

NOTICE
OF
MEETING



WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 7TH FEBRUARY, 2018

At 7.00 pm

in the

COUNCIL CHAMBER - GUILDHALL, WINDSOR,

TO: MEMBERS OF THE WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DR LILLY EVANS (CHAIRMAN), COLIN RAYNER (VICE-CHAIRMAN),
MICHAEL AIREY, CHRISTINE BATESON, DAVID HILTON, JOHN LENTON,
JULIAN SHARPE, LYNDA YONG AND MALCOLM BEER

COUNCILLORS

SUBSTITUTE MEMBERS

COUNCILLORS JOHN BOWDEN, SAYONARA LUXTON, NICOLA PRYER,
EILEEN QUICK, JACK RANKIN, WESLEY RICHARDS, SAMANTHA RAYNER,
JOHN STORY AND LYNNE JONES

Karen Shepherd - Democratic Services Manager - Issued: Tuesday, 30 January 2018

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 **Andy Carswell** 01628 796319

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. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

Recording of Meetings – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or 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 available for public viewing on the RBWM website. 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 Part I Minutes of the meeting of the previous meeting	7 - 8
4.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring Reports.	9 - 12
5.	<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 6 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."	
6.	<u>ENFORCEMENT REPORTS</u> To consider and determine the reports. <i>(Not for publication by virtue of Paragraph 1, 2, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	13 - 16

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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

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

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

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

“Comments Awaited”.

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

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

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

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

STATEMENT OF THE HUMAN RIGHTS ACT 1998

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

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

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

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

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

DECLARING INTERESTS

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

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

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

Agenda Item 3

WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 10 JANUARY 2018

PRESENT: Councillors Colin Rayner (Vice-Chair, in the Chair), Michael Airey, Christine Bateson, David Hilton, John Lenton, Julian Sharpe, Lynda Yong and Malcolm Beer

Officers: Mary Kilner, Andy Carswell, Susan Sharman and Ashley Smith

APOLOGIES FOR ABSENCE

Apologies were received from Cllr Dr Evans. Cllr Story was attending as a substitute.

DECLARATIONS OF INTEREST

Cllr Yong – Declared a personal interest in item 2 as her daughter lived next door but one to the application site. She confirmed that she would not take part in the discussions on the item.

MINUTES

The Part I minutes of the meeting held on December 13th 2017 were unanimously agreed as an accurate record.

PLANNING APPLICATIONS (DECISION)

NB: Updates are available for items marked with an asterisk.

17/02010* Silverdene Properties Ltd: Erection of new substation by Scottish & Southern Electricity Networks (SSEN) with associated proprietary enclosure and new access gates to Shrubbs Hill Lane private road at Cadogan Place Shrubbs Hill Lane Sunningdale Ascot SL5 0LD – **Members voted to APPROVE the application subject to the conditions listed in Section 9 of the main report, in line with Officer’s recommendation, with an additional condition requiring details of the routing of the cables to be agreed in writing with the Local Planning Authority prior to the commencement of development.**

A named vote was carried out. Seven Councillors (Cllrs Airey, Beer, Hilton, Lenton, Sharpe, Story and Yong) voted in favour of the motion to approve and two Councillors (Cllrs Bateson and Rayner) voted against the motion. The motion to approve was proposed by Cllr Airey and seconded by Cllr Hilton.

17/02721* Firgrove Homes Ltd: Construction of x10 apartments including access, car parking and landscaping works following demolition of the existing dwelling at Tay Mount, Lady Margaret Road, Sunningdale, Ascot SL5 9QH – **Members voted to instruct the Head of Planning to REFUSE the application on the basis that by its design, bulk and density the application had failed to take the opportunity to improve and/or enhance the character and quality of the area, contrary to paragraph 64 of the National Planning Policy Framework, sections MPDG 1.2, 2.1 and 3.1 of the Neighbourhood Plan and sections DG1 and H11 of the Borough Local Plan. The wording of the reasons for refusal would be agreed in conjunction with the Chairman and Vice Chairman of the Panel. This decision was contrary to the Officer recommendation in the main report.**

A named vote was carried out. Six Councillors (Cllrs Airey, Bateson, Hilton, Lenton, Sharpe and Story) voted in favour of the motion to refuse, two Councillors (Cllrs Beer and Rayner) voted against the motion and Cllr Yong abstained from the vote. The motion to refuse was proposed by Cllr Hilton and seconded by Cllr Bateson.

The Panel was addressed by Stewart McNair, objector, and by Martin Tuthill, on behalf of the agent.

ESSENTIAL MONITORING REPORTS (MONITORING)

The contents of the reports were noted.

The Chairman thanked Officers for attending and for ensuring the meeting ran smoothly.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: To approve the motion.

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

CHAIRMAN.....

DATE.....

Planning Appeals Received

29 December 2017 - 26 January 2018

WINDSOR RURAL

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

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

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

Ward:
Parish: Old Windsor Parish
Appeal Ref.: 18/60007/REF **Planning Ref.:** 17/00207/VAR **PIns Ref.:** APP/T0355/W/17/3190978
Date Received: 11 January 2018 **Comments Due:** 15 February 2018
Type: Refusal **Appeal Type:** Written Representation
Description: Redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing buildings as approved under planning permission 15/03843 without complying with condition 22 (boundary wall) 23 (approved plans) for demolition of existing flank wall down to 2m in height on boundary, with new brick wall built on boundary line to a height of 2m with the Friary and substitute plan.
Location: **95 Straight Road Old Windsor**
Appellant: Mr David Chidlow Aquinna Homes PLC Highway House 17 London End Beaconsfield Bucks HP9 2HN

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 18/60008/REF **Planning Ref.:** 17/02165/FULL **PIns Ref.:** APP/T0355/D/17/3189663
Date Received: 11 January 2018 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder
Description: Construction of carport and decking (retrospective)
Location: **19 Lower Village Road Ascot SL5 7AF**
Appellant: Mr & Mrs Shaladan **c/o Agent:** Mr Neil Davis Davis Planning Ltd 19 Woodlands Avenue Winnersh Wokingham Berkshire RG41 3HL

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 18/60012/REF **Planning Ref.:** 17/01560/TLDTT **PIns Ref.:** APP/T0355/W/17/3186243
Date Received: 17 January 2018 **Comments Due:** 21 February 2018
Type: Refusal **Appeal Type:** Written Representation

Description: Installation of a 20m high slim line telecommunications tower with 3 No. antennas within a GRP stroud, 2 No. dishes and 3 No. ground based equipment cabinets and other ancillary equipment thereto.
Location: **Land To The North of Morton Lodge London Road Sunninghill Ascot**
Appellant: EE Ltd **c/o Agent:** Mrs Carolyn Wilson The Harlequin Group 5 Allen Road Livingston EH54 6TQ

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 18/60013/NONDET **Planning Ref.:** 17/00146/FULL **Plns Ref.:** APP/T0355/W/17/3185162

Date Received: 17 January 2018 **Comments Due:** 21 February 2018
Type: Non-determination **Appeal Type:** Written Representation
Description: Single storey side and single storey rear/side extensions following demolition of existing outbuildings and decking.

Location: **Mikado London Road Ascot SL5 7DL**
Appellant: Pearmain Pubs Ltd **c/o Agent:** Mr Carl Stott Nineteen47 Ltd Blake House 2A St Martins Lane York NG15 0DT

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 18/60017/REF **Planning Ref.:** 17/01385/FULL **Plns Ref.:** APP/T0355/W/17/3187774

Date Received: 22 January 2018 **Comments Due:** 26 February 2018
Type: Refusal **Appeal Type:** Written Representation

Description: Erection of 4 bedroom dwelling following demolition of existing dwelling
Location: **Tinkers Lodge Brockenhurst Road Ascot SL5 9HB**
Appellant: Mr M Dye **c/o Agent:** Mrs Janette Davis Ascot Design Ltd Berkshire House 39-51 High Street Ascot SL5 7HY

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 18/60021/NONDET **Planning Ref.:** 17/01641/FULL **Plns Ref.:** APP/T0355/W/17/3189293

Date Received: 24 January 2018 **Comments Due:** 28 February 2018
Type: Non-determination **Appeal Type:** Written Representation
Description: Construction of a part two storey, part single storey side and rear extension to provide a self-contained granny annex ancillary to the main dwelling house and demolition of existing detached garage.

Location: **4 Dorian Drive Ascot SL5 7QL**
Appellant: Mrs C Adriaansen **c/o Agent:** Mr Christopher Arden Christopher Arden Chartered Archts 11 Galton Road Sunningdale Ascot SL5 0BP

Appeal Decision Report

20 December 2017 - 26 January 2018

WINDSOR RURAL

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Royal Borough
of Windsor &
Maidenhead

Appeal Ref.: 17/60087/REF **Planning Ref.:** 16/03617/FULL **Plns Ref.:** APP/T0355/W/17/3178754

Appellant: C/o Agent **c/o Agent:** Mr George Vasdekys Salisbury Jones Planning 33 Bassein Park Road London W12 9RW

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

Description: Replacement dwelling and single storey detached garage including ancillary accommodation following demolition of existing dwelling and outbuildings

Location: **Heath End House Windsor Road Ascot SL5 7LQ**

Appeal Decision: Dismissed **Decision Date:** 15 January 2018

Main Issue: The Inspector identified harm to the character and appearance of the area and to the significance and setting of undesignated heritage assets outweighed the lack of significant harm to living conditions and would result in overall conflict with the development plan and the Framework.

Appeal Ref.: 17/60104/REF **Planning Ref.:** 17/02011/FULL **Plns Ref.:** APP/T0355/D/17/3184688

Appellant: Mrs Sara Hopes **c/o Agent:** Mark Smith Loft Designers Ltd 7 Greenwood Cottages Lawson Way Ascot SL6 0LL

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

Description: Loft conversion with two front facing dormers, one rear facing dormer, two rear facing rooflights and one front facing rooflight

Location: **4 Crofters Old Windsor Windsor SL4 2SP**

Appeal Decision: Allowed **Decision Date:** 29 December 2017

Main Issue: The appeal related to the rear facing dormer window. Although the Inspector agreed that the rear elevation of the dwelling, and particularly its roof, is highly visible in the surrounds, it was not considered that the proposed dormer was excessive in scale as it would be framed by the tiling of the existing roof. It would be seen from the public domain but dormer features are not alien to the area. The Inspector considered that the dormer would appear as a comfortable addition to the roof that would not be overly dominant or intrusive, and therefore not have an adverse effect upon the character or appearance of the original property or street scene in general.

Appeal Ref.: 17/60108/REF **Planning Ref.:** 17/00084/FULL **Plns Ref.:** APP/T0355/D/17/3186273

Appellant: Mrs Debbie Lotz Swan Lodge Charters Road Sunningdale Ascot SL5 9QF

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

Description: First floor extension, part garage conversion, construction of rear conservatory and summerhouse in rear garden and car port in front garden

Location: **Swan Lodge Charters Road Sunningdale Ascot SL5 9QF**

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

Main Issue: The car port is considered to be of a modest size, and due to its design and siting it would not dominate the properties frontage. Furthermore due to the irregularity of the surrounding built form and layout, as well as the effective front boundary screening, the proposal is unlikely to significantly harm or alter the character of the area. For these reasons it is considered that the proposed development would cause no significant harm to the character and appearance of the host dwelling or area. The proposal is considered to be in compliance with Local Plan Policy DG1 and H14, as well as Ascot, Sunninghill and Sunningdale Neighbourhood Plan NP/DG2 and NP/DG3.

Appeal Ref.: 17/60110/REF **Planning Ref.:** 17/00013/FULL **Plns Ref.:** APP/T0355/D/17/3188276

Appellant: Mr Kohler **c/o Agent:** Mr Girard-McMullen ASS-Tech Design Consultancy Horatio Avenue Warfield Berkshire RG42 3TJ

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

Description: Single storey rear/side extension with basement and alterations to garage door.

Location: **Wellington House Rise Road Ascot SL5 0AT**

Appeal Decision: Dismissed **Decision Date:** 29 December 2017

Main Issue: The Inspector concluded that insufficient evidence had been advanced which adequately demonstrates that the proposed development would not cause considerable harm to protected trees and subsequently to the character and appearance of the area. The proposed development would not accord with policies N6, DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan, or with policies NP/DG1 and NP/EN2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan.

Agenda Item 6

By virtue of paragraph(s) 1, 2, 6, 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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