

NOTICE  
OF  
MEETING

**WINDSOR AND ASCOT DEVELOPMENT  
MANAGEMENT COMMITTEE**

will meet on

**WEDNESDAY, 1ST JUNE, 2022**

**At 7.00 pm**

In the

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

TO: MEMBERS OF THE WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

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

SUBSTITUTE MEMBERS

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

Karen Shepherd – Head of Governance - Issued: 24 May 2022

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](http://www.rbwm.gov.uk) or contact the Panel Administrator **Oran Norris-Browne** Oran.Norris-Browne@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.	5 - 8
3.	<u>MINUTES OF PREVIOUS MEETING</u>  To approve the minutes of the meeting held on 4 May 2022 as a true and accurate record.	9 - 10
4.	<u>21/03347/FULL - LINTHORPE FIREBALL HILL SUNNINGDALE ASCOT SL5 9PJ</u>  Proposal: x2 new dwellings with detached garage and vehicular entrance gates, following demolition of existing dwelling and garage.  Recommendation: PERMIT  Applicant: Mr and Mrs Butler  Member Call-in: N/A  Expiry Date: 7 June 2022	11 - 38
5.	<u>21/03734/ADV - LAND ADJACENT TO 1 FARM YARD WINDSOR</u>  Proposal: Consent to display 1no. internally illuminated double sided digitalized monolith sign.  Recommendation: PERMIT  Applicant: Mr Golabek  Member Call-in: N/A  Expiry Date: 13 April 2022	39 - 48
6.	<u>21/03738/ADV - LAND ADJACENT 1 THAMES STREET WINDSOR</u>  Proposal: Consent to display 1no. internally illuminated double sided digitalized monolith sign.  Recommendation: PERMIT  Applicant: Mr Golabek	49 - 58

Member Call-in: N/A

Expiry Date: 13 April 2022

7.

21/03739/ADV - LAND ADJACENT TO PIARA OF WINDSOR  
GARDEN CAFE ALEXANDRA GARDENS COACH PARK GOSWELL  
ROAD WINDSOR

59 - 66

Proposal: Consent to display 1no. internally illuminated double sided digitalized monolith sign.

Recommendation: PERMIT

Applicant: Mr Golabek

Member Call-in: N/A

Expiry Date: 13 April 2022

8.

PLANNING APPEALS RECEIVED AND PLANNING DECISION  
REPORT

67 - 70

To note the contents of the report.

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## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

In accordance with the requirements of the Local Government (Access to Information) Act 1985, each item on this report includes a list of Background Papers that have been relied on to a material extent in the formulation of the report and recommendation. The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper, although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as "Comments Awaited".

The list will not include published documents such as the Town and Country Planning Acts and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance, as the instructions, advice and policies contained within these documents are common to the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading "Remarks".

## **STATEMENT OF THE HUMAN RIGHTS ACT 1998**

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

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

## MEMBERS' GUIDE TO DECLARING INTERESTS AT 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 Disclosable Pecuniary Interest (DPI) or Other Registerable 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.

Any Member with concerns about the nature of their interest should consult the Monitoring Officer in advance of the meeting.

### Non-participation in case of Disclosable Pecuniary Interest (DPI)

Where a matter arises at a meeting which directly relates to one of your DPIs (summary below, further details set out in Table 1 of the Members' Code of Conduct) you must disclose the interest, **not participate in any discussion or vote on the matter and must not remain in the room** unless you have been granted a dispensation. If it is a 'sensitive interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable you to participate and vote on a matter in which you have a DPI.

Where you have a DPI on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

*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 (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her 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 council.*
- *Any licence to occupy land in the area of the council for a month or longer.*
- *Any tenancy where the landlord is the council, and the tenant is a body in which the relevant person has a beneficial interest in the securities of.*
- *Any beneficial interest in securities of a body where:*
  - a) that body has a place of business or land in the area of the council, 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.

### Disclosure of Other Registerable Interests

Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (summary below and as set out in Table 2 of the Members Code of Conduct), you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive

interest' (as agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

*Other Registerable Interests (relating to the Member or their partner):*

*You have an interest in any business of your authority where it relates to or is likely to affect:*

- a) *any body of which you are in general control or management and to which you are nominated or appointed by your authority*
- b) *any body*
  - (i) exercising functions of a public nature*
  - (ii) directed to charitable purposes or*

*one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)*

### **Disclosure of Non- Registerable Interests**

Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a DPI) or a financial interest or well-being of a relative or close associate, you must disclose the interest. **You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer) you do not have to disclose the nature of the interest.

Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a friend, relative, close associate; or
- c. a body included in those you need to disclose under DPIs as set out in Table 1 of the Members' code of Conduct

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

Where a matter **affects** your financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

**You may speak on the matter only if members of the public are also allowed to speak at the meeting** but otherwise **must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation**. If it is a 'sensitive interest' (agreed in advance by the Monitoring Officer), you do not have to disclose the nature of the interest.

### **Other declarations**

Members may wish to declare at the beginning of the meeting any other information they feel should be in the public domain in relation to an item on the agenda; such Member statements will be included in the minutes for transparency.

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# Agenda Item 3

## WINDSOR AND ASCOT DEVELOPMENT MANAGEMENT COMMITTEE

WEDNESDAY, 4 MAY 2022

PRESENT: Councillors David Cannon (Chairman), John Bowden (Vice-Chairman), Christine Bateson, Julian Sharpe, Shamsul Shelim, Amy Tisi, Neil Knowles, Wisdom Da Costa and Jon Davey

Also in attendance: Councillor Carole Da Costa and Councillor Donna Stimson

Officers: Mark Beeley, Sian Saadeh and Jo Richards

### APOLOGIES FOR ABSENCE

There were no apologies for absence received.

### DECLARATIONS OF INTEREST

Councillor W Da Costa declared a personal interest as he knew the applicants, Clare Johnson, sister well and was good friends with her. He would be attending the meeting with an open mind.

### MINUTES OF PREVIOUS MEETING

**RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 6<sup>th</sup> April 2022 were approved as an accurate record.**

### 21/02291/FULL - ALEXANDRA GARDENS, BARRY AVENUE, WINDSOR, SL4 5JA

A motion was put forward by Councillor Bowden to defer the application, so that the Committee was able to undertake a site visit. The motion was seconded by Councillor Shelim.

A named vote was taken.

<b>21/02291/FULL - Alexandra Gardens, Barry Avenue, Windsor, SL4 5JA (Motion)</b>	
Councillor David Cannon	Against
Councillor John Bowden	For
Councillor Christine Bateson	Against
Councillor Julian Sharpe	Against
Councillor Shamsul Shelim	For
Councillor Amy Tisi	Against
Councillor Neil Knowles	Against
Councillor Wisdom Da Costa	For
Councillor Jon Davey	Against
<b>Rejected</b>	

The motion fell.

A second motion was put forward by Councillor Knowles to permit the application including the conditions outlined in the main report, which was in line with the officer recommendation. This was seconded by Councillor Davey.

A named vote was taken.

<b>21/02291/FULL - Alexandra Gardens, Barry Avenue, Windsor, SL4 5JA (Motion)</b>	
Councillor David Cannon	For
Councillor John Bowden	Abstain
Councillor Christine Bateson	For
Councillor Julian Sharpe	For
Councillor Shamsul Shelim	For
Councillor Amy Tisi	For
Councillor Neil Knowles	For
Councillor Wisdom Da Costa	Against
Councillor Jon Davey	For
<b>Carried</b>	

**RESOLVED:** That the application was permitted, with the conditions outlined in the main report.

The Committee were addressed by two speakers. Nick Warner, objector, and Clare Johnson, applicant.

PLANNING APPEALS RECEIVED AND PLANNING DECISION REPORT

The Committee noted the planning appeals received and the planning decision report.

The meeting, which began at 7.00 pm, finished at 8.00 pm

CHAIRMAN.....

DATE.....

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### PLANNING COMMITTEE

#### DEVELOPMENT CONTROL PANEL

1 June 2022

Item: 1

<b>Application No.:</b>	21/03347/FULL
<b>Location:</b>	Linthorpe Fireball Hill Sunningdale Ascot SL5 9PJ
<b>Proposal:</b>	x2 new dwellings with detached garage and vehicular entrance gates, following demolition of existing dwelling and garage.
<b>Applicant:</b>	Mr And Mrs Butler
<b>Agent:</b>	Mr Warren Joseph
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale And Cheapside

**If you have a question about this report, please contact:** Zarreen Hadadi on 01628 796042 or at Zarreen.Hadadi@rbwm.gov.uk

#### 1. SUMMARY

- 1.1 The proposal is for the construction of two new dwellings with detached garages and vehicular entrance gates, following the demolition of the existing dwelling and garage. The proposal would result in the subdivision of the site at Linthorpe, Fireball Hill in Ascot to form two new dwellings on the land.
- 1.2 The development is considered to have overcome previous concerns under 21/01844/FULL which is currently being appealed and awaiting a decision from the Inspector. The four reasons for refusal included that the proposed subdivision by reason of the scale, layout and distance between the 2 dwellinghouses would result in a cramped form of development to the detriment of the character of the area, impact on trees, impact on ecology and harm to the SPA. Details of how these are considered to have been overcome are expanded on under Section 10 of this report.

**It is recommended the Committee grants planning permission on the satisfactory completion of an undertaking to secure the S106 for the carbon offset fund and SPA mitigation contributions in Section 10 of this report and subject to the conditions listed in section 15 of this report.**

#### 2. REASON FOR COMMITTEE 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 Committee as the application has been called in by Cllr Bateson due to concerns that the proposal is a slightly slimmed down version of the previous refused application 21/01844 and is contrary to Neighbourhood Policies DG2.1 and Policy DG2.2, that both plots show separate garages, positioned in front of the front building lines of both houses contrary to the Neighbourhood Plan Policy DG3.3 and a significant number of trees and groups of trees would be compromised by the development of these two houses.

### **3. THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site is located on Fireball Hill, within the secluded residential area of Sunningdale. The site is within an area defined within the Townscape Assessment as 'Villas in a Woodland Setting'.
- 3.2 The site comprises a detached dwelling set back from the front boundary. The existing dwellinghouse is located in the middle of the plot with a spacious garden around it which slopes away towards the rear and with a swimming pool. The dwelling has one access point to the driveway to the front and hardstanding which provides ample parking provision for at least 5 vehicles.

### **4. KEY CONSTRAINTS**

- 4.1 There are no planning constraints covering the site.

### **5. THE PROPOSAL**

- 5.1 The application is for the construction of two new dwellings with detached garages and vehicular entrance gates, following the demolition of the existing dwelling and garage. The proposed works would subdivide the plot with the existing vehicular access providing access for both plots.
- 5.2 Plot 1 would be located to the west of the site and plot 2 to the east. Each would have a detached triple garage to the front. Both dwellinghouses provide accommodation for 6 bedrooms with 4 storeys including the roof space and basement.
- 5.3 Since the refusal of the previous application 21/01844/FULL, the current application has been fully considered in terms of its impact on ecology. The scale has been reduced for both of the dwellings in terms of width, height and depth but with a similar form retained. The separating distance between the site as a result of the subdivision has increased from 4.5 to 8.89 metres.

### **6. RELEVANT PLANNING HISTORY**

- 6.1

Reference	Description	Decision
97/75359/FULL	Construction of new roof to existing dwelling and erection of part two storey / part single storey side and front extension.	Permitted 13.03.1997
21/01844/FULL	x2 new dwellings with detached garage and vehicular entrance gates, following demolition of existing dwelling and garage.	Refused 01.10.2021  Currently under Appeal

6.2 Application 21/01844/FULL was refused for the following reasons.

- i. The proposed subdivision by reason of the scale, layout and distance between the 2 dwellinghouses would result in a cramped form of development to the detriment of the character of the area defined as 'Villas in a Woodland Setting'. Accordingly, the proposed development conflicts with the requirements of national planning policy as contained within chapter 12 of the NPPF (February 2019), Local Plan Policies DG1, H10 and H11 and policies NP/DG1, NP/DG2 and NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan (2014).
- ii. The proposed construction of the 2 dwellinghouses would have a detrimental impact on trees within the site both directly and as a result of post development pruning pressures. These trees are important amenity features and their loss would have a detrimental impact on the visual amenity of the area. Accordingly, the proposal is contrary to policies NP/EN2.1, NP/EN2.2 and NP/EN3 of the Neighbourhood Plan and policies DG1 and N6 of the Local Plan.
- iii. No ecological information has been provided as part of this application. The site currently comprises a detached house and garden area. The surrounding garden may have features potentially suitable for use by protected species such as bats, badgers, reptiles or great crested newts that would be lost during the works and as such, there is a risk that the proposals may affect protected species. Therefore, a preliminary ecological appraisal will need to be provided before the application can be determined. No such surveys have been provided.
- iv. The proposal is likely to have a significant effect in combination with other plans and projects in the locality on the Thames Basin Heaths Special Protection Area [SPA] as designated under The Conservation (Natural Habitats, etc) Regulations, and which is also designated as a Site of Special Scientific Interest [SSSI]. This would arise through increased visitor and recreational pressure on Chobham Common, as a constituent part of the SPA, causing disturbance to three species of protected, ground-nesting birds that are present at the site. In the absence of an assessment to show no likely significant effect, including sufficient mitigation measures to overcome any such impact on the SPA, and in the absence of financial provision towards the Strategic Access

Management and Monitoring (SAMM) project and the provision of Suitable Alternative Natural Greenspace (SANG) noted in the Council's Thames Basin Heaths Special Protection Area SPD or satisfactory alternative provision, the likely adverse impact on the integrity of this European nature conservation site has not been overcome. The proposal is thus in conflict with the guidance and advice in the National Planning Policy Framework and the RBWM Thames Basin Heaths Special Protection Area SPD and fails to comply with policy NR4 of the Borough Local Plan Submission Version.

**7. DEVELOPMENT PLAN**

The main relevant policies are:

**7.1 Adopted Borough Local Plan**

Issue	Policy
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Thames Basin Heaths Special Protection Area	NR4
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2

**7.2 Adopted Ascot, Sunninghill and Sunningdale Neighbourhood Plan**

Issue	Policy
Good quality design	DG1, DG2, DG3
Trees/Gardens	EN2/EN3
Parking and Access	T1

**7.3 Adopted The South East Plan – Regional Spatial Strategy**

Issue	Policy
Thames Basin Heaths Special Protection Area	NRM6

**8. MATERIAL PLANNING CONSIDERATIONS**

## 8.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 12- Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

## 8.2 Supplementary Planning Documents

- RBWM Thames Basin Heath's SPA
- Borough Wide Design Guide

## 8.3 Other Local Strategies or Publications

Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment
- RBWM Parking Strategy
- Corporate Strategy
- Interim Sustainability Position Statement
- Environment and Climate Strategy

## 9. CONSULTATIONS CARRIED OUT

### 9.1 Comments from interested parties

19 occupiers were notified directly of the application. No letters were received supporting the application. 14 letters were received objecting to the application, summarised as:

	Comment	Where in the report this is considered
1.	Slight reduction, but still similar to previous refusal with overdevelopment of 2 houses on plot and densification of site from sub division, still with small gap between the dwellings would be more visible, out of keeping with the street scene and Villas in a Woodlands Setting.	See section 10 (ii)
2.	Concern over large scale of houses in terms of mass and height.	See section 10 (ii)
3.	If approved, would set a precedent for other plots in the vicinity. One replacement dwelling would be more in keeping.	See section 10 (ii)
4.	Concern over impact on trees which should be TPO'd, particularly on neighbour boundaries.	See section 10 (ii)

5.	No detailed information regarding Ecological Assessments, Bat surveys or Archaeological Assessments regarding the Roman Road.	See section 10 (v)
6.	Impact on privacy to neighbouring properties.	See section 10 (iii)
7.	Impact on noise and access from construction and development. A condition should be added to costs for repairs to the road from potential damage.	See section 10 (iii)

## 9.2 Consultees

Consultee	Comment	Where in the report this is considered
Ecology Officer	Subject to conditions regarding excavation, licence for development works affecting bats, external lighting scheme and biodiversity enhancements, there are no objections to this application on ecology grounds.	These would be recommended should full permission be granted.
Environmental Protection	Should planning permission be granted, the following conditions re. Construction Site Working Hours and Collection during Construction and Demolition and informatives re. smoke and dust control be attached to the consent notice.	It is not considered that these conditions would meet the relevant tests for planning conditions as they would not be necessary to make the development acceptable in planning terms. Suitable controls exist under environmental protection legislation.

## 9.3 Others (e.g. Parish and Amenity Groups)

Consultee	Comment	Where in the report this is considered
Parish Council	<ul style="list-style-type: none"> <li>i. Still results in a cramped form of development with insufficient gap in between for Villas in a Woodlands Setting character area</li> <li>ii. Concern over impact on trees.</li> <li>iii. Lack of ecology information and impact on SPA.</li> </ul>	<ul style="list-style-type: none"> <li>i. See section 10 (ii) for Impact to the character</li> <li>ii. See section 10 (ii) for Impact to trees</li> <li>iii. Ecology report was submitted and marked sensitive due to the contents - See section 10 (v) for Impact to ecology and SPA</li> </ul>



SPAЕ	<ul style="list-style-type: none"> <li>i. Cramped development which would compromise spacious character. Out of keeping in terms of footprint, separation, scale and bulk of the buildings.</li> <li>ii. Pressure to fell/prune trees along the boundaries with The Grange and Tingara, in terms of the root protection areas and the canopies of the trees.</li> </ul>	<ul style="list-style-type: none"> <li>i. See section 10 (ii) for Impact to the character</li> <li>ii. See section 10 (ii) for Impact to trees</li> </ul>
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## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Impact on Climate change and sustainability
- ii. Impact to the character and appearance of the area
- iii. Impact to neighbour amenity
- iv. Parking provision
- v. Impact on ecology and Thames Basin Heath SPA
- vi. Other material considerations

### i. **Impact on Climate change and sustainability**

10.2 The Climate Change Act 2008 (CCA2008) imposes a duty to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. Paragraphs 152 and 154 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate by contributing to a radical reduction in greenhouse gas emissions, minimise vulnerability and improve resistance, and support renewable and low carbon energy and associated infrastructure. In June 2019 RBWM declared an environment and climate emergency with aims to ensure the Borough will achieve net zero carbon emissions by 2050. In December 2020 the Council approved the Borough's Environment and Climate Strategy. These are material considerations in determining this application.

10.3 A Position Statement on Sustainability and Energy Efficient Design (March 2021) sets out the expectations of new development consistent with the sustainability guidance set out in the NPPF to help deliver on the national and local commitments to address climate change and the Environmental and Climate Strategy of RBWM. Furthermore, adopted Borough Local Plan policy SP2 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change.

10.4 There is a list of 7 criteria set out in the Interim Sustainability Position Statement and it needs to be demonstrated how the criteria are met by the proposed development. A Sustainability Statement has been submitted which would comply with the requirements set out in the Interim sustainability position statement including a commitment towards the Council's carbon off-set fund. A draft Unilateral Undertaking

has been submitted as part of the application to be secured prior to determination in the event planning permission is granted.

**ii. Impact to the character and appearance of the area**

*Background*

- 10.5 National Planning Policy Framework Section 12 (Achieving well-designed places) advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Newly adopted Borough Local Plan Policy QP3 states that new development will be expected to contribute towards achieving sustainable high-quality design in the Borough.
- 10.6 Neighbourhood Plan Policy NP/DG2 requires that new development should be similar in density, footprint, separation, scale and bulk to buildings in the surrounding area and to neighbouring properties. NP/DG3 states that all new development should demonstrate good quality design and respect the character and appearance of the surrounding area.
- 10.7 The Townscape Character Assessment identifies Fireball Hill as “Villas in a woodland setting’. The particular relevant characteristics are: extremely low density residential suburb, large villas set in large plots and gardens; building set back from winding roads; Mature trees and boundary hedges; quiet and essentially private in character.
- 10.8 Fireball Hill is a private road and the street scene is characterised by large detached two storey dwellings set within large spacious plots, with long gravel drives, resulting in the frontages being set back from the public realm. Front boundary treatment is formed by hedgerows with some brick work around the vehicular access points and gates. The built form within the street scene contains a variety of architectural styles. The remaining mature trees (notably Oak, Birch, Scot’s Pine and Holly) that once formed part of ‘Fireball Clump’ contributes to the densely wooded character in western parts of the area.

*Principle of development*

- 10.9 Principle 7.6 of the Borough wide design Guide states that ‘new development should reflect and integrate well with the spacing, heights, bulk, massing and building footprints of existing buildings, especially when these are local historic patterns.’
- 10.10 Plot 1 measures approximately 23 metres width at the plot frontage and plot 2 measures 27 metres. There are a variety of plot widths and depths within the vicinity. The plot opposite at Warwick House and other nearby plots at Inyanga and Pine Lodge have plot frontage widths of 26, 22 and 20 metres respectfully. As such, it is considered that the proposed plot widths are compatible with others in the immediate vicinity. In terms of depth, the proposed plots at approximately 86 metres are similar in depth to other properties on Fireball Hill.
- 10.11 A similar application for a subdivision of the plot under 13/03614/FULL at Fireball was allowed at appeal. The Inspector noted that Fireball Hill is characterised by a range of plot sizes and the created plots would still be larger than some others in the area. That particular site differs as it is set further back from the road and therefore has less visual impact in terms of public views from Fireball Hill.

- 10.12 The principle of sub-dividing the existing plot to create two new dwellinghouses is considered acceptable. This was accepted by officers under the previous application 21/01844/FULL.

#### *Scale and Layout*

- 10.13 The proposal would be set back from the public realm by approximately 26 metres at the closest access point for the dwellinghouse on plot 2. The front elevation of the proposed garages would range from 14 to 18 metres away from the front boundary of the site. The impact on the street scene would be minimal as there is a high level of screening on the front boundary. The existing access point would remain to serve both dwellings which reduces the impact on the street scene.
- 10.14 It is acknowledged that the current proposal has a materially reduced the scale compared to the previous refusal in terms of both dwelling's width, depth and height. Plot one has been reduced 2m and 2.2m in width either side, 0.9 depth and 0.4 height. Plot two has been reduced 2m and 0.6 m in width, 1.2m from the front and 0.6m from the back in depth and 0.5m height respectively. This can be seen more clearly on the proposed elevations which shows the red outlines for the previous proposals. Both dwellinghouses include space at basement, ground, first floor level and accommodation in the roof space totalling 6 bedrooms each. These reductions are considered to overcome previous concerns regarding the proposed scale of development on each plot
- 10.15 The proposed garages are set to the sides of their respective plots and therefore, whilst sited to the front of the proposed dwellinghouses would not appear prominent in the street scene, particularly in view of the mature boundary screening,
- 10.16 The separation distance between the dwellings on the 2 plots been increased significantly from 4.5 to 8.89 metres, such that coupled with the reduced scale of the proposed dwellinghouses, the development would now appear to be commensurate with the plot size within which they would sit and would better reflect other developments within the vicinity of the application site. This has improved the layout of the development, which is more in keeping with Villas in a Woodlands Setting character area within this part of Fireball Hill.

#### *Design*

- 10.17 The design is of a classical Georgian style which adopts many exterior features from this architectural period. Materials for both dwellings include stock brick, incorporating stone and contrasting detailing, with a clay plain tile or natural slate roof finish as stated in the Design and Access Statement. The overall design of the dwellings has been improved to not appear as visually obtrusive in terms of height and bulk when compared to the previously refused scheme.

#### *Impact on trees*

- 10.18 Borough Local Plan Policy NR3 states that Development proposals should carefully consider the individual and cumulative impact of proposed development on existing trees, woodlands and hedgerows, including those that make a particular contribution to the appearance of the streetscape and local character/distinctiveness. Policy NP/EN2 set out in Ascot, Sunninghill and Sunningdale Neighbourhood Plan places similar emphasis on the protection of important trees.

- 10.19 An Arboriculture Impact assessment and Arboricultural and Planning Integration Report has been submitted alongside the application. Although the site does not have active TPO trees, the trees do form a key characteristic of the site to the sides and rear, which is a mixture of Category B Oak and Scots Pine and 2 Category A Oak trees the front of the site. Due to the proximity of the proposed development to these trees, concerns were raised under the previous application regarding the long-term good health and longevity of the trees, arising from pressure to fell or prune from future occupiers.
- 10.20 The reduction in the proposal's scale, would result in less post development pruning pressures. This is no longer considered sufficient reason to justify a reason for refusal overall, given that the site is not covered by a TPO area.

#### *Conclusion*

- 10.21 In summary, the proposal has overcome concerns regarding the scale, layout and distance between the dwellinghouses which would result in an acceptable form of development. It would be compliant with Policies QP3 and NR3 of the adopted Borough Local Plan, Chapter 12 of the NPPF (2021) which aims to conserve and enhance the natural environment and to take account of the character of different areas and policies NP/DG1, NP/DG2 and NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan (2014).

#### **iii. Impact on neighbour amenity**

##### *Amenity of existing occupiers*

- 10.22 By virtue of the distance of the proposed dwellings from the nearest neighbouring properties at Tingara and Altyn House to the west and Kinloch House, Crofton Lodge and The Grange to the east, it is considered that the scheme would not have an adverse impact on the sunlight and daylight these properties currently receive. There is also a large amount of soft landscaping between these boundaries which would overcome any overlooking concerns, which is not significantly dissimilar to what is existing.

##### *Amenity of future occupiers*

- 10.23 By virtue of this distance and positioning, it is considered that any forward-facing windows are unlikely to result in significant overlooking or a loss of privacy to the resultant 2 dwellings. All side facing windows serve non habitable rooms so would cause limited overlooking concerns, which could be conditioned to be obscurely glazed should planning permission be granted.
- 10.24 The impact of future residents of the proposal would need to be assessed. Principle 8.4 of Borough design guide states that a Minimum standard/unit for outdoor amenity spaces facing predominantly north for 4+ bedroom dwelling is for 85 sqm. The proposal exceeds the minimum standards and is considered to have sufficient amenity space in the rear of the garden.

#### **iv. Parking provision and Highway Safety**

- 10.25 BLP Policy IF2 states that proposals should provide cycle and vehicle parking in accordance with the Parking SPD (or the parking standards set in Made Neighbourhood Plans if these are applicable), including disabled parking spaces,

motorcycle parking and cycle parking as well as provision of electric vehicle charging points where appropriate. Prior to adoption of the Parking SPD, the parking standards in the 2004 Parking Strategy will be used as a guide for determining the appropriate level of parking provision, with consideration also given to the accessibility of the site and any potential impacts associated with overspill parking in the local area.

- 10.26 The proposed dwellings would use the existing vehicular access point at the south of the site and create a driveway to serve both dwellings. Each dwelling would also have its own private driveway with new entrance gates.
- 10.27 Both of the plots would have 6 bedrooms with parking for 3 vehicles in the triple garages and with space in the front driveway in line with the RBWM parking standards.

**v. Ecology and impact on Thames Basin Heath SPA**

**vi.**

- 10.28 An ecological survey has been submitted as part of the application which has been marked as sensitive due to the nature of the content. The ecology report (Applied Ecology, June 2021) has been undertaken to an appropriate standard and details the results of a preliminary ecological appraisal (PEA) of the site, preliminary bat roost assessment (PRA) of the existing buildings, and further bat emergence surveys of the buildings. The Ecology Officer has been consulted and has no objections subject to conditions regarding excavation, licence for development works affecting bats, external lighting scheme and biodiversity enhancements, there are no objections to this application on ecology grounds.
- 10.29 The Thames Basin Heaths Special Protection Area (the SPA) was designated in 2005 to protect and manage the ecological structure and function of the area to sustain the nationally important breeding populations of three threatened bird species. The Council's Thames Basin Heaths SPD sets out the preferred approach to ensuring that new residential development provides adequate mitigation, which for residential developments of between one and nine additional housing units on sites located over 400 metres and up to 5 kilometres from the SPA, is based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision of Suitable Alternative Natural Greenspace (SANG). The application site is within this 0.4 - 5km buffer zone around the SPA.
- 10.30 The Council has an adopted Suitable Alternative Natural Greenspace (SANG), Allen's Field. Mitigation for the potential harm to the SPA through the addition of the proposed dwellinghouse is to be secured through a Section 106 agreement to be agreed prior to the determination of the planning application.

**vii. Other material considerations**

- 10.31 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.*

10.32 Footnote 7 of the NPPF (2021) 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..).'*

10.33 The Borough Local Plan has now been adopted and the Council have a 5 year Housing Land Supply. Development proposals therefore should be assessed in accordance with the Development Plan and other material considerations.

## **11. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

11.1 The application is liable for CIL as it creates an additional dwelling from the subdivision of the plot. The proposed GIA floorspace of the dwellings on plot 1 is 745.2 sqm and plot 2 is 788.6 sqm.

## **12. PLANNING BALANCE**

12.1 Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. The tilted balance should not be applied because the Council now has a 5 year Housing Land supply.

12.2 The report has outlined that the application is considered to be acceptable on grounds of impact on local character, existing and future neighbour occupiers, highways and parking implications, ecology and SPA.

12.3 The proposal would result in one new dwelling from the subdivision towards the provision of housing within the Borough. The addition of one new dwelling when the Council now has a 5 year Housing Land Supply is afforded limited weight as a benefit.

12.4 In respect of economic benefits, it is acknowledged that future residents of the development would make use of local services and spend in local shops. The scheme would also result in direct and indirect employment and create a demand for building supplies during the construction phase. These economic benefits are given limited weight in the planning balance.

12.5 The limited weight to housing provision and economic benefits is considered in addition to the scheme which is considered to be policy compliant.

## **13. CONCLUSION**

The proposal complies with the development plan. Planning permission is recommended to be granted.

## **14. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and site layout

- Appendix B – plan and elevation drawings

## 15. 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, including the front boundary treatment, 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 QP3.

- 3 No development (other than demolition) shall take place until a detailed plan showing the existing and proposed ground levels of the site together with the slab and ridge levels of the proposed development relative to a fixed datum point on adjoining land outside the application site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

Reason: In the interest of the visual amenities of the area. Relevant Policy QP3.

- 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 Policy IF2.

- 5 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 Policy IF2.

- 6 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 Policy NR3.

- 7 The development shall not be occupied until details of the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall then be implemented within the first planting season following the substantial completion of the development. 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 Policy QP3.

- 8 Any deep excavation shall either not be left open overnight or an escape ramp in the form of a scaffold plank shall be placed at a shallow angle to allow any trapped wildlife to exit the excavation. All areas of hedges, trees, scrub, or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with wildlife legislation.

- 9 No works hereby permitted (including demolition works) that could affect the bat roost shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy (or confirmation from Natural England that the site has been registered under class licence) has been submitted to the council. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and / or the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the council prior to commencement of works.

Reason: There is evidence that the house has hosted a bat roost which will be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely affected by the proposed development.

- 10 No development above slab level shall commence until a report detailing any new external lighting scheme, and how this will not adversely impact upon wildlife, has been submitted to and approved in writing by the LPA. The report (if external lighting is to be installed) 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, areas identified as being of importance for commuting and foraging bats, and locations of bird and bat boxes). The approved lighting plan shall thereafter be implemented as agreed.



Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.

- 11 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include integral bird and bat boxes (in addition to those provided as part of the bat licence agreement), tiles or bricks on the new buildings and native and wildlife friendly landscaping (including replacement trees, pollen-rich and fruit-bearing planting, and gaps at the bases of fences to allow hedgehogs to traverse through the gardens), shall be submitted to and approved in writing by the council. The biodiversity enhancements shall thereafter be installed as approved and a brief letter report confirming that the enhancements have been installed, including a simple plan showing their location and photographs of the enhancements in situ, is to be submitted to and approved in writing by the Council.

Reason: To incorporate biodiversity in and around developments in accordance with paragraph 175 of the NPPF.

- 12 The first floor windows in the side elevations of the dwellinghouses hereby approved shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies -Paragraph 127 of the NPPF.

- 13 No further windows shall be inserted at first floor level in the side elevations of the dwellinghouses hereby permitted.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Paragraph 127 of the NPPF.

- 14 No development shall take place in relation to the relevant part of the works until details of the design and materials to be used for the screens to the balconies hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies -Paragraph 127 of the NPPF.

- 15 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.

## 12. APPLICATION 21/03347/FULL - APPENDICES TO THIS REPORT

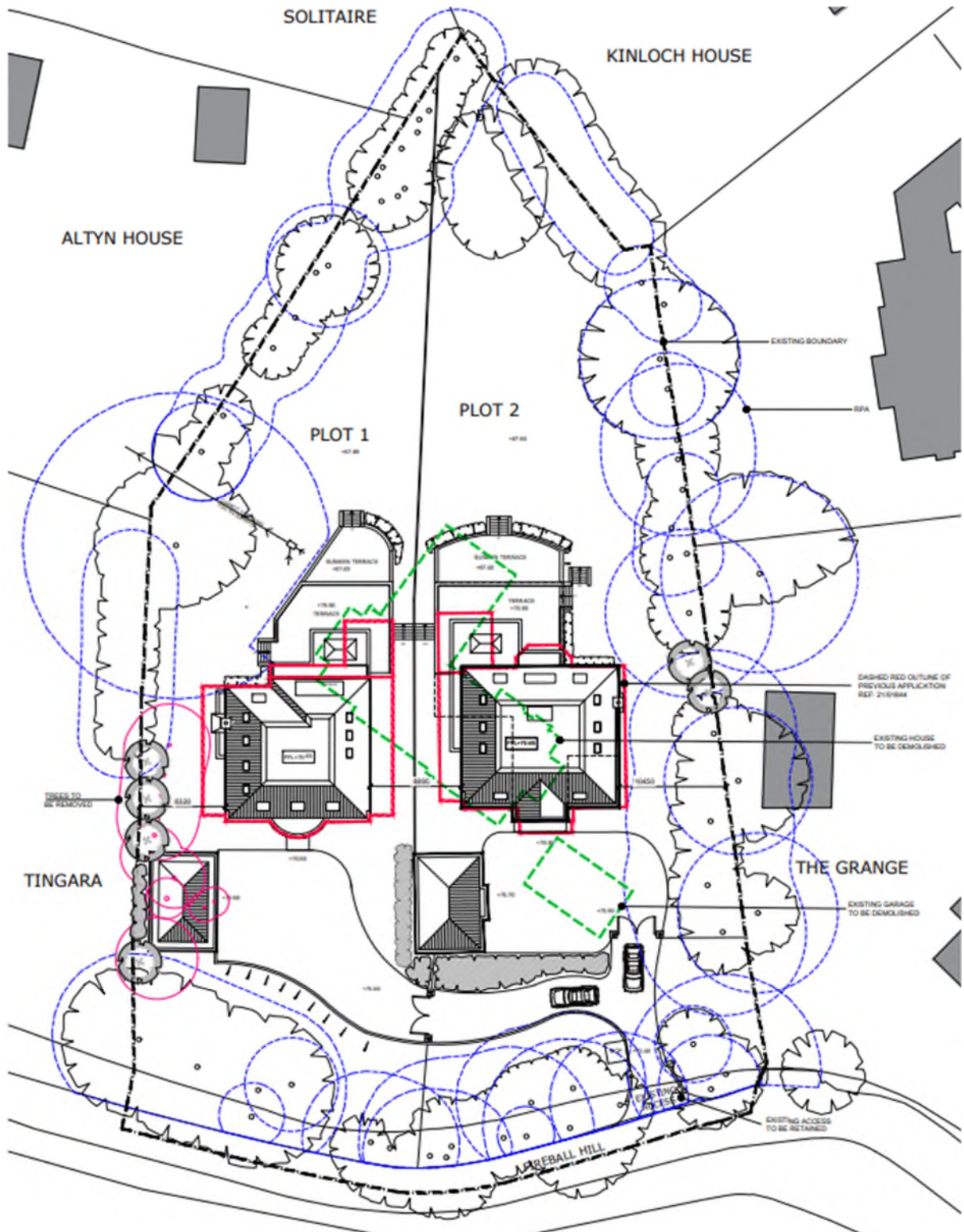
- Appendix A – Site Location Plan, Proposed Site Plans, Proposed Elevations
- Appendix B – Proposed Floor Plans, Site Sections, Entrance gates

### Appendix A Site Location Plan



# Proposed Site Plans







# Proposed Elevations

## Plot 1 Main dwelling



PLOT 1 FRONT ELEVATION



PLOT 1 FRONT ELEVATION



FRONT ELEVATION

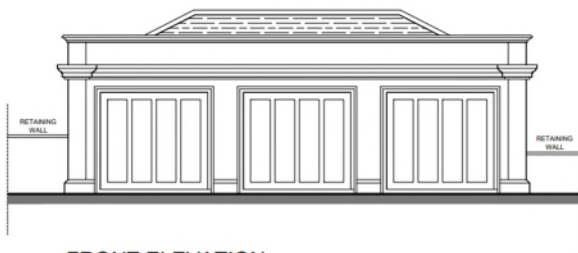


FLANK ELEVATION



SIDE ELEVATION

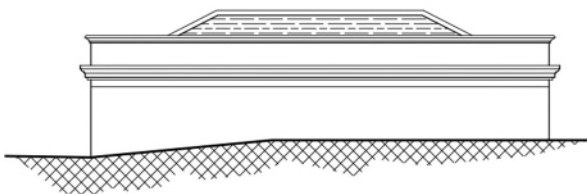
## Plot 1 Garage



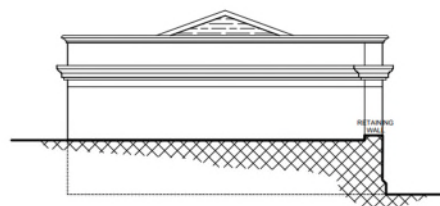
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

## Plot 2 Main dwelling



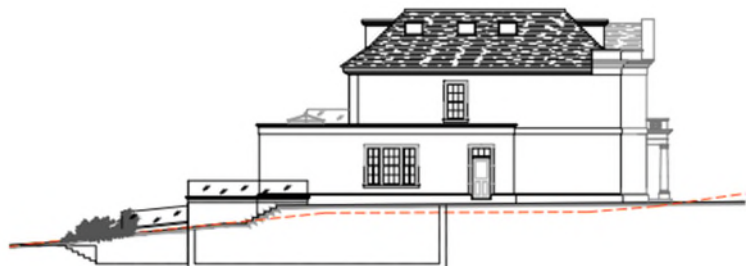
PLOT 2 FRONT ELEVATION



PLOT 2 FRONT ELEVATION



REAR ELEVATION

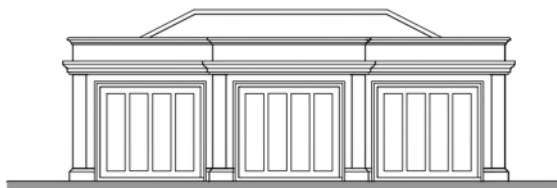


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SIDE ELEVATION

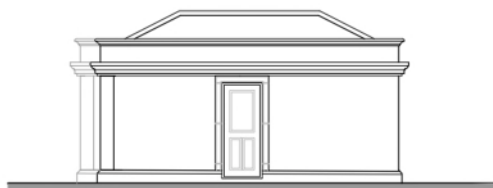
## Plot 2 Garage



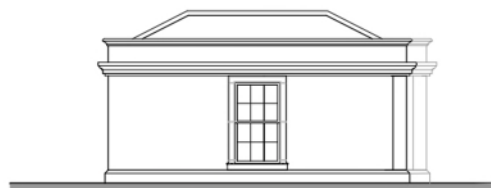
FRONT ELEVATION



REAR ELEVATION



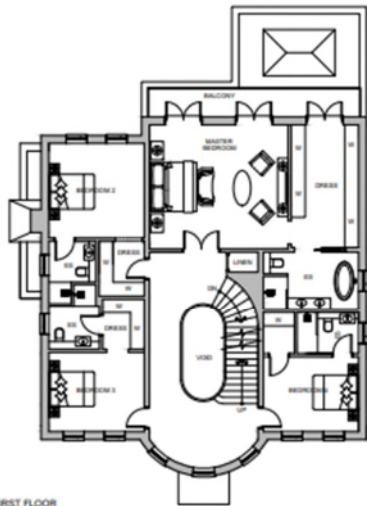
SIDE ELEVATION



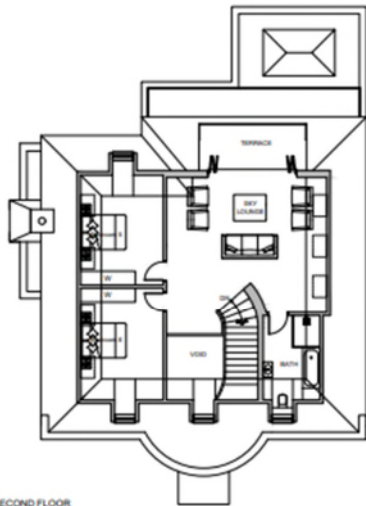
FLANK ELEVATION

**Appendix B**  
**Proposed Floor Plans**

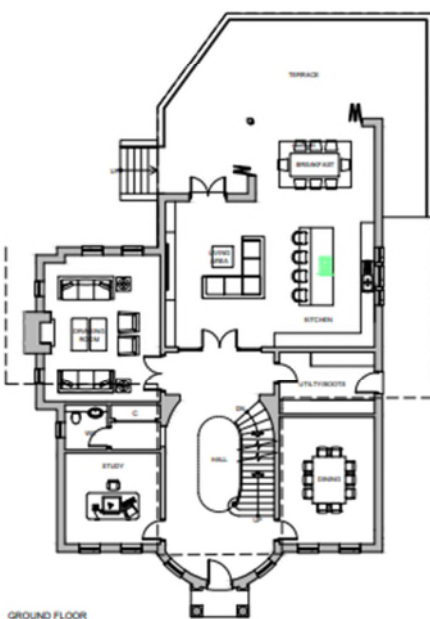
**Plot 1 Main dwelling**



FIRST FLOOR  
 (SA: 193.347 (2,028M<sup>2</sup>))



SECOND FLOOR  
 (SA: 194.347 (2,028M<sup>2</sup>))



GROUND FLOOR  
 (SA: 274.347 (2,928M<sup>2</sup>))

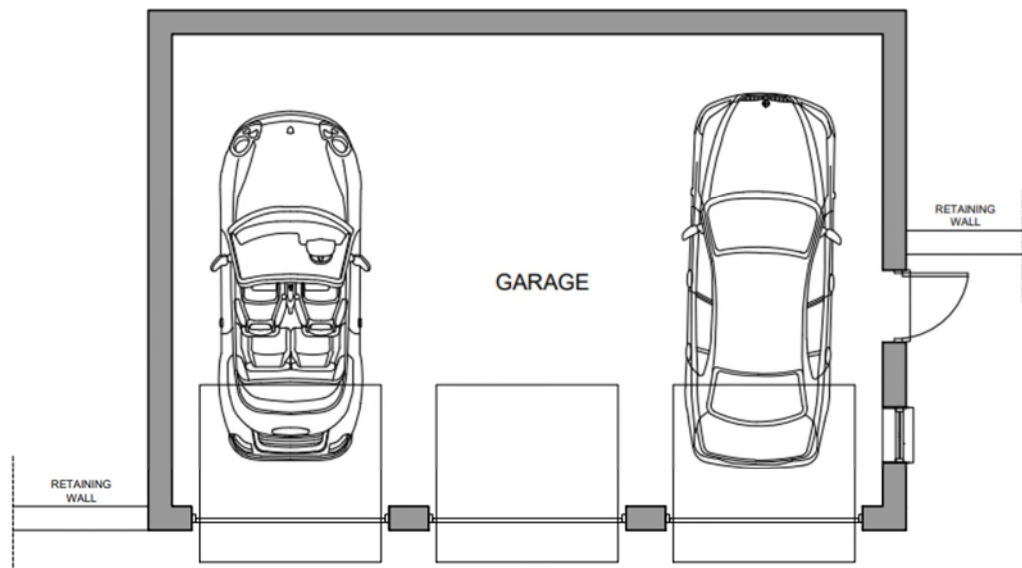
TOTAL SA: 762.347 (8,021M<sup>2</sup>)



BASEMENT  
 (SA: 244.347 (2,628M<sup>2</sup>))



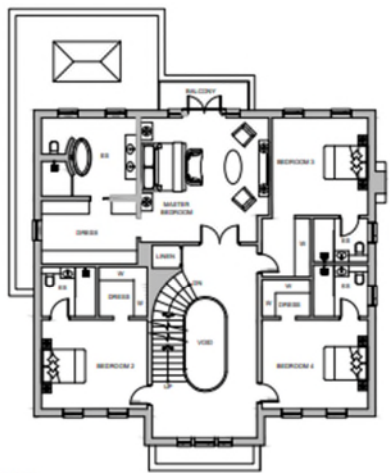
## Plot 1 garage



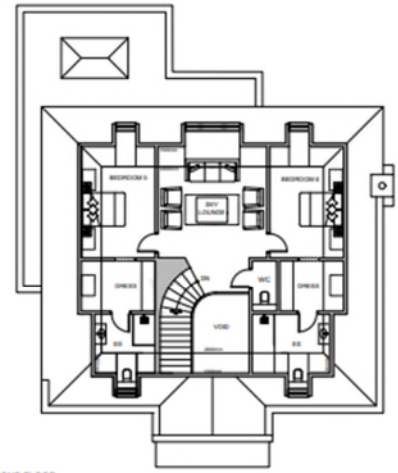
**GARAGE FLOOR PLAN**

GIA : 54m<sup>2</sup> (581ft<sup>2</sup>)

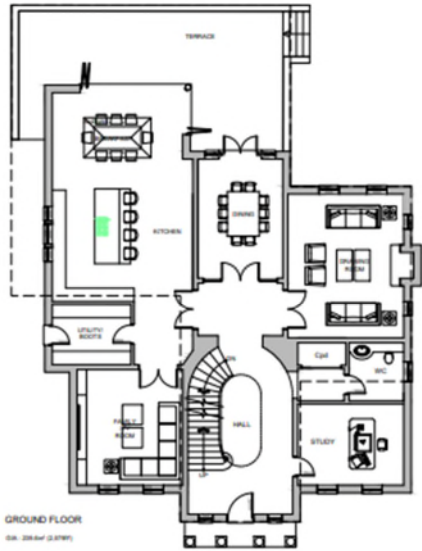
**Plot 2 Main dwelling**



FIRST FLOOR  
GA. 167.84' (2.1289)

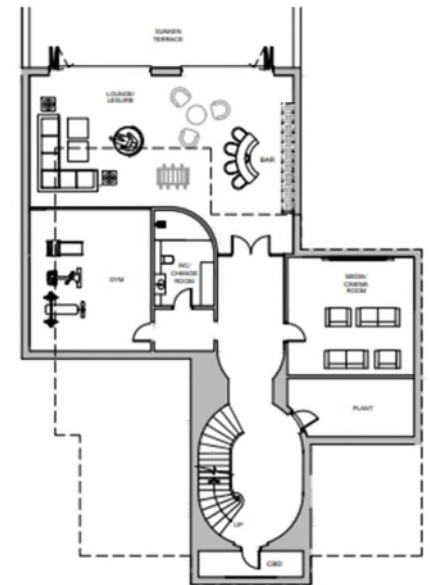


SECOND FLOOR  
GA. 174' (2.389)



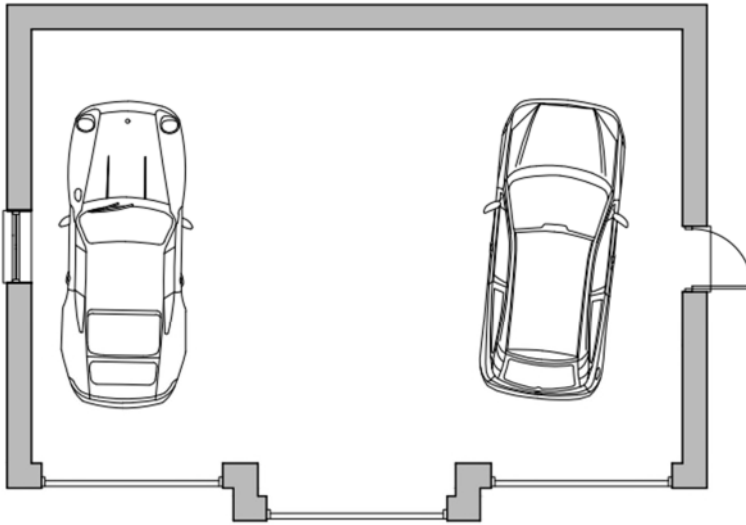
GROUND FLOOR  
GA. 228.84' (2.9781)

TOTAL GA. 769.84' (2.889)



BASEMENT  
GA. 229' (2.889)

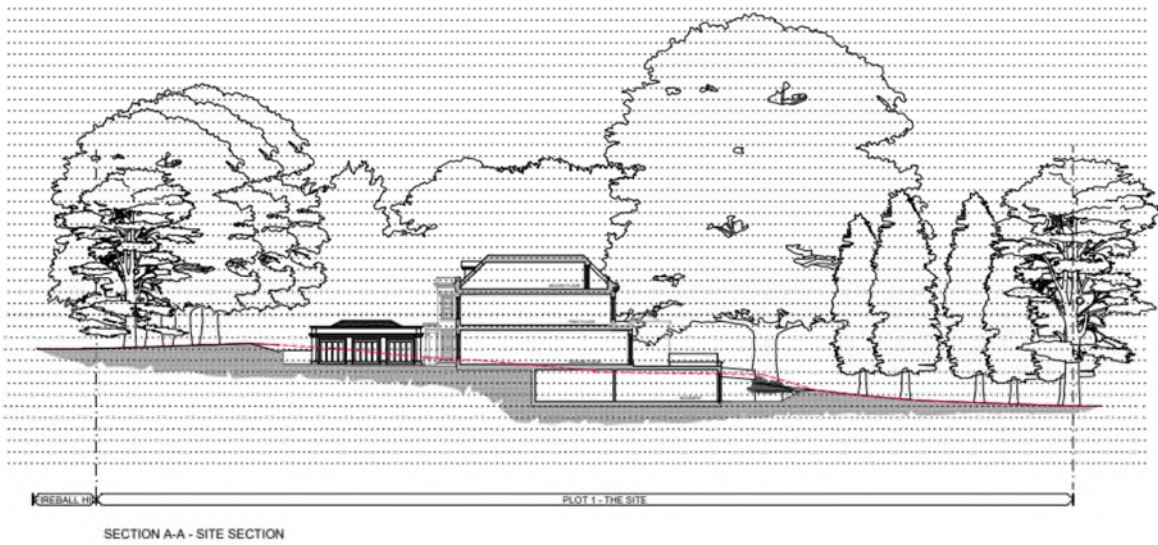
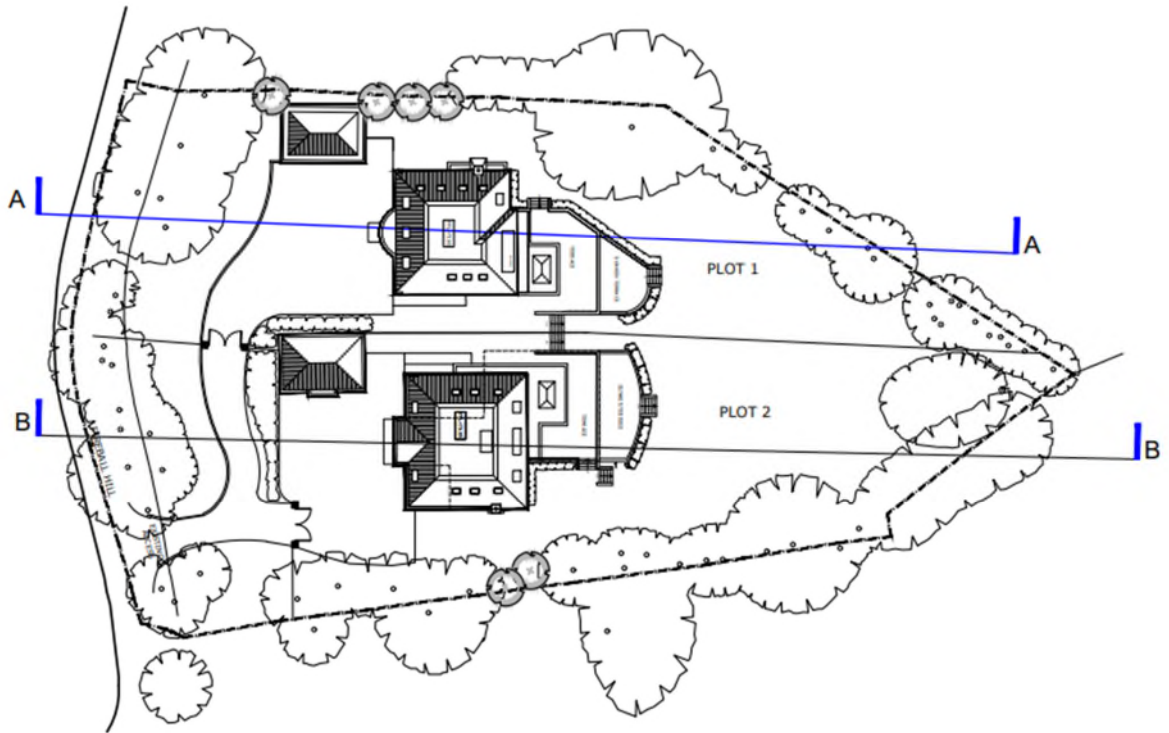
## Plot 2 Garage

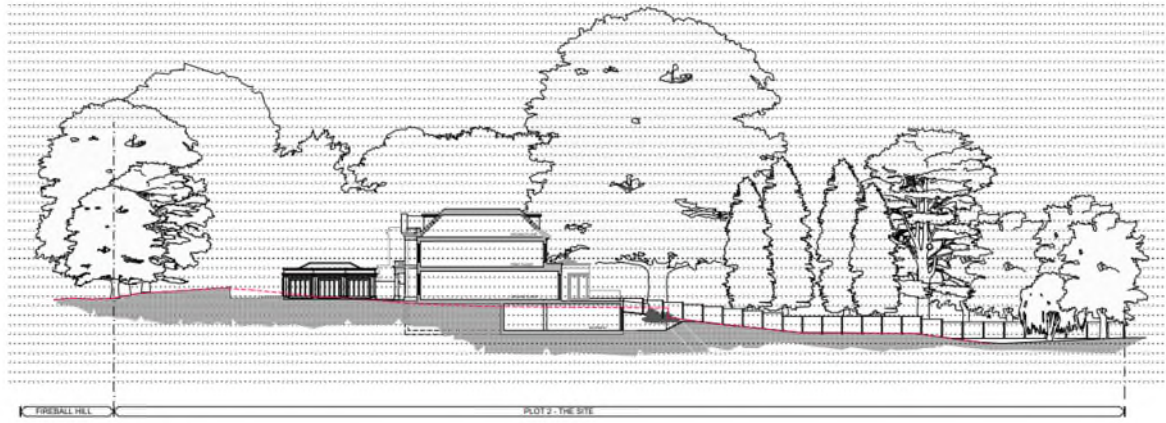


### GARAGE FLOOR PLAN

GIA : 55m<sup>2</sup> (592ft<sup>2</sup>)

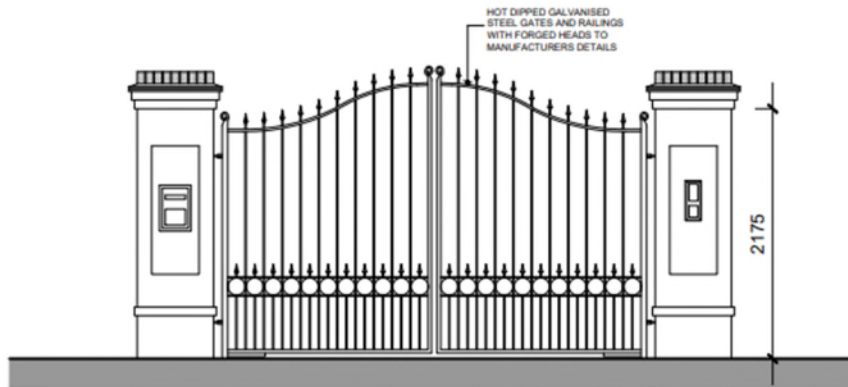
# Site Sections



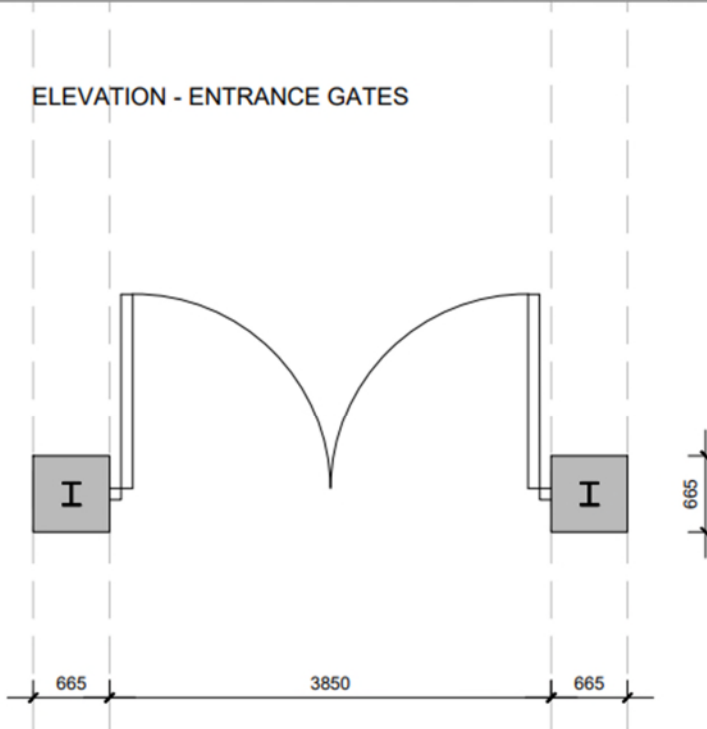


SECTION B-B - SITE SECTION

# Entrance gates



ELEVATION - ENTRANCE GATES



PLAN - ENTRANCE GATES

## DEVELOPMENT CONTROL PANEL

1 June 2022

Item: 2

<b>Application No.:</b>	21/03734/ADV
<b>Location:</b>	Land Adjacent To 1 Farm Yard Windsor
<b>Proposal:</b>	Consent to display 1no. internally illuminated double sided digitalized monolith sign.
<b>Applicant:</b>	Mr Golabek
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Windsor Unparished/Eton And Castle
<b>If you have a question about this report, please contact:</b> Edward Vaudin on or at <a href="mailto:edward.vaudin@rbwm.gov.uk">edward.vaudin@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.
- 1.2 The proposed development, by virtue of its design, would overall respect the character and appearance of the area and would not be detrimental to public safety.

**It is recommended the Panel grants advertisement consent with the conditions listed in Section 12 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- The case has been called in by Cllr Bowden due to the siting of the proposal within central Windsor, conservation and heritage area.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is within Windsor Town Centre Conservation Area, and located to the west side of Farm Yard, opposite Windsor and Eton Riverside Station.
- 3.2 The sign would be located on the opposite side of the road to the Windsor and Eton Riverside Railway Station, a Grade II Listed Building, and to the southeast (on the opposite side of Datchet Road) lies the Royal Oak public house, also a Grade II listed Building.

3.3 The proposed sign, from the submitted details, is shown to be located in close proximity to a tactile dropped kerb used by pedestrians crossing Farm Yard.

#### 4. KEY CONSTRAINTS

4.1 Windsor Area of Special Advert Control;  
Windsor Town Centre Conservation Area;  
Setting of the River Thames.

#### 5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.

5.2 Relevant planning history:

Reference	Description	Decision
17/00768/ADV	Consent to display one internally-illuminated double-sided monolith.	Permitted - 01.06.2018

#### 6. DEVELOPMENT PLAN

##### Adopted Borough Local Plan

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

Issue	Adopted Local Plan Policy
Character of the New Development	QP3
Highways	IF2
Historic Environment	HE1

#### 7. MATERIAL PLANNING CONSIDERATIONS

##### 7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development  
Section 4 – Decision-making  
Section 9 – Promoting Sustainable Transport  
Section 12 – Achieving well-designed places  
Section 16 – Conserving and enhancing the historic environment

##### 7.2 Other Local Strategies or Publications

- RBWM Townscape Assessment
- RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area
- RBWM Borough Wide Design Guide SPD 2020



## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 8.1 6 occupiers were notified directly of the application. The case officer posted a site notice on 14<sup>th</sup> March 2022 and the application was advertised in the local press on 3<sup>rd</sup> March 2022. No letters were received from those directly notified.

### Consultees

Consultee	Comment	Where in the report is this considered.
RBWM Conservation	On balance, I am of the view that the new signs will provide a positive benefit to visitors and so support the economy of the town. I consider that this would just outweigh the harm to the character and appearance of the conservation area, the town centre street scene and the significance of the conservation area.	Addressed in Section 9 below

### Others

Group	Comment	Where in the report is this considered.
Windsor and Eton Society	How can pre-application advice been given on this application over 7 years ago?	The date of pre-application advice is not relevant to the assessment of this application.
	Spelling mistakes on the application form.	Noted but not relevant to the assessment of the case
	RBWM website misleading with regard to listed buildings in proximity.	The “within 20m of a listed building” constraint is listed on the website as the sign is within 20m of a listed building.
	Detrimental impact on the setting of the surrounding listed buildings.	See paragraphs 9.10 to 9.16.
	No heritage impact statement submitted.	Whilst the submission of a heritage impact statement would have been supported, it is not required for

		advertisement consent.
	Contradiction of RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area which states that fully illuminated signs will not be accepted in Zone 3.	This is noted and addressed in paragraphs 9.10 to 9.16.
	Strong case that the structures should be considered development.	The structures are considered permitted development under Class A Part 12 Schedule 2 of the GPDO.
	Premature in light of the Windsor Vision not yet being developed or discussed.	Not relevant to the consideration of this application.

## 9. EXPLANATION OF RECOMMENDATION

- 9.1 This application is made on behalf of the Royal Borough of Windsor and Maidenhead – the Local Authority.
- 9.2 Class A, Part 12, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) stipulates that the erection of any small buildings, works, equipment, structures and infrastructure by the local authority are considered permitted development.
- 9.3 The proposed monolith would provide wayfinding services in the form of a map on the rear elevation and directions on the front elevation. As a structure to be erected by the local authority, it is considered to be permitted development as described above.
- 9.4 Notwithstanding the above, the proposed digital screen fitted to the monolith requires advertisement consent. As such, the following assessment is made in the interests of amenity and public safety as per The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 9.5 The key issues for consideration are:
- I. Public and highway safety;
  - II. Visual impact

### Issue I. Public and highway safety

- 9.6 The proposed advertisement would be sited on the west pavement of the Farm Yard / Datchet Road junction – adjacent to a dropped kerb with tactile paving serving as a pedestrian crossing to the Windsor and Eton Riverside Station.
- 9.7 The proposal is orientated such that the advertisement faces the junction. This orientation is such that it does not have any adverse impact on the sightline of the junction for drivers travelling on a north-eastward approach on Datchet Road. For

drivers travelling in the opposite direction on Datchet Road, the advertisement would not breach any traffic sightlines or pedestrian crossings. The proposal is setback from the junction such that the sightlines for drivers egressing from Farm Yard would not be obscured.

- 9.8 The proposal would be setback from the junction and well-distanced from any traffic signals such that it is not considered to create any confusion for drivers on Datchet Road or Farm Yard.
- 9.9 The proposal is positioned such that it does not inherently obstruct the desire line of pedestrians seeking to cross Farm Yard. However, given that the advertisement will be displayed facing the tactile pavement, there is potential for pedestrians engaging with the advert to cause obstructions, which could have an impact on the safety of the junction.

## **Issue II. Visual impact**

- 9.10 Policy QP3 of the Borough Local Plan states that new development will be expected to contribute towards achieving sustainable high quality design in the Borough.
- 9.11 Policy HE1 of the Borough Local Plan states that heritage assets are an irreplaceable resource and works which would cause harm to the significance of a heritage asset (whether designated or non-designated) or its setting, will not be permitted without a clear justification in accordance with legislation and national policy.
- 9.12 The site is located within the Windsor Town Centre Conservation Area, and is located within an area defined as Zone 2 by the Shopfronts and Advertisements in Windsor Town Centre Conservation Area. This states that within Zone 2, where a proposal falls outside the defined street areas, which is the case with the proposal, hanging and projecting signs may be illuminated either with strip lights or spots assessed on the merits of their design. Whilst the proposal is not a hanging or projecting sign, it is reasonable to apply the same principles to the acceptability of freestanding signs in the same area. However, this difference, as well as the significant age of the aforementioned document, will result in this having reduced weight in the assessment of this proposal.
- 9.13 The proposed advertisement, due to its size and method of illumination, would not accord with the Shopfront and Advertisements in Windsor Town Centre Conservation Area guidance.
- 9.14 It should be noted that advertisement consent has previously been granted by committee for an almost identical proposal in terms of design and siting (17/00768/ADV). This is a material consideration and weighs in favour of the application. Furthermore, a proposal for a similar sign (17/00769/ADV) to be located in a more sensitive position closer to Windsor Castle and within the environs of a Grade II Listed building was also permitted and is a material consideration in the determination of the current application. These proposals were approved on the basis that the adverts would have a neutral impact on the character of the Conservation Area, ensuring it would be preserved.
- 9.15 In light of the previous approvals, the RBWM Conservation officer consulted for this application gave no objections in principle. However, they did raise concerns regarding the proposed ventilation grills on the rear of the proposal, which lent to an industrial appearance. The Applicant has explained that the ventilation grills are required in order

to support the longevity of the proposed digital screen, given that the previously approved advertisements overheated after a short period.

- 9.16 Overall, due to their scale and illuminated nature, the proposals would result in some limited harm to the character of the Conservation Area. According to paragraph 202 of the NPPF, less than substantial harm to heritage assets must be weighed against the public benefits of the proposal (see below).

## **10. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 10.1 The development is not CIL liable.

## **11. PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposal to display one internally illuminated double sided digitalized monolith sign at this location would result in less than substantial harm to the character of the conservation area and the associated heritage assets within.
- 11.2 Paragraph 202 of the NPPF advises that in such cases, i.e. where there is less than substantial harm to the significance of heritage assets, the level of harm should be weighed against the public benefits of the proposals.
- 11.3 The proposals provide public benefit in the form of wayfinding, supporting visitors in navigating the town centre of Windsor. This is considered to outweigh the less than substantial harm to the character of the conservation area and associated heritage assets.
- 11.4 The display will be facing tactile paving, which if obstructed by visitors, could result in an impact on highway safety. This weighs against the proposal. However, the nature of the display and associated wayfinding is such that it is not anticipated to attract obstructive gatherings by design. As such, this impact is very limited in weight against the proposal.
- 11.5 Advertisement consent was previously granted for a monolith of a very similar design at this location, which amounts to substantial weight in favour of the proposal.
- 11.6 On balance, the proposals would bring public benefits that outweigh the impacts identified within this report. The proposals are therefore recommended for approval.

## **12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

- Reasons: 1 - 5 above: Conditions imposed by the above mentioned regulations.
- 6 The illuminated sign(s) shall be designed in accordance with the Local Planning Authority's requirements and in accordance with the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Engineers, 2005. Reason: In the interests of visual amenity. Relevant Policies - Borough Local Plan QP3

## 12. APPLICATION 21/03734/ADV - APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Site Plans
- Appendix C – Proposed Door Details

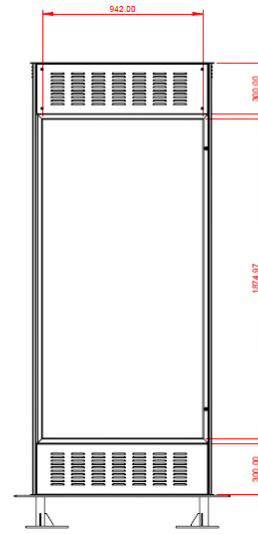
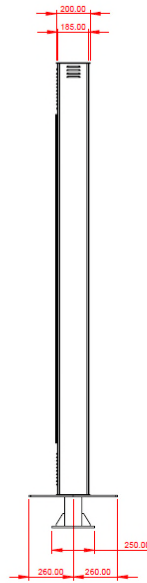
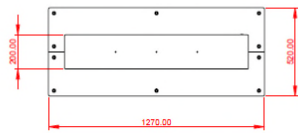
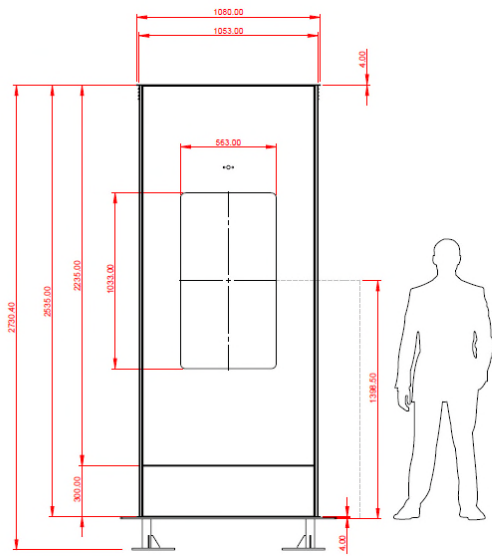
### Appendix A – Site Location Plan



**Appendix B – Proposed Site Plan**



# Appendix C – Proposed Door Details



A3

Landmark,  
2 Bourne Drive,  
Hertford  
SG13 7UB  
0838 128 3773  
www.madebylandmark.com





## DEVELOPMENT CONTROL PANEL

1 June 2022

Item: 3

<b>Application No.:</b>	21/03738/ADV
<b>Location:</b>	Land Adjacent 1 Thames Street Windsor
<b>Proposal:</b>	Consent to display 1no. internally illuminated double sided digitalized monolith sign.
<b>Applicant:</b>	Mr Golabek
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Windsor Unparished/Eton And Castle

**If you have a question about this report, please contact:** Edward Vaudin on or at [edward.vaudin@rbwm.gov.uk](mailto:edward.vaudin@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.
- 1.2 The proposed development, by virtue of its design, would overall respect the character and appearance of the area and would not be detrimental to public safety.

**It is recommended the Panel grants advertisement consent with the conditions listed in Section 13 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- The case has been called in by Cllr Bowden due to the siting of the proposal within central Windsor, conservation and heritage area.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The proposed siting of the advertisement is on the entrance to Jubilee Arch from Thames Street. It would be located approximately 2m south west of the bollards between Jubilee Arch and Thames Street.
- 3.2 The proposal would be viewed from Jubilee Arch against the backdrop of Windsor Castle.

### 4. KEY CONSTRAINTS

- 4.1 Windsor Area of Special Advert Control;  
Windsor Town Centre Conservation Area;  
Setting of the River Thames.

### 5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of

facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.

5.2 Relevant planning history:

Reference	Description	Decision
17/00769/ADV	Consent to display one internally-illuminated double-sided monolith.	Permitted - 01.06.2018

**6. DEVELOPMENT PLAN**

**Adopted Borough Local Plan**

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

Issue	Adopted Local Plan Policy
Character of the New Development	QP3
Highways	IF2
Historic Environment	HE1

**7. MATERIAL PLANNING CONSIDERATIONS**

**7.1 National Planning Policy Framework Sections (NPPF) (2021)**

Section 2 – Achieving sustainable development  
 Section 4 – Decision-making  
 Section 9 – Promoting Sustainable Transport  
 Section 12 – Achieving well-designed places  
 Section 16 – Conserving and enhancing the historic environment

**7.2 Other Local Strategies or Publications**

- RBWM Townscape Assessment
- RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area
- RBWM Borough Wide Design Guide SPD 2020

**8. CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

8.1 6 occupiers were notified directly of the application. The case officer posted a site notice on 14<sup>th</sup> March 2022 and the application was advertised in the local press on 3<sup>rd</sup> March 2022. No letters were received from those directly notified.

**Consultees**

<b>Consultee</b>	<b>Comment</b>	<b>Where in the report is this considered.</b>
RBWM Conservation	On balance, I am of the view that the new signs will provide a positive benefit to visitors and so support the economy of the town. I consider that this would just outweigh the harm to the character and appearance of the conservation area, the town centre street scene and the significance of the conservation area.	Referred to in Section 9 of report.

### Others

<b>Group</b>	<b>Comment</b>	<b>Where in the report is this considered.</b>
Windsor and Eton Society	How can pre-application advice been given on this application over 7 years ago?	The date of pre-application advice is not relevant to the assessment of this application.
	Spelling mistakes on the application form.	Noted but is not relevant to this assessment.
	RBWM website misleading with regard to listed buildings in proximity.	The “within 20m of a listed building” constraint is listed on the website as the sign is within 20m of a listed building.
	Detrimental impact on the setting of the surrounding listed buildings.	See paragraphs 9.10 to 9.16.
	No heritage impact statement submitted.	Whilst the submission of a heritage impact statement would have been supported, it is not required for advertisement consent.
	Contradiction of RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area which states that fully illuminated signs will not be accepted in Zone 3.	This is noted and addressed in paragraphs 9.10 to 9.16.
	Strong case that the structures should be considered development.	The structures are considered permitted development under Class A Part 12

		Schedule 2 of the GPDO.
	Premature in light of the Windsor Vision not yet being developed or discussed.	Not relevant to the consideration of this application.

## 9. EXPLANATION OF RECOMMENDATION

9.1 This application is made on behalf of the Royal Borough of Windsor and Maidenhead – the Local Authority.

9.2 Class A, Part 12, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) stipulates that the erection of any small buildings, works, equipment, structures and infrastructure by the local authority are considered permitted development.

9.3 The proposed monolith would provide wayfinding services in the form of a map on the rear elevation and directions on the front elevation. As a structure to be erected by the local authority, it is considered to be permitted development as described above.

9.4 Notwithstanding the above, the proposed digital screen fitted to the monolith requires advertisement consent. As such, the following assessment is made in the interests of amenity and public safety as per The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

9.5 The key issues for consideration are:

- I. Public and highway safety;
- II. Visual impact

### **Issue I. Public and highway safety**

9.6 The proposed advertisement would be sited approximately 2m south west of the bollards between Jubilee Arch and Thames Street.

9.7 The proposal would be setback from the road and is well-distanced from any traffic signals such that it is not considered to create any confusion for drivers on Thames Street. The proposal is positioned such that it does not inherently obstruct the desire line of pedestrians seeking to access or egress Jubilee Arch.

9.8 Overall, the proposal is not considered to result in any significant risk to public safety.

### **Issue II. Visual impact**

9.9 Policy QP3 of the Borough Local Plan states that new development will be expected to contribute towards achieving sustainable high quality design in the Borough.

9.10 Policy HE1 of the Borough Local Plan states that heritage assets are an irreplaceable resource and works which would cause harm to the significance of a heritage asset

(whether designated or non-designated) or its setting, will not be permitted without a clear justification in accordance with legislation and national policy.

- 9.11 The site is located within the Windsor Town Centre Conservation Area, and is located within an area defined as Zone 2 by the Shopfronts and Advertisements in Windsor Town Centre Conservation Area. This states that within Zone 2, where a proposal falls outside the defined street areas, which is the case with the proposal, hanging and projecting signs may be illuminated either with strip lights or spots assessed on the merits of their design. Whilst the proposal is not a hanging or projecting sign, it is reasonable to apply the same principles to the acceptability of freestanding signs in the same area. However, this difference, as well as the significant age of the aforementioned document, will result in this having reduced weight in the assessment of this proposal.
- 9.12 The proposed advertisement, due to its size and method of illumination, would not accord with the Shopfront and Advertisements in Windsor Town Centre Conservation Area guidance.
- 9.13 It should be noted that advertisement consent has previously been granted by committee for an almost identical proposal in terms of design and siting (17/00769/ADV). The proposal was approved on the basis that it would have a neutral impact on the character of the Conservation Area, ensuring it would be preserved.
- 9.14 In light of the previous approval, the RBWM Conservation officer consulted for this application gave no objections in principle. However, they did raise concerns regarding the proposed ventilation grills on the rear of the proposal, which lent to an industrial appearance. The Applicant has explained that the ventilation grills are required in order to support the longevity of the proposed digital screen, given that the previously approved advertisements overheated after a short period. The advertisement itself it to be facing away from Windsor Castle.
- 9.15 Overall, due to their scale and illuminated nature, the proposals would result in some limited harm to the character of the Conservation Area. According to paragraph 202 of the NPPF, less than substantial harm to heritage assets must be weighed against the public benefits of the proposal (see below).

## **10. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 10.1 The development is not CIL liable.

## **11. PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposal to display one internally illuminated double sided digitalized monolith sign at this location would result in less than substantial harm to the character of the conservation area and the associated heritage assets within.
- 11.2 Paragraph 202 of the NPPF advises that in such cases, i.e. where there is less than substantial harm to the significance of heritage assets, the level of harm should be weighed against the public benefits of the proposals.
- 11.3 The proposals provide public benefit in the form of wayfinding, supporting visitors in navigating the town centre of Windsor. This is considered to outweigh the less than

substantial harm to the character of the conservation area and associated heritage assets.

- 11.4 Advertisement consent was previously granted for a monolith of a very similar design at this location, which amounts to substantial weight in favour of the proposal.
- 11.5 On balance, the proposals would bring public benefits that outweigh the impacts identified within this report. The proposals are therefore recommended for approval.

## **12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).  
Reasons: 1 - 5 above: Conditions imposed by the above mentioned regulations.
- 6 The illuminated sign(s) shall be designed in accordance with the Local Planning Authority's requirements and in accordance with the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Engineers, 2005. Reason: In the interests of visual amenity. Relevant Policies - Borough Local Plan QP3

## 12. APPLICATION 21/03738/ADV - APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan
- Appendix B – Proposed Site Plans
- Appendix C – Proposed Door Details

### Appendix A – Site Location Plan

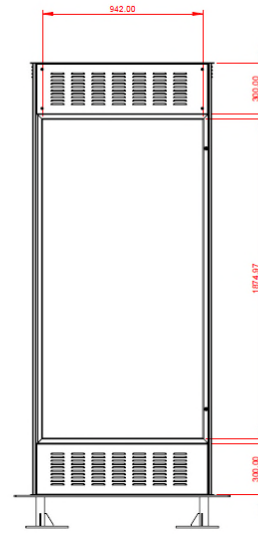
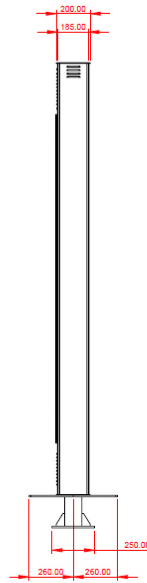
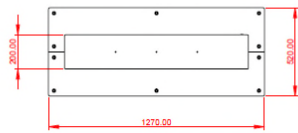
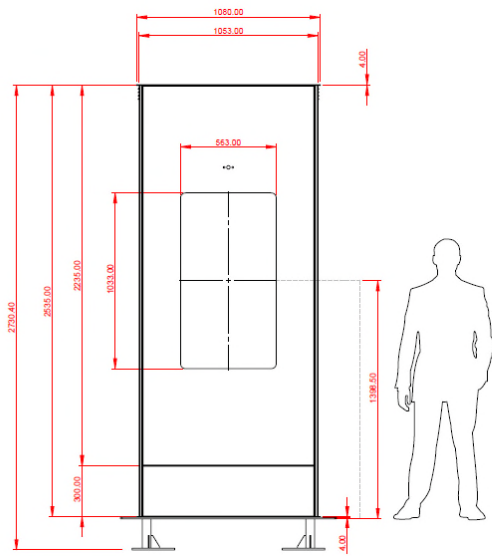


## Appendix B – Proposed Site Plan





# Appendix C – Proposed Door Details



A3

Landmark,  
2 Bourne Drive,  
Hertford  
SG13 7UB  
0838 128 3773  
www.madebylandmark.com



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## DEVELOPMENT CONTROL PANEL

1 June 2022

Item: 4

<b>Application No.:</b>	21/03739/ADV
<b>Location:</b>	Land Adjacent To Piara of Windsor Garden Cafe Alexandra Gardens Coach Park Goswell Road Windsor
<b>Proposal:</b>	Consent to display 1no. internally illuminated double sided digitalized monolith sign.
<b>Applicant:</b>	Mr Golabek
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Windsor Unparished/Eton And Castle

**If you have a question about this report, please contact:** Edward Vaudin on or at [edward.vaudin@rbwm.gov.uk](mailto:edward.vaudin@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.
- 1.2 The proposed development, by virtue of its design, would overall respect the character and appearance of the area and would not be detrimental to highway safety.

**It is recommended the Panel grants advertisement consent with the conditions listed in Section 12 of this report.**

### 2. REASON FOR PANEL DETERMINATION

- The case has been called in by Cllr Bowden due to the siting of the proposal within central Windsor, conservation and heritage area.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The proposal is sited on the land adjacent to Windsor Garden Café, east of the Coach Park and south of Alexandra Gardens. The site lies approximately 50m west of Windsor Town Centre Conservation Area.

### 4. KEY CONSTRAINTS

- 4.1 Setting of the River Thames.

### 5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 This application seeks advertisement consent to display one internally illuminated double sided digitalized monolith sign. One side consists of a map for the purposes of facilitating street-level navigation by pedestrians. The other side consists of a 49 inch digital screen for advertisements.

### 6. DEVELOPMENT PLAN

## Adopted Borough Local Plan

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

Issue	Adopted Local Plan Policy
Character of the New Development	QP3
Highways	IF2

## 7. MATERIAL PLANNING CONSIDERATIONS

### 7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development  
Section 4 – Decision-making  
Section 9 – Promoting Sustainable Transport  
Section 12 – Achieving well-designed places

### 7.2 Other Local Strategies or Publications

- RBWM Townscape Assessment
- RBWM Borough Wide Design Guide SPD 2020

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

8.1 6 occupiers were notified directly of the application. The case officer posted a site notice on 14<sup>th</sup> March 2022 and the application was advertised in the local press on 3<sup>rd</sup> March 2022.

1 letter was received objecting to the application, summarised as:

Comments	Where in the report is this considered.
The sign would divert tourists away from neighbouring business.	This is not a material planning consideration.
The sign is huge and would dominate the area.	See paragraphs 9.10 – 9.13.

### Others

Group	Comment	Where in the report is this considered.
Windsor and Eton Society	How can pre-application advice been given on this application over 7 years ago?	The date of pre-application advice is not relevant to the assessment of this application.

	Spelling mistakes on the application form.	Noted but not material to the assessment of the application
	RBWM website misleading with regard to listed buildings in proximity.	Not relevant to this application that is outside the conservation area/listed buildings.
	Detrimental impact on the setting of the surrounding listed buildings.	Not relevant to this application that is outside the conservation area/listed buildings.
	No heritage impact statement submitted.	Whilst the submission of a heritage impact statement would have been supported, it is not required for advertisement consent.
	Contradiction of RBWM Shopfronts and Advertisements in Windsor Town Centre Conservation Area which states that fully illuminated signs will not be accepted in Zone 3.	Not relevant to this application that is outside the conservation area.
	Strong case that the structures should be considered development.	The structures are considered permitted development under Class A Part 12 Schedule 2 of the GPDO.
	Premature in light of the Windsor Vision not yet being developed or discussed.	Not relevant to the consideration of this application.

## 9. EXPLANATION OF RECOMMENDATION

- 9.1 This application is made on behalf of the Royal Borough of Windsor and Maidenhead – the Local Authority.
- 9.2 Class A, Part 12, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) stipulates that the erection of any small buildings, works, equipment, structures and infrastructure by the local authority are considered permitted development.
- 9.3 The proposed monolith would provide wayfinding services in the form of a map on the rear elevation and directions on the front elevation. As a structure to be erected by the local authority, it is considered to be permitted development as described above.

- 9.4 Notwithstanding the above, the proposed digital screen fitted to the monolith requires advertisement consent. As such, the following assessment is made in the interests of amenity and public safety as per The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 9.5 The key issues for consideration are:
- I. Public and highway safety;
  - II. Visual impact

#### **Issue I. Public and highway safety**

- 9.6 The proposed advertisement would be sited on the pedestrianised square, which provides access to perimeter shops and cafes as well as access to the coach park and Alexandra Gardens.
- 9.7 The proposal is not in proximity to any junctions or traffic signals. It is distanced approximately 3.4m from the kerb of the coach park pedestrian entrance and provides more than 3m of space either side of the monolith for pedestrian flow.
- 9.8 The illuminated advertisement portion of the proposed monolith is of a scale and siting that is not considered to unduly distract coach drivers manoeuvring in the coach park.
- 9.9 Overall, the proposal is not considered to result in any harmful impact on public nor highway safety.

#### **Issue II. Visual impact**

- 9.10 Policy QP3 of the Borough Local Plan states that new development will be expected to contribute towards achieving sustainable high quality design in the Borough.
- 9.11 The proposed monolith would be approximately 1m wide and 2.5m tall with a 0.5m by 1m digital screen displaying advertisements as subject to this application. The monolith would consist of a dark brown aluminium external structure with a gold/bronze base and glass panels to the rear.
- 9.12 The monolith itself is primarily to be erected for the purposes of wayfinding, providing a map of the locality on one side, with directions to locations of interest on the other, as well as the digital advertisement screen.
- 9.13 The proposed siting is within a square of small retail businesses with open frontages. The monolith would be sited approximately 50m from nearby Heritage assets (including the Conservation Area and listed buildings), with existing buildings and infrastructure occupying the intervening space such that the proposal would not give rise to any heritage harm. Overall, the monolith and screen within are of a scale and siting that would result in minimal visual impact on the character of the area.

### **10. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 10.1 The development is not CIL liable.

### **11. PLANNING BALANCE AND CONCLUSION**

- 11.1 The proposals are not considered to amount to any harmful impact on public safety but would not have a harmful visual impact on the public realm nor surrounding area.

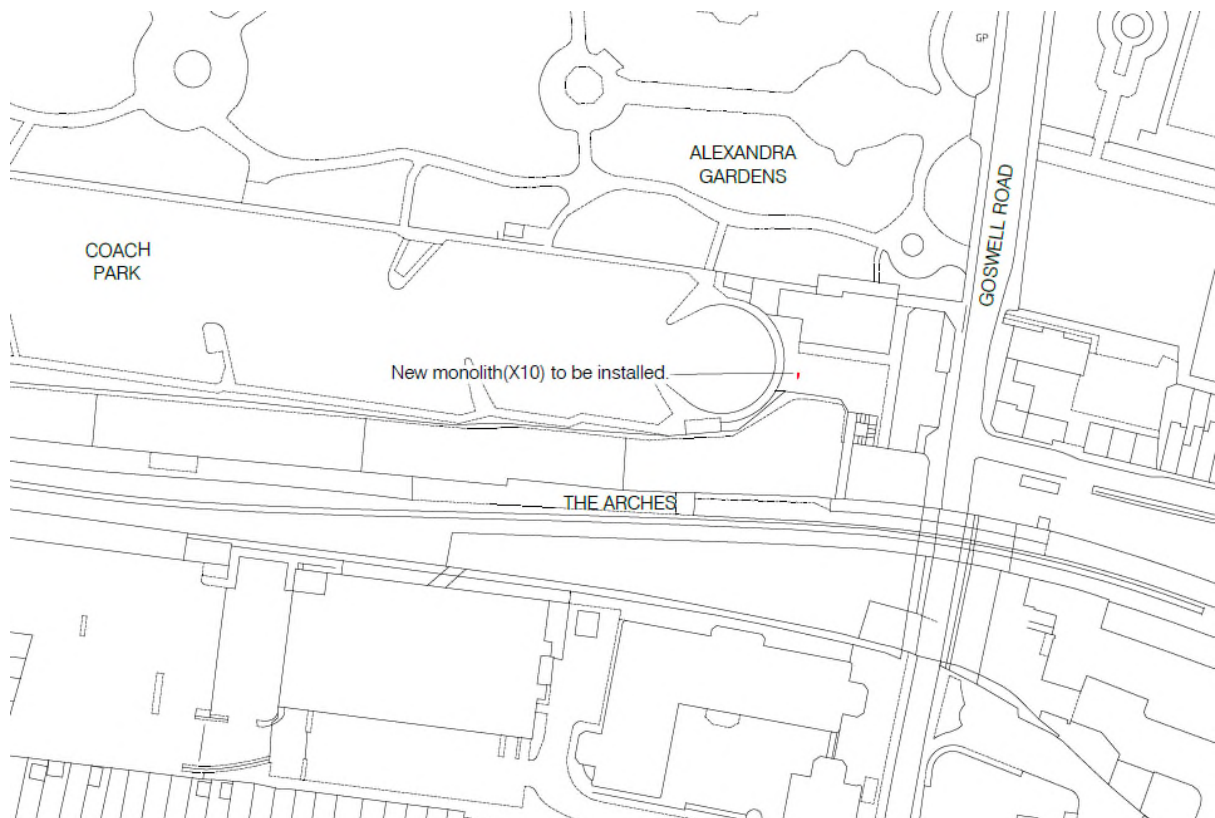
## 12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- 3 Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 4 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 5 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).  
Reasons: 1 - 5 above: Conditions imposed by the above mentioned regulations.
- 6 The illuminated sign(s) shall be designed in accordance with the Local Planning Authority's requirements and in accordance with the Guidance Notes for the Reduction of Obtrusive Light issued by the Institution of Lighting Engineers, 2005. Reason: In the interests of visual amenity. Relevant Policies - Borough Local Plan QP3

## 12. APPLICATION 21/03739/ADV - APPENDICES TO THIS REPORT

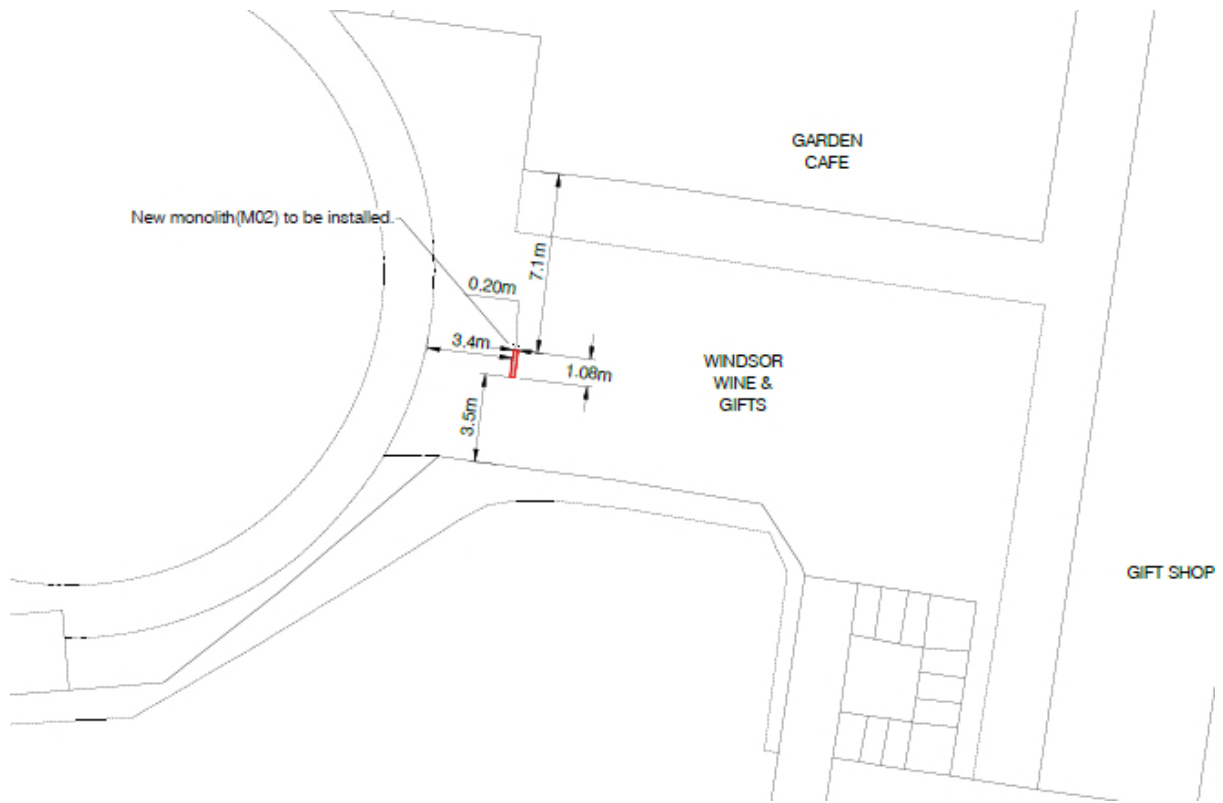
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### Appendix A – Site Location Plan

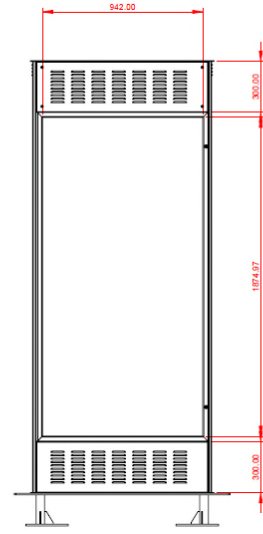
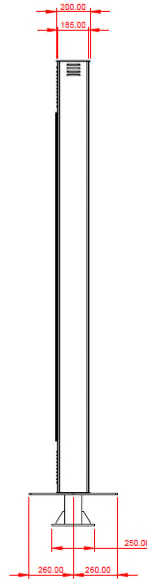
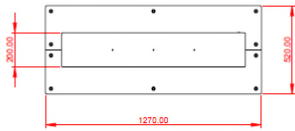
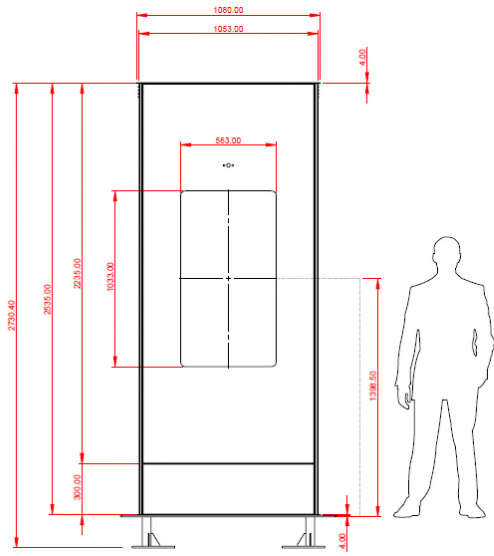




## Appendix B – Proposed Site Plan



# Appendix C – Proposed Door Details



A3

Landmark,  
2 Bourne Drive,  
Hertford  
SG13 7UB  
0838 128 3773  
www.madebylandmark.com



## Appeal Decision Report

23 April 2022 - 24 May 2022

### Windsor and Ascot

**Appeal Ref.:** 22/60006/REF      **Planning Ref.:** 21/01935/PDXL      **Plns Ref.:** APP/T0355/D/21/3283780

**Appellant:** Linda And Lisette Khalastchi **c/o Agent:** Mr Mark Berry JSA Architects Tavistock House Waltham Road Maidenhead SL6 3NH

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

**Description:** Single storey rear extension no greater than 8m in depth, 3m high with an eaves height of 3m.

**Location:** **Whiteladies Park Prince Albert Drive Ascot SL5 8AQ**

**Appeal Decision:** Dismissed      **Decision Date:** 26 April 2022

**Main Issue:** The Inspector concluded that the colonnades are not considered as a means of enclosure and would not be considered as a rear wall. The proposal would therefore extend over 8 metres beyond the original rear wall and would be contrary to A.1(g) of Schedule 2 Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal would also extend beyond a wall forming the side elevation and would be greater than half of the width of the original dwelling. The proposal is considered to be contrary to A.1(j) of Schedule 2 Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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**Appeal Ref.:** 22/60010/REF      **Planning Ref.:** 21/01843/FULL      **Plns Ref.:** APP/T0355/W/21/3283935

**Appellant:** Littlefields Ltd **c/o Agent:** Mr Neil Davis Davis Planning Ltd 19 Woodlands Avenue Wokingham Berkshire RG41 3HL

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

**Description:** Replacement roof with raised ridge, x5 front dormers and x6 rear dormers to create x4 one bedroom apartments with bin and bicycle storage.

**Location:** **MSL House 5 - 7 High Street Sunninghill Ascot**

**Appeal Decision:** Dismissed      **Decision Date:** 25 April 2022

**Main Issue:** The proposal would preserve the character and appearance of the area and would not conflict with policy QP3 of the Borough Local Plan 2022 or Policies NP/DG1, NP2/DG2 and NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2014 or Principles 7.6 and 7.7 of the Borough Wide Design Guide Supplementary Planning Documents 2020. The proposal conflicts with climate change policy SP2. Given the requirements of the Interim Sustainability Position Statement 2021 a condition would not be an appropriate mechanism to secure full compliance. The proposal is not supported by the necessary planning obligations or other detailed reporting and it cannot be concluded that there would be an acceptable effect on climate change. The proposal would conflict with Policy SP2 and supporting material considerations therein.

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**Appeal Ref.:** 22/60024/ENF      **Enforcement Ref.:** 21/50098/ENF      **Plns Ref.:** APP/T0355/F/22/3293626

**Appellant:** Y & F Plus Ltd **c/o Agent:** Miss Abigail Frost Walsingham Planning Bourne House Cores End Road Bourne End SL8 5AR

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

**Description:** Appeal against the Enforcement Notice: Without listed building consent, extensive works to listed building.

**Location:** **Nell Gwynn Chinese Restaurant 6 Church Street Windsor SL4 1PE**

**Appeal Decision:** Withdrawn      **Decision Date:** 5 May 2022

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**Appeal Ref.:** 22/60029/REF      **Planning Ref.:** 21/00477/FULL      **Plns Ref.:** APP/T0355/W/21  
/3288610

**Appellant:** Ministry of Justice c/o **Agent:** Miss Claire Pegg Cushman & Wakefield 1 Marsden Street Manchester  
M2 1HW

**Decision Type:** Committee      **Officer Recommendation:** Application  
Permitted

**Description:** Demolition of the existing garages and replacement with a single storey front extension to provide  
3 no. bedrooms, new enclosed covered walkway, solar panels, alterations to fenestration, cycle  
storage and associated works.

**Location:** **Manor Lodge Probation Hostel 8 Straight Road Old Windsor Windsor SL4 2RL**

**Appeal Decision:** Allowed      **Decision Date:** 19 May 2022

**Main Issue:** The Inspector considered that the proposed development would help meet the Government's need  
for additional Approved Premises bedspaces. The Inspector was satisfied that the modest increase  
to bedspaces would not materially affect the safety, nor perceived safety, of the local area, with  
particular regard to crime, disorder and antisocial behaviour. The Inspector considered that the  
solar panels would not lead to an unacceptable impact on the amenity of neighbouring occupiers,  
with regard to overshadowing, loss of light and/or any overbearing impact. The Inspector was also  
satisfied that the proposed development would preserve the setting of nearby Listed Buildings.

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## Planning Appeals Received

23 April 2022 - 24 May 2022

### 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 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:** Datchet Parish

**Appeal Ref.:** 22/60043/REF      **Planning Ref.:** 21/02584/FULL      **PIns Ref.:** APP/T0355/W/22/3291223

**Date Received:** 24 May 2022      **Comments Due:** 28 June 2022

**Type:** Refusal      **Appeal Type:** Written Representation

**Description:** New shopfront with roller shutters and signage. (Retrospective).

**Location:** 10B - 10C High Street Datchet Slough

**Appellant:** Mr Uday Thangarajah **c/o Agent:** Ms Nicola Broderick NMB Planning Ltd 10 Church Road Alderton TEWKESBURY GL20 8NR