

NOTICE
OF
MEETING

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**WINDSOR URBAN DEVELOPMENT
MANAGEMENT PANEL**

will meet on

WEDNESDAY, 24TH APRIL, 2019

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, MALCOLM BEER, JOHN BOWDEN, DAVID CANNON, WISDOM DA COSTA, EILEEN QUICK AND SAMANTHA RAYNER

SUBSTITUTE MEMBERS

COUNCILLORS SHAMSUL SHELMIM, NATASHA AIREY, CHRISTINE BATESON, HASHIM BHATTI, GARY MUIR, WESLEY RICHARDS, LYNNE JONES AND EDWARD WILSON

Karen Shepherd – Service Lead, Governance - Issued: 12 April 2019

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

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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'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 at http://www.rbwm.gov.uk/pam/search.jsp	9 - 46
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring reports.	47 - 52

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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

MONDAY, 18 MARCH 2019

PRESENT: Councillors Malcolm Alexander (Chairman), Phillip Bicknell (Vice-Chairman), John Bowden, Wisdom Da Costa, Eileen Quick and Samantha Rayner

Officers: Wendy Binmore, Rachel Lucas, Lyndsay Jennings and Sian Saadeh

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M. Airey.

DECLARATIONS OF INTEREST

Cllr Bicknell – Declared a personal interest in item 2 as he knew the applicant. Councillor Bicknell confirmed he attended Panel with an open mind.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 27 February 2019 be approved.

PLANNING APPLICATIONS (DECISION)

18/03754 Bewley Homes PLC and Square Bay (No 5) LLP: Erection of 39 dwellings, creation of new access off Maidenhead Road and provision of parking, internal circulation, public open space, landscaping and related infrastructure at Squires Garden Centre, Maidenhead Road, Windsor SL4 5UB – **This item was WITHDRAWN from the agenda at the request of the applicant.**

19/00290 Mr & Mrs Pearson: Single Storey side/rear extension, alterations to rear fenestration, raising of ridge, second floor rear extension with rear dormer and 4 no. roof lights to facilitate a loft conversion at 19 Arthur road, Windsor SL4 1RS – **THE PANEL VOTED UNANIMOUSLY to REFUSE the application for the following summarised reasons (the full reasons are identified in Section 9 of the Main Report):**

- 1. Due to the site's prominent location, the bulky, contrived and poor design of the proposed roof works would be visible from Charles Street, Goswell Road and the end of Arthur Road. The visually prominent and uncharacteristic roof extension is therefore considered to be harmful to the area's character and appearance contrary to policies DG1 and H14 of the Councils Local Plan, alongside Section 12 of the NPPF (2019), which seeks to sympathetically integrate development into existing environments. The proposal would also be contrary to emerging policies SP2 and SP3 of the borough Local Plan submission Version.**

(The Panel was addressed by Josephine Josiah in objection).

ESSENTIAL MONITORING REPORTS (MONITORING)

The details of the Essential Monitoring Reports were noted.

The meeting, which began at 7.00 pm, finished at 7.26 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

24th April 2019

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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.	18/02376/FULL	Recommendation	PERM	Page No.
Location:	Agars Plough Playing Fields Eton College Pockocks Lane Eton Windsor					
Proposal:	Construction of an all-weather pitch with associated fencing, floodlighting and landscaping.					
Applicant:		Member Call-in:		Expiry Date:	1 March 2019	

Item No.	2	Application No.	19/00544/FULL	Recommendation	PERM	Page No.
Location:	Garage Block To Rear of 121 And 123 And Land Rear of 113 To 117 Springfield Road Windsor					
Proposal:	Construction of x3 dwellings with associated car parking, landscaping and associated infrastructure.					
Applicant:		Member Call-in:		Expiry Date:	26 April 2019	

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

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

24 April 2019

Item: 1

Application No.:	18/02376/FULL
Location:	Agars Plough Playing Fields Eton College Pococks Lane Eton Windsor
Proposal:	Construction of an all-weather pitch with associated fencing, floodlighting and landscaping.
Applicant:	
Agent:	Mr John Bowles
Parish/Ward:	Eton Town Council/Eton With Windsor Castle Ward

If you have a question about this report, please contact: Sian Saadeh on 01682 796164 or at sian.saadeh@rbwm.gov.uk

1. SUMMARY

- 1.1 The application is for the construction of a new all-weather pitch with associated fencing, floodlighting and landscaping. Subject to appropriate conditions, the proposal would not have any harmful impact on the character of the surrounding area, the local highway network nor the living conditions of nearby properties. Further information has been provided with the application to demonstrate that the proposal, subject to conditions, would have an acceptable impact on archaeological remains and flood risk.
- 1.2 The site lies with the Green Belt. It is considered that it would be inappropriate development as the associated fencing and floodlights would not preserve the openness of the Green Belt and would result in encroachment into the countryside. However, as set out in more detail within the report, it is considered that very special circumstances exist in this instance which outweigh the harm to the Green Belt caused by the inappropriate development.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the community use of the facilities as outlined in Section 9 of this report and with the conditions listed in Section 13 of this report.
2.	To refuse planning permission if an undertaking to secure the infrastructure in Section 9 of this report has not been satisfactorily completed for the reason that the proposed development would not be accompanied by associated infrastructure improvements.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located to the north-east of the existing Thames Valley Athletic Centre (TVAC). The site currently provides three small grass pitches for use by Eton College. The Jubilee River surrounds the north-eastern and south-western boundaries of the site. There is existing mature tree planting also surrounding the site. Other outdoor pitches in use by the

College are located to the north of the site, on the area known as Agars Plough. Eton College's kennels are to the south-east of the proposed site. The nearest residential properties are to the north of the site, across the Jubilee River. The site would be accessed from the existing access shared with TVAC. The site is described as being in the landscape character type of settled farmed floodplain which includes diverse river edge habitats and riverside recreation "hotspots".

4. KEY CONSTRAINTS

- 4.1 The site lies within the Green Belt. The site is primarily within Flood Zone 3, with an area to the north-western edge of the site within Flood Zone 2. A public right of way also runs along the north-western edge of the site.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for the construction of a new artificial pitch. There would also be associated fencing and floodlighting. The proposed pitch would measure 100m by 65m. There would also be necessary run-off areas and a spectator area alongside the pitch. The pitch would have an artificial grass finish with the spectator area being a tarmac surface. A black powder-coated metal post and rail barrier would separate the spectators from the pitch.
- 5.2 The proposed fencing would surround the pitch and would be 4.5m high. It would be constructed from black plastic coated galvanised mild steel and would have a mesh design. Pedestrian access would be provided by two gates in the north-western side and vehicle access would be from gates in the southern corner. There would be recesses for goal storage and to provide dugouts. Smaller gates would allow for access, primarily for ball retrieval.
- 5.3 There would be eight 16m high floodlighting columns (4 per side) surrounding the pitch.
- 5.4 The following are considered to be the most relevant planning history for the current application:

Reference	Description	Decision
11/02121/FULL	Formation of an overflow car park with street lighting, widening of access road and associated works	Granted 12 th September 2011
11/01808/FULL	Extension to southern side of existing sports centre to provide 4 new squash courts and a dance studio at first floor level, extension of the first-floor fitness suite together with ancillary works and refurbishment	Granted 1st August 2011

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

- 6.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, N4
Highways	P4, T5
Trees	NG
Green Belt	GB1, GB2
Trees and landscaping	N6, N7
Pollution	NAP3
Flood Risk	F1, NAP4
Archaeology	ARCH2, ARCH3, ARCH4
Recreation and community facilities	R8, CF2

These policies can be found at https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

Adopted Eton and Eton Wick Neighbourhood Plan (2016-2036)

Issue	Neighbourhood Plan Policy
Development within Eton	HD3
Car Parking	TI2
Biodiversity	EN1
Flooding	EN3

These policies can be found at https://www3.rbwm.gov.uk/info/200209/planning_policy/477/neighbourhood_plans/2

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making
Section 9- Promoting Sustainable Transport
Section 12- Achieving well-designed places
Section 13- Protecting Green Belt land
Section 14- Meeting the challenge of climate change, flooding and coastal change
Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3, IF3
Sustainable Transport	IF2, IF5
Green Belt	SP5
Trees and landscaping	NR2, NR3
Environmental Protection	EP1, EP3, EP4
Flooding	NR1
Archaeology	HE1
Community facilities	IF7

- 7.1 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received

during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

- 7.2 This document can be found at:
https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- ☐ RBWM Interpretation of Policy F1

Other Local Strategies or Publications

- 7.3 Other Strategies or publications material to the proposal are:
- RBWM Landscape Character Assessment
 - RBWM Parking Strategy
 - RBWM Playing Pitch Strategy and Action Plan (2016)

More information on these documents can be found at:
https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

2 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 14th August 2018. The application was advertised in a local paper distributed in the borough on 23rd August 2018.

No comments have been received in relation to the application.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	Initial objection overcome by additional information provided and level for level compensation strategy is proposed. Planning condition should be included to ensure works are carried out in accordance with submitted flood risk assessment.	Paras 9.11 – 9.15
Lead local flood authority	No objection	Para 9.14
Highway authority	No objection. Conditions regarding provision of parking area recommended.	Paras 9.21 – 9.23
Sport	No objection subject to condition requiring a community use	Paras 9.8 – 9.10

England	agreement is applied.	
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Consultees

Consultee	Comment	Where in the report this is considered
Arboricultural Officer	Initial objection overcome by moving pitch further away from adjoining avenue of Lime trees. Tree protection plan required and information to demonstrate that cabling for lighting would not impact trees. Revised landscaping proposals should include a more diverse mix of native species.	Paras 9.18 – 9.19
Ecologist	No objection following receipt of further information and full surveys. Condition for construction environmental management plan recommended.	Para 9.20
Berkshire Archaeology	No objection subject to a condition securing a written scheme of investigation.	Para 9.24

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Development within Green Belt
- ii Loss of existing playing field
- iii Flood Risk and Drainage
- iv Character and appearance of area
- v Trees and Landscaping
- vi Ecology
- vii Parking and access
- viii Archaeology
- ix Residential Amenity
- x Very Special Circumstances

i Development within Green Belt

9.2 National Planning Policy Framework section 13 sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and permanence. Paragraph 134 sets out the five purposes of the Green Belt. Paragraph 143 sets out that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.

9.3 Paragraph 145 lists a number of exceptions where the construction of new buildings could be considered appropriate. The following exception is relevant to this application:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”

- 9.4 The elements of the proposal are considered to be appropriate facilities for outdoor sport. The pitch itself provides the surface for playing of outdoor sport whilst the fencing and floodlighting are appropriate to enable the pitch to be used fully and safely.
- 9.5 It is therefore necessary to consider if the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. If any element of the proposal fails to meet these tests then the whole development is considered to be inappropriate development and would be assessed as such.
- 9.6 The pitch would preserve openness because of its nature and position. It would not conflict with the purposes of the Green Belt. However, the fencing and floodlighting would have an impact on the openness and therefore would not preserve it. Their height and the extent of the enclosure would have a visible impact on the open character of this part of the Green Belt. The floodlights would also introduce a form of urban lighting into this part of the Green Belt, resulting in encroachment into the countryside. As such, the development is considered to be inappropriate development. Substantial weight should be given to the harm caused to the Green Belt by this inappropriate development. A case for very special circumstances has been put forward in support of the application and this is considered further below.
- 9.7 Local Plan policies GB1 and GB2 are in partial conformity with the NPPF and reflects the tests set out in paragraph 145 b) of the NPPF. For the reasons set out above, the proposals would fail to comply with these local plan policies unless a case for very special circumstances is put forward. Emerging policy SP5 of the BLPSV can only be afforded limited weight as a material planning consideration given the extent of unresolved objections raised to it.

ii Loss of existing playing field

- 9.8 NPPF paragraph 97 states that playing fields should not be built on unless:
- “b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provisions, the benefits of which clearly outweigh the loss of the current or former use”*
- 9.9 The site currently contains three small (3/4 size) playing pitches used by the college. The proposed development for a full size pitch would result in the loss of one small playing pitch. However, it is considered that this complies with the NPPF as the proposed replacement would be of a better quality and allow a greater use of the outdoor sports facility in this location. The development is for alternative sports provision. The College are proposing to replace the lost playing field with a new similar sized pitch at Agars Plough. This replacement is welcomed but as it is not considered necessary to ensure that the proposal complies with relevant planning policy, it is not being secured through this planning permission.
- 9.10 Sport England have not objected to the loss of the playing pitch provided that community use of the proposed development is secured. This is discussed in more detail below.

iii Flood Risk and Drainage

- 9.11 The site lies within Flood Zones 2 and 3. Outdoor sports and recreation facilities are considered water-compatible development and is therefore acceptable in these flood zones, subject to

meeting the requirements of planning policy. Local Plan policy F1 requires developments to demonstrate that they would not impede the flow of flood water, would not reduce the flood storage capacity of the flood plain nor increase the number of people or properties at risk from flooding. Emerging BLPSV policy NR1 can only be given limited weight as a material consideration given the unresolved objections that have been raised to it.

- 9.12 Paragraph 158 of the NPPF requires developments to be steered towards areas of lowest flood risk. The proposed development is for use by Eton College and so could not reasonably be located elsewhere in an area removed from the main college grounds. Furthermore, the proposed development is acceptable within the proposed flood zone. The Exception Test is not applicable to this proposal as the proposal is for water-compatible development. Paragraph 163 of the NPPF requires site-specific flood risk assessments to be submitted with applications to demonstrate that flood risk is not increased and that developments are appropriately flood resistant and resilient.
- 9.13 The proposals have been designed to flood in the modelled flood event. The pitch level has had to be raised from existing to ensure that archaeological remains are not disturbed. The changes in ground level have been kept to a minimum. The pitch mirrors the slope of the ground level and an area of compensation has been proposed to mitigate the impact on flood water storage. The flood storage compensation is proposed to an area in the north-east of the site where the land will be lowered by 100mm. This allows for a cumulative flood storage gain of 491.4m³. The proposal would not reduce the flood water storage capacity of the flood plain.
- 9.14 The proposal has been designed to ensure that it does not impede the flow of flood water. The pitch has been designed to be flooded and there will be openings within the fencing which would allow flood water to move through. Surface water will be able to drain through the pitch and infiltrate the underlying ground. This would prevent surface water flooding within the site or an increased risk of surface water flooding elsewhere.
- 9.15 The proposal would not increase flood risk elsewhere as it would not impede the flow or storage of flood water. It would not put more people or properties at risk of flooding. Safe access and egress from the site would be managed as part of the Eton College Flood Risk Management Plan. The proposal complies with the relevant policies. Condition 4 is proposed to ensure that the development would be carried out in accordance with the submitted flood risk assessment.

iv Character and Appearance of area

- 9.16 Local Plan policy DG1 requires new development to not cause harm to the character of the area. Policy N4 requires development to not adversely affect the amenity or setting or watercourses. Emerging BLPSV policies SP2 and SP3 set out that developments should positively contribute to their location and respect the local character. These policies can be afforded significant weight at material considerations. NPPF section 12 requires all developments to be of a high quality design.
- 9.17 The proposed development would be located on the site of existing outdoor sports and recreation facilities and so would be compatible with the character of the area. The surface of the proposed pitch would not be harmful to the appearance of the site or area. The proposed new fencing and floodlighting would introduce more 'urban' features into this part of the countryside. However, their materials and design would ensure they are as unobtrusive as possible. The existing and proposed planting would screen the proposal from wider views. The development would not harm the setting of the adjoining watercourse. The proposal would comply with the relevant policies.

v Trees and Landscaping

- 9.18 Local Plan policy N6 requires proposals to allow the retention of existing trees and include appropriate landscaping schemes. BLPSV emerging policy NR2 reflects this same requirements.

This can be given significant weight as a material consideration. NPPF paragraph 170 also seeks to ensure that developments contribute to and respect the natural environment, including trees.

- 9.19 Following initial concerns, the proposed pitch has been relocated further away from the lime trees on the north-west boundary of the site. The proposed root barrier has also been relocated further away the trees. These revisions have ensured that the proposal would not harm these trees. Further details in relation to tree protection plans, including in relation to the route of proposed cabling for the floodlights, are required by condition 6. New landscaping along the boundary of the site with the Jubilee River. The species mix could be improved by increasing the number of native species. Condition 7 requires further landscaping details to include a more diverse species mix. Subject to these conditions, the proposal complies with the relevant policies.

vi Ecology

- 9.20 Paragraphs 170 and 175 of the NPPF set out how biodiversity and ecological enhancements should be addressed in determining planning applications. Full bat surveys have been carried out in support of this application. Bats activity is concentrated in the trees to the north-west and south-east of the site. The light spillage from the proposed floodlights and positioning of the pitch are considered to be acceptable and would not cause harm to bat activity in the area. A Construction Environmental Management Plan (CEMP) is required by condition 10 to ensure that there is minimal risk of pollution to surrounding rivers, trees and woodland.

vii Parking and access

- 9.21 Local Plan policy P4 requires developments to provide sufficient parking. Emerging BLPSV policy IF2 reflects these requirements. Detailed parking standards are set out in the Council's parking strategy. The site is in an area of poor accessibility and so the maximum parking standard for a community playing field would be 12 spaces.
- 9.22 The proposed pitch is to be used by the College and for community use. The College use would not have an impact on parking or the highway network. The access and parking for the proposed community use would share the facilities with the existing TVAC facility. The main TVAC car park has 46 spaces whilst the existing overflow parking for that facility has 44 spaces. The parking provision provided is sufficient to accommodate the worst case scenario demand for the proposed use. The peak demand for the use is likely to be outside peak times for the highway network and the traffic generated would not have a detrimental impact on the highway network.
- 9.23 The access to be used is existing and the additional traffic created by the development would not result in the access being unsafe. The proposed floodlighting is sufficiently distant from the access to have no impact on safety. The proposal would comply with relevant policies.

viii Archaeology

- 9.24 Local Plan policies ARCH 3 and ARCH 4 seek to ensure that development proposals do not harm archaeological remains, unless suitable mitigation is proposed. Trial excavations have been carried out during the course of this application to establish the likely level of the archaeology at this site. The plans have been revised to ensure that no excavations are to pass below 200mm from existing ground level and ensure that the archaeology can be preserved in situ. Condition 5 is recommended to ensure that a written scheme of investigation is in place to oversee the works.

ix Residential Amenity

- 9.25 Paragraph 127 of the NPPF requires developments to ensure a high standard of amenity for existing users. The nearest residential properties to the site are to the north of the site on the other side of the Jubilee River. Given the distance from the site it is unlikely that the proposal

would cause harm to living conditions at these properties. However, given the quiet open character of the site, it is possible that disturbance from increased noise and light spillage could occur. It is therefore proposed to limit the lighting and use of the pitch to 08:00-21:30 any day (conditions 8 and 9). Subject to these conditions, the proposal would not cause any harm to the living conditions of local residents.

x Very Special Circumstances

- 9.26 As set out above, it is considered that the proposal constitutes inappropriate development within the Green Belt. The harm to the Green Belt caused by the inappropriate development should be given substantial weight. Planning permission can only be granted if there are very special circumstances which outweigh the harm to the Green Belt. The proposal would have a limited harm to the openness of the Green Belt. It is not considered that there is any other harm arising from the proposal which also needs to be put into the balance. The elements of the VSC case which officers consider should be afforded weight are set out below.
- 9.27 The College has demonstrated that it has a need for the proposed pitch to ensure that it continues to provide the highest level of facilities for its pupils. The proposed full size pitch and associated facilities would allow for a wider range of use, compared to the existing smaller pitches. The improvements to the sports facilities of the College should be given moderate weight as part of the VSC case.
- 9.28 The proposed pitch would also be made available for community use. The Council's Playing Pitch Strategy (2016) has identified a need for this type of playing field in the Windsor area. It recommends there is a need for five of these pitches to meet demand from local teams. The Strategy also recommends that pitches at schools are made available for community use. Whilst this Strategy is not a planning policy document, it does serve to establish that there is a community need for a proposal of this type. It is proposed to secure the community use of the pitch by a legal agreement which would secure the times and management of the community use. The shared use of the proposed development is also supported by paragraph 92 of the NPPF. It would also contribute to the aims of paragraph 96 of the NPPF by contributing to the health and well-being of communities. The community benefits of the proposal should be afforded significant weight as part of the VSC case.
- 9.29 The application has also set out that there are no alternative sites where the proposal could be carried out. Whilst this is accepted, it should only be afforded limited weight as part of the VSC case.
- 9.30 It is considered that the very special circumstances that exist in this instance are sufficient to outweigh the harm caused to the Green Belt.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is not CIL liable.

11. PLANNING BALANCE AND CONCLUSION

- 11.1 The proposal would have an acceptable impact on trees, ecology, the character of the surrounding area, residential amenity, archaeology and the local highway network. Whilst the proposal would constitute inappropriate development in the Green Belt, there are very special circumstances in this case which outweigh this harm. The proposed community use would be secured by a legal agreement. The loss of one playing pitch is acceptable as the proposal is for an improved sports facility. The application complies with the relevant policies and it is recommended that planning permission should be granted.

12. APPENDICES TO THIS REPORT

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

13. 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 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.
- 3 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 4 The development approved by this planning permission shall be carried out in accordance while the Flood Risk Assessment prepared by Peter Brett Associates reference 43991/4001 revision A dated August 2018 and the proposed floodplain compensation storage drawing prepared by Peter Brett Associates reference 43991/4001/002 revision C dated 21st December 2018.
Reason: To reduce the risk of flooding on-site and elsewhere, and to ensure that compensatory storage of flood water is provided. To comply with Local Plan policy F1 and NPPF paragraph 163.
- 5 No development shall take place until the implementation of a programme of archaeological mitigation has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
Reason: To preserve archaeological remains and to comply with Local Plan policies ARCH 3 and ARCH 4.
- 6 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, including the avenue of Lime trees adjacent to the site, shall be submitted to and approved in writing by the Local Planning Authority. The measures shall also include details of cabling for the approved floodlighting and shall demonstrate that this would not harm the retained trees. The tree protection measures shall also be applied to the area shown on the plans for future landscaping. 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.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 7 The development shall not be occupied until the hard and soft landscaping scheme has been implemented within the first planting season following the substantial completion of the development in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the details shown on the drawings approved, a revised landscaping scheme shall be submitted to show a greater diversity of planting and to include more native species. The development shall be retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be

planted in the immediate vicinity.

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.

- 8 The floodlighting hereby approved shall not be used other than between the hours of 0800-2130 any day including Bank Holidays.

Reason: To ensure an acceptable impact on local ecology and residential amenity, and to comply with the NPPF.

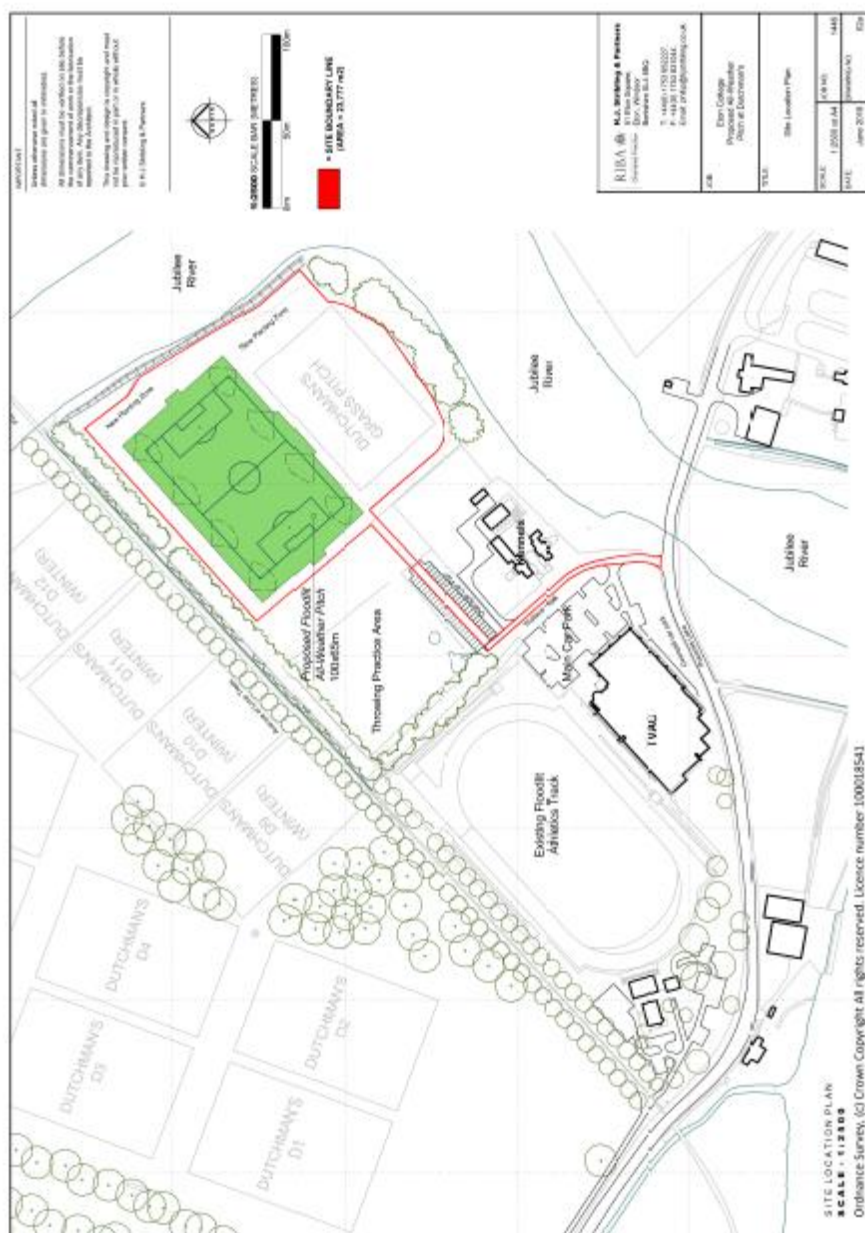
- 9 The pitch hereby approved shall not be used other than between the hours of 0800-2130 any day including Bank Holidays.

Reason: To ensure an acceptable impact on residential amenity, and to comply with the NPPF.

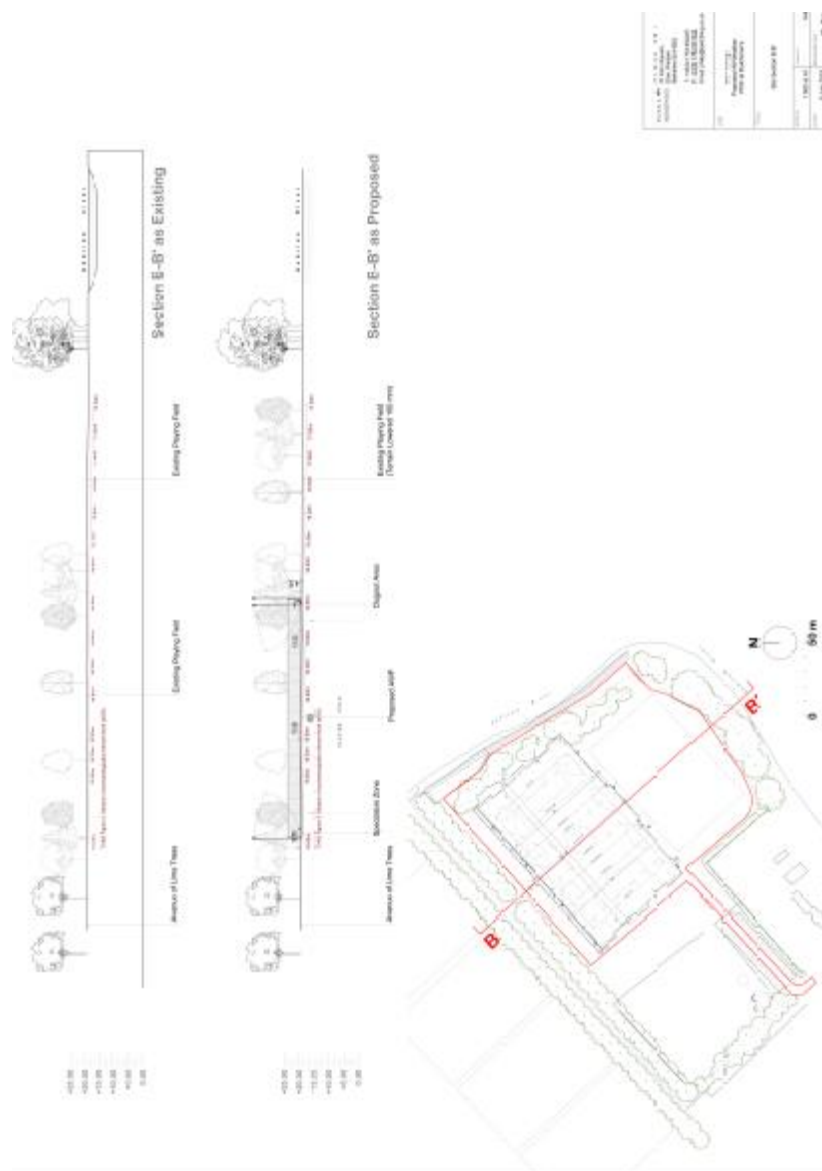
- 10 No development shall take place until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.a) Risk assessment of potentially damaging construction activities.b) Identification of biodiversity protection zones.c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including precautionary measures in relation to nesting birds, reptiles and notable habitats.d) The location and timing of sensitive works to avoid harm to biodiversity features.e) Details of biodiversity monitoring, i.e. schedule of bat activity surveys post-constructionf) The times during construction when specialist ecologists need to be present on site to oversee works.g) Responsible persons and lines of communication.h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.i) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: The site connects to valuable wildlife habitat and is likely to be used by a variety of fauna. This condition will ensure that impacts on biodiversity are minimised in accordance with Paragraphs 170 and 175 of the NPPF.

Appendix A







WINDSOR URBAN DEVELOPMENT CONTROL PANEL

24 April 2019

Item: 2

Application No.:	19/00544/FULL
Location:	Garage Block To Rear of 121 And 123 And Land Rear of 113 To 117 Springfield Road Windsor
Proposal:	Construction of x3 dwellings with associated car parking, landscaping and associated infrastructure.
Applicant:	
Agent:	Mr Matt Hill
Parish/Ward:	Windsor Unparished/Clewer East Ward

If you have a question about this report, please contact: Briony Franklin on 01628 796007 or at briony.franklin@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed scheme has been significantly altered since the previous application was refused under reference number 18/02283/FULL. The number of dwellings has been reduced from 4 to 3. It is proposed to erect 3 x 3 bed dwellings on this disused garage court site with associated parking and landscaping. The layout has been improved and the overall design and appearance of the dwellings has been revised to reduce the scale and mass of the dwellings and provide a modern contemporary design. The impact on the neighbouring properties would also now be acceptable. The scheme has satisfactorily overcome the previous reasons for refusal.

It is recommended the Panel grants planning permission with the conditions listed in Section 13 of this report.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises a derelict garage court and disused lock-up storage garages. The site is accessed via an access drive off Springfield Road. The site lies to the rear of a small parade of shops with first floor flats above, comprising a 2 storey flat roof building fronting Springfield Road. The site also lies to the rear of 2 storey detached dwellings in Springfield Road and bungalows in Combermere Close. A footpath providing access to the adjacent Oakfield First School and The Lawns Nursery lies along the southern boundary of the site. Two storey maisonettes in Westmead lie to the south of the site.
- 3.2 The site lies within a post war suburban residential area characterised by medium density, two storey dwellings, bungalows and maisonettes with moderately pitched roofs. The site lies to the south-west of Windsor Town Centre.

4. KEY CONSTRAINTS

- 4.1 The site is served by a narrow access and is surrounded by residential properties, including bungalows in Combermere Close.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 This proposal follows the refusal of planning application number 18/02283/FULL which proposed 3 x 4 bed, 2 ½ storey dwellings incorporating rear dormer windows with an overall height of 9.3m and 1 x 3 bed, 2 storey dwelling and 6 associated car parking spaces. The revised proposal has reduced the number of dwellings to 3 and includes the retention of the existing single storey office building to the rear of the shops. The 3 x 3 bed terraced dwellings have been slightly re-sited and reduced in overall height and massing. The dwellings have been re-designed to incorporate a flat roof to create a modern contemporary design and would have an overall height of 5.9m. The design includes rear angled projecting walls with openings. A total of 6 car parking spaces are proposed, comprising 2 integral garages and 4 surface parking spaces. Some planting is proposed in the front courtyard.

5.2

Application Ref	Description of Works	Decision
18/02283/FULL	Construction of 4 dwellings with associated car parking, landscaping and associated infrastructure following demolition of all existing buildings.	Refused

The reasons for refusal were as follows:

- 1. The proposed development, by virtue of its layout, density, siting, size, scale, height and materials would result in a cramped, overdevelopment of the site and would appear out of context with the surrounding residential area to the detriment of the character and appearance of the locality in general and produce poor amenity for future occupiers, contrary to adopted policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Alterations Adopted June 2003) and emerging policies SP3 and HO5 set out in the Borough Local Plan Submission Version.*
- 2. The proposed development, by virtue of its siting, size, fenestration design and height would appear visually dominant and unduly obtrusive to the detriment of the outlook of the neighbouring properties numbers 1 & 2 Combermere Close and would result in an unacceptable level of overlooking and loss of privacy to their rear gardens contrary to guidance set out in paragraph 127 of the NPPF (revised 2018) and emerging policies SP3 and HO5 set out in the Borough Local Plan Submission Version.*
- 3. The proposed development has failed to provide sufficient car parking to accord with the adopted parking standards. In addition the width of the access road is considered inadequate to serve both the existing and proposed development. As such it is considered that the proposal would be prejudicial to traffic flows and highway safety and contrary to adopted policies T5 and P4 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Alterations Adopted June 2003) and emerging policy IF2 set out in the Borough Local Plan Submission Version.*
- 4. The proposal has failed to demonstrate that the loss of employment use would not harm the employment opportunities in the locality and as such the proposal is contrary to adopted policy E6 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Alterations Adopted June 2003) and emerging policy ED3 set out in the Borough Local Plan Submission Version.*

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H10,H11
Highways	P4 AND T5
Employment	E6

These policies can be found at

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

7. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3,H05
Sustainable Transport	IF2
Employment	ED3

- 7.1 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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

Other Local Strategies or Publications

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

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

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

8. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

25 occupiers have been notified directly of the application.

The planning officer posted a notice advertising the application at the site on 7th March 2019

1 letter has been received supporting the application, summarised as:

Comment		Where in the report this is considered
1.	Site is ideal for development and will benefit the local community	Paragraph 9.4
2.	Any issues regarding access/egress can be overcome by common sense and engineering solutions	Paragraphs 9.15-9.19

1 letter has been received from the neighbour at number 1 Combermere Close who has confirmed that they are happy to accept the new plans, but wish to provide comments and seek clarification as follows:

Comment		Where in the report this is considered
What guarantees are there that the obscure glass in the rear of the dwellings will be maintained in the future?		Paragraph 9.9
Want confirmation that there will be no damage to rear wall while the garages are dismantled		Paragraph 9.22
Asbestos roofs from garages should be removed safely by specialist company.		Paragraph 9.22
Right to light - want to know how much light we will lose as a result of the development		Paragraph 9.10

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions/informatives	Paragraphs 9.15 – 9.19
Environmental Protection	Conditions and Informatives recommended.	Paragraph 9.21

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Impact of the proposal on the character and appearance of the area
- ii Impact of the proposal on the neighbouring amenity and the amenity of future occupiers
- iii Highways and parking
- iv Loss of employment

Impact of the proposal on the character and appearance of the area

9.2 Local Plan Policy DG1 and emerging policy SP3 set out the design guidance for new development. Local Plan Policy H10 refers specifically to new residential development

schemes, requiring them to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas. Policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density which would be incompatible with or cause damage to the character and amenity of the area. Emerging policy HO5 requires all new housing to be developed at a density that is consistent with achieving good design and the density of development will be informed by amongst other things the need to ensure satisfactory residential amenity for both the proposed accommodation and nearby residential properties. The NPPF (2019) Section 12 'Achieving well-designed places' states that *"the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."* Paragraph 127 states that planning policies and decisions should ensure that developments, amongst other things, function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities) and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

- 9.3 The site lies within a predominately residential, suburban area with a mix of 2 storey detached dwellings, bungalows and maisonettes. The site is set behind adjoining rear gardens and a parade of shops with first floor flats above. Whilst views of the site are somewhat limited from Springfield Road, the site is visible from the public realm from the adjoining footpath which runs along the southern boundary of the site serving the adjacent school and nursery site. The site is also visible from the adjoining residential properties.
- 9.4 The proposed scheme has been completely redesigned. The dwellings are smaller and the footprint has been slightly adjusted. The overall height and massing has been significantly reduced. The original proposal had large pitch roofs and dormer windows and these have been replaced with flat roofs which provide a contemporary design. There are other examples of flat roofs in the vicinity of the site, most notably on the parade of shops/flats fronting Springfield Road. The materials will include red brick to match the predominant brick colour in the locality. Timber panels to the front windows and timber garage doors and front doors are proposed. The deletion of one unit, from 4 to 3, provides a much improved layout and would appear less cramped. Space has been provided to the front of the dwellings and adequate private amenity space is provided to serve the dwellings. There is also space to provide some tree planting within the front courtyard (3 deciduous trees). The scheme provides an acceptable layout and provides adequate amenity for future occupiers. The proposal is considered to be sympathetic to the surrounding residential area and would not detract from the character and appearance of the site itself or the locality in general. The overall density, layout, scale, height and design of the revised scheme is now acceptable and would accord with local plan policies DG1, H10 and H11 and emerging policies SP3 and HO5. The development should result in the enhancement of this disused garage site and its surroundings and will increase local housing stock by providing 3 family units.
- 9.5 It is considered that the revised scheme has satisfactorily overcome reason for refusal number 1.

Impact of the proposal on the neighbouring amenity and the amenity of future occupiers

- 9.6 As set out above it is considered that the revised scheme provides adequate amenity for future occupiers. It is however necessary to carefully consider the proposals impact on the living conditions of the neighbouring properties in terms of light, outlook, privacy and noise.
- 9.7 Objection was previously raised on the grounds that the dwellings would appear visually dominant and obtrusive when viewed from the rear of the bungalows, 1 & 2 Combermere Close

and would introduce an unacceptable level of overlooking and loss of privacy to their rear gardens.

- 9.8 The revised scheme has been totally re-designed to reduce the height and massing of the proposed dwellings. The overall height has been reduced from 9.3m to 5.9m with the deletion of the roof and rear dormers. The dwellings have also been slightly re-sited to allow a greater distance between the proposed dwellings and the properties at 1 & 2 Combermere Close. Whilst there can be no doubt that the proposal will change the outlook from the rear of these properties it is considered that the revisions have reduce the visual dominance of the proposed dwellings and they would no longer result in an unacceptable loss of outlook from the rear of 1 & 2 Combermere Close.
- 9.9 The revisions to the design includes rear, angled projecting walls or 'fin' wall with openings to help address concerns regarding overlooking and loss of privacy to the rear gardens of numbers 1 & 2 Combermere Close. Contrary to the neighbours' assertion, the proposal does not include obscure glazed windows in the rear elevation. The scheme has been designed to include a 'fin' wall that will obscure any direct views out of the first floor bedroom windows. The column of the 'fin' wall is positioned in the middle of the window and as result prevents any direct overlooking. In addition the width of the first floor windows have been kept to a minimum to help reduce any perceived overlooking and loss of privacy to these gardens. Given the restricted size of these windows, roof lights have been included into the flat roof to provide more light into these rooms. It is considered that some degree of overlooking and loss of privacy is to be expected in this suburban location and given the amendments to the scheme it is not considered that it would result in an unacceptable level of overlooking and loss of privacy to neighbouring properties 1 & 2 Combermere Close..
- 9.10 As before it is considered that sufficient distance would be maintained between the proposed dwellings and the neighbouring properties and there would be no adverse impact on the amount of sunlight or daylight currently enjoyed by these neighbouring properties, including 1 & 2 Combermere Close.
- 9.11 The scheme would introduce a first floor bedroom window approximately 5m from the rear boundary of number 123 and a first floor bedroom window approximately 5m from the neighbouring school site to the south. Views from these windows would be somewhat limited and given this suburban location, where a degree of inter- overlooking is to be expected and is characteristic of existing properties, it is not considered that these windows would introduce an unacceptable level of overlooking and loss of privacy to the rear garden of number 123 Springfield Road or the adjacent school site.
- 9.12 The dwellings in Springfield Road benefit from reasonably long gardens and it is not considered that the proposed dwellings would have an unacceptable impact on the living conditions of these neighbouring properties in terms of light, outlook and privacy.
- 9.13 The single storey garages and lock-ups currently abut the boundaries of the rear gardens of properties in Combermere Close. In addressing previous concerns raised by the residents of Combermere Close, the perimeter wall to the existing garages are now proposed to be retained at a height of 2.1m which would help to preserve privacy and avoid any damage to established planting.
- 9.14 It is considered that the revised scheme has satisfactorily addressed reason for refusal 2 and the proposal would accord with the guidance in paragraph 127 of the NPPF (2019) and emerging policies SP3 and HO5 set out in the Borough Local Plan Submission Version.

Highways and Parking

- 9.15 The site is served by a shared access off Springfield Road. The access currently serves the application site and provides rear servicing access to the shops and access to the first floor flats

above. Much of Springfield Road has residential permit parking restrictions in place. The site is accessed via a drive that is 30m long by 4.4m wide. The access is constrained by walls and fences on both sides. The RBWM standard for a private drive, which would allow for two vehicles to pass as well as shared use with pedestrians is a minimum width of 4.8m. The drawings show the drive to be widened to 4.8m/5m to comply with the standards. The applicant also proposes to introduce a hatched pedestrian walkway with crossing facilities to access to and from the site. This arrangement is accepted and the proposal will not affect the existing visibility splays.

- 9.16 The revised scheme provides a total of 6 car parking spaces (2 integral garages and 4 surface spaces). This level of parking would provide 2 spaces per 3 bed dwelling and this would accord with the adopted parking standards and sufficient car parking is therefore provided. One of the parking spaces will also be allocated for electrical charging.
- 9.17 The layout of the car park enables each space and garage to have a minimum of 6m in front to enable vehicles to enter and leave the site in a forward gear. The applicant has submitted a swept path analysis to demonstrate how a medium sized car can manoeuvre to and from each space.
- 9.18 The traffic generation associated with the proposed dwellings is unlikely to result in the generation of significant additional vehicle trips onto the local highway network when compared with the existing use of the site. Cycle store provision has been provided and refuse storage and a designated collection facility has also been provided in accordance with the Local Authorities current standards.
- 9.19 It is considered that the revised scheme has satisfactorily addressed reason for refusal number 3 and accords with local plan policies T5 and P4 and emerging policy IF2.

Loss of Employment

- 9.20 The existing single storey office building at the southern end of the site is now shown to be retained and therefore the proposal would not result in any loss of employment generating use and reason for refusal number 4 has therefore been adequately addressed.

Other Material Considerations

- 9.21 The Environmental Protection team has suggested conditions including details of acoustic insulation to all habitable rooms. The hours of construction and times of delivery can be adequately covered by other legislation and the Considerate Constructors Informative will be added. In addition an informative providing advice relating to the removal of asbestos will also be included in any planning permission granted.
- 9.22 The external perimeter wall of the garages is proposed to remain and the applicant has confirmed that they will set out the necessary measures to safeguard and protect the wall during the dismantling of the garages within a 'Demolition and Construction Methods Statement' which can be dealt with by condition. This will also include details of the removal of the asbestos from the garage roofs.

Housing Land Supply

- 9.23 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the

policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

9.24 Footnote 7 of the NPPF (2019) clarifies that:

'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

9.25 The BLPSV is not yet adopted planning policy and the Council's adopted Local Plan is more than five years old. Therefore, for the purposes of decision making, currently the starting point for calculating the 5 year housing land supply (5hyr HLS) is the 'standard method' as set out in the NPPF (2019).

9.26 At the time of writing, the Council is able to demonstrate 4.08 years of housing land supply. Therefore, for the purpose of this planning application the LPA currently cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer).

9.27 As set out in paragraphs above for the purpose of considering this planning application the Council cannot currently demonstrate a rolling five years housing land supply against the NPPF (2019) and in this instance the so-called tilted balance is engaged. For decision making this means approving development proposals any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.28 However in this case such an assessment is considered to be academic. This is because, for reasons set out above, Officers are of the view that the proposal is in general conformity with the Development Plan overall and that there are no material considerations of sufficient weight to justify refusal.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 In line with the Council's Charging Schedule the proposed development would be CIL liable. CIL is charged at the rate of £240 per square metre. The planning officer has calculated the proposed internal floor space of the development to be 349.04 sq.m, although this figure has not been verified. The Additional Information Requirement Form for CIL has been supplied by the applicant. The proposed internal floor area is stated to be 431 sq.m and the internal floor space of the garages to be demolished is said to be 381 sq.m. It would however need to be proved that the garages have been in lawful use for 6 continuous months within the previous 36 months to be able to discount the garage floor space from the proposed floor space. The calculations will therefore require further verification.

11. CONCLUSION

11.1 It is considered that the revised scheme has satisfactorily addressed the previous reasons for refusal and accords with local plan policies DG1, H10, H11, T5 and P4 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Alterations adopted June 2003) and emerging policies SP3, HO5 and IF2 set out in the Borough Local Plan Submission Version, as well as guidance set out in the NPPF.

12. APPENDICES TO THIS REPORT

Appendix A - Site location plan

- Appendix B – Existing floor plans & elevations
- Appendix C - Proposed layout
- Appendix D – proposed ground floor plan
- Appendix E – Elevations
- Appendix F – Swept path analysis

13. 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 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.
- 3 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1
- 4 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.
Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1.
- 5 The development shall not be occupied until all walls, fencing or any other means of enclosure (including any retaining walls), have been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
- 6 No window(s) shall be inserted at first floor level in the side elevation(s) of the dwellings hereby approved without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - emerging policy SP3
- 7 No development shall take place until details of the measures to be taken to acoustically insulate all habitable rooms of the development against aircraft noise, together with details of measures to provide ventilation to habitable rooms, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried out and completed before the development is first occupied for residential purposes and retained.
Reason: To ensure an acceptable living environment for future occupiers. Relevant Policies Local Plan NAP2, H10.
- 8 Prior to the commencement of any works or demolition a construction 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 part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.

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

- 10 Irrespective of the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or subsequent modifications thereof), the garage accommodation on the site shall be kept available for the parking of vehicles associated with the development at all times.

Reason: To ensure that the 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.

- 11 No part of the development shall be occupied until the hatched pedestrian walkway with crossing facilities within the site has been marked out and constructed in accordance with the approved drawing (SP18-GA-P-00 Rev G). The pedestrian facilities shall thereafter be retained.

Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5, DG1.

- 12 The proposed signs shall be finished in non-reflective materials.

Reason: To avoid undue distraction to motorists in the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5.

- 13 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 14 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. 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.

- 15 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity.

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.

- 16 Prior to the commencement of any works of demolition or construction on site a 'Demolition and Construction Method Statement' detailing how the external perimeter walls of the garages will be protected during the dismantling of the garages and details of the removal of the asbestos garage roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented as approved.

Reason: In the interest of amenity. Relevant Policies - Local Plan DG1

Informatives

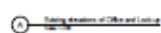
- 1 Due to the close proximity of the site to existing residential properties, the applicant's attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicle parking at the site or making deliveries, and general disruption caused by the works. By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious,

responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk

- 2 It is noted that the existing buildings may contain asbestos. The applicant is recommended to ensure that all contractors involved in the demolition and site clearance works are aware of the requirements of the Control of Asbestos at Work Regulations 1987 (as amended) and should contact the Health and Safety Executive at Priestley House, Priestley Road, Basingstoke, Hants, RG24 9NW tel 01256 404000 for further information and advice.
- 3 The applicant and their contractor should take all practicable steps to minimise dust deposition outside the site boundaries which is a major cause of nuisance to residents living near to construction and demolition sites. All loose materials should be covered up or damped down by a suitable water device, all cutting/breaking is appropriately damped down, the haul route is paved or tarmac before works commence and 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: the 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.
- 4 The site is currently occupied by residential garages, in the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 5 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.
- 6 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 7 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 8 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

APPENDIX A - SITE LOCATION PLAN

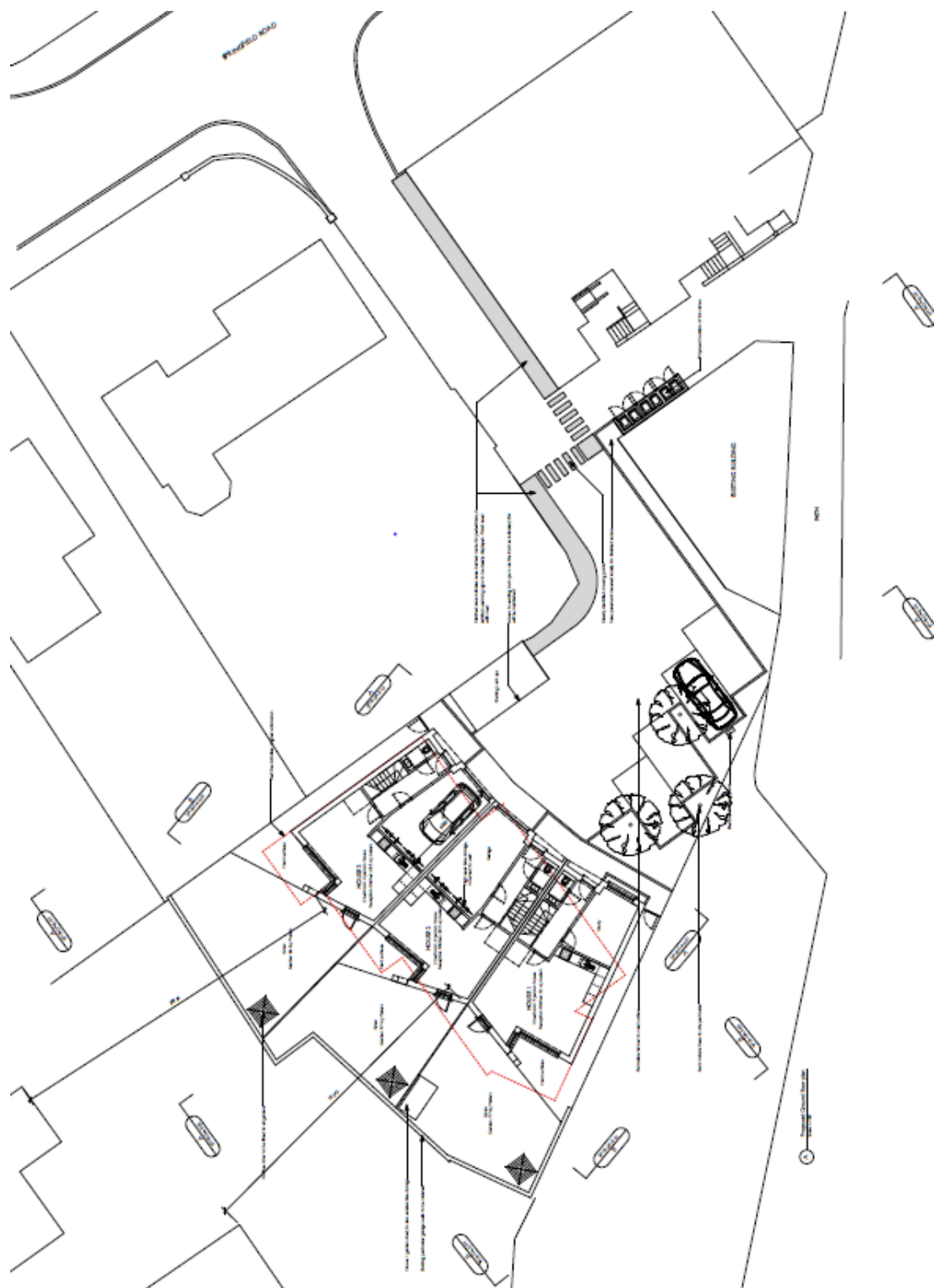




APPENDIX C – PROPOSED LAYOUT



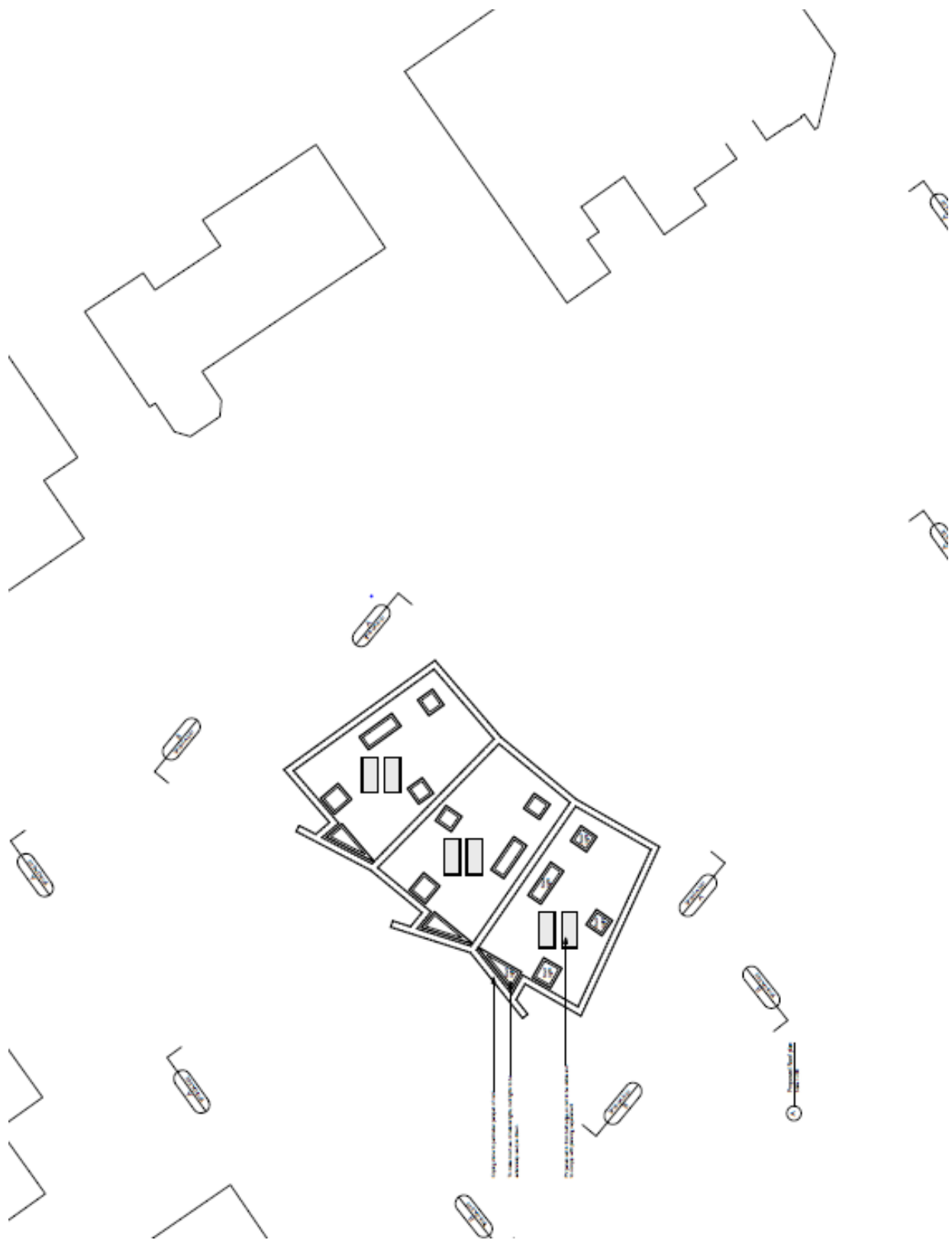
APPENDIX D – PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

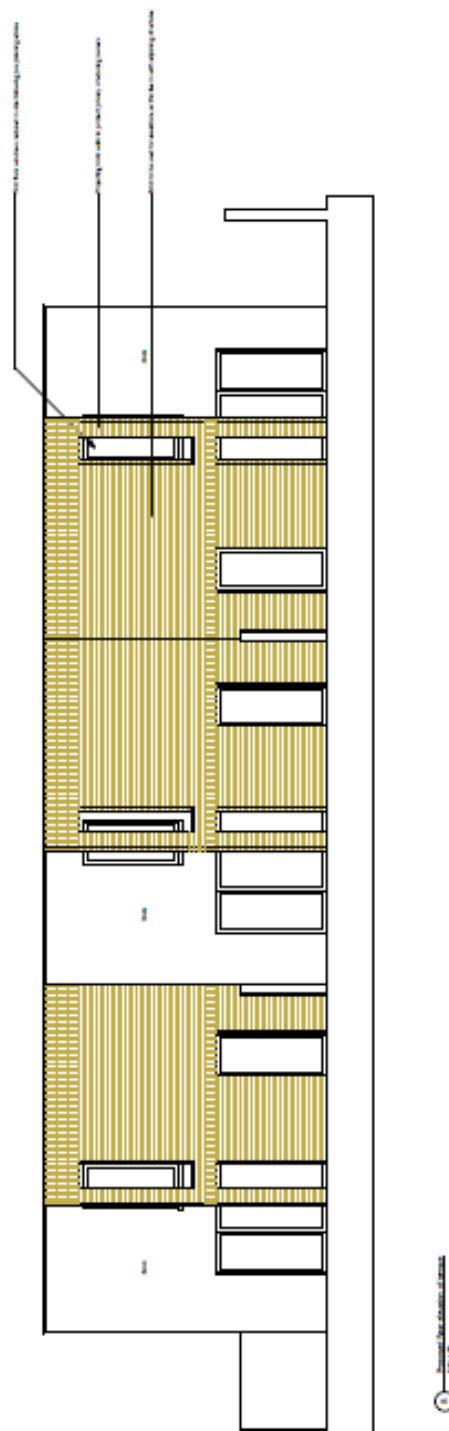


vertical slats on the facade of the building

large windows on the facade of the building

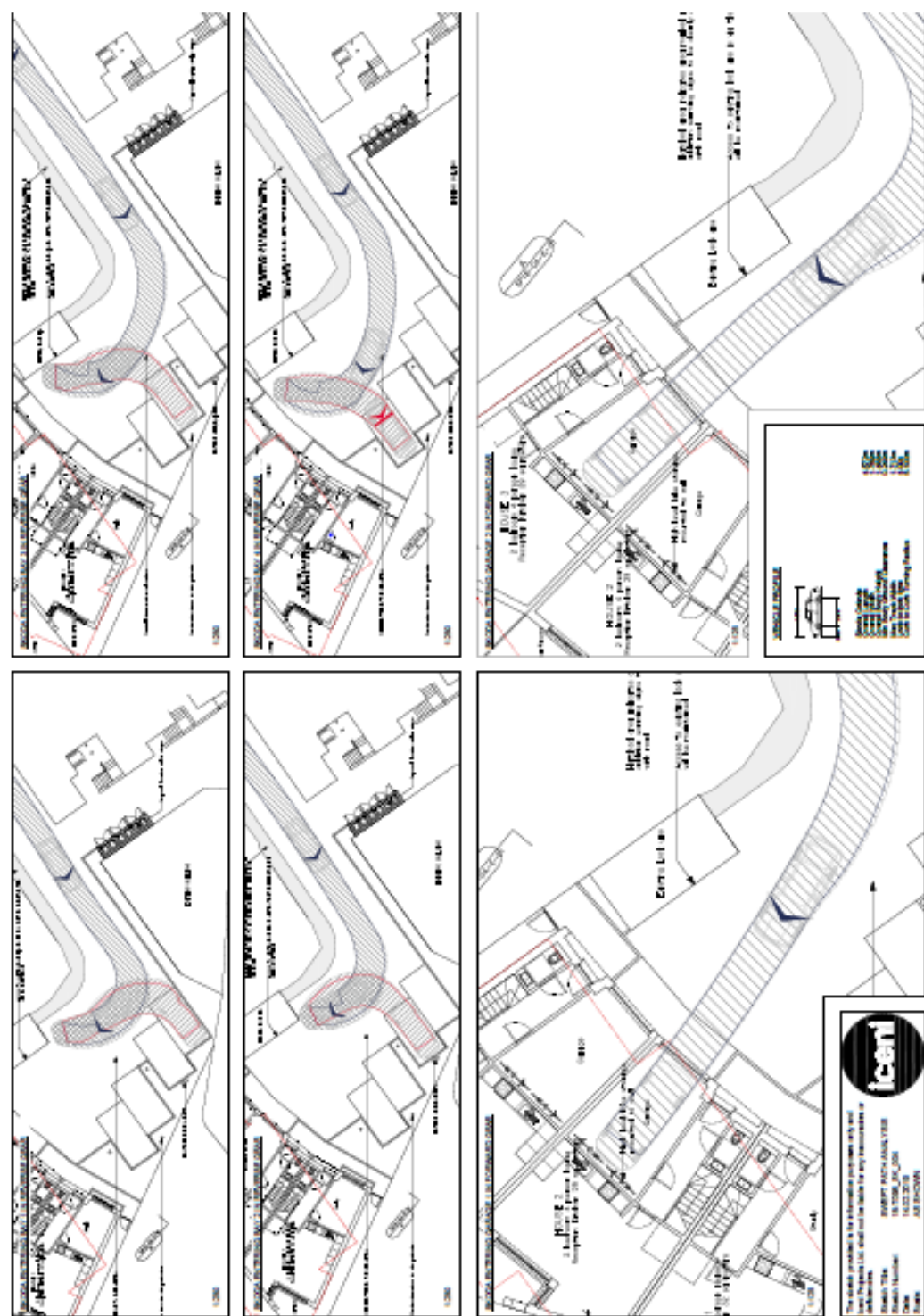
horizontal slats on the facade of the building

0 10 20 30 40 50 60 70 80 90 100





APPENDIX F – SWEPT PATH ANALYSIS



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Planning Appeals Received

8 March 2019 - 12 April 2019

WINDSOR URBAN

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at <https://acp.planninginspectorate.gov.uk/> please use the PIns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

Enforcement appeals: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Other appeals: The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

Ward:					
Parish:	Eton Town Council				
Appeal Ref.:	19/60023/ENF	Enforcement Ref.:	14/50208/ENF	PIns Ref.:	APP/T0355/C/18/3214729
Date Received:	15 March 2019	Comments Due:	26 April 2019		
Type:	Enforcement Appeal	Appeal Type:	Written Representation		
Description:	Appeal against the Enforcement notice: Change of use from a mixed use comprising an industrial building containing multiple units used for car repairs, a marquee and shipping container used to run a car wash and grassland to a mixed use comprising an industrial building containing multiple units used for car repairs, a marquee and shipping container used to run a car wash, grassland and the use of the land for the storage of car parts and shipping containers and the storage/parking of cars.				
Location:	Crown Farm Eton Wick Road Eton Wick Windsor SL4 6PG				
Appellant:	Mr Chbat c/o Agent: Mr David Chivers Planning Design Partnership Ltd 32 Park Road London W4 3HH				
Ward:					
Parish:	Windsor Unparished				
Appeal Ref.:	19/60026/REF	Planning Ref.:	18/00584/FULL	PIns Ref.:	APP/T0355/W/19/3223295
Date Received:	19 March 2019	Comments Due:	23 April 2019		
Type:	Refusal	Appeal Type:	Written Representation		
Description:	Use of the annexe as a separate unit of accommodation (retrospective)				
Location:	The Annexe 16 Wilton Crescent Windsor SL4 4YJ				
Appellant:	Mr Peter A'Court 16 Wilton Crescent Windsor SL4 4YJ				
Ward:					
Parish:	Windsor Unparished				
Appeal Ref.:	19/60030/REF	Planning Ref.:	18/03409/VAR	PIns Ref.:	APP/T0355/D/19/3222698
Date Received:	27 March 2019	Comments Due:	24 April 2019		
Type:	Refusal	Appeal Type:	Fast Track Appeal		
Description:	Variation to planning permission 17/03345/FULL (under Section 73a) to vary the wording of condition 1 to read, The development hereby permitted shall be completed within three months from the date of this permission, and condition 3 to read, Notwithstanding the design of the windows shown on the approved plans, the window within the dormer in the south-east facing roof slope of the extension shall be of a permanently fixed non-opening design and fitted with obscure glass with the exception of an opening top light that is a minimum of 1.7 metre above the finished internal floor level and the window shall not be altered without the prior written approval of the council.				
Location:	130 St Andrews Crescent Windsor SL4 4EN				

Appellant: Mrs Eva Pawlik-Cazin **c/o Agent:** Mr John A Andrews John Andrews Associates 22 Harvest Hill Road Maidenhead Berkshire SL6 2QQ

Appeal Decision Report

8 March 2019 - 12 April 2019

WINDSOR URBAN

Appeal Ref.: 18/60124/ENF **Enforcement Ref.:** 17/50150/ENF **Plns Ref.:** APP/T0355/C/18/3199099

Appellant: Mr Colin Messer Mill Stream Motors Mill Lane Windsor SL4 5JH

Decision Type: Enforcement Notice **Officer Recommendation:**

Description: Appeal against the Enforcement Notice: Erection of a building without planning permission.

Location: **Mill Stream Motors Mill Lane Windsor SL4 5JH**

Appeal Decision: Allowed **Decision Date:** 11 March 2019

Main Issue: Having given consideration to all the evidence the Planning Inspector has deemed, on balance that the structure that has been erected is not a building that falls under the planning regime. In those circumstances there is no breach of planning control.

Appeal Ref.: 18/60128/REF **Planning Ref.:** 18/00151/FULL **Plns Ref.:** APP/T0355/W/18/3201758

Appellant: Mr Stuart Clark **c/o Agent:** Mr Melvyn Cooper Cooper Environmental Planning 12 Homers Road Windsor Berkshire SL4 5RG

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

Description: Construction of a detached garage

Location: **Trinity House Spinners Walk Windsor SL4 3AR**

Appeal Decision: Dismissed **Decision Date:** 14 March 2019

Main Issue: The Inspector concluded that overall the appeal scheme would harm the character and appearance of the conservation area and the setting of the listed building. It would not comply with Policy LB2 of the R.B.W.M Local Plan 2003 or the heritage policies of the Framework. The Inspector took into consideration that third parties may not have objected to the appeal development but that in itself is not a good enough reason to allow the appeal in light of the harm identified.

Appeal Ref.: 18/60130/REF **Planning Ref.:** 18/01335/FULL **Plns Ref.:** APP/T0355/W/18/3212539

Appellant: Mr Terry O'Sullivan **c/o Agent:** Mr James Luntz ClearView Planning Ltd 15 Coulthard Close Towcester NN12 7BA

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

Description: Construction of x9 apartments following demolition of the existing building

Location: **The Sebastopol 137 Clewer Hill Road Windsor SL4 4DW**

Appeal Decision: Allowed **Decision Date:** 1 April 2019

Main Issue: Issue of loss of community facility - Marketing insufficient - Viability justifies the loss of the public house business but it does not justify the loss of every form of community use on the site - However, whilst the marketing report and viability assessment does not provide sufficient justification for the loss of the community facility, there is alternative provision elsewhere nearby which would enable the community to meet its day to day needs to justify its loss Design: - appeal building modest increase in height - set back from street scene with adequate space for planting in front - would be seen in context with 3 storey building 131-135 - As such not unduly prominent and not constitute overdevelopment - roof form provides visual interest and reflects gable features seen on other neighbouring buildings - consequently appeal building is not harmful

Appeal Ref.: 18/60143/REF **Planning Ref.:** 17/03425/FULL **Plns Ref.:** APP/T0355/W/18/3208265

Appellant: Mr Simon Graham **c/o Agent:** Mr John Andrews John Andrews Associates The Lodge 66 St Leonard's Road Windsor SL4 3BY

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

Description: Construction of detached dwelling with ancillary parking

Location: **Land At 6 Lodge Way Windsor**

Appeal Decision: Dismissed **Decision Date:** 29 March 2019

Main Issue: The proposed development would cause unacceptable harm to trees subject to a tree preservation order and would conflict with LP policy N6 which seeks to retain existing trees. The potential future loss of the protected trees would also conflict with LP policy DG1.

Appeal Ref.: 18/60155/REF **Planning Ref.:** 18/00813/FULL **Plns Ref.:** APP/T0355/W/18/3215542

Appellant: Mrs Diane Angell **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

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

Description: Construction of a four bedroom dwelling with ramp, raised terrace, new access, associated landscaping and parking following demolition of the existing garage and outbuildings.

Location: **Land At 114 Slough Road Datchet Slough**

Appeal Decision: Dismissed **Decision Date:** 28 March 2019

Main Issue: Due to its close proximity to neighbouring dwellings, height, bulk and overall size the proposed dwelling would have a greater impact on the openness of the Green Belt than the outbuildings it would replace. The proposal would therefore constitute inappropriate development, that is harmful to the openness of the Green Belt and no very special circumstances have been demonstrated to outweigh this harm. The applicant has also failed to demonstrate that there are no other small sites readily available at lower risk of flooding; as such the proposal fails the sequential test. In addition to the above the proposal would cause harm to the protected Silver Birch Tree, subsequently harming the character and appearance of the area. The benefits of the scheme do not outweigh the harm outlined above. The proposal would therefore be contrary to local plan policies GB1, GB2, GB3, DG1, N6 and paragraphs 158 and 145 of the NPPF.

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