

NOTICE
OF
MEETING

**WINDSOR AND ASCOT DEVELOPMENT
MANAGEMENT COMMITTEE**

will meet on

WEDNESDAY, 1ST SEPTEMBER, 2021

At 7.00 pm

In the

GREY ROOM - YORK HOUSE, ON [RBWM YOUTUBE](#)

TO: MEMBERS OF THE WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

COUNCILLORS CHRISTINE BATESON, JOHN BOWDEN (VICE-CHAIRMAN),
DAVID CANNON (CHAIRMAN), WISDOM DA COSTA, JON DAVEY, NEIL KNOWLES,
JULIAN SHARPE, SHAMSUL SHELM AND AMY TISI

SUBSTITUTE MEMBERS

COUNCILLORS CAROLE DA COSTA, KAREN DAVIES, DAVID HILTON,
LYNNE JONES, SAYONARA LUXTON, GARY MUIR, HELEN PRICE,
SAMANTHA RAYNER AND JOHN STORY

Karen Shepherd – Head of Governance - Issued: August 23rd 2021

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** shilpa.manek@rbwm.gov.uk

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.	3 - 4
3.	<u>MINUTES OF PREVIOUS MEETING</u> To approve the minutes of the meeting held on August 4 th 2021 as a true and accurate record.	5 - 6
4.	<u>21/01569/FULL - 211 MAIDENHEAD ROAD - WINDSOR - SL4 5HF</u> PROPOSAL: Single storey rear extension RECOMMENDATION: PERMIT APPLICANT: Mr and Mrs Garlick MEMBER CALL-IN: N/A EXPIRY DATE: 16 July 2021	7 - 18
5.	<u>PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT</u> To note the contents of the report.	19 - 20

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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

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

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

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

“Comments Awaited”.

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

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

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

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

STATEMENT OF THE HUMAN RIGHTS ACT 1998

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

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

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

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

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

PREJUDICIAL INTERESTS

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

DECLARING INTERESTS

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

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

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

Agenda Item 3

WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 4 AUGUST 2021

PRESENT: Councillors David Cannon (Chairman), John Bowden (Vice-Chairman), Christine Bateson, Julian Sharpe, Shamsul Shelim, Jon Davey, Neil Knowles and Lynne Jones

Also in attendance virtually: Councillor Carole da Costa

Officers: Andy Carswell and Sian Saadeh

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tisi and Wisdom da Costa. Councillor Jones attended as a substitute for Councillor Tisi. Councillor Carole da Costa attended the meeting virtually as a substitute for Councillor Wisdom da Costa; as she was not physically present at the meeting she could not take part in the voting on the items but could take part in the debate.

DECLARATIONS OF INTEREST

Councillors Cannon, Bowden and Knowles all declared an interest in item 4 as they had been members of the former Royal Borough Development Management Panel when the item had been deferred following discussions. They all confirmed they were attending the meeting with an open mind.

MINUTES OF PREVIOUS MEETING

Members noted the minutes of the meeting of the Royal Borough Development Management Panel heard on July 21st 2021.

20/02720/FULL - RESERVOIR ASCOT RACECOURSE WINKFIELD ROAD ASCOT TO PUMPING STATION WEST OF THE GREAT POND WATERSPLASH LANE - ASCOT

A motion was put forward by Councillor Sharpe to approve the application, as per the officer recommendation, subject to the conditions listed in the main report being met. The motion was seconded by Councillor Knowles.

A named vote was taken.

20/02720/FULL – RESERVOIR ASCOT RACECOURSE WINKFIELD ROAD ASCOT TO PUMPING STATION WEST OF THE GREAT POND WATERSPLASH LANE - ASCOT (Motion)	
Councillor Christine Bateson	For
Councillor John Bowden	For
Councillor David Cannon	For
Councillor Carole da Costa	N/A
Councillor Jon Davey	For
Councillor Lynne Jones	For
Councillor Neil Knowles	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Carried	

RESOLVED: That the application be approved, as per the officer recommendation.

21/01587/FULL - 43 KENTONS LANE - WINDSOR - SL4 4JH

Members were told the item had been withdrawn from the agenda by Planning and would be deferred to a future meeting.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

Members noted the contents of the reports.

The meeting, which began at 7.00 pm, finished at 7.12 pm

CHAIRMAN.....

DATE.....

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

PLANNING COMMITTEE

DEVELOPMENT CONTROL PANEL

1 September 2021

Item: 1

Application No.:	21/01569/FULL
Location:	211 Maidenhead Road Windsor SL4 5HF
Proposal:	Single storey rear extension.
Applicant:	Mr And Mrs Garlick
Agent:	Mrs Joanna Czarnomska
Parish/Ward:	Windsor Unparished/Clewer And Dedworth East

If you have a question about this report, please contact: Zishan Pervez on 01628 682977 or at zishan.pervez@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed single storey rear extension by virtue of its design, scale and mass would respect the character and appearance of the host dwelling and the wider area. It would not have any materially harmful impact on the amenity of the neighbouring properties.

It is recommended the Panel GRANTS planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Carole Da Costa due to concerns the development would result in loss of amenity towards neighbouring properties.

3. DESCRIPTION OF THE SITE AND SURROUNDINGS

- 3.1 The application site, 211 Maidenhead Road is located on a predominantly residential built-up road in Windsor. The road comprises of a range of properties varying in design, scale and built form. However the dwellings in the immediate vicinity are terraced properties with small front gardens, which this mid-terrace dwelling forms part of.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal seeks to demolish a covered area and erect a single storey rear extension with a gabled roof and x6 rooflights.

4.2

Application Reference	Description	Date and Decision
01/81307/CLP	Erection of a rear-facing dormer window.	Approved / 05.0.2002

5. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Local Plan Policy
Design in keeping with character of area	DG1
Acceptable impact on appearance of area	H14
Acceptable impact when viewed from nearby occupiers	H14
Maintains acceptable level of privacy for nearby residents	H14
Maintains acceptable level of daylight and sunlight for nearby occupiers	H14
No harm to protected trees	N6
Sufficient parking spaces available	P4

These policies can be found at <https://www.rbwm.gov.uk/home/planning/planning-policy/adopted-local-plan>

6. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2019)

Section 2. Achieving sustainable development

Section 3. Plan-making

Section 4. Decision-making

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

Borough Local Plan: Submission Version Proposed Changes (2019)

Issue	Local Plan Policy
Design in keeping with character and appearance of area	QP1, QP3

6.1 Paragraph 48 of the NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to:

*“a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

6.2 The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The plan and its supporting documents, including all representations received, was submitted to the Secretary of State for independent examination in January 2018. 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 were reviewed by the Council before the Proposed Changes were submitted to the Inspector. The Examination was resumed in late 2020 and the Inspector's post hearings advice letter was received in March 2021. The next stage will be for main modifications to be carried out and consulted upon. The consultation is currently underway until September 2021.

6.3 The BLPSV together with the Proposed Changes are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. This assessment is set out in detail, where relevant, in Section 8 of this report.

These documents can be found at:

<http://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

6.4 **The Windsor Neighbourhood Plan (2011-2026)**

The Windsor Neighbourhood Plan was subject to referendum in May and has now been formally adopted by the Council. It carries full weight in decision making.

6.5 **Borough Wide Design Guide 2020**

The Design Guide supports Local Plan policies by setting out in detail what the Council considers to be design excellence in the Royal Borough.

These documents can be found at:

<http://www.rbwm.gov.uk/home/planning/planning-policy/emerging-plans-and-policies>

6.6 **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:

<http://www.rbwm.gov.uk/home/planning/planning-policy/planning-guidance>

7. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

Three occupiers of properties in the vicinity of the site were notified directly of the application.

At the time of writing, x4 letters had been received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	<u>Impact on Character</u> Disproportionate and not in keeping	Please see paragraphs 8.2 – 8.3
2.	<u>Neighbouring Amenity</u> Loss of light Loss of privacy Overlooking Noise nuisance as a result of opening/closing the rooflights Very little green space left as a result of the extension	Please see paragraphs 8.4 – 8.6
3	<u>Other</u> Construction and maintenance of the extension is likely to require cooperation No site notice has been displayed The application sets a precedent The plans are misleading, and the extension will be considerably higher. Not enough space left for rainwater pipe	<p>This is not a material planning consideration.</p> <p>A site notice to be displayed is not a statutory requirement.</p> <p>Each application is determined on its own basis.</p> <p>A site visit has been conducted and following review of the drawings, the plans appear accurate.</p> <p>The scheme has been amended to ensure the RWP is within the application site.</p>

8. EXPLANATION OF RECCOMENDATION

8.1 The assessment of the application is set out in the following way:

- i. Impact on the character of the area and street scene;
- ii. Impact on neighbouring amenities;
- iii. Impact on trees;
- iv. Impact on parking provision and highway safety.

Impact on Character

- 8.2 211 Maidenhead Road is a mid-terraced property forming one of eighteen terraced dwellings located in the residential area of Windsor. 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. Principle 10.1 of the Borough Wide Design Guide states that extensions will be expected to be subordinate and respond positively to the form, scale and architectural style and materials of the original building. Developments that are over-dominant or out of keeping will be resisted.
- 8.3 The proposal is for a 4-metre-deep single storey rear extension which would replace an existing veranda and a gazebo. It would extend beyond an existing single storey side extension which has a lean-to roof. Although the development would practically form a side/rear extension which would be larger than other single storey additions in the close vicinity, the scale of the development together with a gabled roof design would respect the character of the host dwelling. The roof, with eaves at 2.1m and ridge height at 3.4m would not be out of scale with the host dwelling nor would it not appear obtrusive in the surrounding area. Concerns were raised regarding the roof form being out of keeping to the area which comprise of additions with flat roof, however it is considered the proposed gabled roof would appear more sympathetic to the host dwelling and would not cause harm to the appearance of the wider area.

Impact on Neighbours

- 8.4 The application site and surrounding properties benefit from a south aspect garden which indicates the resultant extension would not significantly affect the daylight/sunlight these properties currently receive. With regards to neighbouring property no.213, the property benefits from a side glazed addition and a single storey rear extension with an obscure window to the rear serving a bathroom. The side addition at the neighbouring property comprises of a glazed roof which allows extra light coming in, nonetheless the eaves of the gabled roof have been reduced from 2.38m to 2.1m which would be marginally taller the existing 2m fence. With low eaves, the development would not have an adverse impact on loss of light. Furthermore, there are no side facing windows proposed preventing any overlooking nor does the development would cause any loss of privacy given its single storey.
- 8.5 With regards to neighbouring property no. 209, the property has a ground floor window on the rear elevation. Appendix 12 of the Local Plan indicates that a line drawn at a 60 degrees angle at single storey level from the centre of the nearest habitable room window of an adjoining property should not be breached by the proposed rear extension. This indicates a loss of sun/daylight. A line drawn the centre of this window reveals this line will not be intersected as a result of the extension. Moreover the proposed extension has low eaves level at 2.1m. Concern was raised that the rooflights will give rise to views to the bathroom above, however due to the height of the rooflights and the fact that the window at 209 serving the bathroom is obscure, this would not be the case. For the reasons stated above, it is therefore considered no significant harm will be caused to the immediate neighbouring properties in terms of loss of privacy, outlook, daylight, sunlight or otherwise.
- 8.6 Concerns were raised by neighbouring occupants that the proposed rooflights will cause noise nuisance when they are opened and closed. It is not considered the operation of a rooflight would exceed noise levels that would be expected from a domestic property. The resultant size of the garden was questioned; however the rear amenity area would be in excess of 15m deep which would be acceptable for a dwelling in this location.

Trees

- 8.7 There are no trees on site and/or nearby that are considered to be of high amenity value that will be impacted by the development.

Highways

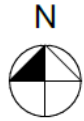
- 8.8 The proposed development would not lead to the loss of any of the parking spaces nor will it increase the number of bedrooms at the development site. As such, sufficient space would remain on the site to accommodate the car parking for the resulting dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

Conclusion

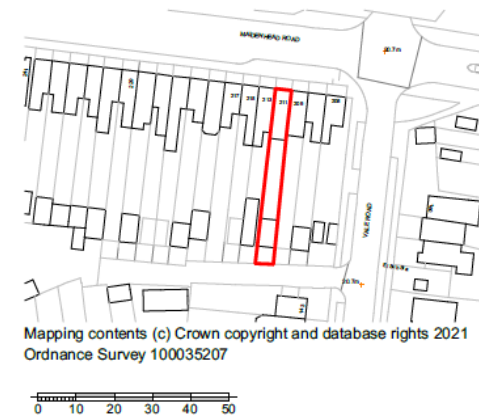
- 8.9 As set out in the above paragraphs, the proposal is considered to comply with the relevant planning policies and guidance. The application is recommended for approval subject to the conditions listed below.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwelling house. The 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
- 3 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.



Proposed Site Plan 1:500

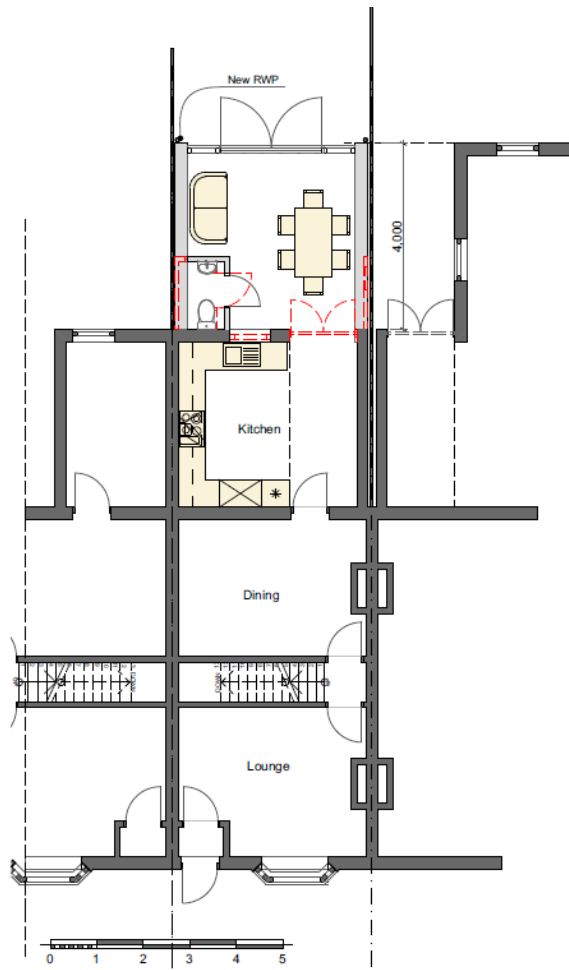


Location Plan 1:1250

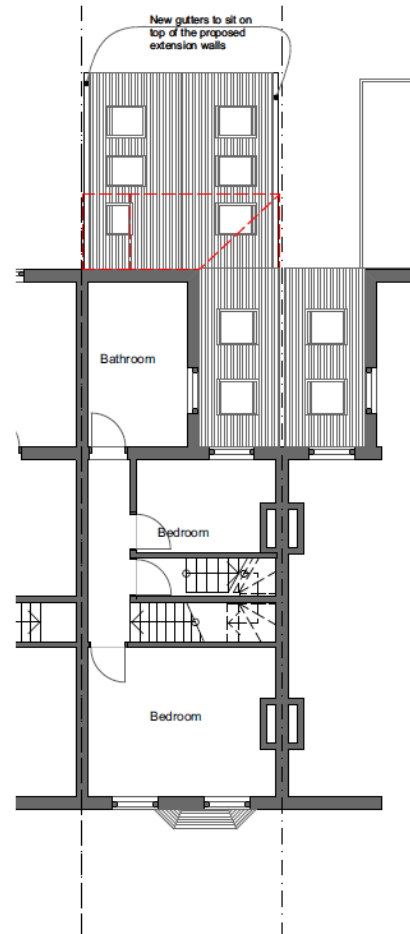
jpc architects Ltd

18 Harefield Road, Maidenhead, SL6 5EA Berkshire
joanna@jpcarchitects.co.uk, www.jpcarchitects.co.uk
t: 0162806228190, m: 07917033586

Client	Mr & Mrs Garlick			Site Address			211 Maidenhead Road, Windsor SL4 5HF			
Project Description	Proposed single storey rear extension				Drawing name			Date		
Location Plan and Proposed Site Plan					April 2021					
	Drawn	Scale			Drawing No			Rev.		
	JC	1:1250, 1:500 @A3		3167/PL01						



As Proposed Ground Floor 1:100



As Proposed First Floor 1:100

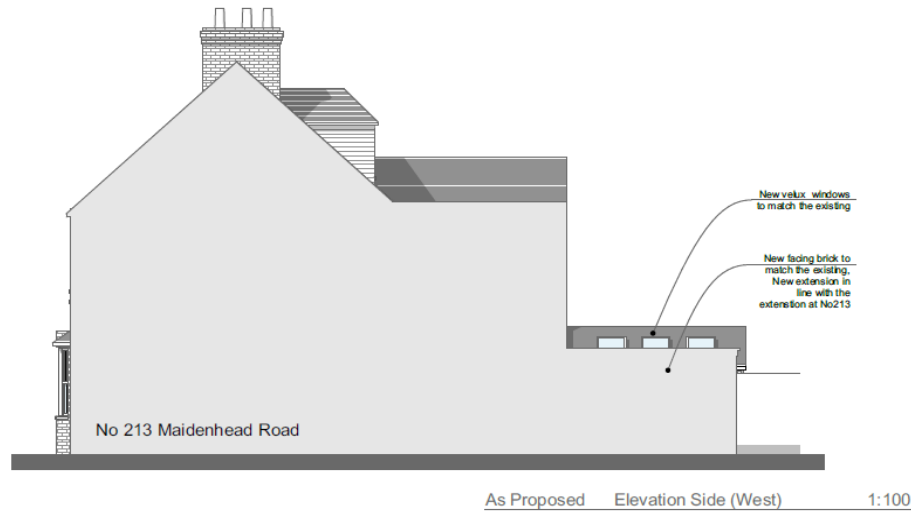
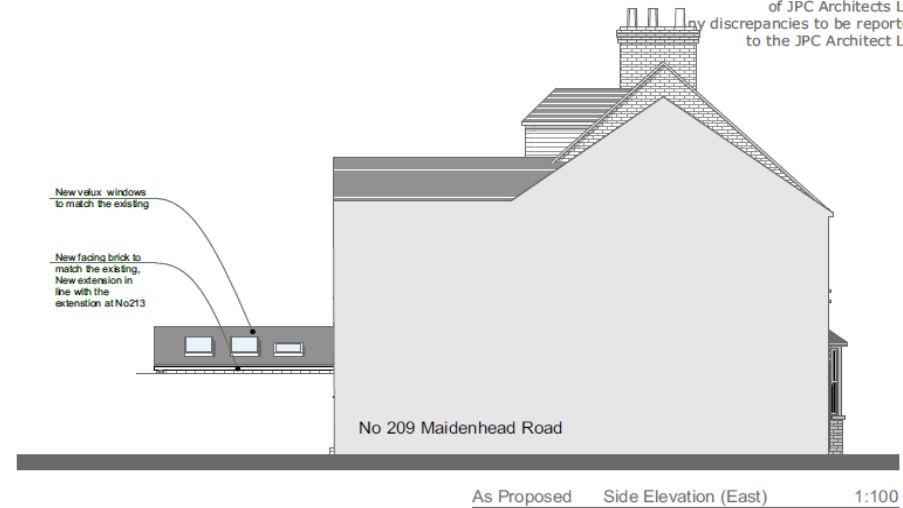
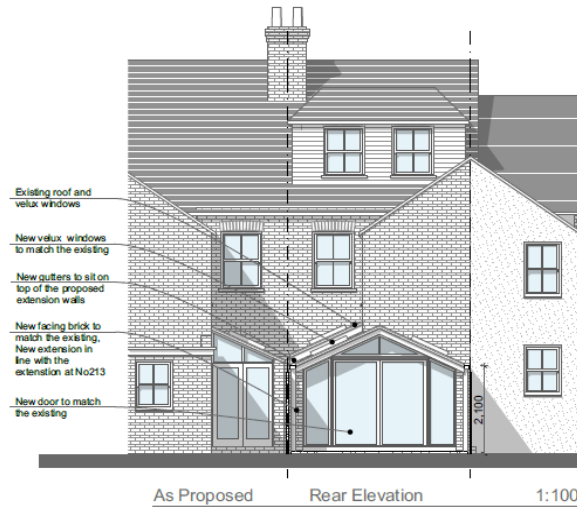
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t: 0162806228190, m: 07917033586

Client	Mr & Mrs Garlick		Site Address	211 Maidenhead Road, Windsor SL4 5HF	
Project Description	Proposed single storey rear extension		Drawing name	As Proposed Floor Plans	
	Drawn	Scale	Drawing No	Rev.	Date
	JC	1:100 @A3	3167/PL03	B	April 2021

Rev	Description	Date
B	Minor amendments, gutters and RWP's added	19/08/2021
A	Extension roof lowered	16/08/2021

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Any discrepancies to be reported to the JPC Architect Ltd



B	Minor amendments, gutters and RWP's added	19/08/2021
A	Extension roof lowered	16/08/2021
Rev	Description	Date
Site Address		
211 Maidenhead Road, Windsor SL4 5HF		
Drawing name		Date
As Proposed Elevations		April 2021
Drawn	Scale	Drawing No
JC	1:100 @A3	3167/PL05
		Rev.
		B

jpc architects Ltd

18 Harefield Road, Maidenhead, SL6 5EA Berkshire
joanna@jpcarchitects.co.uk, www.jpcarchitects.co.uk
t: 0162806228190, m: 07917033586

Client Mr & Mrs Garlick

Project Description Proposed single storey rear extension

Planning Appeals Received

24 July 2021 - 20 August 2021

Windsor and Ascot

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 Plns 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: Windsor Unparished

Appeal Ref.:	21/60052/REF	Planning Ref.:	20/03491/FULL	Plns Ref.:	APP/T0355/D/21/ 3275134
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Date Received:	12 August 2021	Comments Due:	Not applicable
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Type:	Refusal	Appeal Type:	Householder Appeal
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Description: Single storey side extension and alterations to first floor side fenestration.

Location: 37 Princess Avenue Windsor SL4 3LU

Appellant: Mr Malkit Purewal **c/o Agent:** Mr Sammy Chan OPS Chartered Surveyors 17 Garvin Avenue Beaconsfield HP9 1RD

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