing buildings; the impact on openness would be harmful in Green Belt terms. A Landscape and Visual Impact Assessment has been submitted with the application; this provides a number of views of the proposal and an assessment of the impact of the building on those views and the landscape in which it would sit. It is clear that there would be a visual impact, particularly at night. This needs to be balanced against the opportunities that the scheme would offer for a greater appreciation of the river Thames (as a backdrop to events) alongside the ability for those visiting to make the trip to the site along the River using existing boat operators. Having assessed the scheme and considered the submitted LVIA it is considered that the proposal complies with the Setting of the Thames Policy contained in the Local Plan.

### **Highways and transport**

- 6.15 The racecourse is located to the north of the A308 Maidenhead Road and benefits from two vehicular accesses. The main access is situated to the east of the junction with the A308 and the B3055 Vale Road and currently serves the racecourse; the second access is primarily used by the racecourse Marina. The application proposes no change to the existing access arrangements; this is considered to be acceptable. It is noted that the baseline assessment in the Transport Assessment does not include the range of various activities hosted by the racecourse which do attract a number of visitors. Whilst it would not be reasonable to expect this application to rectify existing issues on the network it should consider it within the submission; it is not therefore evident whether mitigation on the network might be required. If the scheme were to be considered acceptable in all other regards this is an area on which Officers would have required further work and information.
- 6.16 The application site is located 1.8km from Windsor Town Centre, and the stations, and about 8.6km from Maidenhead Station. Based on the adopted parking strategy the site is deemed to be within an area of 'poor accessibility' and the maximum standard for parking is considered to be appropriate. As such the scheme would require 150 parking spaces; the proposal contains 85 standards which is some way off the Borough's standards. The submission is unclear as to whether the ancillary facilities are provided for guests only or for visitors and/or the general public; this could increase the demand for parking. Whilst the Highway Authority consider that the scheme is not acceptable on this basis, it is the view of planning officers that this has to be balanced with other planning considerations. The site is located in the Green Belt and more car parking may have a further adverse impact. The applicant has indicated a willingness to provide further car parking aligned to further consideration of the Travel Plan objectives; the applicant is

also currently working with an identified hotel operator who has knowledge of how other similar hotels operate and has based this application on that information. If the application were acceptable in other regards then this matter would be capable of being covered through a condition requiring overflow or additional car parking to be delivered; it is not considered to be the grounds for refusal of the application.

- 6.17 A Travel plan has been lodged with the application which has been considered in terms of its scope and objectives. It is noted that the travel plan does not provide details on staff and guest parking; no staff survey has been provided but there is a commitment to undertake a baseline survey within 2 months of the hotel being operational and to provide a final travel plan within a further month. The objectives set out in the draft Travel Plan are appropriate for the development and it contains elements aimed at staff and guests. Additional measures might be required to achieve the targets, the plan commits to monitoring both staff and guests travel patterns. If the application were to be considered favourably then a Travel Plan would be secured through section 106 agreement and the matters raised in the consultation response from the Highway Authority would be capable to being addressed.

### **Archaeology**

- 6.18 In accordance with paragraph 128 of the NPPF the applicant has submitted an assessment in relation to archaeology. There are no known heritage assets within or immediately adjacent to the application site. There are important prehistoric monuments and landscapes recorded on the north bank of the river, immediately north of the application site, at Eton Wick. In assessing the archaeological potential the report concludes that the site has high potential; the Council's Archaeologist concurs with the submitted report in terms of the potential for remains within the site. As this is not a large site and there has been some previous development within it is considered that further investigation can be undertaken post consent should the scheme be permitted; this could be covered by condition. It is noted that surviving elements of the historic racecourse have not been overlooked, given the importance of horse racing and its heritage to Windsor and Berkshire and the royal patronage of horse racing from at least the 16<sup>th</sup> century, with this racecourse founded in 1866. It is considered that the proposal would provide a chance to increase knowledge and understanding of the development of the area in the past, this is of very limited weight in terms of the planning balance.

### **Ecology**

- 6.19 The submitted ecology report sets out that there are no protected species on the site and no known ecological value which would be impacted by the proposal. The scheme is acceptable in this regard and would offer the potential for enhancement to ecology and biodiversity which could be secured by condition; if the scheme were to be permitted.

### **Light and noise pollution**

- 6.20 The application makes it clear that the proposal would essentially introduce year-round 24/7 operation on site, this would mean that illumination levels from lighting within the site would be likely to be high. The design of the building with large glazed areas, without overlooking from other buildings, would mean that there would be no need to draw blinds/curtains for privacy so there is a likely significant night-time light spill. There would be a consequent impact on an area that is currently dark landscape. There could also be a daytime impact from reflective glazing (although the main façade is north-facing); south-facing glazed areas will be of some prominence. If the scheme were to be approved then these matters would be covered by appropriate conditions.
- 6.21 In terms of noise generation, due to the location of the application site, it is not considered that there would be an adverse effect. The development itself is noise sensitive development in terms of aircraft noise in Windsor and would need mitigation to be provided which would ordinarily be secured through condition, if the scheme were permitted.

## Trees

- 6.22 The applicant has lodged details of the impact of the proposal on trees; following amendments it is considered that this could be satisfactorily addressed by conditions requiring a method statement, should permission be granted.

## Planning balance

- 6.23 In terms of the planning balance it has been set out above that the proposal is inappropriate development, by definition this is harmful; there would also be harm to the openness of the Green Belt. This harm is afforded **substantial weight**. Whilst a case has been made for Very Special Circumstances to overcome the harm to the Green Belt and any other harm, the weight of the harm to overcome is significant. This is because the proposal is for development within flood zone 3b which is functional flood plain where this vulnerable use should not be permitted; this harm should be afforded **significant weight**. The VSC as set out in the report, taken cumulatively is considered to represent **substantial weight** in the balance of benefit but this is not considered to outweigh the harm to GB and the flooding harm of developing in the functional flood plain contrary to an absolute policy requirement not to do so. As such Very Special Circumstances do not exist and the development fails to accord with policy and should be refused.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

2 occupiers were notified directly of the application. A total of 2 responses were received.

The planning officer posted a statutory notice advertising the application at the site in the week beginning 10<sup>th</sup> October 2016 and the application was advertised in the Maidenhead & Windsor Advertiser on 20<sup>th</sup> October 2016.

2 letters were received commenting on the application, raising the following summarised points:.

Comment		Where in the report this is considered
1.	In general the construction of the hotel is supported because of the jobs it will bring to Windsor.	Noted.
2.	Staff should be recruited locally.	Noted.
3.	Siting away from Maidenhead Road is supported.	Noted.
4.	Traffic will increase along Maidenhead Road	6.15
5.	Leisure facilities will not be open to the public.	Noted – this is not a planning consideration.
6.	Guest shuttle bus is welcomed, but must be frequent enough to relieve pressure on town centre parking	Noted – this would be covered in a Travel Plan.
7.	Staff shuttle bus also welcomed, but must operate early and late enough when public transport is scarce.	Noted – this would be covered in a Travel Plan.
8.	No acknowledgement of the congestion caused by the racecourse	6.15
9.	Leisure facilities should be available to local residents (recently lost facilities at Windsor Rackets)	Noted – this is not a planning consideration.
10.	Roads in the area are at full capacity, and traffic jams are commonplace on race days or during events.	6.15
11.	Traffic regularly backs up in the area, and onto the Motorway and the large roundabout (Royal Windsor Way).	6.15

## Statutory and other consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Two-fold objection to the scheme on grounds of 1) a more vulnerable use being proposed within Flood Zone 3b (functional flood plain) and 2) that the climate change allowances, flood plain compensation and finished floor level calculations, predicated on hydraulic modelling, in the submitted FRA are based on the use of the wrong node. <u>First FRA revision:</u> Maintains both grounds for objection <u>Second FRA revision:</u> Maintains objection 1) above only.	6.7
Highways	Recommends that the application is refused, principally because of the under provision of parking: the scheme shows only 85 spaces when the appropriate provision on this site of “poor accessibility” would be 1 per bedroom, i.e.150. The Transport Assessment appears not to take account of the conference, restaurant and other operations that would be carried out in the proposed building, nor how this would affect the level of traffic activity at the site, and its requirements for parking. <u>Additional information:</u> comments awaited.	6.15
Transport Policy	The draft Travel Plan meets most of the Council’s requirements, but the shortage of parking noted above needs to be addressed. Furthermore the Travel Plan needs to include an estimation of staff numbers and shift patterns, and should commit to annual monitoring for at least 5 years. <u>Amended Interim Travel Plan:</u> comments awaited	6.17
Environmental Protection	Recommends the imposition of conditions on any planning permission granted, to restrict working hours, to control noise emissions, to negate the need for noisy reversing alarms and to prohibit operations that would cause dust emissions.	6.20
Tree Officer	Initial concerns raised and amendments suggested related to the extent of retained hard surfacing, whether the vehicular use of access routes would require better ground protection measures, whether new service runs would impact on existing trees, tree protection measures to reflect root protection areas and species details for proposed landscaping to be supplied. <u>Additional information:</u> matters can be covered by appropriate conditions, requiring amended AMS and other documents to be submitted and approved.	6.22
Lead Local Flood Authority	No objections to the scheme subject to a condition on any planning permission granted to require the implementation of the submitted surface water drainage system.	Noted.
Berkshire Archaeology	BA considers that the Historic Environment Assessment prepared by the Museum of London Archaeology	6.18

	(MOLA) that has been submitted with the application is a thorough and authoritative account of the archaeological potential within and in the vicinity of the application boundary, and concurs that, given the impact of the development on below ground deposits (should the scheme be permitted) further archaeological investigation is merited. A condition is recommended, to secure an appropriate scheme of field evaluation, which will then inform the preparation of a mitigation strategy for the site before, during and after construction works.	
Visitor Centre Manager	Comments awaited	
Bray Parish Council	Concerns and points are expressed relating to the impact of the proposed hotel on the transport infrastructure of the area, as 150 bedrooms are proposed; this would be a 365 and 24/7 use; the A308 is the main route between Windsor and Maidenhead; the road is very busy with air quality management issues; around 1,415 new homes are proposed in the emerging BLP to use the A308; there is already a 118 bed-hotel on this road, and the submitted information is considered to underestimate the flow of traffic westwards from the site. Bray PC ask that RBW&M carry out a full traffic survey before considering the application, and take account of the size of the right-turn central lane, and the backing-up effects of (mini) roundabouts at Hatch Lane, Braywick and Holyport Road.	6.15-6.17

## 8. APPENDICES TO THIS REPORT

- Appendix A –Proposed Site Plan
- Appendix B – Floor Plans
- Appendix C – Elevations

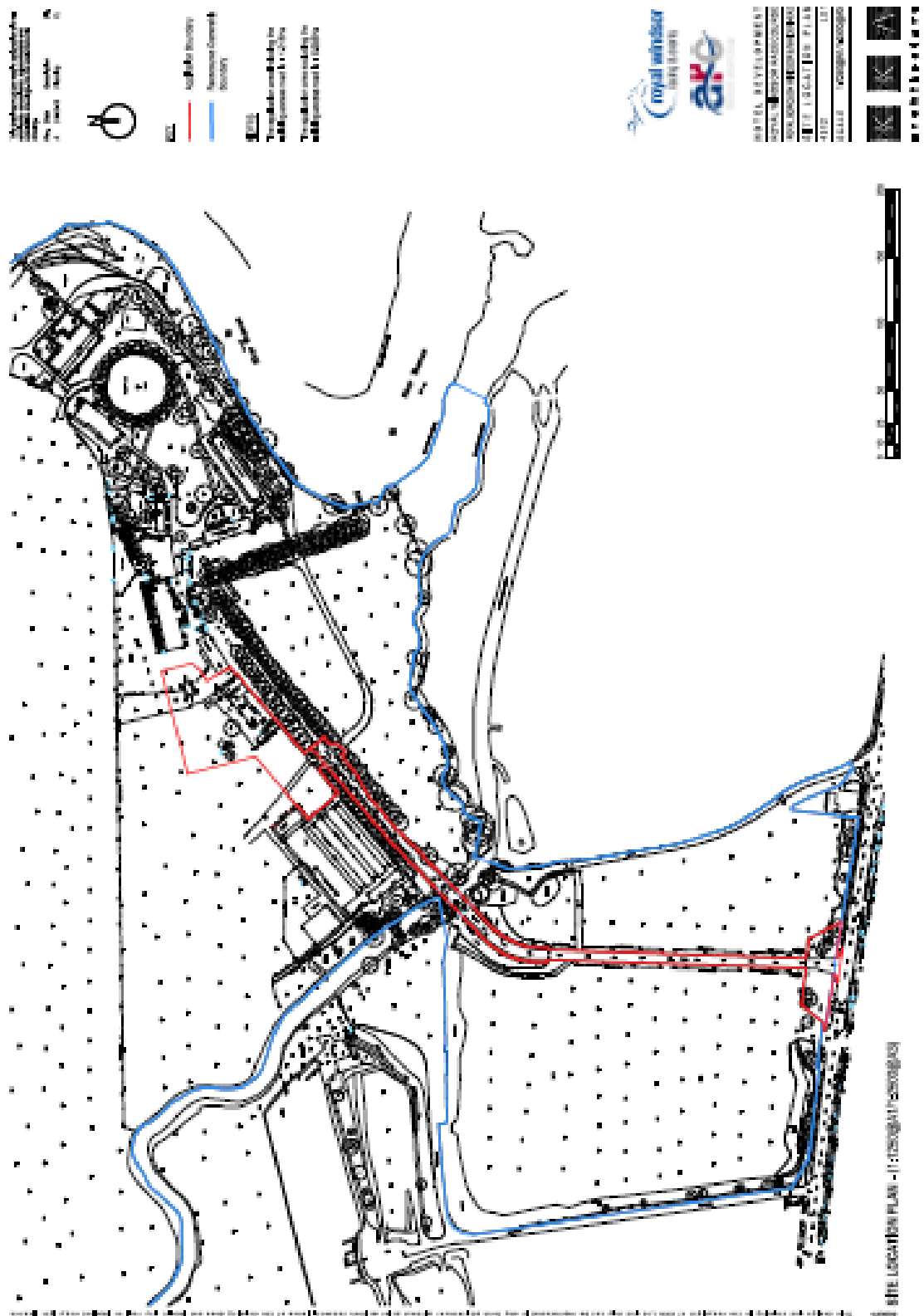
## 9. RECOMMENDED REASONS FOR REFUSAL

- 1 The scheme comprises development of a more vulnerable nature on land identified as being partially in Flood Zone 3b (functional flood plain of the River Thames, where flood water has to flow). The proposed development would conflict with clear guidance in the NPPG that such development should not be permitted, as it would increase the number of persons endangered by the risks of fluvial flooding. The proposal does not accord with local and national planning policy and guidance, as set out in Policy F1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, and in the NPPF 2012
- 2 The development would lie within the Green Belt, and is not of a type that may be considered to be exempt from causing substantial harm to the Green Belt as a result of its inappropriateness. The scheme cannot demonstrate Very Special Circumstances which outweigh both the substantial harm to the Green Belt (because of this inappropriateness) and other harm (in particular flood risk to affect an increased number of people). The proposed development does not accord with national and local planning policy and guidance, as set out in Policies GB1, GB2 and F1 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003, and in the NPPF 2012.

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Appendix A Site location plan and layout



The information contained herein is confidential and intended solely for the individual named. If you are not the named individual you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake.



- KEY**
- Application Boundary
  - Maximum Density
  - Boundary
  - Boundary
  - South-Proposed Lane
  - Utility Impacts with Overhead - High
  - Utilization with High with overhead line
  - Overhead Lines
  - Impervious
  - Impervious/Permeable
  - Soil - Class 1
  - Water Table
  - Soil Type
  - VEGETATION
  - Proposed Features



**WETEL DEVELOPMENT**  
 ROYAL WINTBAAR WILDEBOER  
 1000 BROUWERIJ WEG 1  
 3720 XZ VRIJENBURG  
 T: 0348 411111  
 M: 06 41111111



PROPOSED SITEPLAN - (1:500) (A1: 1000x700)









**NORTH ELEVATION (1:125@A1 / 1:250@A3)**

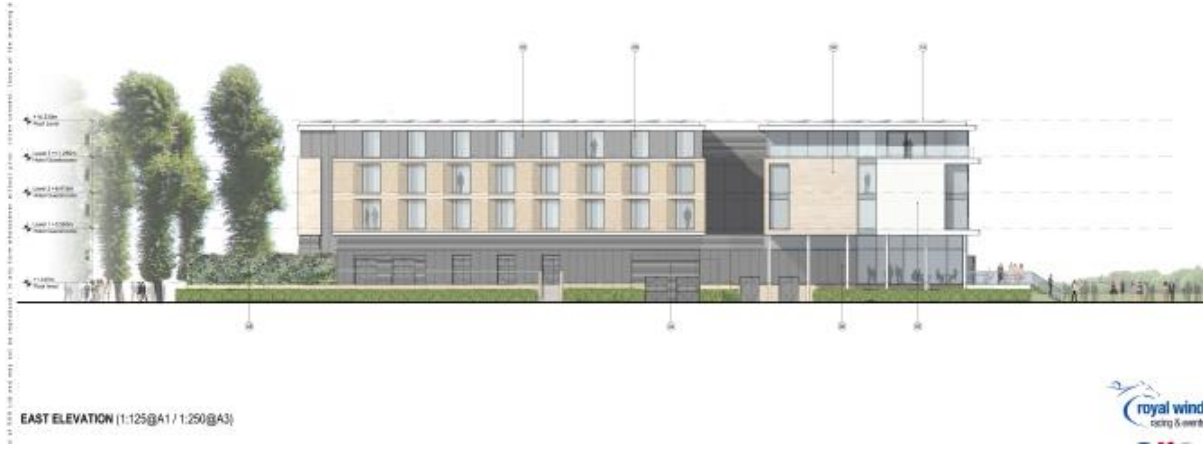


**WEST ELEVATION (1:125@A1 / 1:250@A3)**



**SOUTH ELEVATION (1:125@A1 / 1:250@A3)**





EAST ELEVATION (1:125@A1 / 1:250@A3)



## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 2

<b>Application No.:</b>	17/01437/FULL
<b>Location:</b>	Dedworth Middle School Smiths Lane Windsor SL4 5PE
<b>Proposal:</b>	Construction of a part single-storey building (new Sports Hall) and a part two-storey building (teaching block), new hard and soft landscaping works, and new staff car parking area to replace existing hard play area.
<b>Applicant:</b>	Mrs Longworth-Krafft
<b>Agent:</b>	Miss Katerina Ioannis-Antoniou
<b>Parish/Ward:</b>	Windsor Unparished/Clewer North Ward
<b>If you have a question about this report, please contact:</b> Vivienne McDowell on 01628 796578 or at <a href="mailto:vivienne.mcdowell@rbwm.gov.uk">vivienne.mcdowell@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 This application proposed a new building to provide 7 new classrooms and a 3-court sports hall, together with changing rooms, showers and toilets. The new classrooms are required for the planned expansion of Dedworth Middle School to provide 240 additional pupil places and 16 additional (full time equivalent) new staff. The sports hall is required in connection with the school expansion as the existing indoor sport provision is inadequate for the school. The design appearance and impact of the building is considered to be acceptable.
- 1.2 The new building would be sited on a fragmented and underutilised part of the school playing field surrounded by the new Artificial Grass Pitch to the north, main school building to the east and single storey classroom buildings to the south.
- 1.3 Sport England has objected to the loss of the playing field. Sport England suggests alterations to the siting of the building, upgrading of the building including more storage space, more changing rooms and showers, and the provision of lockers for community use, in order to overcome their objections.
- 1.4 It is considered that the school has more than sufficient remaining playing field to provide satisfactory outdoor sport provision. The proposed sports hall as submitted, is considered satisfactory in meeting an identified community use as well as providing a much needed indoor sports facility for the school.
- 1.5 The proposed development is considered to be acceptable in terms of impact on neighbouring properties and on the highway network.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission subject to the following:</b> <ol style="list-style-type: none"><li>i. expiry of the statutory advertisement period (22<sup>nd</sup> September 2017) and no new material issues being raised, and</li><li>ii. heads of terms for the section 106 referred to at iv below being agreed; and</li><li>iii. the referral to the Department for Communities and Local Government and confirmation that the Secretary of State does not intend to call the application in; and</li><li>iv. the conditions listed in Section 10 of this report and subject to the completion of a Section 106 agreement to secure a Community Use Agreement for the Sports Hall.</li></ol>
2.	<b>To refuse planning permission if an undertaking to secure a Section 106 Community Use Agreement is not completed by 13<sup>th</sup> November 2017, for the reason that the proposed development would not adequately ensure the community use of the new sports hall and for the loss of playing field contrary to NPPF.</b>

## 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 as the Council owns the land.

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 This school site is not in the Green Belt and not in an area liable to flooding. The proposed new building (sports hall and classroom block) would be sited on part of the school playing field surrounded by the existing artificial grass pitch AGP (to the north) and existing school buildings to the east and south.
- 3.2 The new car parking area would be provided on an area of existing hardstanding which is used as a playground during normal school hours and as an informal overflow carpark during the evenings in connection with after school activities.

## 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The most recent application for this part of the site was for the Artificial Grass Pitch. Other planning history is not relevant to this proposal.

Ref.	Description	Decision and Date
16/00907	Construction of synthetic turf pitch, flood lighting, fencing, drainage and ancillary works.	Approved 6/12/2016

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections – Core Principles; Section 7 (Requiring good design); Section 8 (Promoting healthy communities); Section 11 (Conserving and enhancing the natural environment).

### Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Trees	Aircraft noise
DG1, R8, CF2.	P4, T5	N6	NAP2

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](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

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 27 September



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](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 principle of the development
- ii Highways and parking considerations
- iii Tree considerations
- iv Archaeology considerations
- v Ecology

### **The principle of the development.**

6.2 The development proposes 1,340 of new floor space arranged over 2 floors to provide 7 new classrooms, a 3-court sports hall with associated changing rooms, store room, toilets changing rooms, showers and plant room. The overall height of the classroom building would be approximately 8.5 metres. The overall height of the sports hall would be approximately 9.5 metres. The existing school building immediately to the east is in the order of 6 metres in height.

6.3 The building would be sited on a fragmented and underutilised part of the school field between the new all-weather/artificial grass pitch (AGP), existing single storey buildings and an existing 2-storey school building. The new building extends beyond the western perimeter fencing of the existing AGP, by approximately 9 metres. The planning statement submitted with the application states that the existing space to be developed is not currently used for official sports facilities or pitches, and instead is used for casual recreation/play by pupils. At its closest point the building is 105 metres away from the nearest public road and approximately 70 metres from the west boundary of the school site.

6.4 The new building would be L shaped with a flat roof. The proposed materials for the teaching block would be brick. The sports hall part of the building would be clad in aluminium panels for the upper part of the elevations with louvre panels to match the cladding and brick for the ground floor (blue/black brickwork). The building would be a contemporary design. In terms of overall height the new building would be taller than the existing two storey school building to the east.

- 6.5 The new classrooms are required for the planned expansion of Dedworth Middle School. The school is a specialist arts school for 9-13 year olds, with academy status. There are currently 480 students enrolled at Dedworth Middle School, with a Planned Admission Number (PAN) of 120. The planning application aims to increase the school by 2 forms of entry, increasing the PAN to 180 children.
- 6.6 The proposal will allow the school to provide a total of 720 school places and have a total of 60 (full time equivalent) members of staff.
- 6.7 The applicant's supporting statement explains that the proposed expansion of Dedworth Middle School forms part of a phased scheme known as the Expansion of Secondary School provision. This scheme is based on the annual projections of demand for school places as part of the School Capacity (SCAP) survey provided by the Borough, which has concluded that there is a lack of middle school places in the identified areas, including Windsor.
- 6.8 The applicant states that the school currently lacks satisfactory on-site indoor sports facilities, it's position is that the existing hall is not large enough to provide satisfactory sports activities for the existing school size. The applicant advises that the proposal will provide indoor sporting opportunities to pupils and the public that are accessible, not dependent on the prevailing weather conditions, on an area that is currently underused for sports.
- 6.9 The siting also allows for the retention of existing mature trees and a patch of grass adjacent to the existing school building. A new carpark area to provide 16 car parking spaces is to be created on the existing hard surfaced playground.
- 6.10 The applicant sets out that, therefore, the school not only requires new classrooms but also requires improved sport hall facilities. The building proposed in this application is to be located to the south of recently constructed AGP (Ref 16/00907) in order to provide a connection between the indoor and outdoor sports facilities.
- 6.11 The block plans submitted with the application refer to new floodlights to serve the existing tennis courts (immediately adjacent to the AGP). However, these are on land outlined in blue and not within the red line of the application site. Furthermore, these were not included on the application form in the description of the development and there are no details of the design and appearance the lighting columns or the specification of the floodlights. As such, a new separate planning application would be required for these floodlights. An informative will be included on the decision notice to make it clear that the planning permission does not purport to grant permission for these floodlights. (See informative 5 in Section 9 below.).
- 6.12 Sport England has raised objection to the application on the basis that the proposal prejudices the use, or leads to the loss of use of land being used as a playing field or has been a playing field in the last 5 years, as defined in the Town and Country Planning (Development Management Procedure)(England) Order 2015 (Statutory Instrument 2015 No 595). The consultation with Sport England is therefore a statutory requirement.
- 6.13 Sport England (SE) advises that it has assessed the application in the light of the NPPF particularly para 74 and Sport England's policy on planning applications affecting playing fields 'A sporting Future for the Playing Fields of England'. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the 5 exceptions stated in its policy apply.
- 6.14 The area affected is considered by SE to be playing field land, officers concur with this position. SE advises that, in discussions with the applicants regarding the location of the adjacent Artificial Grass Pitch (AGP), the applicant confirmed that the area now the subject of this planning application would continue to be used for training grids once the AGP was in place (email from SE to the Council 27/5/2016). The proposal will lead to the loss of this land, to a 3-court sports hall and classroom block.

- 6.15 SE advises that the proposal needs to be considered against exception E5 of SE's policy on planning applications affecting playing fields; which states: The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.
- 6.16 Sport England has assessed the potential benefit of the new by taking into account a number of considerations. As a guide SE considered whether the facility:
- meets an identified local demand or strategic need e.g.as set out in a local authority or NGB strategy (rather than duplicating existing provision);
  - fully secures sport related benefits for the local community;
  - complies with relevant SE and NGB design guidance;
  - improves the delivery of sport and physical education on school sites and
  - is accessible by alternative transport modes to the car.
- 6.17 SE identifies from the Council's Sports Strategy that there is an identified need for a community sports hall (4-court hall) which could be met by this proposal/site. Sport England advises that it would not object to the proposals if the sports hall met SE design guidance and the impact on the playing field were kept to a minimum i.e. the new building is placed as close to the existing buildings as is feasible.
- 6.18 Sport England advises that it also recommended the following during the pre-application stage:
- improvements to the design of the sports hall, including additional storage, addition of lockers and improvements to changing rooms;
  - reduce the impact on the playing field by moving the building so it does not extend past the building line of the artificial pitch.
- 6.19 SE adds that whilst the applicant has made some changes to the scheme, more should be done to ensure that the proposal will deliver a new community sports hall that will benefit the school and the community and compliment the artificial pitch facility on the site (which would benefit from the use of the proposed changing provision). SE notes that there is a significant need for a new community sports hall in this location which this application has the potential to meet. However, without further changes, Sport England concludes that the sports hall (along with the adjoining classroom block) will result in a significant loss of playing field without complying with the relevant Sport England design guidance: Sports Halls or deliver a large enough facility to meet the identified need in the local area.
- 6.20 SE considers that proposals do not currently meet exception E5 and therefore objects to the proposed development. However SE advises that if the following amendments were made they would be likely to be in position to support the proposals: These are listed as:
- a Community Use Agreement ;
  - amendments to the scheme to meet Sport England's design guidance on Sports Halls to include
  - Extra storage (with storage areas being at least 12.5 % of the size of the hall.
  - Extra showers;
  - Increase in changing room size;
  - Community lockers;
  - SE also recommends that the building is moved further back off the playing field, in line with the AGP.
- 6.21 Should the LPA be minded to approved this application against the recommendation of Sport England; then in accordance with the Town and Country Planning (Consultation)(England) Direction 2009, the application should be referred to the Secretary of State via the National Planning Casework Unit.

- 6.22 The LPA considers that there would be no conflict with paragraph 74 of the NPPF. Paragraph 74 of the NPPF opposes the loss of playing fields unless the land is surplus to requirements, is replaced by equivalent or better provision in terms of quantity and quality in a suitable location and the development is for alternative sports and recreational provision the needs for which clearly outweigh the loss. The LPA considers that this part of the playing field is surplus to requirements, the proposed sports hall would provide better sporting provision in terms of quantity and quality, and would allow for alternative sports and recreation provision which would also be available to the general community.
- 6.23 With regard to SE's suggested changes to the scheme the applicant has advised that there are already extensive changing facilities, showers and toilets in the existing school building which are currently used by community users in connection with the AGP. The new facilities would therefore be in addition to these existing facilities. The applicants also makes the point that people using sports facilities out of hours most frequently change and shower in their own homes, rather than on the premises.
- 6.24 Furthermore, larger changing rooms, additional showers and storage areas and provision of community lockers, would compromise the space within the building for classroom purposes if the proposed floor space is not expanded. Moreover, a larger building would further encroach on the open areas of playing field.
- 6.25 The Council's Sports Development Manager, in support of the application has advised that from a recent survey carried out by the Council with local residents, it was highlighted that the highest demand was in the following activities: keep fit, aerobics, badminton, dance yoga and Zumba. All of these activities can be delivered successfully in a 3-court hall (such as the one proposed at Dedworth Middle School). Therefore, it is considered that the proposed sports hall would address local need. The applicant has advised that this survey information will inform the school's strategy in hiring out the sports hall.
- 6.26 There is considered to be more than adequate remaining playing field to accommodate formal outdoor sporting activities. The submitted plans identify 2 x (50m x 30m) football pitches; 1 x (60m x 40m) Rugby pitch, 2 x (98mx 48m ) football pitches and 1 grid area of 50 x 30m within the remaining playing field. These are in addition to the floodlit AGP pitch (60m x 40m) and the 3 tennis courts.
- 6.27 In addition to these pitches identified on the submitted plans, it is considered that an additional 50m x 30m pitch could also be provided adjacent to the west elevation of the new sports hall. Moving the building closer to existing buildings (9 metres towards the east) would result in the loss of trees and reduce outlook from and light to the existing and proposed buildings – which would not be desirable from a planning point of view.
- 6.28 Furthermore, the LPA does not consider that the additional area of retained playing field that would be gained by moving the building across 9 metres (as suggested by SE), would provide any meaningful additional playing field, on this site.
- 6.29 It is important to note that the floodlit AGP is subject to a Community Use agreement and is used by the community outside of school hours. Therefore, the area of the AGP should be counted twice in terms of usability.
- 6.30 The applicant has referred to the provision of floodlights to the tennis courts, which would extend the use of the existing facilities in the future. However, the tennis court is not within the application site boundary (red outline) and as such would need to be subject to a separate planning application. This is not a material consideration to the benefit of this application.
- 6.31 The LPA considers that, as the school is an Academy, the community use of the Sports Hall should be controlled through a Community Use Agreement (under Section 106).

- 6.32 The LPA considers the Sports Hall to be a significant benefit in terms of community sport provision which together with the direct benefit to school children through the much needed improved indoor sport provision, outweighs any detriment caused by the loss of this fragmented part of the playing field. The LPA considers that the sports hall would provide better provision in terms of quantity and quality of sports and recreational activities than this underutilised and fragmented part of the existing playing field.
- 6.33 Regarding managing the physical separation between the classrooms and sports hall, the applicant has advised that the design carefully considered how this could be achieved with the specific intention of out of hours use of the hall by the community. To this end, there would be secure doors internally that are accessible only by a magnetic or keypad entry system, which would prevent access by community members and enable the secure envelope of the classrooms to be maintained.
- 6.34 In conclusion, the LPA is satisfied that the proposed new building would not result in a significant area of the school playing field being lost. This is a rather fragmented part of the field that is close to school buildings with windows and not practical to use for ball games. The school has ample playing field elsewhere on the site to provide satisfactory outdoor sporting facilities for the school. The siting of the new building on existing hard surfaced areas would encroach on either playground areas or parking areas – so would not be practical or desirable.
- 6.35 The new classrooms are needed for the planned expansion of the school. The sports hall will provide much needed indoor sports facilities for the school, which can also be used for the community for identified indoor sporting and fitness activities.

#### **Impact on neighbouring properties and impact on the visual amenities of the area**

- 6.36 The nearest neighbouring property (in Knights Close and Roses Lane) are over 70 metres away. Any view of the new building would be in the context of existing school buildings and at a distance. There is also good tree screening along the western boundary of the school grounds.
- 6.37 It is not considered that the proposed new building would be visually obtrusive from any public vantage point. Furthermore, the new building would not give rise to any additional loss of light, outlook, or privacy and would not have an over-dominating impact on neighbouring properties.
- 6.38 It is not considered that the use of the new building would give rise to any unacceptable additional noise or disturbance to local residents through the use of the building itself, nor through additional traffic movements to the site. This is a school site where there is no condition to restrict the number of pupils attending.

#### **Highway and parking considerations**

- 6.39 The site is located to the north west of Smiths Lane, which is a local distributor road that links the A308 Maidenhead Road to the B3022 Dedworth Road. Smiths Lane is a single carriageway road that is subject to a 20mph speed limit that is further enforced by speed humps. Access to the school is gained from Smiths Lane and shared with Dedworth First Green School and Dedworth Library. The applicant proposes no changes to the existing access arrangement. Permission is sought to expand the School from a 4 form-entry (FE) to a 6 FE, increasing the total capacity of the school from 455 to 720 pupils. It is understood that the school will employ an additional 16 full time equivalent (FTE) members of staff in conjunction with the expansion, increasing staff numbers from 57 (FTE) staff to 77 (FTE).
- 6.40 The application is accompanied by a Transport Statement which includes the following contents:
1. A Parking Beat Survey carried out on Thursday 23<sup>rd</sup> February 2017
  2. Personal Injury Accident (PIA)
  3. Parents and Staff Travel Survey and Traffic Generation

- 6.41 The Parking Beat Survey (PBS) concludes that there is residual capacity of 140 on street parking spaces in the morning and 96 spaces in the afternoon during the peak demand periods.
- 6.42 Regarding the Personal Injury Accident (PIA), in summary the applicant reports:  
'The accident analysis identified that seven incidents occurred in the three year study period, six of which occurred outside of peak times and none resulting in injuries to a child road user. This presents a case for low risk of an incident involving a child occurring.'
- 6.43 Regarding Traffic generation (Parents/Guardians). Of the 414 respondents to the survey 41.3% (171) were car borne trips. (The applicant's consultant has incorrectly reported a figure of 188 pupils arriving by car). The applicant has also suggested car occupancy/sharing rate of 1.2 pupils per car which would equate to 143 vehicular trips during the school's *am* and *pm* peak periods. Regarding Traffic generation (Staff), the survey showed that 46 of the 72 employees travel by car.
- 6.44 The proposed school expansion could potentially attract 364 additional parents/guardians trips during the day. (The assessment for staff travel is based upon full-time equivalent figure and, parent and pupil assessment is based upon 41% of the 414 responses to the survey and, not the 455 pupils currently present at the school). The applicant reports that taking account of breakfast club and the after school activities the development would result in an additional 172 parent/guardian two-way trips in the morning peak period and 112 parent/guardian two-way trips in the afternoon period.
- 6.45 Whilst the Highway Officer agrees with the applicant's methodology used, the increase in vehicular movements is significant. The applicant reports in the Transport Statement that access through the site is arranged to direct drivers along a looped one-way system in a clockwise direction. The Highway Officer comments that at the pre-application planning stage the applicant was advised to widen the site entrance to allow for the free flow of two-way movements through the site entrance and along Smiths Lane. The Highway Officer has advised that if the expansion introduces congestion at the school entrance the applicant will need to consider increasing the width of the access. (It is noted that this is access widening is not a requirement at this stage; if it were to be required later there is currently no mechanism to secure it under this planning application.)
- 6.46 Currently, the site provides 46 car parking spaces, 80 cycle spaces, 2 disability spaces and provision for a mini-bus parking bay. The 46 spaces are shared with DFGS and Dedworth Library.
- 6.47 The development proposes a provision of 16 additional parking spaces, compliant with RBWM's Parking Strategy (2004). The submission is accompanied by a School Travel Plan which is being assessed by a Road Safety Education Consultant.
- 6.48 The proposed expansion of the school is in principle considered acceptable on transport grounds subject to the school adhering to the targets set out in the revised amended School Travel Plan. Conditions to secure parking as per the approved layout and a construction management plan are recommended. (See Conditions 7, 8 in section 9 below)

### **Tree considerations**

- 6.49 This site contains trees that add significantly to the character and appearance of the area. The trees are a valuable component of the landscaping and will need to be retained and protected as part of any development.
- 6.50 The proposal will require the removal of a single tree within the group G2. It is not considered that the loss of this tree would not have a significant impact on the visual amenity of the area and

it could be mitigated through planning of suitable replacement tree, which can be secured by condition. (See Condition 4 in Section 9 below).

- 6.51 In order to minimise the impact on trees the alignment of utilities for the new block should be located outside the root protection areas of the retained trees or installed using a trenchless method. It is considered that this detail can be secured by condition. (See Condition 6 in section 9 below).
- 6.52 It is noted from the proposed site plan that a new footpath is proposed within the root protection area of tree identified as T7 on the submitted plans. The foot path is not shown on the tree protection plan and appears not to have been considered as part of the Arboricultural Method Statement. It would appear that there is scope for this footpath to be relocated outside the root protection area of the birch tree. If the footpath cannot be relocated, full tree protection details including an overriding justification for construction and appropriate mitigation and tree protection measures will need to be provided to show how this tree can be successfully retained. It is considered that this detail can be secured by way of condition. (See Condition 6 in Section 9 below).
- 6.53 A condition to secure Tree Protection details is also recommended. (See Condition 3 in Section 9 below).

### **Archaeology**

- 6.54 There are potential archaeological implications with this proposed development as evidenced by Berkshire Archaeology's Historic Environment Record. A large medieval tiled hearth was recorded in 1983 less than 100m to the west (in Knights Close) of the proposed new sports hall and teaching block.
- 6.55 In addition less than 200m to the south-east of the application area, exploratory archaeological investigations in 2008 to the rear of 17-27 Smiths Lane recorded remnants of a medieval field system with at least two field boundary ditches containing a small number of sherds of 13th – 15th century date.
- 6.56 Dedworth is referred to as *Dideorde* in the Domesday Book of 1086 and by the 13th century comprised two manors, the location of which are unknown. By the time of Rocque's 1671 map of Berkshire, Dedworth is an established hamlet a short distance south of the application area.
- 6.57 The proposed development is of a modest scale but lies within previously undeveloped green space. The proposed development therefore has the potential to disturb important medieval buried remains. It can be noted that a recent proposal (16/00907/FULL) for a synthetic sports pitch within the School grounds did not elicit a recommendation for archaeological work as the proposed impacts were superficial and were not expected to impact on archaeological levels. The current application, by virtue of proposals for new buildings, will require far more substantial ground disturbance.
- 6.58 The archaeological implications can be mitigated by an appropriate programme of archaeological work - which can be secured by way of a planning condition. This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities should 'require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. (See Condition 9 and Informative 1 in section 9 below.)

### **Ecology**

- 6.59 The site does not contain habitats which are considered suitable for supporting great crested newts, badgers, reptiles, water voles, dormice or otters. All the buildings and trees within or close to the development boundary were inspected and were recorded as having negligible potential to

support roosting bats. No further survey or specific mitigation with regards to these species is required.

- 6.60 The trees have the potential to support breeding birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended. The applicant's ecologist has provided information with regards to sensitive timing of vegetation removal and protective measures with regards to breeding birds. This advice is to be incorporated into a planning condition. (See condition 11 in Section 9 below)
- 6.61 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".
- 6.62 The applicant's ecologist has suggested a number of ecological enhancements at the site including planting of native species or species with a known value to wildlife, installing a number of bird and bat boxes on the new buildings or retained trees, creation of log piles for stag beetles and sympathetic lighting. These enhancements can be secured by condition. (See condition 10 in Section 9 below)

#### **Other considerations**

- 6.63 This site is not in an area liable to flooding. The Local Lead Flood Authority has been consulted on the application in relation to drainage matters. Comments were awaited at the time of writing the report and will be reported in the panel update.
- 6.64 The Environmental Protection Team has been consulted. They raise no objection, suggesting informatives to control smoke, dust and working hours (during construction). See informatives 2,3,4 in Section 9 below.
- 6.65 It is noted that on the planning application 16/00907 (for the Artificial Grass Pitch) there were conditions to restrict the use for outside organisations on school days to after 5pm in order to ensure that there is adequate separation between the use of the school and the evening use in order to minimise traffic and to prevent on-street parking issues which could lead to an unsafe highway situation in the vicinity of the school. It is considered that a similar condition should be applied for the use of the Sports Hall. See Condition 12 in Section 9 below.
- 6.66 It is noted also that on application 16/00907 there was also a condition requiring the school cycle facilities are made available to all users in to ensure that there is adequate cycle parking provision at the site. It is considered that a similar condition should be applied for this current application in respect to the Sports Hall. See Condition 13 in Section 9 below.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

- 7.1 71 occupiers were notified originally of the application. The planning officer posted a yellow site notice on the front boundary railings on 11 June 2017.



- 7.2 Further neighbours surrounding the school site have been notified more recently. The application is also to be advertised in the Maidenhead Advertiser (the expiry date for the advert is 22<sup>nd</sup> September 2017). Any further comments received will be reported in the panel update report, if received in time.
- 7.3 No letters of objection have been received at the time of writing the report.
- 7.4 One letter of support has been received from the Council's Sport Development Manager, summarised as:

Comment		Where in the report this is considered
1.	<p>A new 3-court sports hall will help compliment activity across the site and local area and there has been particular interest in activities such as fitness classes that easily suit this sized sports hall (from a recent questionnaire) with local residents highlighting the highest demand for the following activities: Keep fit, aerobics, badminton, dance, yoga and Zumba, all of which can be delivered in a 3-court sports hall.</p> <p>There is also an opportunity for other informal sport and activity, with the rest of the site catering for a wide selection of sport and activities giving local residents a range of activities on their doorstep. An additional offer of a 4-court hall for sports such as indoor netball can be found at Windsor Leisure Centre when an additional level of play is required to support development from this site.</p>	See paragraphs 6.2-6.34

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Sport England	Objection on the loss of the playing field. Sport England suggest that objections could be overcome with the siting of the building so that it is in line with the Artificial Grass Pitch; provides more storage areas, more shower and changing facilities and community lockers; and a Community Use Agreement.	See paragraphs 6.2-6.34.
Highways	No objection – conditions suggested to secure parking provision and a construction management plan.	See paragraphs 6.38 -6.47 and Conditions 7,8 in Section 9.
Local Lead Flood Authority	Comments awaited. These will be reported to panel if available in time.	See paragraph 6.62

### Other consultees

Consultee	Comment	Where in the report this is considered
Council's Tree Officer	No objection to the loss of one tree. The Council's Tree Officer requires paths, utilities, to be sited outside of root	See paragraphs 6.48-6.52 and

	protection areas. Suggested conditions – regarding landscaping, tree protection and details of utilities and drainage runs.	Conditions 3,4,5 in Section 9.
Environmental Protection	No objection suggested informatives regarding smoke and dust control and construction working hours.	See paragraph 6.63. See Informatives 2,3,4 in Section 9.
Archaeology consultant.	There are archaeological implications. A condition has been suggested regarding securing the implementation of a programme of archaeological work.	See paragraphs 6.53-6.57 See Condition 9 and Informative 1 in Section 9.
Council's Ecologist	No objection. Conditions suggested.	See paragraphs 6.58-6.61. See Condition 10, 11 in Section 9.

## 8. APPENDICES TO THIS REPORT

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

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED.

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1.
- 3 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made or hard landscaping installed, without the written consent of the Local Planning Authority  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 4 No development shall take place until full details and plans showing the location of a replacement tree have been submitted to and approved in writing by the Local Planning Authority. The replacement tree shall be planted within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of the tree shown on the approved plan, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree of the same species

and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.

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

- 5 No tree 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.

- 6 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

- 7 Prior to the commencement of development and irrespective of any indications to the contrary on the submitted plans, full details of the route of the proposed drainage runs (including attenuation tanks), utility runs and new footpaths together with a arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The utilities and drainage runs (including attenuation tanks) shall be located outside of tree root protection areas unless a trenchless system is proposed. The footpaths should also be located outside of tree root protection areas. If the footpath cannot be relocated, full tree protection details including an overriding justification for construction and appropriate mitigation and tree protection measures will need to be provided to show how this tree can be successfully retained.

Reason: To protect trees that contribute to the visual amenities on the site. Relevant Policy N6.

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

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

- 9 No development shall take place until the applicant or their agents or successors in title have secured the implementation of a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the planning authority.

Reason: The site lies in an area of archaeological potential, particularly in relation to medieval remains associated with the historic settlement of Dedworth. Relevant Policies - Local Plan ARCH 2.

- 10 The development shall be carried out in accordance with the biodiversity enhancement measures set out in the Ecology Report submitted with the planning application. Furthermore, bat boxes shall be provided prior to substantial completion of the new building report., and shall be subsequently retained

Reason: In the interests of biodiversity. Relevant Policy - Local Plan N9, Paragraph 109 of NPPF.

- 11 The removal of any vegetation and tree/s shall take place outside of the bird breeding season (from 1st March until 31 July inclusive), unless otherwise agreed in writing by the Local Planning Authority.  
Reason: Trees have the potential to support breeding birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981, as amended.
- 12 On school days the Sports Hall shall be used by outside organisations only after the hours of 5pm.  
Reason:To ensure that there is adequate separation between the use of the school and the evening use in order to minimise traffic and to prevent on-street parking issues which could lead to an unsafe highway situation in the vicinity of the school. Relevant Policies - Local Plan DG1, T5, P4.
- 13 The school's cycle parking facilities shall be made available to all users of the Sports Hall.  
Reason:To ensure that there is adequate cycle parking provision at the site. Relevant Policies - Sustainable Design and Construction SPD.
- 14 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

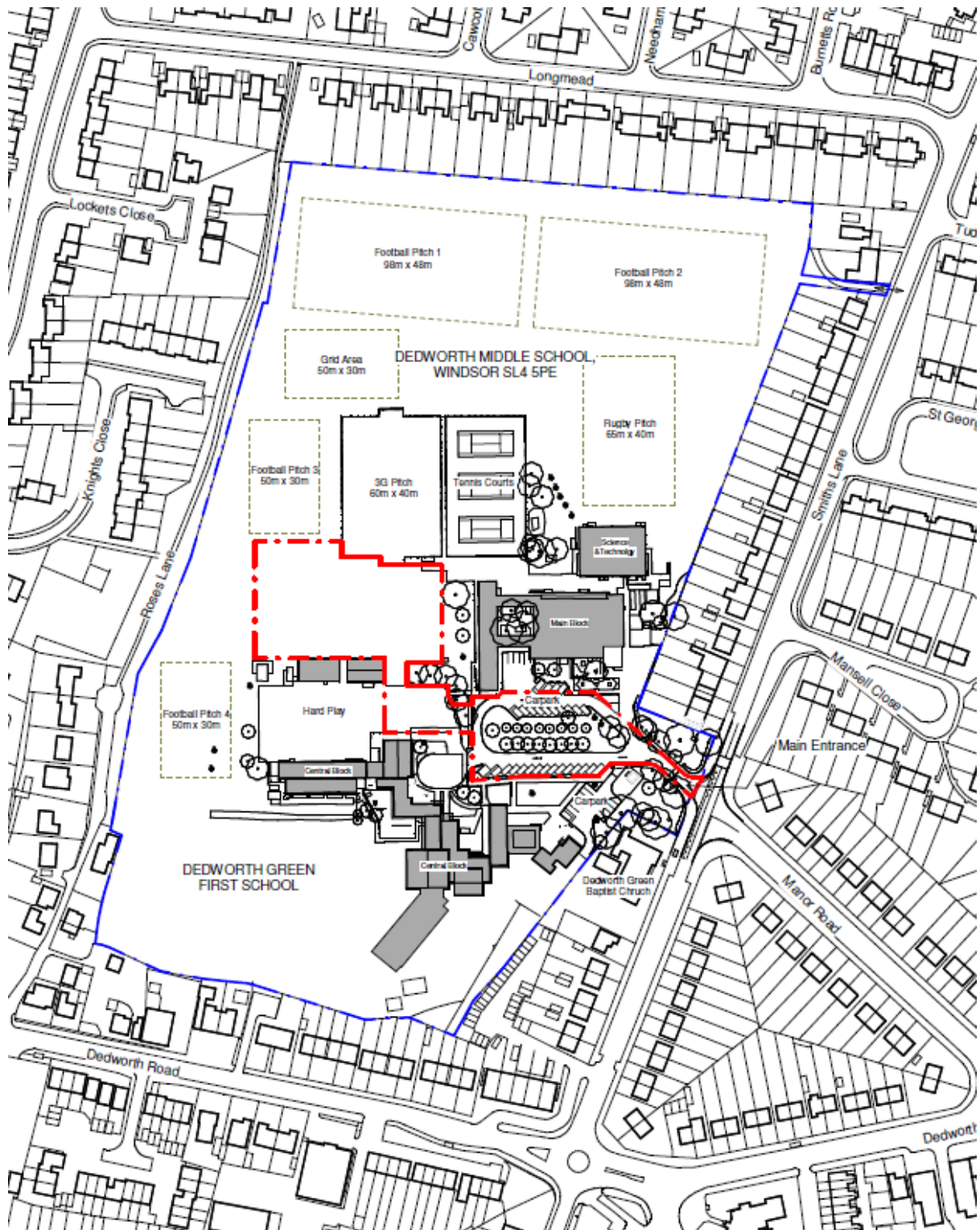
### **Informatives**

- 1 The potential archaeological impacts can be mitigated by a programme of archaeological work so as to record and advance our understanding of their significance in accordance with national and local planning policy. Berkshire Archaeology would be pleased to discuss an appropriate programme of archaeological work with the applicant or their archaeological consultant. A preliminary phase of exploratory field evaluation may be appropriate, with any further investigation subject to the results of the evaluation. The applicant should therefore provide for an appropriate period for archaeological investigations prior to the commencement of the development.
- 2 The applicant should be aware the permitted hours of construction working in the Authority are as follows: Monday-Friday 08.00 until 18.00; Saturday 08.00 until 13.00. No working on Sundays or Bank Holidays
- 3 The Royal Borough receives a large number of complaints relating to construction burning activities. The applicant should be aware that any burning that gives rise to a smoke nuisance is actionable under the Environmental Protection Act 1990. Further that any burning that gives rise to dark smoke is considered an offence under the Clean Air Act 1993. It is the Environmental Protection Team policy that there should be no fires on construction or demolition sites. All construction and demolition waste should be taken off site for disposal. The only exceptions relate to knotweed and in some cases infected timber where burning may be considered the best practicable environmental option. In these rare cases we would expect the contractor to inform the Environmental Protection Team before burning on 01628 683538 and follow good practice.
- 4 The applicant and their contractor should take all practicable steps to minimise dust deposition, which is a major cause of nuisance to residents living near to construction and demolition sites. The applicant and their contractor should ensure that all loose materials are covered up or damped down by a suitable water device, to ensure that all cutting/breaking is appropriately damped down, to ensure that the haul route is paved or tarmac before works commence, is regularly swept and damped down, and to ensure the site is appropriately screened to prevent dust nuisance to neighbouring properties. The applicant is advised to follow guidance with respect to dust control: London working group on Air Pollution Planning and the Environment (APPLE): London Code of Practice, Part 1: The Control of Dust from Construction; and the Building Research Establishment: Control of dust from construction and demolition activities

- 5 This permission does not purport to grant planning permission for floodlights to the tennis courts. This would need to be considered under a separate planning application.
- 6 This decision should be read in conjunction with the Section 106 Community Use Agreement.

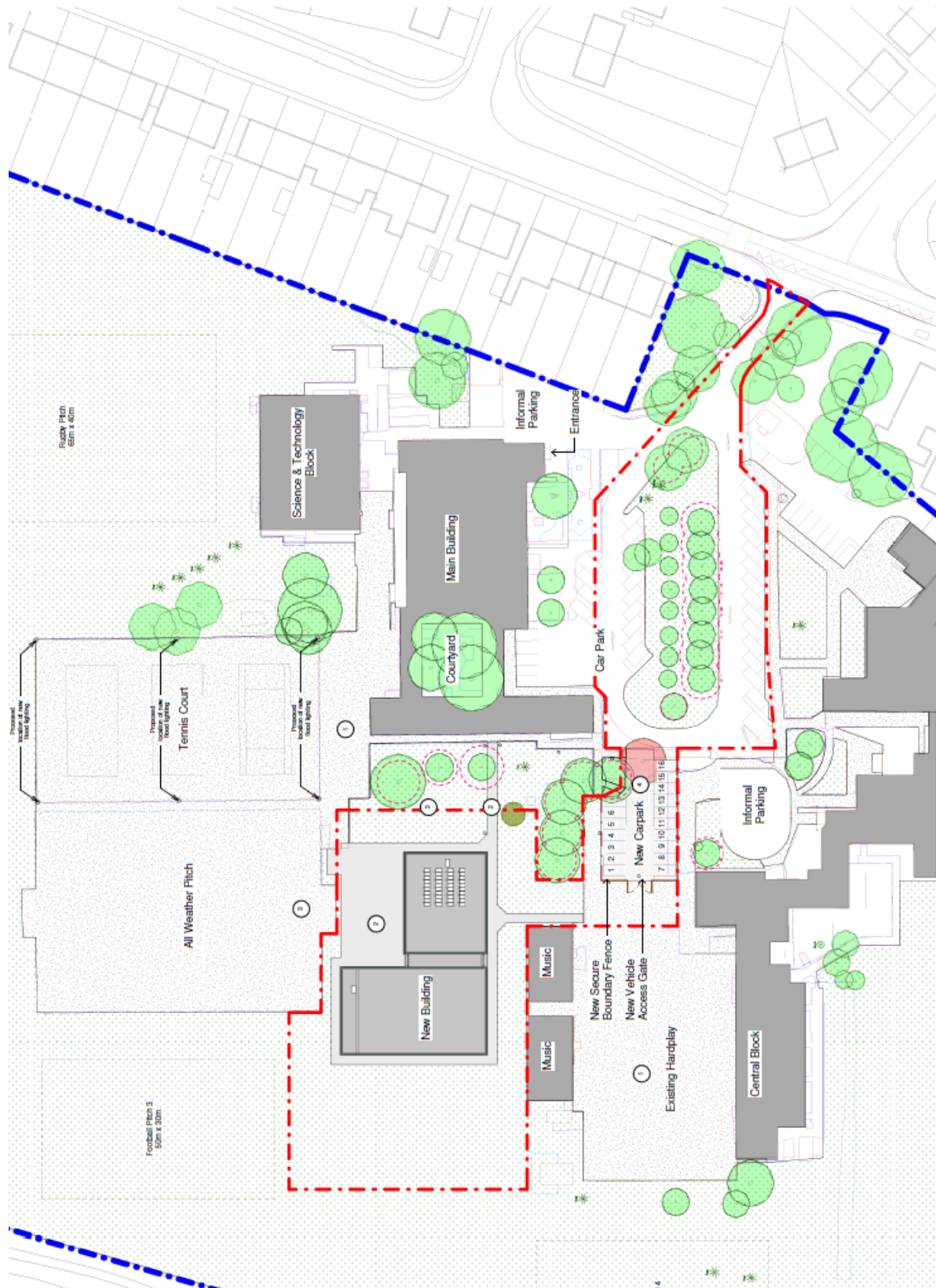
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APPENDIX A



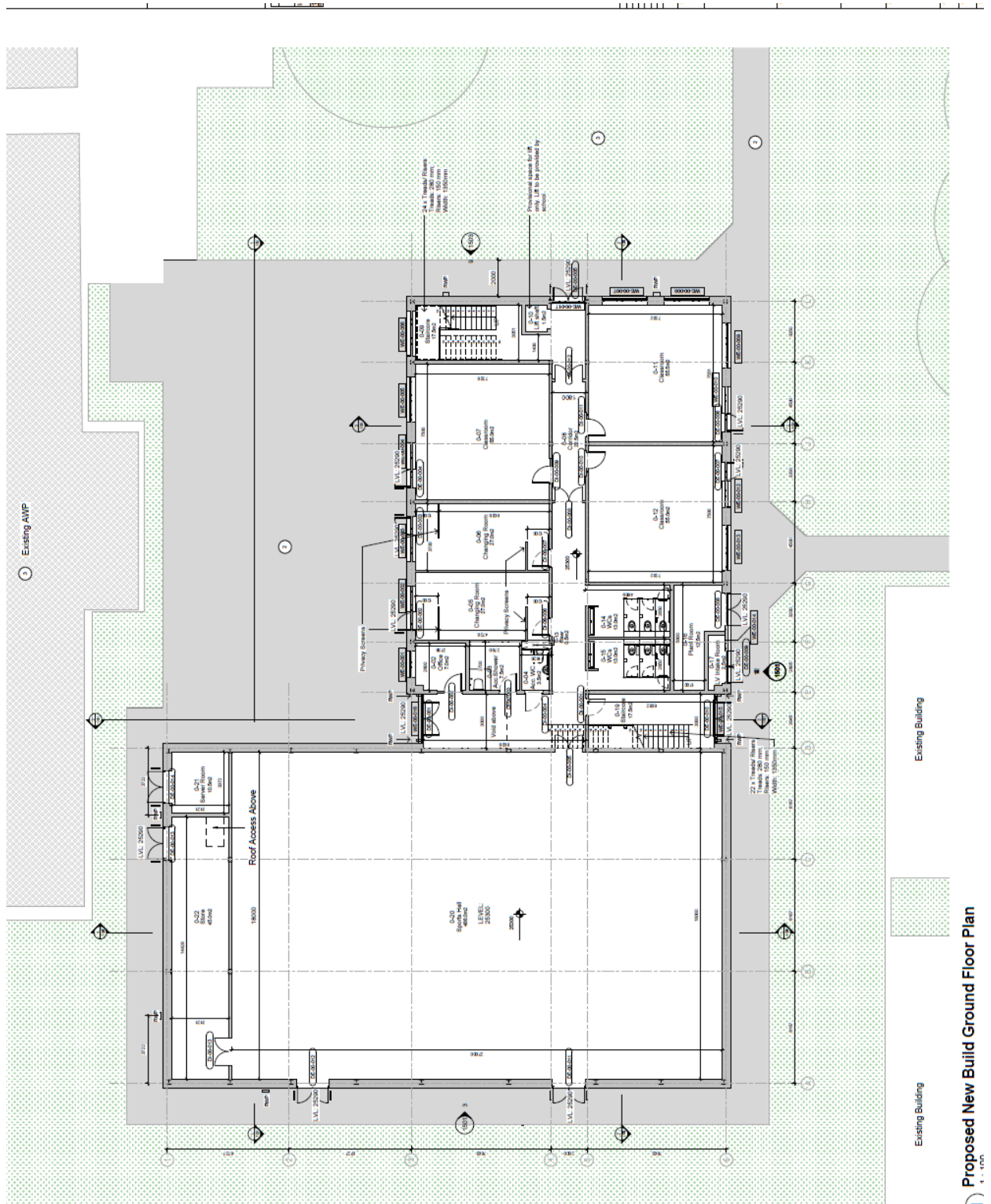


APPENDIX B



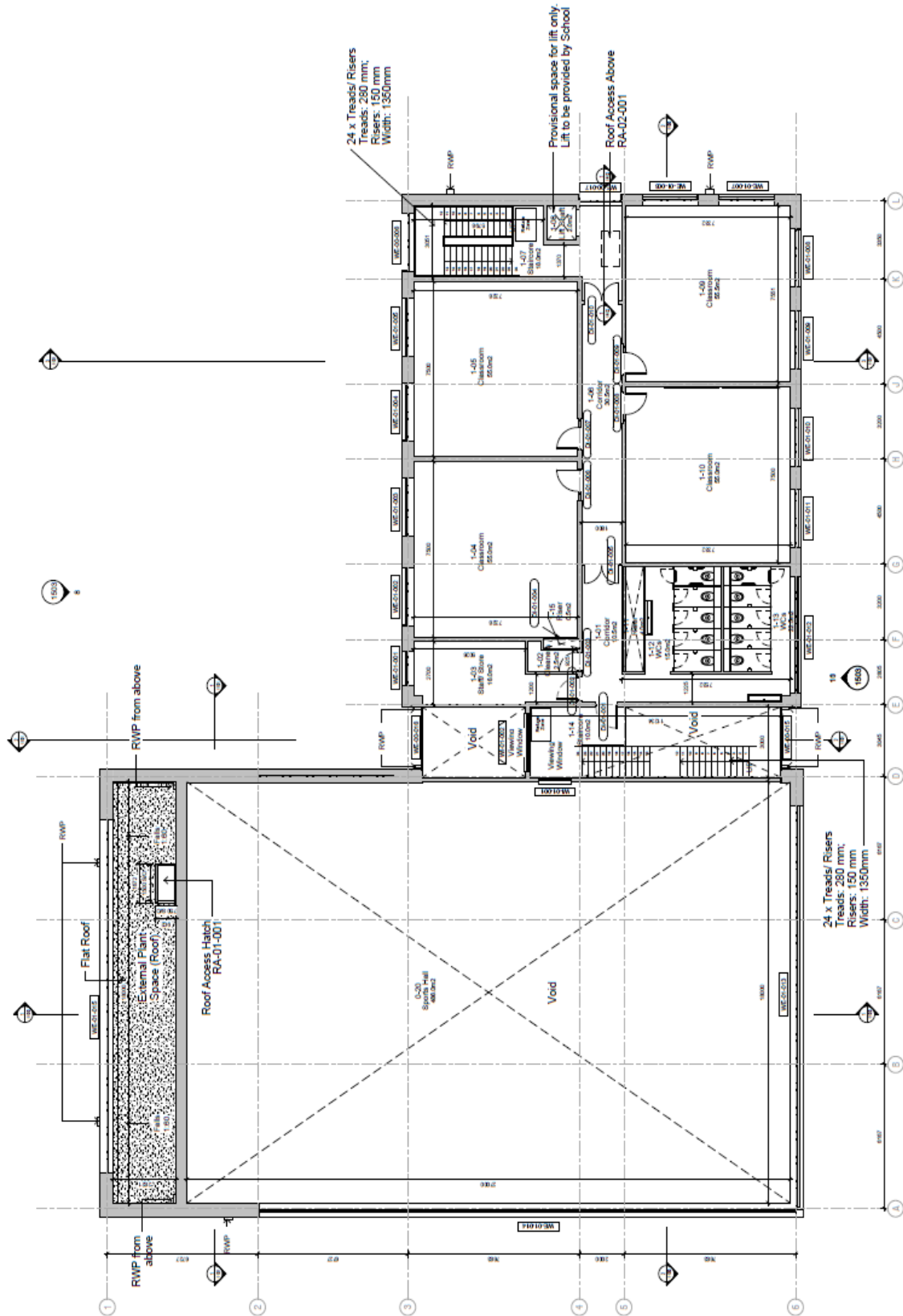


APPENDIX B



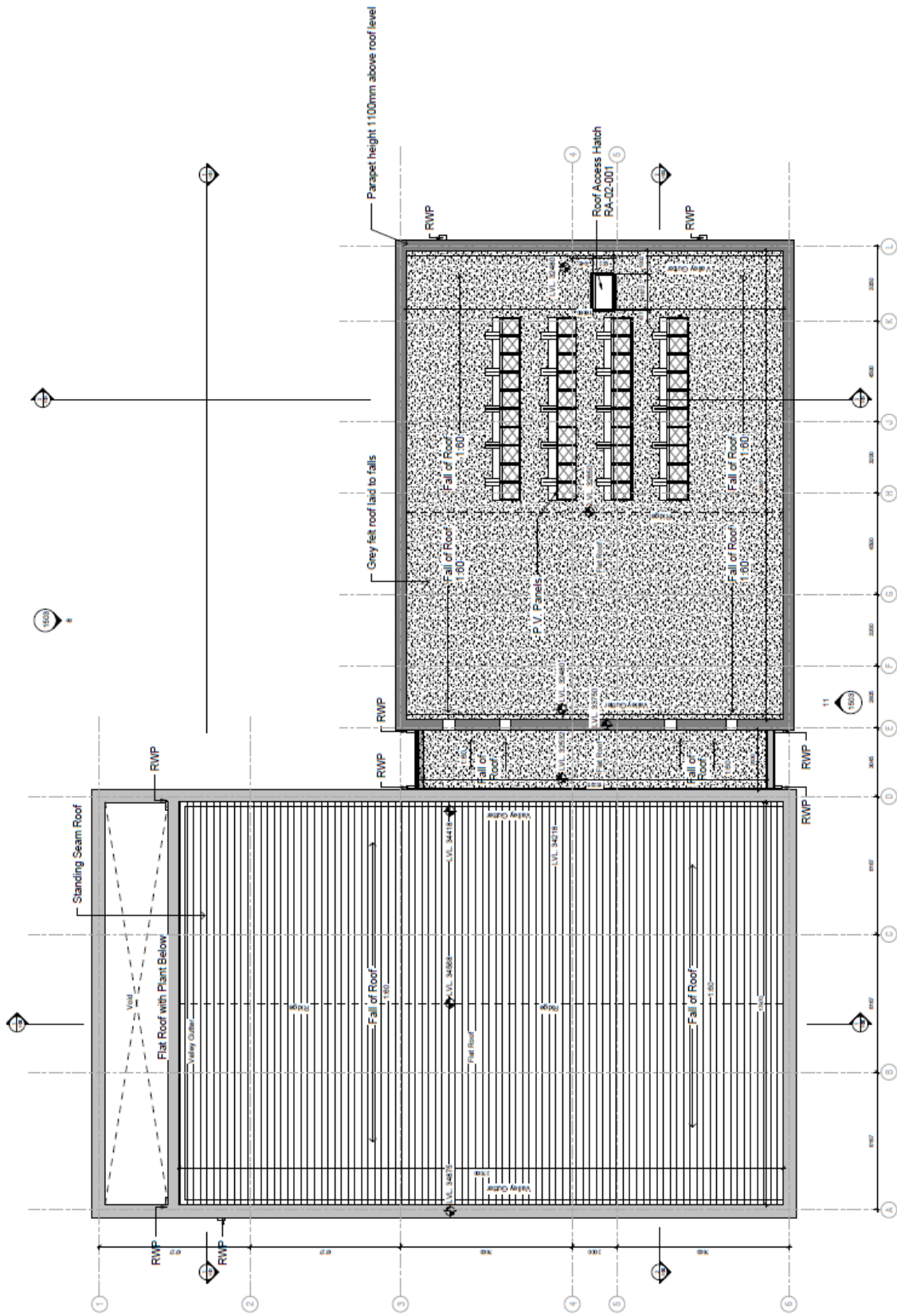
Proposed New Build Ground Floor Plan  
1 - 100

APPENDIX B

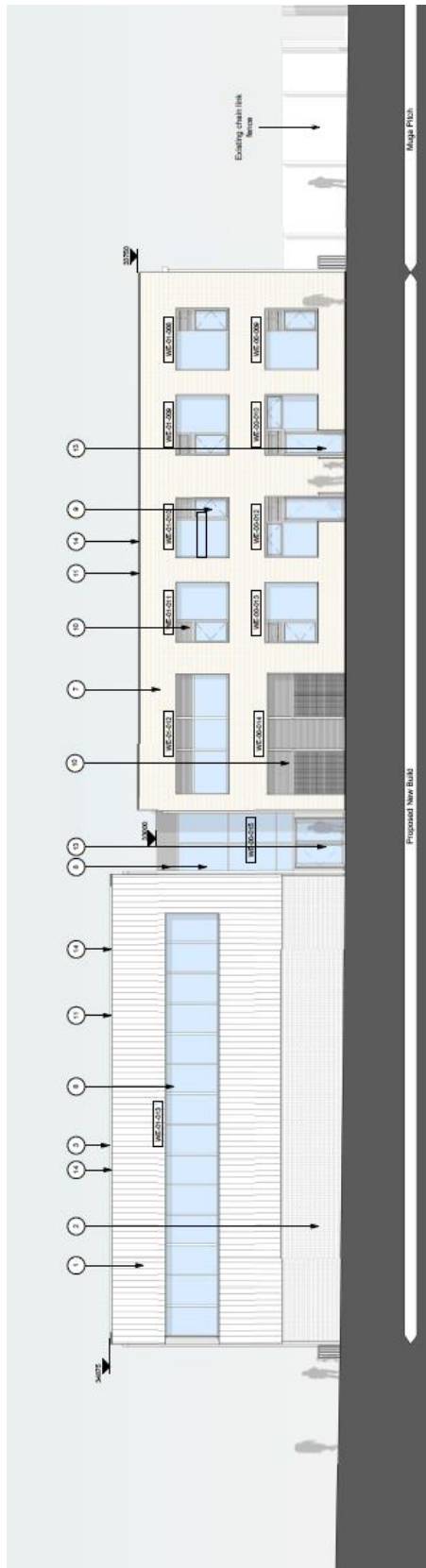


Proposed New Build First Floor Plan  
1 : 100

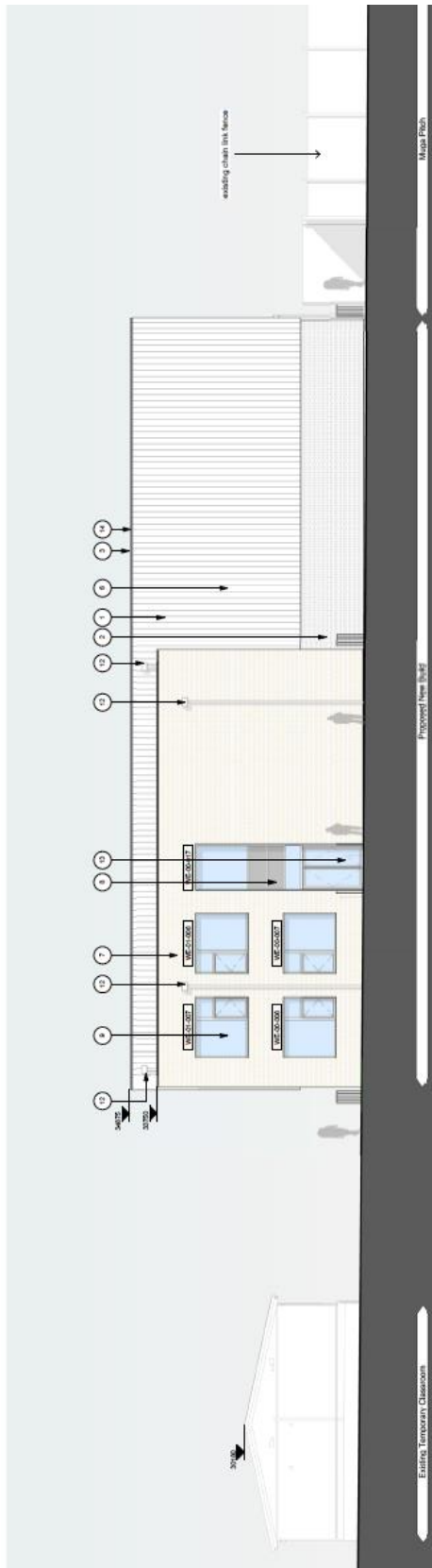
APPENDIX B



APPENDIX B

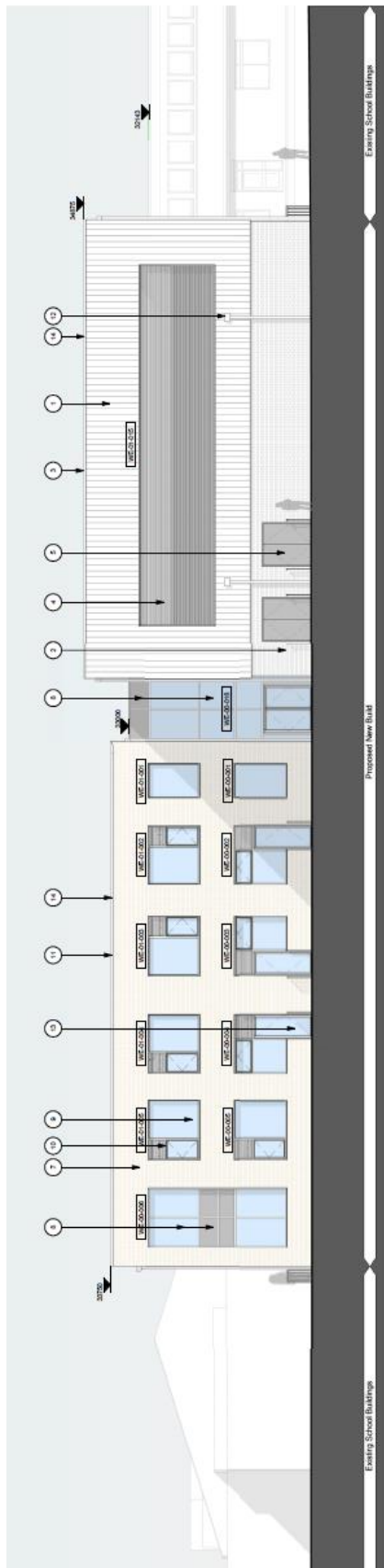


1 New Build Elevation - South  
1 : 100

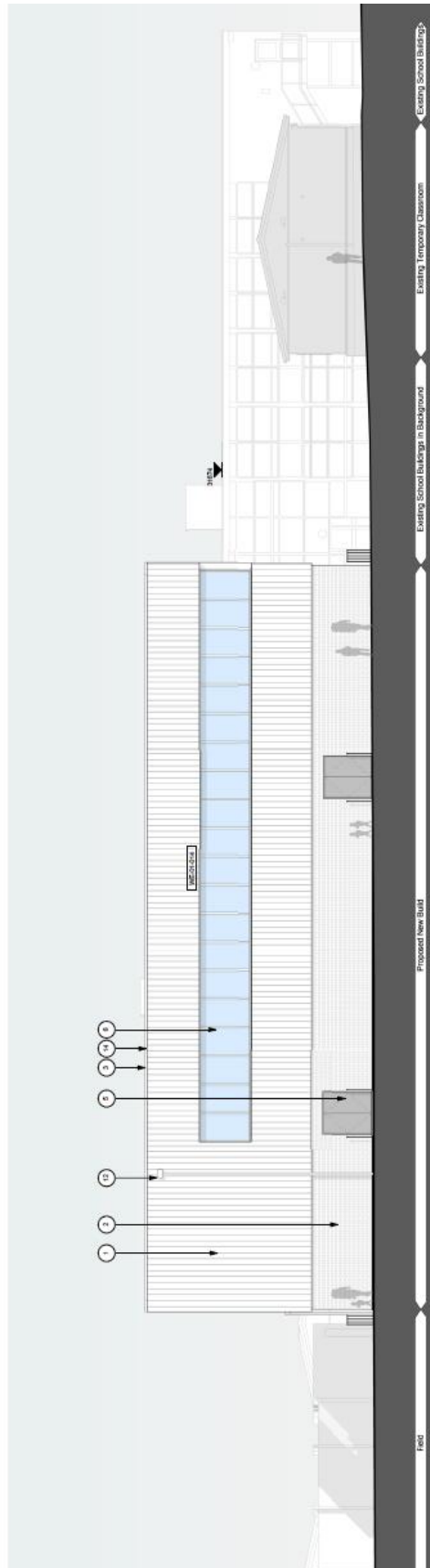


2 New Build Elevation - East  
1 : 100

APPENDIX B



① New Build Elevation - North  
1 : 100



② New Build Elevation - West  
1 : 100

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## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 3

<b>Application No.:</b>	17/01617/FULL
<b>Location:</b>	128 Oxford Road Windsor SL4 5DU
<b>Proposal:</b>	Proposed L shape dormer to accommodate loft conversion.
<b>Applicant:</b>	Mr Allard
<b>Agent:</b>	Miss Jenny Badham
<b>Parish/Ward:</b>	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](mailto:greg.lester@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The proposal seeks planning permission to carry out a loft conversion to the rear of the property which would consist of the construction of an L-shaped dormer window that would occupy the rear roof slop and span an existing rear element to the property. A later extension will be unaffected by the proposal. Two roof lights are also proposed to the front elevation.
- 1.2 It is considered that the proposed L-shaped dormer would appear as a contrived and overly dominant feature, occupying the entire rear roof slope, and that of the rear projection resulting in the loss of the majority of the original eaves which is poor design. The proposed development is considered to be detrimental to the character of the original dwelling due to the loss of the original eaves and the overly bulky and top heavy appearance.

**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. | <b>The rear dormer, by reason of their size and design, would dominate the roof and result in an incongruous addition that would be detrimental to the character and appearance of the host dwelling due to the loss of the original eaves and roof covering and the introduction of an incongruous addition resulting in an overly bulky and top heavy appearance.</b> |
|----|---|

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Rankin, only if the recommendation of the Head of Planning is to refuse the application, in the public interest.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 128 Oxford Road is a mid-terrace property constructed in the main from red brick under a clay tiled roof. The property has later single storey rear extensions as well as a first floor pitched roof addition opposite the original rear projection. A shed is sited to the end of the garden.
- 3.2 A number of properties in the immediate vicinity have either dormer windows to the rear or L-shaped dormers. The layout to some of these properties differs in that the rear outrigger has a higher dual pitched roof. The materials used in the construction vary, but are similar to those proposed.



#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks permission for the erection of an L – shaped dormer to the rear, which would cover the whole of the main roof and also subsume the roof slope of the original rear projection. Two roof lights are also proposed to the front elevation.

Ref.	Description	Decision and Date
00/79699 /FULL	Erection of a part first floor rear extension and a rear conservatory.	Permitted; 18.09.2000
10/02958 /FULL	Part two storey, part single storey rear extension.	Permitted; 25.01.2011

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

##### Royal Borough Local Plan

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

	Within settlement area
Local Plan	DG1, H14

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

##### Other Local Strategies or Publications

- 5.2 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy – view using link at paragraph 5.2
- 1 Borough Local Plan: Submission Version – Policy SP3 (Character and Design)

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 Impact on character and appearance of the area and the host dwelling



## Impact on character and appearance of the area and the host dwelling

- 6.2 Taking into account the overall size and design of the proposal, it is considered that that the dormer is excessively large, visually awkward and dominates the roof, resulting in an incongruous addition which is unsympathetic to the character of the host building and fails to preserve the appearance of the Conservation Area. As such the dormer is contrary to Policies DG1 and H14 of the Local Plan.
- 6.3 The proposed dormers would result in the loss of the entire rear roof slope, and that of the original rear projection. At the present time, the property is part of a terrace with clay tiled roofs, which forms a strong sense of character.
- 6.4 The proposed dormer is to be erected to the rear of the dwelling and will be readily visible from the rear elevations of properties located on Arthur Road. The dormer is to extend to the full width and almost the full height of the dwelling's main roof and the full width of the roof slope of the original rear projection. The erection of the dormer on the rear projection roof would result in the introduction of a large expanse of wall directly adjacent to the neighbouring occupier's boundary. There are similar dormers visible within the immediate area, although not as large as that proposed, and some examples of these may have been built under permitted development rights.
- 6.5 In terms of the impact on neighbouring amenity, it is not considered that there would be any significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise. The light angle guidelines in the Guidance Note "House Extensions" at Appendix 12 of the Local Plan would not be infringed.

## Other Material Considerations

- 6.6 The proposal would increase the number of bedrooms from 3 to 5, which would require additional parking in line with the Council's Parking Strategy. However, the site does not benefit from any off street parking. As a result no objection has been raised by the Local Highway Authority to the proposal, but they have advised that the current and future occupiers of the site will be ineligible to apply for on-street parking permits in the event that planning permission is granted.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

4 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on 29 June 2017.

No letters of representation were received.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Local Highway Authority	No objection.	6.6

## **8. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan
- Appendix B – Plan and elevation plans

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

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

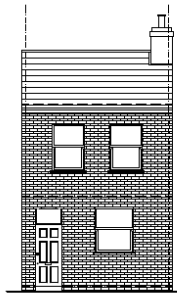
In this case the issues have been unsuccessfully resolved.

## **9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

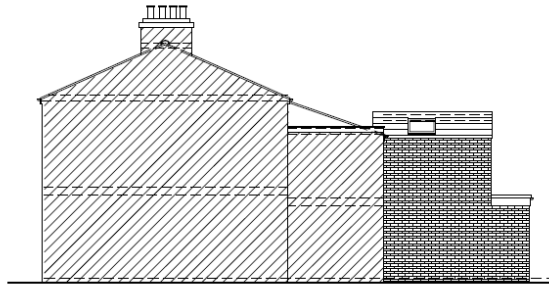
- 1 The rear dormer, by reason of their size and design, would dominate the roof and result in an incongruous addition that would be detrimental to the character and appearance of the host dwelling due to the loss of the original eaves and roof covering and the introduction of an incongruous addition resulting in an overly bulky and top heavy appearance. As such the proposal would be contrary to saved Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan, 1999.



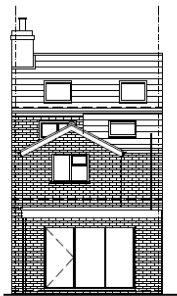
# 128 Oxford Road – Existing Elevations and Floor Plans



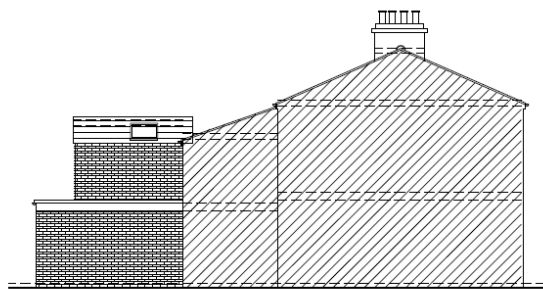
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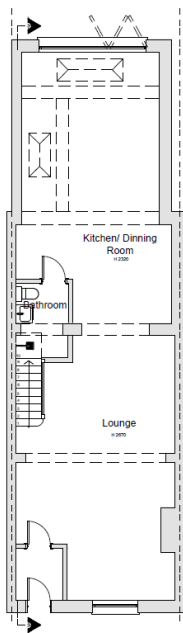
Existing RHS Elevation  
Scale 1/100@A3



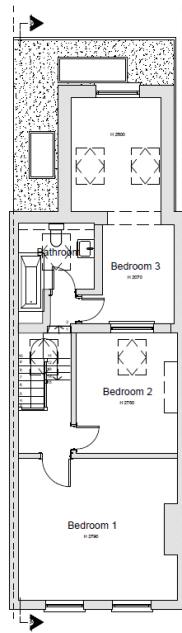
Existing Rear Elevation  
Scale 1/100@A3



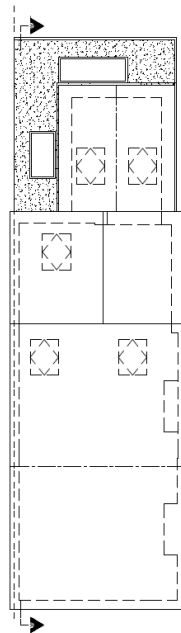
Existing LHS Elevation  
Scale 1/100@A3



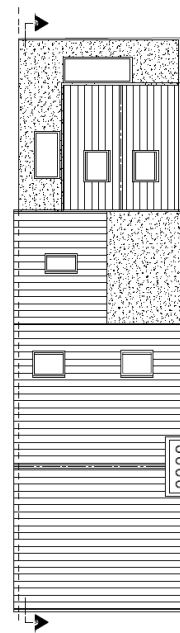
Existing Ground Floor Plan  
Scale 1/100@A3



Existing First Floor Plan  
Scale 1/100@A3

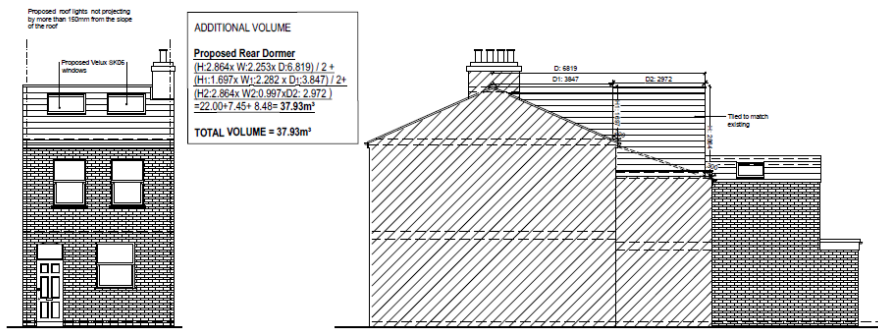


Existing Loft Floor Plan  
Scale 1/100@A3



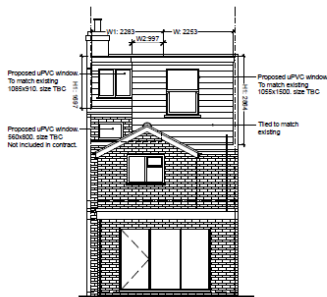
Existing Roof Plan  
Scale 1/100@A3

# 128 Oxford Road – Proposed Elevations and Floor Plans

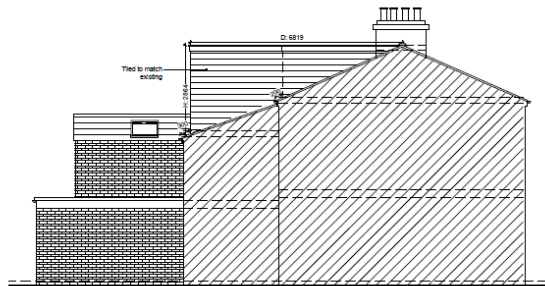


Proposed Front Elevation  
Scale 1/100@A3

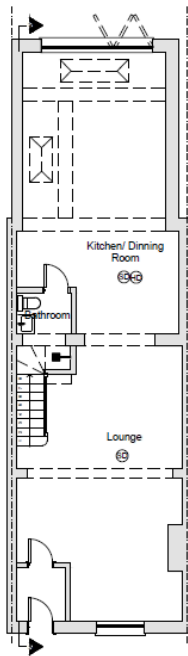
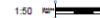
Proposed RHS Elevation  
Scale 1/100@A3



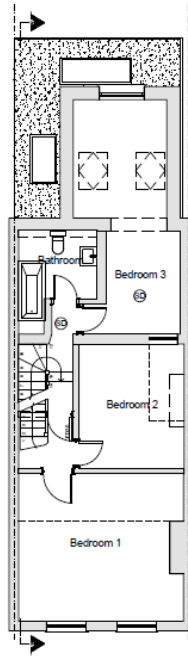
Proposed Rear Elevation  
Scale 1/100@A3



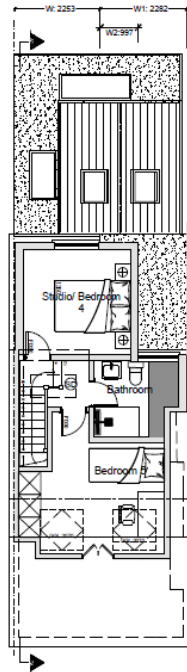
Proposed LHS Elevation  
Scale 1/100@A3



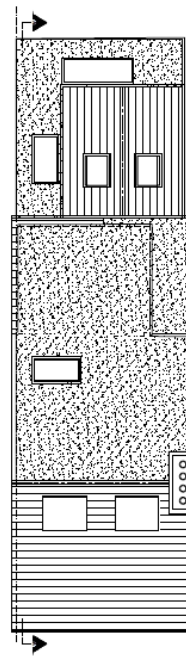
Proposed Ground Floor Plan  
Scale 1/100@A3



Proposed First Floor Plan  
Scale 1/100@A3



Proposed Loft Floor Plan  
Scale 1/100@A3



Proposed Roof Plan  
Scale 1/100@A3

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## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 4

<b>Application No.:</b>	17/01867/FULL
<b>Location:</b>	77 Arthur Road Windsor SL4 1RT
<b>Proposal:</b>	Proposed second floor rear extension, raising of existing roof with loft conversion and new velux window to front of dwelling.
<b>Applicant:</b>	Mr & Mrs Shields
<b>Agent:</b>	Mr Richard Fenn
<b>Parish/Ward:</b>	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](mailto:josey.short@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 This application was initially heard by the Windsor Urban panel on 16<sup>th</sup> August 2017, where Panel resolved to defer the application for one cycle for a site visit to consider the visual impact of the proposal and the impact on the character of the area.

**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 increase in ridge height and the excessive addition of mass and bulk of the rear extension in combination with its poor design would result in a discordant form of development which is unsympathetic to the host dwelling and the character of the area in general. Consequently, the extension would fail to comply with policies DG1 and H14 of the Councils Local Plan along side section 7 of the National Planning Policy Framework. |
|----|---|

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Rankin should the application be recommended for refusal.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to a mid terrace Victorian dwelling situated on the north side of Arthur Road. The exterior of the building is a mixture of brick and render; the windows are upvc. The development site is also located within Flood Zone 2 and 3 in its entirety. The surrounding area is characterised by two storey terraces finished in brick and render, most of which have two storey outriggers with mono pitched roofs.
- 3.2 Properties within the area have undergone numerous forms of development; ground and first floor rear extensions are not uncommon in the area. In recent years dormers similar to that which is proposed have been granted planning permission at 27, 29, 35 and 53 Arthur Road.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission to raise the ridgeline of the existing property and construct a second floor rear extension with Juliette balcony; the proposed works form part of a loft conversion which would provide 2 new bedrooms. One rooflight would be installed in the dwellings front roof slope.
- 4.2 The proposed, flat roof dormer extension would extend to the full width of the enlarged roof and wrap around the existing first floor outrigger, projecting 3.7m from the existing roof slope to the full depth of the outrigger.

Ref.	Description	Decision and Date
12/02038/FULL	Single storey rear extension.	Conditional Permission – 30.08.2012

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### Royal Borough Local Plan

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

	Within settlement area	High risk of flooding
Local Plan	DG1, , H14	F1

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

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

- Interpretation of Policy F1 – Areas liable to flooding

More information on this document can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	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 Landscape Character Assessment – view using link at paragraph 5.2
- RBWM Parking Strategy – view using link at paragraph 5.2



## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Impact on floodzone location
- ii Visual impact on the host dwelling and the locality in general.
- iii Impact on neighbour amenity
- iv Impact on highway safety and parking provision

### **Issue 1 – Flooding**

6.2 Local Plan Policy F1 of the Adopted Local Plan is applied to all development within areas liable to flooding. The policy indicates that new residential development or non-residential development, including extensions in excess of 30m<sup>2</sup> will not be permitted “unless it can be demonstrated to the satisfaction of the Borough Council that the proposal would not of itself, or cumulatively in conjunction with other development: 1) impede the flow of flood water; or 2) reduce the capacity of the floodplain to store flood water; or 3) increase the number of people or properties at risk from flooding”. The Policy states that ‘for a household, the GCA would include the additions to the property that have been completed since 26th September 1978 (as per paragraph 2.4.7 of the Adopted Local Plan) which required express planning permission including any detached garage(s) together with any outbuildings that are non-floodable’. In this case the proposed development relates to the construction of a first and second floor extension. As such, the ground covered area at the site would not be increased and therefore Policy F1 is not relevant.

### **Issue 2 – Visual Impact**

6.3 The application seeks planning permission to raise the ridgeline of the existing property and construct a second floor rear extension with Juliette balcony; the proposed works form part of a loft conversion which would provide 2 new bedrooms. One rooflight would be installed in the dwellings front roof slope. The ridge height of the dwelling would be raised by approximately 0.4m above the ridge height of the immediate neighbours (No.75 and No.79) and would be similar of similar height and size to the roof extensions recently granted and built at nos. 53 and 35 Arthur Road. It is noted that similar proposals have been granted at no’s 27 and 29 Arthur Road; however these permissions have not been implemented.

6.4 The street scene of Arthur Road is characterised by uniform rows of terraced, Victorian dwellings. The row of terraces to the north side of the road, which is where the application site is located, front straight onto the public footpath. From the public realm, the altered ridge heights of other dwellings can be clearly viewed. Several examples of increased ridge heights can be viewed from the public realms which serve alterations to the roof space of these dwellings. The proposed increase would be 0.4 metres which would be visible from the street scene and appear inconsistent in the context of the attached neighbouring dwellings to the east and west. Although it is noted that there are some examples of increased ridge heights, these are not within the immediate vicinity of the application site and as such it is considered that they would not set a precedent in this instance. The locality of the application site and the immediate dwellings to both sides of it do not have altered ridge height. Consequently it is considered that the increase in ridge height would have a detrimental impact on the appearance of the host dwelling and the character of the locality and as such would be contrary to policies DG1 and H14 of the Councils Local Plan.

6.5 The creation of a second floor extension to this dwelling would appear unsympathetic to both the host dwelling and the immediate neighbouring dwellings by virtue of their mid terrace, 2 storey Victorian designs. It is considered that due to the scale, mass and bulk of the proposed works, the resultant dwelling would appear visually discordant and unsympathetic to the character and

appearance of the area and detrimental upon the appearance of the row of terraces. Consequently is considered to be poor design. It would significantly detract from the character of the host dwelling and would be at odds with the roof scape of other dwellings within the immediate area. The application site is clearly visible from public vantage points, including from the public car park which the site backs onto. Mindful of the above, it is considered that, the proposed extension would fail to integrate with and respect the appearance of the original dwelling, and would harm the character of the area. The development would be contrary to policies Local Plan Policies DG1 and H14 and with the aims and objectives of the NPPF.

### **Issue 3 – Neighbour Amenity**

- 6.6 Policy H14 requires that extensions should not result in an unacceptable loss of light or privacy to neighbouring properties or significantly affect their amenities by being visually intrusive or overbearing. It is not considered that the proposal would result in an unacceptable level of overlooking upon the amenities of neighbouring dwellings given that it would only incorporate rear facing windows which would face the public car park to the rear of the site. By virtue of the addition of scale, mass and bulk of the proposed extension, it is considered that it would be clearly visible from both attached neighbouring dwellings. However it is not considered that it would appear unduly overbearing to neighbouring dwellings.

### **Issue 4 – Highway Safety and Parking Provision**

- 6.7 In accordance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004, it is necessary for 4 bedroom dwellings to provide 3 parking spaces. It is recognised that there would be a shortfall in parking provision in accordance with the adopted Parking Strategy, 2004 as a result of this proposal, however, there are parking restrictions along Arthur Road and given its close proximity to Windsor Town Centre, no objections are raised in this regard.

### **Issue 5 – Other Material Considerations**

- 6.8 It is noted that there are a number of dwellings to both the east and west of the development site with rear box dormers, however it is likely that the majority of these dormers were erected under permitted development rights. The exception to this is 65 Arthur Road which was granted full permission.
- 6.9 Number 65 was granted permission for a dormer within the main roof space in 2011; however, this application did not include the raising of the ridge height of the dwelling. In addition to this it is flanked on either side by dormers of a similar size and design.
- 6.10 It should be noted that in a recent appeal decision with regard to the erection of a large dormer on a similar style property in Alexander Road, Windsor, the Inspector concluded that *“In reaching my decision, I have given careful consideration to the existence of other roof extensions within the area. However, in my opinion, many of these extensions have a negative impact on the character and appearance of the area. Consequently, I am not persuaded that they should act as a precedent for the appeal proposal. In addition, I accept that the proposed dormer would not be readily visible from public viewpoints because of the screening effect of the two storey rear projecting section of the appeal property. However, the fact that a development cannot be seen is not (in my opinion) a reason in itself for granting planning permission”*. Taking into consideration the Inspector’s decision it is considered that the existence of other poorly designed and unsympathetic dormers should not make a similarly poor proposal acceptable.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

Three occupiers were notified directly of the application.

The planning officer posted a [site](#) notice advertising the application at the site on 12<sup>th</sup> July 2017

No letters were received supporting or objecting to the application.

## **8. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan
- Existing plans
- Proposed plans
- Site photos

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

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

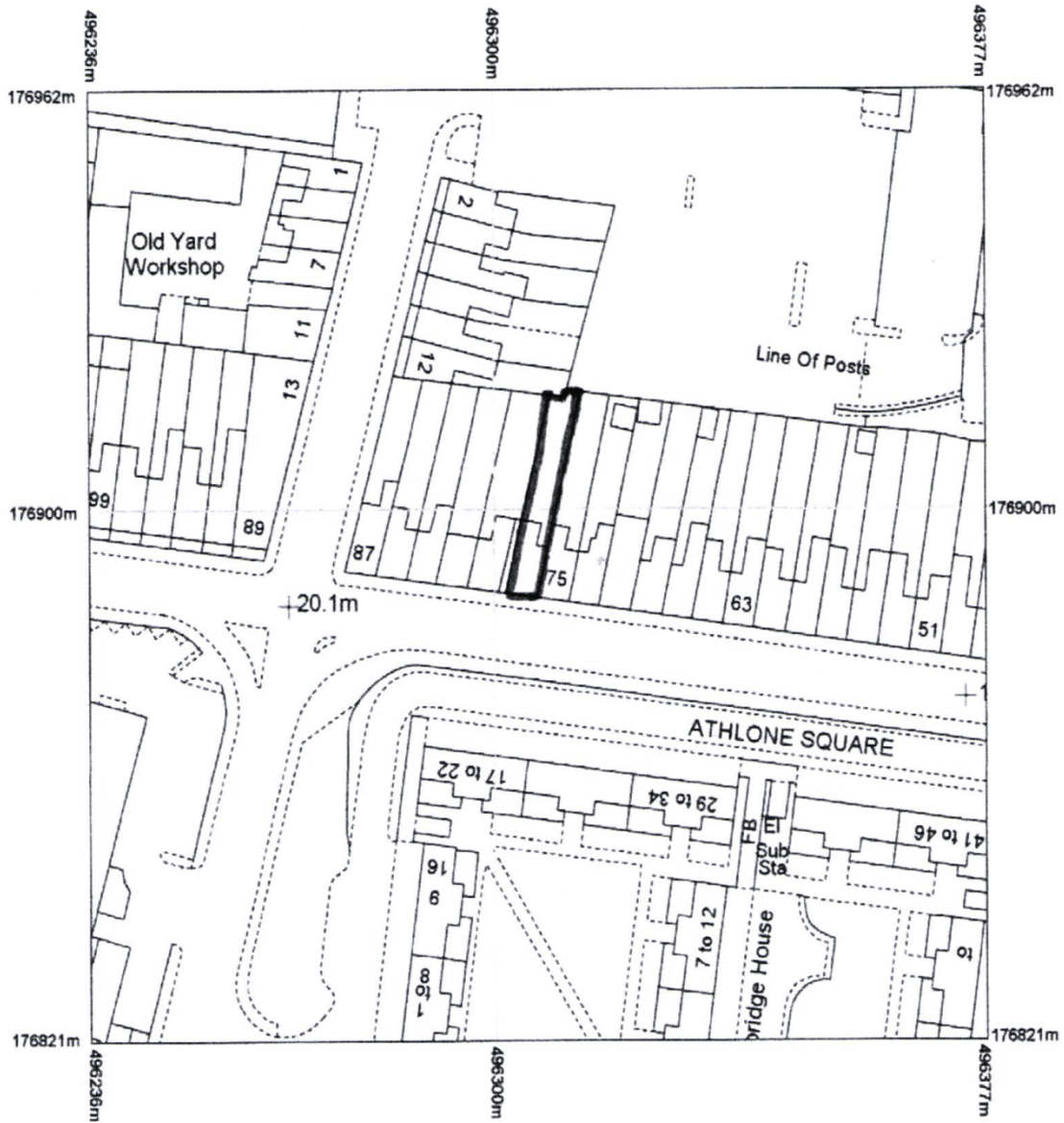
In this case the issues have been successfully/unsuccessfully resolved.

## **9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

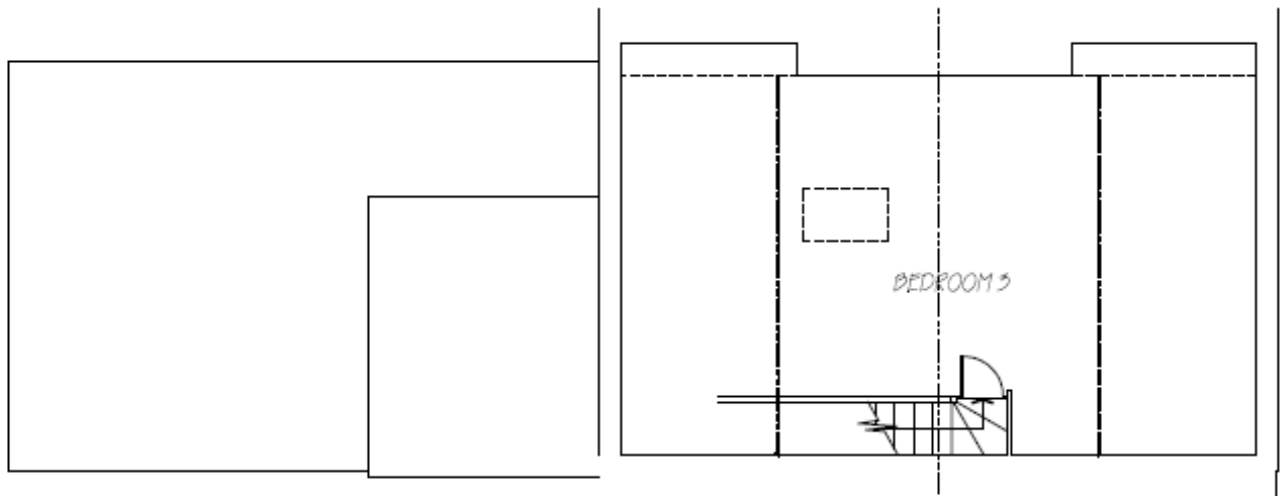
- 1 The increase in ridge height of the dwelling, and the excessive addition of mass and bulk of the rear extension in combination with its poor design would result in a discordant form of development which is unsympathetic to the host dwelling and the character of the area in general. Consequently, the development fails to comply with policies DG1 and H14 of the Councils Local Plan along side section 7 of the National Planning Policy Framework.

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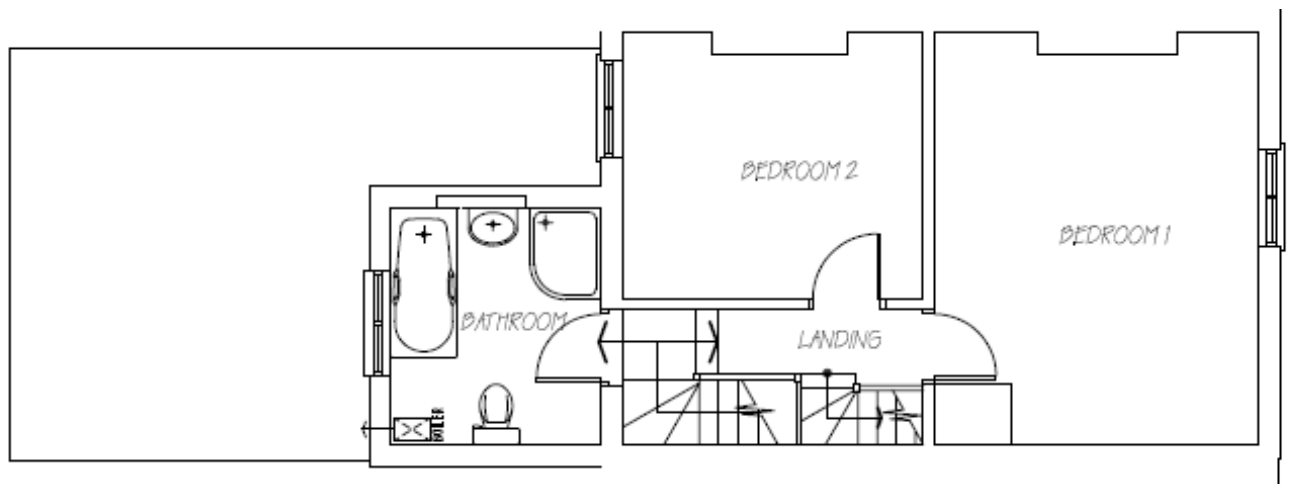
# Appendix I – Site Location Plan



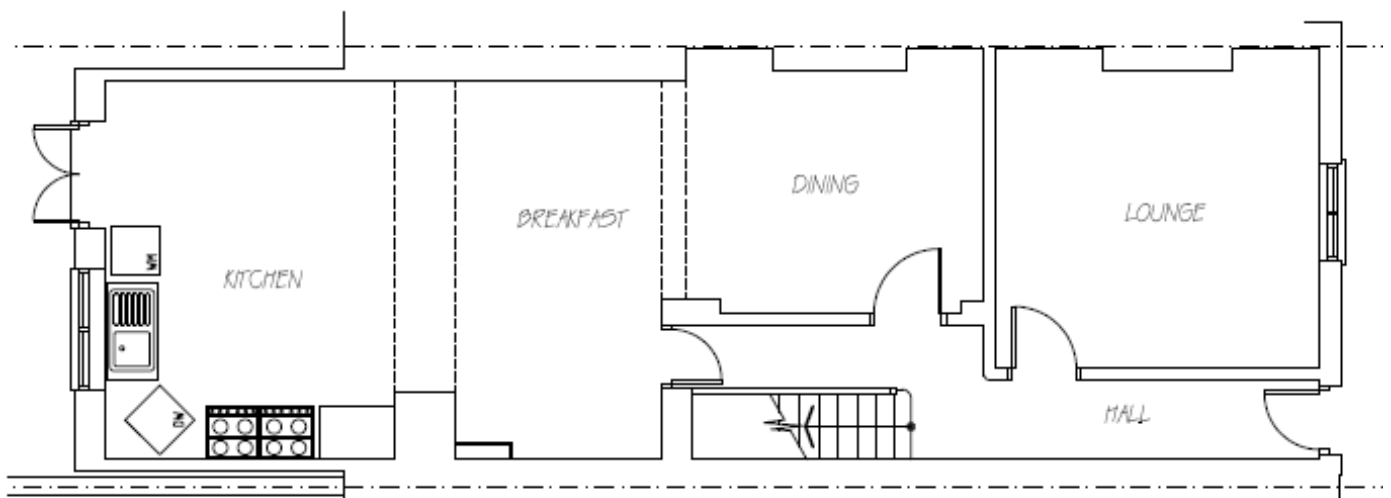
Appendix II – Existing Plans and Elevations



EXISTING SECOND FLOOR LAYOUT



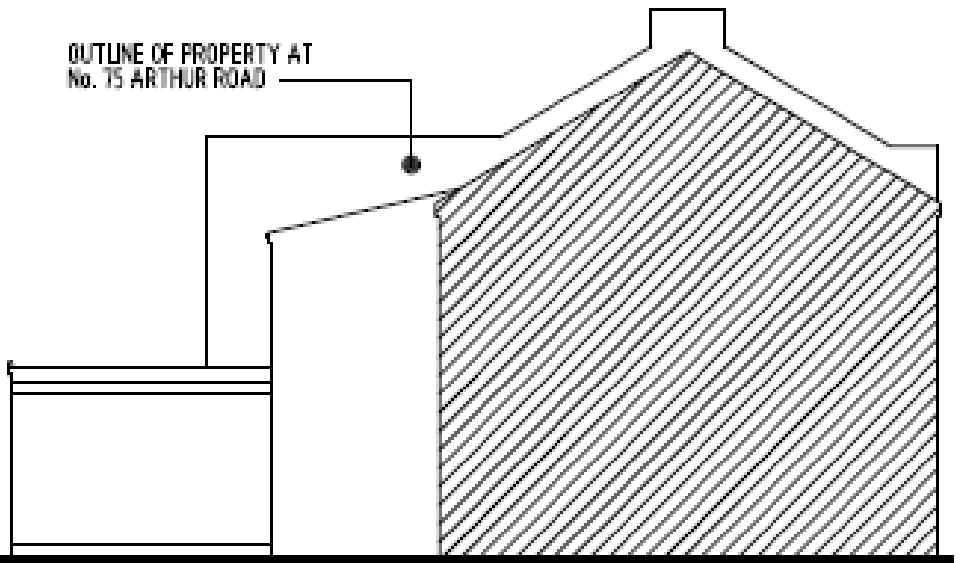
EXISTING FIRST FLOOR LAYOUT



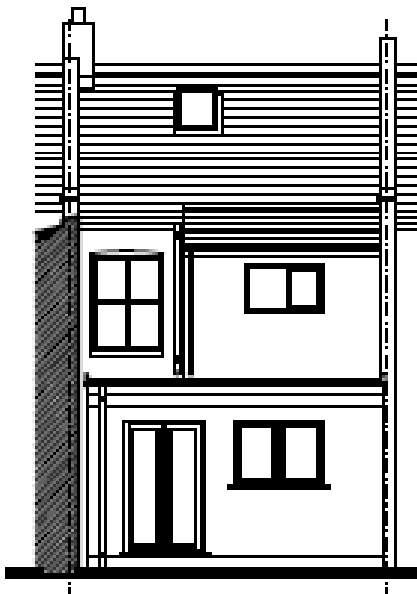
EXISTING GROUND FLOOR LAYOUT



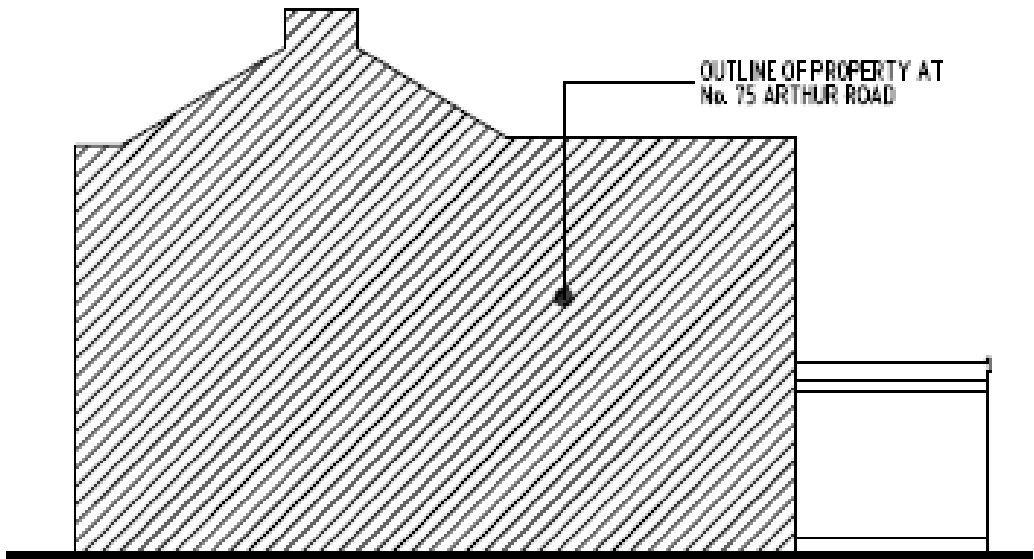
EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION

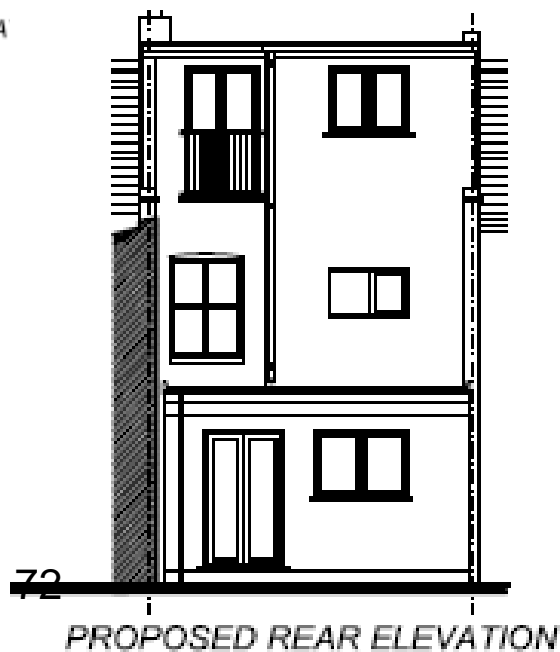
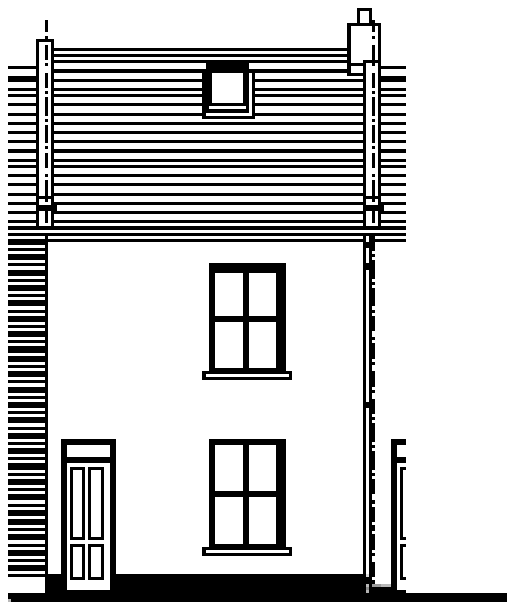
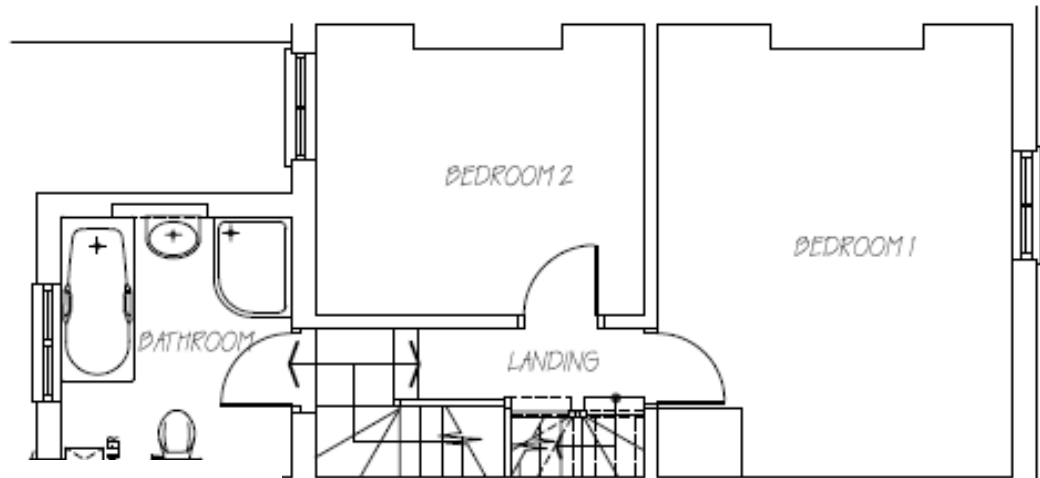
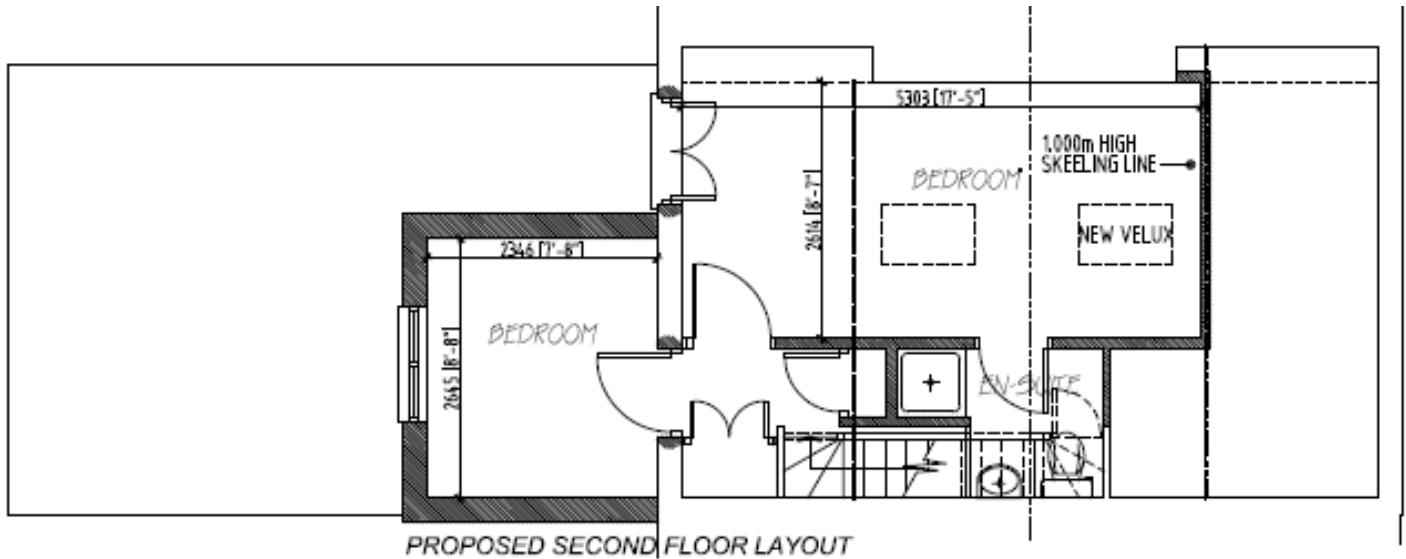


EXISTING REAR ELEVATION

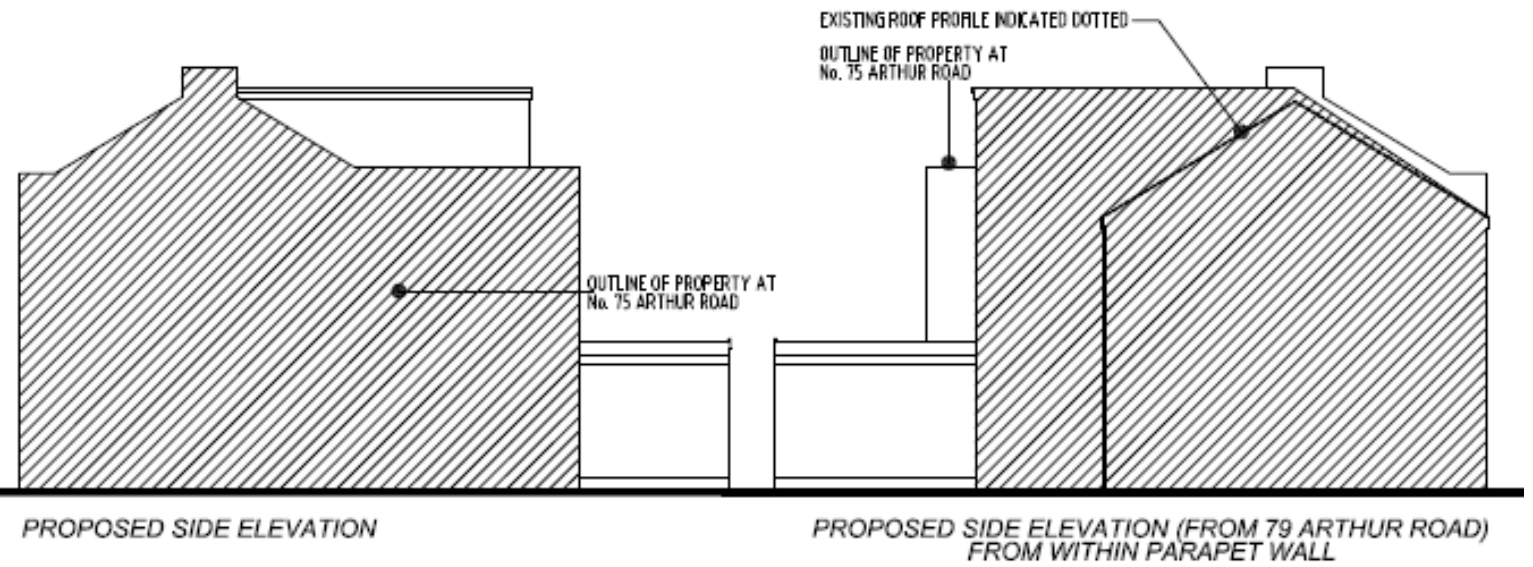


EXISTING SIDE ELEVATION

Appendix III – Proposed Plans and Elevations







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## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 5

<b>Application No.:</b>	17/01943/FULL
<b>Location:</b>	75 Arthur Road Windsor SL4 1RT
<b>Proposal:</b>	Raising of main ridge and construction of L-shape rear dormer
<b>Applicant:</b>	Mr Briffa
<b>Agent:</b>	Mr Mark Darby
<b>Parish/Ward:</b>	Windsor Unparished/Castle Without Ward

**If you have a question about this report, please contact:** Haydon Richardson on 01628 796697 or at [haydon.richardson@rbwm.gov.uk](mailto:haydon.richardson@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 This application was initially heard by the Windsor Urban panel on 16<sup>th</sup> August 2017, where Panel resolved to defer the application for one cycle for a site visit to consider the visual impact of the proposal and impact on the character of the area.

### 1. ORIGINAL SUMMARY

- 1.1 Due to the increase in height of the dwelling, and the scale and bulk of the proposed dormer. The development would appear visually discordant and unsympathetic to the character and appearance of the area and detrimental upon the appearance of the row of terraces. The way the dormer links between the main roof and outrigger would create an awkward appearance which is considered to be poor design. It would significantly detract from the character of the host dwelling and be at odds with the roof scape of other dwellings within the immediate area. The application site is clearly visible from public vantage points and the proposed dormer extension would fail to integrate with and respect the appearance of the original dwelling. The development would be contrary to Local Plan Policies DG1 and H14 and the aims and objectives of the NPPF.

**It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):**

- |           |  |
|-----------|--|
| <b>1.</b> | <b>Due to its increase in the ridge height of the dwelling, as well as the excessive bulk and poor design of the dormer, the proposed roof extensions would result in a discordant form of development which is unsympathetic to the host dwelling and would have an adverse impact upon the character and appearance of the area.</b> |
|-----------|--|

### 2. REASON FOR PANEL DETERMINATION

- Councillor Rankin has called the application for Panel determination, in the public interest.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application relates to a mid terrace Victorian dwelling situated on the north side of Arthur Road. The exterior of the building is a mixture of brick and render; the windows are upvc. The development site is also located within Flood Zone 3. The surrounding area is characterised by two storey terraces finished in brick and render, most of which have two storey outriggers with mono pitched roofs.
- 3.2 A number of properties within the area have undergone numerous forms of development; ground and first floor rear extensions are not uncommon in the area. In recent years dormers similar to that which is proposed have been granted planning permission at 27, 29, 35 and 133 Arthur Road.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 Application No.17/00728 for 'Raising of main ridge with rear dormer and second-storey extension above rear outrigger' was withdrawn on 15.06.2017, prior to its determination.
- 4.2 The application seeks planning permission to raise the ridge height of the existing dwelling by approximately 0.6m and construct an L shaped dormer with 2 Juliet balconies. The dormer would include a side elevation window servicing a bedroom and 2 front roof lights. The works would result in 2 additional bedrooms at the property.
- 4.3 The proposed L shaped, flat roof dormer extension would extend the full width of the property and onto the existing first floor outrigger, projecting 3m from the existing roof slope to the full depth of the outrigger.

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

##### National Planning Policy Framework

- Section 7 – Requiring Good Design
- Core Planning Principles

##### Royal Borough Local Plan

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

	Within settlement area	High risk of flooding	Parking
Local Plan	DG1, H14	F1	P4

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

- Interpretation of Policy F1 – Areas liable to flooding

More information on this document can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

##### Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

##### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	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>

RBWM Parking Strategy – view using link at paragraph 5.2

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i impact upon the character and appearance of the host dwelling and the area in general;
- ii impact on highway safety;
- iii impact on the living conditions of occupiers of neighbouring properties, and
- iv area liable to flood.

### **Impact on the character and appearance of the host dwelling and surrounding area**

- 6.2 The appearance of a development is a material planning consideration and in general terms the design of a proposal should not adversely impact on the character and appearance of the wider street scene. The National Planning Policy Framework (NPPF) was published in March 2012 and is a material planning consideration in the determination of planning decisions. One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.3 Local Plan Policy H14 advises that extensions should not have an adverse effect upon the character or appearance of the original property or any neighbouring properties, nor adversely affect the street scene in general. Policy DG1 seeks to secure a high quality standard of design.
- 6.4 The proposed dormer extension would extend above the existing first floor outrigger and would project 6.5m from the roof of the main house. The raising of the ridge height would have two effects; the ridge height of the application property would be noticeably higher (approximately 0.6m) than the property immediately to the west (No. 73) and considerably higher (approximately 0.6m) than No.77 to the east. No.73 has a rear dormer but its ridgeline has remained unaltered. The ridgeline and roof slope of No.77 is unaltered. As both neighbouring ridgelines have not been altered, the ridge of the new roof will not maintain the ridge height alignment shared with the neighbouring terraced dwellings and this will be readily apparent from public areas, subsequently harming the appearance of the area. Additionally due to the considerable difference in heights between the proposed development and its two most immediate neighbours; the proposed rear dormer is likely to be visible from Arthur Road and the public carpark located to the rear of the site; impacting detrimentally upon the appearance of the street and surrounding area.
- 6.5 The proposal by reason of its increase in height of the main dwelling, and the scale and bulk of the proposed dormer extension would appear visually discordant and unsympathetic to the character and appearance of the area and detrimental upon the appearance of the row of terraces. The way the dormer links between the main roof and outrigger would create an awkward appearance which is considered to be poor design. It would significantly detract from the character of the host dwelling and be at odds with the roof scape of other dwellings within the immediate area. The application site is clearly visible from public vantage points and the proposed dormer extension would fail to integrate with and respect the appearance of the original dwelling. The development would be contrary to policies Local Plan Policies DG1 and H14 and with the aims and objectives of the NPPF.

### **Impact on the living conditions of occupiers of neighbouring properties.**

- 6.6 Policy H14 requires that extensions should not result in an unacceptable loss of light or privacy to neighbouring properties or significantly affect their amenities by being visually intrusive or overbearing. Core Planning Policy 17 within the NNPF suggests that all development should result in a good level of amenity for current and future users.
- 6.7 The Juliette balconies would provide similar views to those found from the properties existing first floor rear windows, as such there they are unlikely to lead to any significant loss privacy or overlooking. The proposed dormer includes a side elevation bedroom window, which would face into the flank wall of no.73s dormer. The window would also overlook the rear patio of No.73. However as there is very little boundary treatment between No.73 and 75 Arthur Road, a low level of privacy exists between the sites and the dormer would cause no significant increase when compared with the existing situation.
- 6.8 It is considered that there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

### **Area liable to flood.**

- 6.9 The site lies within an area liable to flood, Flood Zone 3 (high risk) where Policy F1 limits the increase in ground covered area of extensions throughout the lifetime of a property to 30sqm. In this case the proposal relates to development all of which is above ground level and therefore, will not result in an increase in an increase in ground covered area of the site and as such the proposal is considered to comply with Policy F1 of the Local Plan.

### **Impact on highway safety.**

- 6.10 In accordance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004, it is necessary for 4 bedroom dwellings to provide 3 parking spaces. It is recognised that there would be a shortfall in parking provision in accordance with the adopted Parking Strategy, 2004 as a result of this proposal, however, there are parking restrictions along Arthur Road and given its close proximity to Windsor Town Centre, no objections are raised.

### **Other Material Considerations.**

- 6.11 It is noted that there are a number of dwellings further to the west and east of Arthur Road with large box dormers to the rear; however, it would appear that the majority of these dormers have been erected under the dwellings' permitted development rights.
- 6.12 In addition in a recent appeal decision with regard to the erection of a large dormer on a similar style property in Alexander Road, Windsor, the Inspector concluded that "In reaching my decision, I have given careful consideration to the existence of other roof extensions within the area. However, in my opinion, many of these extensions have a negative impact on the character and appearance of the area. Consequently, I am not persuaded that they should act as a precedent for the appeal proposal. In addition, I accept that the proposed dormer would not be readily visible from public viewpoints because of the screening effect of the two storey rear projecting section of the appeal property. However, the fact that a development cannot be seen is not (in my opinion) a reason in itself for granting planning permission". Taking into consideration the inspector's decision it is considered that the existence of other poorly designed and unsympathetic dormers should not make a similarly poor proposal acceptable.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

7.1 No letters were received from the 2 neighbours directly notified of the proposal or as the result of a site notice that was place on **23/06/17**.

## **8. APPENDICES TO THIS REPORT**

- Appendix A - Site Location Plan
- Appendix B – Proposed Plan
- Appendix C – Existing Plan

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

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

In this case the issues have not been resolved.

## **9. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 Due to the increase in the ridge height of the dwelling, as well as the large scale and bulk of the dormer, the development would result in a discordant form of development which is unsympathetic to the host dwelling and would have an adverse impact upon the character and appearance of the area. The development would be contrary to The Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations 2003) Policies DG1 and H14 and Core Planning Principle 4 and paragraphs 56, 58, 60 and 61 of the National Planning Policy Framework.

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# Appendix A - Location Plan



# Appendix B - Proposed Plans

**RECEIVED**

Proposed building to be constructed on site of existing workshop. The building to be constructed is a two storey building with a pitched roof. The building is to be constructed on the site of the existing workshop. The building is to be constructed on the site of the existing workshop. The building is to be constructed on the site of the existing workshop.

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**Blank Plan - (1/200)**

**SPECIFICATION**

**GENERAL CONSTRUCTION (SIA 1000)**

**FOUNDATION**

**WALLS AND PARTITION**

**ROOFING**

**WINDOWS AND DOORS**

**INTERNAL FINISHES**

**MECHANICAL AND ELECTRICAL**

**PLUMBING**

**PAINTING**

**GLASS**

**IRONWORK**

**SCAFFOLDING**

**CONCRETE**

**BRICKWORK**

**ROOFING**

**WINDOWS AND DOORS**

**INTERNAL FINISHES**

**MECHANICAL AND ELECTRICAL**

**PLUMBING**

**PAINTING**

**GLASS**

**IRONWORK**

**SCAFFOLDING**

**CONCRETE**

**BRICKWORK**

**17/01943**

**CHARLES GREENWOOD**

**ARCHITECTS**

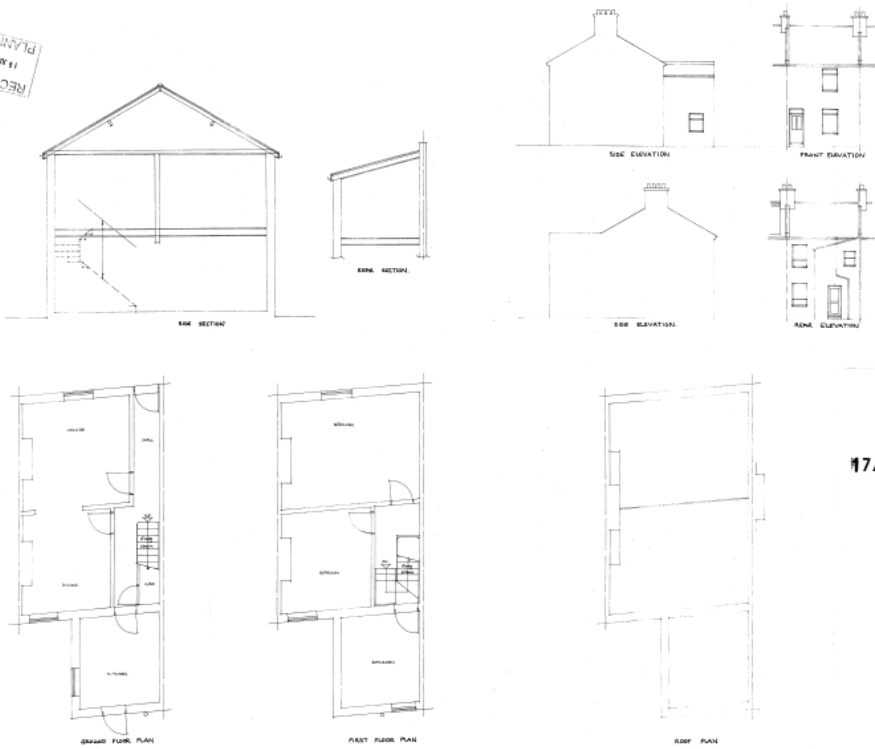
**17, ARTHUR ROAD, DUBLIN 15**

**TEL: 01 454 4444**

**WWW.CHARLESGREENWOOD.COM**

Appendix C - Existing Plans

RECEIVED  
15 JUN 2011  
PLANNING



**SPECIFICATION**

**GENERAL CONTRACTOR (SCHEDULE 8)**  
 The Contractor shall be responsible for the design and construction of the building in accordance with the approved plans and specifications. The Contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The Contractor shall be responsible for the safety of the construction site and the welfare of the workers. The Contractor shall be responsible for the completion of the building within the agreed time and budget.

**GENERAL CONTRACTOR (SCHEDULE 9)**  
 The Contractor shall be responsible for the design and construction of the building in accordance with the approved plans and specifications. The Contractor shall be responsible for obtaining all necessary permits and approvals from the relevant authorities. The Contractor shall be responsible for the safety of the construction site and the welfare of the workers. The Contractor shall be responsible for the completion of the building within the agreed time and budget.

**STAIRS**  
 The Contractor shall be responsible for the design and construction of the stairs in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the stairs and the welfare of the users. The Contractor shall be responsible for the completion of the stairs within the agreed time and budget.

**ROOF AND PARTITION AND GLAZING**  
 The Contractor shall be responsible for the design and construction of the roof and partitions and glazing in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the roof and partitions and glazing and the welfare of the users. The Contractor shall be responsible for the completion of the roof and partitions and glazing within the agreed time and budget.

**FOUNDATION**  
 The Contractor shall be responsible for the design and construction of the foundation in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the foundation and the welfare of the users. The Contractor shall be responsible for the completion of the foundation within the agreed time and budget.

**WINDERS & GLAZING**  
 The Contractor shall be responsible for the design and construction of the winders and glazing in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the winders and glazing and the welfare of the users. The Contractor shall be responsible for the completion of the winders and glazing within the agreed time and budget.

**CONCRETE**  
 The Contractor shall be responsible for the design and construction of the concrete in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the concrete and the welfare of the users. The Contractor shall be responsible for the completion of the concrete within the agreed time and budget.

**MECHANICAL**  
 The Contractor shall be responsible for the design and construction of the mechanical in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the mechanical and the welfare of the users. The Contractor shall be responsible for the completion of the mechanical within the agreed time and budget.

**ELECTRICAL**  
 The Contractor shall be responsible for the design and construction of the electrical in accordance with the approved plans and specifications. The Contractor shall be responsible for the safety of the electrical and the welfare of the users. The Contractor shall be responsible for the completion of the electrical within the agreed time and budget.

**CLIENT**

Mr. [Name] [Address] [City] [Postcode]  
 Tel: [Phone Number]  
 Fax: [Phone Number]  
 Email: [Email Address]

RECEIVED  
15 JUN 2011  
PLANNING

EXISTING PLANS

SCALE: 1:50 DATE: 15 JUN 2011  
 DRAWN BY: [Name] CHECKED BY: [Name]

**Charles Matthews**  
 ARCHITECTS  
 10 WEST BERRY  
 www.charlesmatthews.co.uk

COUNCIL: [Name] REF: [Number] METR: [Number]

17/01943

## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 6

<b>Application No.:</b>	17/02265/FULL
<b>Location:</b>	14 Clewer Fields Windsor SL4 5BW
<b>Proposal:</b>	First floor rear extension
<b>Applicant:</b>	Mr Aslan
<b>Agent:</b>	Mrs Angela Gabb
<b>Parish/Ward:</b>	Windsor Unparished/Castle Without Ward

**If you have a question about this report, please contact:** Harrison Moore on 01628 685693 or at [harrison.moore@rbwm.gov.uk](mailto:harrison.moore@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 The proposal seeks planning permission for a first floor rear extension with hipped roof. The first floor rear extension would facilitate a larger first floor bedroom.
- 1.2 A previous planning application for a flat roof first floor extension was refused on the basis of design and the overbearing appearance (17/01163). Whilst this current scheme is now considered to be of an acceptable design, the proposed extension, by reason of its scale and proximity to number 15 Clewer Fields (adjoining terraced dwelling) and neighbouring dwellings on Oxford Road would have an overbearing and visually intrusive impact upon these neighbouring dwellings.

**It is recommended the Panel refuses planning permission for the following summarised reason (the full reason is identified in Section 9 of this report):**

- |    |  |
|----|--|
| 1. | <b>The proposal by reason of its scale and positioning would have an unacceptable overbearing impact on number 15 Clewer Fields, and to the gardens of 133 and 135 Oxford Road contrary to policy H14 of the Local Plan.</b> |
|----|--|

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Rankin only if the recommendation of the Head of Planning is to refuse the application, in the public interest.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is located on the North side of Clewer Fields within the developed area of Windsor between Oxford Road to the North and Bexley Street to the South. The site falls within floodzone 2 in its entirety and the rear of the site is covered by floodzone 3. Due to the location of the street, the host dwelling and other dwellings on Clewer Fields are only accessible from a public footpath to the front of the dwelling.
- 3.2 The site comprises an end of terrace rendered brick dwelling with an existing single storey rear extension and dormer window which serves a first floor room bedroom. The site has a small patio and decking covered garden with a large children's playhouse to the rear of the garden.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission for a first floor rear extension. The proposed extension would be located above the existing single storey rear extension, replacing the existing dormer window. The proposed extension would span the width of the existing dwelling and would have a hipped roof with a maximum height of 6.7metres from ground to ridgeline. The roof would be of clay roof tiles, walls of white render and windows to be UPVC.

Ref.	Description	Decision and Date
08/00637/FULL	Rear dormer window	Conditional Permission – 24.04.2008
17/01163/FULL	First floor rear extension	Refused on the 15.06.17 for the following reason: <i>The proposed extension would not appear sympathetic to the host dwelling by virtue of its flat roof design. Additionally, by virtue of the increase in mass and bulk at first floor in combination with the close proximity to the rear elevations of the dwellings on Oxford Road, the proposed extension would appear visually prominent and overbearing. Consequently, it is considered that the proposed extension would be contrary to policies DG1 and H14 of the Councils Local Plan alongside Section 7 (Requiring Good Design) of the National Planning Policy Framework.</i>

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections 7 and 10.

### 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	Flooding
DG1, H14	P4, T5	F1

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](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

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

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **Other Local Strategies or Publications**

5.4 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](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 Design
- ii Residential amenity
- iii Impact on floodzone location
- iv Parking provision

### **Design**

6.2 The appearance of a development is a material planning consideration and the National Planning Framework, Section 7 (Requiring Good Design) and Local Plan Policy DG1, advises that all development should seek a high quality of design that improves the character and quality of an area. The proposal has been amended since the previously refused application for the first floor rear extension (17/01163/FULL); the extension no longer has a flat roof and has a hipped roof which better relates to the existing dwelling. It is not considered that the proposed extension would be of a poor design or would have a harmful impact on the character of the area.

### **Residential amenity**

6.3 The previous application was refused on the grounds of being overbearing and visually intrusive to neighbouring properties and this is a material consideration to the determination of this application.

6.4 Although the extension has a hipped roof, the height to the eaves of the proposed extension would be the same height as the previously refused flat roofed extension. As the extension has a hipped roof, it is the extension up to the height of the eaves that would have the greatest impact on neighbouring properties (as the roof to the extension slopes away).

- 6.5 The first floor extension would be sited in very close proximity to the shared boundary with number 15 Clewer Fields (sited on the boundary), and would be in close proximity to a first floor rear window (serving a bedroom) and to the rear garden of number 15. Owing to the height (5.4 metres to the eaves), depth (2.7 metres), and proximity of the extension to the boundary of number 15 Clewer Fields, it is considered that the extension would have an unduly overbearing and visually intrusive impact upon the outlook from the first floor window of number 15, and to its rear garden area, and so would have a harmful impact on the residential amenity of the occupiers of this dwelling.
- 6.6 The rear garden of the application site is of a shallow depth, and distance between the rear elevation of the dwelling and the rear flank boundary circa 8 metres, as demonstrated on submitted drawing 125\_A100\_003/A – Proposed floor plans (the site boundary is angled which is not shown on this plan). The rear boundary of the site is shared with No.133 and No.135 Oxford Road, which too have shallow rear gardens. Consequently, the resultant extension would be positioned approximately 10 metres at its closest point to the rear elevation of the dwellinghouse No.135. It is considered that by virtue of this distance in combination with the scale of the extension would have an overbearing intrusive built form in its location to the rear gardens of numbers 133 and 135 Oxford Road.
- 6.7 Appendix 12 of the Councils Local Plan provides a guidance note on ‘House extensions’ and details that two storey extensions should not extend beyond a line drawn at 45 degrees from the centre point of the nearest habitable windows of an adjoining property (as drawn on a plan). As per this assessment, the proposed extension would breach this angle when taken from the centre point of the nearest habitable windows of No.15, which suggests that the proposal would have an adverse impact on the daylight these neighbouring dwellings currently receive. However, the orientation of the site locates South to the rear of the dwellings and therefore, whilst the proposed extension would have an impact on the daylight the window receives from the East, it would have no impact on the Southern and Westerly sun. Consequently, it is considered that despite this breach, the proposed extension would not have an adverse impact on the daylight this neighbouring property currently receives.
- 6.8 The proposed rear extension would not incorporate any additional first floor windows within the side elevations. As such it is considered that the proposal would not result in overlooking or a loss of privacy in this regard. Whilst it is noted there is an existing rear window within the dormer at the application site, the proposed new window would be set 1.35 metres further forward than this. However, it is considered that although this would be positioned to the rear boundary, it would not have a significant impact on the views available from the existing window.

### **Flooding**

- 6.9 The application site is located within flood zone 2 and 3. Local Plan Policy F1 of the Adopted Local Plan is applied to all development within areas liable to flooding. The policy indicates that new residential development or non-residential development, including extensions in excess of 30 sq metres will not be permitted “unless it can be demonstrated to the satisfaction of the Borough Council that the proposal would not of itself, or cumulatively in conjunction with other development: 1) impede the flow of flood water; or 2) reduce the capacity of the floodplain to store flood water; or 3) increase the number of people or properties at risk from flooding”. The proposed first floor rear extension and new ground floor window would not result in an increase of ground covered area.

### **Parking provision**

- 6.10 The proposed works would not increase the number of bedrooms at the dwelling and as such would not result in an increased need for off street parking provision. As such there would be not be an increased need for parking provision as a result of the proposed works.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

7 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 20<sup>th</sup> July 2017

1 letter was received in support of the application (from number 15 Clewer Fields).

## **8. APPENDICES TO THIS REPORT**

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

## **9. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED**

- 1 The extension by reason of its scale and positioning would have an unacceptable overbearing impact on the rear first floor window of number 15 Clewer Fields and its rear garden, and to the gardens of numbers 133 and 135 Oxford Road contrary to policy H14 of the Local Plan and a core principle of the of the National Planning Policy Framework to secure a good standard of amenity for all.

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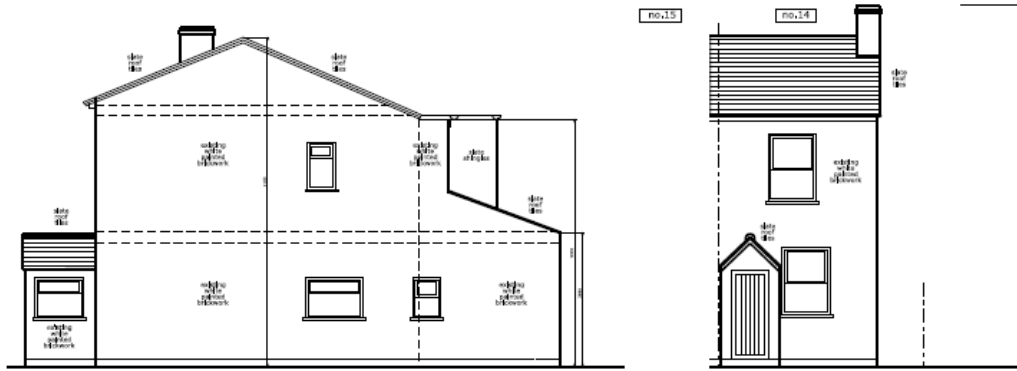


Site location plan

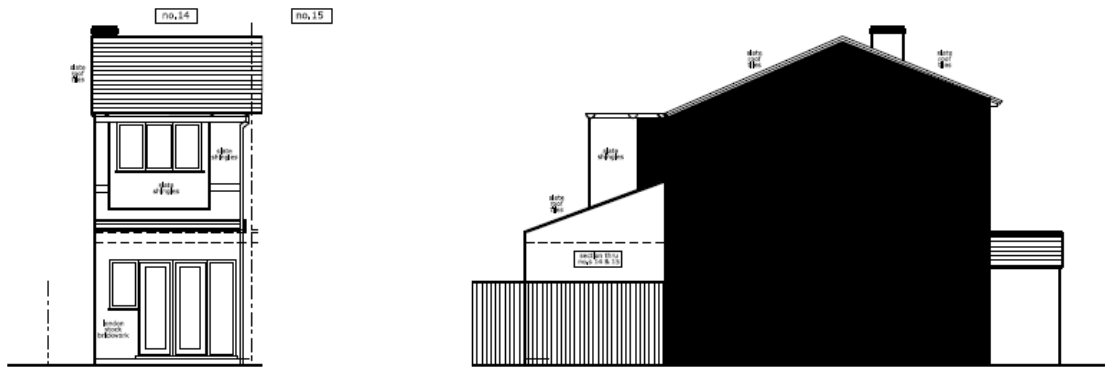


# Existing Elevations

All work must comply with relevant British Standards and Building Regulations requirements. Drawn errors and omissions to be reported to the architect.



East side Elevation



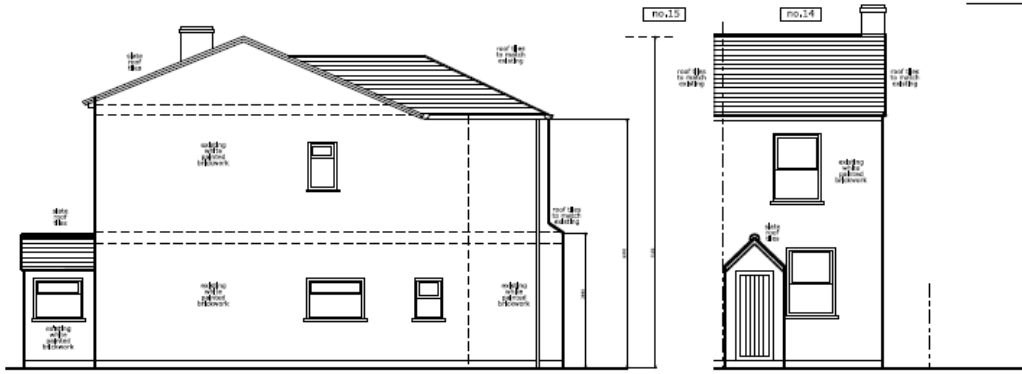
Rear Elevation

West side Elevation

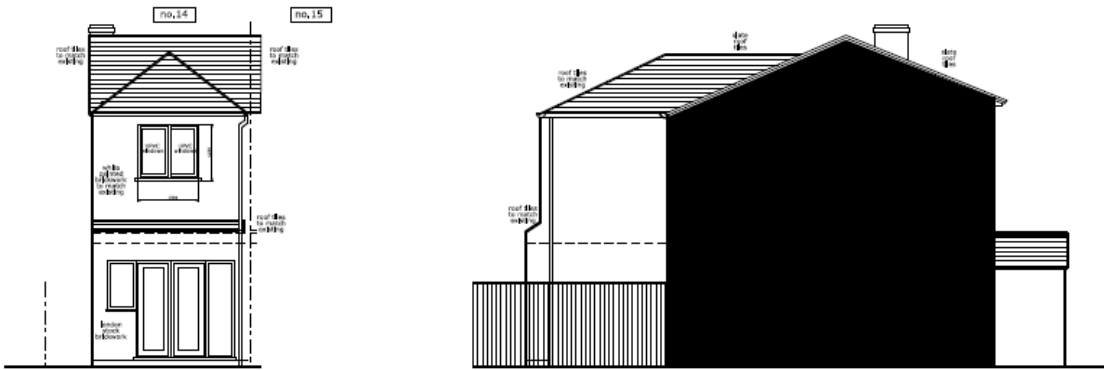
Revisions  
 A Dimensions updated for identity, 170820  
 B Existing elevations updated for identity 170820

# Proposed Elevations

calculate areas for the purposes of valuation. All dimensions to be checked on site by the contractor and such dimensions to be their responsibility.  
 All work must comply with relevant British Standards and Building Regulations requirements. Drawing errors and omissions to be reported to the architect.



East side Elevation

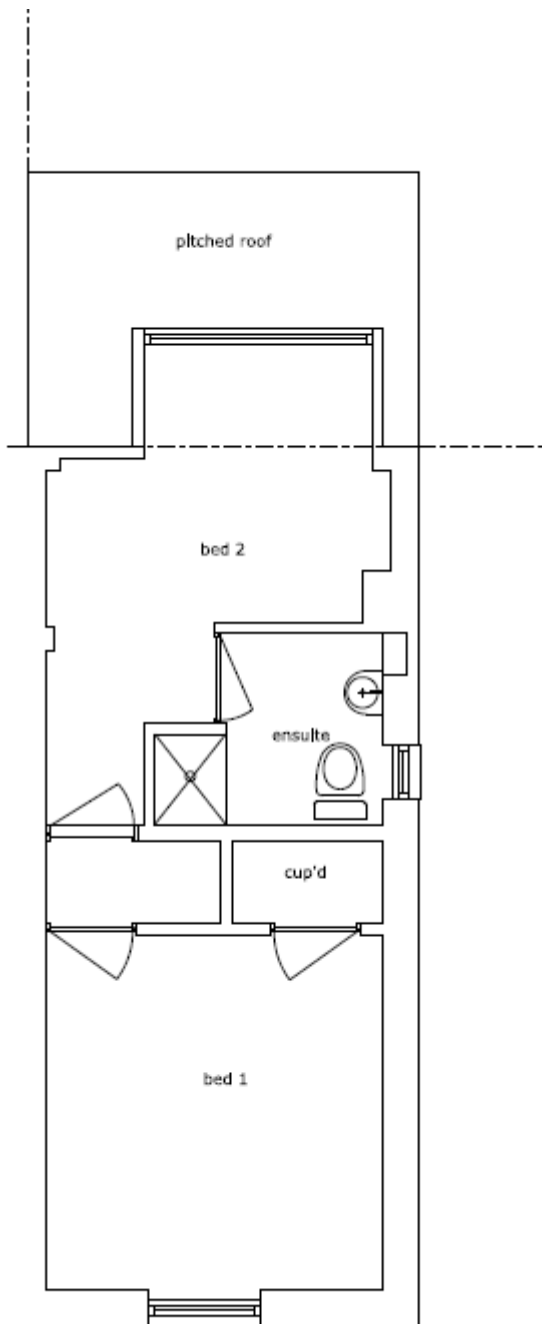


Rear Elevation

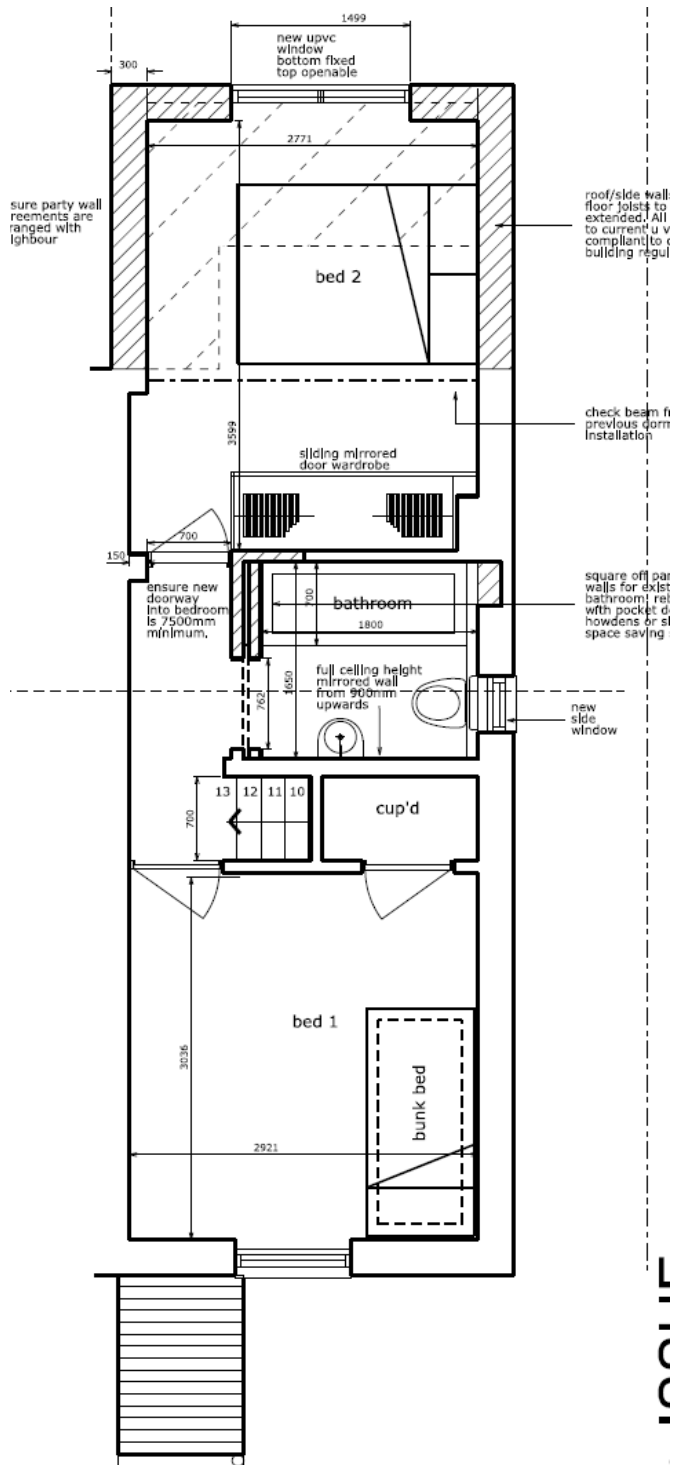
West side Elevation

Revisions  
 A Dimensions added for glazing, 17/08/24  
 B Proposed reduced for glazing, 17/08/24

Existing first floor plan



# Proposed first floor plan



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## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

13 September 2017

Item: 7

<b>Application No.:</b>	17/02376/FULL
<b>Location:</b>	Studio 101 101 High Street Eton Windsor SL4 6AF
<b>Proposal:</b>	Change of use of shop (A1) to residential (C3)
<b>Applicant:</b>	Mr Cove
<b>Agent:</b>	Mrs Catherine Hannan
<b>Parish/Ward:</b>	Eton Town Council/Eton With Windsor Castle Ward
<b>If you have a question about this report, please contact:</b> Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The proposal would result in the loss of a retail unit within the commercial centre of Eton. It has not been demonstrated that this would not be harmful to vitality and viability of Eton High Street. The proposal therefore fails to comply with policy ETN1 of the Royal Borough of Windsor and Maidenhead Local Plan.
- 1.2 The proposal is considered to have an acceptable impact on the significance of the Listed Building, and it is considered the scheme would preserve the character and appearance of the Conservation Area. The proposal is also considered to be acceptable on flood risk grounds.

**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. | It has not been demonstrated that the loss of a retail unit in this location would not be harmful to the vitality and viability of Eton Town Centre. The proposal therefore fails to comply with policy ETN1 of the Royal Borough of Windsor and Maidenhead Local Plan. |
|----|---|

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Alexander irrespective of the recommendation of the Head of Planning due to concerns with the loss of a retail unit on the historic frontage of Eton High Street

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located within Eton Town Centre which comprises a mix of retail, residential and restaurant/cafe uses. The majority of the application site is in residential use; however, the area to the front of the building is within retail use. This area is approximately 20sqm and is linked internally to the existing residential use behind. The application site is located within the Eton Conservation Area, the commercial centre of Eton and Flood Zone 2. The property is Grade II Listed.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is for the change of use of the front of 101 High Street from retail (A1) to residential (C3). No internal changes are required to implement the change of use. The only change to the external appearance of the building would be the loss of the existing shop sign.

Ref.	Description	Decision and Date
97/75809/FULL	Erection of a detached double garage at rear.	08.08.1997

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Sections:

1. Section 2 – Ensuring the vitality of town centres
2. Section 4 - Promoting sustainable transport
3. Section 7 – Requiring good design
4. Section 10 – Meeting the challenge of climate change, flooding and coastal change

### Royal Borough Local Plan

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

Within settlement area	Highways and parking	Flooding	Listed buildings	Conservation areas	Eton area policy
DG1, H10, H11	P4, T5	F1	LB2	CA2	ETN1

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](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
Makes suitable provision for infrastructure	IF1

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

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

### Other Local Strategies or Publications

### 5.4 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](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 principle of the development
- ii Heritage assets
- iii The impact on flooding
- iv Parking provision

### **The principle of development**

6.2 The application site is located within the town centre of Eton. Policy ETN1 aims to protect the retail role within the centre of Eton and sets out that the loss of retail uses will be resisted unless it can be demonstrated that the vitality and viability of the centre will not be harmed. This is consistent with Paragraph 23 of the National Planning Policy framework which encourages local authorities to pursue policies which support the viability and vitality of town centres. No evidence has been submitted with the application which demonstrates that the loss of this retail unit will not be harmful to vitality and viability of the Eton Centre.

### **Heritage assets**

6.3 The application site is located within the Eton Conservation Area and the building itself is grade II listed.

6.4 Policy LB2 sets out that special regard will be given to the preservation of listed buildings and their settings. There are no internal alterations required to facilitate the change of use and the original use of the building was residential, and so from a heritage perspective changing it back to residential is considered acceptable. The only external change required is the removal of the existing shop sign/writing, which is not of significance. No harm therefore would be caused to the significance of the Listed Building in terms of alterations to the historic fabric of the listed building and the character and appearance of the Conservation Area would be preserved, in line with National and Local Planning Policies, and having regard to the requirements of the Planning (Listed Buildings Conservation) Act 1990.

### **The impact on flooding**

6.5 The application site is within Flood Zone 2 which an area is considered to be at medium risk of flooding. No flood risk assessment has been submitted with the application; however, as the residential property already exists there would be no increase in the number of residential units; this proposal would not increase the number of people or properties at risk from flooding. No external extensions are proposed and as such there would be no reduction in the capacity of the flood plain to store water and no increased risk of flooding elsewhere. As the proposal is for a change of use the sequential and exception tests are not required. If the application were recommended for approval, a condition could be imposed to secure details of flood resilience measures.

### **Parking provision**

6.6 The residential use is already in existence. The change of use of the front of the shop to residential will not materially increase the requirement for additional parking to be provided. The property is also in a highly sustainable location within walking distance of public transport links and local facilities.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

15 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 14.08.2017

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

Comment	Where in the report this is considered
1. Eton high street must retain existing retail outlets.	Paragraph 6.2

### Other consultees

Consultee	Comment	Where in the report this is considered
<b>SPAE</b>	Objection: Eton High Street is rapidly losing its shops and the viability of the Town Centre is under threat.	Paragraph 6.2
<b>Eton Town Council</b>	Objection: Eton is maintained as a commercial entity and any proposed changes of use from commercial to residential would be opposed.	Paragraph 6.2
<b>Conservation Officer</b>	There is no objection on heritage grounds for the change of use from retail to residential.	Paragraph 6.3 and 6.4

## 8. APPENDICES TO THIS REPORT

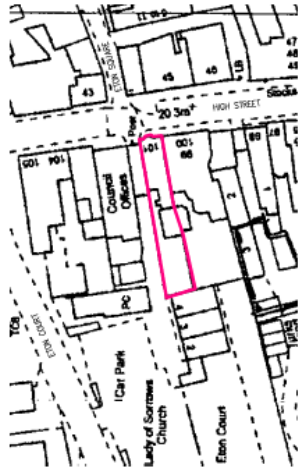
- Appendix A - Site location plan and existing and proposed plans

## 9. RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 It has not been demonstrated that the loss of a retail unit in this location would not be harmful to the vitality and viability of Eton Town Centre. The proposal therefore fails to comply with policy ETN1 of the Royal Borough of Windsor and Maidenhead Local Plan.

# Appendix A—Site location plan and existing and proposed plans

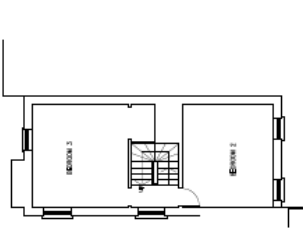
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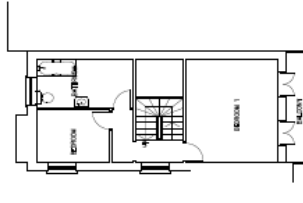
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DATE	USER	REVISION	BY

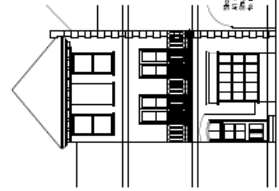
PROJECT NAME 101 HIGH STREET, ETON, BERKS SL4 6AF	
PROPOSED PLANS AND ELEVATIONS	
DATE	12th JULY 2017
SCALE	1:100/0/00
PROJECT NO	AL-101-000
Application to return shop space for use to residential use (C1) at 101 High Street, ETON	
A. Rogers, 101 High Street, Eton, SL4 6AF Tel: 01753 871111	



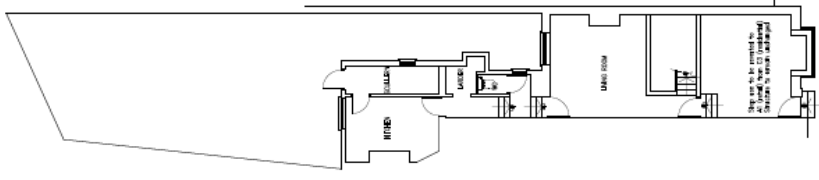
PROPOSED SECOND FLOOR PLAN  
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PROPOSED FIRST FLOOR PLAN  
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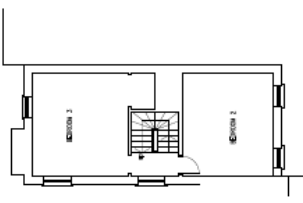


PROPOSED FRONT ELEVATION  
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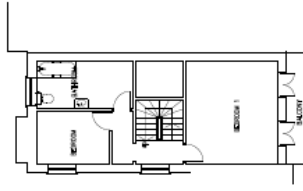


PROPOSED GROUND FLOOR PLAN  
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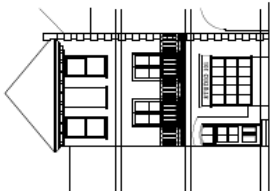
PROPOSED



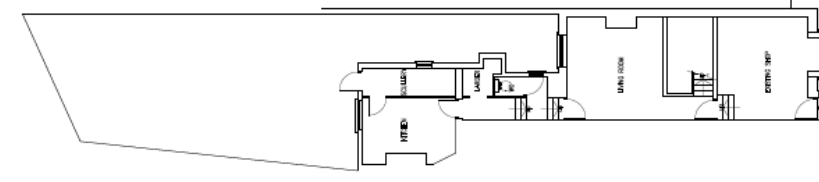
EXISTING SECOND FLOOR PLAN  
1:100 #F A1



EXISTING FIRST FLOOR PLAN  
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EXISTING FRONT ELEVATION  
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EXISTING GROUND FLOOR PLAN  
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EXISTING

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## Planning Appeals Received

5 August 2017 - 1 September 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](mailto: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](mailto:teamp13@pins.gsi.gov.uk)

**Ward:**  
**Parish:** Windsor Unparished  
**Appeal Ref.:** 17/60083/REF      **Planning Ref.:** 17/00744/FULL      **PIns Ref.:** APP/T0355/D/17/3179685  
**Date Received:** 21 August 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Garage conversion into habitable accommodation, first floor side and single storey rear extension, new front chimney and alterations to existing roof.  
**Location:** **26 Hemwood Road Windsor SL4 4YU**  
**Appellant:** Mr T Shaba **c/o Agent:** Mr Sundeep Saxena ADS Suite 462 5 Spur Road Isleworth Middlesex TW7 5BD

**Ward:**  
**Parish:** Eton Town Council  
**Appeal Ref.:** 17/60085/REF      **Planning Ref.:** 17/00250/FULL      **PIns Ref.:** APP/T0355/D/17/3177716  
**Date Received:** 31 August 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Installation of a spiral staircase and balustrading from current balcony level up onto roof terrace  
**Location:** **3 Eton Thameside 15 Brocas Street Eton Windsor SL4 6FB**  
**Appellant:** Mr Paul Edwards **c/o Agent:** Mr Marcus Sturney 14 Manor Road Windsor Berkshire SL4 5LP

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