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NOTICE OF MEETING

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WINDSOR URBAN DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 8TH NOVEMBER, 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, GARY MUIR, NICOLA PRYER, JACK RANKIN, WESLEY RICHARDS AND EDWARD WILSON

Karen Shepherd - Democratic Services Manager - Issued: 31 October 2017

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Wendy Binmore** 01628 796251

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Do not re-enter the building until told to do so by a member of staff.

Recording of Meetings –In line with the council's commitment to transparency the meeting will be audio recorded, and filmed and broadcast through the online application Periscope. The footage can be found through the council's main Twitter feed @RBWM or via the Periscope website. The audio recording will also be made available on the RBWM website, after the meeting.

Filming, recording and photography of public Council meetings may be undertaken by any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be in the public domain. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

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 - 10
4.	<u>PLANNING APPLICATIONS (DECISION)</u> To consider the Head of Planning & Property/Development Control Manager's report on planning applications received. Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. http://www.rbwm.gov.uk/pam/search.jsp or from Democratic Services on 01628 796251 or democratic.services@rbwm.gov.uk	11 - 20
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring reports.	21 - 24
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution:- "That under Section 100 (A)(4) of the Local Government Act 1972, the public should be excluded from the remainder of the meeting whilst discussion takes place on item 7 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Act"	

PRIVATE MEETING - PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
7.	<u>PLANNING ENFORCEMENT REPORTS</u> To consider the above reports. <i>(Not for publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	25 - 48

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, 11 OCTOBER 2017

PRESENT: Councillors Phillip Bicknell (Vice-Chairman), John Bowden, Wisdom Da Costa, Gary Muir, Eileen Quick, Jack Rankin and Shamsul Shelim

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Airey, Alexander, Grey and S. Rayner.

DECLARATIONS OF INTEREST

Cllr Quick – Declared a personal interest in item 4 as she is a Trustee of the King George VI Club and the ACT Foundation donated furniture to the Club. Cllr Quick confirmed she attended Panel with an open mind.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 13 September 2017 be approved.

PLANNING APPLICATIONS (DECISION)

17/03035* Windsor Racecourse Co Ltd: Construction of a 150-bedroom hotel with ancillary facilities and new parking following demolition of the existing Silver ring and associated buildings at Windsor Racecourse Co Ltd, Maidenhead Road, Windsor, SL4 5JJ – **THE PANEL VOTED to APPROVE the application in accordance with the Head of Planning’s recommendations and authorise the head of Planning to:**

- 1. Complete negotiations in relation to the flood risk and transport matters, and to secure the submission of appropriate amending and additional documentation to ensure a policy compliant scheme of development.**
- 2. Consult the Environment Agency on the amended scheme. To obtain its withdrawal or confirmation of its objection to the proposed development.**
- 3. Notify the Secretary of State that the Borough is minded to grant permission for the proposed development, as required under the Town and Country Planning (Consultation) (England) Direction 2009.**
- 4. Subject to the above, and following receipt of confirmation that the Secretary of State does not wish to call the consideration of the application in to an Inquiry, to grant planning permission for the development with appropriate conditions.**

Six Councillors voted in favour (Cllrs Bicknell, Bowden, Muir, Quick, Rankin and Shelim) and one Councillor voted against (Cllr Rankin).

(The Panel was addressed by Simon Chadwick and Richard Fisher).

17/00243*

Mr Abeles: Demolition of existing building and construction of a new building comprising 4 x residential units and a ground floor commercial unit and new shopfront at Age Concern, 53 High Street, Eton, Windsor SL4 6BL – **THE PANEL VOTED to APPROVE the application in accordance with the Head of Planning’s recommendations and authorise the head of Planning to grant planning permission with the conditions listed in Section 10 of the Main Report and with the amended conditions in Section 3 below:**

It is recommended that the following condition, in lieu of condition 6 set out in the Main Report, is imposed on any planning permission granted for the development:

The development permitted by this planning permission shall be carried out and occupied in accordance with the FRA ref: 16035 rev B dated October 2017 and the Flood Warning and Evacuation Plan ref. 16035 rev B dated October 2017 compiled by Water Environment Ltd, both received on 09.10.2017. Reason: to comply with the guidance contained in paragraph 103 of the National Planning Policy Framework to reduce the risk of flooding to the proposed development and future occupants.

Five Councillors voted in favour (Cllrs Bicknell, Bowden, Da Costa Muir and Quick) and two Councillors voted against (Cllrs Rankin and Shelim).

(The Panel was addressed by Mrs Blightman and Angela Jackson and PCllr Malcolm Leach in objection and Ben Wilcox the architect in support).

17/01599

Panjit Grewal: Pair of semi-detached houses with associated landscaping and parking at Land to the Rear of 452 and 454 St Leonards Road, Windsor – **THE PANEL VOTED UNANIMOUSLY to REFUSE the application in accordance with the Head of Planning’s recommendations and authorise the head of Planning refuse planning permission for the following summarised reasons:**

- 1. The proposed development, by reason of its design, siting, size and layout, represents poor design and a cramped, overdevelopment of the site that is out of keeping with and harmful to the character and appearance of the area, contrary to policies DG1, H10 and H11 of the Windsor and Maidenhead Local Plan.**
- 2. The proposed development, by reason of its size, siting, design and height, would have an overbearing appearance**

when viewed from the adjoining properties and would adversely affect the outlook and lead to an increased sense of enclosure, contrary to a core principle of the NPPF to secure a good standard of amenity for all.

3. The proposal would provide insufficient off-street parking provision, and an inadequate turning space, which would lead off a primary distributor road where the vehicle flows are high and visibility is restricted. As such the proposal is considered to be to the detriment of road safety and the free flow of traffic, contrary to policies P4 and DG1 of the Windsor and Maidenhead Local Plan.

17/02383 The Act Foundation: Conversion of existing B1 offices to provide 4 x residential apartments, including use of existing roof terrace with enlarged 4th floor, and associated parking, amenity space and landscaping at The ACT Foundation, 61 Thames Street, Windsor SL4 1QW – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Head of Planning’s recommendations and authorise the head of Planning to grant planning permission with the conditions listed in Section 9 of the Main Report:**

17/02384* The ACT Foundation: Consent for conversion of existing B1 offices to provide 4 x residential apartments, including use of existing roof terrace with enlarge 4th floor, and associated parking, amenity space and landscaping at The ACT Foundation, 61 Thames Street, Windsor SL4 1QW – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application in accordance with the Head of Planning’s recommendations and authorise the head of Planning to grant planning permission with the conditions listed in Section 9 of the Main Report:**

17/02460* Mr Shymansky: Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single, part two storey side and rear extensions following the demolition of existing additions at 109 High Street, Eton, Windsor SL4 6AN – **THE PANEL VOTED to APPROVE the application against the Head of Planning’s recommendations as the Panel considered that the scheme would not cause harm to the Listed Building or to the character or appearance of the Conservation Area.**

Six Councillors voted in favour (Cllrs Bicknell, Bowden, Muir, Quick, Rankin and Shelim) and one Councillor voted against (Cllr Da Costa).

(The Panel was addressed by PCllr Derek Bishop in support of the application and Dan Lewandowsk the architect).

17/02461* Mr Shymansky: Part change of use of ground floor from A2 (Financial and Professional Services) to residential; part single, part two storey side and rear extensions following the demolition of existing additions at 109 High Street, Eton, Windsor SL4 6AN – **THE PANEL VOTED to APPROVE the application against the Head of Planning’s**

recommendations as the Panel considered that the scheme would not cause harm to the Listed Building or to the character or appearance of the Conservation Area.

Six Councillors voted in favour (Cllrs Bicknell, Bowden, Muir, Quick, Rankin and Shelim) and one Councillor voted against (Cllr Da Costa).

(The Panel was addressed by PCllr Derek Bishop in support of the application and Dan Lewandowsk the architect).

ESSENTIAL MONITORING REPORTS (MONITORING)

All details of the Essential Monitoring Reports were noted.

The meeting, which began at 7.00 pm, finished at 8.30 pm

CHAIRMAN.....

DATE.....

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

8th November 2017

INDEX

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

Item No.	1	Application No.	16/03438/FULL	Recommendation	DD	Page No.	
Location:	Former Windsor Rackets And Fitness Club Helston Lane Windsor						
Proposal:	The erection of five additional close care suites at fourth floor level						
Applicant:	Mr Hughes	Member Call-in:		Expiry Date:	18 October 2017		

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

PLANNING COMMITTEE

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

8 November 2017

Item: 1

Application No.: 16/03438/FULL

Location: Former Windsor Rackets And Fitness Club Helston Lane Windsor

Proposal: The erection of five additional close care suites at fourth floor level

Applicant: Mr Hughes

Agent: Mr John Montgomery

Parish/Ward: 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

1. SUMMARY

- 1.1 This case has been brought to Panel to deal with a technical matter of decision-making, rather than with the planning merits of a proposed development. Permission is sought to add five close-care apartments (Class C2 – Residential Institutions) to the scheme of development already permitted on the site, which comprises a 72-bed nursing home, 58 close-care suites and communal facilities, parking and landscaping, and revised site access arrangements, approved in January 2012. The additional units are proposed to be constructed at fourth floor level, atop and set in from the plan area of the northern-most part of the approved development, in a rooftop extension similar in design to that of the “sky lounge” included in the approved scheme above part of the four storey central section of the building.
- 1.2 This application is presented to Panel for a third time following its first discussion at the 29th March 2017 Windsor Urban DM Panel meeting and subsequently at the 24th May 2017 meeting of the same Panel. In March the application was deferred for a maximum of 2 cycles to allow the applicant to address outstanding fluvial flood risk issues and further information was in deed supplied by the applicant relating to flood risk, so the case returned to the Panel in May.
- 1.3 The May Panel was presented with an update report which set out in some detail the recommended purpose and content of how a legal agreement, in relation to flood risk management, could overcome a problem with the scheme that would otherwise render it unacceptable in planning policy terms. Essentially, the legal agreement would secure the preparation and adoption of a strategy for the evacuation of the close care suites and of the care home via a route passing through the main building (approved under a separate planning permission and therefore technically a different development) emerging from it at its southern end where, in the event of flooding, calculated flood water levels and the distance from public highway access to a place of safety would be minimised. The Head of Planning recommended that the

Panel should defer and delegate authority to her to a) grant planning permission, with the conditions listed in Section 10 of the Main Report, on completion of a satisfactory legal agreement to secure measures to ensure a safe means of escape in the event of flooding through the development on the site approved under separate planning permission or b) refuse planning permission if no legal agreement was completed by 5th July 2017.

- 1.4 The Panel voted unanimously to accept the recommendation, with the expectation that the legal agreement would resolve the flood risk issue. Since that time a draft legal document (in the form of a Unilateral Undertaking) has been prepared and is in process of revision and perusal by the relevant parties, but has not, at the time of the preparation of this report, yet been completed. The case is now returned to Panel with a recommendation again to defer and delegate authority to the Head of Planning to grant permission, and to extend the period within which the legal matter may be completed, rather than to carry out the second part of the May report recommendation (i.e. to refuse the planning application).
- 1.5 Additionally, it is recommended to impose a slightly different set of conditions on any planning permission, as construction of the development has now been commenced. First, the authorisation of the development needs to be differently cited, as a retrospective planning permission is now appropriate. Secondly, it is assumed that as the principle of development and the additional units are, in effect, one continuous and overlapping build project, the practices and safeguards set out in the approved Construction Management Plan (CMP) for the previous planning permission have been and will be continued into the implementation of the separate permission for the additional units. The CMP condition included in the previous report is no longer recommended, therefore. Thirdly, the applicant has been requested to give details now of the external materials that are shortly to be (or by the time of the decision being made, may already have been) used on the development, which, if appropriate, may be listed as approved in the decision notice, thereby also negating the need for a condition on this matter.
- 1.6 For all the reasons set out in the main and update reports for the March 29th and May 24th Panel meetings this year, Councillors have already resolved that, subject to the safeguards of conditions and a legal agreement or Unilateral Undertaking, planning permission can be granted for the development of five additional close care suites on the fourth floor of the building granted approval under 11/00403/FULL (as amended). From the time of the last Panel meeting that discussed this scheme there has been no change in national or local planning policy, nor any revision of the proposed development, that would indicate that the proposal is no longer acceptable (subject again to appropriate conditions and legal agreement safeguards). Consequently, it is considered that the proposed development would be acceptable.

It is recommended that the Panel defers and delegates authority to the Head of Planning until 31st January 2018 to grant planning permission, with the conditions and informatives listed in Section 4 below, on completion of a satisfactory legal agreement or Unilateral Undertaking to secure measures to ensure a safe means of escape in the event of flooding through the development on the site approved under separate planning permission.
In the event that no legal agreement or Unilateral Undertaking as required has been completed by the 31st January 2018 the matter shall be returned to the Windsor Urban DM Panel for further discussion and or determination.

2. BACKGROUND PAPERS FOR THE APPLICATION

- 2.1 For a description of the site, its planning history, the proposed development, relevant national and local planning policy, and an explanation of the recommendation, together with consultation comments and representations made by neighbours and members of the public, please refer to the main agenda reports and update reports for this planning application for the Windsor Urban Development Management Panels held on the 29th March 2017 and on the 24th May 2017, which can be found here

<http://rbwm.moderngov.co.uk/ielistmeetings.aspx?Act=earlier&CId=362&D=201801031900&MD=ielistmeetings>

3. APPENDICES TO THIS REPORT

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

4. CONDITIONS AND INFORMATIVES RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

1. The development to which this planning permission relates (having been commenced but not completed in advance of the determination of the application for it) is considered to have become authorised on the 31st August 2017 being a date on which the development was known to have been commenced. The authorised form of this development is that described in the approved documents listed at the end of this decision notice and as may be approved by discharge of the conditions attached hereto.

Reason: To clarify the terms of the planning permission in relation to Section 73A of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The units of residential accommodation hereby approved shall be used only for purposes within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Orders revoking and re-enacting those Orders with or without modification) or any equivalent classification of use which is defined by the level of care associated with the occupation of the accommodation. No part of the development shall be first occupied until details of the scope and duration of care facilities and services to be provided to occupiers of the close care suites have been submitted to and approved in writing by the Local Planning Authority. The approved facilities and services shall be kept available for use by residents of the development at all times.

Reason: To ensure that the residential accommodation provided is appropriately used and retained to meet the identified housing needs of the area. Relevant Policies - Local Plan H3, H8 and H9 and guidance contained within the NPPF 2012.

3. The Leylandii hedge along the western boundary of the site shall be retained and maintained and, if in part or whole it is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, it or that part of it shall be replaced within the first planting season following such event, in accordance with a scheme of replacement tree planting that shall have first been submitted to and approved in writing by the Local Planning Authority, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area and protects the amenities of the neighbouring residents. Relevant Policies - Local Plan DG1, N6 and guidance contained within the NPPF 2012.

4. No part of the development shall be first occupied until measures to ensure appropriate levels of sound insulation have been installed or incorporated into the construction of the development in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The measures shall be so maintained for the duration of the occupation of the development.

Reason: To secure an appropriate standard of amenity for the occupiers of the accommodation. Relevant Policies - Local Plan DG1, H10 and guidance contained within the NPPF 2012.

5. No part of the development shall be first occupied until measures to ensure that occupiers are adequately protected from air pollution have been installed or incorporated into the construction of the development in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority. The measures shall be so maintained for the duration of the occupation of the development.

Reason: To secure an appropriate standard of amenity for the occupiers of the accommodation. Relevant Policies - Local Plan DG1, H10 and guidance contained within the NPPF 2012.

6. No part of the development shall be first occupied until the vehicular access to the site has been constructed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be so retained for the duration of the occupation of the units.

Reason: To secure a safe and convenient means of vehicular access to the site in the interests of road safety. Relevant Policies - Local Plan T5 and guidance contained within the NPPF 2012.

7. No part of the development shall be occupied until vehicle parking and turning space for one vehicle has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall at all times be kept available for parking and turning in association with the development.

Reason: To ensure that the development is provided with adequate parking and turning facilities in the interest of the safety and convenience of all users of the highway network. Relevant Policies - Local Plan P4, DG1 and guidance contained within the NPPF 2012.

8. No part of the development shall be occupied until a refuse bin storage area and recycling facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall be kept available for use in association with the development at all times.

Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.

9. No part of the development hereby approved shall be first occupied until details of the hard and soft landscaping of the site shall have been submitted to and approved in writing by the Local Planning Authority. The details shall show the escape route for all users of the building in the event of flooding. The details required shall comprise the design, appearance, construction details, materials, levels and finish for all free-standing or retaining structures and means of enclosure, and all roads, paths, external parking spaces and other hard surfaced areas, and the location, species, size and planting density of all trees, hedges, shrubs herbaceous plants and areas to be grassed, together with programmes of implementation and after care (of a minimum of 5 years). The landscaping scheme shall be completed in accordance with the implementation programme, and any trees or other plants which die, are damaged or destroyed or become no longer viable within 5 years of the completion of the implementation programme shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity, the provision of safe escape from the building in the event of flooding, and the protection of the water environment, in accordance with national and local planning policy as set out in policies DG1, H10, F1 and N6 of the Royal Borough of Windsor and Maidenhead Local Plan and guidance contained within the National Planning Policy Framework 2012.

10. The development hereby permitted shall be carried out in accordance with the approved plans listed below.

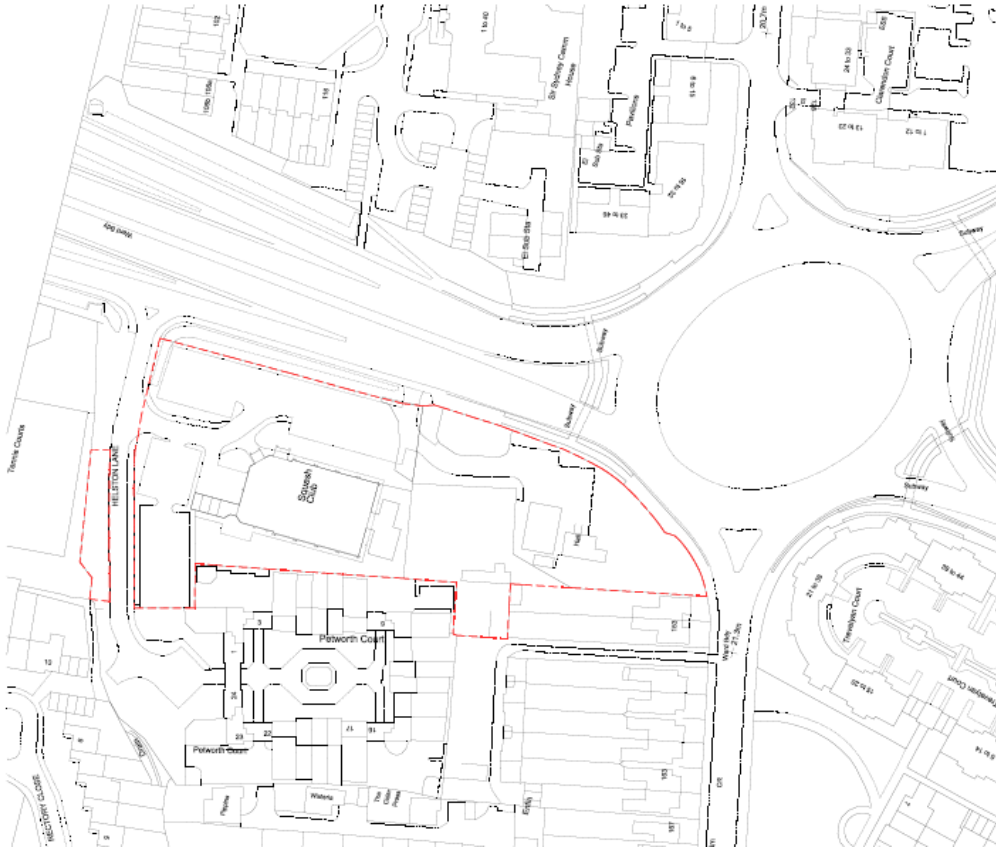
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

Informatives

- 1 This permission is governed by and shall be read together with the Agreement made under Section 106 of the Town and Country Planning Act 1990 (as amended) dated xx xx 2017.
- 2 The applicant is reminded of the need to enter into a legal agreement with the Council under Section 278 of the Highways Act 1980 to cover the construction of the new and the stopping-up of the existing vehicular access.

Appendix A

Location plan



Block layout plan



Appendix B



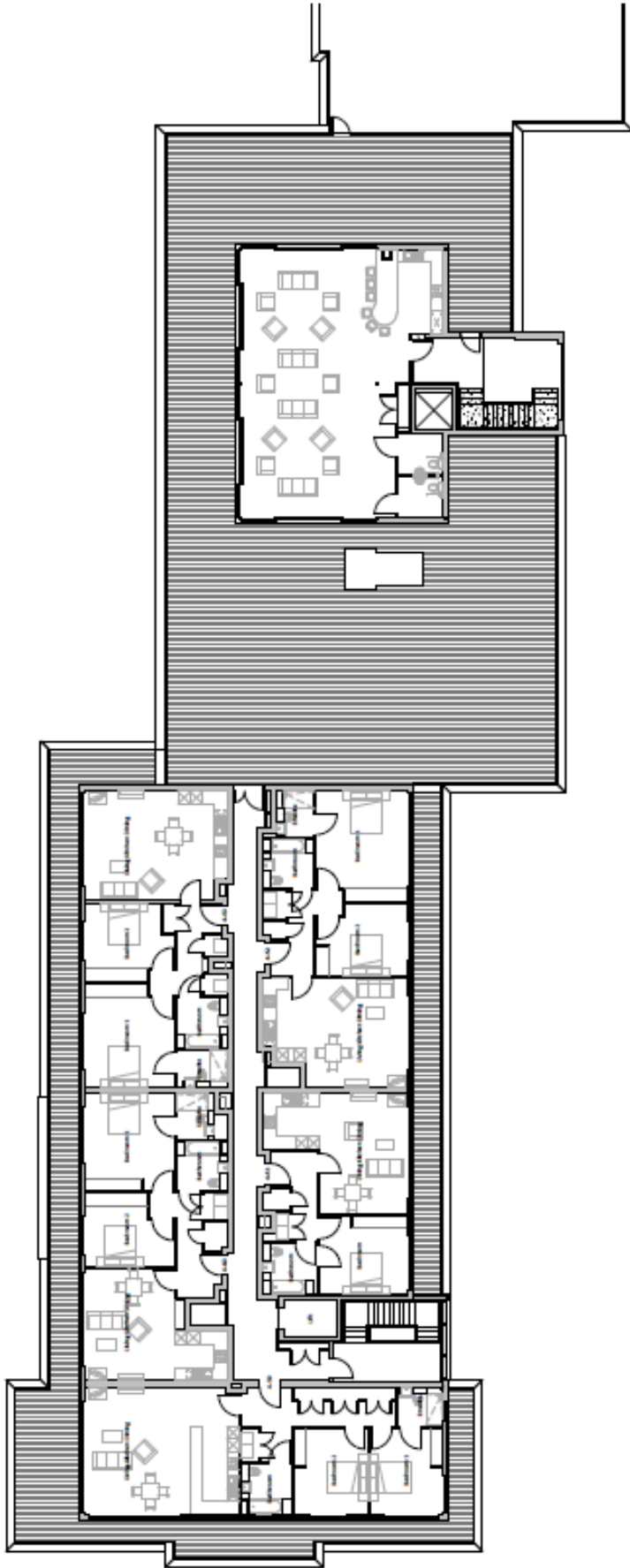
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



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Planning Appeals Received

3 October 2017 - 26 October 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://app.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email teame1@pins.gsi.gov.uk

Other appeals: The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email teamp13@pins.gsi.gov.uk

Ward:

Parish:

Windsor Unparished

Appeal Ref.:

17/60096/REF

Planning Ref.:

17/01296/FULL

PIns Ref.:

APP/T0355/W/
17/3183884

Date Received:

17 October 2017

Comments Due:

21 November 2017

Type:

Refusal

Appeal Type:

Written Representation

Description:

Demolition of 9-11 Imperial Road & 3-4 Almond Close. Construction of 2 houses and 16 x 2-bed apartments, along with access road and cycle/bin store

Location:

9 Imperial Road Windsor SL4 3RY

Appellant:

Mr Kris Collett **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT



Appeal Decision Report

30 September 2017 - 26 October 2017

WINDSOR URBAN

Appeal Ref.: 17/60055/REF **Planning Ref.:** 17/00208/CPD **Plns Ref.:** APP/T0355/X/17/
3172716

Appellant: Mr Mike Blair 5 Bell View Windsor SL4 4ET

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

Description: Certificate of lawfulness to determine whether single storey side and rear extension, hip to gable conversion dormer, side window and SVP is lawful

Location: 5 Bell View Windsor SL4 4ET

Appeal Decision: Allowed **Decision Date:** 20 October 2017

Main Issue: Inspector considered that the proposed roof extensions did fall to be assessed under Class B and not Class A and that it did comply with the limitations within this Class. Inspector also disagreed that the single storey additions would be more than half the width of the original dwelling under Class A. Therefore concluded that the proposal was lawful under Permitted Development.

Appeal Ref.: 17/60083/REF **Planning Ref.:** 17/00744/FULL **Plns Ref.:** APP/T0355/D/17/
3179685

Appellant: Mr T Shaba **c/o Agent:** Mr Sundeep Saxena ADS Suite 462 5 Spur Road Isleworth Middlesex TW7 5BD

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

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

Appeal Decision: Dismissed **Decision Date:** 12 October 2017

Main Issue: The Inspector concluded that the proposal would have an unacceptably harmful effect on the character and appearance of the area. It would conflict with Policies DG1 and H14 of the Local Plan. It would also conflict with the National Planning Policy Framework '(the Framework)' which seeks high quality design.

Appeal Ref.: 17/60085/REF **Planning Ref.:** 17/00250/FULL **Plns Ref.:** APP/T0355/D/17/
3177716

Appellant: Mr Paul Edwards **c/o Agent:** Mr Marcus Sturney 14 Manor Road Windsor Berkshire SL4 5LP

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

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**

Appeal Decision: Dismissed **Decision Date:** 23 October 2017

Main Issue: The Inspector concluded that the proposal would harm both the character and appearance of the conservation area, he also accepted the Council's assessment that the setting of the Grade II Listed Waterman's Arms in Brocas Street would be adversely affected. This would be in conflict with Policies DG1, CA1 and LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (incorporating alterations) 2003.

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Agenda Item 7

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