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NOTICE OF MEETING



ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 19TH AUGUST, 2020

At 6.15 pm

in the

VIRTUAL MEETING - ONLINE ACCESS,

**THE MEETING WILL BE AVAILABLE ON OUR WEBSITE PRIOR TO THE MEETING
TO VIEW THE MEETING PLEASE GO TO OUR RBWM YOUTUBE PAGE –
[HTTPS://WWW.YOUTUBE.COM/USER/WINDSORMAIDENHEAD](https://www.youtube.com/user/windsormaidenhead)**

TO: MEMBERS OF THE ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS PHIL HASELER (CHAIRMAN), JOHN BOWDEN, DAVID CANNON
(VICE-CHAIRMAN), GEOFF HILL, DAVID HILTON, NEIL KNOWLES,
JOSHUA REYNOLDS, AMY TISI AND LEO WALTERS

SUBSTITUTE MEMBERS

COUNCILLORS GURPREET BHANGRA, MANDY BRAR, WISDOM DA COSTA,
KAREN DAVIES, ANDREW JOHNSON, GREG JONES, JULIAN SHARPE,
SHAMSUL SHELMIM AND HELEN TAYLOR

Karen Shepherd – Head of Governance - Issued: 11/08/20

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 **Shilpa Manek** 01628 796310

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the virtual meeting will be streamed live and recorded via Zoom. By participating in the meeting by audio and/or video, you are giving consent to being recorded and acknowledge that the recording will be in the public domain.

If you have any questions regarding the council's policy, please speak to Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence.	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of Interest.	5 - 6
3.	<u>MINUTES</u> Panel to agree the minutes of the last meeting held on 15 July 2020 to be a true and accurate record.	7 - 10
4.	<u>19/03157/FULL - LAND ADJACENT TO MAIDEN HOUSE VANWALL ROAD - MAIDENHEAD</u> PROPOSAL: Re-development of the car park at Maiden House to provide 14 residential units (3 x 1 bed; 8 x 2 bed and 3 x 3 bed) (Use Class C3), new landscaping, car parking, cycle store, bin store and associated works. RECOMMENDATION: PERM APPLICANT: Trans UK Ltd MEMBER CALL-IN: N/A EXPIRY DATE: 11 February 2020	11 - 24
5.	<u>19/03351/FULL - THAMES HOSPICECARE PINE LODGE - HATCH LANE - WINDSOR - SL4 3RW</u> PROPOSAL: Redevelopment of the former Thames Hospice to provide a retirement housing development of x45 dwellings comprising x3 two-storey terraced houses, x4 two-storey semi-detached houses, x2 2.5-storey apartment blocks and x1 three-storey apartment block with associated parking, car port, landscaping, refuse stores and cycle stores, following demolition of the existing building. RECOMMENDATION: PERM APPLICANT: Beechcroft Developments Ltd MEMBER CALL-IN: N/A EXPIRY DATE: 28 February 2020	25 - 60
6.	<u>19/03468/FULL - TAYLOR MADE LIVERIES AND RIDING SCHOOL - STRANDE LANE COOKHAM - MAIDENHEAD - SL6 9DN</u>	61 - 90

PROPOSAL: Reconfiguration, relocation and replacement of existing stable blocks and associated equestrian facilities (including tack rooms, stores and a horse walker) and an additional 4 new stable blocks (including 16 No. stables, 4 no. tack rooms, 1 no. store and 1 no. break room); retention of 4 existing stable blocks; change of use of existing agricultural land to equestrian, car parking, landscaping and associated works. Localised widening of Strand Lane and provision of passing points to enable 2-way vehicle movement.

RECOMMENDATION: REF

APPLICANT: Mr Christie

MEMBER CALL-IN: N/A

EXPIRY DATE: 21 August 2020

7. 19/03506/FULL - EDGEWORTH HOUSE - MILL LANE - WINDSOR - SL4 5JE 91 - 106

PROPOSAL: Replacement boundary treatment with vehicular entrance gates and erection of a bin store (Retrospective)

RECOMMENDATION: REF

APPLICANT: Mr & Mrs O'Reilly

MEMBER CALL-IN: Cllr Amy Tisi

EXPIRY DATE: 5 March 2020

8. 19/03507/LBC - EDGEWORTH HOUSE MILL LANE WINDSOR SL4 5JE 107 - 120

PROPOSAL: Consent to retain the replacement boundary treatment, vehicular entrance gates and bin store.

RECOMMENDATION: REF

APPLICANT: Mr O'Reilly

MEMBER CALL-IN: N/A

EXPIRY DATE: 5 March 2020

9. 20/00980/FULL - LONDON HOUSE LOWER ROAD - COOKHAM - MAIDENHEAD - SL6 9EH 121 - 134

PROPOSAL: Part two storey, part single storey side extension, two storey rear infill extension, alterations to fenestration, ramp to front entrance, alterations to shopfront new external finish, bin and cycle storage areas with associated parking and landscaping for a change of use of the ground floor from A1(Retail) to B1(office) and 2no. first floor two bedroom apartments.

RECOMMENDATION: PERM

APPLICANT: Stone Investment Holdings Ltd

MEMBER CALL-IN: N/A

EXPIRY DATE: 21 August 2020

10.

ESSENTIAL MONITORING REPORTS (MONITORING)

135 - 142

To consider the Appeals Decision Report and Planning Appeals Received.

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.***

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Agenda Item 3

ROYAL BOROUGH DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 15 JULY 2020

PRESENT: Councillors Phil Haseler (Chairman), David Cannon (Vice-Chairman), John Bowden, Geoff Hill, David Hilton, Neil Knowles, Joshua Reynolds, Amy Tisi and Leo Walters

Also in attendance: Councillors Baldwin, Bateson, Bhangra, Coppinger, Shelim, Stimson and Story

Officers: Tony Franklin, Adam Jackson, Antonia Liu, Shilpa Manek, Sean O'Connor, Fatima Rehman, Sian Saadeh and Susan Sharman

APOLOGIES FOR ABSENCE

No apologies of absence were received.

DECLARATIONS OF INTEREST

Councillor Hill declared a personal interest for item 3 as he owns properties close to the application.

MINUTES

RESOLVED UNANIMOUSLY: that the minutes of meeting held on 17 June 2020 were a true and accurate record of the meeting.

19/02521/FULL - THE WALLED GARDEN - FROGMORE - WINDSOR

A motion was put forward by Councillor Knowles to DEFER AND DELEGATE the decision to grant planning permission to the Head of Planning subject to the conditions listed in Section 13 of the main report and there being no call-in from the Secretary of State to determine the application, as per Officers recommendation. This was seconded by Councillor Tisi.

A named vote was carried out.

19/02521/FULL - THE WALLED GARDEN - FROGMORE - WINDSOR (Motion)	
Councillor Phil Haseler	For
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Carried	

It was Unanimously agreed to DEFER and DELEGATE the application as above.

20/00780/FULL - HILL HOUSE - CROSS ROAD - SUNNINGDALE - ASCOT - SL5 9RX

A motion was put forward by Councillor Hilton to REFUSE the application as per Officers recommendation. This was seconded by Councillor Hill.

A named vote was carried out.

20/00780/FULL - HILL HOUSE - CROSS ROAD - SUNNINGDALE - ASCOT - SL5 9RX (Motion)	
Councillor Phil Haseler	For
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Carried	

It was Unanimously agreed to REFUSE the application.

20/00973/OUT - POUNDSTRETCHER - 31-33 HIGH STREET - MAIDENHEAD - SL6 1JG

A motion was put forward by Councillor Hill to PERMIT the application as per Officers recommendation. This was seconded by Councillor Walters.

A named vote was carried out.

20/00973/OUT - POUNDSTRETCHER - 31-33 HIGH STREET - MAIDENHEAD - SL6 1JG (Motion)	
Councillor Phil Haseler	For
Councillor David Cannon	For
Councillor John Bowden	For
Councillor Geoffrey Hill	For
Councillor David Hilton	For
Councillor Neil Knowles	For
Councillor Joshua Reynolds	For
Councillor Amy Tisi	For
Councillor Leo Walters	For
Carried	

It was Unanimously agreed to APPROVE the application.

ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the reports.

The meeting, which began at 6.15 pm, finished at 7.30 pm

CHAIRMAN.....

DATE.....

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

DEVELOPMENT CONTROL PANEL

19 August 2020

Item: 1

Application No.:	19/03157/FULL
Location:	Land Adjacent To Maiden House Vanwall Road Maidenhead
Proposal:	Re-development of the car park at Maiden House to provide 14 residential units (3 x 1 bed; 8 x 2 bed and 3 x 3 bed) (Use Class C3), new landscaping, car parking, cycle store, bin store and associated works.
Applicant:	Trans UK Ltd
Agent:	Mr Julian Sutton
Parish/Ward:	Maidenhead Unparished/Oldfield

If you have a question about this report, please contact: Charlotte Goff on 01628 685729 or at charlotte.goff@rbwm.gov.uk

1. SUMMARY

- 1.1 This application seeks consent for the redevelopment of the existing car park to provide 14 residential units arranged over four storeys. The scheme seeks to provide 3 x 1 bed, 8 x 2 bed and 3x 3 bed flats. A total of 25 car parking spaces are proposed for all the residential units and 3 visitor spaces.
- 1.2 Maiden House, which this car park serves, is currently undergoing conversion into residential units under the prior approval process. The proposed redevelopment of the car park is considered an efficient use of the land, which would not result in the loss of land in an employment use. The scheme has been designed to ensure that sufficient parking and safe access is maintained for Maiden House and the proposed development.
- 1.3 In terms of the design and scale of the building proposed, this is considered appropriate for the area and to not give rise to unacceptable levels of overlooking/overshadowing to the adjacent residential or commercial units.
- 1.4 It is considered that there would be no unacceptable impact on trees and hard and soft landscaping conditions are recommended to ensure that sufficient landscaping and boundary treatment is provided for future residents. The sustainable drainage proposed is considered acceptable.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 12 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 as it is for major development; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located within Vanwall Business Park and comprises car parking space ancillary to Maiden House. This is an office building located to the west of the site that is undergoing conversion to residential flats.

3.2 There are a number of trees bordering the site, mainly to the north and east boundaries. To the north the site is bounded by a modern office building. South and east of the site are further office buildings and ancillary car parking. The immediate area surrounding Vanwall Business Park is residential in character.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 This application seeks consent for the redevelopment of the existing car park to provide 14 residential units arranged over four storeys. The scheme seeks to provide 3 x 1 bed, 8 x 2 bed and 3x 3 bed flats. A total of 25 car parking spaces are proposed for all the residential units and 3 visitor spaces.

4.2 Whilst the car park subject of this application has no individual planning history, there are a number of planning applications associated with Maiden House that are summarised below

Reference	Description	Decision
17/02431/CLASSO	Change of use from offices to 30 flats	Prior approval required and granted 25.09.17
18/02622/NMA	Non material amendments to planning permission 17/02431/CLASSO for the insertion of ventilation bricks and the replacement of a number of doors and windows	Permission granted 9.10.18
18/03088/CLASSO	Change of use from B1(a) offices to C3 (39 flats)	Prior approval required and granted 14.12.2018
19/00064/FULL	New floor to existing building to provide an addition 6 x 2 bed and 1 x 3 bed flats with refuse and cycle storage and associated parking.	Permission granted 14.03.2019. The applicant has confirmed that this permission will not be implemented at the site.
20/00648/VAR	Variation (under Section 73) of condition 1 (in accordance) to substitute those plans approved under 18/03088/CLASSO for change of use from B1(a) (offices) to C3 (39 no. apartments).	Approved 02.07.2020

Application 20/00648/VAR is of relevance to the consideration of this planning application as it amended the red line boundary for the prior approval application site and parking arrangement. This will be addressed further within the highways section of this report.

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

5.1 The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Character and Appearance	DG1, H10,H11
Highways	P4 AND T5
Trees	N6
Housing Provision	H6, H8, H9

These policies can be found at

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

6. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 5 – Delivering a Sufficient Supply of Homes

Section 9- Promoting Sustainable Transport

Section 11 – Making Effective use of land

Section 12- Achieving well-designed places

Section 14- Meeting the challenge of climate change, flooding and coastal change

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Character and Appearance	SP2, SP3
Sustainable Transport	IF2
Housing Provision	HO2, HO5
Trees	NR2
Environmental Protection	EP1, EP2, EP4, EP5
Infrastructure	IF1

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Character and Appearance	QP1, QP3
Housing Provision	HO2
Trees	NR3
Environmental Protection	EP1, EP2, EP4, EP5
Highways	IF2
Infrastructure	IF1

- 6.1 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 6.2 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight.
- 6.3 These documents can be found at:
<https://www3.rbwm.gov.uk/blp>

Other Local Strategies or Publications

- 6.4 Other Strategies or publications material 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

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

3 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 19th November 2019.

One letter was received from these consultations which raised the following concerns:

Comment	Where in the report this is considered
Redevelopment will obscure the front of Aurora building adjacent to the development and block natural light;	Section iii (8.9)
Residential use is not compatible with a Business Park location;	Section i (8.4)
Many floors of the office building will look directly into the residential flats.	Section iv (8.13)

Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions to secure the access, parking and cycle stores as shown on the submitted drawings.	Section v
Trees	No objection subject to conditions to secure hard and soft landscaping.	Section vii
LLFA	Drainage strategy is acceptable. A condition is recommended to secure a surface water drainage scheme.	Section vi

8. EXPLANATION OF RECOMMENDATION

8.1 The key issues for consideration are:

- i Principle of development
- ii Design Considerations
- iii Impact on Neighbouring Amenity
- iv Provision of Suitable Residential Environment;
- v Highways Consideration and Parking provision.
- vi Sustainable Drainage;
- vii Trees and Landscaping
- viii Other Material Considerations - Housing Land Supply.

Issue i- Principle of development

- 8.2 Paragraph 118 (d) of the National Planning Policy Framework states that planning policies should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where supply is constrained and available sites could be used more effectively. Paragraph 122 continues that planning policies and decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development and the availability of land for accommodating it; local market conditions and viability; the availability and capacity of infrastructure and services; the desirability of maintaining an area's prevailing character and setting or are promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places.
- 8.3 With these policies in mind, this application seeks to utilise the car park to a former office building for further residential development. Although the site is located within Vanwall Business Park, this is not designated within the RBWM Local Plan as an employment site and therefore policy E6 states that proposals for redevelopment in these areas will be supported in appropriate circumstances.
- 8.4 Notwithstanding the above, the proposal does not actually result in the loss of employment floorspace as the site is currently a car park. Maiden House which is adjacent to this proposed application is being converted into a residential use through the prior approval process. The principle of a residential use on this site is therefore considered acceptable subject to compliance with all other relevant development plan policies.

Issue ii- Design Considerations

- 8.5 Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions.
- 8.6 Local Plan policy H10 states that new residential schemes will be required to display a high standard of design and landscaping and where possible enhance the existing environment, while policy DG1 resists development which is cramped or which results in the loss of important features which contribute to local character, and policy H11 resists development that would introduce a scale or density which would be incompatible with or cause damage to the character of the area. The Borough Wide Design Guide (2020) further encourages high quality buildings and well-designed spaces.
- 8.7 The surrounding area is predominantly commercial in nature comprising of office buildings that display a mix of typologies. Some are of brick construction, and some replicate the style of Maiden House. The proposed building comprises render to the lower elements and brickwork above. The top floor is stepped back from the main building line with light cladding and tall glazing to minimise its visual impact. No objection is raised to this design approach which is considered appropriate for the area.
- 8.8 In terms of the scale and massing of the building, the proposed development is of a similar height to Maiden House and sufficient space is provided around the site to allow for some landscaping and communal space. Overall the design, scale and massing of the development proposed is considered acceptable.

Issue iii- Impact on Neighbouring Amenity

- 8.9 The development is located within the business park and the closest residential properties are located in Maiden House to the west, and to the south east in Norden Close. Given the distance between the application site and residential properties, and the acceptable height, design and scale of the development proposed, the scheme is not considered to give rise to an unacceptable level of overlooking of these properties, nor to appear unduly overbearing or visually intrusive to their occupiers. Concern has been raised by the adjacent office building, Aurora House, that the development will block natural light to this building. Given the siting, height and scale of the

proposed development in relation to Aurora House and the commercial nature of this building/surrounding area, it is not considered that the scheme will result in an unacceptable loss of light.

Issue iv- Provision of a Suitable Residential Environment

- 8.10 The Borough Design Guide and paragraph 127 of the NPPF seek to encourage high quality amenities for future occupiers. In terms of the quality of the internal accommodation proposed, the flats are considered to be of a suitable size and layout and comply with the national internal space standards. Outlook and natural light from and to each of the units is also considered sufficient given the layout of the flats and distance between this and the adjacent buildings.
- 8.11 In terms of the amenity space proposed, all ground floor flats have access to private amenity space and the upper floor flats are all served by balconies. The Borough Design Guide states within Principle 8.5 that all flatted developments are expected to have private outdoor amenity space. For ground floor flats this should be a minimum depth of 3 metres, be clearly defined by boundary treatments and be a private space. For upper floor flats, the Guidance seeks to ensure that these spaces are a minimum of 2 metres in depth and have a minimum floor area of 5sqm for 1-2 person homes.
- 8.12 All the ground floor flats have access to large outdoor spaces that are segregated from the road with railings and landscaping. The detail of any landscaping scheme will be secured by planning condition. In addition the upper floor flats each have access to balconies. Although some of these are below the size standards advised within the Borough Design Guide, they are considered of sufficient size and siting.
- 8.13 There is a separation distance of 28 metres between the proposed development and Aurora House to the north and 17 metres between the proposed development and Maiden House to the west. The Councils Borough Design Guide suggests a distance of 20 metres is an accepted guideline for there to be no material loss of privacy between the rear of buildings and this can be reduced to 15 metres where the relationship is a rear to side elevation. The separation distance between both adjacent buildings is considered acceptable to protect the privacy of any future occupiers.
- 8.14 The site is located within Vanwall Business Park and there will be some levels of noise and disturbance as a result of its location. The application has been accompanied by a Noise Impact Assessment that confirms that the level of noise intrusion to the residential units will be acceptable just with the inclusion of conventional double glazing. As a result, the overall standard of residential accommodation proposed is considered acceptable.

Issue v- Highway considerations and parking provision.

- 8.15 The application site is located on the car park for Maiden House. This building has recently been converted to create 36 residential units under application 18/03088/CLASSO. A Section 73 application was granted on 2nd July 2020 (20/00648/VAR) to amend the red line site area for the prior approval application 18/03088/CLASSO and alter the parking layout to allow for the development proposed as part of this application. 52 car parking spaces are now retained for the prior approval conversion which is compliant with the Councils parking standards.
- 8.16 The proposed application requires a total of 28 car parking spaces (25 resident and 3 visitor spaces), which have also been demonstrated in the submitted drawings. As a result, the parking provision and layout proposed is considered acceptable for both the existing and proposed schemes.
- 8.17 In terms of access to these parking spaces, the majority of the spaces will be accessed via the existing vehicular access from Vanwall Road opposite Geoffrey House, and the access on the southern part of the site has been relocated further west to serve 8 of the car parking spaces. No objection is raised to the location of these access points which are considered acceptable on highway safety grounds. Planning conditions are recommended to secure the parking layout and access as detailed in the accompanying documents.

Issue vi- Sustainable Drainage

- 8.18 A drainage strategy has been received as part of this application which has been reviewed by the Lead Local Flood Authority. A condition has been recommended by the LLFA to secure a surface water drainage scheme for the development.

Issue vii – Trees

- 8.19 The scheme has been reviewed by the Councils Trees officer who raises no objection to the application. Conditions are recommended to secure appropriate details of hard and soft landscaping for the site

Viii - Other Material Considerations

9. Housing Land Supply

- 9.1 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.*

- 9.2 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..).’

- 9.3 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).

- 9.4 For the purpose of this planning application the LPA currently cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer), and section d(i) of paragraph 11 of the NPPF is not engaged as there is no clear reason for refusing the development proposed against ‘restrictive’ policies which includes designated heritage assets (conservation areas) for the reasons set out in Section 9 (ii). Therefore, for the purpose of this application and in the context of paragraph 11 of the NPPF the ‘tilted balance’ is engaged. The assessment of this and the wider balancing exercise is set out below in the conclusion.

10. PLANNING BALANCE AND CONCLUSION

- 10.1 It is important to make clear that planning permission 19/00064/FULL (as detailed in the relevant history section of this report above) includes development on part of this application site area, which is integral to its acceptability and subject to conditions requiring its completion and retention as part of that approved scheme. Consequently, it will not be possible to implement that planning permission alongside this current proposal. In addition to this, the applicants have confirmed that it is not their intention to implement 19/00064/FULL.

- 10.2 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. As set out in paragraph 9.4 it is considered that in this instance the tilted balance should be applied

- 10.3 In relation to benefits that weigh in favour of the development, it is acknowledged that the proposal for 14 units would make a small contribution towards the Local Planning Authority in meeting the 5-year housing land supply. There is also considered to be some environmental benefits as the proposal would involve the redevelopment and the provision of additional housing in a sustainable location. Although unquantified, it is likely that there would be some economic benefits through employment during construction and increase in local spends with additional residents.
- 10.4 It is considered that the proposal is policy compliant in relation to the redevelopment and loss of a car park associated with a former business use, highway safety and parking, trees and sustainable drainage, which is given neutral weight in the planning balance. There are no adverse impacts of the development which would significantly and demonstrably outweigh the benefits and therefore the scheme is recommended for approval.

11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site Layout
- Appendix C – Floor plans
- Appendix D - Elevations

12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first 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 Local Plan DG1
- 3 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.
- 4 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained as approved.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 5 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. 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 cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 6 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.
- 7 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been

submitted to and approved in writing by the Local Planning Authority.

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

- 8 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. 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.

- 9 No development above slab level shall take place until a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy, is submitted to and approved in writing by the Local Planning Authority. Details shall include:

- 1 - Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- 2 - Supporting calculations confirming compliance with the Non Statutory Standards for Sustainable Drainage, as proposed as part of the submitted drainage strategy;
- 3- Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.

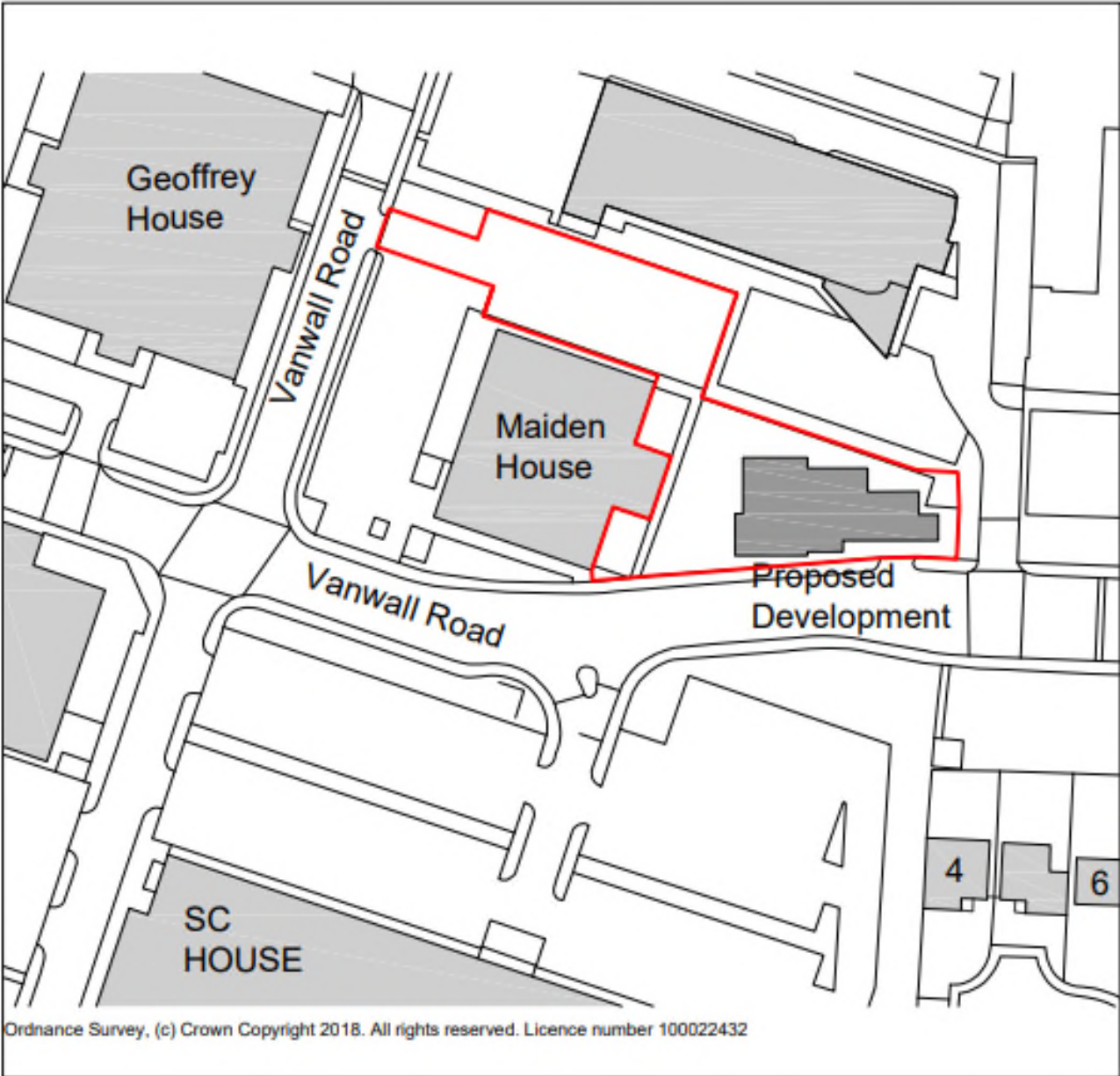
the surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure compliance with the NPPF and the Non Statutory Standards for Sustainable Drainage Systems and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

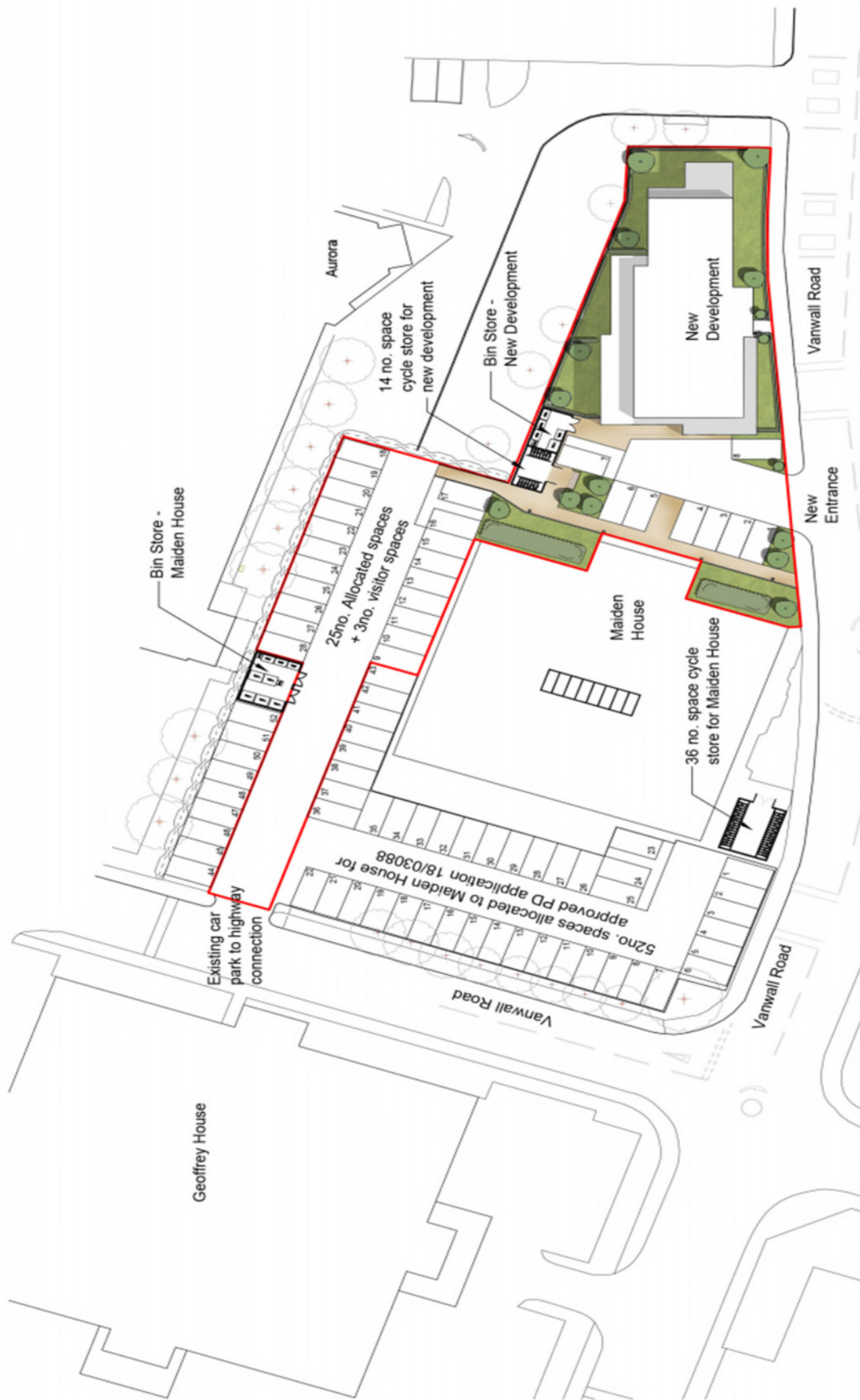
- 10 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

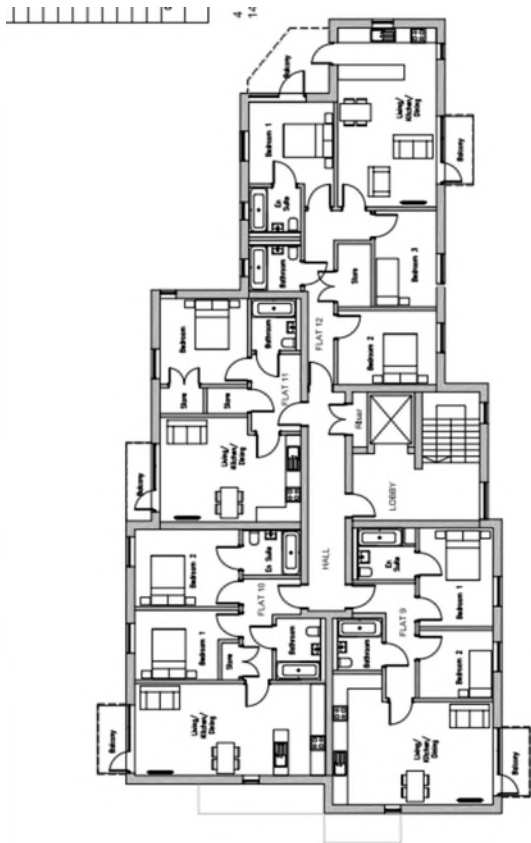
Appendix A – Site Location Plan



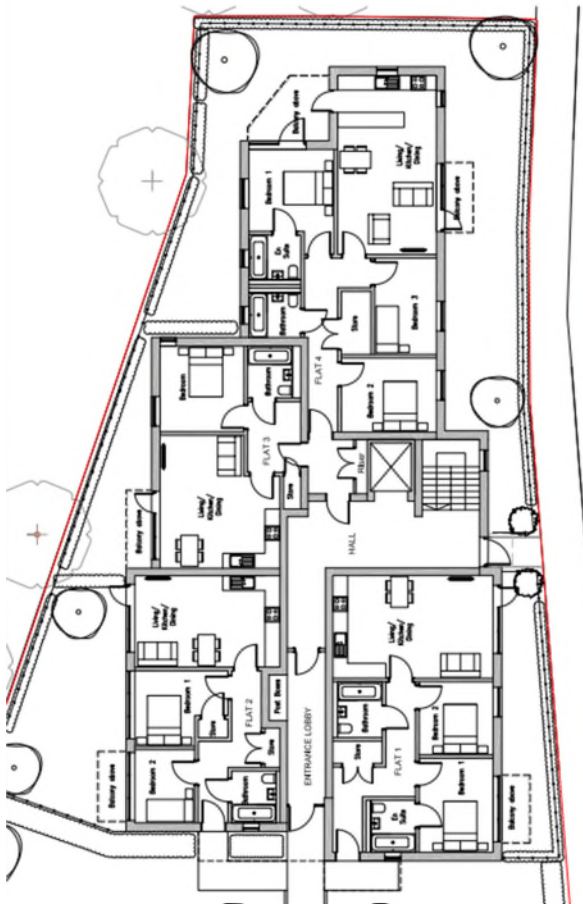
Appendix B – Site Layout Plan



Appendix C – Proposed Floor Plans



03 SECOND FLOOR PLAN
RT/00



01 GROUND FLOOR PLAN
RT/00



Appendix D – Proposed Elevations



01 SOUTH ELEVATION
1/18



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DEVELOPMENT CONTROL PANEL

19 August 2020

Item: 2

Application No.:	19/03351/FULL
Location:	Thames Hospicecare Pine Lodge Hatch Lane Windsor SL4 3RW
Proposal:	Redevelopment of the former Thames Hospice to provide a retirement housing development of x45 dwellings comprising x3 two-storey terraced houses, x4 two-storey semi-detached houses, x2 2.5-storey apartment blocks and x1 three-storey apartment block with associated parking, car port, landscaping, refuse stores and cycle stores, following demolition of the existing building.
Applicant:	Beechcroft Developments Ltd
Agent:	Mr Christopher Colloff
Parish/Ward:	Windsor Unparished/Clewer East
If you have a question about this report, please contact: Antonia Liu on 01628 796034 or at antonia.liu@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is for the redevelopment of the site which is currently occupied by Thames Hospice Care to a retirement housing development of 45 residential units intended for persons aged 55 and above. The loss of the community facility is acceptable as it is considered that there is an acceptable alternative provision made elsewhere and the redevelopment of the site to provide older persons' housing to meet an identified local need is supported in principle.
- 1.2 The impact on character and appearance is considered acceptable in terms of density, layout, height, form, mass and architectural detailing. The proposed loss of these trees would not unduly harm the green character of the site or surrounding area. Satisfactory mitigation and protection measures are proposed which are considered to ensure the health and longevity of retained trees.
- 1.3 The proposed development is not considered to result in a visual intrusion, loss of light or loss of privacy that would reduce neighbouring amenity to an unacceptable living standard. The proposed access is considered safe for vehicles and pedestrians, and satisfactory car and cycle parking is provided. There is an increase in trips to and from the site, but the level is not considered to give rise to a severe impact on the local highway network or in terms of air quality both individually and cumulatively with other development to warrant refusal.
- 1.4 It has been demonstrated that a satisfactory sustainable drainage scheme and measures to minimise impacts on and provide net gains for biodiversity can be achieved on site.
- 1.5 30% (14 units) of the proposed residential units on site are provided as affordable housing, which can be secured by legal agreement.

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 affordable housing provision 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 affordable housing provision 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; such decisions can only be made by the Panel

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site measures approximately 0.63ha and lies within the settlement of Windsor on the east side of Hatch Lane. A central access serves the site from Hatch Lane and the site currently comprises of a large, part single storey-part two storey building which is occupied by Thames Hospice Care. To the west and north of the site is an area of hardstanding for car parking and turning measuring approximately 2080sqm. To the east is a garden located in between the Hospice building and the car parking area along the northern boundary measuring approximately 435sqm, while to the south is an area of open amenity space measuring approximately 825sqm.
- 3.2 Hatch Lane bounds the site to the west with Clewer Green First School on the opposite side of the road, while a footpath leading from Hatch Lane to Longbourn bounds the site to the north. To the north of the footpath are detached residential properties fronting on to Hatch Lane. To the north-east is the Longbourn housing development while to the south-east is playing fields belonging to Windsor Girls School.

4. KEY CONSTRAINTS

- 4.1 The Proposal Map designates part of the site as Public Open Space. To the north-east is a group Tree Preservation Order (TPO) ref: 019/2005/TPO which covers all trees, while to the south is a group TPO ref: 004/2020/TPO which covers all Oak, Monterey Cypress, Leyland Cypress and Corkscrew Willow trees.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for the redevelopment of the site to provide a retirement housing development of 45 dwellings comprising of 3 x 2-storey terrace houses, 4 x 2-storey semi-detached houses, 2 x 2.5-storey apartment blocks and 1 x 3-storey apartment block with associated parking, a car port with accommodation over, landscaping, refuse stores and cycle stores following demolition of the existing building.
- 5.2 The proposed retirement housing is for people aged over 55 and has been designed with features to meet the needs, including the changing needs over time, of older residents. These are set out in the Design and Access Statement.
- 5.3 The proposal was originally for 50 residential units but was subsequently reduced to 45 units. The number of car parking spaces has also been reduced accordingly from 66 car parking spaces to 49. Other changes include the following:
- H3 has been moved to align with H1 and H2
 - Driveway to H1 has been relocated approximately 5.5m to the south
 - H6 and H7 have been moved north by approximately 0.7m, and the proposed first floor terraces have been removed.
 - Cycle and refuse storage have been incorporated in the building forming the carport with apartments over.
 - The footprint of the Block A has been simplified and reduced by approximately 117sqm from approximately 463sqm to 346sqm. The siting of Block A has also been moved south by approximately 2.5m.
 - The footprint of Block B has been reduced by approximately 8sqm from approximately 602sqm to 594sqm. The siting of Block B has also been moved south by approximately 3.7m.
 - The footprint of Block C has reconfigured into a more rectangular plan form and been reduced by approximately 149sqm from approximately 599sqm to 450sqm.

5.4 The terrace houses (H1-H3) and a pair of semis (H4-H5) front onto Hatch Lane, with the access road leading from Hatch Lane sited in between. To the rear of these properties is a car port with apartments above on the northern side of the access road, and there is another pair of semi-detached houses on the southern side. The car port and apartment building and the semi-detached houses front onto the access road. To the east of these properties are Block A and C which are 2.5 storeys in height on the northern and southern side of the access road, respectively. Located adjacent to Block A to the east is Block B, which is 3-storeys in height. The main parking area for each are located to the west of each block. The proposed accommodation of housing is as follows:

	Type	No of Bedrooms	Floor Area (approx.)	Amenity Space	Tenure
<i>Terrace fronting Hatch Lane</i>					
H1	House	3-bed	135sqm	Private garden and terrace	Market
H2	House	3-bed	132sqm	Private garden and terrace	Market
H3	House	3-bed	135sqm	Private garden and terrace	Market
<i>Semi-detached houses fronting onto Hatch Lane</i>					
H4	House	2-bed	136sqm	Private garden and terrace	Market
H5	House	2-bed	136sqm	Private garden and terrace	Market
<i>Semi-detached houses fronting onto access road</i>					
H6	House	3-bed	156sqm	Private garden	Market
H7	House	3-bed	156sqm	Private garden	Market
<i>Apartment Block A</i>					
A1	Flat	2-bed	79sqm	Private garden and communal	Shared Ownership
A2	Flat	2-bed	79sqm	Private garden and communal	Shared Ownership
A3	Flat	2-bed	78sqm	Private garden and communal	Shared Ownership
A4	Flat	2-bed	78sqm	Private garden and communal	Shared Ownership
A5	Flat	2-bed	79sqm	Communal	Shared Ownership
A6	Flat	2-bed	78sqm	Communal	Shared Ownership
A7	Flat	2-bed	77sqm	Communal	Shared Ownership
A8	Flat	2-bed	77sqm	Communal	Shared Ownership
A9	Flat	2-bed	80sqm	Communal	Shared Ownership
A10	Flat	2-bed	80sqm	Communal	Shared Ownership
A11	Flat	2-bed	79sqm	Communal	Shared Ownership
A12	Flat	2-bed	79sqm	Communal	Shared Ownership

<i>Apartment Block B</i>					
B1	Flat	2-bed	110sqm	Private garden and communal	Market
B2	Flat	2-bed	105sqm	Private garden and communal	Market
B3	Flat	2-bed	107sqm	Private garden and communal	Market
B4	Flat	2-bed	100sqm	Private garden and communal	Market
B5	Flat	2-bed	103sqm	Private balcony and communal	Market
B6	Flat	2-bed	107sqm	Private balcony and communal	Market
B7	Flat	2-bed	105sqm	Private balcony and communal	Market
B8	Flat	2-bed	100sqm	Private balcony and communal	Market
B9	Flat	2-bed	110sqm	Private balcony and communal	Market
B10	Flat	2-bed	103sqm	Private balcony and communal	Market
B11	Flat	2-bed	105sqm	Private balcony and communal	Market
B12	Flat	2-bed	103sqm	Private balcony and communal	Market
B13	Flat	2-bed	100sqm	Private balcony and communal	Market
B14	Flat	2-bed	110sqm	Private balcony and communal	Market
<i>Apartment Block C</i>					
C1	Flat	2-bed	121sqm	Private garden and communal	Market
C2	Flat	2-bed	121sqm	Private garden and communal	Market
C3	Flat	2-bed	100sqm	Private balcony and communal	Market
C4	Flat	2-bed	106sqm	Private balcony and communal	Market
C5	Flat	2-bed	106sqm	Private balcony and communal	Market
C6	Flat	2-bed	102sqm	Private balcony and communal	Market
C7	Flat	2-bed	103sqm	Private balcony and communal	Market
C8	Flat	2-bed	105sqm	Private balcony and communal	Market
C9	Flat	2-bed	105sqm	Private balcony and communal	Market
C10	Flat	2-bed	103sqm	Private balcony and communal	Market
<i>Apartments over Car Port</i>					
Apartment 1	Flat	1-bed	75sqm	Communal	Shared Ownership
Apartment 2	Flat	1-bed	75sqm	Communal	Shared Ownership

5.4 Relevant planning history is as follows:

Reference	Description	Decision
463170	Change of use and extension of existing building to provide hospice	Approved – 08.06.84
463666	Extension and alterations to existing building providing hospice	Refuse – 11.06.85
464360	Extension and alterations to existing building providing hospice	Approve – 25.06.86
89/01950/FULL	Change of use of existing dwelling to provide accommodation for patient families, office use and store	Approve – 16.11.1989
91/01562/FULL	Two storey extension to provide conservatory to day centre with staff facilities above and ground floor extension with central courtyard	Approve – 24.10.1991
95/01782/FULL	Change of use from residential to provide accommodation for patient families and for office use.	Approve – 24.02.2995
95/01783/FULL	Extension of existing car park to provide 10 additional parking spaces	Approve – 21.07.1995
99/77842/OUT	Erection of two storey rear extension (incorporating land at Windsor Girls school) (resubmission)	Approve – 08.03.1999
00/79318/REM	Erection of a two storey rear extension incorporating land at Windsor Girls School (reserved matters for 99/77842)	Approve – 12.04.2002
07/01723/FULL	Construction of a single storey front extension and alterations to car park layout	Refuse – 29.06.2007
08/00031/FULL	Single storey front extension with new front entrance. Alterations to car park layout and associated landscaping	Approve – 03.01.2008
13/01867/FULL	Single storey glazed link leading to single storey extension to the rear of the site with landscaped garden and change of use to provide additional car parking area	Approve – 02.07.2013

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Loss of Community Facility	CF1
Housing Provision	H3, H8, H9,
Character and Appearance	DG1, H10, H11
Open Space	R3, R4, R5
Highways	P4, T5, T7
Trees and Hedgerows	N6

These policies can be found at

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

7. MATERIAL PLANNING CONSIDERATIONS

7.1 National Planning Policy Framework Sections (NPPF) (2019)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

National Design Guide

7.2 This document was published in October 2019 and seeks to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The focus of the design guide is on layout, form, scale, appearance, landscape, materials and detailing. It further highlights ten characteristics help which work together to create its physical character, these are context, identify, built forms, movement, nature, public spaces, uses, homes and buildings, resources and life span.

7.3 Borough Local Plan: Submission Version and Submission Version Proposed Changes

Issue	BLPSV Policy	BLPSVPC Policy
Loss of Community Facility	IF7	IF6
Character and Appearance	SP2, SP3	QP1, QP3
Housing Provision	HO2, HO3, HO5	HO2, HO3
Open Space	IF4	IF4
Sustainable Transport	IF2	IF2
Trees	NR2	NR3
Neighbouring Amenity	EP1, EP3, EP4	EP1, EP3, EP4

7.4 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.

7.5 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are 5therefore material considerations for decision-making. However, given the above both should be given limited weight.

7.6 These documents can be found at:
<https://www3.rbwm.gov.uk/blp>

Supplementary Planning Documents and Guidance

- Borough Wide Design Guide
- Affordable Housing Planning Guidance
- Interpretations of Policies R1, R2, R3, R4, R5 and R6
- Planning for an Aging Population

Other Local Strategies or Publications

Other Strategies or publications material 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/200209/planning_policy

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

14 occupiers were notified directly of the application. The planning officer posted a notice advertising the application at the site on 4 December 2019 and the application was advertised in the Local Press on 12 December 2019.

13 letters were received objecting to the application, summarised below. Following amendments to the proposal, re-consultation was undertaken. 6 letters were received which confirmed objection still stood.

Comment	Where in the report this is considered
Unbalanced demographic towards elderly residents	Section 9 (i)
Affordable Housing is of a lower standard	All housing proposed, including affordable housing is of an acceptable standard. Section (iv).
Insufficient / inadequate parking, resulting in indiscriminate on-street parking problems and highway safety.	Section 9 (v)
Inadequate cycle and refuse storage provision, of poor design and location	Section 9 (v)
Location is unsuitable for elderly residents as there are no services and shops within walkable distance, therefore requires a car / driving thereby increasing traffic. Additional traffic resulting in an increase in congestion and air pollution.	Section 9 (v)
Introduction of vehicular access to the detriment of highway safety	Section 9 (v)
Objections to gated access onto public footpath which will lead to shortcuts and raises concerns over maintenance.	Section 9 (v)
Removal of verge and greenery on frontage resulting in harm to the streetscene	Section 9 (ii)
Excessive density and over development of the site, and excessive height, scale and mass which is out of character with the locality. Conflicts with the Council's Borough Wide Design Guide.	Section 9 (ii)
Insufficient amenity space provided, and soft landscaping to soften hardscaping / parking areas	Section 9 (ii)
Harm to TPO trees.	Section 9 (iii)

Height, bulk, balconies and proximity to site boundary results in harm to neighbouring amenity in terms of loss of light, overlooking and visual overbearing.	Section 9 (iv)
Noise and disturbance during construction	A construction environmental management plan condition recommended. Legislation covering control of noise is found in the Environmental Protection Act 1990 and Control of Pollution Act 1974. Communities with concerns regarding noise can contact the local authority under this legislation.
Would cause subsidence	No significant evidence has been provided to support that it would lead to geological instability or subsidence.
Weight should be given to the BLP	Section 7

Consultees

Consultee	Comment	Where in the report this is considered
Arboriculture Office	<p>Group of off-site trees TG47 and TG58 are an important landscape feature within the local and wider landscape, and should be classed as A2 rather than B2, and B2 rather than C1, respectively.</p> <p>T19, T20 and T21, located in the grounds of Windsor Girls School, considered to be veteran trees and significant landscape features.</p> <p>Raises objections due to the following concerns:</p> <ul style="list-style-type: none"> - Intrusion into the root protection area of veteran tree T20 by car parking bay 42 and 43, and a patio area, to the detriment of its health and longevity. - Intrusion into the root protection area of T9, T12 and T13. - South elevation of block C will be shaded by the oak trees T20 and 21; while the south elevation and garden area of H6 and H7 will be shaded by T3 and T6-T9; and the north elevation of Block A and B will be shaded by T47 and TG58. This will lead to post-development pressure to prune, which will negatively impact their health and their long term viability. - Offsite trees will cause significant shading issues for H6 and H7, leading to pressure to prune. - The canopy spreads and root protection areas for tree groups G58 and G47 need to be annotated on a site layout plan to assess the current proposed and future relationship (branch contact, shade etc) with H1, block A and B. 	Section 9 (iii)

	<ul style="list-style-type: none"> - No details of existing and proposed underground utility services have been provided. - The proposed landscape is not considered sustainable in the long term, specifically the Malus Tschonoskii and Prunus by Block A, the Malus Tschonoskii by Block B, and the Liquidambar tree by Block C. 	
Conservation Officer	In addition to the recording of the building to the appropriate Historic England standard, requests the developer considers re-using elements of the building, for example architectural details such as the date stone, tracery stonework and door in the new buildings.	Section 9 (ii)
Ecology Officer	No objection subject to conditions relating to a Landscape Ecological Management Plan (LEMP) which includes a landscape plan to show location and details of biodiversity enhancements.	Section 9 (ix)
Environment Agency	Wishes to make no comment.	Noted.
Housing Enabling Officer	No objection, recognises that SHMA highlights a future need for older person's accommodation in both the market and affordable housing sectors across the study area of Berkshire, and it is for local authorities to determine the extent of future affordable specialist housing based on local knowledge and demand data. Recognises that conditions including the completion of a satisfactory S106 agreement and nomination arrangements with the local authority is an effective way of ensuring the affordable housing provision is delivered to meet local housing needs in the Borough.	Section 9 (vii)
Lead Local Flood Authority	No objection subject to condition relating to a surface water drainage scheme for the development, based on the submitted Flood Risk Assessment.	Section 9 (vi)
Thames Water	No objection in relation to foul water sewerage and surface water network infrastructure capacity. Recommends informatives relating to mains water use for construction purposes and minimum water pressure and flow rates for future customers.	Section 9 (vi)

Other Interested Parties

Group	Comment	Where in the report this is considered
Windsor and Eton Society	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - Poor Layout, focal point of new road will be parking / over dominance of parking areas - Lack of meaningful landscaping and reliance on off-site trees to provide 	Sections 9 (ii), (iii), (iv), (v)

	<p>verdant setting</p> <ul style="list-style-type: none"> - Harm to adjoining trees - Prone to surface water flooding - Lack of amenity for flats, some amenity space is usable - Single aspect for flats facing trees, leading to poor outlook and loss of light - Loss of hedge and biodiversity - Increase in vehicles, harm to highway safety <p>Following re-consultation on the amended plans, while there are some improved aspects of the scheme, objections still stand.</p>	
Windsor Neighbourhood Plan Forum	<p>Objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - Loss of Pine Lodge, a non-designated heritage asset - Cramped overdevelopment due to excessive density - Layout dominated by parking, lack of meaningful landscaping - Overlooking into neighbouring properties - Loss of greenery - Impact on highway safety as a result of new access points onto Hatch Lane <p>Some aspects of the design attempt to fit in with local character</p>	Sections 9 (ii), (iv) and (v)

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Principle of Development
- ii Character and Appearance
- iii Trees
- iv Residential Amenity
- v Highway Safety and Parking
- vi Sustainable Drainage
- vii Affordable Housing
- viii Open Space
- ix Ecology
- x Other Material Considerations

i Principle of Development

- 9.2 Community facilities contribute towards sustainable development and include health care facilities such as a hospice. Local Plan policy CF1 states that the Council will not permit the loss of existing community facilities unless it is satisfied that there is no longer a need for them, or an acceptable alternative provision is to be made elsewhere.
- 9.3 In this case, planning permission for a 28-bed Hospice with an out-patient unit, counselling and education facilities, and fundraising administration and clinical support offices was granted on 28 March 2018, ref: 17/00798/FULL, at land south of Bray Lake which will re-provide facilities at Pine Lodge in Windsor and Paul Bevan House in Ascot. This development commenced in January 2018. On this basis, in accordance with Local Plan policy CF1 it is considered that an acceptable alternative provision is made elsewhere.
- 9.4 The Proposal Map indicates that part of the site is designated as Public Open Space, and Local Plan policy R1 seeks to protect existing public open space. However, it is noted that previous extensions of the hospice (ref: 99/77842/OUT and 00/79318/REM) incorporated part of the playing fields at Windsor Girl's School. Therefore, the designation is out-of-date, and the loss of Public Open Space is no longer applicable.
- 9.5 In terms of redevelopment of the site for housing, the aim to significantly boost the supply of housing represents a key element of national planning policy as set out at in paragraph 59 of the NPPF. Within the Borough, the Council's Strategic Housing Market Assessment (SHMA) has identified a housing need of 14,240 new dwellings from April 2013 to April 2033. Windfall sites which are impractical to identify in advance are expected to provide approximately 2,065 units during this period. Therefore, in this context the Council will generally be supportive of new residential development on sites that unexpectedly become available, such as this, provided that the proposal complies other policies in the Local Plan.
- 9.6 Furthermore, paragraph 118 of the NPPF states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes. In this case the site comprises of previously developed land located in Windsor, which is a suitable settlement for homes.
- 9.7 In relation to older persons' housing, the NPPF defines 'older people' as people over or approaching retirement age including active elderly to the very frail, and whose housing needs can encompass accessible, adaptable general needs housing through to the range of retirement and specialised housing for those with support or care needs. The SHMA highlights a future need for such housing in the Borough, and Local Plan policy H8 states that the Council will expect development to contribute towards improving the range of housing accommodation and will favour proposals which include housing for those with special needs. In this context, it is considered that the proposal for retirement accommodation will help meet an identified need within the Borough, and therefore supported in principle. If minded to approve, a condition is recommended to ensure that the housing is used solely for the designed purpose of providing accommodation for person or persons who, for the purposes of acquiring purchase or lease, will have a minimum age 55 living as part of a single household.

ii Character and Appearance

Loss of the Existing Building

- 9.8 Part of the existing building comprises of a lodge house, which will be demolished to accommodate the proposed development. As a good example of mid-19th century lodge architecture its loss is regrettable, but the existing lodge house is not Listed nor in a conservation area. The submitted Heritage Statement confirms that there is very little original fabric of the lodge left to conserve. Therefore, the demolition of the existing building is acceptable in principle.
- 9.9 The Council's Conservation Officer has suggested that the proposed buildings reuse architectural features in the lodge house such as the date stone, tracery stonework and the door. While this is desirable, when considered against relevant planning policy, non-compliance is not considered to warrant refusal.

Density

- 9.10 In terms of an appropriate density, the proposal will result in approximately 71 dwellings per hectare, which represents a high density development. Paragraph 117 of the NPPF sets out that planning decisions should promote an effective use of land, while paragraph 123 of the NPPF states that where there is an existing shortage of land for meeting an identified housing need it is especially important that planning decisions avoid homes being built in low densities, and ensure that development make optimal use of the potential of each site. As set out in section 9 (ix) the Council cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer). In this context, the quantum of development is acceptable in principle.
- 9.11 Balanced against this, paragraph 117 of the NPPF qualifies the effective use of land with the requirement to safeguard and improve the environment, while paragraph 122 of the NPPF states that making efficient use of land should take into account the desirability of maintaining an area's prevailing character and setting and the importance of securing well-designed places.

Design Policies

- 9.12 Local Plan policy H10 requires new development to display a high standard of design and where possible to enhance the existing environment, while policy DG1 states that harm should not be caused to the character of the surrounding area. The Borough Wide Design Guide SPD, which supports the aims and objectives of the above Local Plan policies, sets out the over-arching specific design considerations for all scales and types of development from strategic design principles down to detailed matters.
- 9.13 As a material consideration, paragraphs 124 and 130 of the NPPF advises that high quality buildings and places is fundamental to what planning should achieve and permission should be refused for development of poor design that fails to take the opportunity for improving the character and quality of the area and the way it functions. The National Design Guide also sets out the characteristics of well-designed places and what good design means in practice.

Identified Character of the Area

- 9.14 The site falls within an area identified as a 'Victorian Village' in the Council's Townscape Assessment. A 'Victorian Village' is mainly characterised by principal streets with larger 2 to 3 storey buildings on irregular plots and no front gardens, and secondary side roads which also consist of irregular plots but are typically narrower with smaller 2-storey houses with front gardens. Backland development has occurred along most streets, resulting in shortened plots and higher densities. Building styles are characterised by mid-late Victorian and early-Edwardian architecture with building materials consisting predominately of warm-red brick built buildings with stone accents and / or clay tile hangings, and slate roofs. Due to the higher density, open space is limited and generally restricted to private gardens. However, these gardens often contain mature trees and vegetation, which contribute to the greenery of the townscape.
- 9.15 Hatch Lane, which the site forms part of, is a secondary road leading off Clewer Hill Road (the principle street) and the pattern of development largely conforms to the 'Victorian Village' characteristics identified above.

Siting, Form, Height, Scale and Architectural Detailing

- 9.16 The proposal would result in an approximate density of 71dph across the site. The Borough Wide Design Guide states that the Royal Borough has a limited supply of housing, and thus it is important that this resource is used efficiently to deliver the new development that the Borough needs. This will involve intensifying the urban fabric in terms of the amount of built mass and amount of homes. However, the proposal comprises of lower density 2-storey houses to the west of the site towards Hatch Lane with higher density 2.5 to 3 storey flatted development to the east of the site towards Longbourn. This is reflective of the existing pattern of development with 2-storey houses along Hatch Lane and 3-storey flatted development at Longbourn, and so the proposal is considered appropriate in this respect. The Council's Borough Wide Design Guide

also states that places with a mix of densities are important to create balanced and sustainable communities, and therefore generally encouraged.

- 9.17 The proposed housing along Hatch Lane (H1-H5) would provide an active frontage at this interface, which is supported as good design. The proposal would result in the loss of a grass verge and vegetation along the frontage, but as shown in the site layout H1-H5 include front gardens. If minded to approve, full details of the landscaping can be secured by condition.
- 9.18 The architectural design of H1-H5 are cottage style incorporating relatively plain features and the predominate architectural style of the area is mid-late Victorian and early-Edwardian architecture, however, the siting, form, height and scale of H1-H5 are consistent with existing houses on Hatch Lane. Furthermore, the Design and Access Statement confirms brick walls with stone detailing, which reflects the identified material palette of the wider area. Clay tiles are proposed for the roof, and there are existing examples along Hatch Lane. Therefore, it is not considered that H1-H5 would appear overly obtrusive within the streetscene or wider locality. The front and rear gardens to H1-H5 are short, but the Council's Townscape Assessment notes short front gardens are characteristic of properties on secondary roads such as this and backland development has occurred along most streets have resulted in shortened plots to frontage properties. As such, the proposal is not considered out of keeping in this respect.
- 9.19 Within the site it is considered that the proposed separation distances between buildings and the incremental increases in height from the west to east of the site would result in an acceptable visual transition from the more human scale of the houses fronting Hatch Lane to the tallest building on the site (Block C) and to the development beyond at Longbourn.
- 9.20 Due to their height and scale, Block A, B and C are substantial buildings, but it is considered that the proposed form, detailing and materials have been designed to visually break up their mass. The approach of articulating the form of the building is recognised in the Borough Wide Design Guide as method of integrating large scale and mass into a finer grain environment. Furthermore, following the reduction in footprint and simplification of the plan form of Block A and C, the space around all three apartment buildings are considered to provide an adequate setting for the height, footprint and mass of each building. As such, the apartment blocks are not considered to be visually dominant or cramped within the plot.
- 9.21 The form and detailing of Block A, B and C are reflective of the post-war residential flats at Longbourn. The Council's Townscape Assessment identifies that these flats are generally simple in appearance with balconies and portico entrance, but with minimal architectural detailing and a minimal palette of materials of brick, render and uPVC or metal windows and doors. While the two developments would not necessarily be seen together from the public the same public vantage point, the reflection is not considered to be inappropriate.
- 9.22 Parking courts are proposed for the flatted development. With the reduction in units, there has been a consequential fall in the number of car parking spaces proposed from 66 car parking spaces to 49. This has also allowed an increase in green space. Overall, proportion and location of green space within the site is considered to sufficient soften the amount of hardstanding within the site.
- 9.23 The proposed houses at H6 and H7 are similiar to H4 and H5, and acceptable for the same reasons. The aesthetic design of the car port with apartments over is of a timber framed building with a brickwork plinth and plain tiled roof. The appearance and character of these properties are not considered to be detrimental to the character of the site or wider area.
- 9.24 Overall, it is considered that the proposed development would not harm the character and appearance of the streetscene and wider area.

iii Trees

- 9.25 Local Plan policy N6 requires new development to allow for the retention of existing suitable trees wherever practicable, should include protection measures necessary to protect trees during

development, and where the amenity value of trees outweigh the justification for development then planning permission may be refused.

- 9.26 An Arboricultural Report and Tree Condition Survey has been submitted to support the proposal which includes a Tree Survey, drawing ref: TSP-01. There are several trees located within the site, which are not protected. However, to the north-east of the site, located in the Longbourn estate, are a group of trees covered by TPO ref: 019/2005/TPO. The group (TG47 and TG58) are considered to be an important landscape feature within the locality, and the TPO applies to all species. To the south of the site, located on land that forms part of Windsor Girls School and the rear garden of Greenridge, are 3 Oaks (T19, T20, T21), 1 Monterey Cypress (T12), 1 Leyland Cypress (T13) and 1 Corkscrew Willow trees (T9) which are covered by TPO ref: 004/2020/TPO. As a group, the trees are considered to be an important landscape feature within the locality. The 3 Oak trees are considered to be veteran trees, which make a particularly significant contribution to the amenity of the area. A veteran tree is defined in the NPPF as a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value.
- 9.27 To accommodate the proposal 25 trees within the site are to be felled. These trees are identified in Table A of the Arboricultural Report, as well as two mixed groups (TG18 and TG57). These trees have been identified as being 'C' category trees which are normally considered to be low quality. Except for T1 (Lawson Cypress), which is mature ornamental conifer, these trees are also young or semi-mature ornamental trees. Therefore, on balance, it is not considered that the trees are of such importance or sensitivity to be a major constraint on development, and overall loss of these trees would not unduly harm the green character of the site or surrounding area.
- 9.28 In relation to retained trees on site and on adjoining land, the siting footprint of Block C has been altered to reduce the intrusion within the Root Protection Area (RPA) of T20, which is a veteran Oak. It is noted that there is still some intrusion into the RPA of T20, namely parking bays 42 and 43 and a patio area, but the intrusion equates to less than 1% and the parking bays and patio area can be constructed to avoid excavation and with a permeable and porous surface and sub-base to minimise the impact on the rooting environment. On balance this is not considered to sustain a refusal.
- 9.29 Parking bay 44 would also intrude through the RPA of T9, which is classed as a 'B' category tree, while parking bay 15 and part of the turning area would intrude through the RPA of 3 trees of which form part of TG58 which are classed as 'C' category trees. Again, given the minimal level of intrusion and considering construction methods which can avoid excavation and the use of permeable and porous surface and sub-base, it is considered that these measures would sufficiently minimise the impact on the rooting environment. In relation to intrusion into the RPA of T12 and 13, which has been raised by the Arboriculture Office, the scheme has been amended to address this and the proposed development now sits outside the RPA of these trees.
- 9.30 In addition, the tree protection mitigation and protection measures contained in the Arboricultural Report and Tree Condition Survey can be secured by condition. Details of proposed underground utilities such as foul water, gas, electric, telecommunications and portable water can also be secured by condition to ensure that these works fall outside the RPA of trees.
- 9.31 In terms of the shading of habitable rooms by trees, which may lead to the pressure to fell or prune to the detriment of their health and longevity, the siting and footprint of Block C has been amended to increase the distance to a minimum of 12m between the proposed south elevation and the canopy of Oak trees T19, T20 and T21. This separation distance is considered sufficient to allow a satisfactory level of light into habitable rooms at Block C. The amendments to Block C also increases the amount of communal amenity space beyond the canopy of T19, T20 and T21 to approximately 270sqm thereby improving the amount of usable space. It should also be acknowledged that when daylight and sunlight is at its scarcest and most valuable, the oak trees will not be in leaf.
- 9.32 There is approximately 5m from the nearest window on the south elevation of proposed house H6 and H7 and the canopy of T3 and T6-T9, and there is a minimum of 40sqm of amenity space beyond the canopy of T3 and T6-T9. This relationship is not considered to result in undue overshadowing to habitable rooms or garden space, which reduces amenity to an unacceptable

level. Again, it is noted that plum, ash and willow trees are deciduous trees, and so when daylight and sunlight is at its scarcest during the autumn and winter months these trees will not be in leaf.

- 9.33 The north elevation of Block A and B are approximately 4m from the canopy of TG58 and TG47, respectively. Given this distance, together with the south siting of Block A and B to these trees, it is not considered that TG58 and TG47 would cause undue overshadowing to habitable rooms and amenity space.
- 9.34 TG48 would overhang the rear garden area of H1 but given the extent and the north siting of the tree it is not considered to result in undue overshadowing of the rear garden of the proposed house at H1.
- 9.35 The Council's Arboriculture Officer raised concerns over the sustainability of identified species in the proposed landscape plan, in particular Malus Tschonoskii and Prunus by Block A, the Malus Tschonoskii by Block B, and the Liquidambar tree by Block C. However, details of a satisfactory landscaping scheme to be submitted and approved by the Local Planning Authority can be secured by condition.

iv Residential Amenity

- 9.36 Local Plan policy H11 states that in established residential areas development which introduces a scale or density that would cause damage to the amenity of the area would be resisted. In support, the Borough Wide Design Guide advises that housing development should seek to make effective use of land without adversely impacting on the amenity of neighbours. As a material consideration, paragraph 127 of the NPPF states that planning decisions should ensure that development should achieve a high standard of amenity for existing and future users.
- 9.37 In this case the terrace houses (H1-H3) are sited generally in line with Chestnuts, the adjacent neighbour to the north, and would not project significantly further forward or rearward of this neighbouring house. As such, the proposed terrace is not considered to result in undue loss of light or outlook to front or rear windows at Chestnuts. There is a ground and first floor side window at Chestnuts, which the proposed terrace houses would extend across. The proposed terrace would intrude through a 25 degree elevational line when taken from the mid-point of both windows. However, this intrusion occurs at approximately 5m and 8m from the ground floor and first floor window, respectively. Furthermore, from planning history records it is also noted that the first floor room benefits from additional light and outlook from a front and rear window while the ground floor room is also served by a rear window. It is therefore not considered that these rooms would experience undue loss of light or visual intrusion that would reduce amenity to an unacceptable level. In terms of privacy, a first floor terrace is proposed to the rear elevation, the nearest of which would be sited approximately 8m from the boundary with Chestnuts, but the Design and Access Statement confirms the inclusion of privacy screens. The Borough Wide Design Guide acknowledges screening as an effective method to prevent overlooking of private spaces. In this case, with the inclusion of privacy screens, views towards Chestnuts from the first floor terrace would be oblique. Oblique views are considered mutual and common in suburban locations such as this. Details of the privacy screen can be secured by condition.
- 9.38 The car port with apartments is sited approximately 12.7m from the shared boundary with Chestnuts. This separation distance together with its scale (approximately 17.5m in width and 8m in height) and form (hipped roof sloping away from the shared boundary) is considered to sufficiently mitigate any visual intrusion and loss of light to the rear garden. In terms of privacy, the 12.7m distance is also considered to mitigate any undue overlooking. Furthermore, in relation to privacy, the Borough Wide Design Guide advises that the most sensitive area is first 3m of private space behind the rear elevation. The proposed car port with apartments face the middle section of the garden.
- 9.39 Block A is sited approximately 5m away from the shared boundary with Chestnuts but would face the rearmost section of the garden. As such, it is not considered that Block A would reduce amenity to an unacceptable level in terms of visual intrusion, loss of light or loss of privacy.

- 9.40 The pair of semis fronting onto Hatch Lane (H4 and H5) is sited approximately 7m further forward than the neighbouring property to the south (Greenridge) but would not intrude through a 45 degree angle taken from the nearest window on the front elevation. The proposed semis would therefore not cause any undue visual intrusion or loss of light. A first floor terrace with a privacy screen is proposed to the rear elevation, offset from the shared boundary by approximately 4.5m. As such, views towards Greenridge from would be oblique and oblique views are mutual and common in suburban locations such as this. Details of the privacy screen can be secured by condition.
- 9.41 Another pair of semis (H6 and H7) is sited perpendicular to Greenridge, approximately 8m from the shared boundary with the rear garden. This distance together with the scale of the proposed house (approximately 20.5m in width and 7.5m in height) and form (gable roof sloping away from the shared boundary) is considered to sufficiently mitigate any visual intrusion and loss of light to the rear garden. Two first floor rear windows are proposed, which serve habitable rooms (bedrooms) but direct views avoid the sensitive 3m private space behind the rear elevation of Greenridge. Together with the 8m distance, H6 and H7 are not considered to result in any undue overlooking. First floor terraces originally proposed at H6 and H7 have been removed from the scheme and replaced by Juliette balconies and so there would be no loss of privacy in this respect.
- 9.42 Due to the siting and orientation of Block C in relation to Greenridge and Windsor Girls School, it is not considered to have any undue impact in terms of visual intrusion or loss of light. There would be windows on the east elevation, which would face the playing grounds of Windsor Girls School, but views would not be materially different from existing views from the Hospice or from neighbouring houses. As such, it is not considered there would be any undue loss of privacy.
- 9.43 Block B would increase the visual presence of built development when viewed from no. 1 and 7-12, and 13 Longbourn but the separation distance of approximately 20m at the nearest point is considered to sufficiently mitigate any undue visual intrusion or loss of light to habitable rooms. The orientation of Block B and the stepped elevation, which breaks up mass and bulk, is considered to sufficiently mitigate any undue visual intrusion or loss of light to the garden areas of no.1, 7-12 and 13 Longbourn. In terms of privacy, due to the placement of proposed balconies and windows any direct views towards no. 7-12 Longbourn would be to the rearmost section of the garden, or to the main garden area but at a distance of over 15m. This is not considered to reduce amenity of this property in terms of privacy to an unacceptable level. There would be some direct views towards no. 13 Longbourn, but there would be a distance of approximately 13m from the nearest balcony / windows to the garden boundary of no. 13 Longbourn which is considered acceptable. There would be some direct views from Block C towards No. 1 Longbourn, but at a distance of approximately 15m, which is considered to mitigate any undue overlooking.
- 9.44 The proposed houses and flats are of a reasonable size commensurate to the number of bedrooms, and the internal layout and room sizes are sufficient to function for the purposes for which they are intended. All habitable rooms are also considered to benefit from a satisfactory outlook, natural light and ventilation to provide an acceptable living standard.
- 9.45 In relation to outdoor amenity space, the proposal fails to provide satisfactory private amenity space in accordance with the standards set out in the Borough Design Guide for houses H4 and H5, the 2 x 1-bed flats above the car port, and flats A5-A12 and B1. However, given that the majority of units meet the recommended standards, and considering the overall quality of accommodation and amenity space as a whole, on balance the proposal is not considered to warrant refusal on these grounds.

v Highway Safety and Parking Provision

- 9.46 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, and policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking.

Access

- 9.47 The development proposes relocating the existing vehicular access into the site by approximately 5m to the south. As shown on the proposed site layout, the proposed vehicular access is approximately 6.0m wide, which is sufficient to accommodate two-way opposing flows, and a swept path analysis has been submitted to demonstrate that vehicles, including refuse collection vehicles, can enter and exit the site in forward gear. Satisfactory visibility splays at the junction with Hatch Lane commensurate with the speed limit can also be achieved. For the individual vehicular access serving the proposed houses fronting Hatch Lane, drawing no. 8190395/6104 rev. A (Appendix B, Transport Statement Addendum) demonstrates 2m x 2m pedestrian visibility splays can be achieved at all driveways onto the public highway. During the course of the application, the driveway to H1 was relocated to avoid conflict with the 'speed bump' on Hatch Lane. As such, the proposal is considered safe in this respect. The access and visibility plans can be secured by condition.
- 9.48 The Transport Statement Addendum has confirmed dedicating part of the site to increasing the width of the adjoining footway on the eastern side of Hatch Lane from approximately 1.3m to 2.0m, which will benefit pedestrians. A legal agreement between the applicant and RBWM under S278 of the Highways Act to enable these works can be secured by condition
- 9.49 A new pedestrian access is proposed within the northern boundary of the site between Block A and B, leading to the public footpath from Hatch Lane to Longbourn. While concerns have been raised that this will create a shortcut, this is considered to be beneficial to local residents and is supported by the Borough Wide Design Guide which states that all new development will be expected to connect into surrounding routes. There is no objection to this element.

Trip Generation

- 9.50 To determine the impact of the development on the local highway network, the submitted Transport Statement compares the trips generated by the existing facility against the proposed development. The methodology to determine the existing and proposed trip rates is acceptable, and demonstrates that the traffic generation for the existing use would generate approximately 2 2-way trips for both the AM peak and PM peak while the proposed use would generate approximately 7 2-way trips in the AM peak and 6 2-way trips in the PM peak. While there is an increase in trips, the level is not considered to give rise to a severe impact on the local highway network or in terms of air quality both individually and cumulatively with other development to warrant refusal.

Parking

- 9.51 For C3 (active elderly) use the Council's Parking Strategy sets a maximum parking of 1 space per unit, which equates to a maximum of 45 car parking spaces for the proposed development. However, the NPPF, which is material consideration of significant weight and post-dates the Council's Parking Strategy, states that maximum parking standards for residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network. In this case, the increase in trip generation as a result of the proposal is limited. Therefore, it not considered to warrant management in this respect and the total provision of 49 car parking spaces (1 allocated car parking space for each house, and 42 unallocated car parking space for the apartments) is acceptable.
- 9.52 The submitted Transport Statement Addendum has confirmed the provision of 2 disabled car parking spaces, to be located as close as possible to building entrances, and the provision of charging bays for electric cars (20% active, 20% passive). This is acceptable and details can be secured by condition.
- 9.53 The Council's Planning for an Aging Population SPD states that cycle parking should be provided at a level of 1 space per 5 units. 14 cycle parking spaces are proposed, which is in compliance with this standard. The spaces comply with the West London Cycle Parking Guidance (current best practice) and are provided in two secure storage units near to the car parking areas. Full details can be secured by condition.

vi Sustainable Drainage

- 9.54 Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. A Flood Risk Assessment has been submitted to support the application, which includes a sustainable drainage strategy. It is proposed that surface water run-off from the development site should be managed by two geo-cellular storage tanks. One of the attenuation tanks be located beneath the car parking area to the south of Block B and the second tank will be located beneath the car parking area to the eastern side of dwelling H1 and western side of Block A. The geo-cellular storage tanks will be used to attenuate surface water flows with suitable outflow control. The attenuated surface water flows from the proposed development would be discharged via gravity to the closest surface water manhole which serves properties located to the north-east of the site. Thames water have confirmed that they have no objection regarding the surface water network infrastructure capacity. On this basis, the proposed surface water strategy is acceptable in principle. Further details will be required on how surface water flows are to be directed to the surface water drainage system and how exceedance flows are to be dealt with, but it is considered that these details can be secured by condition.

vii Affordable Housing

- 9.55 Local Plan policy H3 states that the Council will seek to achieve a proportion of the total capacity of suitable residential schemes to be development in the form of affordable housing to meet the needs of 'qualifying persons' as defined by Council. Suitable sites include sites of 0.5ha or over, or scheme proposing 15 or more net additional dwellings. The supporting text of Policy H3 states that in general the Council will seek to achieve the provision of 30% of the total units provided on any individual site as affordable housing. For the proposal, this would equate to 14 units.
- 9.56 The planning statement confirms the provision of 30% (14 units) in accordance with policy H3, to be delivered as shared ownership. In term of tenure, Local Plan policy H3 is silent on this matter but it refers to identified local need which the SHMA sets out in detail. For older persons accommodation there is an unmet demand for shared ownership, which the proposal would help meet. It is also understood that the applicant has accepted an offer from a Registered Provider to manage the 14 x 2-bed shared ownership flats when completed. The offer letter from the Registered Provider is subject to various conditions including completion of a satisfactory Section 106 agreement and nomination arrangements with the local authority. These conditions are an effective and acceptable way of ensuring the affordable housing is delivered to meet local housing needs in the borough.
- 9.57 As a further material consideration, paragraph 64 of the NPPF states that at least 10% of the overall homes are expected to be available for affordable home ownership as of the overall affordable housing contribution from the site unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing need within the Borough. This would equate to 5 units, which the proposal complies with.
- 9.58 The affordable housing provision can be secured by a S106 legal agreement. A legal agreement can also be worded that the percentage discount of open market value can remain in perpetuity so the units will remain affordable.

viii Open Space

- 9.59 Local Plan policy R3 states that the Council will require new housing developments to make appropriate provision for public open space, while policy R4 states that for sites measuring between 0.4ha to 1ha, such as this, the Council would require a children's play space in accordance with R5. Local Plan policy R5 states that within new development of family houses on sites larger than 0.4ha or 15 units (whichever is the smallest) the Council will require a Local Area for Play (LAP) and within new development of family houses on sites larger than 0.8ha or 50 units (whichever is the smallest) the Council will also require a Local Equipped Area for Play (LEAP).

9.60 In this case while there are private and communal gardens within the proposal there is no area of public open space within the site. However, the proposal is not for family houses, but retirement housing. Furthermore, it is noted that Longbourne Park, which is owned by RBWM, is approximately 100m away from the site. A new pedestrian access is also proposed within the northern boundary of the site between Block A and B, leading to the public footpath from Hatch Land to Longbourn. This is considered to provide a convenient access to Longbourne Park. As such, the lack of public open space within the development is acceptable. The provision of this access can be conditioned.

ix Ecology

9.61 The site lies within 5km and within the zone of influence of Windsor Forest and Great Park, a Special Area of Conservation (SAC) which is a European Designated site. The primary reason for designation is the significance of old acidophilous oak woods, range and diversity of sapxylic invertebrates, and fungal assemblages. The Natura 2000 data form for Windsor Forest and Great Park reports that the main threats relate to forest and plantation management and use; air pollution, invasive non-native species; and interspecific floral relations. Where any proposal is likely to have a significant effect on a European site either alone or in combination with other plans or projects, the Conservation of Habitats and Species Regulations 2017 requires an appropriate assessment to be made in view of that site's conservation objectives. Paragraphs 175 and 176 of the NPPF state that development resulting in the loss or deterioration of Special Areas of Conservation should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In this case the proposed development, along and in combination with the linked proposals, is not considered to have a significant effect on Windsor Forest and Great Park, due to the scale and nature of the proposed development together with the distance of proposal from the SAC. Therefore, an appropriate assessment is not required.

9.62 As a material consideration Paragraph 175 states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. Furthermore, protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity.

9.63 An Ecology Report (November 2019) has been submitted to support the proposal, which has been undertaken to an appropriate standard and concludes that the existing buildings are unlikely to host roosting bats. However, foraging and commuting bats and nesting birds are likely to use the site. The submitted Ecology Report recommends compensation for lost habitat and biodiversity enhancements including planting of species-rich grassland, native trees and landscape planting, installation of bird and bat boxes on and around the building, and creation of log piles. On this basis, a condition is recommended to secure a Landscape Ecological Management Plan (LEMP), including a landscape plan, to show the location and details of biodiversity features to be submitted to and approved by the Local Planning Authority. The LEMP should also include details on the ongoing management of these habitat features.

9.64 The Ecology Report also recommends a wildlife sensitive lighting strategy, and the application is supported by a lighting plan. The lighting plan shows low lux levels with minimum spillage, and therefore likely to have a minimal effect on wildlife. The lighting plan can be secured by condition.

x Other Material Considerations

Housing Land Supply

9.65 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.*

9.66 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).'

9.67 At the time of writing, the Council cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer). The LPA further acknowledge that there are no 'restrictive' policies relevant to the consideration of this planning application which would engage section d(i) of paragraph 11 of the NPPF. Therefore, for the purpose of this application and in the context of paragraph 11 of the NPPF, including footnote 7, the so-called 'tilted balance' is engaged. The assessment of this and the wider balancing exercise is set out below in the conclusion.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 In accordance with the Council's adopted Community Infrastructure Levy (CIL) Charging Schedule, the development is CIL liable on the chargeable floor area at a rate of £295.20 per square metre.

11. PLANNING BALANCE AND CONCLUSION

11.1 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. As set out in section 9 (ix) it is considered that in this instance the tilted balance should be applied. For decision making this means approving development proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11.2 The proposal is considered compliant with planning policy in terms of principle of development; impact on character and appearance of the area; trees; residential amenity; highway safety and parking; sustainable drainage; affordable housing; open space; and ecology. This should be allocated neutral weight.

11.3 Weighing in favour of the proposal paragraph 68 of the NPPF states that local planning authorities should support the development of windfall sites through polices and decisions and give great weight to the benefits of using suitable sites within existing settlements for homes. The site is considered to be a windfall site (sites not specifically identified in the development plan) and considered to be a suitable site within an existing settlement for homes. Furthermore, comprising of previously developed land for residential development, paragraph 118 of the NPPF goes onto state that planning decisions should give substantial weight to the proposal.

11.4 It is not considered that any adverse impacts of the proposal would significantly and demonstrable outweigh the benefits outlined above and the development is therefore recommended for approval.

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 residential units within the buildings hereby approved shall be used solely for the designated purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved residential units, will have a minimum age of not less than 55 years old (or a spouse or partner living as part of a single household with such person or persons). The buildings shall not be used or occupied for any other purpose, including equivalent provision in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any subsequent or equivalent provision, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). No permitted changes of use shall occur unless express permission of the Local Planning Authority has been obtained.
Reason: In the interest of proper planning and to ensure satisfactory living environment for occupiers.
- 3 The development shall be carried out and maintained in accordance with the details of slab levels as shown on drawing no. 1200 A, 1201 E, 1207 B, 1300 D, 1310A and 1302 E received 10 July 2020.
Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows.
Relevant Policy - Local Plan F1.
- 4 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.
- 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 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. 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.
- 7 The development shall not be occupied until the landscape and ecological management plan (LEMP) 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. The LEMP shall include the following. a) Description and evaluation of features to be managed, as well as biodiversity enhancements including planting of species-rich grassland, native trees and landscape planting, installation of bird and bat boxes on and around the building, and creation of log piles. b) Ecological constraints on site that might influence management c) Aims and objectives of management. d) Prescriptions for management actions. e) Preparation of a work schedule including a 5 year plan f) Details of the body or organisation responsible for implementation of the plan. The LEMP will be implemented as approved and shall be retained in accordance with the approved details.
Reason: To ensure that wildlife is safeguarded, and enhancements provided, in line with policy NR3 of the submitted Local Plan and paragraph 175 of the NPPF.
- 8 No external lighting (including floodlighting) shall be installed until a report detailing the lighting scheme and how this will not adversely impact upon wildlife has been submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:- A layout plan with beam orientation - A schedule of equipment - Measures to avoid glare - An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of ecological importance.- Hours of operation of any external lighting. The approved lighting plan shall thereafter be implemented as agreed.
Reason: To ensure that wildlife is not adversely affected by the proposed development in line with the NPPF.

- 9 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 10 Prior to the installation of underground utilities, apart from areas of existing hardstanding, details including their location shall be 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: To ensure that the any existing and new planting is not compromised. Relevant Policies - Local Plan DG1, N6.
- 11 No development shall take place (including demolition, ground works and vegetation clearance) until a construction environmental management plan has been submitted to and approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to: a) Procedures for maintaining good public relations including complaint management, public consultation and liaison b) Arrangements for liaison with the Environmental Protection Team c)) Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works d) Control measures for dust and other air-borne pollutants. e) Measures for controlling the use of site lighting whether required for safe working or for security purposes. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.
- 12 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained as approved.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 13 Prior to the commencement of construction of the new development a Section 278 (of the Highways Act 1980) Agreement shall be submitted to the Highways Authority for the works to improve the footpath on Hatch Lane, the full details of which are to be agreed with the Council. The development shall not be occupied until the aforementioned works, as approved through the S278 Agreement, has been carried out in full.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 14 No part of the development hereby permitted shall be occupied until pedestrian visibility splays of 2.0m by 2.0m have been provided at the junction of the driveway and the adjacent footway. All dimensions are to be measured along the outer edge of the driveway and the back of footway from their point of intersection. The areas within these splays shall be kept free of all obstructions to visibility over a height of 0.6 metres above carriageway level.
Reason: In the interests of pedestrian and highway safety. Relevant Policies - Local Plan T5
- 15 Prior the occupation of any dwellings 11 spaces (car parking bays 1-9, 20-21) shall be active charging bays for electric cars and 10 spaces (car parking bays 17-18, 30-31, 35-36, 41-43) shall be passive charging bays for electric cars; and 2 disabled car parking bays shall be located close to the building entrances.
Reason: To meet required parking standards and to ensure sustainable development.
- 15 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1.
- 16 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

17 The development shall not be occupied until the gated access to the public footpath along the northern site boundary leading from Hatch Lane to Longbourn has been provided.

Reason: To improve pedestrian links. Relevant Policy - Local Plan DG1.

18 Prior to commencement (excluding demolition) a surface water drainage scheme for the development, based on the submitted Flood Risk Assessment, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include: Full details of all components of the proposed surface water drainage system including dimensions, location, gradients, invert levels, cover levels and relevant construction details; supporting calculations confirming compliance with the Non-statutory Technical Standards for Sustainable Drainage Systems and the agreed discharge rate of 2 l/s and the attenuation volumes to be provided; and details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented. The surface water drainage systems shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure that the proposed development is safe from flooding and does not increase flood risk elsewhere.

19 Prior to its installation, detailed drawings and information of the materials/glazing of the proposed privacy screen to the first floor terraces at houses H1, H2, H3, H4, H5, H6 and H7 shall be submitted to and approved in writing by the Local Planning Authority. The screen shall thereafter only be installed and maintained in accordance with these approved details.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.

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

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

Informatives

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
- 2 The developer is advised to notify Thames Water if mains water is used for construction purposes to avoid potential fines for improper usage. More information can be found online at www.thameswater.co.uk/buildingwater.
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres / minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Appendix A – Site Location Plan and Site Layout





EDGINGTON
 SPINK + HYNE
 CHARITABLE ARCHITECTS

PROPOSED Academic Development +
 High Level
 Masterplan

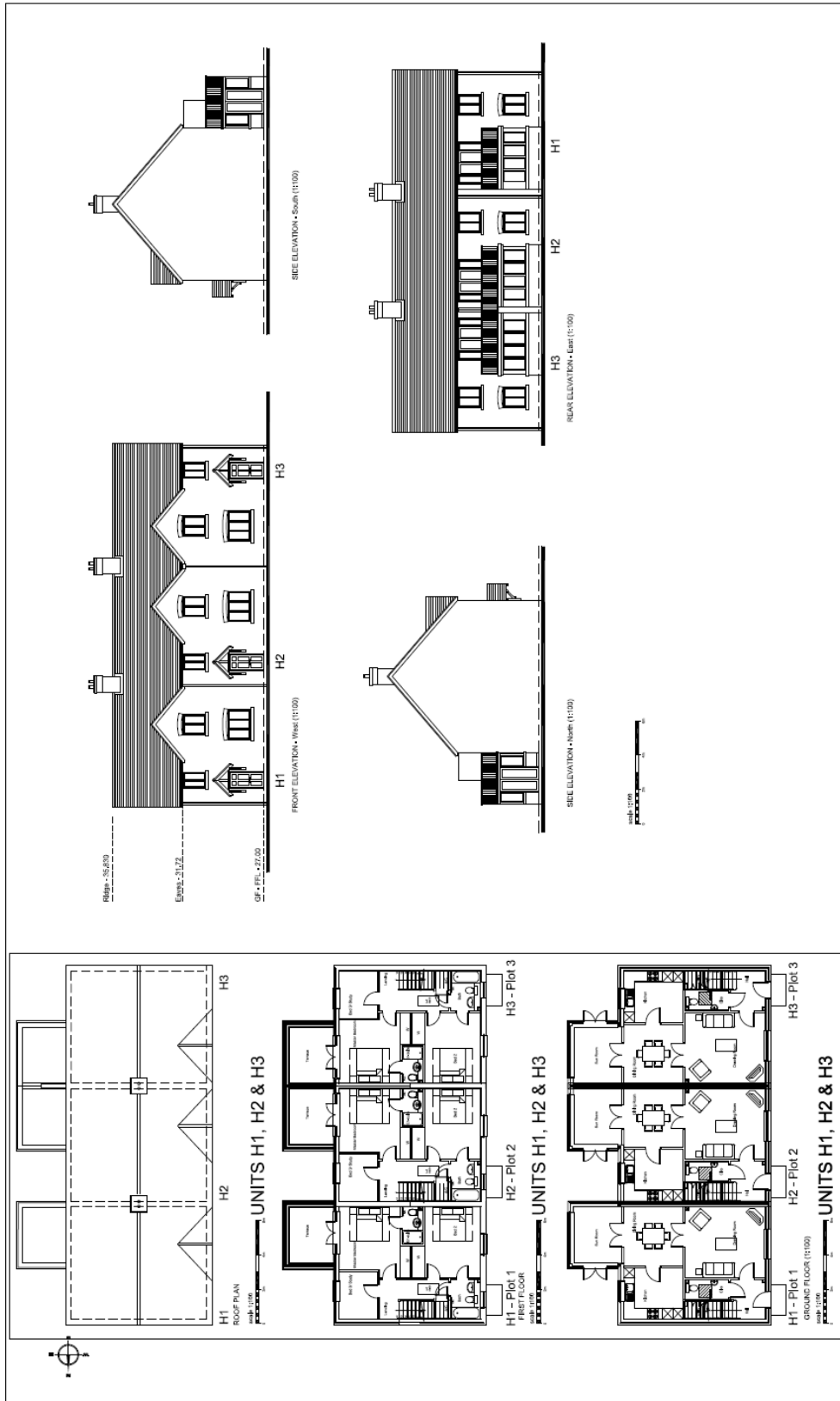
Proposed Site Layout

Author	0210
Client	0210
Date	2022
Drawn By	0210
Scale	1:1000
Project	0210

100%
 75%
 50%
 25%
 0%

THIS DRAWING HAS BEEN CHECKED FOR ACCURACY AND COMPLIANCE WITH THE BUILDING REGULATION AND THE BUILDING ACT 2019. IT IS TO BE USED AS A GUIDE ONLY AND DOES NOT REPRESENT THE FINAL DESIGN. ANY CHANGES TO THE DESIGN WILL BE MADE TO THE DRAWING RECORD.

Appendix B – Proposed Plans and Elevations



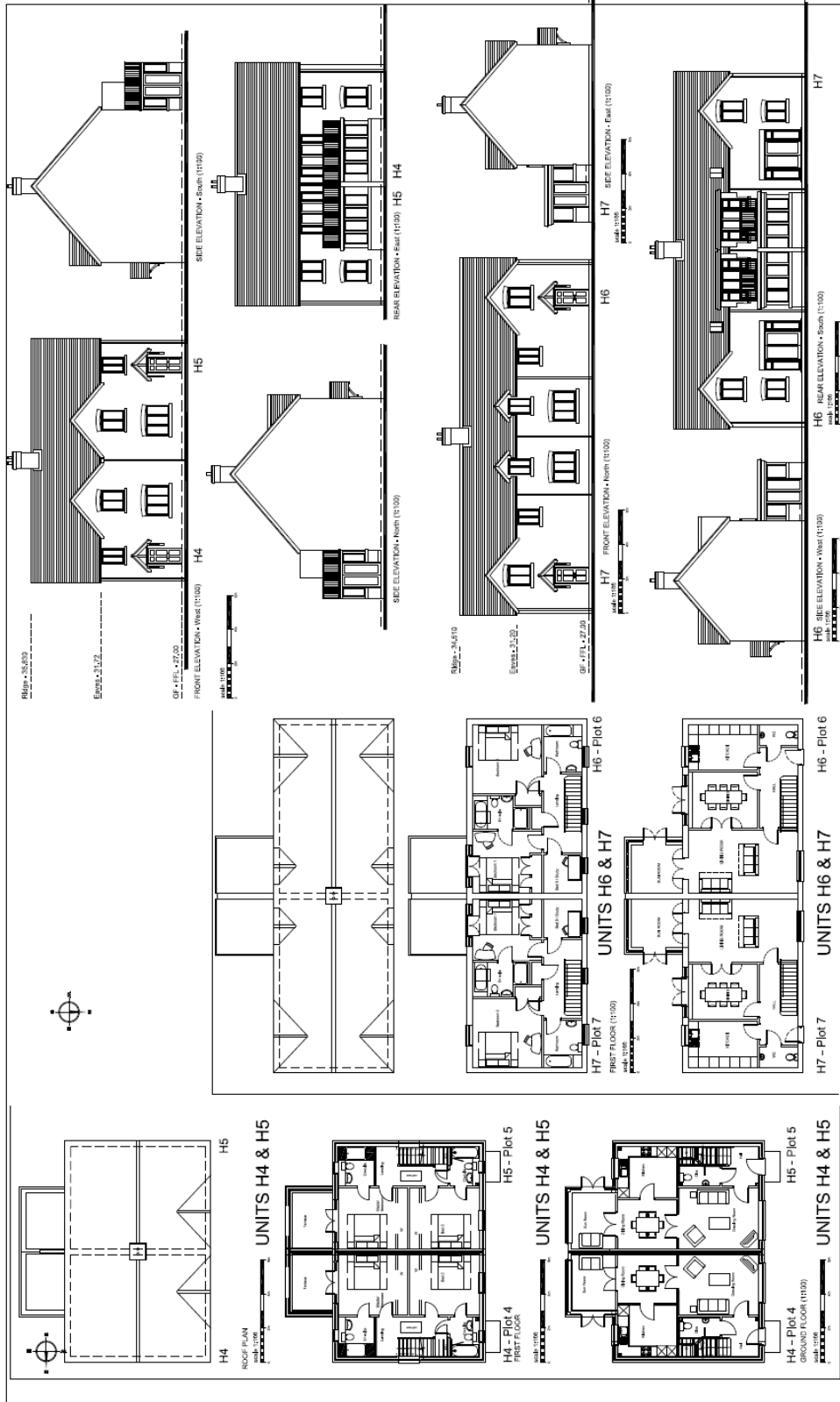
EDGINGTON SPINK + HYNE
 CHARTERED ARCHITECTS

PROPOSER: Residential Development
 HEALTH LANE
 WIMBORNE

UNITS H1, H2 & H3
 SCALE: 1:100
 DATE: May 2022
 DRAWN: [Name]
 CHECKED: [Name]

PROPOSER: House Plans and Elevations
 UNITS H1, H2 & H3
 SCALE: 1:100
 DATE: May 2022
 DRAWN: [Name]
 CHECKED: [Name]

NOTES:
 ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOT BASED
 ON THE DRAWINGS. ALL DIMENSIONS ARE TO FACE UNLESS
 STATED OTHERWISE. ALL DIMENSIONS ARE TO FACE UNLESS
 STATED OTHERWISE. ALL DIMENSIONS ARE TO FACE UNLESS
 STATED OTHERWISE. ALL DIMENSIONS ARE TO FACE UNLESS
 STATED OTHERWISE.



Proposed Residential Development
Heath Lane
Windsor

EDGINGTON
SPINK + HYNE
CHARTERED ARCHITECTS

MR JONAS SPINK, MR GILLIAN HYNE, MR IAN EDGINGTON
REGISTERED ARCHITECTS, RIBA, RICS, RGA, RGA(C)

PROJ. NO. 2020/0102
DATE: 2020/01/20
SCALE: A3

NOTES:

- ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOTED.
- CONSTRUCTION TO BE IN ACCORDANCE WITH THE BUILDING REGULATIONS, 2010.
- ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS, 2010.
- ALL MATERIALS TO BE SPECIFIED AND APPROVED BY THE ARCHITECT.
- ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS, 2010.
- ALL WORK TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS, 2010.

Building A
FRONT ELEVATION - EAST (105%)

Building A
REAR ELEVATION - EAST (105%)

Building A
SECTION - WEST (105%)

Building A
SECTION - EAST (105%)

Scale: 1/8" = 1'-0"

Scale: 1/8" = 1'-0"

Scale: 1/8" = 1'-0"

Scale: 1/8" = 1'-0"

NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

2. FINISHES ARE AS SHOWN ON THE ARCHITECTURAL SPECIFICATIONS.

3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE APPROVED BY THE ARCHITECT.

4. CONSULT THE GENERAL CONTRACTOR FOR THE LATEST REVISIONS TO THE SPECIFICATIONS.

5. SEE DRAWING 32.1 FOR GENERAL NOTES.

6. SEE DRAWING 32.2 FOR GENERAL NOTES.

7. SEE DRAWING 32.3 FOR GENERAL NOTES.

8. SEE DRAWING 32.4 FOR GENERAL NOTES.

9. SEE DRAWING 32.5 FOR GENERAL NOTES.

10. SEE DRAWING 32.6 FOR GENERAL NOTES.

11. SEE DRAWING 32.7 FOR GENERAL NOTES.

12. SEE DRAWING 32.8 FOR GENERAL NOTES.

13. SEE DRAWING 32.9 FOR GENERAL NOTES.

14. SEE DRAWING 32.10 FOR GENERAL NOTES.

15. SEE DRAWING 32.11 FOR GENERAL NOTES.

16. SEE DRAWING 32.12 FOR GENERAL NOTES.

17. SEE DRAWING 32.13 FOR GENERAL NOTES.

18. SEE DRAWING 32.14 FOR GENERAL NOTES.

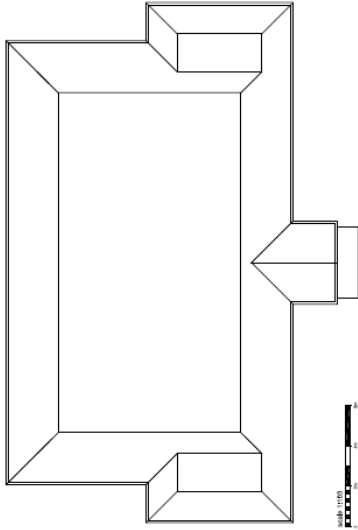
19. SEE DRAWING 32.15 FOR GENERAL NOTES.

20. SEE DRAWING 32.16 FOR GENERAL NOTES.

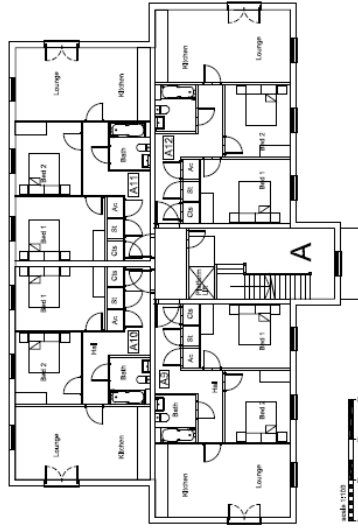
EDGINGTON
SPINK + HYNE
EXPERIENCED ARCHITECTS

10000 W. 16th Ave. Suite 100
Denver, CO 80202
303.750.1000

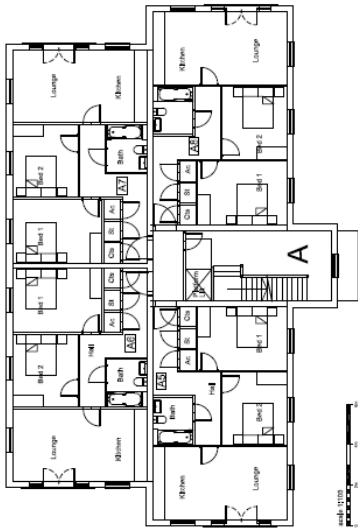
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Client: **10000 W. 16th Ave.**
Date: **10/1/2024**
Sheet: **32.5** of **32**



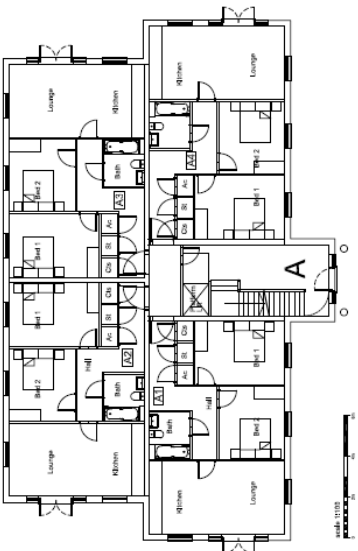
Roof Plan



Second Floor Plan



First Floor Plan



Ground Floor Plan

Proposed Residential Development
 Health Lane
 Whiston

Proposed Apartment Plans
 BUILDING A

SCALE: 1:100
 DATE: June 2020
 SHEET: GH
 OF NO. 0519
 OF NO. 1202
 D

EDGINGTON
 SPINK + HAYNE
 CHARTERED ARCHITECTS

WILKINSON COURT, 2 RUSSELL STREET, WHISTON,
 LIVERPOOL, L35 5EF
 TEL: 01774 473142 FAX: 01774 487608
 info@edgingtonspink.com uk@edgingtonspink.com

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DATE: 12/06/20

SCALE: 1:100

SHEET: GH

OF NO. 0519

OF NO. 1202



NOTES:

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CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

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Proposed Residential Development

Wilson Lane

Winston

Project # 2024-001

DATE: 06/20/24

BY: J. H. H.

SCALE: 1/8" = 1'-0"

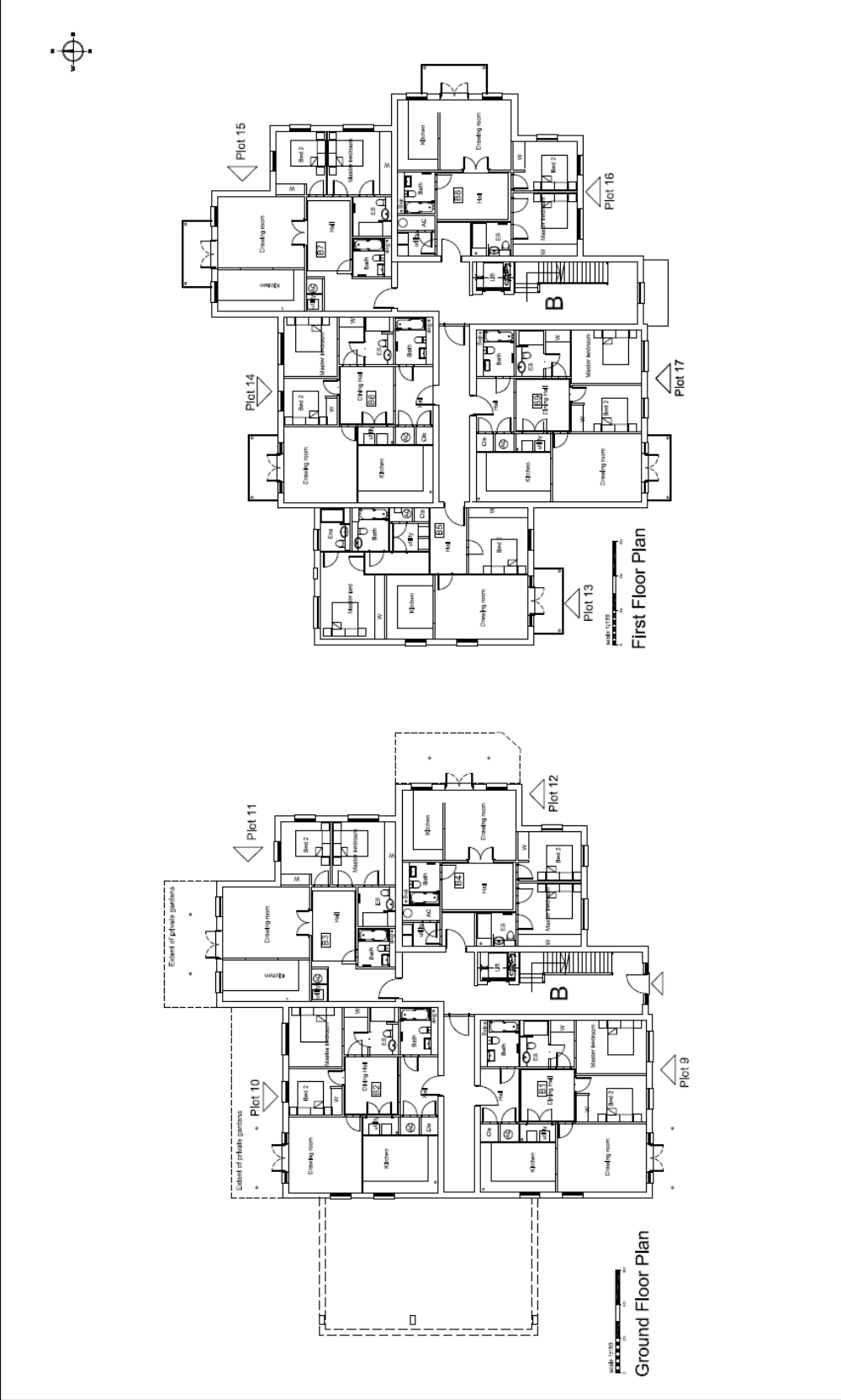
DATE: 06/20/24

BY: J. H. H.

SCALE: 1/8" = 1'-0"

EDGINGTON
SPINK + HYNE
 CHARTERED ARCHITECTS

1000 W. MAIN ST., SUITE 100, WILSON, NC 27157
 P: 704.255.1111
 F: 704.255.1112
 www.edgingtonspinkhyne.com



Proposed Residential Development
 Nelson Lane
 Wincor

BUILDING B

Scale: 1:100

Date: June 2026

Sheet: SH

Rev: 0519

**EDGINGTON
 SPINK + HYNE**
 CHARTERED ARCHITECTS

EDGINGTON SPINK + HYNE
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

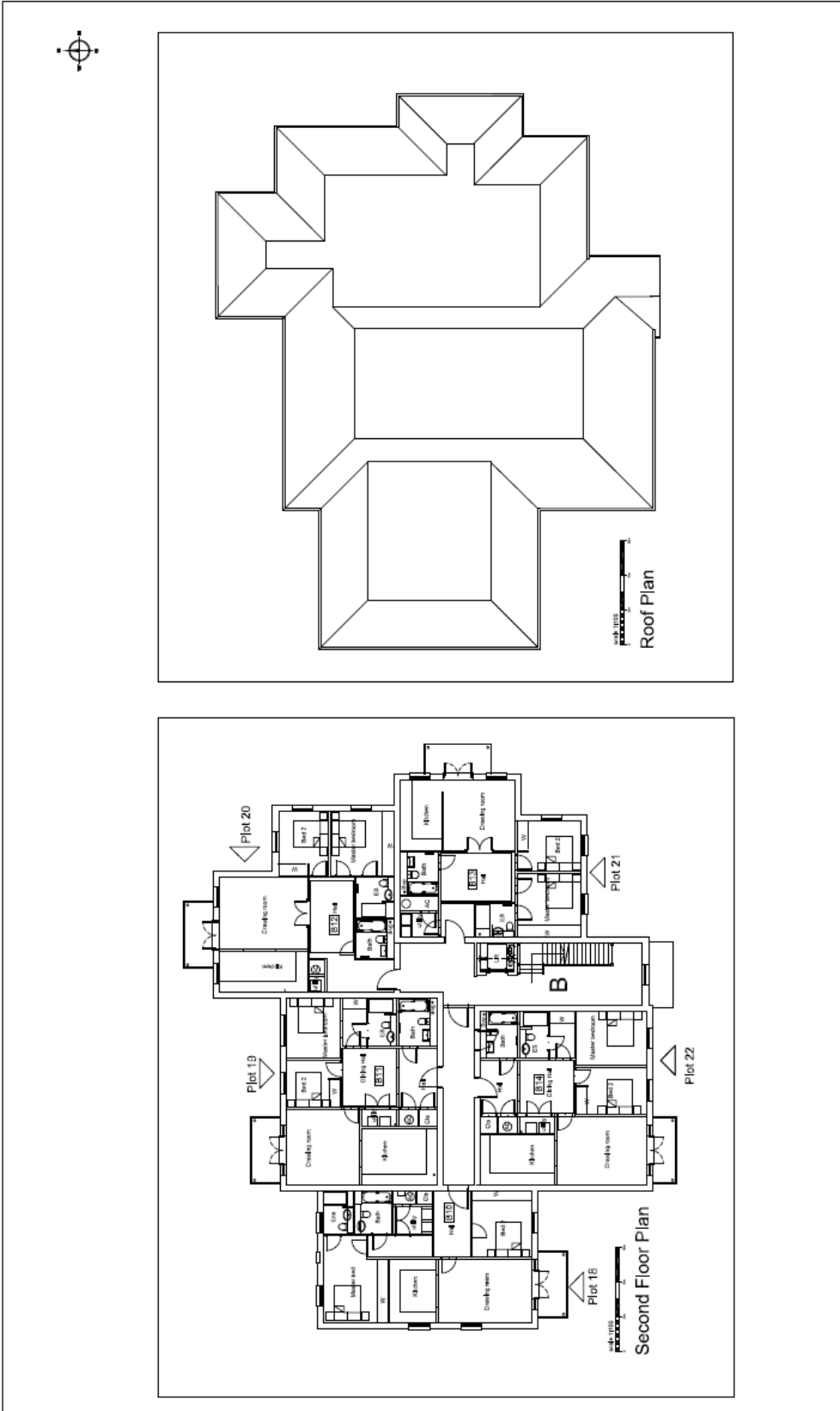
NOTES

ALL DIMENSIONS MUST BE CHECKED ON SITE AND NOTED

WITH ALL RELEVANT ARCHITECTURAL AND STRUCTURAL

DETAILS AND CHECKED TO BE REPORTED TO THE ARCHITECT.

THIS DOCUMENT IS CONFIDENTIAL.



Proposed New Level 1 Development
 Helen Lane
 Whistler

**EDGINGTON
 SPINK + HYNE**
 CHARTERED ARCHITECTS

1000 WEST 10TH AVENUE, SUITE 1100
 VANCOUVER, B.C. V6H 2R6
 TEL: 604.278.4379
 WWW.EDGINGTONSPINKHYNE.COM

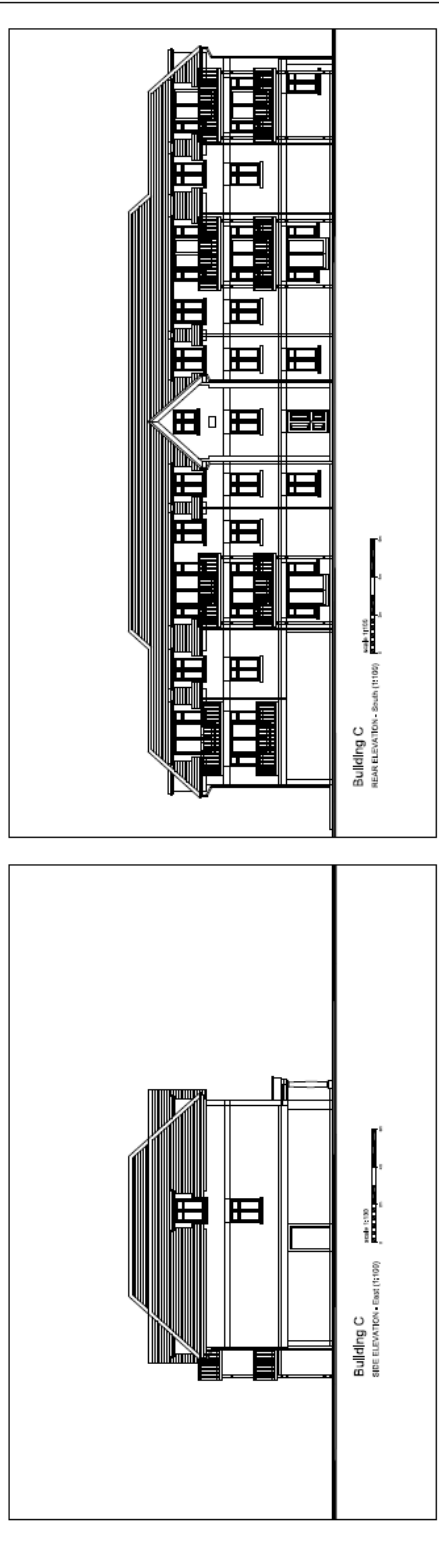
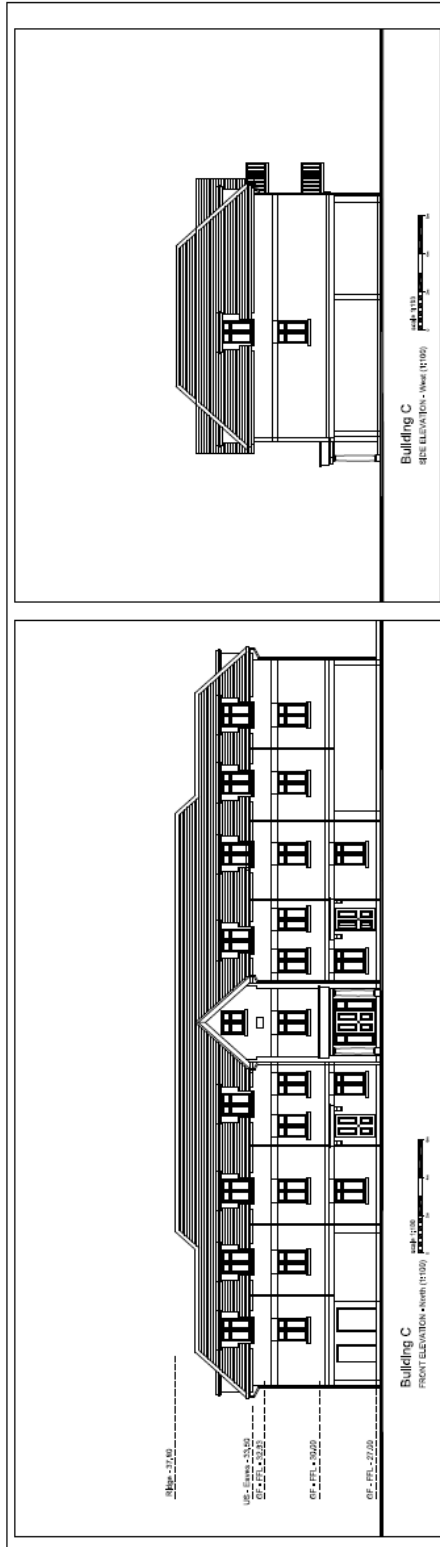
Proposed Apartment Plans for A, Roof
 BUILDING
 DATE: 1/1/22
 DRAWN: JMW
 CHECKED: JMW
 DATE: 1/1/22
 SCALE: 1/8" = 1'-0"

REVISIONS

NOTES

- All dimensions shall be checked on site and verified with the relevant authorities and contractors.
- Dimensions shall be as shown on the drawings.
- The drawings copyright.

Plot 16
 Plot 19
 Plot 20
 Plot 21
 Plot 22



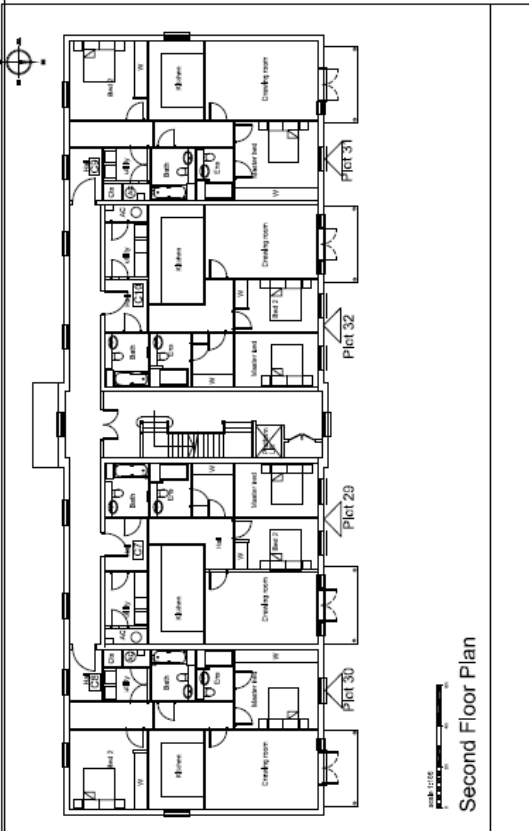
NOT TO SCALE
 THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS ON THE SITE.

EDGINGTON
SPINK + HYNÉ
 CHARTERED ARCHITECTS

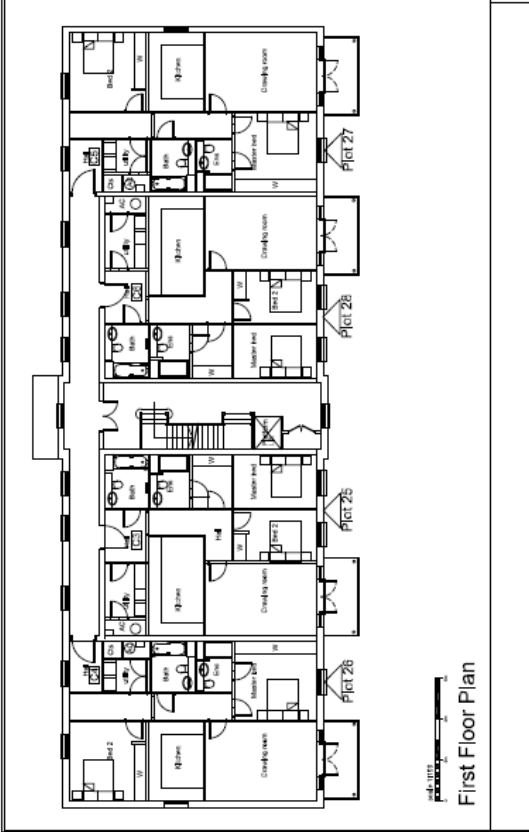
1000 W. UNIVERSITY AVENUE, SUITE 100
 DENVER, CO 80202
 TEL: 303.733.8888
 WWW.EDGINGTONSPINKHYNÉ.COM

Proposed Redwood Development
 14000 E. Harvard Ave.
 Denver, CO 80231

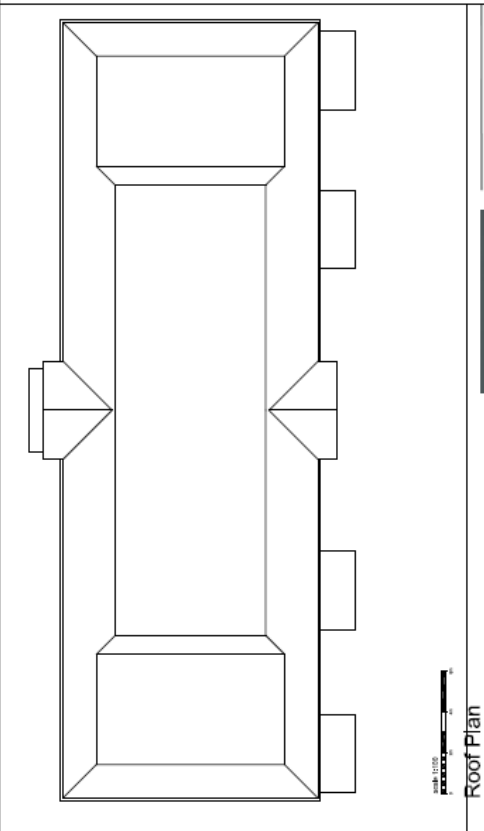
Proposed Elevations
 04/18/2019
 04/18/2019
 04/18/2019
 04/18/2019



Second Floor Plan



First Floor Plan



Roof Plan



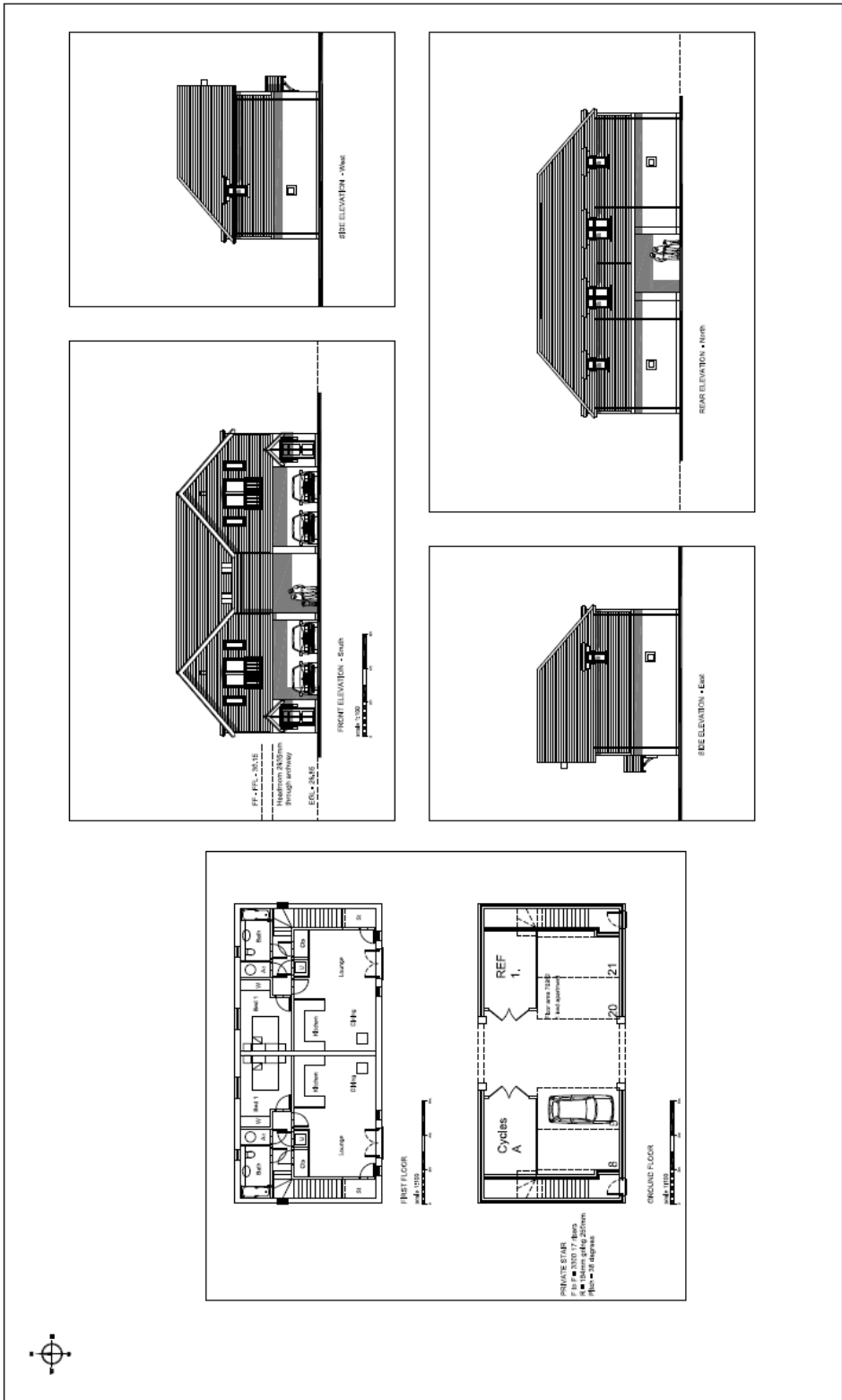
Ground Floor Plan

EDGINGTON SPINK & HYNE
 CHARTERED ARCHITECTS

PROPOSED APARTMENT DEVELOPMENT
 100/102/104/106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000

PROPOSED APARTMENT FLOOR
 100/102/104/106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136/138/140/142/144/146/148/150/152/154/156/158/160/162/164/166/168/170/172/174/176/178/180/182/184/186/188/190/192/194/196/198/200/202/204/206/208/210/212/214/216/218/220/222/224/226/228/230/232/234/236/238/240/242/244/246/248/250/252/254/256/258/260/262/264/266/268/270/272/274/276/278/280/282/284/286/288/290/292/294/296/298/300/302/304/306/308/310/312/314/316/318/320/322/324/326/328/330/332/334/336/338/340/342/344/346/348/350/352/354/356/358/360/362/364/366/368/370/372/374/376/378/380/382/384/386/388/390/392/394/396/398/400/402/404/406/408/410/412/414/416/418/420/422/424/426/428/430/432/434/436/438/440/442/444/446/448/450/452/454/456/458/460/462/464/466/468/470/472/474/476/478/480/482/484/486/488/490/492/494/496/498/500/502/504/506/508/510/512/514/516/518/520/522/524/526/528/530/532/534/536/538/540/542/544/546/548/550/552/554/556/558/560/562/564/566/568/570/572/574/576/578/580/582/584/586/588/590/592/594/596/598/600/602/604/606/608/610/612/614/616/618/620/622/624/626/628/630/632/634/636/638/640/642/644/646/648/650/652/654/656/658/660/662/664/666/668/670/672/674/676/678/680/682/684/686/688/690/692/694/696/698/700/702/704/706/708/710/712/714/716/718/720/722/724/726/728/730/732/734/736/738/740/742/744/746/748/750/752/754/756/758/760/762/764/766/768/770/772/774/776/778/780/782/784/786/788/790/792/794/796/798/800/802/804/806/808/810/812/814/816/818/820/822/824/826/828/830/832/834/836/838/840/842/844/846/848/850/852/854/856/858/860/862/864/866/868/870/872/874/876/878/880/882/884/886/888/890/892/894/896/898/900/902/904/906/908/910/912/914/916/918/920/922/924/926/928/930/932/934/936/938/940/942/944/946/948/950/952/954/956/958/960/962/964/966/968/970/972/974/976/978/980/982/984/986/988/990/992/994/996/998/1000

NOTES
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 ALL WALLS AND PARTITIONS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING REGULATIONS AND STRUCTURAL REQUIREMENTS.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.



EDGINGTON SPINK + HYNE
 CHARTERED ARCHITECTS
 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
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Street Scene Along Access Road Facing North



DEVELOPMENT CONTROL PANEL

19 August 2020

Item: 3

Application No.:	19/03468/FULL
Location:	Taylor Made Liveries And Riding School Strande Lane Cookham Maidenhead SL6 9DN
Proposal:	Reconfiguration, relocation and replacement of existing stable blocks and associated equestrian facilities (including tack rooms, stores and a horse walker) and an additional 4 new stable blocks (including 16 No. stables, 4 no. tack rooms, 1 no. store and 1 no. break room); retention of 4 existing stable blocks; change of use of existing agricultural land to equestrian, car parking, landscaping and associated works. Localised widening of Strand Lane and provision of passing points to enable 2-way vehicle movement.
Applicant:	Mr Christie
Agent:	Miss Mhairi Summers
Parish/Ward:	Cookham Parish/Bisham And Cookham
If you have a question about this report, please contact: Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks planning permission for the retention of 4 stables, construction of 3 new stables and a barn, relocation of existing equestrian facilities and buildings, widening of Strande Lane to create vehicle passing points, landscaping works and the change of use agricultural land to equestrian Land. All of the works would take place following the demolition of existing buildings on the land.
- 1.2 Due to the increased height of the new buildings and significant increase in built development on the site (271m2 additional footprint) the proposed development would not preserve the openness of the Green Belt and would conflict with one of the purposes of including land in the Green Belt; to assist in safeguarding the countryside from encroachment. The proposal would not therefore comply with exception (b) of paragraph 145 of the NPPF. Furthermore, due to the aforementioned increases in the scale of built development on the site, the development would have a greater spatial and visual impact on the openness of the Green Belt when compared with existing development on the site and would therefore not be an appropriate redevelopment of previously developed land. The new buildings would be materially larger than the ones they are proposed to replace. For these reasons the proposal is considered to constitute inappropriate development in the Green Belt, which is also harmful to openness. No very special circumstances have been demonstrated which would outweigh the substantial harm to the Green Belt and other harm (ecology, flooding, visual impact due to loss of trees).
- 1.3 The submitted ecological appraisal is almost 2 years out of date. Furthermore the appraisal was carried out for applications 18/02753/FULL and 18/02795/FULL; not this application. Taking into consideration these points the impacts of the proposed development may be different to those detailed in the ecological report. Priority species may now exist on site that were not present at the time of the appraisal. Those species therefore would not have been considered in the ecological report or protected by the measures set out in the report. Furthermore, Bats were found in trees within the site and could therefore be utilising buildings on the site. The buildings proposed for demolition and relocation have not been surveyed for bats. Bats are a protected species and may inhabit these buildings and therefore could be harmed by the proposed development. For the reasons mentioned above, it is considered that without a relevant and up to date ecological survey, the proposed development could have an adverse impact on priority species and those adverse impacts cannot be avoided, compensated for or mitigated.
- 1.4 At present the beginning of Strande Lane is lined with trees and greenery on both sides. The tree lined road forms part of the areas rural character and contributes to its countryside feel. The first proposed passing point could lead to the loss of these trees, creating gaps in the tree lined street, harming the appearance of the road and therefore the areas rural character. No tree

surveys, protection plan or arboricultural assessments have been submitted to indicate otherwise.

- 1.5 For the reasons mentioned above the proposal would fail to comply with Local Plan policies GB1, GB2, GB6, F1, N6, DG1 and paragraphs 127, 143, 144, 145, 170, 174, 175 of the NPPF (2019); warranting refusal of the application.

It is recommended that the Panel REFUSES planning permission for the following summarised reasons (the full reasons are identified in section 13 of this report:	
1.	The proposal comprises inappropriate and harmful development in the Green Belt and no very special circumstances have been demonstrated to outweigh the harm and any other harm resulting from the proposal.
2.	The proposal could cause harm to bats and other protected species that may inhabit the site. No up-to-date and relevant ecological appraisal has been submitted in support of the application to suggest otherwise.
3.	It has not been established that the proposed works to widen Strande Lane would not cause harm to important trees; the loss of such trees would, in turn, cause harm to the area's character and appearance.

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 development site is currently used as an equestrian livery (with the exception of a portion of land directly north of the manege which is in agricultural use). It can be found at the eastern end of Strande Lane, Cookham, Maidenhead. Currently the site comprises several stable blocks, a barn, shed, horse walker, and manege. Each building within the site is low rise and visually integrates with the site's wider rural setting. In terms of size, the site is 1.41 hectares (ha) and falls within the applicant's wider land ownership which extends to approximately 18.2 ha.
- 3.2 Directly west of the site is Mowers Meadow, which is home to a scout group. Further along, the western stretch of Strande Lane is predominantly residential in character. To the north and south of the site is agricultural land and to the east agricultural land is separated from the site by a small stream and significant stretch of trees and greenery which act as a wildlife corridor.
- 3.3 A Public Right of Way (PROW) enters the Applicant's land from the north and runs adjacent to the agricultural access south into the liveries site. It passes the eastern edge of the existing manege and proceeds south through the Applicant's land, exiting at the south west corner.
- 3.4 The EA's Flood Maps suggest that the development site is located within Flood Zone 3. The Boroughs Strategic Flood Risk Assessment (2017) shows the site to be located within Flood Zone 3B (functional floodplain).
- 3.5 The development site is also located within the Green Belt.

4. KEY CONSTRAINTS

- iii. Green Belt
- iv. Flooding (Flood Zone 3 and 3B)

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application seeks planning permission for the reconfiguration, relocation and replacement of existing stable blocks and associated equestrian facilities (including tack rooms, stores and a horse walker); following the demolition of existing stable blocks, barn and shed. The proposed works also include localised widening of Strande Lane and provision of passing points to enable 2-way vehicle movement; the retention of 4 existing stable blocks; change of use of existing agricultural land to equestrian, car parking, landscaping and associated works.
- 5.2 During the process of the application the applicants requested that the description of the application be changed to include the retention of stable buildings 12, 13, 14 and 15 (Plan No.P03, Revision C, dated September 2019). The description was changed and neighbours were re-consulted. An updated covering letter responding to queries was also submitted, along with new SUDs information. The LLFA were consulted on the new drainage information and their comments are set out in section 8 of this report.
- 5.3 Other relevant applications at the site:

Reference	Description	Decision
19/01445/CLD	Application for a Lawful Development Certificate for all built structures relating to the existing equestrian use including stable blocks, a field shelter and horse walker, on land at Strande Lane, Cookham, SL6 9DN.	05.08.2019 – approved
18/02795/FULL	Reconfiguration and replacement of existing stables and other equestrian facilities (inc. 4 x tack room, feed store, rug store and horse walker) and provision of an additional 4 stables and associated works	04.12.18 - Withdrawn
18/02753/FULL	New access road from B4447 Maidenhead Road, new horse manege and associated landscape works	16.11.2018 – withdrawn
15/01308/FULL	Part demolition of stable and tack room and construction of detached 1 No. bedroom equestrian dwelling.	18.09.2015 - Refuse
14/03353/AGDET	Notification to determine whether prior approval is required for the erection of an agricultural barn for hay/ straw	27.11.2014 – Refuse

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
The proposal would have an acceptable impact on the Floodplain, would not increase the risk of flooding, or put people at increased flood risk	F1
Appropriate development in the Green Belt	GB1, GB2, GB6
Appropriate Business development	E10
Protecting important trees	N6
Archaeology	Arch 3

6.2 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 2 - Achieving sustainable development
 Section 4 – Decision making
 Section 6 – Building a strong and competitive economy
 Section 12 - Achieving well-designed places
 Section 13 - Protecting Green Belt land
 Section 15 - Conserving and enhancing the natural environment
 Section 16 - Conserving and enhancing the historic environment

Borough Local Plan: Submission Version and Submission Version with Proposed Changes (2019)

- 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 7.2 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight. Taking into consideration the above, the application has been assessed against the RBWM Adopted Local Plan (2003) and the NPPF (2019) is a material consideration. Both have been afforded more weight in this decision making process than the mentioned submission plans.
- 7.3 The submission plan documents can be found at: <https://www3.rbwm.gov.uk/blp>

Other Local Strategies or Publications

7.4 Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment

- 7.5 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

- 8.1 A notice advertising the proposed development was placed outside the site on **23.12.19**. The application was also advertised in the Local Press on **20.12.2019** and **2** neighbouring properties were directly notified of the proposed development on **19.12.2019 and 07.07.2020**.
- 8.2 Two letters of representation have been received regarding this application. One from Cllr Brar stating no objection to the proposed development, the other from The Cookham Society raising the following issues.

Comment	Where in the report this is considered
Cookham Society comment that the application should be refused unless the following concerns are addressed: several buildings on the site exist without planning permission can they be conditioned to be removed if the equestrian use of the site ceases; a parking area should be provided for horseboxes, trailers, and machinery; the proposed road works to Strande lane should be carried out at a time which is not of hindrance to its users and local residents; a caravan exists on site without planning permission, its existence has been allowed by planning enforcement for a limited use, a public footpath between the end of Strande lane and footpath 49 would benefit the wider community.	In response to those comments it should be noted that machinery and vehicles could be stored in the new barn, that this application seeks permission for the stable blocks, that the caravan on site is not subject of this application and the proposal does not include proposals for a new public footpath.

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No objection, subject to a condition which requires the proposed development to be carried out in accordance with the submitted floodplain compensation scheme and FRA (reference 46030/4001, dated December 2019 and prepared by Peter Brett Associates)	Noted. The relevant conditions and informatives are recommended for inclusion in the decision,
Lead Local Flood Authority	No objection, subject to the condition set out below. Prior to the construction of the buildings hereby approved, a surface water drainage scheme for the development, based on sustainable drainage principles shall be submitted to and approved in writing by the	if permission is granted.

	<p>Local Planning Authority. Details shall include:</p> <ul style="list-style-type: none"> • Associated calculation to ensure that the proposed surface water drainage measures to be designed for the upper end climate change allowance of 40%. • Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details. • Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented. • The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter. <p>Reason: To ensure compliance with the National Planning Practice Guidance and the Non-Statutory Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.</p>	
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Consultees

Consultee	Comment	Where in the report this is considered
RBWM Ecologist	Objection: The submitted ecological survey is out of date and does not relate to the proposed development. As such priority species may now inhabit the site and may not be considered in the ecological report or protected by the measures set out in the report. Furthermore buildings proposed for demolition and relocation have not been surveyed for bats. Bats are a protected species and may inhabit those buildings and therefore could be harmed by the proposed development. An updated ecological survey (comprising an extended Phase 1 Habitat and Species Scoping Survey, bat surveys of all buildings and trees to be affected, and any phase 2 surveys) should be submitted before the application is determined.	No updated ecological survey has been submitted and as such the application has been recommended for refusal on ecological grounds. See paragraphs 9.34 – 9.42 for further information.
RBWM Tree Officer	Objection: to the proposed development due to the insufficient provision of information regarding the developments impact on non-protected trees within the site and along the Strande Lane.	No updated survey has been submitted and as such the application has been recommended for refusal due to the adverse impact that tree loss could have on the areas appearance and character. See paragraphs 9.44 – 9.48 for further information.
Parish Council	No objection subject to clarification over flooding and surface water drainage query.	See paragraphs 9.18 – 9.33.

Berkshire Archaeology	No objection subject to a condition requiring a programme of archaeological works and written scheme of investigation being submitted prior to any works at the site.	Noted. The relevant conditions and informatives are recommended for inclusion in the decision, if permission is granted.
Parks and Countryside Manager	No objection to the proposed development.	
RBWM Environmental Protection Officer	No objection subject to conditions relating to the adequate removal of animal waste and construction hours.	
RBWM Highways Officer	No objection is raised to the proposed development. The proposed development would not have a severe impact on traffic movements in and out of the site, nor would it harm the highway network. The widening works proposed to Strande Lane would improve road safety and the site accessibility.	

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Impact of the proposal on the Green Belt and its purposes
- ii Impact of the proposal on Flooding and Flood Risk
- iii Impact of the proposal on the natural environment, biodiversity and ecology
- iv Impact of the proposal on the character and appearance of the area
- v Supporting business development
- vi Impact on the amenities of neighbours
- vii Highways impact

Other issues for consideration are:

- viii Archaeological impact
- ix Impact of the development on site drainage (SuDS)

Issue i - Impact of the proposal on the Green Belt and its purposes

9.2 Policy GB1 of the Local Plan sets out appropriate forms development in the Green Belt, it allows for essential facilities for outdoor sports and outdoor recreation which preserve the openness of the Green Belt and do not conflict with its purposes. The policy also allows for engineering and other operations and the making of material changes in the use of land which maintain its openness and do not conflict with the purposes of including land in the Green Belt. Policy GB2 follows on from GB1 and allows for new development provided it does not, inter-alia, have a greater impact on the openness of the Green Belt than existing development on the site.

9.3 Policy GB6 states that proposals for new and enlarged commercial equestrian facilities will be permitted where there is sufficient residential accommodation on site, the development would not result in a harmful proliferation of commercial equestrian establishments within an area, the development would not have an unacceptable highways impact, suitable space exists for exercising horses off of the public highway and there is no conflict with Policy GB2.

- 9.4 Paragraph 145 of the NPPF (2019) sets out appropriate forms of development in the Green Belt. The exceptions deemed relevant to this application are below:
- 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;
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 9.5 Paragraph 146 of the NPPF (2019) states that the re-use of buildings, provided that the buildings are of permanent and substantial construction, can also amount to appropriate development in the Green Belt. Furthermore, any material change in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and engineering operations can also be appropriate development. Both of these exceptions are subject to the proviso that they preserve openness and do not conflict with the purposes of the Green Belt; which are set out in paragraph 134 of the NPPF (2019).
- 9.6 The Local Plan was prepared in accordance with the cancelled PPG2: Green Belts. As such, Local Plan policies GB1, GB2 and GB6 are not entirely consistent with the NPPF and are not given full weight. The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material consideration.
- 9.7 The proposed development includes the following:
- The retention of 4 existing stables
 - The relocation and reconfiguration of existing stables, buildings and equestrian facilities
 - 3 new stables and 1 new barn following the demolition of existing stables, barn and other outbuildings
 - Localised widening of Strande Lane to allow for the two way passing of vehicles
 - The change of use of agricultural land to equestrian land
 - Landscaping, internal roads and parking
- 9.8 During the process of the application the applicants requested that the description of the application be changed to include the retention of stable buildings 12,13,14,15 (Plan No.P03, Revision C, dated September 2019). The description was changed and neighbours were re-consulted accordingly.
- 9.9 At present the aforementioned buildings do not benefit from planning permission, do not amount to permitted development, and have not been evidenced as lawful through the requisite passage of time (4 years). However the NPPF (2019) allows for appropriate facilities for outdoor sports and recreation. The buildings form part of an existing livery enterprise and allow for the stabling of existing horses. The stables are screened from public views by trees and greenery. They are not considered to have an excessive footprint or height and they blend in well with existing buildings on the equestrian establishment. As it is appropriate for an existing equestrian enterprise to have small stables for horses; the retention of the stable buildings is considered to be acceptable under paragraph 145 of the NPPF.

- 9.10 The relocation and reconfiguration of the existing equestrian facilities (buildings M,K,L,J, F) shown on Plan No.P05, Revision B, dated October 2019 is also considered to amount to appropriate development in the Green Belt. These buildings are of permanent and substantial construction, would be used in an identical manner to now, and would be in a well screened location on the site. Their re-location would not cause any additional harm to the openness of the Green Belt and nor would it conflict with the purposes of the Green Belt.
- 9.11 The proposed car parking area, already exists in the form of a gravelled surface near the existing manuge. The new internal access roads and widening of Strande Lane are considered to be appropriate engineering operations under paragraph 146 of the NPPF.
- 9.12 The principle of changing the use of agricultural land to equestrian land is also considered to be acceptable under paragraph 146 of the NPPF, although the new buildings proposed to be sited on the land are not (discussed below).
- 9.13 The new American Barn and 3x 3 stables with single tack rooms (marked A, G, H and I on Plan No. P05 Rev B), would undoubtedly be materially larger than the buildings they are proposed to replace (buildings 5,6,7,8,9,11 on Plan No.P04, Rev C). Each of the new stables would be taller than the existing buildings on the site and they would also have a larger footprint. The total increase in built development on site would be 271m², which is considered to be a significant increase. Taking into consideration these points, the proposed development as a whole is not considered to preserve the openness of the Green Belt and would conflict with the purpose of safeguarding the countryside from encroachment. Furthermore, the development would have a greater spatial and visual impact on the openness of the Green Belt when compared with existing development on the site and would therefore not be an appropriate redevelopment of previously developed land. The replacement buildings would also be materially larger than those they would replace (as outlined above). The proposal would therefore constitute inappropriate development in the Green Belt, which would not fall within any of the exceptions contained within paragraphs 145 or 146 of the NPPF.
- 9.14 Moderate harm would be caused to the openness of the Green Belt due to the spatial impact of having more built development on the site (footprint) at an increased height.
- 9.15 Paragraph 143 of the NPPF states that ‘Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’.
- 9.16 Paragraph 144 states that ‘When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations’.
- 9.17 No ‘very special circumstances’ have been demonstrated to outweigh the substantial harm identified above and the other harm resulting from the proposal discussed below.

Issue ii - Flooding

- 9.18 The development site is located within Flood Zone 3, which is defined in the NPPF and NPPG as having a high probability of flooding. Furthermore, the councils Strategic Flood Risk Assessment (2017) shows the site to be in Flood Zone 3B (functional floodplain).
- 9.19 Local Plan Policy F1 states that development should not be approved where it would increase the number of people or properties at risk from flooding, impede the flow of flood water or reduce the water storage capacity of the flood plain.
- 9.20 The National Planning Policy Framework (2019) provides up to date advice on how development within areas prone to flooding should be assessed, the paragraphs considered relevant to this application are as follows and they have been given significant weight in the determination of this application.

- 9.21 Paragraph 155 states that 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'.
- 9.22 Paragraph 158 states that the 'aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding'.
- 9.23 Paragraph 159 states that 'If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.
- 9.24 Paragraph 160 states that 'The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 9.25 Paragraph 161 states that 'Both elements of the exception test should be satisfied for development to be allocated or permitted.
- 9.26 Paragraph 163 states that 'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:
- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - the development is appropriately flood resistant and resilient;
 - it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - any residual risk can be safely managed; and
 - safe access and escape routes are included where appropriate, as part of an agreed emergency plan.
- 9.27 Paragraph 164 states that 'Applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 50.
- 9.28 The applicant currently operates Taylor Made Liveries (an equestrian enterprise) from the development site and surrounding land. The purpose of this application is to improve and move the business from a flood prone area to a less flood prone area.
- 9.29 The proposed development involves the use of horses (which are kept at the site) for outdoor sports and recreation. For the purposes of this assessment the proposal has been classified as

'less vulnerable development' and not water compatible development (as suggested by the applicants). The Environment Agency agree with this stance.

- 9.30 The NPPG flood risk classification table states that 'less vulnerable development' in flood zone 3b is inappropriate development and should not be permitted. However paragraph 150 of NPPF (2019) suggests that where inappropriate development is necessary, it should be made safe for its lifetime. It is accepted that it is necessary to move the business to a less flood prone area in the vicinity, as relocation to higher ground would provide a betterment to the sites existing flooding situation.

Sequential Test

- 9.31 The development is considered to comply with the sequential test as the business already operates from the site and this application would involve creating and moving existing equestrian facilities to higher (less flood prone) ground on the site. Ground which is also further away from the River Thames further reducing flood risk.

Exception Test

- 9.32 The proposed development would allow the business to operate in a safer and more sustainable environment. This would in turn improve the businesses longevity and its contribution as an available service to the wider community. The proposal includes a 900m³ flood compensation scheme, when only 271m² of additional footprint would be built on the site. The development would therefore improve the areas floodplain capacity benefiting the community. The proposal is therefore considered to comply with paragraph 160 (a) and (b) of the NPPF 2019. Although no safe access and escape routes have been shown in the submitted FRA, as the proposed development would not lead to a material increase in the number of people at the site it is not considered reasonable to refuse the application on this ground.

Issue iii – Impact on biodiversity and ecology

- 9.34 Emerging Borough Plan Policy NR3 states that: 'Development proposals...will be expected to demonstrate how they maintain, protect and enhance the biodiversity of application sites including features of conservation value such as hedgerows, trees, river corridors and other water bodies and the presence of protected special... and development proposals shall be accompanied by ecological reports in accordance with BS42020 to aid assessment of the proposal. Such reports should include details of any alternative sites considered, and any mitigation measures considered necessary to make the development acceptable'. Due to the status of the BLPSV this policy is afforded limited weight and the NPPF has been afforded greater weight in this assessment.

- 9.35 Paragraph 170 of the NPPF advises that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

- 9.36 Paragraph 174 of the NPPF states that development should seek 'to protect and enhance biodiversity and geodiversity, plans should, promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'.
- 9.37 Paragraph 175 states 'when determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'.
- 9.38 An ecological appraisal conducted by Peter Brett Associates (Ref: 38961/3001, date October 2018) has been submitted in support of this application. The survey was prepared in support of two older applications (18/02753/FULL and 18/02795/FULL) and not this application.
- 9.39 Those applications differ from this proposal in that the new stables were proposed in a different location, existing stables were being moved to different locations, works to Strande Lane are now to the south and not the north, the proposed manuge and internal access roads were also different. It is therefore considered that the ecological impacts of this proposal would be different to those in the submitted appraisal and this is explained in more detail below.
- 9.40 The extended phase 1 habitat survey was carried out on 10th February 2018 and so is more than two years old. It is therefore considered that conditions on the site could have changed since 2018 and other protected and/or priority species may now exist on the site. No up to date survey or appraisal has been submitted to suggest otherwise and therefore species of importance maybe adversely impacted by the proposed development and have not been considered, mitigated, or compensated for in the submitted ecological appraisal.
- 9.41 In addition to the above, the appraisal found that bats roost within trees on the site, this suggests that bats may exist on other parts of the site. The buildings to be demolished, retained and repositioned as part of this application have not been surveyed for bats (sections A.4 - A.6 of the appraisal). It is therefore likely that they could be home to bats, which are a protected species under the Wildlife and Countryside Act 1981 and Conservation of Habitats and Species Regulations 2017 and may be harmed by the demolition and repositioning of the buildings. As this development is different to the appraised development, other habitats on site may also be adversely effected which host foraging or commuting bats.
- 9.42 For these reasons the applicant should have submitted an updated ecology report relevant to this application. The report should have comprised an extended Phase 1 Habitat and Species Scoping Survey, bat surveys of all buildings and trees to be affected, and any phase 2 surveys; this would establish the important species that exist on site and whether they or their habitats would be adversely impacted by the proposed development. No such information has been submitted and it is therefore likely that the proposed development could cause harm to bats, as well as other priority species that may exist on site. This harm cannot be avoided, compensated or mitigated for without up to date information. The development is therefore considered to be contrary to the NPPF planning guidance mentioned above.
- 9.43 The Boroughs Ecology Officer agrees that the development should not be approved without receipt of the information in paragraph 9.42.

Issue iv - Impact on the character and appearance of the area and important trees

- 9.44 National Planning Policy Framework, Section 12 (Achieving well-designed places) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area.
- 9.45 Local Plan Policy N6 suggests that new developments should protect and conserve trees important to the amenity of the area; ample space should also be provided for the future growth of these trees. Any loss or harm to such trees can in some circumstances be mitigated by replanting but should always be justified by the applicant. The policy also states that where the contribution of the trees to local amenity outweighs the justification for development, planning permission may be refused.
- 9.46 The proposed stable blocks and barn would visually complement the site's rural setting. The new compact building layout would arguably improve the sites existing layout which consists of randomly scattered buildings with no clear correlation to one another. The parking area would be similar to the existing and in the same location. Other equestrian facilities would be moved into more accessible locations on the site. 4 stable blocks would remain in situ. The new internal access roads would cause no significant harm to the sites appearance, nor would the change of use of the agricultural land to equestrian land have an adverse impact on the rural appearance of the site or surrounding area.
- 9.47 The submitted plans suggest that trees would be retained on the site's eastern, western, and southern boundaries, this is welcomed. To the north a small row of trees and hedging is to be removed to allow for the new stable area to be created. The loss of such trees is unlikely to harm the site's appearance or the character of the area, especially as some replanting is proposed which could be controlled by condition.
- 9.48 The development also includes works to Strande Lane to create vehicular passing points. At present the beginning of Strande Lane is tree lined on both sides. The green and tree lined nature of the road contributes to the area's rural character. The first passing point on plan 46030/5501/001 is 14m wide, 1m deep and is located in proximity to several trees. The works could lead to the loss of these trees through pruning and incursions into their root protection areas. The loss of these trees would create gaps in the tree-lined lane, reducing its symmetry and harming the appearance of the lane, which would in turn harm the areas rural character. No tree surveys, protection plan or arboricultural assessments have been submitted to suggest otherwise. For these reasons the proposal is considered to be contrary to Policies N6, DG1 of the Local Plan.

Issue v - Supporting business in the Borough

- 9.49 Local Plan Policy E10 suggests that when considering planning applications for business development, layout of activities, design of buildings, and materials usage should be well designed and appropriate for the area. The policy also advises that new development should not result in any unneighbourly or undesirable intensification of the sites use. Section 6 of the NPPF (2019) also states that planning decisions should support businesses to help in creating a competitive economy.
- 9.50 The stable blocks and barns would be appropriate for the site's rural setting. The site's capacity would increase from 26 to 30 horses, with no change in staff numbers, is unlikely to cause any significant intensification in the site's use. The layout of the site would be an improvement on the existing layout which consists of scattered buildings. The new cluster of buildings would be situated further away from neighbouring properties than the existing business and as such the proposal is unlikely to be unneighbourly. The proposal is therefore considered acceptable in this regard.

Issue vi - Impact on neighbouring amenities

- 9.51 There are no relevant Local Plan policies regarding impact on neighbouring amenity.

- 9.52 Paragraph 127 of the NPPF states that development should '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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.
- 9.53 Due to the nature of the proposed works and the fact that the business is being moved further away from nearby residences, the development would not cause any harm to the amenities of neighbours. The Borough's Environmental Protection team have recommended that if permission is granted a condition should be added to ensure animal waste is safely managed and disposed of. The condition would be recommended for inclusion in the decision, if permission were granted.

Issue vii - Highways impacts

- 9.54 Local Plan Policy P4 advises that new development should be provided with adequate parking. Policy T5 of the Plan advises that development should not have an adverse impact on highway safety.
- 9.55 Paragraph 109 of the NPPF (2019) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 9.56 The proposed development includes no increase in staff numbers. At present a large parking area exists on site (south of the manage) which accommodates the site's operators and users of the business. The parking area would be retained in situ but marked out. Additional parking space would be available to the side of the barn. In addition to the above the minor increase in horse capacity from 26 to 30 is unlikely to attract an increase in visitors which would significantly increase vehicle movements or be severely harmful to the highway network.
- 9.57 There would be no change to the sites accesses.
- 9.58 The proposed works to widen Strande Lane are welcomed from a highway safety perspective as they would provide vehicular passing points, which would improve traffic flow and road user safety on this narrow private road.
- 9.59 The borough's highways officer has raised no objection to the proposed development.
- 9.60 For the reasons mentioned above the proposal would be in compliance with planning guidance and there are no highway or parking related reasons for refusing this application.

Issue viii – Archaeological impact

- 9.61 Local Plan Policy Arch 3 advises that development will not be permitted where it has an adverse impact on areas of potential archaeological importance. Paragraphs 187 and 189 of the NPPF (2019) also seek to protect such areas. The proposed development includes excavation and construction works which could unearth items and/or remains of archaeological significance. Berkshire Archaeology have suggested that if permission is granted a condition should be added requiring a programme of archaeological works and written scheme of investigation to be submitted prior to any works at the site. If the application is granted permission, the condition should be included.

Issue ix - The impact of the proposal on drainage at the site (SuDS)

- 9.62 Paragraph 165 of NPPF states that all 'major' planning applications must incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. SuDS must be properly designed to ensure that the maintenance and operation costs are proportionate and sustainable for the lifetime of the development. In accordance with The Flood and Water Management Act 2010 the Royal Borough in its role as Lead Local Flood Authority (LLFA), is a statutory consultee for all major applications.

9.63 The Lead Local Flood Authority have been consulted on the application and have suggested that the development is acceptable in principle, however prior to the commencement of any development on site, a surface water drainage scheme should be submitted and approved. If the application is approved the condition is recommended for inclusion in the decision.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development is not CIL liable.

11. PLANNING BALANCE AND CONCLUSION

11.1 The NPPF favours sustainable development as set out in paragraph 11, however the development is not sustainable and there are clear reasons within the NPPF which warrant refusal of the development (harm to protected land - in this case Green Belt). As such the presumption in favour of sustainable development does not apply to this application.

11.2 The proposed development would be harmful to the Green Belt, the site's biodiversity and the character and appearance of the area. Whilst it is accepted and understood that the business needs to relocate to a less flood prone area, the proposed development would fail to comply with policies GB1,GB2,GB6, F1, DG1, N6 of the Local Plan and paragraphs 11,127,143, 144, 145,160,163, 170 , 174 and 175 of the NPPF (2019).

11.3 For the reasons mentioned above it is recommended that the Panel refuse planning permission for the proposed development.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing site plan
- Appendix C – Proposed site plan
- Appendix D – Proposed stables and barn (elevations and floor plans)
- Appendix E – Change of use plan
- Appendix F – Strande Lane road works plan
- Appendix G – Demolition and Relocation plan

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

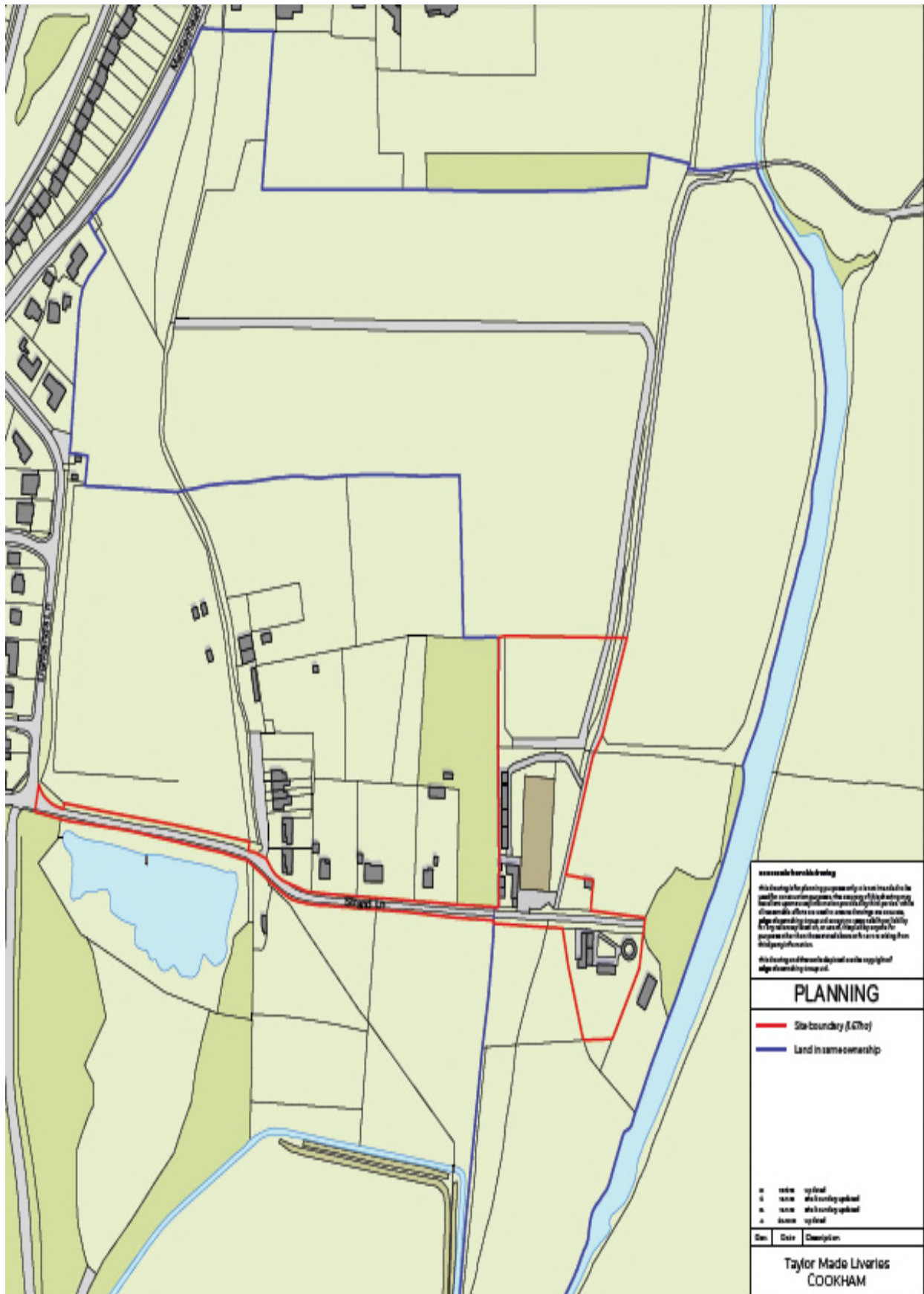
1 Due to the increased height of the new buildings and significant increase in built development on the site, the proposed development would not preserve the openness of the Green Belt and would encroach into the countryside, thereby conflicting with one of the purposes of including land within the Green Belt. Furthermore, by virtue of this increase in built development, the proposal would have a greater spatial and visual impact on the openness of the Green Belt when compared with existing development on the site and would therefore not be an appropriate redevelopment of previously developed land. In addition, the new buildings would be materially larger than the ones they are proposed to replace. Consequently the proposal is considered to constitute inappropriate development in the Green Belt, which is also harmful to openness. No very special circumstances have been demonstrated which would outweigh this substantial harm to the Green Belt and the other identified harm (ecology and loss of trees). The proposal is therefore contrary to Local Plan Policies GB1, GB2, GB6 and paragraphs 143, 144 and 145 of the NPPF (2019).

2 The submitted ecological appraisal is out of date and, the appraisal was carried out for applications 18/02753/FULL and 18/02795/FULL; which were for different developments. Taking into consideration these points, the impacts of the development may be different to those referenced in the ecological report and potential habitats for priority species may not have been surveyed, as the proposed works are different to those mentioned in the survey. Priority species may now exist on the site, that did not exist at the time of the appraisal. Those species therefore would not have been considered in the ecological report nor would they be protected by the measures set out in the report. Furthermore, Bats were found in trees within the site and could therefore be within buildings on the site. The buildings proposed for demolition and relocation

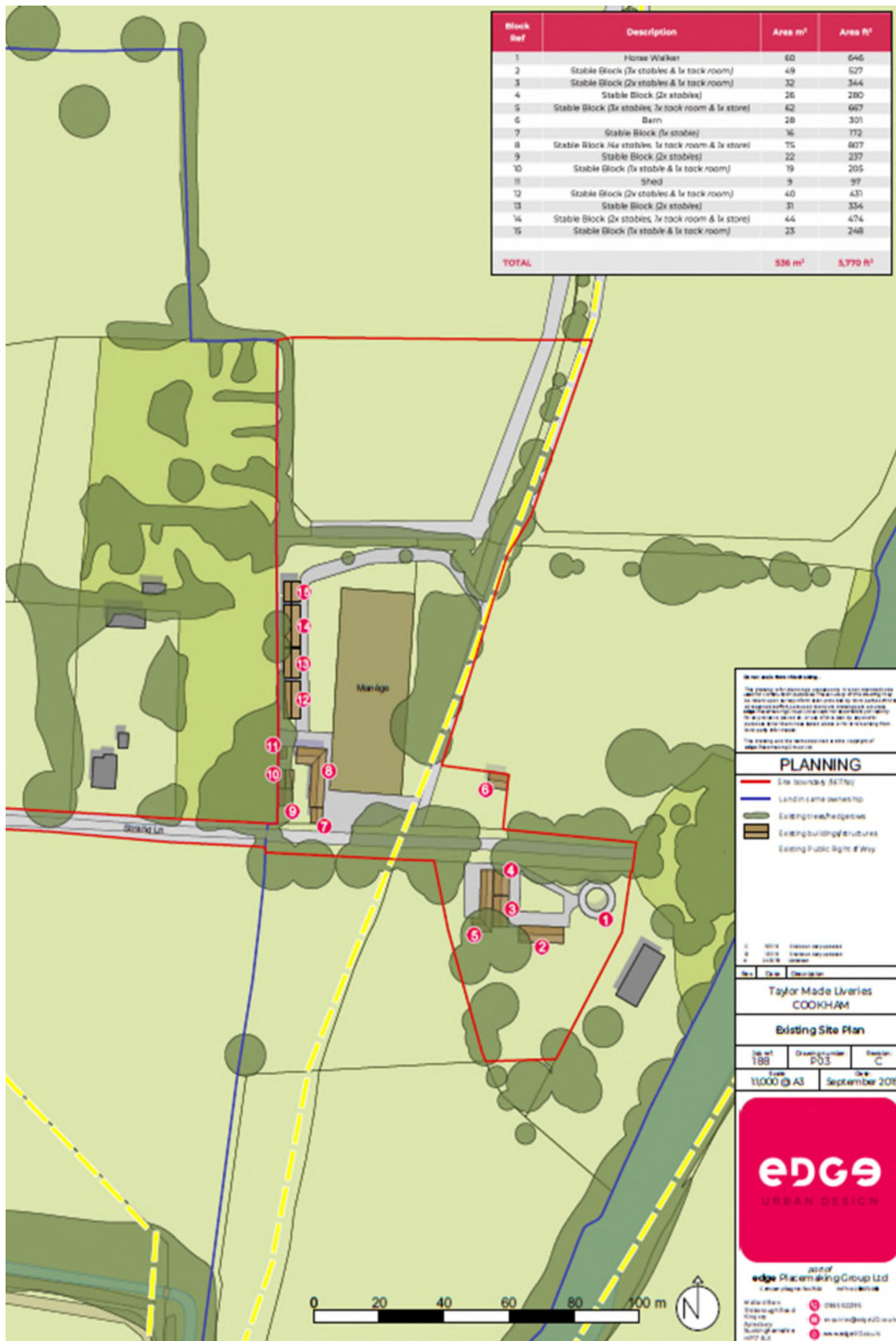
have not been surveyed for bats. Bats are a protected species and may inhabit these buildings and therefore could be harmed by the proposed development. For the reasons mentioned above, it is considered that without a relevant and up to date ecological survey, the proposed development could have an adverse impact on priority species and those adverse impacts cannot be avoided, compensated or mitigated. The proposal would therefore fail to comply with paragraphs 170, 174 and 175 of the NPPF (2019).

- 3 At present the initial section of Strande Lane is lined with trees and greenery on both sides. This tree lined lane forms part of the area's rural character and contributes to its countryside feel. The first passing point on plan 46030/5501/001 is 14m wide, 1m deep and is located in proximity to several trees. The works could lead to the loss of these trees thereby creating gaps in the tree lined street, harming the appearance of the area road and therefore the area's rural character. No tree surveys, protection plan or arboricultural assessments have been submitted in support of this application that would suggest otherwise. The proposal is therefore considered to be contrary to Local Plan Policies DG1, N6 and paragraph 127 of the NPPF(2019) which seeks to sympathetically integrate development into existing environments.

Appendix A – Location Plan



Appendix B – Existing site layout plan

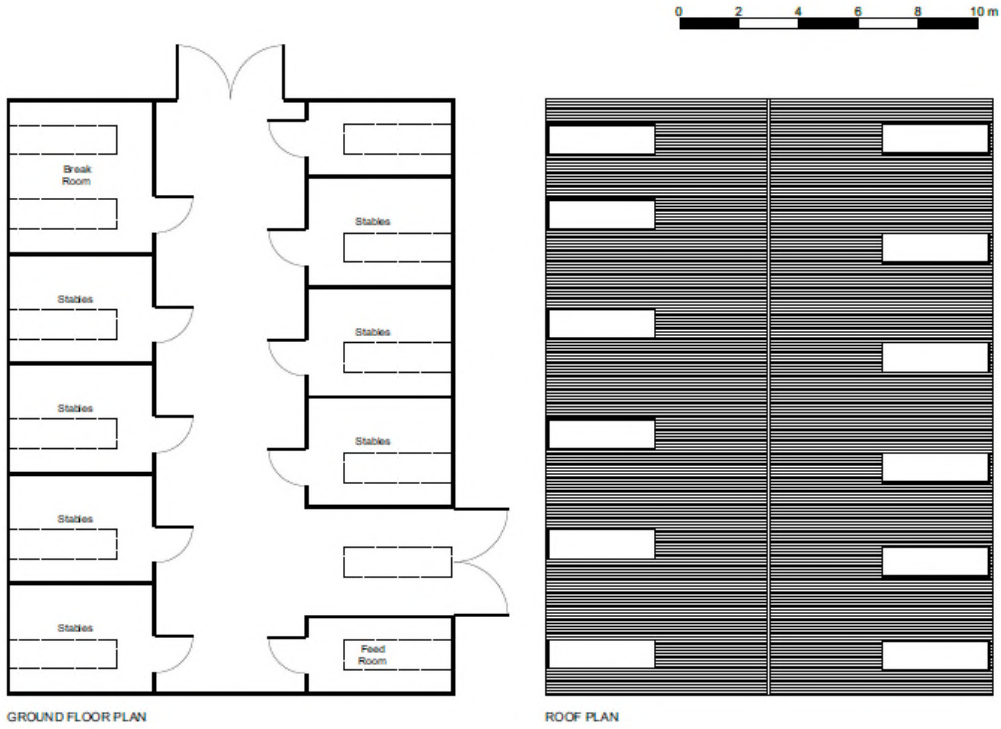


Appendix C – Proposed site layout plan



Appendix D – Proposed Stables and Barn (Elevation and Floor Plans)

Block A




GROUND FLOOR PLAN

ROOF PLAN

PLANNING

Note: This is a new barn structure with 20 stables



Scale	Description	
1:100	Overall	Planning

Taylor Made Livestock
COOKHAM

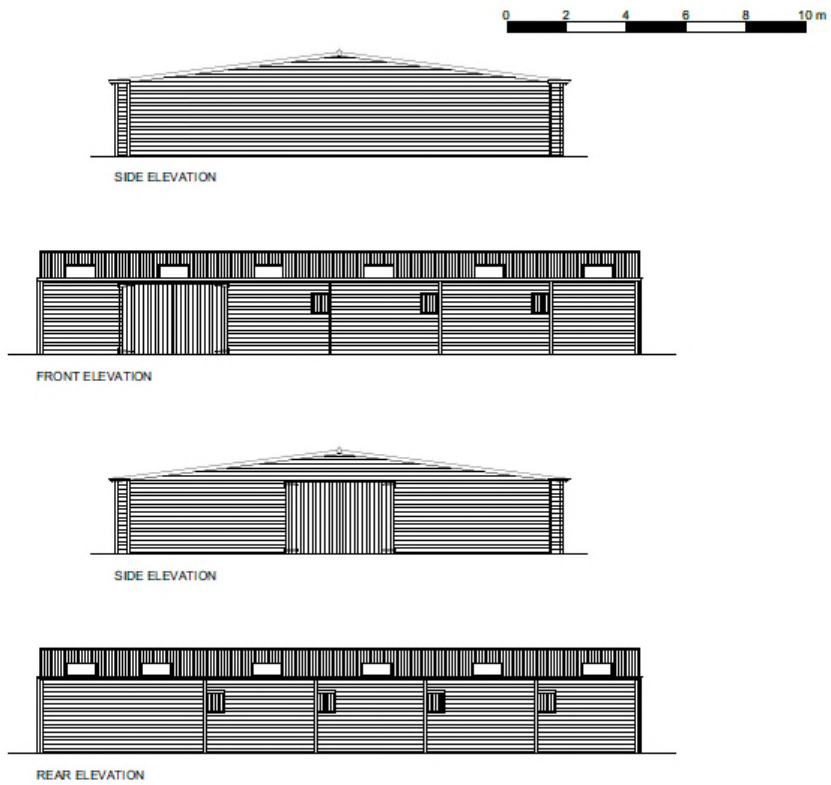
BLOCK A
Plans

Issue	Drawn	Checked	Rev
1100	AS		1

Date: October 2018

EDGE
URBAN DESIGN

edge Placemaking Group Ltd
111 High Street, Cookham, RG26 3AA
01494 346000



SIDE ELEVATION

FRONT ELEVATION

SIDE ELEVATION

REAR ELEVATION

PLANNING

Note: This is a new barn structure with 20 stables



Scale	Description	
1:100	Overall	Planning

Taylor Made Livestock
COOKHAM

BLOCK A
Elevations

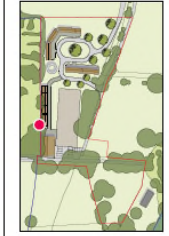
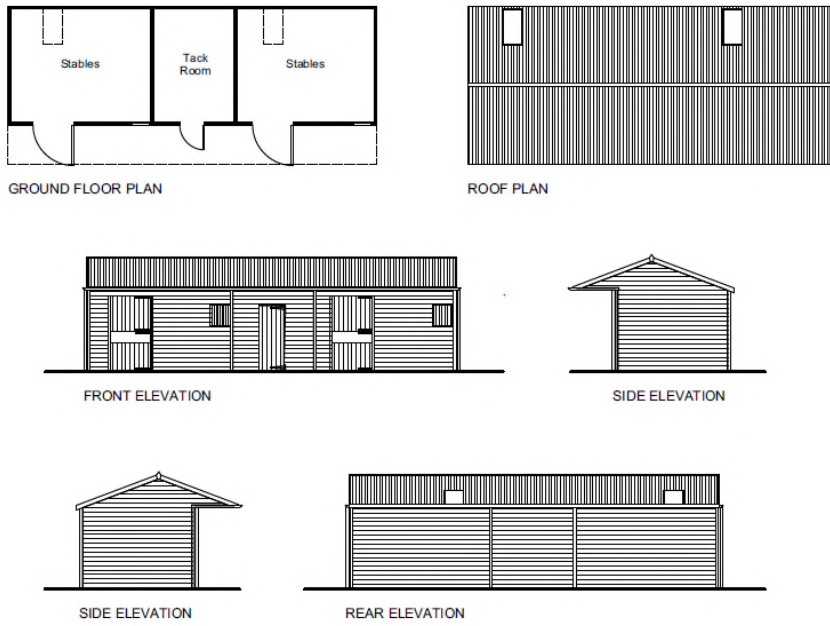
Issue	Drawn	Checked	Rev
1100	AS		1

Date: October 2018

EDGE
URBAN DESIGN

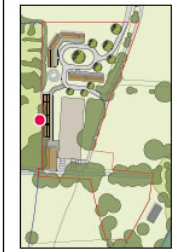
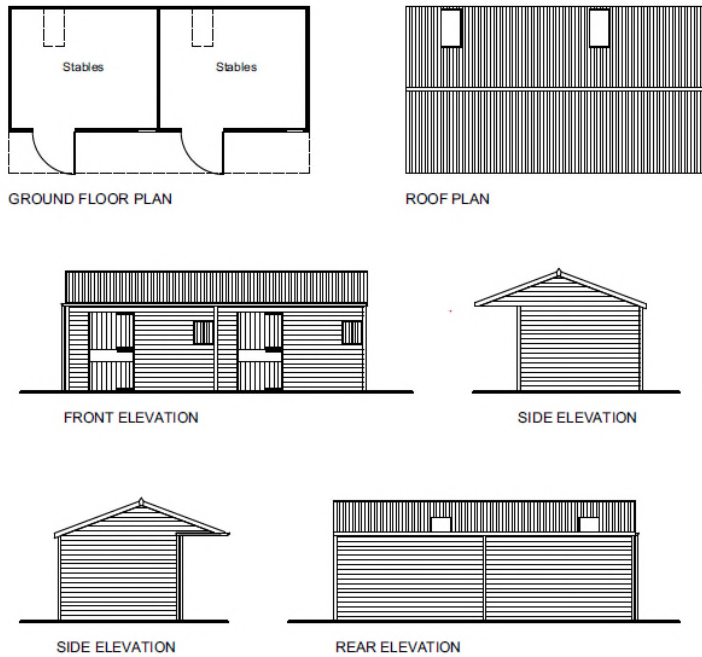
edge Placemaking Group Ltd
111 High Street, Cookham, RG26 3AA
01494 346000

Block B



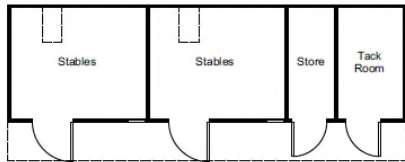
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Plans & Elevations		
Job No: 1BB	Drawing number: P103	Revision: -
Scale: 1:100 @ A3	Date: October 2019	
edg9 URBAN DESIGN		

Block C

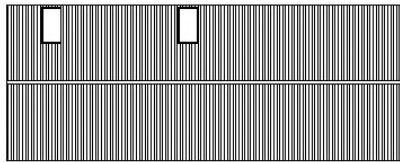


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Plans & Elevations		
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edg9 URBAN DESIGN		

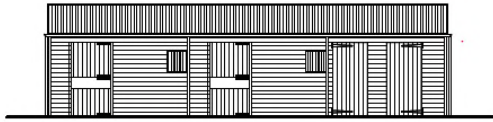
Block D



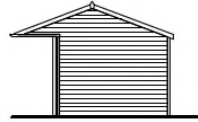
GROUND FLOOR PLAN



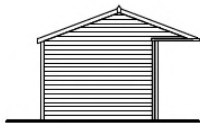
ROOF PLAN



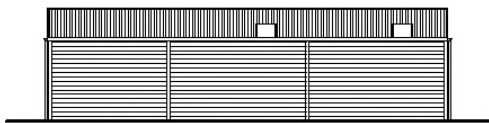
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



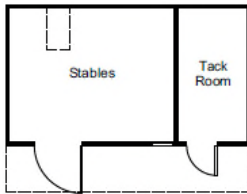
REAR ELEVATION



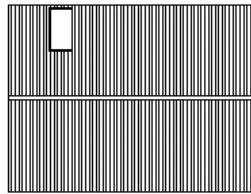
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BLOCK D		
Plans & Elevations		
Job ref: 188	Drawing number: P105	Revision: -
Scale: 1:100 @ A3	Date: October 2019	



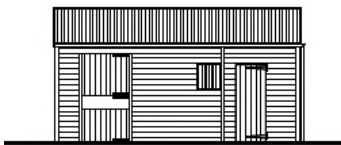
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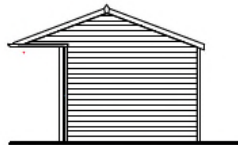
GROUND FLOOR PLAN



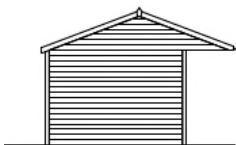
ROOF PLAN



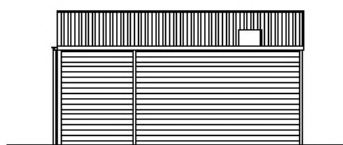
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



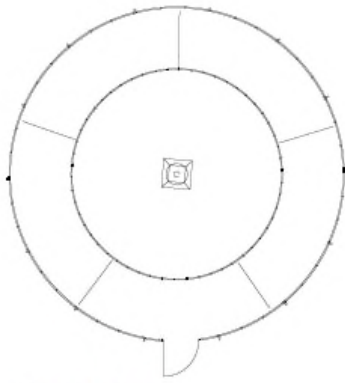
REAR ELEVATION



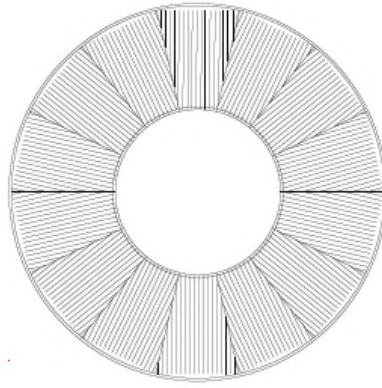
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Plans & Elevations		
Job ref: 188	Drawing number: P106	Revision: -
Scale: 1:100 @ A3	Date: October 2019	



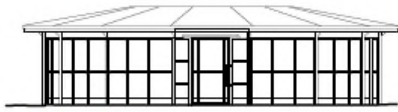
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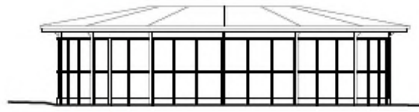
GROUND FLOOR PLAN



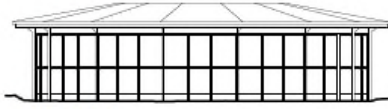
ROOF PLAN



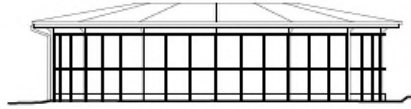
ELEVATION 1-1



ELEVATION 2-2



ELEVATION 3-3



ELEVATION 4-4

PLANNING

Note:
This is an existing horse wash which is being relocated as part of the proposal.

No.	Size	Description
1562	1300	Taylor Made Livery COOKHAM

BLOCK F
Plans & Elevations

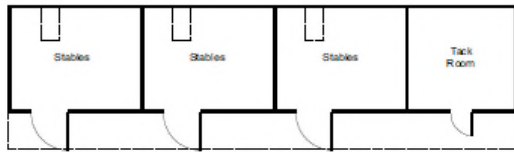
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Scale: B A3
Date: October 2019

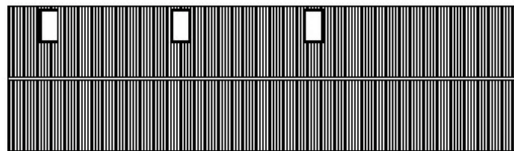
edge | part of
Harcourts Group Ltd
100% of the business is owned and operated in the UK

Mulbarton
100% of the business is owned and operated in the UK
100% of the business is owned and operated in the UK

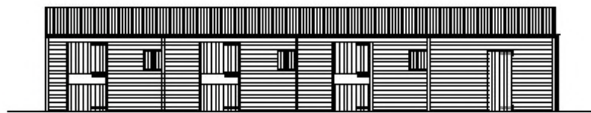
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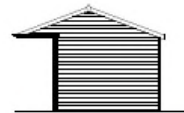
GROUND FLOOR PLAN



ROOF PLAN



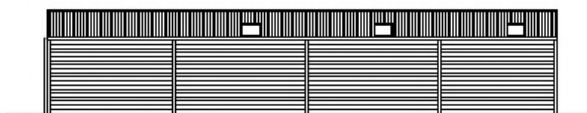
FRONT ELEVATION



SIDE ELEVATION



SIDE ELEVATION



REAR ELEVATION

PLANNING

Note:
This is a new stable block.

No.	Size	Description
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BLOCK G
Plans & Elevations

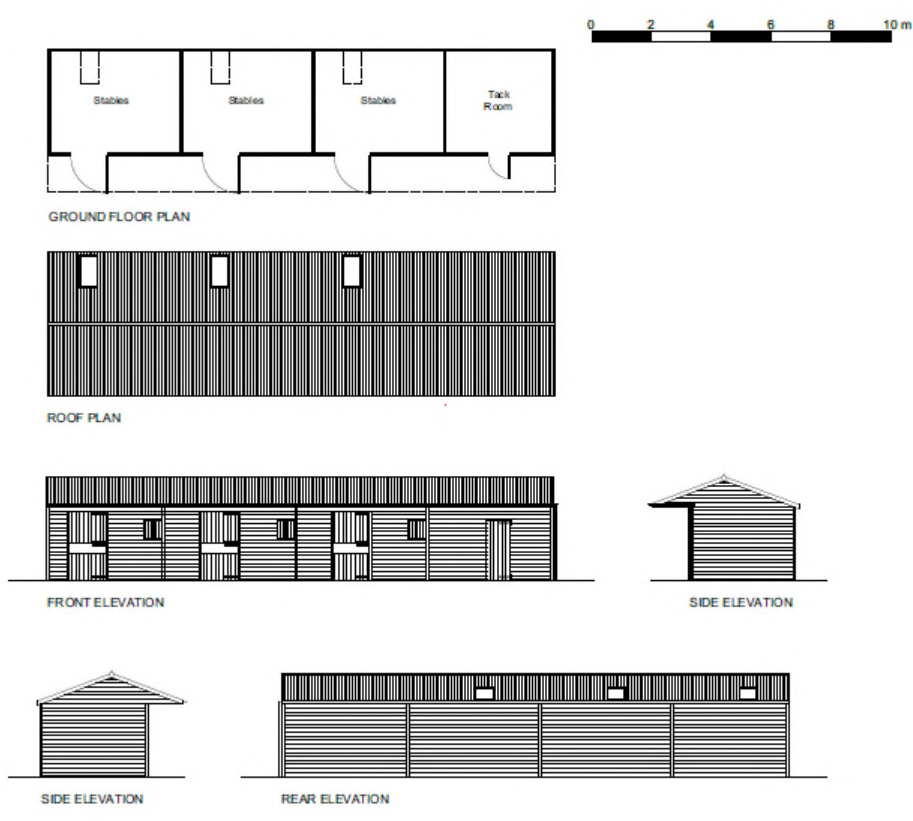
Job No.	Drawing Number	Revision
1562	PI08	1

Date: 13/09/2019
Scale: B A3
Date: October 2019

edge | part of
Harcourts Group Ltd
100% of the business is owned and operated in the UK

Mulbarton
100% of the business is owned and operated in the UK
100% of the business is owned and operated in the UK

Block H



PLANNING

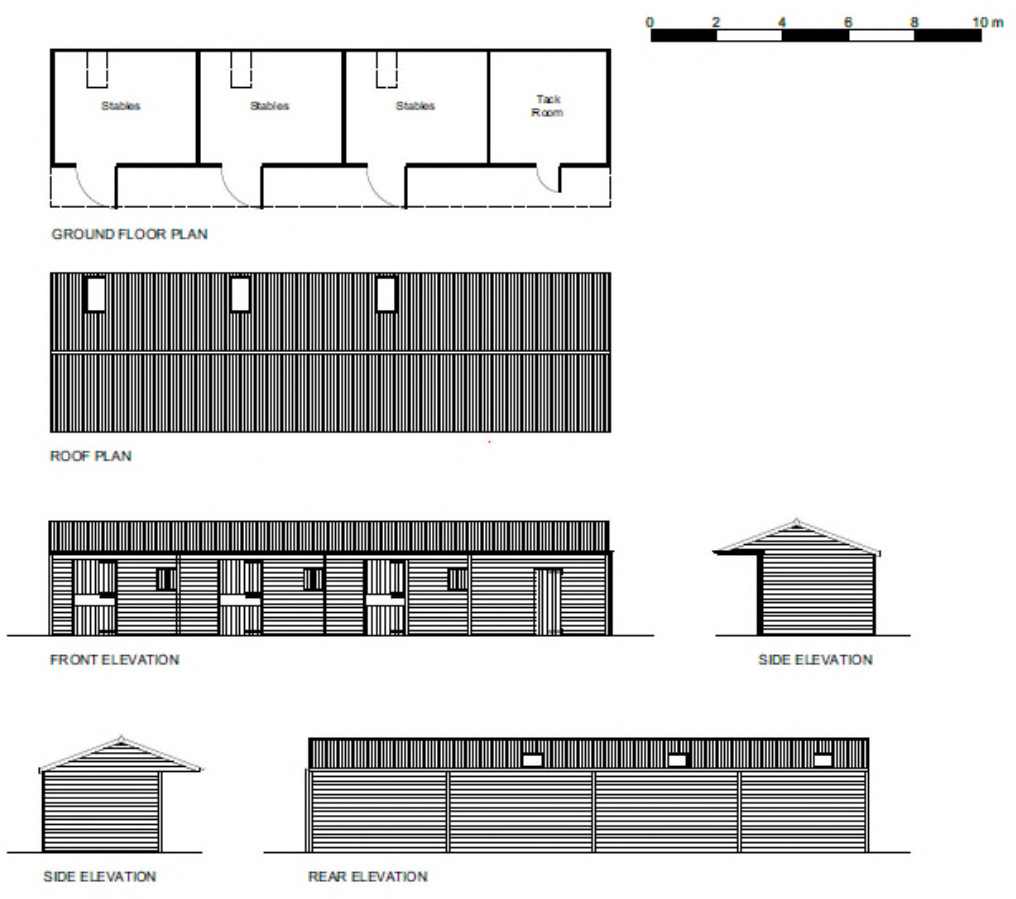
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BLOCK H		
Plans & Elevations		
Set of IBS	Discipline PI09	Revision -
Date 1/10/20	Scale A3	Date October 2019

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National Team: LONDON OFFICE
 Project: London Office
 Architecture: London Office
 Urban Design: London Office
 Landscape: London Office
 Planning: London Office
 Sustainability: London Office
 Health & Wellbeing: London Office
 Research: London Office
 Digital: London Office
 Client: London Office

Block I



PLANNING

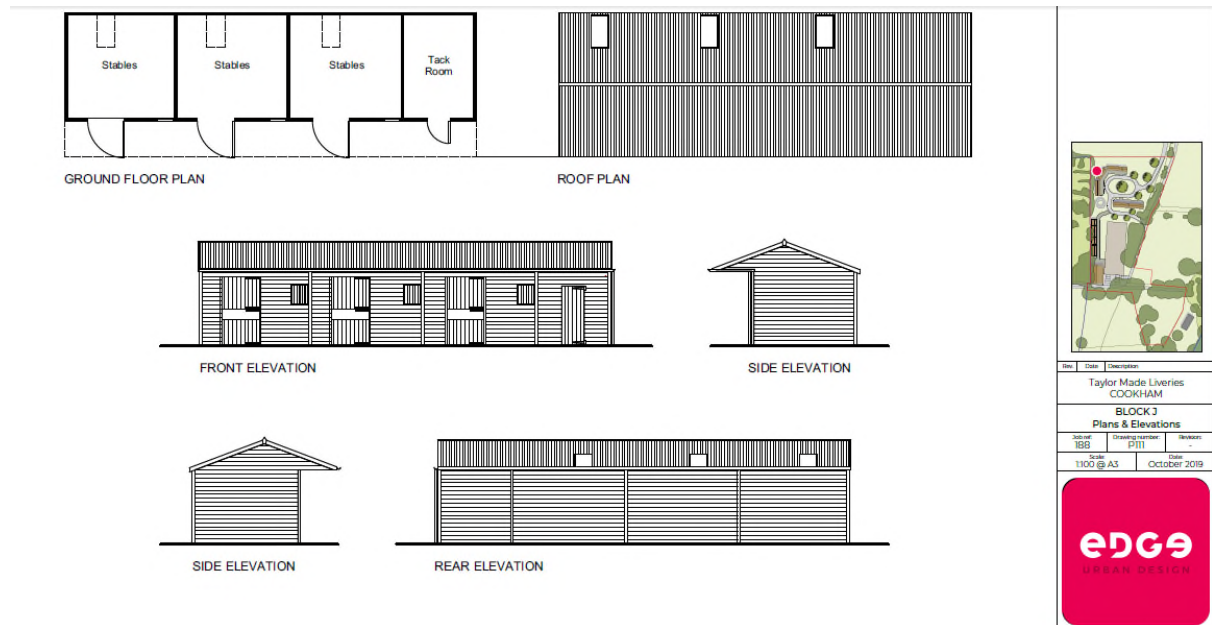
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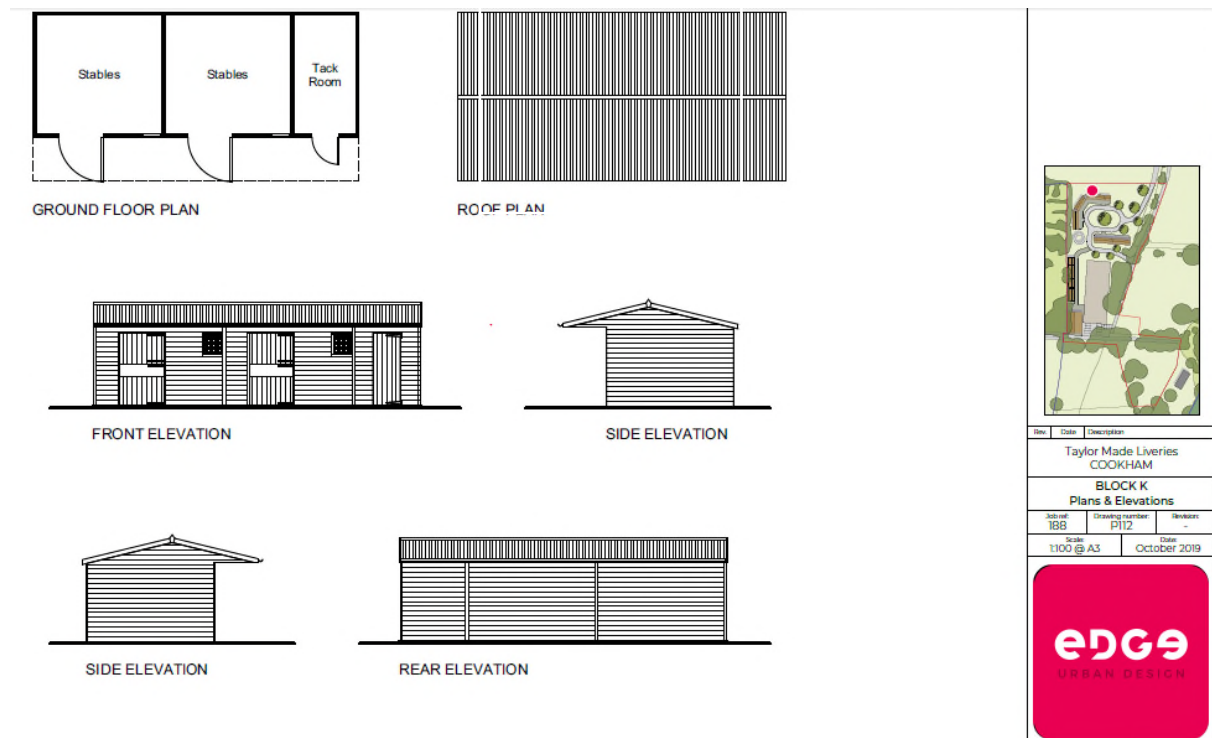
Part of
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National Team: LONDON OFFICE
 Project: London Office
 Architecture: London Office
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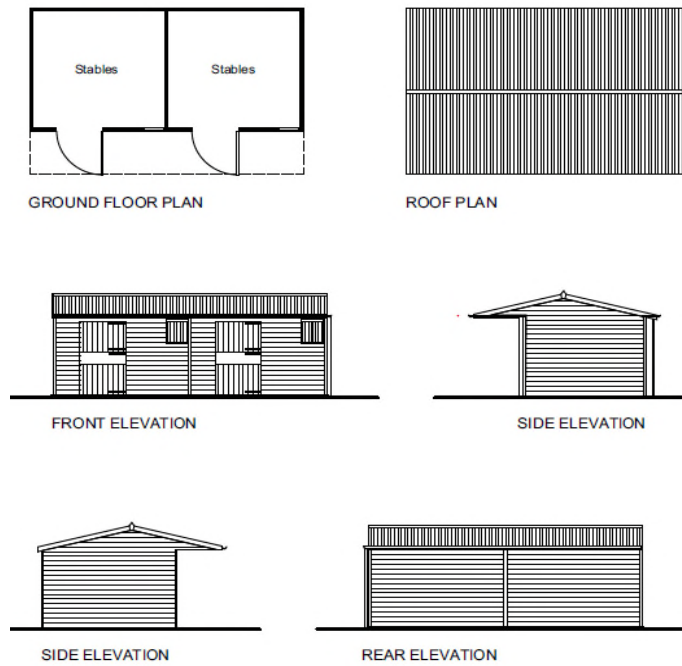
Block J



Block K



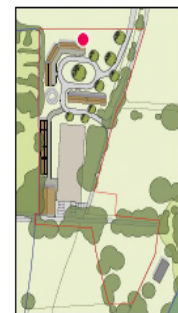
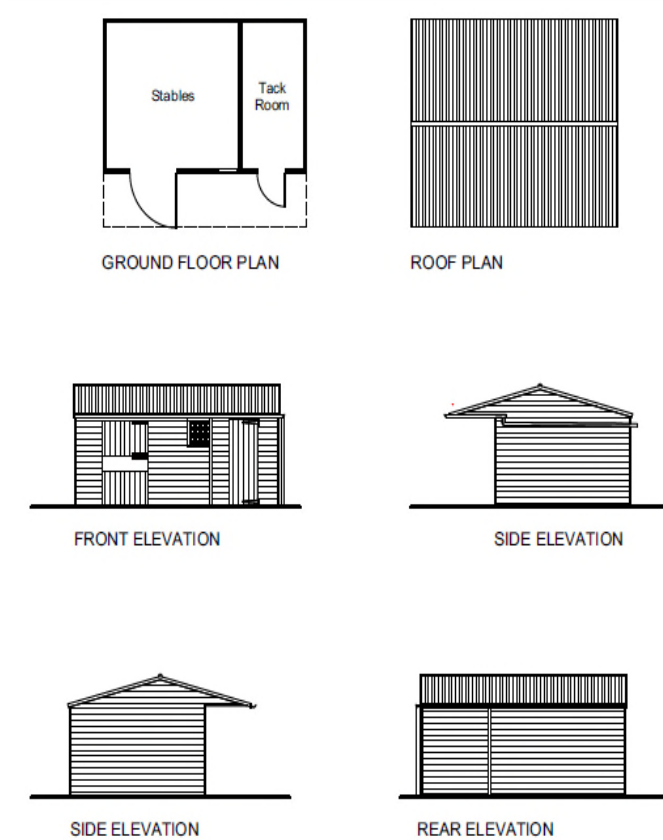
Block L



Rev	Date	Description
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BLOCK L Plans & Elevations		
Job no: 188	Drawing number: P113	Revisions: -
Scale: 1:100 @ A3	Date: October 2019	



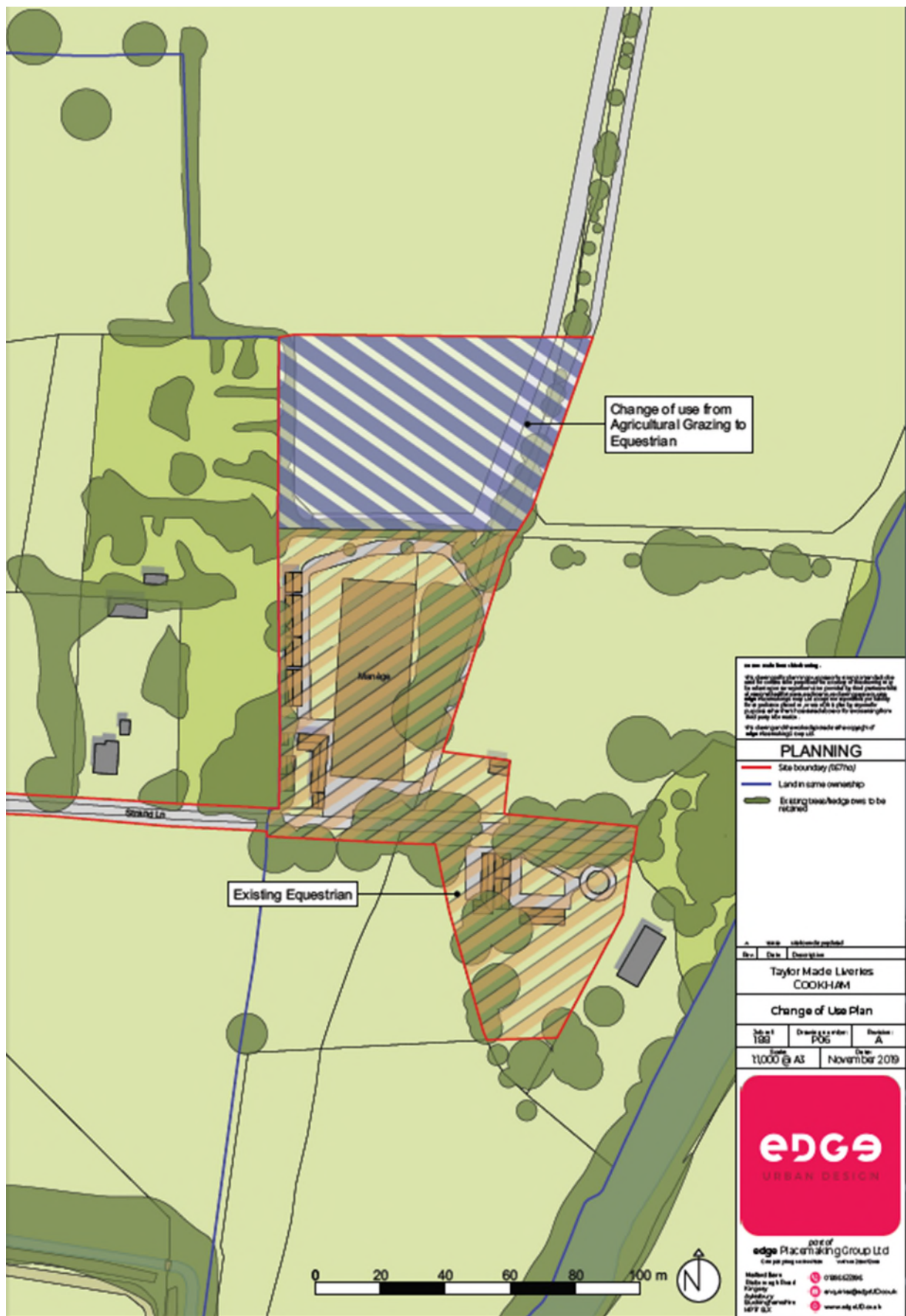
Block M



Rev	Date	Description
Taylor Made Liveries COOKHAM		
BLOCK M Plans & Elevations		
Job no: 188	Drawing number: P114	Revisions: -
Scale: 1:100 @ A3	Date: October 2019	



Appendix E – Change of use Plan



Appendix F – Strande Lane widening

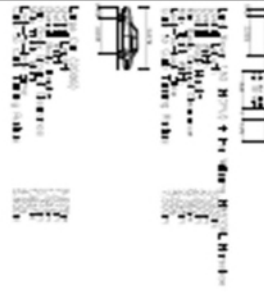


INDICATE LOCATION OF PARKING POINTS

- NOT INDICATE TREE LOCATION NOT COMPASSING
- INDICATE LOCATION OF ACCESS
- PUBLIC ROAD OF WAY ACCESS
- DISTING BROAD APPROXIMATELY 2.5M
- VEHICLE TO WHOLE INDESTRUCTIBLY
- INDICATE AREA OF LOCALISED WIDENING TAILOR FOR PASSING VEHICLES
- POSSIBLE ADDITIONAL AREA FOR WIDENING

GENERAL NOTES

PLEASE NOTE ALL DIMENSIONS SHOWN IN BLUE. ALL DIMENSIONS MUST BE VERIFIED ON SITE AND DO NOT NECESSARILY REFLECT THE DIMENSIONS OF THE EXISTING ROADWAY. DIMENSIONS DO NOT INCLUDE TYPING DIMENSIONS.



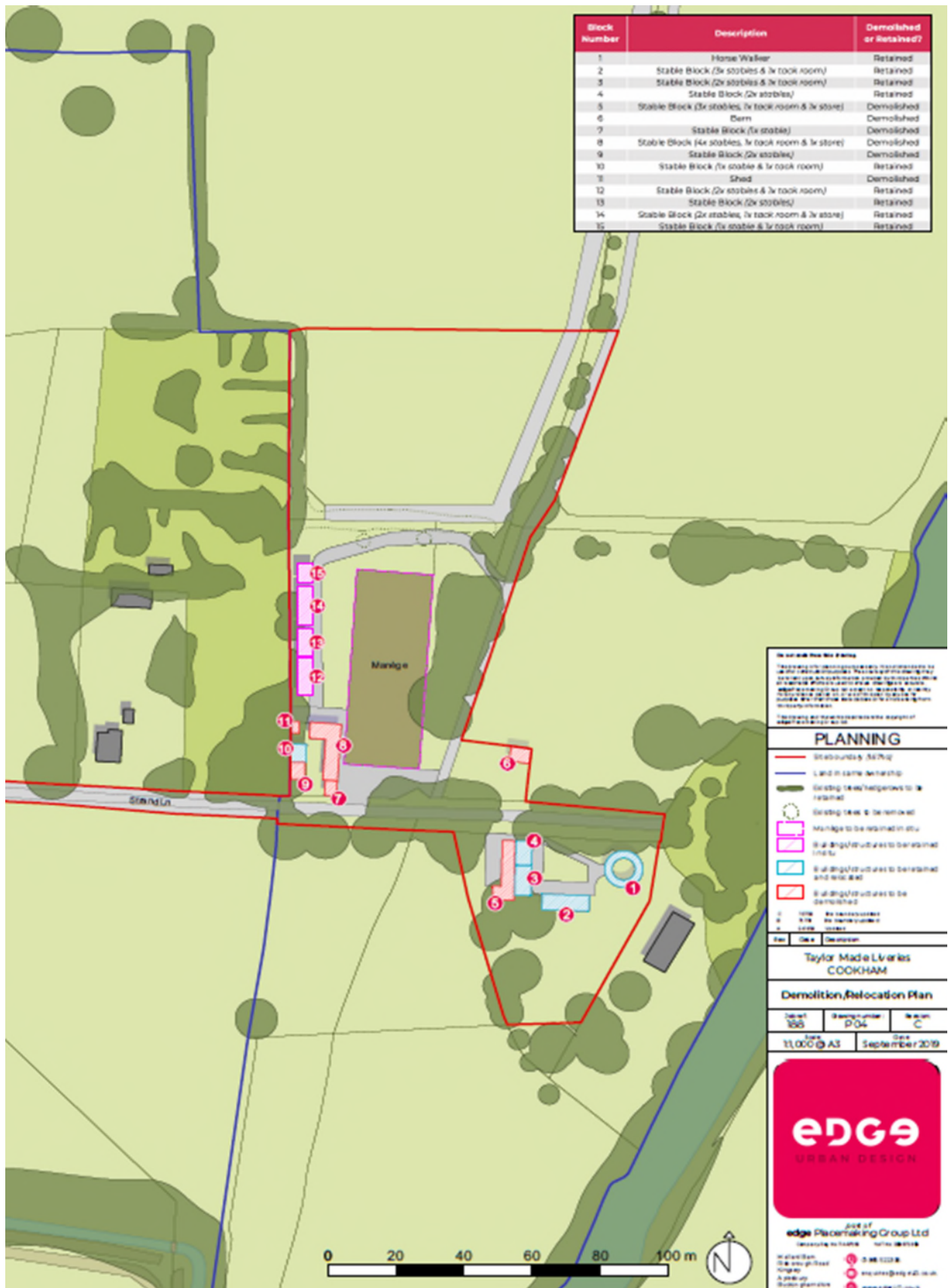
NO.	REVISION	DATE	BY	CHECKED	APP'D

FOR INFORMATION

TAYLOR MADE LIVERIES
 COOKHAM
 STRAND LANE
 LOCALISED WIDENING & PASSING POINTS
 TAYLOR MADE LIVERIES

46030/SS01/001

Appendix G – Demolition and Relocation Plan



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19 August 2020

Item: 4

Application No.:	19/03506/FULL
Location:	Edgeworth House Mill Lane Windsor SL4 5JE
Proposal:	Replacement boundary treatment with vehicular entrance gates and erection of a bin store (Retrospective)
Applicant:	Mr & Mrs O'Reilly
Agent:	Angela Gabb
Parish/Ward:	Windsor Unparished/Clewer East

If you have a question about this report, please contact: Maki Murakami on 01628 796121 or at maki.murakami@rbwm.gov.uk

1. Background

- 1.1 This application was presented to the Windsor Development Management Panel on 4th March 2020 where the panel unanimously agreed to defer the application for 3 cycles in order to allow both the applicant and officers to carry out further research regarding the listing status of the wall that has been removed.
- 1.2 The Council's Conservation officer has made a further approach to Historic England but they have not be able to provide the Council with any further information. The Council's Conservation Officer has however carried out further research which is attached as Appendix A and which is to be read in conjunction with the previous report that was presented to members and is reproduced below:

2. SUMMARY

- 2.1 The applications relate to a Grade II* listed building. Edgeworth House is of particular national importance with only 5.8% of buildings on the list belonging in this category. The listing extends to the front wall, part of which has already been demolished without the appropriate consent. The current proposal (which is retrospective) involves the erection of timber fencing and a timber double gate and pedestrian gate positioned forward to the original wall. The Conservation Officer has advised that the works undertaken and the subject of these applications cause substantial harm to the significance of the Grade II* listed and front wall gateway to Edgeworth House (Grade II listed).
- 2.2 The site is within the Mill Lane Clewer Village Conservation Area which is characterised by buildings predominately of red brick and clay tiled roofs, with the occasional rendered building including Edgeworth House. The majority of boundary treatments viewed from Mill Lane are of brickwork and the demolished part of the listed garden wall was also of red brick, which contributed to the integrity of the area. The proposed fence and gates employ timber materials and their informal design does not respect the traditional and formal nature of the listed Edgeworth House and garden wall. The development adversely affects the character of the host dwelling and the Conservation Area.
- 2.3 Two purple plum trees standing to the south of the location of the new fence and a Magnolia tree situated to the north of the proposed bin store are protected by a Tree Preservation Order. These trees contribute to the character of the conservation area, where houses have established vegetation and brick front boundary walls along Mill Lane. Due to insufficient information submitted regarding these TPO trees standing in close proximity of the development, the application fails to demonstrate that the proposal would cause no harm to the character of the surrounding area or would not result in the loss of important features which contribute to the character.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 14 of this report):	
1.	The demolition of the southern element of the garden wall which is grade II listed in itself and curtilage listed of grade II* listed Edgeworth House has caused substantial harm to the significance of the designated heritage assets of the front wall gateway to Edgeworth House, Edgeworth House and the Mill Lane, Clewer Conservation Area. The partial demolition of the garden wall has caused loss of historic fabric and impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. There are no public benefits that outweigh that harm.
2.	The proposed boundary fence and gates do not respect design and materials which represent traditional and formal nature of the listed building and garden wall. In addition, the proposed boundary replacement is visible from Mill Lane and directly adversely impacts the street scene and the character of the area and, therefore, adversely affects the character and setting of the host dwelling.
3.	Due to insufficient information submitted regarding TPO trees within and near the development site, the application fails to demonstrate that the proposal would cause no harm to the character of the surrounding area or would not result in the loss of important features which contribute to the character. The proposal would not comply with Policies N6, DG1 and LB2 of the Local Plan.

3. REASON FOR PANEL DETERMINATION

Councillor Tisi requested this application to be determined by the Panel if the recommendation is to refuse the application since the property has a complex planning history.

4. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 4.1 Edgeworth House, Mill Lane in Windsor is located on the east side of Mill Lane. The plot is occupied by a white rendered two storey detached house with front and rear gardens. The dwelling is a Grade II* building and set back behind a brick wall.
- 4.2 The garden wall is listed Grade II in its own right. The list description reads as follows: "Front wall gateway to Edgeworth House SU 97 NE 8/75A II 2. Red brick wall to garden has central gateway with square rubbed brick piers, stone caps and ball finials - wrought iron arched scroll pyramid overthrew with central coat of arms. The arched gate is made up of square bars with enriched cross bar and dog rails. Scroll enriched panelled standards and finials."
- 4.3 The site is situated within the Mill Lane, Clewer Village Conservation Area. The conservation area runs the length of Mill Lane from Maidenhead Road to Old Mill House and comprises White Lilies Island and St Andrews Church. The area is predominately characterised by buildings of red brick and clay tiled roofs, with the occasional rendered building including Edgeworth House.
- 4.4 There is a Magnolia tree protected under Tree Preservation Order sitting to south of the Edgeworth House within the plot. Two Purple Plum trees stand to the south of the proposed location of the new fence, one is within the application site and the other is just outside of the plot. Both Purple Plum trees are protected by the Order and planted along Mill Lane.

5. KEY CONSTRAINTS

- 5.1 Edgeworth House itself is Grade II* Listed Building and Front Wall Gateway to Edgeworth House is Grade II Listed Building.
- 5.2 The application site is within Mill Lane and Clewer Village Conservation Area.
- 5.3 Protected trees in and adjacent to the site.

6. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 6.1 The application seeks planning permission for the replacement boundary treatment with vehicular entrance gate and erection of a bin store. The proposal includes demolition of a part of a Grade II listed boundary wall. The work started on 9th September 2016 without consent and the application is retrospective.
- 6.2 The proposed timber fence with gates runs from east to west for approximately 8.8m long along south boundary of the front garden of the property, which faces a private driveway. The boundary treatment has a maximum height of 1.85m. The proposed bin store measures 2m wide by 1m deep with a height of 1.9m and sits to east of the proposed gate along the south boundary, approximately 2m away from the host dwelling. The new boundary treatments are not on the same line of the original boundary wall.
- 6.3 The application form addresses the proposed fixing of CCTV cameras and associated cables to Grade II* listed property in addition to the replacement boundary treatment. However, during the process of the validation of the application, the agent confirmed the CCTVs are not included in the current proposal.
- 6.4 Relevant planning history

Reference	Description	Decision
13/02019/TPO	Fell a Magnolia	Approved, 29.08.2013, Work not implemented
19/02546/FULL	Replacement boundary treatment with vehicular entrance gates and erection of a bin store (Retrospective).	Withdrawn, 25.11.2019
19/02547/LBC	Consent to retain replacement boundary treatment with vehicular entrance gates, bin store and the installation of 2no. CCTV cameras.	Withdrawn, 25.11.2019
19/03507/LBC	Consent to retain the replacement boundary treatment, vehicular entrance gates and bin store.	In process

7 DEVELOPMENT PLAN

7.1 Adopted Royal Borough Local Plan (2003)

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
Preserving or enhancing historic environment	CA2, LB2
Trees	N6

These policies can be found at

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

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 4- Decision-making

Section 12- Achieving well-designed places

Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3
Historic Environment	HE1
Tree, Woodlands and Hedgerows	NR3

- 8.1 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 8.2 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight.
- 8.3 These documents can be found at:
<https://www3.rbwm.gov.uk/blp>

Other Local Strategies or Publications

- 8.4 Other Strategies or publications material 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

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

7 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 17th January 2020 and the application was advertised in a local paper distributed in the borough on 23rd January 2020.

1 letter was received supporting the application from Edgeworth Cottage, Mill Lane on behalf of the Edgeworth Residents Association, summarised as:

Comment	Where in the report this is considered
1. The wall that was removed at the time of the proposed works was well within the eastern boundary of their property and has been significantly impacted by tree roots and a general lack of maintenance. It was not one of the original walls as it was clearly constructed from a mixture of	Noted. Please see paragraphs 10.2-10.22

	brick types and was of poor construction unlike the front boundary wall.	
2.	The irregular positioning of the wall and a large concrete slab was both aesthetically and functionally at odds with the sympathetic entrance wall and gate enhancements that have provided a significant improvement to the Lane and our communal area.	
3.	The materials and construction methods used by the applicant are of the highest quality and are a major improvement visually and provide a more logical functionality for the residents using this shared space. There is no question that the old wall was in need of a total rebuild and new foundations and as a group of residents directly damaged by the works we are in complete support of retaining these changes.	

Consultees

Consultee	Comment	Where in the report this is considered
Borough Council Tree Team	<p>No information has been submitted by the applicant in regard to trees, such as a BS5837 tree survey and constraints plan superimposed onto a layout plan.</p> <p>The covered bin store might be partly utilising an existing brick wall but other elements of the construction appear to be new, such as a wall to support the eastern side of the bin store and a roof. Details of excavations for the foundations of the bin store wall need to be provided, as these are within the root protection area of the Magnolia.</p> <p>The applicant will also need to clarify the extent of the enlargement of the driveway to the front of the house. This occupies some of the front garden and might have come within the root protection area of the protected trees. The entrance gates enabling vehicular access into the front garden may therefore be inappropriate.</p> <p>Once the above information has been submitted, I will be able to evaluate the impact of the scheme fully. If the above cannot be submitted then recommend refusal of the application under Policies N6 and DG1 of the adopted Local Plan.</p>	Noted. Please see paragraph 10.23-10.26
Borough Council Conservation team	<p>It is considered the loss of the wall causes substantial harm to the designated heritage assets and as there are no justifiable public benefits to outweigh this loss, as advised by the national and local policy, the loss is unacceptable and permission should be refused.</p> <p>From the photographic and cartographic evidence it is suggested the wall to the front garden on the southern side, which has been demolished to facilitate a parking area, was concurrent and physically linked to the front (western) portion of the wall and therefore carried listed status. The photographs on file show the wall to be of mixed red brick with buttressed/pier supported. The patina, bond (Flemish), capping treatment are all concurrent with the front garden wall facing the highway. It is therefore considered that the side portion of the wall is/was part of the listed structure. In addition to the wall being listed in its own right, as the boundary, or partial boundary, of a Grade II* building the wall would be considered curtilage listed.</p>	Noted. Please see paragraph 10.2-10.22

	<p>There is no extant Planning Permission nor Listed Building Consent in place for the demolition of the wall.</p> <p>The loss of the wall represents substantial harm to the significance of the designated heritage assets (Front wall gateway to Edgeworth House, Edgeworth House and Mill Lane, Clewer Conservation Area). Other than the obvious loss of historic fabric, the removal impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. The loss also impacts on the character of the Conservation Area and erosion of the setting of the designated heritage assets.</p> <p>The effective replacement boundary – albeit not on the same line – is not in keeping with the architectural language of the designated heritage assets. The house and extant boundaries are polite, traditional and formal in nature, reflecting the high-status of the building. The proposed timber fencing is a poor substitute considering the historic formal brick wall it is de facto replacing. It is not considered to be appropriate to the setting and character of the designated heritage assets.</p> <p>There are no great concerns surrounding the bin store.</p>	
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i The impact on the listed buildings;
- ii Conservation Area
- ii Impact on TPO trees: and
- iii Impact on existing neighbouring occupiers' amenities and those of future occupants

The Impact on the significance of the Listed Buildings

10.2 The front boundary treatment to the property containing the wrought iron gate is listed Grade II in its own right. The list description reads as follows:

“Front wall gateway to Edgeworth House SU 97 NE 8/75A II 2. Red brick wall to garden has central gateway with square rubbed brick piers, stone caps and ball finials - wrought iron arched scroll pyramid overthrew with central coat of arms. The arched gate is made up of square bars with enriched cross bar and dog rails. Scroll enriched paneled standards and finials.”

10.3 From old photographs of Google street view, it is considered the wall to the front garden on the southern side, which has been demolished to facilitate a parking area, was concurrent and physically linked to the front (western) portion of the wall and therefore carried listed status. The photographs on file show the wall to be of mixed red brick with buttressed/pier supported. The patina, bond (Flemish), capping treatment are all concurrent with the front garden wall facing the highway. It is therefore considered that the side portion of the wall is part of the listed structure.

10.4 In addition to the wall being listed in its own right, as a part of the boundary of a Grade II* building Edgeworth House, the wall would be considered curtilage listed. Grade II* listed buildings are of particular national importance with only 5.8% of buildings on the list belonging in the category.

10.5 The House is listed with a description as follows:

“... 2 storeys and attic rendered, string at 1st floor level, heavy wood moulded and modillioned cornice, old tile roof, flanking chimneys, A 4- bay front with half-glazed door in second bay from right hand with rectangular fanlight, semi-circular and radiating glazing pattern, Door case has architrave surround, flat brackets, plain frieze and enriched cornice and pediment. The house is set back with brick wall to road. Interior altered but retaining closed string dog leg staircase, turned balusters, turned pendant finials to newels.”

- 10.6 It should be emphasised the above description states the house is set back with brick wall to road. Therefore, according to the list description, it is clear that the brick wall of Edgeworth House is part of the distinctive feature of the setting of the listed building.
- 10.7 The applicant has not submitted any evidence to demonstrate that the demolished wall did not form part of the original front wall which was/is listed or curtilage listed.
- 10.8 Paragraph 193 of the National Planning Policy Framework (NPPF, 2019) states ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation’ irrespective of extent of any potential harm.
- 10.9 Paragraph 194 of the NPPF advises that
- “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”.*
- 10.10 Paragraph 195 of the NPPF sets out that, “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...”
- 10.11 The proposal includes the removal of the southern element of the garden wall which is grade II listed as itself and the curtilage listed of grade II* listed Edgeworth House and thus causes loss of historic fabric. The loss of the wall represents substantial harm to the significance of the designated heritage assets. (Front wall gateway to Edgeworth House, Edgeworth House and Mill Lane, Clewer Conservation Area.)
- 10.12 Other than the obvious loss of historic fabric, the removal impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. The loss also impacts on the character of the Conservation Area and erosion of the setting of the designated heritage assets.
- 10.13 There is no clear justification for the harm or public benefit which outweighs the substantial harm to the designated heritage assets.
- 10.14 Policy LB2 of the adopted Royal Borough Local Plan (2003) (Local Plan) notes that the demolition of a listed building should not be approved unless there are very exceptional circumstances as to why the building cannot be retained and reused.
- 10.15 The applicant claims in the application that the wall which was demolished had been in disrepair and positioned inappropriately to the site boundary. This reason does not form very exceptional circumstances to justify the removal of the southern element of the listed garden wall and build a boundary wall which does not respect the style and materials of the original boundary wall or the host dwelling. In addition, there appears to be no evidence submitted by the applicant to illustrate that the southern element of the wall was in so poor condition that there was no other way other than demolishing it.

10.16 For the above reasons, the proposed works to the boundary treatment would result in unacceptable harm to the significance of the Listed Buildings and be contrary to paragraphs 193,194,195 of the NPPF and Policy LB2 of the Local Plan.

Impact on the character of Conservation Area

10.17 The appearance of a development is a material planning consideration and the NPPF paragraphs 127 and 130 and Policy DG1 of the Local Plan advise that all development should seek to achieve a high quality of design that improves the character and quality of an area. Policy CA2 of the Local Plan requires that any development will enhance or preserve the character or appearance of the area.

10.18 Mill Lane, Clewer Village Conservation Area runs the length of Mill Lane from Maidenhead Road to Old Mill House and comprises White Lilies Island and St Andrews Church. The area is predominately red brick and clay tiled roofs, with the occasional rendered building including Edgeworth House. According to a list description of Edgeworth House, the house is set back with brick wall to road.

10.19 The loss of the wall causes erosion of the setting of Edgeworth House and Front Wall to Edgeworth House and represents substantial harm to the significance of Grade II* and Grade II listed buildings. Moreover, the removal of the brick wall has a detrimental impact on the appearance and character of the Conservation Area which has a distinctive character comprising houses and boundary walls of red brick along Mill Lane.

10.20 The effective replacement boundary, albeit not on the same line, is not in keeping with the architectural language of the designated heritage assets (Front wall gateway to Edgeworth House, Edgeworth House and Mill Lane, Clewer Conservation Area). The house and extant boundaries are polite, traditional and formal in nature, reflecting the high-status of the building. The proposed timber fencing is a poor substitute considering the historic formal brick wall it is de facto replacing. It is not considered to be appropriate to the setting and character of the designated heritage assets.

10.21 The proposed bin store is, due to its scale, design and siting, not detrimental to the character and appearance of the host dwelling and the area.

10.22 Overall, for the above-mentioned reasons, the development adversely affects the character of the host dwelling and the area and would result in unacceptable harm to the significance of the Conservation Area. The proposals do not comply with the NPPF paragraphs 127, 130, 193,194 and 195 and Policy DG1, CA2 and LB2 of the Local Plan.

Impact on Important Trees

10.23 There is a magnolia tree by the south elevation of the property which is protected by a Tree Preservation Order (TPO). The proposed bin store would sit to the south of the tree. Permission to fell the magnolia was given under application 13/02019/TPO however, as seeing the current presence of the tree, it is understood that the work was not implemented.

10.24 Two Purple Plum trees covered by a TPO stand to the south of the proposed location of the new fence. One is within the application site and the other is just outside of the plot. Both Purple Plum trees are planted along Mill Lane and visible in the street scene.

10.25 The area is characterised with soft landscaping and established vegetation together with front boundary walls of brickwork to the front of houses. These TPO trees contribute to and form a key feature of the neighbourhood.

10.26 No information has been submitted by the applicant regarding trees, such as a BS5837 tree survey and constraints plan superimposed onto a layout plan. Due to insufficient information regarding trees, it is not possible to confirm the proposal would cause no harm to the character of the surrounding area or would not result in the loss of important features which contribute to the

character of the area and the setting of the listed buildings. Therefore, the proposal does not comply with Policies N6, DG1 and LB2 of the Local Plan.

Impact on existing neighbouring occupiers' amenities and those of future occupants

10.27 The NPPF paragraph 127 and Policy H14 of the Local Plan the development should not result in unacceptable harm to residential amenities of the immediate neighbouring properties. Due to siting, scale and design of the proposal, there would be no significant harm caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

11.1 The development is not CIL liable.

12. CONCLUSION

The proposed works would result in unacceptable harm to the significance of the Listed Buildings and the Conservation Area and be contrary to paragraphs 127, 130, 193,194,195 of the NPPF and Policy LB2, CA2, DG1 and N6 of the Local Plan.

13. APPENDICES TO THIS REPORT

- Appendix A - Additional Report from Conservation Officer
- Appendix B - Site Location Plan
- Appendix C - Site layout
- Appendix D - Elevations

14. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The demolition of the southern element of the garden wall, which is grade II listed in itself and curtilage listed with the grade II* listed Edgeworth House, causes substantial harm to the significance of the designated heritage assets, namely the front wall gateway to Edgeworth House and Edgeworth House. The partial demolition of the garden wall causes loss of historic fabric and impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. There are no public benefits that outweigh that harm, and the proposal fails to comply with Paragraphs 193, 194 and 195 of the National Planning Policy Framework (NPPF, 2019) and Policy LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (2003).
- 2 The proposed boundary fence and gates do not respect the design and materials which represent the traditional and formal nature of the listed building, garden wall and their setting. In addition, the proposed boundary replacement is visible from Mill Lane and directly impacts the street scene and the character of the area and, therefore, adversely affects the character of the host dwelling and its setting. The proposal fails to comply with paragraphs 127 and 130 of the NPPF (2019) and Policies CA2, LB2 and DG1 of the Local Plan (2003).
- 3 As insufficient information has been submitted regarding the protected trees within and near the development site, the application fails to demonstrate that the proposal would not result in the loss of important features which contribute to the character of the area and setting of the listed buildings. The proposal does not comply with paragraph 127 of the NPPF (2019) and Policies N6, LB2 and DG1 of the Local Plan (2003).

Appendix A—Additional information from the Conservation Officer’s report

1. Edgeworth House dates from the early 18th century, in the reign of Queen Anne. It is excellent, but not uncommon example of a high-status house from this period. It was probably built for a wealthy merchant, possibly linked with the Thames and the Mill further down on the same road. Queen Anne ‘town’ or ‘village’ houses as this effectively is – of course Clewer was quite separate from New Windsor at this stage – as opposed to a country house, generally always were set back from the road – in varying degrees – but often were accompanied by an entrance gate with railings/walling of some form. Due to the status of the original builder, and wanting to show off his new wealth, Edgeworth House, was constructed with an impressive and large entrance courtyard enclosed by a tall wall with ornate – and expensive – wrought iron gates.
2. It is not unusual for walls of listed buildings to be listed in their own right – indeed it shows the original inspector (listed in 1975) thought the walls and gate to be of such significance that they were designated as their own listing to give them added protection. Even if the walls and gate were not separately listed they would fall under the curtilage of the listed house (as the clear and original boundary) and therefore would have de facto listed status by association.
3. The listing covers all parts of the building and not just elements mentioned in the listing description. Therefore just because a specific element of a listed structure is not mentioned in the listing text does not exclude it from protection nor denies the existence of said element. Historic England specifically state in their website (2020) *“Listing covers a whole building, including the interior, unless parts of it are specifically excluded in the list description. It can also cover:*
 - *Other attached structures and fixtures*
 - *Later extensions or additions*
 - *Pre-1948 buildings on land attached to the building. (In the planning system, the term ‘curtilage’ is used to describe this attached land.)”*
4. We know the three sides of the front courtyard wall have always been existence as there is cartographic and photographic evidence. Figure 1. the Ordnance Survey Map of 1881 which clearly shows Edgeworth House (highlighted red) with the three-sided boundary wall (highlighted green) – interestingly there is a building to the south of this plot, which no longer stands and is absent for later maps. The maps shows that Edgeworth House possess the impressive enclosed courtyard entrance which is typical of high-status houses – only The Limes (on the corner of Mill Lane and Clewer Court Road) has a similar arrangement.

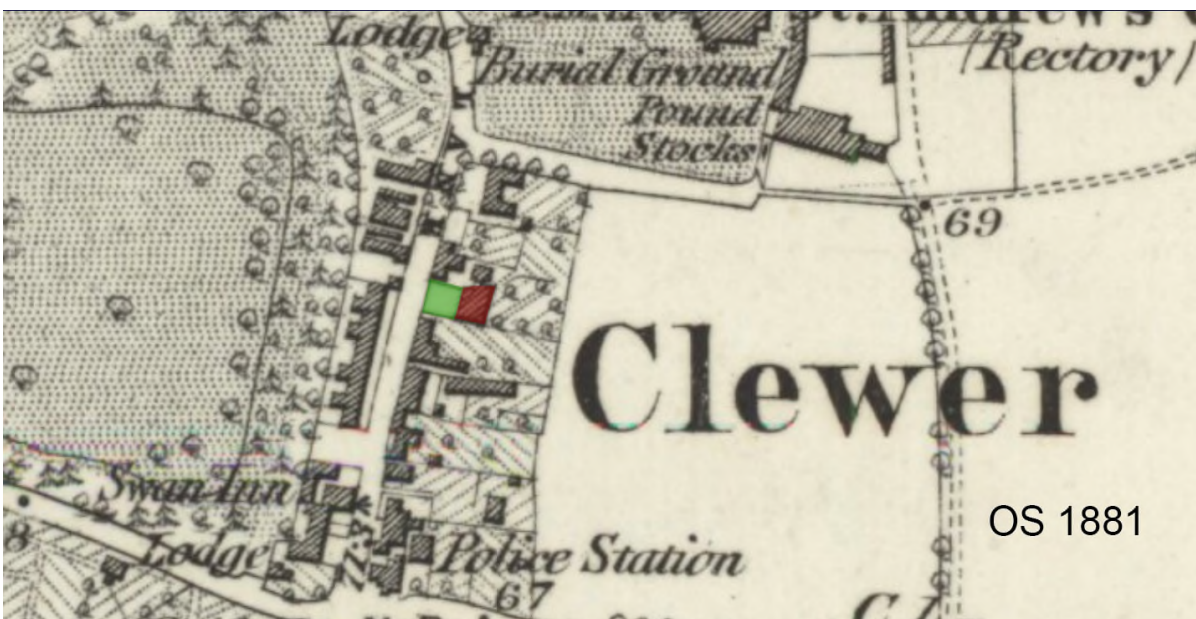


Figure 1. OS Map of 1881

5. Figure 2 (OS Map of 1914) and Figure 3 (OS Map of 1935) are shown for clarity and consistency, where the enclosed courtyard is unchanged and clearly denoted. Again, the house is highlighted red and the courtyard to the front in green.

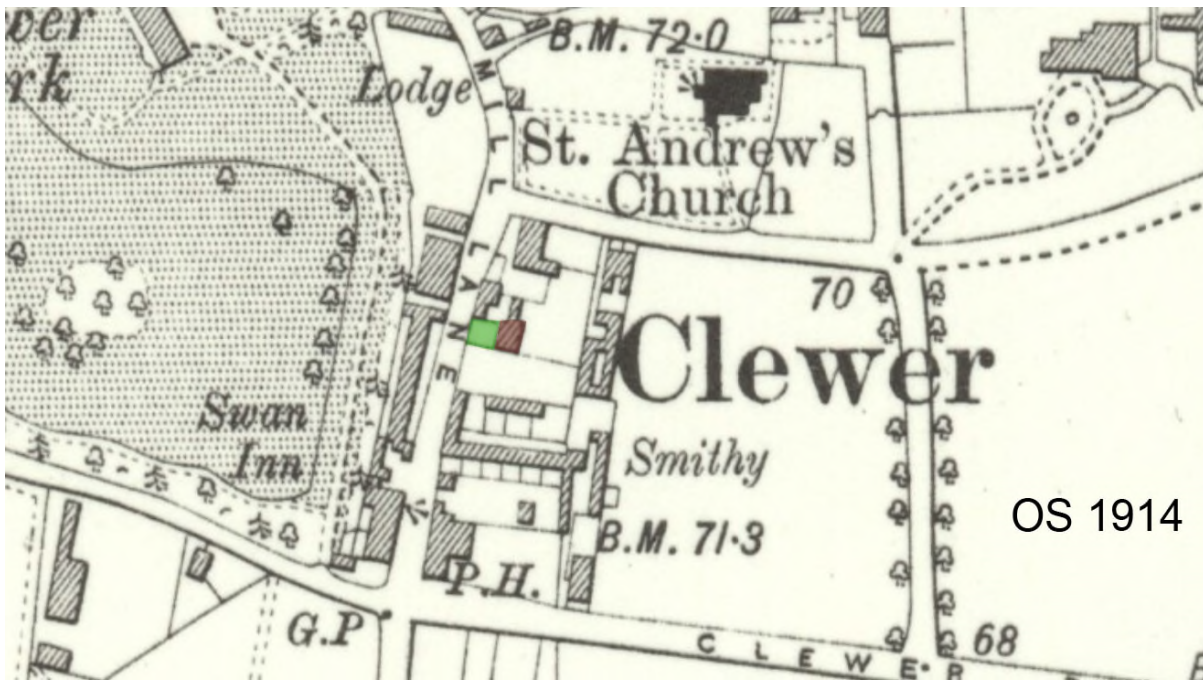


Figure 2. OS Map of 1914

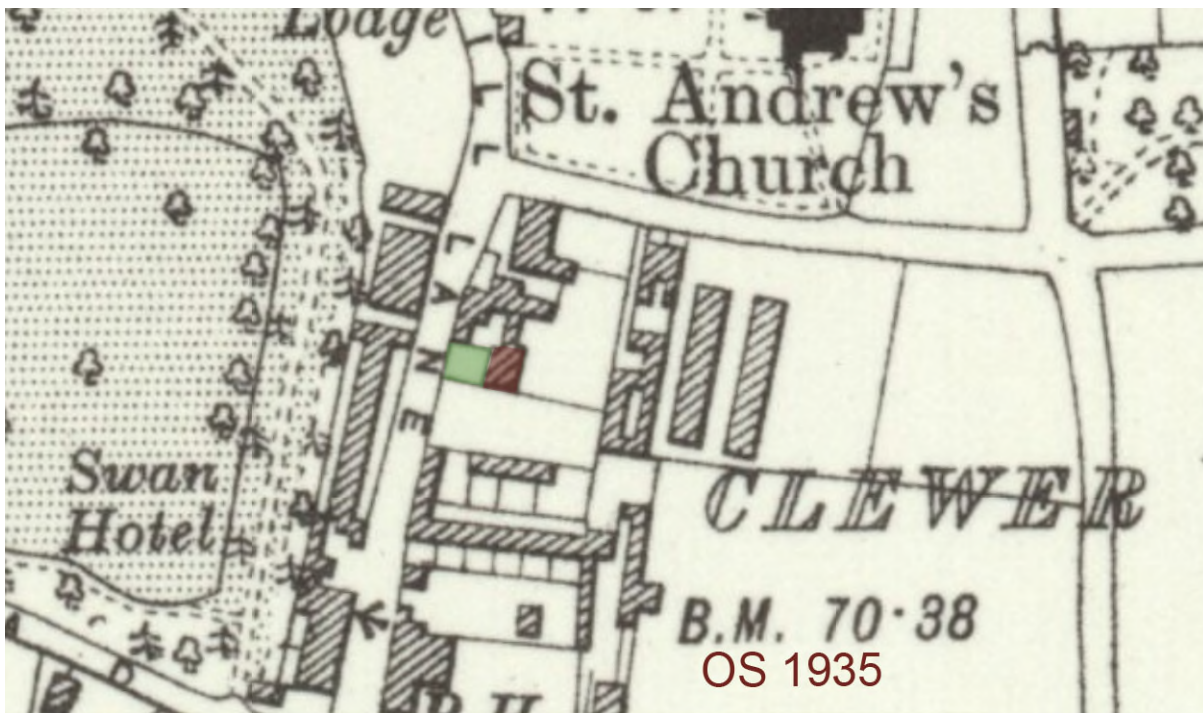


Figure 3. OS Map of 1935

6. Figure 4 shows the portion of the wall in question – the southern flank – to be of Flemish Bond, mixed handmade orange/red brick with a degree of patina matching the front portion of the wall. It is also important to note the wall had been repointed.



Figure 4. Shows the original southern wall (left of the photograph) – buttressed and Flemish Bond. Note, the contemporary wall to the right copies the style, but is obviously modern.

7. Figure 5. Shows Edgeworth house in the 1960s when operating as a Youth Hostel. The front wall can be clearly seen with the style of brick and bond visible. The southern flank is covered by organic growth/ivy/shrubs – but the form can be seen.



Figure 5. Photograph dated from the 1960s.

8. There is no question the southern flank of the front boundary wall is (was) part of the listed structure, by virtue of being physically attached to the front wall and a historically important boundary. Even if the garden wall was not listed in its own right, the wall would be curtilage listed. As the wall is designated under its own listing, it raises the significance of the structure owing to the dedicated protection assigned.

9. There is also no question the southern flank existing historically – as can be seen from the cartographic and photographic evidence. It existed for centuries up until it was demolished without consent recently.
10. As can be seen on the historic maps, the southern boundary – both physical and designated – of Edgeworth House was this southern wall. There was a building further to the south (as shown on the map of 1881), prior to the redeveloped of the land, this was the main southern boundary to the front entrance courtyard. This courtyard was a set-piece, designed to impress the visitor. The grand and expensive gates with the enclosed courtyard would have increased the aesthetic of the main building and therefore add to the significance of the setting.
11. The above additional findings raised by the Conservation Officer reinforces that the loss of the southern wall causes substantial harm to the designated heritage assets and supports the Case Officer’s recommendation. There is no change to the recommendation in the main report.

Appendix B—Site Location Plan

*not to scale



Edgeworth House, Mill Lane, Windsor, Windsor And Maidenhead, SL4 5JE



Site Plan shows area bounded by: 495443.75, 176977.34 495643.75, 177177.34 (at a scale of 1:1250), OSGridRef: SU95547707. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

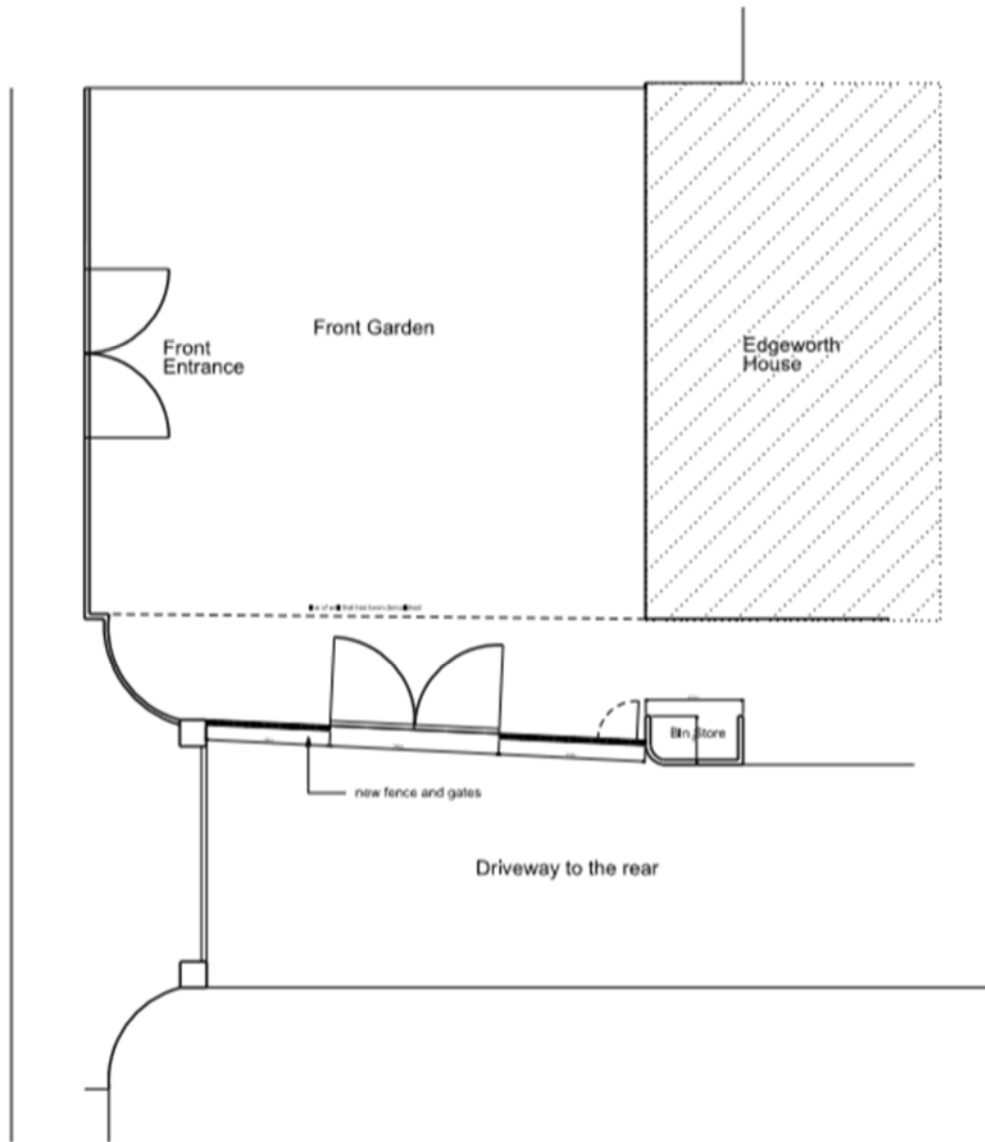
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Appendix C—Site Layout

*not to scale

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Proposed Site Plan 1:100



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Appendix D—Elevations

*not to scale

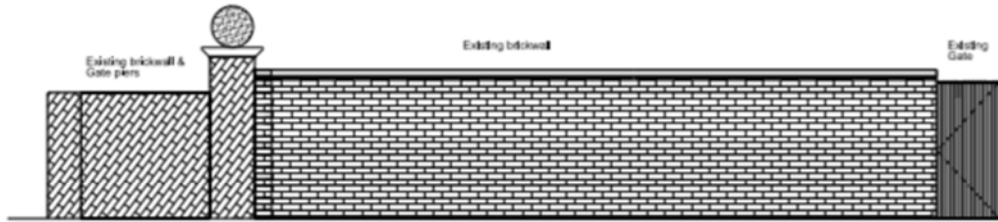
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No implied license exists. This drawing should not be used to calculate areas for the purposes of valuation.

All dimensions to be checked on site by the contractor and such dimensions to be their responsibility.

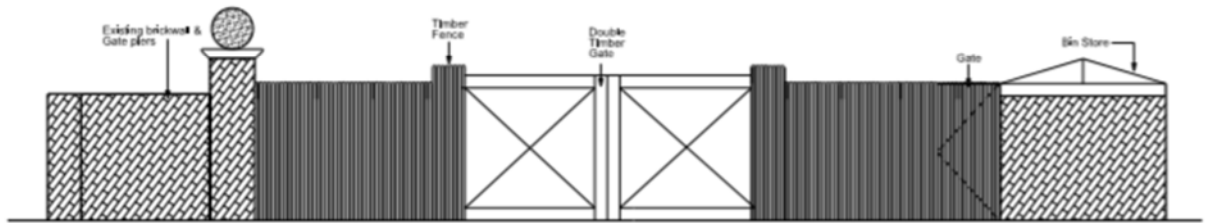
All measurements have been taken as a designers survey only. Do not scale off drawings for construction purposes. All setting out and measurements are subject to the constraints of permitted development or planning permission.

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

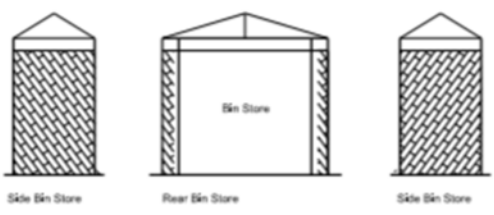


Edgeworth House Existing Wall Side Elevation

1:50



Front Bin Store



Edgeworth House Proposed wall & gates Side Elevation

1:50

Project No.	205/001
Client	Mr & Mrs O'Reilly
Date	September 2019
Scale	1:100 & 1:50
Project	Edgeworth House, 141 Lane Windsor SL4 5JE
Drawn By	Edging & Proposed Site Garden Wall Site Plan
Drawn No.	205_A100_001
Rev.	-

PLANNING ISSUE

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19 August 2020

Item: 5

Application No.:	19/03507/LBC
Location:	Edgeworth House Mill Lane Windsor SL4 5JE
Proposal:	Consent to retain the replacement boundary treatment, vehicular entrance gates and bin store.
Applicant:	Mr O'Reilly
Agent:	Angela Gabb
Parish/Ward:	Windsor Unparished/Clewer East
If you have a question about this report, please contact: Maki Murakami on 01628 796121 or at maki.murakami@rbwm.gov.uk	

1. Background

- 1.1 This application was presented to the Windsor Development Management Panel on 4th March 2020 where the panel unanimously agreed to defer the application for 3 cycles in order to allow both the applicant and officers to carry out further research regarding the listing status of the wall that has been removed.
- 1.2 The Council's Conservation officer has made a further approach to Historic England but they have not be able to provide the Council with any further information. The Council's Conservation Officer has however carried out further research which is attached as Appendix A and which is to be read in conjunction with the previous report that was presented to members and is reproduced below:

2 SUMMARY

- 2.1 The applications relate to a Grade II* listed building. Edgeworth House is of particular national importance with only 5.8% of buildings on the list belonging in this category. The listing extends to the front wall, part of which has already been demolished without the appropriate consent. The current proposal (which is retrospective) involves the erection of timber fencing and a timber double gate and pedestrian gate positioned forward to the original wall. The Conservation Officer has advised that the works undertaken and the subject of these applications cause substantial harm to the significance of the Grade II* listed and front wall gateway to Edgeworth House (Grade II listed).
- 2.2 The site is within the Mill Lane Clewer Village Conservation Area which is characterised by buildings predominately of red brick and clay tiled roofs, with the occasional rendered building including Edgeworth House. The majority of boundary treatments viewed from Mill Lane are of brickwork and the demolished part of the listed garden wall was also of red brick, which contributed to the integrity of the area. The proposed fence and gates employ timber materials and their informal design does not respect the traditional and formal nature of the listed Edgeworth House and garden wall. The development adversely affects the character and the setting of the Listed Building.

It is recommended the Panel refuses listed building consent for the following summarised reasons (the full reasons are identified in Section 14 of this report):	
1.	The demolition of the southern element of the garden wall which is grade II listed in itself and curtilage listed in respect of grade II* listed Edgeworth House has caused substantial harm to the significance of the designated heritage assets of the front wall gateway to Edgeworth House, Edgeworth House and the Mill Lane Clewer Conservation Area. The partial demolition of the garden wall has caused loss of historic fabric and impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. There are no public benefits that outweigh that harm.
2.	Additionally, the proposed boundary fence and gates do not respect the design and

materials which represent the traditional and formal nature of the listed building and garden wall and as such adversely affects the Listed Building and its setting.

3. REASON FOR PANEL DETERMINATION

Councillor Tisi requested this application to be determined by the Panel if the recommendation is to refuse the application since the property has a complex planning history.

4. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

4.1 Edgeworth House, Mill Lane in Windsor is located on the east side of Mill Lane. The plot is occupied by a white rendered two storey detached house with front and rear gardens. The dwelling is a Grade II* building and set back behind a brick wall.

4.2 The garden wall is listed Grade II in its own right. The list description reads as follows:
 “Front wall gateway to Edgeworth House SU 97 NE 8/75A II 2. Red brick wall to garden has central gateway with square rubbed brick piers, stone caps and ball finials - wrought iron arched scroll pyramid overthrow with central coat of arms. The arched gate is made up of square bars with enriched cross bar and dog rails. Scroll enriched panelled standards and finials.”

5. KEY CONSTRAINTS

5.1 Edgeworth House itself is Grade II* Listed Building and Front Wall Gateway to Edgeworth House is Grade II Listed Building.

6. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

6.1 The application seeks listed building consent for replacement boundary treatment with vehicular entrance gate and erection of a bin store. The proposal includes demolition of a part of a Grade II listed boundary wall. The work started on 9th September 2016 without consent and the application is retrospective.

6.2 The proposed timber fence with gates runs from east to west for approximately 8.8m long along south boundary of the front garden of the property, which faces a private driveway. The boundary treatment has a maximum height of 1.85m. The proposed bin store measures 2m wide by 1m deep with a height of 1.9m and sits to east of the proposed gate along the south boundary, approximately 2m away from the host dwelling. The new boundary treatments are not on the same line of the original boundary wall.

6.3 The application form addresses the proposed fixing of CCTV cameras and associated cables to Grade II* listed property in addition to the replacement boundary treatment. However, during the process of the validation of the application, the agent confirmed the CCTVs are not included in the current proposal.

6.4 Relevant planning history

Reference	Description	Decision
13/02019/TPO	Fell a Magnolia	Approved, 29.08.2013, Work not implemented
19/02546/FULL	Replacement boundary treatment with vehicular entrance gates and erection of a bin store (Retrospective).	Withdrawn, 25.11.2019
19/02547/LBC	Consent to retain replacement boundary treatment with vehicular entrance gates, bin store and the installation of 2no. CCTV cameras.	Withdrawn, 25.11.2019
19/03507/LBC	Consent to retain the replacement	In process

	boundary treatment, vehicular entrance gates and bin store.	
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7 DEVELOPMENT PLAN

7.1 Adopted Royal Borough Local Plan (2003)

The main Development Plan policies applying to the site are:

Issue	Adopted Local Plan Policy
Preserving or enhancing historic environment	LB2

These policies can be found at

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

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Historic Environment	HE1

- 8.1 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 8.2 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV. Public consultation ran from 1 November to 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight.
- 8.3 These documents can be found at:
<https://www3.rbwm.gov.uk/blp>

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on 17th January 2020 and the application was advertised in a local paper distributed in the borough on 23rd January 2020.

1 letter was received supporting the application from Edgeworth Cottage, Mill Lane on behalf of the Edgeworth Residents Association, summarised as:

Comment		Where in the report this is considered
1.	The wall that was removed at the time of the proposed works was well within the eastern boundary of their property and has been significantly impacted by tree roots and a general lack of maintenance. It was not one of the original walls as it was clearly constructed from a mixture of brick types and was of poor construction unlike the front boundary wall.	Noted. Please see paragraphs 10.2-10.16
2.	The irregular positioning of the wall and a large concrete slab was both aesthetically and functionally at odds with the sympathetic entrance wall and gate enhancements that have provided a significant improvement to the Lane and our communal area.	
3.	The materials and construction methods used by the applicant are of the highest quality and are a major improvement visually and provide a more logical functionality for the residents using this shared space. There is no question that the old wall was in need of a total rebuild and new foundations and as a group of residents directly damaged by the works we are in complete support of retaining these changes.	

Consultees

Consultee	Comment	Where in the report this is considered
Borough Council Conservation team	<p>It is considered the loss of the wall causes substantial harm to the designated heritage assets and as there are no justifiable public benefits to outweigh this loss, as advised by the national and local policy, the loss is unacceptable and permission should be refused.</p> <p>From the photographic and cartographic evidence it is suggested the wall to the front garden on the southern side, which has been demolished to facilitate a parking area, was concurrent and physically linked to the front (western) portion of the wall and therefore carried listed status. The photographs on file show the wall to be of mixed red brick with buttressed/pier supported. The patina, bond (Flemish), capping treatment are all concurrent with the front garden wall facing the highway. It is therefore considered that the side portion of the wall is/was part of the listed structure. In addition to the wall being listed in its own right, as the boundary, or partial boundary, of a Grade II* building the wall would be considered curtilage listed.</p> <p>There is no extant Planning Permission nor Listed Building Consent in place for the demolition of the wall.</p> <p>The loss of the wall represents substantial harm to the significance of the designated heritage assets (Front wall gateway to Edgeworth House, Edgeworth House and Mill Lane, Clewer Conservation Area). Other than the obvious loss of historic fabric, the removal impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. The loss also impacts on the character of the Conservation Area and erosion of the setting of the designated heritage assets.</p> <p>The effective replacement boundary – albeit not on the same</p>	Noted. Please see paragraph 10.2-10.16

	<p>line – is not in keeping with the architectural language of the designated heritage assets. The house and extant boundaries are polite, traditional and formal in nature, reflecting the high-status of the building. The proposed timber fencing is a poor substitute considering the historic formal brick wall it is de facto replacing. It is not considered to be appropriate to the setting and character of the designated heritage assets.</p> <p>There are no great concerns surrounding the bin store.</p>	
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10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Listed Building

Impact on Listed Buildings

10.2 The front boundary treatment to the property containing the wrought iron gate is listed Grade II in its own right. The list description reads as follows:

“Front wall gateway to Edgeworth House SU 97 NE 8/75A II 2. Red brick wall to garden has central gateway with square rubbed brick piers, stone caps and ball finials - wrought iron arched scroll pyramid overthrew with central coat of arms. The arched gate is made up of square bars with enriched cross bar and dog rails. Scroll enriched paneled standards and finials.”

10.3 From old photographs of Google street views, it is considered the wall to the front garden on the southern side, which has been demolished to facilitate a parking area, was concurrent and physically linked to the front (western) portion of the wall and therefore carried listed status. The photographs on file show the wall to be of mixed red brick with buttressed/pier supported. The patina, bond (Flemish), capping treatment are all concurrent with the front garden wall facing the highway. It is therefore considered that the side portion of the wall is part of the listed structure.

10.4 In addition to the wall being listed in its own right, as a part of the boundary of a Grade II* building Edgeworth House, the wall would be considered curtilage listed. Grade II* listed buildings are of particular national importance with only 5.8% of buildings on the list belonging in the category.

10.5 The House is listed with a description as following:

“... 2 storeys and attic rendered, string at 1st floor level, heavy wood moulded and modillioned cornice, old tile roof, flanking chimneys, A 4- bay front with half-glazed door in second bay from right hand with rectangular fanlight, semi-circular and radiating glazing pattern, Door case has architrave surround, flat brackets, plain frieze and enriched cornice and pediment. The house is set back with brick wall to road. Interior altered but retaining closed string dog leg staircase, turned balusters, turned pendant finials to newels.”

10.6 It should be emphasised the above description states the house is set back with brick wall to road. Therefore, according to the list description, it is clear that the brick wall of Edgeworth House is part of the distinctive feature of the setting of the listed building.

10.7 The applicant has not submitted any evidence to demonstrate that the demolished wall did not form part of the original front wall which was/is listed or curtilage listed.

- 10.8 Paragraph 193 of the National Planning Policy Framework (NPPF, 2019) states ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation’ irrespective of extent of any potential harm.
- 10.9 Paragraph 194 of the NPPF advises that
- “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”.*
- 10.10 Paragraph 195 of the NPPF sets out that, “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...”
- 10.11 The proposal includes the removal of the southern element of the garden wall which is grade II listed as itself and the curtilage listed of grade II* listed Edgeworth House and causes loss of historic fabric. The loss of the wall represents substantial harm to significance of the designated heritage assets. (Front wall gateway to Edgeworth House, Edgeworth House and Mill Lane, Clewer Conservation Area.)
- 10.12 Other than the obvious loss of historic fabric, the removal impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. The loss also impacts on the character of the Conservation Area and erosion of the setting of the designated heritage assets.
- 10.13 There is no clear justification for the harm or public benefit which outweighs the substantial harm to the designated heritage assets.
- 10.14 Policy LB2 of the adopted Royal Borough Local Plan (2003) (Local Plan) notes that the demolition of a listed building should not be approved unless there are very exceptional circumstances as to why the building cannot be retained and reused.
- 10.15 The applicant claims in the application that the wall which was demolished had been in disrepair and positioned inappropriately to the site boundary. This reason does not form very exceptional circumstances to justify the removal of the southern element of the listed garden wall and build a boundary wall which does not respect the style and materials of the original boundary wall or the host dwelling. In addition, there appears to be no evidence submitted by the applicant to illustrate that the southern element of the wall was in so poor condition that there was no other way other than demolishing it.
- 10.16 For the above reasons, the proposed works to the boundary treatment would result in unacceptable harm to the significance of the Listed Buildings and be contrary to paragraphs 193,194,195 of the NPPF and Policy LB2 of the Local Plan.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is not CIL liable.

12. CONCLUSION

The proposed works would result in unacceptable harm to the significance of the Listed Building and would be contrary to paragraphs 193,194 and 195 of the NPPF and Policy LB2 of the Local Plan.

13. APPENDICES TO THIS REPORT

- Appendix A - Additional Report from Conservation Officer
- Appendix B - Site Location Plan
- Appendix C - Site layout
- Appendix D - Elevations

14. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The demolition of the southern element of the garden wall, which is grade II listed in itself and curtilage listed with the grade II* listed Edgeworth House, causes substantial harm to the significance of the designated heritage assets, namely the front wall gateway to Edgeworth House and Edgeworth House. The partial demolition of the garden wall causes loss of historic fabric and impacts significantly on the setting of Edgeworth House, specifically the historic arrangement of the front garden being enclosed by walls on all sides. There are no public benefits that outweigh that harm, and the proposal fails to comply with Paragraphs 193, 194 and 195 of the National Planning Policy Framework (NPPF, 2019) and Policy LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (2003).
- 2 The proposed boundary fence and gates do not respect the design and materials which represent the traditional and formal nature of the listed building, garden wall and their setting and therefore adversely affects the Listed Building and its setting. The proposal fails to comply with Paragraphs 193, 194 and 195 of the National Planning Policy Framework (NPPF, 2019) and Policy LB2 of the Royal Borough of Windsor and Maidenhead Local Plan (2003).

Appendix A—Additional information from the Conservation Officer’s report

1. Edgeworth House dates from the early 18th century, in the reign of Queen Anne. It is excellent, but not uncommon example of a high-status house from this period. It was probably built for a wealthy merchant, possibly linked with the Thames and the Mill further down on the same road. Queen Anne ‘town’ or ‘village’ houses as this effectively is – of course Clewer was quite separate from New Windsor at this stage – as opposed to a country house, generally always were set back from the road – in varying degrees – but often were accompanied by an entrance gate with railings/walling of some form. Due to the status of the original builder, and wanting to show off his new wealth, Edgeworth House, was constructed with an impressive and large entrance courtyard enclosed by a tall wall with ornate – and expensive – wrought iron gates.
2. It is not unusual for walls of listed buildings to be listed in their own right – indeed it shows the original inspector (listed in 1975) thought the walls and gate to be of such significance that they were designated as their own listing to give them added protection. Even if the walls and gate were not separately listed they would fall under the curtilage of the listed house (as the clear and original boundary) and therefore would have de facto listed status by association.
3. The listing covers all parts of the building and not just elements mentioned in the listing description. Therefore just because a specific element of a listed structure is not mentioned in the listing text does not exclude it from protection nor denies the existence of said element. Historic England specifically state in their website (2020) *“Listing covers a whole building, including the interior, unless parts of it are specifically excluded in the list description. It can also cover:*
 - *Other attached structures and fixtures*
 - *Later extensions or additions*
 - *Pre-1948 buildings on land attached to the building. (In the planning system, the term ‘curtilage’ is used to describe this attached land.)”*
4. We know the three sides of the front courtyard wall have always been existence as there is cartographic and photographic evidence. Figure 1. the Ordnance Survey Map of 1881 which clearly shows Edgeworth House (highlighted red) with the three-sided boundary wall (highlighted green) – interestingly there is a building to the south of this plot, which no longer stands and is absent for later maps. The maps shows that Edgeworth House possess the impressive enclosed courtyard entrance which is typical of high-status houses – only The Limes (on the corner of Mill Lane and Clewer Court Road) has a similar arrangement.

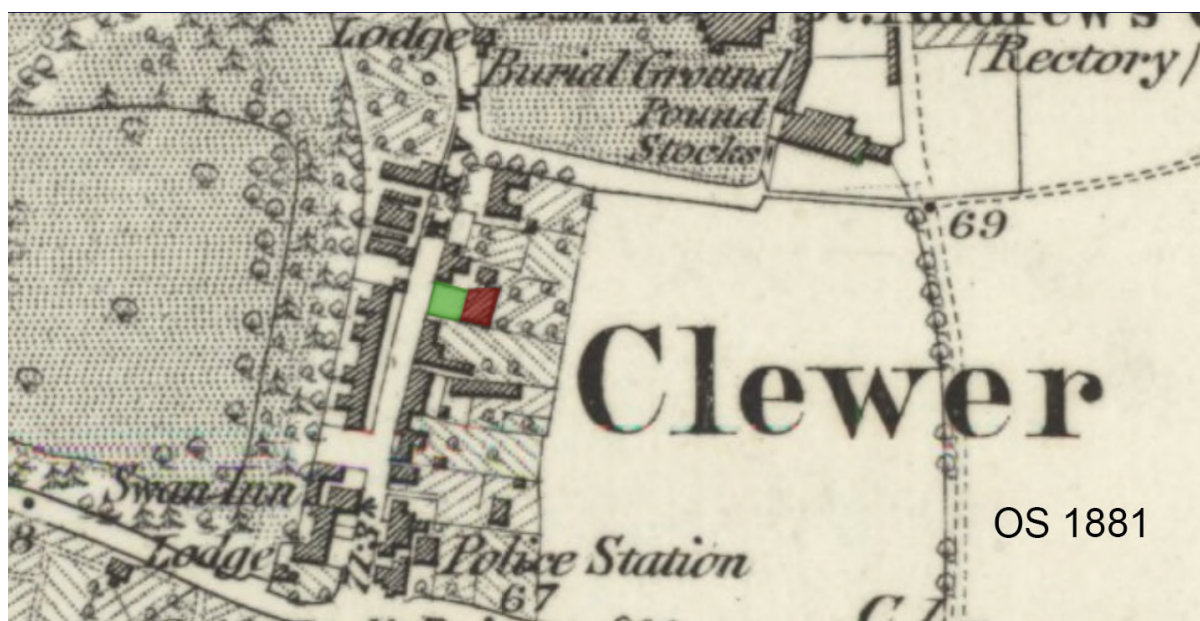


Figure 1. OS Map of 1881

5. Figure 2 (OS Map of 1914) and Figure 3 (OS Map of 1935) are shown for clarity and consistency, where the enclosed courtyard is unchanged and clearly denoted. Again, the house is highlighted red and the courtyard to the front in green.

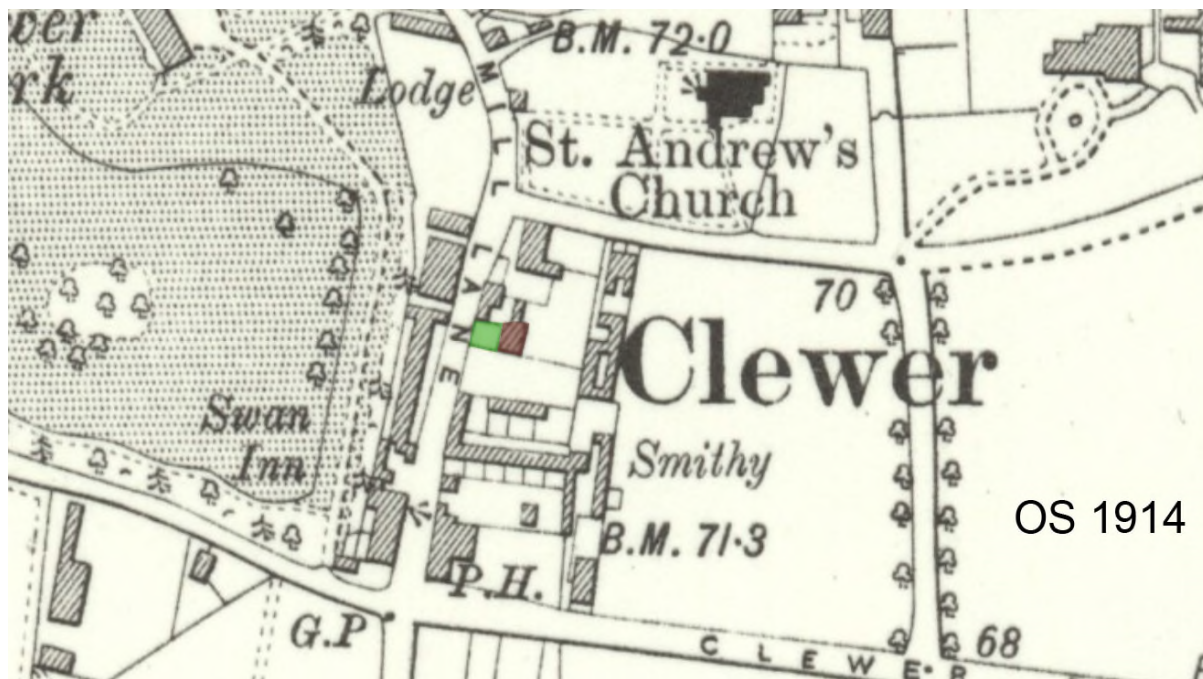


Figure 2. OS Map of 1914



Figure 3. OS Map of 1935

6. Figure 4 shows the portion of the wall in question – the southern flank – to be of Flemish Bond, mixed handmade orange/red brick with a degree of patina matching the front portion of the wall. It is also important to note the wall had been repointed.



Figure 4. Shows the original southern wall (left of the photograph) – buttressed and Flemish Bond. Note, the contemporary wall to the right copies the style, but is obviously modern.

7. Figure 5. Shows Edgeworth house in the 1960s when operating as a Youth Hostel. The front wall can be clearly seen with the style of brick and bond visible. The southern flank is covered by organic growth/ivy/shrubs – but the form can be seen.



Figure 5. Photograph dated from the 1960s.

8. There is no question the southern flank of the front boundary wall is (was) part of the listed structure, by virtue of being physically attached to the front wall and a historically important boundary. Even if the garden wall was not listed in its own right, the wall would be curtilage listed. As the wall is designated under its own listing, it raises the significance of the structure owing to the dedicated protection assigned.

9. There is also no question the southern flank existing historically – as can be seen from the cartographic and photographic evidence. It existed for centuries up until it was demolished without consent recently.
10. As can be seen on the historic maps, the southern boundary – both physical and designated – of Edgeworth House was this southern wall. There was a building further to the south (as shown on the map of 1881), prior to the redeveloped of the land, this was the main southern boundary to the front entrance courtyard. This courtyard was a set-piece, designed to impress the visitor. The grand and expensive gates with the enclosed courtyard would have increased the aesthetic of the main building and therefore add to the significance of the setting.
11. The above additional findings raised by the Conservation Officer reinforces that the loss of the southern wall causes substantial harm to the designated heritage assets and supports the Case Officer’s recommendation. There is no change to the recommendation in the main report.

Appendix B—Site Location Plan

*not to scale



Edgeworth House, Mill Lane, Windsor, Windsor And Maidenhead, SL4 5JE



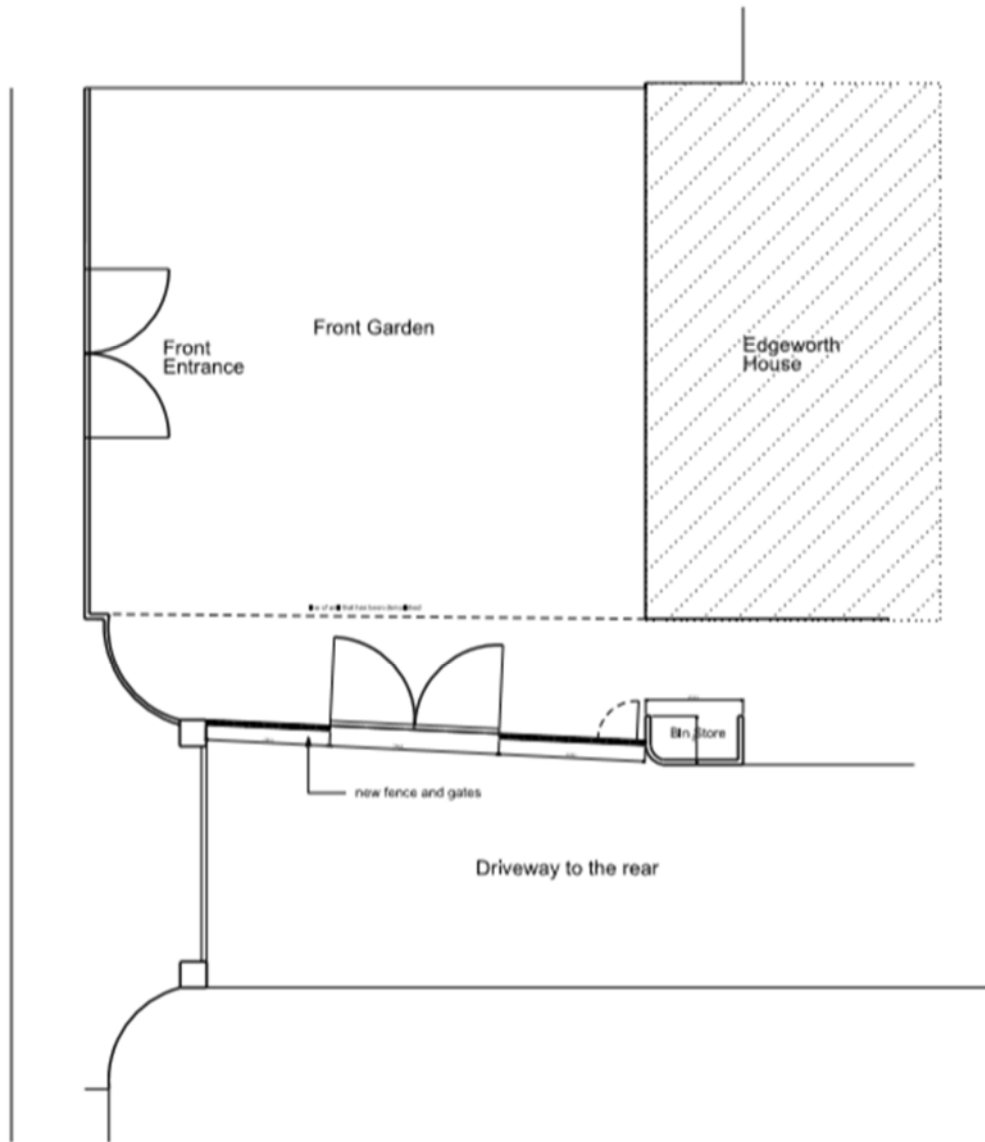
Site Plan shows area bounded by: 495443.75, 176977.34 495643.75, 177177.34 (at a scale of 1:1250), OSGridRef: SU95547707. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Appendix C—Site Layout

*not to scale



Proposed Site Plan 1:100

Appendix D—Elevations

*not to scale

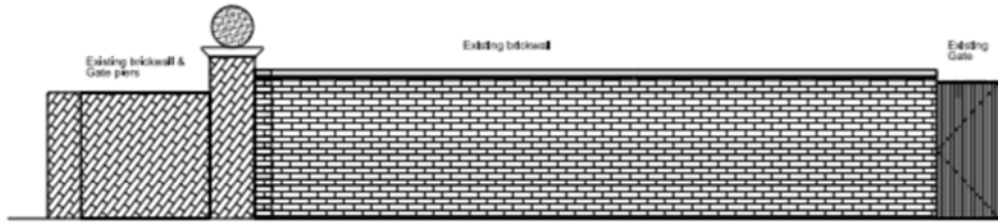
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No implied license exists. This drawing should not be used to calculate areas for the purposes of valuation.

All dimensions to be checked on site by the contractor and such dimensions to be their responsibility.

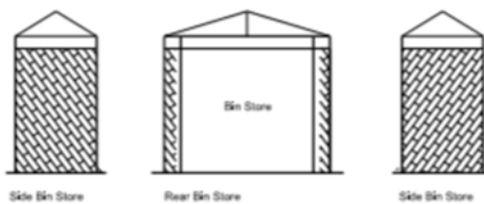
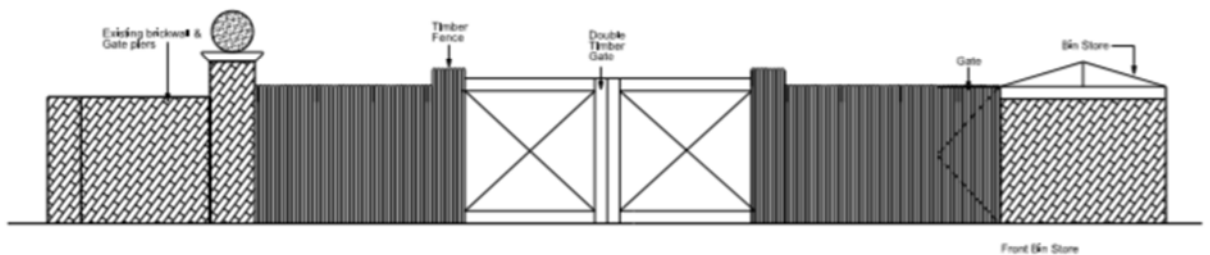
All measurements have been taken as a designers survey only. Do not scale off drawings for construction purposes. All setting out and measurements are subject to the constraints of permitted development or planning permission.

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



Edgeworth House Existing Wall Side Elevation

1:50



Edgeworth House Proposed wall & gates Side Elevation

1:50

Project No.	205/001
Client	Mr & Mrs O'Reilly
Date	September 2019
Scale	1:100 & 1:50
Project	Edgeworth House, 141 Lane Windsor SL4 5JE
Drawn By	Existing & Proposed Site Garden Wall Site Plan
Drawn No.	205_A100_001
Rev.	-

PLANNING ISSUE

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architects

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19 August 2020

Item: 6

Application No.:	20/00980/FULL
Location:	London House Lower Road Cookham Maidenhead SL6 9EH
Proposal:	Part two storey, part single storey side extension, two storey rear infill extension, alterations to fenestration, ramp to front entrance, alterations to shopfront new external finish, bin and cycle storage areas with associated parking and landscaping for a change of use of the ground floor from A1(Retail) to B1(office) and 2no. first floor two bedroom apartments.
Applicant:	Stone Investment Holdings Ltd
Agent:	Mr Jonathan Heighway
Parish/Ward:	Cookham Parish/Bisham And Cookham
If you have a question about this report, please contact: Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks permission for a part single, part two storey rear and side extension, two storey rear extensions, alterations to fenestration and shop frontage, ramp to front entrance, bin and cycle storage, areas, vehicle parking and landscaping. The proposal also seeks to change the use of the building at ground floor from A1 (Retail) units to B1 (office) use. At first floor 2x 2 bedroom flats would replace the existing 1x 3 bedroom flat.
- 1.2 The proposed development would make effective use of previously developed land and would retain the site’s mixed commercial and residential use. The extensions, alterations and landscaping works would cause no harm to the area’s character and appearance, nor would the proposed works cause harm to neighbouring amenity subject to conditions. The proposal would provide adequate parking and a betterment to the sites existing parking situation.
- 1.3 For the reasons mentioned above the proposal is considered to be in compliance with Local Plan Policies DG1, H10, H11, H14, T5, P4, P7, E10, S7 as well as all relevant planning guidance contained within the NPPF (2019).

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

2. REASON FOR PANEL DETERMINATION

- This item has been called to Panel by Cllr Brar if officers recommend approval due to concerns regarding adequate off street parking spaces for vehicles and cycles and access for refuse collection and emergency vehicles in line with Policies DG1 and T7 of the RBWM Adopted Local Plan (2003)..

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the north side of Lower Road, Cookham, Maidenhead. The site comprises a detached two storey building finished in brick and render. The building was most recently used as a shop with a flat at first floor. To the rear of the building is a garage and a paved/gravelled rear garden.
- 3.2 The area surrounding the site comprises detached, semi-detached and terraced buildings, all of which are two storey and are finished in brick and/or render. The buildings are in either residential or commercial use. The buildings in commercial are home to businesses and shops at ground floor, their first floors have residential accommodation. Each of the buildings are set back from the road, allowing for front gardens, footpaths and parking.

3.3 Cookham Train Station is approximately 300m from the site.

4. KEY CONSTRAINTS

4.1 The site has no significant constraints.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 The application seeks planning permission for a part single, part two storey rear and side extension, two storey rear extensions, alterations to fenestration and shop frontage, ramp to front entrance, bin and cycle storage areas with associated vehicle parking and landscaping. The proposal also seeks to change the use of the building at ground floor from A1 (Retail) unit to B1 (office) use. At first floor 2x 2 bedroom flats would replace the existing 1x 3 bedroom flat.

Reference	Description	Decision
20/00011/FULL	Part two storey, part single storey side extension with first floor roof terrace, two storey rear infill extension, first floor rear Juliet balcony, alterations to fenestration, ramp to front entrance, alterations to shopfront new external finish, bin and cycle storage area with associated parking and landscaping for a change of use of the ground floor from A1 (Retail) to B1 (office) with a detached rear outbuilding for office use and 2no. first floor two bedroom apartments.	Withdrawn - 31.03.2020

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, H10,H11, H14,
Appropriate business development	E10, S7
Highways	P4, T5, T7

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)

- 1.1 Section 2 – Achieving Sustainable Development
- 1.2 Section 4 – Decision making
- 1.3 Section 6 – Building a strong and competitive economy
- 1.4 Section 9 - Promoting Sustainable Transport
- 1.5 Section 11 – Making effective use of land
- 1.6 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
Sustainable Transport	IF2

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3
Sustainable Transport	IF2
Housing mix and type	HO2
Affordable housing	HO3
Pollution (Noise, Air and Light)	EP1, EP2, EP3, EP4

- 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 was submitted to the Secretary of State for independent examination in January 2018. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough.
- 7.2 In December 2018, the examination process was paused to enable the Council to undertake additional work to address soundness issues raised by the Inspector. Following completion of that work, in October 2019 the Council approved a series of Proposed Changes to the BLPSV which are now out to public consultation until Sunday, 15 December 2019. All representations received will be reviewed by the Council to establish whether further changes are necessary before the Proposed Changes are submitted to the Inspector. In due course the Inspector will resume the Examination of the BLPSV. The BLPSV and the BLPSV together with the Proposed Changes are therefore material considerations for decision-making. However, given the above both should be given limited weight.
- 7.3 These documents can be found at:
<https://www3.rbwm.gov.uk/blp>

Other Local Strategies or Publications

- 7.4 Other Strategies or publications material 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

- 8.1 **9** nearby occupiers were notified directly of the application and the application was advertised on the weekly list on **07.05.2020**.
- 8.2 No representations have been received.
- 8.3 The following responses were received from consultees:

Consultee	Comment	Where in the report this is considered
Highways Officer	<p>The development site is considered to be in a reasonably accessible location. As such the proposal should provide 5 parking spaces in line with the Boroughs Parking Strategy (2004). 8 parking spaces are proposed and therefore the development would provide adequate parking.</p> <p>Furthermore if the site were to be considered as inaccessible, it would currently require 10 parking spaces. The proposed development would require 11 spaces. The shortfall of 1 parking space would not have a severe impact on the highways network.</p> <p>For these reasons no objection is raised to the proposed development.</p> <p>Conditions regarding cycle provision and parking are recommended to ensure those facilities are appropriate for the site.</p>	Noted. See section 9.21 -9.30 of this report. The relevant conditions have been recommended for inclusion in the decision if permission is granted.
Environmental Protection Officer	No comment to make on the application.	

Others

Group	Comment	Where in the report this is considered
Cookham Society	The site is not in an accessible location and insufficient parking would be provided for the proposed development, warranting refusal of the application.	Noted. See section 9.21 -9.30 of this report.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i The principle of the development
- ii The impact upon the character and appearance of the area
- iii The impact upon the amenities of nearby occupiers
- iv The impact upon highway safety and parking

Issue i - Principle of development

9.2 The application seeks planning permission for a part single, part two storey rear and side extension, two storey rear extensions, alterations to fenestration and shop frontage, ramp to front entrance, bin and cycle storage areas with associated vehicle parking and landscaping. The proposal also seeks to change the use of the ground floor from A1 (Retail) unit to B1 (office) use. At first floor 2x 2 bedroom flats would replace the existing 1x 3 bedroom flat. The existing building is a mix of residential and commercial use. The proposed building would be a mixture of residential and commercial use. The site is not located within Cookham village or Cookham Rise (as identified on the RBWM Policy Areas Maps) and is therefore not restricted by policies relevant to those areas.

- 9.3 Policy S7 of the Local plan advises that a change of use of shops (A1) to uses within Class A2 and A3 will be acceptable where the change of use does not impact adversely on the provision of retail options for local people, the character and appearance of the area, or neighbouring amenities; adequate car and cycle parking should also be provided. In all other cases the loss of shops should be resisted. Paragraph 4.3.36 of the explanation of the policy states that 'the change of use of shops to non-retail uses, including uses within the A2 (Financial and Professional Services) and A3 (Food and Drink) classes, will be resisted where this would adversely affect the level and standard of local shopping provision. The Local Planning Authority would be particularly concerned about the loss of important local shops, such as the only grocers shop or post office available locally'.
- 9.4 At present the 2 ground floor A1 units of the building are vacant. The applicant has suggested that the shops have been vacant since at least September 2019 as the businesses have been failing. Furthermore the pre-existing shops were a DIY shop and car parts shop. A DIY hardware store is located less than 300m away on Station Hill Road, Cookham. A car parts shop (Cox Green Auto Parts) is 8 minute's drive (according to google maps) from London House, other car garages also exist near the area. The shops are therefore not considered to be important local shops and therefore their loss would not be harmful to the areas retail options.
- 9.5 In addition to the above the development would reuse existing ground floor commercial floor space and would make it more attractive to prospective buyers/renters through renovation, extensions and improved parking. The use of previously developed land and underused space is supported in section 11 of the NPPF (2019) and the NPPF makes it clear that planning should respond to rapid changes in the retail industry . The proposal also has the potential to improve the vitality of the parade, as the shops are currently vacant, whilst also improving the appearance of the site. Local Plan Policy E10 suggests that when considering planning applications for business development, layout of activities, design of buildings, and materials usage should be well designed and appropriate for the area. The policy also advises that new development should not result in any unneighbourly or undesirable intensification of the sites use. For the reasons set out below (paragraphs 9.7 -9.30) and above the proposal is considered to be an acceptable form of business development.
- 9.6 Taking into consideration the above, the development is considered to be acceptable in principle.

Issue ii - Impact upon the character and appearance of the area

- 9.7 Chapter 12 of the National Planning Policy Framework (2019) aims to achieve well designed places. Paragraph 127 specifically advises that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate landscaping, they should also be sympathetic to local character, history and the surrounding built environment.
- 9.8 In support of the above the Government published the National Design Guide in October 2019 and seeks to illustrate how well-designed places that are beautiful, enduring and successful can be achieved in practice. The focus of the design guide is as a tool to inform layout, form, scale, appearance, landscape, materials and detailing.
- 9.9 Local Plan Policy DG1 places similar emphasis on achieving good design and creating new developments which sympathetically integrate into existing environments. Policy H10 of the adopted Local Plan states that new residential development schemes will be required to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas and, where possible, to enhance the existing environment. Policy H14 advises that extensions should visually integrate with existing buildings and the surrounding area.
- 9.10 Policy H11 of the adopted Local Plan states that in established residential areas, planning permission will not be granted for schemes which introduce a scale or density of new development which would be incompatible with or cause damage to the character and amenity of the area.

- 9.11 The development would make good use of previously developed land and would retain the sites existing commercial and residential use. The proposed two storey rear extensions would be located to the rear of the property where they would have no adverse impact on the appearance of Lower Road or other properties. The extensions would extend the buildings existing rear wings and infill the space between them; effectively squaring off the building. The part single part two storey side extension would in part replace an existing single storey side extension which runs the length of the property. The first floor element would be set back from the existing buildings front elevation and down from its ridge to remain visually subordinate. It would also be set off the properties boundary; avoiding any terracing impact. The roof of the building would remain dual pitched. A window and small pitched roof would replace the existing garage opening and a window would replace one of the shops existing entrances. The new windows are proportionate to the fenestration and other shop fronts in the area and the small pitched roof would complement the roof of the building. To the rear of the site landscaping is proposed to provide car parking, and greenery, these works are welcome as they would level the uneven land to the rear of the site and improve its appearance (a condition regarding these matters is recommended for inclusion in the decision to ensure the landscaping works are sympathetic to the site and those neighbouring). An old garage which is in a state of disrepair would be replaced with parking. Cycle parking is also proposed to the rear of the site, which is welcomed. The bin storage area to the front of the site is discrete and would be softened by greenery.
- 9.12 A condition is also recommended to ensure that the proposed materials for the extensions and fenestration works are sympathetic to the area and existing building.
- 9.13 For the reasons mentioned above and subject to the recommended conditions, it is considered that the proposal would sympathetically integrate into the street scene and would cause no harm to the appearance of the area.

Issue iii- Impact on neighbouring amenity

- 9.14 Paragraph 127 of the NPPF states that development should '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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.
- 9.15 Local Plan Policy H14 advises that household extensions should not cause an unacceptable loss of light or privacy to neighbouring properties.
- 9.16 The front and rear facing windows (including Juliet balconies) of the resulting building would provide similar views to existing windows. The first floor element of the side extension would include no windows and would therefore not provide additional or harmful views toward Clematis Cottage. The first floor window in the buildings east elevation would serve a flight of steps and would look toward the blank side elevation of Westbury House. The development is therefore unlikely to cause any harmful loss of privacy to neighbours.
- 9.17 The single storey element of the side extension is of similar size and height to the buildings existing single storey side element. It is therefore unlikely to cause any harmful overbearing impact or loss of views. Similarly, the first floor element of the side extension is set off of the boundary shared with Clematis Cottage and the rear two storey extensions are a considerable distance from neighbouring properties. Those extensions are also unlikely to cause any harmful overbearing impact or loss of views.
- 9.18 The first floor element of the part single part two storey side extension would not dissect a line drawn at 45 degrees from any of the rear habitable room windows on Clematis Cottage, in line with the access to light guidelines in Appendix 12 of the Local Plan. The single storey element would be similar to the existing, thus its impact on light reaching Clematis Cottage would be negligible, especially as the mentioned neighbour is set away from the mutual boundary. Due to its separation distance from neighbouring properties the two storey rear extension is also unlikely to impact adversely on light reaching neighbouring properties.

- 9.19 The proposed parking area would likely lead to an increase in vehicle movements in and out of the site, this could in turn lead to an increase in noise. However this more commercial area is a busy part of Lower Road. The noise increase is unlikely to be significant or detrimental to neighbours. The business would be in operation in the day and for these reasons the development is unlikely to have a harmful noise impact. The operating hours of the business could also be controlled by condition, although this is not considered necessary.
- 9.20 The new flats would be in close proximity to shops and services. They with good access to light, off road parking facilities and would be in walking distance of the train station. They are therefore considered to provide an acceptable level of amenity for future residents.

Issue iv - Impact upon highway safety and parking

- 9.21 Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, and policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. The policies aim to ensure that new development does not have an adverse impact on highway safety and is provided with adequate vehicle and cycle parking.
- 9.22 During the process of the application concerns were raised by local councillors and Cookham Society regarding the sites accessibility and parking provision. It should also be noted that the proposed plans show the provision of 178m² of office space at ground floor, however the applicant has stated that 233m² would be provided. As the proposed plans convey what would be constructed, 178m² has been used for this applications parking assessment.
- 9.23 The proposal is located within Cookham. Approximately 300m from Cookham Train Station (a single platform station operated by Great Western Railway (GWR) that runs between Marlow and Maidenhead). The GWR operates a ½ hourly service during the peak periods, and an hourly service during the off-peak periods. With reference to the Borough's Parking Strategy, a site is deemed to be with an accessible location if it is served by a ½ hourly or better train service, therefore, the development is considered to be in a reasonably accessible location.
- 9.24 Within such a location 1 parking space is required for each of the 2 bedroom flats. 2 parking spaces are required for the proposed B1 unit. The proposed development therefore requires 4 parking spaces. As 8 are being provided the proposal is considered to be acceptable in terms of the adequacy of its parking provision.
- 9.25 If the site were to be considered as being in an inaccessible or poor location, the proposed development would require 10 parking spaces. 6 for the 178m² ground floor business unit and 4 for the 2 x2 bedroom flats. At present a 3 bedroom flat exists at first floor and 2x A1 units exist at ground floor, thus the existing/pre-existing parking requirement for the site is 10 parking spaces (2 for the flat and 8 for the retail units). The existing site does not provide 10 spaces, as such the increase in parking spaces resulting from the proposed development would improve the sites parking situation. Furthermore there would be no shortfall in parking when comparing the sites existing parking requirements with the proposed parking requirements.
- 9.26 The NPPF (2019) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The proposal would provide additional parking space at the site and would require the same amount of parking as the sites existing use. As such there would be no severe harm to the highways network, and the development would provide a betterment to the sites parking situation.
- 9.27 The existing side access would be retained. The proposed ramp would provide access to the office for the less able bodied.
- 9.28 The increase in vehicle movements when compared with the sites pre-existing use would be negligible.

- 9.29 Bin storage would be located at the front of the site in a partly enclosed area, which is acceptable. Secure and sheltered cycle parking will be provided to the rear of the site.
- 9.30 For the reasons mentioned above the proposed development is considered to be acceptable and to cause no severe harm to the highways network.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is not CIL liable as it would only result in 33m² of additional residential floorspace.

11. Housing Land Supply, Planning Balance and Conclusion

- 11.1 Paragraphs 10 and 11 of the NPPF (2019) 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:

- v. 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*
- vi. 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.*

- 11.2 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..).'

- 11.3 Currently the LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer). The LPA therefore accepts, for the purpose of this application and in the context of paragraph 11 of the NPPF (2019), including footnote 7, the so-called 'tilted balance' is engaged.
- 11.4 The proposed development would make efficient use of previously developed land in an accessible location. It would also provide an additional residential unit and visual improvements to the site. Moderate weight is given to these factors as a benefits of the scheme. It would also constitute 'windfall development' in which the NPPF (2019) states great weight should be given to the benefits of using suitable sites for such development; adding further weight in support of the development. No harm has been identified which would significantly and demonstrably outweigh the benefits of the scheme. As such the tilted balance weighs in favour of the development.
- 11.5 In addition to the above, it is considered that subject to conditions, the proposed development would have an acceptable impact on the character and appearance of the area, local highways network, neighbouring amenity, in line with Local Plan Policies DG1, H10, H11,H14,T5,T7, P4,S7, E10 as well as the aforementioned planning guidance contained within the NPPF (2019).
- 11.6 It is therefore considered that irrespective of the tilted balance being engaged; when this application is determined in accordance with normal tests (under section 38(6) of the 2004 Act), the proposal would be in general conformity with the Development Plan and there are no material considerations of sufficient weight to justify refusal.
- 11.7 For the reasons mentioned above, the application is recommended for approval.

12. APPENDICES TO THIS REPORT

- Appendix A - Location Plan and Existing Layout Plan
- Appendix B – Existing floor plans and elevations

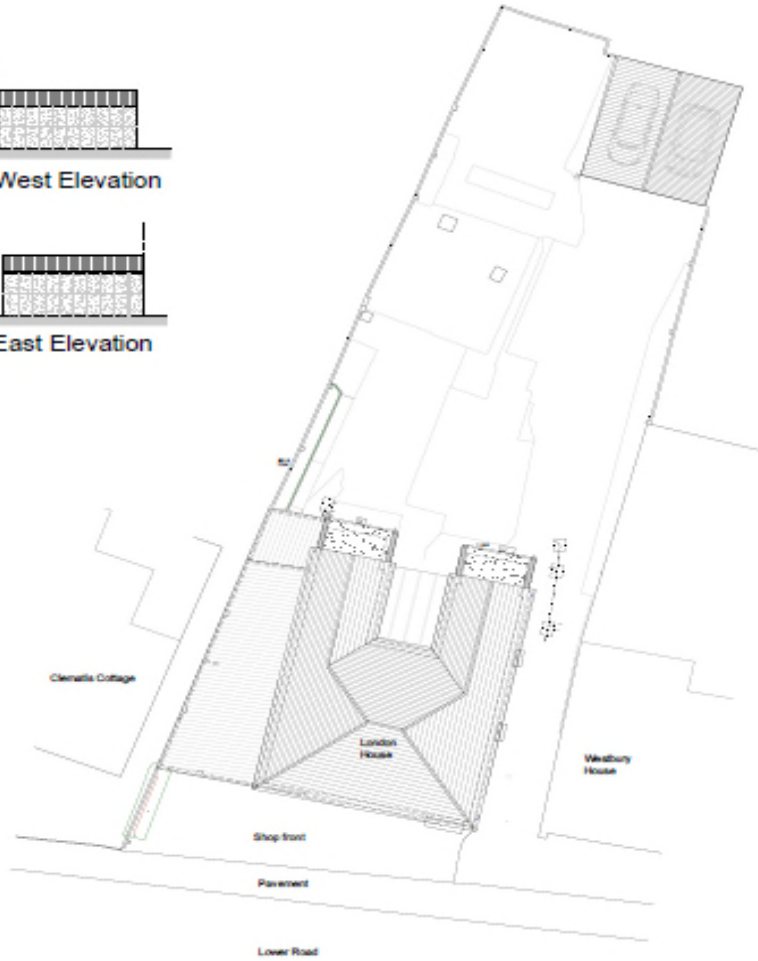
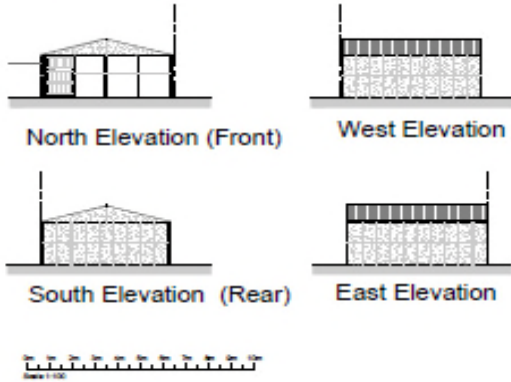
- Appendix C – Proposed site layout
- Appendix D – Proposed floor plans and elevations
- Appendix E – Comparative floor plans

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

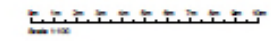
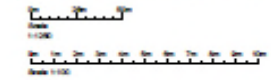
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 Prior to the construction of the extensions and fenestration works hereby approved, a detailed plan showing the materials to be used on the external surfaces of the development shall be 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 thereafter.
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1, H14, H11.
- 3 No further window(s) shall be inserted at first floor level in the west elevation of the part, single part two storey side extension facing toward Clematis Cottage.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.
- 4 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing Ref: 1757/10, Rev A, dated April 2019. Thereafter the approved spaces shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.
- 5 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. 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.
- 6 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing Ref: 1757/10, Rev A, dated April 2019. 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 cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 7 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.


Appendix A – Site Location Plan and Existing Site Layout

Existing garage elevations



Location Plan 1:1250



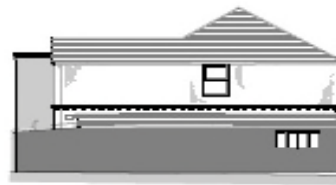
NOTES	
	Main walls
	Existing walls
	Existing pavement
	Existing 100 PV area
	Gas meter
	Radiator meter
	Toilet
	Conservatory
Drawn by: HAA	
<p><small>THIS DRAWING IS THE PROPERTY OF HAA ARCHITECTS AND IS NOT TO BE REPRODUCED OR COPIED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF HAA ARCHITECTS. THE USER OF THIS DRAWING IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA PROVIDED AND FOR THE CONSEQUENCES OF ANY ACTION TAKEN AS A RESULT OF USING THIS DRAWING. HAA ARCHITECTS ACCEPTS NO LIABILITY FOR THE CONSEQUENCES OF ANY ACTION TAKEN AS A RESULT OF USING THIS DRAWING.</small></p>	
<p>HIGHWAY ASSOCIATES ARCHITECTS</p> <p>1757/01 1757/01 1757/01</p>	
<p>Client: Stone Investment Holdings LTD Project: London House Location: SLS 92H Title: Existing site plan & Existing Garage elevations Issue: Planning Scale: 1:100 @ A1 Date: December 2019 Draw No: 1757/01</p>	

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Appendix B – Existing Floor Plans and Elevations



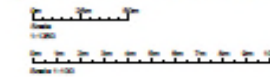
South Elevation



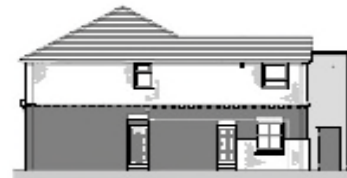
West Elevation



Location Plan 1:1250



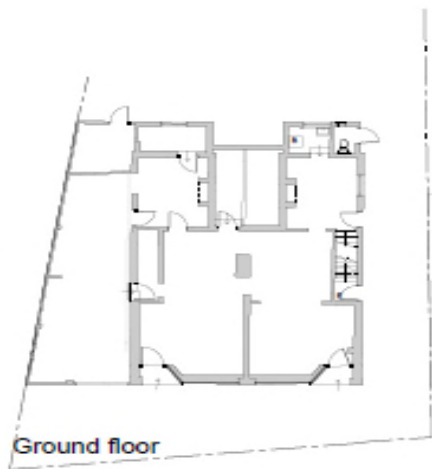
North Elevation



East Elevation



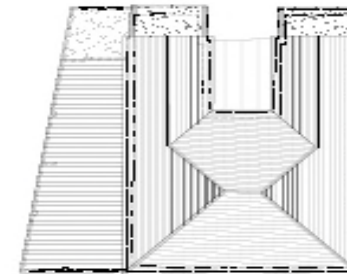
Basement



Ground floor



First Floor Plan



Roof Plan

NOTES:

- ▬ New walls
- ▬ Existing walls
- ▬ Existing windows
- ▬ Existing (to be retained)
- Gas meter
- Electric meter
- Boiler
- ▬ Commercial unit

REVISIONS: 001, 002, 003

DATE: 12/19/2019

PROJECT: London House

CLIENT: Stone Investment Holdings LTD

PROJECT: London House

LOCATION: Cockham, S15 9EH

TITLE: Existing Plans & Elevations

ISSUE: Planning

SCALE: 1:100 @ A1

DATE: December 2019

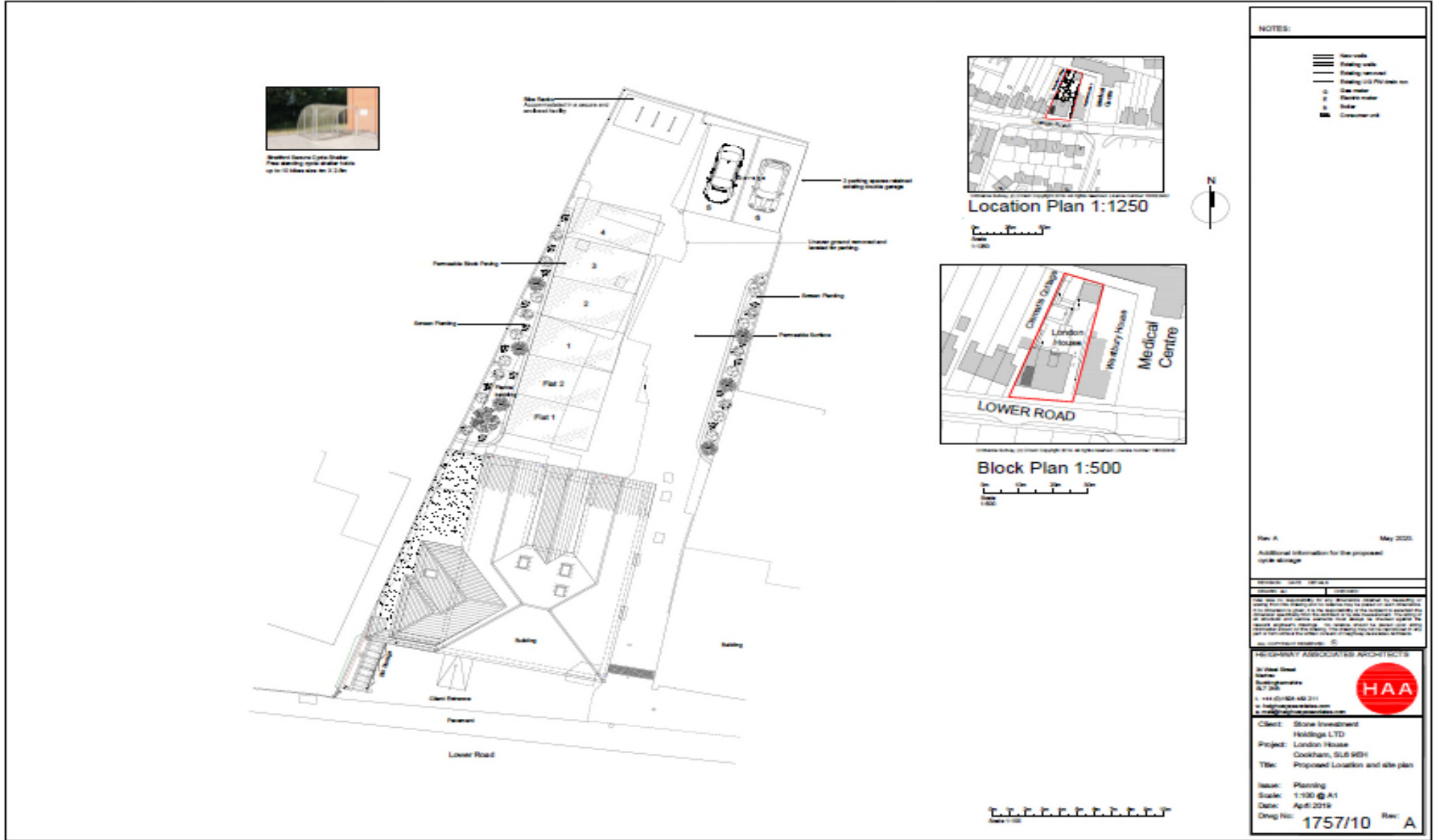
DWG NO: 1757/02

REV:



Appendix C - Proposed site layout

132



NOTES:

- Existing cycle
- Existing cycle
- Existing reserved
- Existing cycle storage
- Green parking
- Permeable green
- Green parking
- Client services

Rev. A May 2020
 Additional information for the proposed cycle storage

DATE: 04/04/2019
 DRAWN BY: [Name]
 CHECKED BY: [Name]

HIGHWAY ASSOCIATED ARCHITECTS
 HAA
 1, 114 DUNDEE ROAD
 COOKHAM, RG26 2AB
 T: 01493 442211
 E: info@haa.co.uk
 W: www.haa.co.uk

Client: Stone Investment Holdings LTD
 Project: London House
 Cookham, RG26 2AB
 Title: Proposed Location and site plan

Issue: Planning
 Scale: 1:100 @ A1
 Date: April 2019
 Draw No: 1757/10 Rev: A

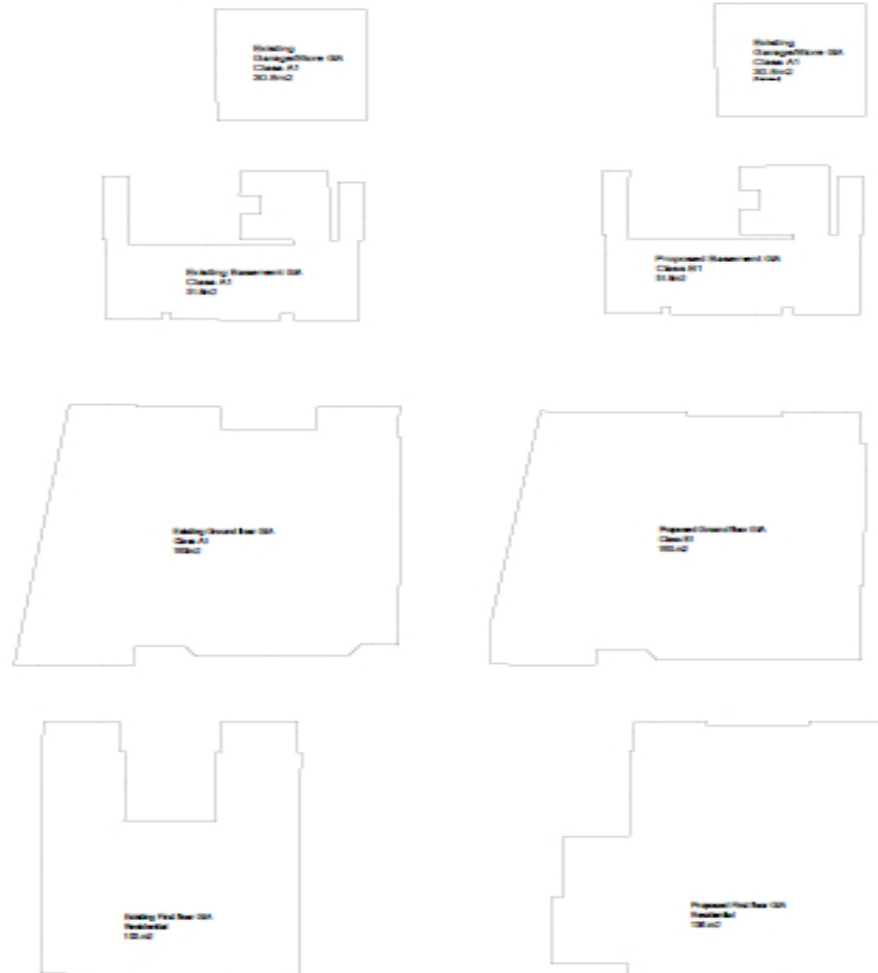
Appendix D - Proposed Floor plans and Elevations

133



Appendix E – Comparative Floor plans

134



NOTES:

Revised: 14/04/2025
 Drawing No: 1757/51

Client: Stone Investment Holdings LTD
 Project: London House
 Title: GDA areas for CL

Issue: Planning
 Scale: 1:100 @ A1
 Date: April 2025
 Dwg No: 1757/51 Rev:

HAA

Appeal Decision Report

7 July 2020 - 5 August 2020

www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

Appeal Ref.: 20/60011/REF **Planning Ref.:** 19/02311/FULL **Plns Ref.:** APP/T0355/W/19/3241596

Appellant: Sunninghill High Ltd **c/o Agent:** Mr Chris Maltby Edgeplan Ltd 3rd Floor 16 Upper Woburn Place London WC2H 0BS

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

Description: Change of use of the existing first floor flat from residential to retail, new shop front, part single, part two storey rear extension with parapet wall, installation of a chiller unit, new boundary fence and alterations to fenestration to create new first floor flat with amenity space and external stairs.

Location: **68 High Street Sunninghill Ascot SL5 9NN**

Appeal Decision: Allowed **Decision Date:** 10 July 2020

Main Issue: The inspector notes that whilst parking spaces in the area would be limited and that the development would increase the number of peak hour visitor trips, the balance of evidence suggests that these could be provided by existing on-street parking. The inspector concludes that the proposed development would not adversely affect parking conditions and consequently highway safety in the vicinity of the site and therefore the proposal would not conflict with policies P4 and T5 of the Local Plan and policies NP/T1 and NP/SV1 of the Neighbourhood Plan.

Appeal Ref.: 20/60012/REF **Planning Ref.:** 19/02030/FULL **Plns Ref.:** APP/T0355/W/19/3242038

Appellant: Mr Matt Taylor Churchgate Premier Homes ID Maidenhead Vanwall Business Park Maidenhead SL6 4UB

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

Description: Proposed development comprising nine apartments with associated landscaping, parking and access.

Location: **Land Adj 33A The Crescent Maidenhead SL6 6AG**

Appeal Decision: Dismissed **Decision Date:** 31 July 2020

Main Issue: The Inspector considered that the substantial roof construction, height, depth and width of the proposed building would result in it appearing as an expansive and bulky structure in the context of the street. With regards to the concerns regarding the living conditions of future occupiers, the Inspector concluded that the scheme would have an unacceptable impact on the outlook and daylight of future occupiers, specifically flats 2 and 5. The absence of specific information and uncertainty with the level and timing of the ecology surveys, also raised doubt about the effectiveness of mitigation and the Inspector maintained concerns in regards to the impact of the proposal on biodiversity. In relation to the protected trees within the site, it was concluded that the scheme would have an acceptable impact on the character and appearance in terms of its layout and effect on the protected trees. The proposed access arrangement and parking provision, was not considered to place undue burden or create congestion problems on the highway, nor to result in adverse impacts on vehicular or pedestrian safety. An application for costs was received and refused by the Inspector. The Inspector concluded that the Councils interpretation and application of policies and reaching a different view in respect to the characteristics and description of the site, did not amount to unreasonable behaviour as these were adequately justified by the Council.

Appeal Ref.: 20/60015/REF **Planning Ref.:** 19/01185/FULL **Plns Ref.:** APP/T0355/W/20/3244531
Appellant: Mr And Mrs Leiserach **c/o Agent:** Dr. Bob Newell 56 Saunderton Vale Saunderton High Wycombe Buckinghamshire HP14 4LJ
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Construction of x2 dwellings, following demolition of the existing garages
Location: **Land Rear of 17 Ray Park Avenue Maidenhead**
Appeal Decision: Dismissed **Decision Date:** 8 July 2020

Appeal Ref.: 20/60024/REF **Planning Ref.:** 19/01569/FULL **Plns Ref.:** APP/T0355/W/20/3246710
Appellant: Cornerstone And Telefonica UK Limited **c/o Agent:** Mr Mark Flaherty Waldon Telecom Phoenix House Pryford Road West Byfleet KT14 6RA
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Installation of 2no. GRP chimneys housing 6no. antennas and ancillary works thereto
Location: **Intersystems House 70 Tangier Lane Eton Windsor SL4 6BB**
Appeal Decision: Allowed **Decision Date:** 20 July 2020

Appeal Ref.: 20/60026/REF **Planning Ref.:** 19/02571/FULL **Plns Ref.:** APP/T0355/D/20/3247618
Appellant: Mr M Purewal **c/o Agent:** Mr Sammy Chan OPS Chartered Surveyors 17 Garvin Avenue Beaconsfield Buckinghamshire HP9 1RD
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Two storey side extension and widening of the existing vehicular crossover.
Location: **37 Princess Avenue Windsor SL4 3LU**
Appeal Decision: Dismissed **Decision Date:** 4 August 2020

Main Issue: The main issue is the effect of the development on the character and appearance of the locality. The parties have also drawn attention to an earlier planning appeal (ref 2013270, dated 19 July 2006) for the same site which was dismissed and other case history. It is clear from the Inspector's decision that the significant closer relationship towards Princess Avenue would cause harm to the formal and regular pattern of development'. It is unclear as to how an extension with a greater depth, and therefore closer to Princess Avenue would reduce the identified harm from 2006. Moreover, it is unclear how the character of the area has changed to an extent that would now overcome the concerns raised in the previous appeal. The proposal in the scheme would now create a terracing effect within a street scene mainly characterised by semi-detached houses. Whilst there are some examples of extensions, these were generally single storey in form and did not seek to replicate the height, width and depth of the main dwelling. In this respect, they appear as subservient additions to the dwellings. The proposal in this case does not appear as such. It introduces a terracing effect which is at odds with the prevailing pattern of development on the wider housing development. Moreover, it would project out towards the Princess Avenue with a depth, width and height that would erode the distinct open and uniform nature of the layout. The proposal would therefore have an adverse effect on the character and appearance of the area. The proposal would be contrary to Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations 2003) which amongst other aims seek to ensure that extensions should not have any adverse effect upon the character or appearance of the original property nor adversely affect the street scene in general. The proposal would also conflict with the policies set out in Section 12 of the National Planning Policy Framework, which seek to ensure high quality design.

Planning Appeals Received

6 July 2020 - 5 August 2020

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: Maidenhead Unparished
Appeal Ref.: 20/60041/REF **Planning Ref.:** 20/00054/FULL **PIns Ref.:** APP/T0355/W/20/3250360
Date Received: 6 July 2020 **Comments Due:** 10 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 2no. four bedroom semi-detached dwellings following demolition of the existing dwelling and garage.
Location: **81 Furze Platt Road Maidenhead SL6 7NQ**
Appellant: Mr M Lewington **c/o Agent:** Mr Collin Goodhew Goodhew Design And Build Sheephouse Cottage Sheephouse Road Maidenhead Berkshire SL6 8HB

Ward:
Parish: Cookham Parish
Appeal Ref.: 20/60042/REF **Planning Ref.:** 19/02442/OUT **PIns Ref.:** APP/T0355/W/20/3251269
Date Received: 6 July 2020 **Comments Due:** 10 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Outline application for access and layout only to be considered at this stage with all other matters to be reserved for a proposed new equine centre with worker accommodation
Location: **Land At Lower Mount Farm And To West of Unit 2B And South of Long Lane Cookham Maidenhead**
Appellant: Mr Geoffrey Copas **c/o Agent:** Mr Tom McArdle Pike Smith & Kemp Rural The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 20/60043/REF **Planning Ref.:** 19/03183/CONDI T **PIns Ref.:** APP/T0355/W/20/3252103
Date Received: 7 July 2020 **Comments Due:** 11 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Details required by condition 7 (garage foundation design) of planning permission 19/01050 for a replacement dwelling
Location: **19 Llanvair Drive Ascot SL5 9HS**
Appellant: Mr And Mrs Chohan And Bains **c/o Agent:** Mr Nicholas Cobbold Bell Cornwell LLP Unit 2 Meridian Office Park Osborn Way Hook Hampshire RG27 9HY

Ward:
Parish: Windsor Unparished
Appeal Ref.: 20/60044/REF **Planning Ref.:** 19/01222/FULL **Plns Ref.:** APP/T0355/W/20/3248510
Date Received: 7 July 2020 **Comments Due:** 11 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Telecommunications installation comprising 4no. pole mounted antennas, 4no. equipment cabinets on steel grillage RRUs, ERS, luminars and a fire alarm sounder installed on the lower roof on the West side of the building behind a GRP enclosure, replacement of existing window with a new access doorway to enclosure with steps, along with 2no. externally antennas on wall mounted support poles, 2no. GPS modules, wall mounted RRUs and ERS toward the Eastern end of the building, new cable trays to run internally, replacement of existing external access ladder and development ancillary thereto. Installation of 2no. antennas behind a GRP (glass reinforced plastic) screen, 1no. pole mounted antenna and 4no. equipment cabinets all at roof level, along with development ancillary thereto.
Location: **Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS**
Appellant: Cornerstone, Telefonica UK LTD And Vodafone LTD **c/o Agent:** Mr Norman Gillan Gillan Consulting 4B Craighuchy Terrace Aberfoyle Stirling FK8 3UH

Ward:
Parish: Windsor Unparished
Appeal Ref.: 20/60045/REF **Planning Ref.:** 19/01223/LBC **Plns Ref.:** APP/T0355/Y/20/3248512
Date Received: 7 July 2020 **Comments Due:** 11 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Consent for the telecommunications installation comprising 4no. pole mounted antennas, 4no. equipment cabinets on steel grillage RRUs, ERS, luminars and a fire alarm sounder installed on the lower roof on the West side of the building behind a GRP enclosure, replacement of existing window with a new access doorway to enclosure with steps, along with 2no. externally antennas on wall mounted support poles, 2no. GPS modules, wall mounted RRUs and ERS toward the Eastern end of the building, new cable trays to run internally, replacement of existing external access ladder and development ancillary thereto. Installation of 2no. antennas behind a GRP (glass reinforced plastic) screen, 1no. pole mounted antenna and 4no. equipment cabinets all at roof level, along with development ancillary thereto.
Location: **Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS**
Appellant: Cornerstone Telefonica UK Ltd And Vodafone Ltd **c/o Agent:** Mr Norman Gillan Gillan Consulting 4B Craighuchy Terrace Aberfoyle Stirling FK8 3UH

Ward:
Parish: Eton Town Council
Appeal Ref.: 20/60046/REF **Planning Ref.:** 19/03203/FULL **Plns Ref.:** APP/T0355/W/20/3253919
Date Received: 8 July 2020 **Comments Due:** 12 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Single storey rear extension with new first floor above to create x1 first floor flat with x1 rear terrace.
Location: **Garages Rear of High Street Eton And 127 To 128 High Street Eton Windsor**
Appellant: Eton College **c/o Agent:** Mr John Bowles Savills (UK) Ltd 33 Margaret Street London W1G 0JD

Ward:
Parish: Eton Town Council
Appeal Ref.: 20/60047/REF **Planning Ref.:** 19/03204/LBC **Plns Ref.:** APP/T0355/Y/20/3253920
Date Received: 8 July 2020 **Comments Due:** 12 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Consent for the construction of a single storey rear extension with new first floor above to create x1 first floor flat with x1 rear terrace and internal alterations.
Location: **Garages Rear of High Street Eton And 127 To 128 High Street Eton Windsor**
Appellant: Eton College **c/o Agent:** Mr John Bowles Savills (UK) Ltd 33 Margaret Street London W1G 0JD

Ward:
Parish: Windsor Unparished

Appeal Ref.: 20/60048/REF **Planning Ref.:** 19/03232/ADV **Plns Ref.:** APP/T0355/H/20/3249682
Date Received: 8 July 2020 **Comments Due:** 12 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Consent to display 3 x non illuminated fascia text to the existing sign, 2 x externally illuminated hanging signs. Retention of 2 x vertical banners and 2 x free standing windbreaks mounted on frame/posts.
Location: **Gourmet Burger Kitchen Unit 60 And 61 Windsor Royal Station Jubilee Arch Windsor SL4 1PJ**
Appellant: GBK **c/o Agent:** Mr William Eyre Planning And Design Group (UK) Limited Pure Offices Lake View Drive Annesley Nottingham NG15 0DT

Ward:
Parish: Windsor Unparished
Appeal Ref.: 20/60049/REF **Planning Ref.:** 19/03212/LBC **Plns Ref.:** APP/T0355/Y/20/3249679
Date Received: 8 July 2020 **Comments Due:** 12 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Consent to change the colour scheme on the existing shop fascia and hanging signs.
Location: **Gourmet Burger Kitchen Unit 60 And 61 Windsor Royal Station Jubilee Arch Windsor SL4 1PJ**
Appellant: GBK **c/o Agent:** Mr William Eyre Planning And Design Group (UK) Limited Pure Offices Lake View Drive Annesley Nottingham NG15 0DT

Ward:
Parish: Datchet Parish
Appeal Ref.: 20/60050/REF **Planning Ref.:** 19/01703/FULL **Plns Ref.:** APP/T0355/W/20/3253488
Date Received: 9 July 2020 **Comments Due:** 13 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Change of use from B1 (office) to C3 (dwellinghouses), construction of a single storey rear extension and alterations to fenestration.
Location: **Isabel Gill Curtains And Interiors 21A Queens Road Datchet Slough SL3 9BN**
Appellant: Ms Isabel Gill **c/o Agent:** Mr T Rumble Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT

Ward:
Parish: Datchet Parish
Appeal Ref.: 20/60051/REF **Planning Ref.:** 19/02645/FULL **Plns Ref.:** APP/T0355/W/20/3251790
Date Received: 9 July 2020 **Comments Due:** 13 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Proposed privacy screen to front balcony, single storey rear extension with balcony and privacy screen above, external steps to side elevation and bin storage following the conversion of first floor from office to 3no. 1 bed apartments.
Location: **Datchet Village Pharmacy The Green Datchet Slough SL3 9JH**
Appellant: Mr Simon Carter Datchet Village Pharmacy, The Green Datchet Slough SL3 9JH

Ward:
Parish: Old Windsor Parish
Appeal Ref.: 20/60052/REF **Planning Ref.:** 19/03042/VAR **Plns Ref.:** APP/T0355/W/20/3250941
Date Received: 10 July 2020 **Comments Due:** 14 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Variation (under Section 73) of Condition 12 (Approved Plans) to substitute those plans approved under 18/03507/FULL for the two storey front extension, two storey rear extension, loft conversion with new front and side facing dormers, sub-division to create 5 X one bedroom flats with bin and cycle stores following demolition of the existing garage.with amended plans.
Location: **1 The Avenue Old Windsor Windsor SL4 2RS**
Appellant: Mr David Hunter **c/o Agent:** Mr Paul Davey Davey Designs Ltd 10 Chantry Road Maidenhead Berkshire SL6 1TS

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 20/60053/REF **Planning Ref.:** 19/03592/FULL **Plns Ref.:** APP/T0355/D/20/

Date Received: 15 July 2020 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Hip to gable, 1no. rear dormer and 2no. front rooflights
Location: **17 Sperling Road Maidenhead SL6 7LB**
Appellant: Mr Saleem Ahmed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 20/60054/REF **Planning Ref.:** 19/03596/FULL **Plns Ref.:** APP/T0355/D/20/3255167

Date Received: 15 July 2020 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Alterations to the roof, including x2 front rooflights and x1 rear dormer.
Location: **19 Sperling Road Maidenhead SL6 7LB**
Appellant: Saleem Ahmed **c/o Agent:** Mr Reg Johnson 59 Lancaster Road Maidenhead SL6 5EY

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 20/60055/REF **Planning Ref.:** 19/02287/VAR **Plns Ref.:** APP/T0355/W/20/3251767

Date Received: 17 July 2020 **Comments Due:** 21 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Variation (under Section 73A) of planning permission 06/02492/FULL to vary the wording of Condition 14 (opening hours) to read "Details of the proposed acoustic fencing in accordance with figure 7.1 of the Noise Assessment by SLR Consulting dated August 2019 shall be submitted to and approved in writing by the Local Planning Authority and the agreed works shall be implemented before any commercial operations are undertaken at the site between 13:00hrs and 17:00hrs on Saturdays or 10:00hrs and 16:00hrs on Sundays".

Location: **Sytner BMW Lyndhurst Road Ascot SL5 9ED**
Appellant: Sytner BMW **c/o Agent:** Mr Tim Farley Copesticks 39 Tudor Hill Sutton Coldfield West Midlands Birmingham B73 6BE

Ward:
Parish: Sunningdale Parish
Appeal Ref.: 20/60056/REF **Planning Ref.:** 19/01768/FULL **Plns Ref.:** APP/T0355/W/20/3247764

Date Received: 17 July 2020 **Comments Due:** 21 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Replacement dwelling, including the removal of x3 trees (T10, T16 and T17).
Location: **Charters Pond Charters Road Sunningdale Ascot SL5 9QB**
Appellant: Mr And Mrs Siu Cheang Law **c/o Agent:** Mr Ken Dijkman Dijkman Planning 35 Berkeley Road Newbury Berkshire RG14 5JE

Ward:
Parish: Sunninghill And Ascot Parish
Appeal Ref.: 20/60057/REF **Planning Ref.:** 19/03403/FULL **Plns Ref.:** APP/T0355/W/20/3252452

Date Received: 17 July 2020 **Comments Due:** 21 August 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Replacement dwelling and garage.
Location: **Cardinals Ride Monks Walk Ascot SL5 9AZ**
Appellant: Mr M Taylor **c/o Agent:** Mr Paul Dickinson Paul Dickinson And Associates Highway House Lower Froyle Hants GU34 4NB

Ward:
Parish: Horton Parish
Appeal Ref.: 20/60058/REF **Planning Ref.:** 19/02092/FULL **Plns Ref.:** APP/T0355/D/20/3252691

Date Received: 21 July 2020 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: Single storey side/rear extension incorporating garage.
Location: **6 Coppermill Road Wraysbury Staines TW19 5NT**
Appellant: Mr Mick Best **c/o Agent:** Mr Kevin J Turner 4 Little Oaks Close Shepperton Middlesex TW17 0GA

Ward:

Parish: Bray Parish
Appeal Ref.: 20/60059/REF **Planning Ref.:** 19/01181/FULL **Plns Ref.:** APP/T0355/W/20/3254648
Date Received: 28 July 2020 **Comments Due:** 1 September 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Change of use of the land to allow for the siting of up to x55 residential park homes, following demolition of existing buildings.
Location: **Queens Head Windsor Road Water Oakley Windsor SL4 5UJ**
Appellant: Mr Davidson **c/o Agent:** Mr John Hunt Pike Smith And Kemp Rural And Commercial Ltd The Old Dairy Hyde Farm Marlow Road Maidenhead SL6 6PQ

Ward:
Parish: Windsor Unparished
Appeal Ref.: 20/60060/REF **Planning Ref.:** 20/00215/FULL **Plns Ref.:** APP/T0355/D/20/3256046
Date Received: 28 July 2020 **Comments Due:** Not Applicable
Type: Refusal **Appeal Type:** Householder Appeal
Description: First floor front extension, two storey side extension and a new canopy to the side entrance.
Location: **The Swifts 31 Dower Park Windsor SL4 4BQ**
Appellant: Mr & Mrs Bhatt **c/o Agent:** Mr Mark Carter Carter Planning Limited 85 Alma Road Windsor Berkshire SL4 3EX

Ward:
Parish: Maidenhead Unparished
Appeal Ref.: 20/60062/REF **Planning Ref.:** 19/02814/FULL **Plns Ref.:** APP/T0355/W/20/3255176
Date Received: 29 July 2020 **Comments Due:** 2 September 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of x1 dwelling with new vehicular access.
Location: **Land Rear of The Garth Altwood Close Maidenhead**
Appellant: Mr Kevin McCabe **c/o Agent:** Mr Jake Collinge JCPC Ltd 5 Buttermarket Thame Oxfordshire OX9 3EW

Ward:
Parish: Bray Parish
Appeal Ref.: 20/60063/REF **Planning Ref.:** 20/00674/FULL **Plns Ref.:** APP/T0355/W/20/3254430
Date Received: 4 August 2020 **Comments Due:** 8 September 2020
Type: Refusal **Appeal Type:** Written Representation
Description: Construction of 1no. detached three bedroom dwelling following the demolition of the existing dwelling.
Location: **Queen Acre Cottage Windsor Road Water Oakley Windsor SL4 5UJ**
Appellant: Mr Wayne Owen **c/o Agent:** Mr Spencer Copping WS Planning & Architecture Europe House Bancroft Road Reigate RH2 7RP

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