

NOTICE
OF
MEETING

**WINDSOR AND ASCOT DEVELOPMENT
MANAGEMENT COMMITTEE**

will meet on

Wednesday 5 April 2023

At 7.00 pm

In the

Grey Room - York House - Windsor, and on [RBWM YouTube](#)

To: Members of the Windsor and Ascot Development Management Committee

Councillors David Cannon (Chairman), Sayonara Luxton (Vice-Chairman),
Shamsul Shelim, Gary Muir, David Hilton, Amy Tisi, Ewan Larcombe, Wisdom Da Costa
and Jon Davey

Substitute Members

Councillors John Bowden, Julian Sharpe, Helen Price, Carole Da Costa, John Story,
Karen Davies, Samantha Rayner, David Coppinger and Neil Knowles

Kirsty Hunt, Service Lead – Electoral & Democratic Services - Issued: 28 March 2023

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Democratic Services Officer **Becky Oates** Becky.Oates@RBWM.gov.uk

Recording of Meetings – In line with the council's commitment to transparency the Part I (public) section of the 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 a Legal representative prior to the meeting.

AGENDA

Part I

<u>Item</u>	<u>Subject</u>	<u>Page No</u>
1.	<p><u>Apologies for Absence</u></p> <p>To receive any apologies for absence.</p>	-
2.	<p><u>Declarations of Interest</u></p> <p>To receive any declarations of interest.</p>	5 - 8
3.	<p><u>Minutes</u></p> <p>To approve the minutes of the meeting held on 1 March 2023 as a true and accurate record.</p>	9 - 12
4.	<p><u>22/02893/FULL - Windsor Yards Kind Edward Court Windsor</u></p> <p>PROPOSAL: Partial redevelopment of site, including limited demolition, to provide a mix of town centre uses: The Southern Development site will provide an office building, including cycle parking, and associated end of journey facilities, and an aparthotel with retail uses at ground level. The Central Development Site provides new access cores and an additional residential unit. The Eastern Development Site includes a cinema and 8 no. residential units. The Travelodge Site provides two additional floors of guest rooms and a new entrance foyer. The Car Park Site – two additional half levels of parking will be added along with the reconfiguration of the lower levels to provide plant accommodation and other services. Public realm soft and hard landscape improvements are proposed to Goswell Hill and Bridgewater Way, along with green roofs.</p> <p>RECOMMENDATION: Permit</p> <p>APPLICANT: UREF LP</p> <p>MEMBER CALL-IN: N/A</p> <p>EXPIRY DATE: 25 January 2023</p>	13 - 80
5.	<p><u>22/02990/FULL - 119 - 120 High Street Eton Windsor SL4 6AN</u></p> <p>PROPOSAL: Three storey rear extension and new third floor.</p> <p>RECOMMENDATION: Refuse</p> <p>APPLICANT: Mr Pryer</p> <p>MEMBER CALL-IN: Cllr Samantha Rayner</p> <p>EXPIRY DATE: 6 April 2023</p>	81 - 96

6.	<u>22/03413/PIP - Land Adj 25 The Drive Wraysbury Staines TW19 5ES</u>	97 - 112
	PROPOSAL: Construction of 3no. detached dwellings	
	RECOMMENDATION: Refuse	
	APPLICANT: Mr Fowles	
	MEMBER CALL-IN: Cllr Gary Muir	
	EXPIRY DATE: 8 February 2023	
7.	<u>Planning Appeals Received and Planning Decision Report</u>	113 - 114
	Committee 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 Background Papers that have been relied on to a material extent in the formulation of the report and recommendation.

The 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 within the report, 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, The National Planning Policy Framework, National Planning Practice Guidance, National Planning Circulars, 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 within the report.

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:

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

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, or a body included under Other Registerable Interests in Table 2 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 financial interest or well-being of a body included under Other Registerable Interests as set out in Table 2 (as set out above and in 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 (referred to in the paragraph above) **affects** the 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 1 MARCH 2023

Present: Councillors David Cannon (Chairman), Sayonara Luxton (Vice-Chairman), Shamsul Shelim, David Hilton, Amy Tisi, Ewan Larcombe, Jon Davey, Julian Sharpe and Carole Da Costa

In attendance: Councillor John Bowden

In attendance virtually: Councillors Wisdom Da Costa and Phil Haseler

Officers: Becky Oates, Sian Saadeh, Jo Richards, Claire Pugh and Alison Long

Officers in attendance virtually: Jane Cryer

Apologies for Absence

Apologies were received from Councillors Wisdom Da Costa and Muir, with Councillors Carole Da Costa and Sharpe substituting respectively.

Declarations of Interest

Councillor Tisi declared that in the interest of transparency, she had campaigned against development on the site of application 22/01354/OUT prior to being elected. She came to the meeting with an open mind.

Councillor Davey declared that he had called-in application 22/00715/FULL, but came to the meeting with an open mind.

Councillor Carole Da Costa declared that her husband, Councillor Wisdom Da Costa, was speaking in objection to application 21/01354/OUT, but came to the meeting with an open mind.

Minutes

AGREED UNANIMOUSLY: That the minutes of the meeting held on 4 January 2023 be approved as a true and accurate record.

21/02263/FULL - Courtleigh Manor House and Courtleigh House Lady Margaret Road Sunningdale Ascot

The Committee was addressed by Ramin Showghi, objector, Sunningdale Parish Councillor Yvonne Jacklin, and Lucy Anderson on behalf of the applicant.

A motion was proposed by Councillor Hilton to refuse the application on account of its footprint, scale and position and that it constituted poor design. This motion was seconded by Councillor Luxton.

A named vote was taken.

21/02263/FULL - Courtleigh Manor House and Courtleigh House Lady Margaret Road Sunningdale Ascot (Motion)	
Councillor David Cannon	For
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor David Hilton	For
Councillor Amy Tisi	For
Councillor Ewan Larcombe	For
Councillor Jon Davey	For
Councillor Julian Sharpe	For
Councillor Carole Da Costa	Abstain
Carried	

The result was 8 votes in favour and 1 abstention, therefore the motion passed.

22/01354/OUT - Land Bounded by Willow Path and The Limes and Windsor Road and Dedworth Road and Oakley Green Road Oakley Green Windsor

AGREED UNANIMOUSLY: That the order of agenda items be changed so that item 21/01354/OUT be heard before item 22/00715/FULL.

The committee was addressed by Martin Hall, objector, Bray Parish Councillor Louvaine Kneen, Jordan Van Laun on behalf of the applicant, and Councillor Wisdom Da Costa as Ward Councillor.

A motion was proposed by Councillor Larcombe to refuse the application on the basis of the access. This motion was not seconded, therefore no named vote took place.

A motion was proposed by Councillor Cannon to authorise the Head of Planning to grant planning permission upon the removal of the Environment Agency objection and subject to the conditions listed in the report, the completion of the legal agreement and officers considering any conditions relevant to the Cardinal Clinic. The motion also proposed that that all reserved matters applications pursuant to the outline permission be brought back to the committee for determination. This motion was seconded by Councillor Luxton.

A named vote was taken.

22/01354/OUT - Land Bounded by Willow Path and The Limes and Windsor Road and Dedworth Road and Oakley Green Road Oakley Green Windsor (Motion)	
Councillor David Cannon	For
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor David Hilton	For
Councillor Amy Tisi	For
Councillor Ewan Larcombe	Against
Councillor Jon Davey	For
Councillor Julian Sharpe	For
Councillor Carole Da Costa	Against
Carried	

The result was 7 votes in favour and 2 against, therefore the motion passed.

22/00715/FULL - Land at 11 and 11 Clifton Rise Windsor

AGREED UNANIMOUSLY: That the order of agenda items be changed so that item 21/01354/OUT be heard before item 22/00715/FULL.

A motion was proposed by Councillor Davey to authorise the Head of Planning to grant planning permission subject to the conditions listed in the report. This was seconded by Councillor Carole Da Costa.

A named vote was taken.

22/00715/FULL - Land at 11 and 11 Clifton Rise Windsor (Motion)	
Councillor David Cannon	For
Councillor Sayonara Luxton	For
Councillor Shamsul Shelim	For
Councillor David Hilton	For
Councillor Amy Tisi	For
Councillor Ewan Larcombe	For
Councillor Jon Davey	For
Councillor Julian Sharpe	For
Councillor Carole Da Costa	For
Carried	

The result was 9 votes in favour, therefore the motion passed.

Planning Appeals Received and Planning Decision Report

The Committee noted the report.

The meeting, which began at 7.00 pm, finished at 9.50 pm

CHAIR.....

DATE.....

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Agenda Item 4

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

DEVELOPMENT CONTROL PANEL

5 April 2023

Item: 1

Application No.:	22/02893/FULL
Location:	Windsor Yards King Edward Court Windsor
Proposal:	Partial redevelopment of site, including limited demolition, to provide a mix of town centre uses: The Southern Development Site will provide an office building, including cycle parking, and associated end of journey facilities, and an apartHotel with retail uses at ground level. The Central Development Site provides new access cores and an additional residential unit. The Eastern Development Site includes a cinema and 8 no. residential units. The Travelodge Site provides two additional floors of guest rooms and a new entrance foyer. The Car Park Site - two additional half levels of parking will be added along with the reconfiguration of the lower levels to provide plant accommodation and other services. Public realm soft and hard landscape improvements are proposed to Goswell Hill and Bridgewater Way, along with green roofs.
Applicant:	UREF LP
Agent:	Miss Niamh Burke
Parish/Ward:	Windsor Unparished/Eton And Castle
If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application site measures approximately 1.76 hectares and currently comprises a total of 21,769 square metres of retail floorspace, 1,343 square metres of residential floorspace, 4,193 square metres of hotel floorspace (use class C1) and 23,065 square metres of a multi-storey car park.
- 1.2 This application is seeking to partially redevelop Windsor Yards and the application site has been split into five key development areas, namely the southern development site, the central residential area, the eastern development site, the Travelodge site, and the multi-storey car park. The proposal also includes some improvements to the public realm.
- 1.3 The proposed office building at the southern development site and the Travelodge extension will introduce two six-storey buildings to the application site. The proposed office building is not considered to be in line with the four-storey buildings along Charles Street and results in a significant increase in mass of development within the street scene. The Travelodge single-storey upward extension will further increase the prominence of this building within the vicinity. These parts of the proposal would have a greater prominence within the townscape resulting in some harm to the character of area.
- 1.4 The application site is within the Windsor Town Centre Conservation Area and within the setting of a number of heritage assets, including Windsor Castle, the Grade II listed Former Duke of Cambridge Public House building and the Grade II listed Windsor and Eton Central railway station building. The degree of harm of the proposed development is considered to be less than substantial but at the lower to moderate end of the scale. A number of public benefits have been identified in the proposed development. It is considered that the less than substantial harm identified can be outweighed by the benefits of the proposed development in this particular case.
- 1.5 The Report sets out the relevant Development Plan, other relevant Policies and Guidance and other material planning considerations relevant to this planning application. The Report also sets out matters which have been identified to depart from the Development Plan and where appropriate have been justified by way of other material considerations.

1.6 Therefore, the Officer's recommendation is to approve subject to the matters set out below:

It is recommended that the Committee authorises the Head of Planning to grant planning permission subject to the following:	
1.	Completion of a Section 106 legal agreement to secure: <u>Draft Head of Terms</u> <ul style="list-style-type: none">• any Carbon Offset Contributions, the requisite Lifestyle Contribution, and a mechanism to secure compliance testing and any resulting shortfall payments, pursuant to the Position Statement on Sustainability and Energy Efficient Design – March 2021.• Residential and Commercial Travel Plan, and• Public realm improvement works fall outside the application site boundary
2.	Completion of a Section 278 legal agreement (under Highways Act 1980 as amended) to secure the refurbishment work of the pedestrian footbridge crossing Charles Street
2.	The conditions listed in Section 14 of this report.

2. REASON FOR COMMITTEE DETERMINATION

2.1 The Council's Constitution does not give the Head of Planning delegated powers to determine the application as it is for major development; such decisions can only be made by the Committee as the application is for major development.

3. THE SITE AND ITS SURROUNDINGS

3.1 The application site measures approximately 1.76 hectares and comprises a total of 21,769 square metres of retail floorspace, 1,343 square metres of residential floorspace, 4,193 square metres of hotel floorspace (use class C1) and 23,065 square metres of a multi-storey car park. The site is within an identified Windsor Town Centre under Policy TR2 of the Borough Local Plan and is within Windsor Town Centre Conservation Area.

3.2 The site is bounded by Peascod Street to the south and Charles Street and Goswell Road to the west. Bridgewater Way, which is a pedestrianised street, runs through the application site connecting Windsor Yards and the multi-storey car park to the west, Peascod Street to the south and Windsor Royal Shopping Centre and Windsor and Eton Central railway station to the north.

3.3 The application site is within a mixed-use area, with retail uses predominantly located at the ground floor level along Bridgewater Way, Peascod Street and Windsor Royal Shopping Centre. Major residential development is located to the west of the application site, which is on the other side of Charles Street and along Arthur Road and also above the retail premises in Peascod Street and Bridgewater Way. Major office development is located to the west of the application site, which is on the other side of Goswell Road and to the south of the application site, such as Minton Place.

3.4 The site is within the setting of a number of heritage assets, including Grade II listed 104 Peascod Street and Windsor and Eton Central station building and the Grade I listed Windsor Castle, which is approximately 170 metres to the north of the application site. The Castle is also a Scheduled Monument and Registered Park and Garden.

4. KEY CONSTRAINTS

Defined Windsor Town Centre
Primary Shopping Area
Primary Shopping Frontage
Secondary Shopping Frontage

Historic Town Cores & Historic Town Fringes
Windsor Town Centre Conservation Area
Environment Agency Flood Zone 2 and 3
Setting of Windsor Castle, which is Grade I listed, Scheduled Monument and Registered Park and Garden
Setting of Grade II listed 104 Peascod Street and Windsor and Eton Central station building

5. THE PROPOSAL

- 5.1 This application is seeking to partially redevelop Windsor Yards and the application site has been split into five key development areas, namely the southern development site, the central residential area, the eastern development site, the Travelodge site, and the multi-storey car park. The proposal also includes some improvements to the public realm.

Southern Development Site

- 5.2 This area covers the existing Windsor Yards building and the area between Bridgewater Way, Peascod Street and Charles Street to the west. The proposed development is seeking to demolish the existing building and to provide an office building and an apart-hotel building.
- 5.3 There is no definition of apart-hotel, provided by the applicant in this application. Based on the submitted planning statement, it is providing a longer-term accommodation for business and leisure visitors. The submitted floorplans also show that there is a mix of 1-bedroom and studio-type room. It is considered that the proposed apart-hotel use is close to the definition of serviced apartments (Class C1), which are purpose-built and offer supporting services to their guests, such as cleaning.
- 5.4 The new office building comprises 7,591 square metres floorspace with ancillary cycle parking area, plant and storage. The office will be accessible from Bridgewater Way but also from the adjacent multi-storey car park. External amenity space, in the form of terraces will be provided at the ground floor, fourth and fifth floor for future occupiers.
- 5.5 The new apart-hotel building comprises 104 rooms. The hotel entrance is adjacent to the office reception area. A ground floor unit to the right of the hotel entrance will be retained for restaurant. A terrace will be provided at the fourth floor for hotel guests.
- 5.6 The existing pedestrian footbridge over Charles Street that links to Bridgewater Way will be retained. The area outside the office reception and the hotel entrance will be a landscaped area with planting and seating provided.

Eastern Development Site

- 5.7 This area includes 113-115 Peascod Street and the retail units fronting the eastern side of Bridgewater Way. The proposed development is seeking to introduce a four-screen boutique cinema with a capacity of 307 seats above the existing retail units along Bridgewater Way. The cine entrance will be at Bridgewater Way. 113-115 Peascod Street will be redeveloped. The proposal is seeking to retain the ground retail units and to create eight new residential market units above with cycle parking and private terraces.

Central Residential Area

- 5.8 This area covers the existing residential development at Windsor Yards along Bridgewater Way. The residential area is currently connected to the adjacent multi-storey car park with a lift and a staircase. It is noted that all residential flats are above the retail premises at the ground floor. The proposal includes an infilled development to create a new 1-bedroom flat and to enlarge two existing residential units. Part of the former management suite will be demolished to create a new staircase and life core for the residents. The existing flats will also be internally refurbished.

Travelodge Site

- 5.9 This area comprises the existing Travelodge Hotel building which is currently providing 113 rooms. The hotel is accessed from Bridgewater Way. The proposal is seeking to include a single-storey extension to provide an additional 22 rooms and to extend the existing hotel foyer at the ground floor level.

Multi-Storey Car Park

- 5.10 The car park is accessed from Charles Street, which is currently providing 776 car parking spaces. The proposal comprises some reconfiguration of the existing parking areas due to the construction of the southern development site including the additional cycle parking area and the end of journey facilities within the new office building. It will lead to the loss of 24 parking spaces.
- 5.11 The proposal is seeking to add two new decks to the car park which will provide an additional 103 car parking spaces. After deducting the loss of the 24 parking spaces due to the southern development site, there will be a net gain of 79 car parking spaces in total. 58 parking spaces will be allocated to the new office building from Mondays to Fridays, but these 58 parking spaces will be available for general use during weekends. The car park building will also be refurbished internally, including the installation of electric vehicle charging facilities.

Public Realm Enhancement

- 5.12 The public realm improvements include the introduction a number of new landscaped and seating areas along Bridgewater Way, including a new landscaped area outside the new hotel entrance and the new office reception at the southern development site and the introduction of outdoor seating areas for the new restaurant at the apart-hotel building.
- 5.13 The improvement work also includes the creation of a central plaza outside the cinema entrance to provide some feature paving terraces and outdoor seating area. A flexible event space is also proposed towards the entrance of the Windsor Royal Shopping Centre at Bridgewater Water for cultural and entertainment activities.
- 5.14 New planting and features will be proposed along Bridgewater Way and other surrounding streets. A new art feature is proposed at the junction between Amberley Place and Peascod Street. The existing pedestrian footbridge over Charles Street will also be enhanced and refurbished.

6. RELEVANT PLANNING HISTORY

- 6.1 Windsor Yards has a lengthy planning history. Most of these cases are related to some improvement works to the existing retail units so are not relevant to this planning application.
- 6.2 On 01 February 2005, planning permission (04/84730/FULL) was granted for the redevelopment of units 32 - 40 (including Waitrose) and King Edward House to provide retail (Class A1) & food and drink (Class A3) units (approximately 9, 950 square metres gross floor space) and hotel (up to 113 bed) with ancillary servicing and associated works. The hotel with 113 beds refers to the Travelodge hotel in this application.

7. DEVELOPMENT PLAN

- 7.1 The main relevant policies are:

Adopted Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1

Character and Design of New Development	QP3
Building Height and Tall Buildings	QP3a
Housing Mix and Type	HO2
Economic Development	ED1
Other Sites and Loss of Employment Floorspace	ED3
Hierarchy of Centres	TR1
Windsor Town Centre	TR2
Visitor Development	VT1
Historic Environment	HE1
Windsor Castle and Great Park	HE2
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Air Pollution	EP2
Noise	EP4
Contaminated Land and Water	EP5
Infrastructure and Developer Contributions	IF1
Sustainable Transport	IF2

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 6 – Building a strong, competitive economy

Section 7 – Ensuring the vitality of town centres

Section 9 – Promoting Sustainable Transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

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

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide
- Sustainable Design and Construction SPD
- Planning Obligation and Developer Contributions SPD

Other Local Strategies or Publications

- RBWM Townscape Assessment
- RBWM Parking Strategy
- RBWM Waste Management Planning Advice Note

- Berkshire Strategic Housing Market Assessment (SHMA) 2016
- RBWM Highway Design Guide & Parking Strategy 2004
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy
- DLUHC Technical housing standards – nationally described space standard 2015

Building Height and Tall Buildings Supplementary Planning Document

8.1 The Council has prepared the Building Height and Tall Buildings Supplementary Planning Document (SPD) and it was under consultation until 11 October 2022. The Council is now working on the revised version of the SPD. Moderate weight should be afforded to the SPD at this time.

Vision for Windsor

8.2 The Council’s Cabinet approved the Vision for Windsor document on 23 February 2023. The vision document sets out the vision for a vibrant future for Windsor, which is an attractive, thriving and welcoming town for the local and global community. The vision document was subject to a comprehensive public engagement process including stakeholder workshops and online engagement activities. Though it is not a supplementary planning document, it is considered a material consideration of this application.

Central Windsor Business Neighbourhood Plan, Windsor 2030

8.3 Central Windsor Business Forum (‘Windsor 2030’) is drafting policies and members are looking at sites to be included in the plan. The Forum is preparing for the pre-submission draft of the plan and there is a scheduled public consultation for the draft policies later this year. At this stage, very limited weight is afforded for this plan.

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

- 9.1 2 letters were received in total. 1 letter is from Eton Town Council and 1 letter is from Ward Royal Residents Association. Their comments are summarised in the following tables.
- 9.2 The planning officer posted 5 notices advertising the application at the site on 09.11.2022 and the application was advertised in the Local Press on 10.11.2022.

Statutory Consultees

Consultees	Comments	Where in the report this is considered
RBWM Lead Local Flood Authority	No objection.	Flood Risk and Sustainable Drainage section
Environment Agency	No objection subject to conditions.	Environmental Health section
Thames Water	No objection subject to an informative.	Noted.
Historic England	No comments to make.	Noted.
Natural England	No comments received by the time of writing this report.	Noted.

Consultees

Consultees	Comments	Where in the report this is considered
RBWM Ecology	No objection subject to conditions related to the submission of a construction environmental management plan (Biodiversity), works during bird nesting season and details of a biodiversity gain plan.	Ecology and Biodiversity section
RBWM Environmental Protection	No objection subject to conditions related to contamination, site-specific construction environmental management plan and noise containment.	Environmental Health section
RBWM Highways	Comments received related to the travel plan frameworks and the transport statement.	Highways and Parking section
RBWM Conservation	Concerns related to the scale and massing of the proposed development and also the harm to the significance of the heritage assets.	Impact on the setting of Heritage Assets section
Berkshire Archaeology	No objection subject to a pre-commencement condition requiring a programme of archaeological work including a written scheme of investigation	Impact on the setting of Heritage Assets section
NatureSpace Partnership	No objection in regard to great crested newts	Ecology and Biodiversity section
Thames Valley Police	Comments related to the restriction of access through the archway, further information related to lighting and surveillance.	Other Consideration section
Royal Berkshire Fire and Rescue Services	No comments to make.	Noted.

Others (e.g., Parish and Amenity Groups)

Groups	Comments	Where in the report this is considered
Eton Town Council	Support the proposed development	Noted.
The Windsor and Eton Society	Objection to the Travelodge Hotel extension as the proposed development would have an adverse impact on the setting of the Grade II Windsor and Eton Central train station.	Design and Character section
Ward Royal Residents Association	Support the proposed development.	Noted

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i) Principle of Development within Windsor Town Centre
- ii) Climate Change and Sustainability
- iii) Flood Risk and Sustainable Drainage
- iv) Design and Character
- v) Impact on the setting of Heritage Assets
- vi) Impact on Neighbouring Amenity / Future Occupants
- vii) Housing Provision and Quality
- viii) Highways and Parking

- ix) Ecology and Biodiversity
- x) Environmental Health
- xi) Other Considerations

i) Principle of Development within Windsor Town Centre

- 10.2 Chapter 7 of the NPPF relates to the vitality of town centres. Paragraph 86 sets out that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaptation.
- 10.3 Policy SP1 of the Borough Local Plan 2013-2033 sets out that Windsor is identified as accommodating limited growth. Windsor town centre has national and international significance as a major focus of visitor and tourist activity based on Windsor Castle and the River Thames. Supporting text 5.1.9 to Policy SP1 sets out that as a key visitor destination and local service centre, Windsor town centre is an appropriate location to receive limited higher intensity mixed-use development although particular attention will need to be given to maintaining and enhancing the character and design of the centre and its heritage and environmental assets.
- 10.4 Policy TR1 identifies Windsor as a town centre and is a preferred location for the development of main town centre uses. The Policy also sets out some main town centre uses including retail development, leisure, entertainment facilities, offices, hotels, arts, cultural and tourism development, provided they are appropriate in terms of their scale, character and design, and are well related to the centre. Supporting text 9.2.5 to Policy TR1 identifies the majority of the town's retail stores are concentrated within the Windsor Yards shopping precinct.
- 10.5 According to the Glossary of the NPPF, main town centre uses are defined as *retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).*
- 10.6 The proposed development is seeking to partially redevelop Windsor Yards to provide a mixed-use development, which comprises a new office building and an apart hotel, retention of a large ground floor commercial unit to be used as a restaurant, a new cinema, residential development, a multi-storey car park extension and the Travelodge extension. The proposed uses within the scheme are all identified as main town centre uses. The proposed development will introduce a higher intensity mixed-use development to the application site, and on some parts of the site, the new buildings will be significantly larger than the existing buildings in terms of height and scale.

Loss of retail floorspace

- 10.7 Policy TR2 specifically refers to Windsor Town Centre. Development proposals which promote and enhance the role of Windsor Town Centre and its vitality and viability will be supported. Development proposals for retail and service provision aimed particularly at visitors will be supported in a visitor development area that is appropriate to the character and function of the area, such as Windsor Yards.
- 10.8 Policy TR2 sets out that new development proposals within primary shopping areas, as defined on the Policy Map, should broaden the range of shopping opportunities, and improve the image of the town as a sustainable and high-quality shopping destination. Supporting text 9.6.3 to Policy TR2 sets out that Windsor town centre is highly constrained, and it is considered that the modest capacity for additional retail floorspace over the plan period would be most appropriately accommodated through the intensification of the existing town centre, for example, through the reconfiguration of the existing layout of the Windsor Yards shopping complex to provide additional retail floorspace, or the provision of mezzanine floors within existing units.
- 10.9 The current retail floorspace is 21,252 square metres whereas the proposed retail floorspace would be 14,636 square metres, which represents a loss of 6,616 square metres. The majority of the space lost is within the southern development site which is to be converted to office and

apart-hotel floor space but it is recognised that a large ground floor corner unit will be retained for retail/restaurant use which will provide an active frontage along Amberley Place/Bridgewater Way. The submission also sets out that the majority of the retail space lost within the southern development site comprises the former Fenwicks and Lakeland stores which have been vacant since 2017. There are also some minor losses to the retail floorspace in the other development areas. However, it is considered that the majority of the existing retail units at the ground floor will be retained and approximately 700sq.m of retail floorspace will be converted to a cinema at the eastern development site.

- 10.10 This application is accompanied by a Windsor Yards Shopping Centre Social-Economic Benefits Statement, which is prepared by Lichfields, on behalf of the applicant. The Lichfields statement identifies that Windsor has a disproportionate share of poor quality and outdated retail stock. In 2023, 3,343 square metres out of 91,355 square metres of retail floorspace is currently available to the market, which is equivalent to 3.7%. The Lichfields statement summaries that the limited supply of new retail floorspace results in low availability of retail floorspace in the market, resulting in an undersupply of floorspace to accommodate market demands. However, the Lichfields statement summaries that the economic situation will be improved and there is a demand in the provision of high-quality retail stock.
- 10.11 The Lichfields statement sets out that there is limited supply of new retail floorspace in Windsor over the last decade, which means that there is a need to safeguard any existing retail floorspace to accommodate the market demands. The proposed loss of the retail floorspace is not considered to be in line with the finding of the Lichfields Statement and Policy TR2 which specifically supports extending the existing retail floorspace to broaden the range of shopping opportunities in defined primary shopping area as Windsor is highly constrained.
- 10.12 There is a change to the retail economy within the post-pandemic era. The recent change to the use classes¹ also allows the flexibility of any existing retail use, for example a shop could be converted to restaurant or office floor area as all such uses now fall under Class E. Although there would be a loss of approximately 30% of the existing retail floorspace under the proposed development, when considered in the context of the recent changes to the use classes order, that a large proportion of the existing retail floorspace has been vacant since 2017 and that the proposal would bring about a range of town centre uses including a new cinema, the loss, on balance, is not considered to be harmful to the role of Windsor as a visitor and local service centre as a whole.

Office use

- 10.13 Policy ED1 sets out that new office space will be focused within Maidenhead, Windsor and Ascot Town Centres. Paragraph 6c of Policy ED1 also sets out that developers will be required to demonstrate how they have maximised the office component in line with market evidence at the time. Supporting text 8.2.16 to Policy ED1 sets out that there are around enough sites either permitted or allocated in this plan, but that a cautious approach is justified. To provide additional contingency the Council will work to secure a stronger pipeline of new office space – in line with market evidence at that time.
- 10.14 Policy ED3 also sets out that proposals for employment development on sites currently used for non-employment purposes will be considered on their merits. Where benefits arising from the proposed use would exceed the benefit of retaining the existing use, the development proposal will be supported.
- 10.15 The proposed development at the southern development site comprises the demolition of the existing buildings and the provision of an office building with approximately 7,591 square metres office floorspace.
- 10.16 This application is accompanied by a letter, which is prepared by Savilis (UK) Limited, on behalf of the applicant. The letter sets out that the proposed office has been designed to provide a high

¹ The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 introduces a new use class E to replace the revoked use classes A1, A2, A3, B1, B2, D1 and D2.

quality environment and facilities to occupants. The letter also identifies that a number of major office occupiers have recently left Windsor due to a shortage of buildings of suitable scale. The letter then sets out that a number of refurbished office spaces are not fully occupied due to a poor standard of amenities provided. It then lists out a number of office developments in Maidenhead, Reading and Slough. Regarding Windsor Yards, the letter summarises that a larger office floorspace is required as it is to respond to the need for the highest quality office building due to the limited frontage of Windsor Yards and the unpleasant access to the office building.

- 10.17 The Lichfields statement sets out the market situation of office floorspace in Windsor, which also draws a similar conclusion to the Savilis letter that there is a market need for high-quality office space in Windsor. The Statement sets out that there is 6,389 square metres out of the 58,631 square metres of the available office floorspace in Windsor in 2023, which is equivalent to 10.9%. The figure shows that large offices (1000 to 9000 square metres) make up the majority of available office floorspace in Windsor, those floorspaces are identified as amenity poor and dated as they were mainly built between the 1960s and 1980s and they have limited break out space, shared meeting rooms and amenity areas.
- 10.18 Both documents are suggesting that there is lack of supply of buildings of a suitable scale and quality for businesses and this is the reason for the relocation of some of the office occupiers moving from Windsor to elsewhere. The Council does not dispute the findings of both Savilis letter and Lichfield Statement that there is a market need of a high-quality large office space and the existing available large office space is dated in Windsor.
- 10.19 The letter then points out the market situation in surrounding towns. The comparison is seeking to argue the massing of the scheme should be of a certain scale. However, this must be considered in the context of Policy SP1 which identifies Windsor as accommodating limited growth due to the constraints from the design of the centre and its heritage and environmental assets nearby, when comparing with Slough and Reading.
- 10.20 The letter also points out the need of the importance of having additional office floorspace to ensure the quality of amenities provided to employees. The Council does not dispute the findings of the letter regarding the provision of high quality of amenities to employees, in particular at the post-pandemic era, which encourages flexible hybrid working pattern and the improvement of wellbeing of employees.
- 10.21 The last part of the letter is specifically related to Windsor Yards regarding its constraint and the need for the high-quality office internal and external environment. The Council, again, does not dispute the findings of the letter regarding the provision of a high-quality office floorspace as the constraints identified in Windsor Yards. However, the letter does not specifically set out that such high-quality office environment can only be worked out in the floorspace proposed as the provision of high-quality office space can still be achieved on a smaller scale.
- 10.22 Regarding the benefit of retaining the existing retail use, there is a demand in the provision of high-quality retail stock. However, it is considered that the existing retail stock would have to be upgraded to meet the demand of high-quality retail stock. The Lichfields statement also identifies that there is limited supply of new retail floorspace in Windsor over the last decade, which means that there is a need to safeguard any existing retail floorspace to accommodate the market demands.
- 10.23 Regarding the benefits arising from the proposed employment use, there is a demand in the provision of a high-quality large office space. The proposed office use will be able to fill this gap to provide a high-quality office space in Windsor. Furthermore, the existing retail floorspace in Windsor Yards has been vacant for a certain of period. Though the proposed office use would lead to a loss of existing retail floor space in Windsor, a number of benefits arising from the proposed office use, including introducing a better use to the vacant retail floorspace.
- 10.24 Notwithstanding, both retail and office uses are main town centre uses and are supported by Policy TR1. The recent change to the use classes² also allows the flexibility of retail and business

² See footnote 1

use. It is considered that the office use would still be able to support the vitality and viability of Windsor Town Centre. The principle of the proposed office use is considered to be acceptable in this particular case, albeit the implications of its scale on townscape character and heritage assets will be explored in detail below.

Hotel use

- 10.25 Policy VT1 sets out that Windsor Town Centre will be the main focus for major visitor related development. Supporting text 10.3.7 to Policy VT1 sets out that there is a need to provide a wider choice of accommodation in the Royal Borough.
- 10.26 The proposed development at the southern development site comprises the provision of an apart hotel building with the provision of 104 rooms and a restaurant at the ground floor and the basement.
- 10.27 The proposal also involves the extension of the existing Travelodge including the provision of a new entrance to the hotel and a single storey extension to provide an addition of 22 rooms.
- 10.28 The submitted planning statement sets out that the new apart-hotel will provide an alternative accommodation for long stay visitors for business or tourism purposes. The additional capacity of hotel accommodation will also draw additional visitors to Windsor and to address the current lack of supply of family sized rooms.
- 10.29 Policy TR1 supports development for main town centre uses. For development within Windsor Town Centre, Policy TR2 supports development proposals aimed at visitors such as hotels. The apart-hotel development will provide a wider range of accommodation to visitors within Windsor Town Centre, which helps support tourism development of Windsor and the wider area.
- 10.30 The principle of development as hotel use for the Travelodge extension is already established as the proposal is seeking to introduce a single storey extension at the roof level to provide an additional of 22 rooms.

Cinema use

- 10.31 A Cinema constitutes a sui generis use under the recent changes to use classes. However, it is still considered as one of the main town centre uses. Supporting text 9.6.1 to Policy TR2 sets out that there is a need to balance the needs of residents with the needs of visitors and tourists in Windsor.
- 10.32 The proposed development at the eastern development site comprises the provision of a boutique cinema with 307 seats. The proposed cinema can create a new attractive experience for visitors but also for residents. The proposal will lead to a loss of 734 square metres retail floorspace at the ground level. However, this is mainly due to the creation of a cinema lobby and reception area and the loss is considered to be acceptable in this regard. Due to the opening time of the cinema, it will enhance the role of Windsor Town Centre and its vitality and viability, in particular at the evening time.

Residential use

- 10.33 Policy TR2 sets out that development proposals for residential use on upper floors throughout Windsor Town Centre will be encouraged.
- 10.34 The proposed development at the eastern development site comprises a residential development at 113-115 Peascod Street, which comprises two ground floor retail units and the provision of eight residential market units above. The proposed development at the central residential area comprises the provision of one additional residential unit and the enlargement of one existing studio unit and the enlargement of one studio unit to become a 2-bedroom flat.
- 10.35 Regarding the residential development at 113-115 Peascod Street, the proposal is seeking to retain the two ground floor retail units and to provide eight market units above. This part of the

proposal is generally supported by Policy TR2 as the residential element would form a valuable part of the mix of uses that supports a successful town centre. The submitted planning statement also sets out that the residential development will be able to secure the funding to provide the cinema at the eastern development site. The proposal is also seeking to retain the ground floor as retail use which the units will continue to support the vitality and viability of Windsor Town Centre.

- 10.36 Regarding the residential elements of the central residential area, the proposal is seeking to introduce an additional unit and to extend two existing units by infilling the existing gap at first and second floor levels. The principle of development as residential use is already established as the proposal is seeking to infill the existing gap of the building and to improve the condition of the existing 24 residential units, which can improve the current standard of accommodation.

Multi-Storey Car Park

- 10.37 The proposal is seeking to construct two additional parking decks above the existing carpark building, which will create an additional new 79 parking spaces. The total number of the parking space provided will be 855 in total with 58 spaces will be allocated to the new office development at the southern part of the application site. The principle of development as car park use is already established as the proposal is seeking to reconfigure the existing car park layout and to add two parking decks above the existing car parking building.

Summary

- 10.38 Windsor Town Centre is identified as a major visitor centre within the Royal Borough and is also a local service centre. This application comprises a partial redevelopment of Windsor Yards which is one of the key areas within Windsor Town Centre. The proposal is considered to positively strengthen and support Windsor as the role of visitor and local service centre.
- 10.39 The principle of a mixed-use development including retail, cinema, office, hotel and residential development at the site is considered to be in line with both national and local planning policies related to town centre development. However, the acceptability of the proposal is subject to a number of further matters to be considered, including flood risk, design and character and the impacts on heritage assets, which will be discussed in the subsequent sections of this report.
- 10.40 To summarise, the proposed development will help support Windsor as a town centre and a key visitor and local service centre, as set out in both national and local planning policies. Notwithstanding, the proposal will introduce a much higher intensity mixed-use development to the application site. A cautious approach is required to assess the design and scale of the development and the impacts to the character of the centre and its heritage assets. Such matters will be addressed in the following sections of this report.

ii) Climate Change and Sustainability

- 10.41 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. Paragraph 152 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, minimising vulnerability and improving resistance, and supporting renewable and low-carbon energy and associated infrastructure. The Royal Borough of Windsor and Maidenhead declared a climate emergency in June 2019, and the Council intends to implement a national policy to ensure net-zero carbon emissions can be achieved by no later than 2050.
- 10.42 In December 2020, the Environment and Climate Strategy was adopted to set out how the Borough will address the climate emergency. These are material considerations in determining this application. The strategy sets a trajectory which seeks a 50% reduction in emissions by 2025.
- 10.43 While a Sustainability Supplementary Planning Document will be produced, the changes to national and local climate policy are material considerations that should be considered in the

handling of planning applications and achievement of the trajectory in the Environment and Climate Strategy will require a swift response. The Council has adopted an Interim Sustainability Position Statement (ISPS) to clarify the Council's approach to these matters.

- 10.44 An energy strategy report and a sustainability statement, which are prepared by Waterman Building Services Limited, on behalf of the applicant, are provided to support this application. The sustainability measures set out in the Statement accord with the requirements of the Interim Sustainability Position Statement. As a whole, the development can achieve a 31.6% reduction in CO2 emissions, including the introduction of new buildings which can achieve a greater reduction when comparing with the existing buildings to be demolished and the improvements to the existing buildings to be retained, based on the information provided and a formal confirmation from the applicant.
- 10.45 Whilst this would represent a considerable reduction in the potential CO2 emitted from the site, the proposal does not achieve net zero. As such, it is reasonable for the Local Planning Authority to achieve the remainder by Building Emissions and Lifestyle contributions. These contributions have been calculated and relayed to the applicant who understands this will form part of the subsequent legal agreement with other matters to be secured within the S106. Subject to the imposition of an appropriate condition to secure the energy efficiency measures set out in the sustainability statement, it is considered that the proposal would accord with adopted Policy SP2.

iii) Flood Risk and Sustainable Drainage

- 10.46 Policy NR1 of the Borough Local Plan 2013-2033 sets out that development will only be supported within designated Flood Zones 2 and 3, where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is considered.
- 10.47 The application site is located within Flood Zone 2 and 3, which means that the site has a medium to high probability of flooding and will need a flood risk assessment. This application is accompanied by a flood risk assessment report, which is prepared by Mason Navarro Pledge Ltd., on behalf of the applicant. The report summarises that the flood risk is low.
- 10.48 The Environment Agency has been consulted on this application and has raised no objections to the application. The Environment Agency does not dispute the findings of the submitted FRA report as, as such, it has been sufficiently demonstrated that the proposal would ensure that flood risk is not increased elsewhere.

The Sequential Test

- 10.49 The NPPF sets out that the proposed residential development is classified as a "More Vulnerable" use and the sequential test is required as it is within Flood Zone 3. Paragraph 162 of the NPPF sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Policy NR1 also sets out that the sequential test is required for all development in areas at risk of flooding, except for proposed developments on sites allocated in the Borough Local Plan or in a made Neighbourhood Plan.
- 10.50 The proposed extended part of Travelodge is within Flood Zone 3 and the additional unit in the residential element of the central development site is within Flood Zone 2. As hotel use and residential dwellings fall into the "more vulnerable" category under the Flood Risk Vulnerability, a sequential test is required for a "more vulnerable" use in Flood Zone 2 and a sequential and exception test is required for a "more vulnerable" use in Flood Zone 3.
- 10.51 A sequential test has been provided for the Travelodge extension and the additional residential unit at the central residential area to support this application. As the Travelodge extension is at

roof level and the additional residential unit is from the infilled development of the existing building, alternative locations for these developments would not be considered as viable.

10.52 Paragraph 27³ of the Planning Practice Guidance (PPG) sets out that a pragmatic approach needs to be taken where proposals involve comparatively small extensions to existing premises (relative to their existing size), where it may be impractical to accommodate the additional space in an alternative location. It is considered such approach should be applied when assessing the Travelodge extension and the additional residential unit proposal and the relocation of the extension and the new residential unit to an area with lower flood risk is not considered to be practical in this particular case.

Exceptions Test

10.53 The Exceptions Test requires that the proposed development should (a) provide wider sustainability benefits to the community that outweigh flood risk, and (b) it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reducing flood risk overall.

10.54 The Exception Test is required as the proposed extended part of the Travelodge is within Flood Zone 3 and hotel use falls onto the “more vulnerable” category under the Flood Risk Vulnerability. The flood risk assessment report sets out that the proposed development including the Travelodge extension will bring economic benefit to Windsor which will generate wider benefits for the wider local economy and the proposed development will not increase flood risk elsewhere.

10.55 As the proposed extension is at the roof level of the existing Travelodge, it is considered that the proposal will increase the existing capacity of the Travelodge but will not have an additional impact in terms of flood risk. Economically, the proposal will introduce additional rooms to which will continue to support Windsor as a visitor centre as identified under the Borough Local Plan. Therefore, it is considered there are wider sustainability benefits to be community can be identified in the proposed extension which can outweigh flood risk in this particular case.

10.56 Part (b) of the test requires the proposed development to demonstrate that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reducing flood risk overall. The proposed extension is at the roof level of the existing building. The proposal will increase the number of people in an area of flood risk, given that more hotel rooms are provided, and it would increase the scale of any evacuation required. The flood risk assessment report sets out that a safe access and egress will be provided for the redevelopment at Bridgewater Way as it is above the 1 in 1000 in year flood levels. Sustainable drainage systems will also be provided in the proposed development, as set out in the flood risk assessment report.

10.57 In conclusion, it is considered that the proposed development can demonstrate wider sustainability benefits to the community that outweigh flood risk, and the flood risk assessment report also demonstrates that the proposed development will be safe for its lifetime, without increasing flood risk elsewhere and where possible reducing flood risk overall. Therefore, the exception test is considered to be acceptable in this particular case.

Surface Water Drainage

10.58 The submitted flood risk assessment report comprises a section related to SuDS maintenance and management. The Lead Local Flood Authority (LLFA) has been consulted in this application and has raised no objection to the proposed development.

iv) Design and Character

³ Reference ID: 7-027-20220825

- 10.59 Section 12 of the NPPF is about achieving well-designed places. Paragraph 126 sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities
- 10.60 Policy QP3 of the Borough Local Plan 2013-2033 sets out that all development should seek to achieve a high-quality design that improves the character and quality of an area. Policy QP3 sets out that new development will be able to respect and retain existing high-quality townscapes and landscapes and helps create attractive new townscapes and landscapes,
- (a) Scale and Design
- 10.61 Policy QP3a of the Borough Local Plan 2013-2033 clearly set out that new development will be generally expected to maintain the existing context heights, to reinforce and reflect the character of the local area. Though it appreciates that the height of the buildings in large developments may increase due to efficient use of land and placemaking, the Policy goes on to say that the proposed increase should not normally constitute an increase to the typical building height in the surrounding area by more than one storey, subject to responding appropriately to the existing characteristics of the site and wider context in respect of the built form, landscape, landform, heritage, and views.
- 10.62 According to the RBWM Townscape Assessment, the site is with the “Windsor’s Historic Town Core” and the “Windsor Historic Fringe”. Regarding the Historic Core, the Assessment sets out that buildings are generally between two and four storeys. The High Street is usually an historic route, which provides framed views to landmarks, such as Windsor Castle. There is other guidance relevant to this Character Area, including the conservation and enhancement of the historic urban form the built character and the streetscape details. Regarding the Historic Fringe, the Assessment identifies that the apparent height of buildings is typically three and five storey. However, it also sets out that taller buildings should respect the form and function of local landmarks, particularly views to and from Windsor Castle.
- 10.63 This application is accompanied by a Townscape and Visual Appraisal report, which is prepared by HCUK Group, on behalf of the applicant. The report identifies that building height and massing within the site will be increased, in particular the Travelodge extension and office building at the southern development site, and that there will be no adverse effect arising from the proposed development.

Southern Development Site

Office building

- 10.64 The submitted Design and Access Statement identifies that the existing surrounding buildings are four storeys in general. Though Policy QP3a supports the increase in the height of the buildings in a large development. However, the increase should normally not be more than one storey. The upper floor of the six-storey office building would therefore go beyond the limitations of Policy QP3a in this regard.
- 10.65 Concerns were raised in relation to the original scheme by both the Planning Officer and the Conservation Officer regarding the scale and height of the building. A number of amendments have been made to the original scheme to reduce the perceived scale of the office building, including a further set back of the upper two floors and the re-fenestration of the top floor to provide openings near the corners to reduce their solidity. These amendments have reduced the prominence of the building at the upper levels; however, the proposed building remains six-storeys in height.
- 10.66 Despite the proposed office building with the reduced scale, it is still larger and taller than the adjacent car parking building and other neighbouring buildings, when compared with the existing

building. When viewed from Charles Street, though the top two floors would be set back from the main building and the main body of the office building will be generally compatible with the surrounding four-storey buildings due to the rise in level along Charles Street, the building is considered to become a local tall building of the area. When comparing the proposed and existing elevations from view from Bridgewater Way, there is no significant change in terms of the view from Bridgewater Way.

- 10.67 While the proposed office building will become a tall building in that area, Policy QP3a sets out that it has to demonstrate how it will significantly enhance legibility and deliver significant regeneration benefits for the locality. In this case, the proposed office building will provide a high-quality large office space in Windsor Town Centre, which is to accommodate the demand in high quality office stock in Windsor. The office floorspace of the proposed building will also provide a number of amenities to promote sustainability, including cycle parking facilities and terraced areas for future occupiers.
- 10.68 The Draft Building Height and Tall Building Supplementary Planning Document (SPD) sets out a number of key principles related to the design of tall buildings within the Borough. Tall buildings should be integrated into larger development and integrated effectively with the built form, street space and the public realm. The proposed office building will be within Windsor Town Centre, where the SPD identifies that there is a maximum of five-storeys in building height of any tall building subject to townscape, heritage and visual impact assessment and there is no opportunity for tall buildings as it is situated within several highly sensitive heritage contexts. The proposed office building is not considered to be in line with the Draft SPD regarding the building height. However, the Draft SPD is not formally adopted and only carries moderate weight at this stage.
- 10.69 The submitted townscape and visual appraisal report sets out that orange-red brick will be used for the façade of the building to act as a transition between the brown brick multi-storey car park building and the red brick Queen Anne's Court building. The proposed office building will change the visual character of the western end of Oxford Road East due to its height and massing. The office building will also form the backdrop to Peascod Street in the visual context of Castle Hill.
- 10.70 Regarding the design and roof treatment of the proposed office building, further details regarding the samples of all external finishes and materials, detailed design of windows (including glass sample) would be required but it is considered that they can be secured by planning conditions.
- 10.71 To conclude, the proposed office building will remain six-storeys in height, and will be larger and taller than the adjacent buildings and the existing building. Whilst the amendments to the proposal, including the increased set back of the upper floors and the softening of the external elevational treatment go some way in reducing the prominence of the building, concerns remain with the overall height and scale of the building and its impact on the wider street scene of Charles Street. This will need to be weighed up in the context of the benefits identified in the proposed office development including the provision of a high-quality large office space in Windsor Town Centre and will be discussed further below.

Apart-hotel building

- 10.72 The existing roof line along Amberley Place is relatively consistent with heights which are all two storeys and follow the incline of the road from Peascod Street to Bridgewater Way. A Grade II listed former Duke of Cambridge Public House building is sited at the end of Amberley Place towards Peascod Street. This is a sensitive and prominent location as it is at the corner between Amberley Place and Bridgewater Way. The existing building is two-storey with extensive pitched roofs along Bridgewater Way.
- 10.73 Concerns were raised to the original scheme by both the Planning Officer and the Conservation Officer regarding height and scale of the proposed apart hotel building, and its poor transition with the existing buildings along Amberley Place. A number of amendments have been made to the original scheme to reduce the scale and apparent height of the building and to improve the transition along Amberley Place towards Peascod Street. It is considered that the revised design has sensitively and positively responded to the transition of the building line along Amberley Place in this particular case.

- 10.74 When comparing the proposed and existing elevations from views from Bridgewater Way, the corner of the building between Amberley Place and Bridgewater Way has been revised to provide a transparent glazed top floor. This corner feature will significantly reduce the scale of the building and soften the corner of the building.
- 10.75 The proposed apart hotel building has been designed with a varied roofscape, including gabled fronted bay. The corner of the building between Amberley Place and Bridgewater Way has been revised to provide a transparent glazed top floor which can help soften that corner of the building. Overall it is considered that the scale and design of the apart-hotel would be acceptable when considered in the context of policy QP3.
- 10.76 Regarding the design and materials of the proposed apart hotel building, further details regarding the samples of all external finishes and materials, would be required but it is considered that they can be secured by planning conditions.

Central Residential Area

- 10.77 This area covers the existing residential development at Windsor Yards along Bridgewater Way. The residential area is currently connected to the adjacent multi-storey car park with a lift and a staircase. It is noted that all residential flats are above the retail premises at the ground floor. The proposal includes an infilled development to create a new 1-bedroom flat and to enlarge two existing residential units. Part of the former management suite will be demolished to create a new staircase and life core for the residents. The existing flats will also be internally refurbished.
- 10.78 Further details regarding the samples of all external finishes and materials would be required but it is considered that they can be secured by planning conditions. There is no objection to the scale and design of this part of the proposal.

Travelodge Extension

- 10.79 The proposal is seeking to introduce a new entrance foyer to the hotel at Bridgewater Way and also an upward extension to provide additional rooms. The hotel building will become six-storey in total. Policy QP3a supports the increase in the height of the buildings in a large development with no more than one storey. However, it is only considered to be acceptable if the proposed development is appropriately to the existing characteristics of the site and wider context in respect of the built form, landscape, landform, heritage, and views.
- 10.80 Concerns have been raised to the original scheme by both the Planning Officer and the Conservation Officer regarding the scale and height of the proposed extension. A key change to the original scheme has been to reduce to a single storey extension which will provide an additional 22 hotel rooms.
- 10.81 When comparing the proposed and existing elevations as would be viewed from Arthur Road, Goswell Road and Charles Street, the proposed extension will still have some impact to these street scenes as a result of the increased prominence of the Travelodge within the vicinity. However, the amended plans show the extension to have a similar curved corner feature as the existing building and the extension will be subservient to the main building. Considering the adjacent Windsor One & Two development on the other side of Goswell Road, the additional impact from the proposed extension the west of the site is limited in this particular case. A light materials palette can be agreed by condition and would help minimise the impact of the extension on the wider area.

Eastern Development Site

- 10.82 The proposal is seeking to retain the ground floor retail units but to create a residential development accessed from Peascod Street, which has a total number of eight market units. A number of amendments have been made to the original scheme, including the removal of the proposed metal balustrade and a different brick treatment will be adopted to distinguish between the two components of the façade.

- 10.83 The Conservation Officer has raised the concern regarding the additional storey of the residential development. However, it is considered that the introduction of the frameless glass balustrade will be more appropriate in this case. Further details related to samples of all external materials and finishes, brick details, windows and balustrade are required but it is considered that they can be secured by planning conditions.

Multi-Storey Car Park

- 10.84 The proposal is seeking to add two new decks to the car park which will provide an additional 103 car parking spaces. It is considered that new balustrade is proposed at the two new decks, and they will be of a form similar to the adjacent office building at the southern development site. It is considered that there will be no significant change to the external appearance of the car park building.

(b) Landscaping

Public Realm Improvement

- 10.85 The proposed development comprises a series of public realm improvement works, which includes the introduction of new landscaped and seating areas along Bridgewater Way, including a new landscaped area outside the new hotel entrance and the new office reception at the southern development site and the introduction of outdoor seating areas for the new restaurant at the apart-hotel building. The improvement work also includes the creation of a central plaza outside the cinema entrance to provide some feature paving terraces and outdoor seating area. A flexible event space is also proposed towards the entrance of the Windsor Royal Shopping Centre at Bridgewater Water for cultural and entertainment activities. New planting and features will be proposed along Bridgewater Way and other surrounding streets. A new art feature is proposed at the junction between Amberley Place and Peascod Street. The existing pedestrian footbridge over Charles Street will also be enhanced and refurbished.

- 10.86 Bridgewater Way and other surrounding streets within the application site are currently paved with hardstanding. The public realm improvements will enhance and introduce greening, which will significantly improve the vibrancy of the area. The introduction of outdoor seating areas along Bridgewater Way and for restaurants and cafes will enhance the walking experience and provide some extra capacity for restaurants and cafes. The proposed public realm improvements will be secured via a Section 106 legal agreement.

Pedestrian Footbridge over Charles Street

- 10.87 The proposal is seeking to retain the existing pedestrian footbridge over Charles Street, which connects to the Bridgewater Way and the residential area to the west of the application site. As part of the public realm improvement works, the proposal is seeking to refurbish the footbridge by providing greening to the bridge structure and new lighting and surface finishes.

- 10.88 The improvement work would be delivered and secured via a Section 278 Agreement (Highways Act 1980 as amended) in this case.

Conclusion

- 10.89 Some concerns remain with the height and scale of the proposed office building at the southern development site and the Travelodge single storey extension proposal being out of context with existing building heights. **Moderate** weight is attributed to the harm to the character of the area in this regard.

v) Impact on Heritage Assets

10.90 Section 16 of the NPPF is about conserving and enhancing the historic environment. Paragraph 199 requires the local planning authority to give great weight to a heritage asset's conservation when considering the impact of a proposed development on the significance of a designated heritage asset. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 200 continues to set out that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

10.91 Policy HE1 sets out that development proposals would be required to demonstrate how they preserve or enhance the character, appearance, and function of heritage assets (whether designated or non-designated) and their settings and respect the significance of the historic environment. Policy HE2 requires any development proposals that affect Windsor Castle to be accompanied by a statement showing how the development proposal:

- seeks to enhance the architectural and historical significance, authenticity and integrity of Windsor Castle and its local setting within the Great Park, and
- safeguards the Castle and its setting within the Great Park allowing appropriate adaptation and new uses that do not adversely affect the Castle, The Great Park and their settings, and
- protects and enhances public views of the Castle including those from further afield.

Policy HE2 also sets out that development proposals that aim to meet the needs of visitors to the Castle and the Great Park will be supported.

10.92 The application site is entirely within the Windsor Town Centre Conservation Area, and it is within the immediate setting of a number of Grade II listed buildings, including the Former Duke of Cambridge Public House building and the Windsor and Eton Central railway station building. The site is also in the wider setting of Windsor Castle, which is a Grade I listed building and a scheduled monument. Windsor Yards is a 1970s development, and it is considered that the existing buildings at present make a limited contribution to the character and appearance of the Conservation Area.

Windsor Town Centre Conservation Area

10.93 A heritage impact assessment, which is prepared by HCUK Group, on behalf of the applicant, has been provided to support this application. Paragraph 5.8 of the assessment acknowledges that the proposed office building represents a change within the Windsor Town Centre Conservation Area and an increased massing on the site. The assessment then concludes that the proposed development would amount to less than substantial harm to the significance of the Windsor Town Centre Conservation Area, which is primarily as a result of the increased massing of built form (in particular at the southern development site).

Office building at the southern development site

10.94 The Conservation Officer has raised concerns over the height and form of the proposed office building, in particular that the proposed office building would have an impact on views within the Conservation Area and from Castle Hill.

10.95 Although a number of amendments to the original scheme have been made to reduce the scale and massing of the building, which have improved its appearance the proposed office building remains in six-storey. As discussed previously, there is no significant change in terms of the view from Bridgewater Way and the building will infill the gap of the existing buildings. When comparing the proposed and existing elevations from view from Charles Street, though the top two floors set back from the main building, the proposed building is still materially larger and taller than the surrounding buildings. It is considered that the proposed office building would be harmful to the character and appearance of Windsor Town Centre Conservation Area.

Apart Hotel building at the southern development site

- 10.96 A number of amendments to the original scheme have been made to reduce the scale and massing of the building and also to improve the transition with the existing buildings along Amberley Place, including the stepping down of built form further away from Peascod Street and lowering the parapet to provide a smoother transition along Amberley Place. There is also a revision to the corner of the building between Amberley Place and Bridgewater Way to provide a transparent glazed top floor. The Conservation Officer has advised that as this part of the development would provide some enhancement to the Conservation Area in general, and as such, the apart-hotel overall results in limited to no harm to the Conservation Area.

Central Residential Area

- 10.97 The Conservation Officer considers that the projected flat element will not be appropriate as it will not be integrated well into the existing built form and proposed gable feature. However, there is no heritage objection in principle regarding the proposed infilled development.

Travelodge extension

- 10.98 The Conservation Officer has no particular concern in relation to the proposed entrance foyer at Bridgewater Water as it would have minimal impact on the Windsor Town Centre Conservation Area.
- 10.99 One of the key changes to the original scheme is to remove the proposed two-storey extension and to propose a single storey extension which will provide an additional 22 hotel rooms. The Conservation Officer considers this amendment would help reduce the prominence and height of the building. Concerns however remain in terms of its prominence from the view from Arthur Road and some harm to the historic built environment would remain in this regard.
- 10.100 The proposed additional storey would raise the height and prominence of the hotel building. The proposed extension would be visible when comparing the proposed and existing elevations from view from Arthur Road. However, it is considered that the change to the view is limited as the proposed extension is subservient to the existing building.
- 10.101 Regarding the design and roof treatment of the proposed extension, further details regarding the samples of all external finishes and materials would be required but it is considered that they can be secured by planning conditions.

Windsor Castle

Office building at the Southern Development Site

- 10.102 The Conservation Officer considers that the viewpoint from Castle Hill down Peascod Street would be negatively impacted by the proposed office building at the southern development site, which would be considered harmful to the wider setting of Windsor Castle. However, considering other views from Windsor Castle, identified in the Townscape and Visual Appraisal report, the proposed office building is not visible from other verified views from the report. The proposed office building would still constitute some harm to the wider setting of Windsor Castle, but such harm is considered to be very limited in this regard.

Travelodge extension

- 10.103 It is considered that the view from Middle Yard of Windsor Castle will be impacted by the Travelodge extension. However, considering other views from Windsor Castle, identified in the Townscape and Visual Appraisal report, the proposed office building is not visible from other verified views from the report.

Grade II listed Former Duke of Cambridge Public House building

Apart Hotel building at the Southern Development Site

- 10.104 The apart hotel building is within the setting of the Grade II listed Former Duke of Cambridge Public House building, which is located at the corner between Peascod Street and Amberley Place.
- 10.105 The Conservation Officer considers that the inclusion of textured brickwork will add some interest to the south-east blank elevation, which would be viewed from Peascod Street. The inclusion of fenestration also helps reduce the sheer impact of the building. It is considered that there is some limited harm to the setting of the Grade II listed Former Duke of Cambridge Public House building in this regard.

Grade II listed Windsor and Eton Central railway station building

- 10.106 The Travelodge building is within the setting of the Grade II listed Windsor and Eton Central railway station building. The Windsor and Eton Society has raised objection to the originally proposed Travelodge extension citing the adverse impact on the setting of the Grade II Windsor and Eton Central train station. The original scheme has been amended and the proposal is seeking to provide a single-storey extension only.
- 10.107 A new viewpoint from Station Car Park is provided to support this application. The proposed development would result in some harm to the significance of the setting of the Grade II listed Windsor and Eton Central railway station building but it is considered that the harm is limited in this regard due to the reduction in height of the extension and improvements to its form and materiality.

Conclusion on heritage harm

Harm

- 10.108 The proposed development is entirely within the Windsor Town Centre Conservation Area. The proposed apart-hotel building at the southern development site, the central residential area, the eastern development site and the multi-car park extension would introduce some changes to the Conservation Area, but it is considered that these parts of the proposal would only result in limited harm to the setting of the Conservation Area. However, the proposed office building at the southern development site and the Travelodge extension would increase the scale and height of the built form such that they would not be in line with the surrounding buildings, which are generally four-storey in maximum. Overall, the harm to the significance of Windsor Town Centre Conservation Area is considered to be less than substantial and at a **moderate level** in this regard.
- 10.109 The proposed apart-hotel building will result in some harm in heritage terms to the significance to the setting of the Grade II listed Former Duke of Cambridge Public House building at Peascod Street due to its scale and height of the building. However, it is considered that the harm is **limited** in this regard as the proposed textured brickwork and treatment of the building would have an overall enhancement.
- 10.110 The proposed office building at the southern development site and the Travelodge extension would also result in some harm to the wider setting of Windsor Castle. Given only one particular view is affected and there are no other views from Windsor Castle are affected by the proposed development, the harm is considered to be **very limited** in this regard.
- 10.111 The Travelodge extension would also result in some harm to the setting of the adjacent Grade II listed Windsor and Eton Central railway station building. The extension is subservient to the existing building and would be in line with the existing design of the building. The harm is considered to be **limited** in this regard.
- 10.112 In light of the foregoing, the cumulative harm arising from the proposed development is considered to be **less than substantial** but at a lower-moderate end of the scale in this particular case. Paragraph 202 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be

weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

Public Benefits

10.113 Paragraph 20⁴ of the PPG sets out that public benefits may follow from many developments and could be anything that delivers economic, social, or environmental objectives as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits. Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation

10.114 This application is accompanied by a socio-economic benefits statement, which is prepared by Lichfields, on behalf of the applicant. The statement sets out the social and economic benefits of the proposed development.

Economic Benefit

10.115 The statement identifies that Windsor Yards accounts for around 20% of the total retail stock in Windsor. Therefore, the proposed development is important to maintain the overall competitiveness and economic vitality of the town centre. The statement also sets out a number of economic benefits of the proposed development as below:

- The creation of 150 job opportunities during the construction period.
- The creation of 691 additional job opportunities.
- £12.7 million additional overnight local visitor expenditure per annum.
- The extended Travelodge hotel and the new apart-hotel development will accord for around 20% of the total hotel accommodation in Windsor, which can accommodate an additional 68,255 guests per annum; and
- The new cinema will provide residents and visitors with a high-quality entertainment option, in particular providing an additional anchor for the town centre's night-time economy.

Social Benefit

10.116 The social-economic statement sets out that the associated public realm improvements of the proposed development by the provision of social events spaces, improved landscaping and seating will improve opportunities for social interaction by improving the accessibility and experience for both residents and visitors.

10.117 The planning statement sets out that the nine additional high quality residential units and the refurbishment of the existing residential units will provide a high-quality housing to residents.

Environmental Benefit

10.118 The public realm enhancement as part of the proposed development through greening and planting, the terraced areas in the proposed office building and the proposed apart hotel building will provide a 100% net gain in biodiversity of the application site.

10.119 The provision of 104 cycle parking spaces is well above the requirement set out in the 2004 Parking Strategy (68.9 spaces should be provided), which helps promote sustainable mode of transport.

Heritage Benefit

⁴ Reference ID: 18a-020-20190723

10.120 Paragraph 6.6 of the heritage impact assessment sets out that there are a number of heritage benefits can be identified in the proposed development as below:

- The public realm enhancement as part of the proposed development will improve the area by the introduction of appropriate greening and planting;
- The enhancement of the streetscape along Peascod Street by the redevelopment of 113-115 Peascod Street.
- The improvements to the character of the Windsor Town Centre Conservation Area by enhancing its visitor and retail provision; and
- The architectural enhancements to the quality, form, and local relevance of the proposed development.

Weighting to be attributed to benefits

10.121 In terms of economic benefit, the creation of 150 construction job opportunities is time limited however, the proposal would result in creating 691 additional permanent job opportunities. Given that it is a mixed-use development, it will diversify the type of job opportunities provided and will help support the labour market in general. The proposal will result in a £12.7 million additional overnight local visitor expenditure per annum. It is considered that the proposed development would generate a considerable amount of income to the local economy. The proposal will result in economic benefits through the delivery of a new cinema in Windsor Town Centre and the delivery of a new apart hotel development and the extended Travelodge hotel. The cinema is both supported by national and local planning policies, which is a main town centre use and is also supports the role of Windsor Town Centre as visitor and local service centre. The additional hotel accommodation will contribute around 20% of the total hotel accommodation in Windsor, which allows Windsor can accommodate an additional 68,255 guests per annum and supports the visitor development of Windsor. Overall the economic benefits of the proposal are afforded **significant** weight.

10.122 In terms of social benefit, the proposal will result in public realm improvement work. The provision of social events spaces and seating will help improve the overall accessibility and experience for both residents and visitors. The proposal will also result in the provision of nine additional high quality residential units and the refurbishment of the existing residential units. This is viewed in the context of the Council being able to demonstrate a 5 year housing land supply. Overall **moderate** weight is afforded to the social benefits of the proposal.

10.123 In terms of environmental benefits, the proposal will deliver a 100% net gain in biodiversity. The greening and planting will also help soften the dense urban environment of Windsor Town Centre as a whole. The proposal will also achieve a 31.6% reduction in CO2 emissions, including the introduction of new buildings which can achieve a greater reduction when comparing with the existing buildings to be demolished and the improvements to the existing buildings to be retained. The proposal will result in the provision of cycle parking spaces within the application site and will help promote sustainable mode of transport but most of the spaces are for employees only. Overall, **significant** weight is afforded to the environmental benefits of the proposal.

10.124 In terms of heritage benefit, the benefit of the public realm improvement has been considered above. In addition, the redevelopment of 113-115 Peascod Street will have a positive contribution to the streetscape along Peascod Street, and the proposed development results in some improvements to the character of the Windsor Town Centre Conservation Area, albeit limited when considered in the context of the scheme as a whole where some harm has been identified to the Conservation Area. The benefit identified by the applicant relating to the overall architectural enhancements of the proposed development is not considered to be relevant to any of the heritage assets, and it is disregarded in this particular case. The weight afforded to heritage benefits is therefore **limited** in this case.

Conclusion

10.125 It is considered that the overall heritage harm arising from the proposed development is less than substantial harm at a **moderate** level within the sliding scale. There are a number of public

benefits arising from the proposed development as considered in detail above. It is considered that the benefits identified from the proposed development can **fully outweigh** the heritage harm identified in this regard and therefore the proposed development is considered to be acceptable.

Other Heritage Matters

Signage

10.126 The Conservation Officer considers that a consistent signage strategy for the ground floor units shall be established across the proposed development. Given that the application site only comprises a certain number of ground floor units in Windsor Town Centre, it is not considered the suggested signage strategy would be reasonable in this regard as the applicant has no control over the signage of other units outside the application site. The advertisement consent system will allow the local planning authority to control the advertisement or any new signage.

Lighting

10.127 The Council Conservation Officer has raised concerns over any new lighting which will be attached to any of the listed buildings. It is considered that a listed building consent will be required for any new lightings attached to the listed building.

Archaeology

10.128 The application site falls within an area of archaeological significance and archaeological remains may be damaged by ground disturbance for the proposed development. Berkshire Archaeology has been consulted and has raised no objection to the proposed development. However, a programme of archaeological work including a written scheme of investigation shall be provided to support this application. Such detail can be secured by a planning condition.

vi) Impact on Neighbouring Amenity / Future Occupants

10.129 Policy QP3 of the Borough Local Plan sets out that new development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.

Existing Occupants

10.130 This application is accompanied by a daylight and sunlight impact report, which is prepared by Hollis Global Limited, on behalf of the applicant. The report is to determine any impact upon the daylight and sunlight amenity of the existing occupants which may arise from the proposed development.

10.131 Regarding daylight, two hundred and forty-six windows and two hundred and eighteen rooms are assessed at the surrounding buildings, 92% of windows and 93% of rooms of the surrounding buildings will continue to meet the target values as set out in the Building Research Establishment (BRE) guidance. For the 8% of the windows which are below the target values, the report summaries they are all marginally below the target values. It is considered that the majority of windows and rooms of the surrounding buildings can meet the BRE guidance criteria on daylight and the number that marginally fall below the standard is limited in this regard.

10.132 In terms of sunlight, the report sets out that one hundred and fifty-three windows are assessed and 99% of the windows will continue to meet the target values as set out in the BRE guidance. It is considered that the majority of the existing occupants will continue to receive sufficient sunlight levels as set out in the BRE guidance.

Future Occupants

10.133 Regarding internal daylight, thirty-one rooms are assessed and 81% will meet the recommended targets as set out in the BRE guidance. The report sets out that of the six rooms that fall below

the target, two rooms will be served as bedrooms, which have a lesser requirement for daylight. The remaining four rooms that fall below the target are located at the lower floors, which are limited by the existing surrounding buildings. It is considered that the majority of rooms can meet the BRE guidance criteria on daylight and the number of rooms that fall below the standard is limited in this regard.

- 10.134 In terms of sunlight, the report sets out that thirty-one rooms are assessed and 61% of the rooms will continue to meet the target values as set out in the BRE guidance. Nine rooms that fall below the target are bedrooms, which sunlight is less important when comparing with living rooms. The remaining three rooms that fall below the target will serve as living rooms but they are limited by the close proximity to the existing buildings and the north-facing orientation of the block. It is considered that the majority of rooms can meet the BRE guidance criteria on sunlight and the number of rooms that fall below the standard is limited in this regard.

Employment Amenity Spaces

- 10.135 Principle 8.7 of the Council Borough Wide Design Guide SPD sets out that high quality outdoor amenity space should be provided on all new employment development over 1000 square metres. The Principle 8.7 also lists out 7 key points which a high quality employment outdoor amenity space expected to be.
- 10.136 The office building at the southern development site comprises a number of external amenity area, in the form of terraces, at the ground floor, fourth and fifth floor. All proposed terraced areas will be free of vehicles as the ground level of the building is at the yard level. The areas are considered to be will integrated into the building.
- 10.137 Notwithstanding, terraced areas are only provided at the certain floor levels, and it means that no terraced areas are provided for some of the office occupiers at those floor levels. The submitted design and access statement sets out that the roof level terrace and pavilion will be available to all employees of the office building. While a number of supporting documents in this application emphasise the importance of the provision of high-quality internal and external office environment, the limited accessibility to the terraced areas is not considered to be consistent with this. However, considering the enlarged terraced area at the roof level will be available for all employees of the building and the proposed development includes a new landscaped area outside the office reception, on balance, it is considered that the proposed development is still able to provide sufficient level of high-quality employment amenity spaces for the occupiers of the office building.

Residential Amenity Spaces

- 10.138 Principle 8.5 of the Council Borough Wide Design Guide SPD sets out that flatted developments will be expected to provide high quality outdoor amenity space for each flat. Principle 8.6 then sets out that a minimum of 10 square metres of communal outdoor amenity space per flat must be provided. Both Principle 8.5 and 8.6 set out several key considerations which a high quality private and communal outdoor amenity space expected to be.
- 10.139 113-115 Peascod Street residential development at the eastern development site comprises eight residential market units. It is considered that all units will have their private amenity and also access to the communal courtyard space at the rear of the first floor. The size of the courtyard space is approximately 93 square metres, which is above the requirement of 80 square metres (10 square metres of space per flat) set out in the Council Borough Wide Design Guide SPD. The private amenity space for each unit at 113-115 Peascod Street are considered to be in a high-quality design in this regard.
- 10.140 No amenity space is provided for the additional residential unit at the central residential area. Notwithstanding, it is considered that all other existing units next to the infilled development do not comprise any amenity space. Considering it is an infill development of an existing residential block and the consistency of the external appearance of the building, the provision of any amenity space would be appropriate in this particular case. Therefore, on balance, the non-policy

compliance of the amenity space requirement does not warrant a reason for refusal in this particular case.

Summary

- 10.141 Policy QP3 of the Borough Local Plan sets out that new development should have no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, vibration, pollution, dust, smell and access to sunlight and daylight.
- 10.142 Though the outcome of the submitted daylight and sunlight assessments are below the target, it is considered that the majority of windows and rooms of the existing buildings and the proposed development still meet the target. A number of substandard results are only marginally below the target. On balance, it is considered that the proposed development would not have a detrimental impact on light and access to sunlight and daylight of both existing and future occupants.
- 10.143 The majority of amenity spaces provided for both office and residential future occupants are in line with the Council requirement. Though some of the amenity space provision is non-policy compliance, it is considered that the proposed development can still achieve an overall high-quality amenity space in the application.

vii) Housing Provision and Quality

- 10.144 Policy HO2 of the Borough Local Plan 2013-2033 sets out that the provision of new homes should contribute to meeting the needs of current and projected households by having regard to several principles, including the provision of an appropriate mix of dwelling types and sizes as set out in the Berkshire Strategic Housing Market Assessment (SHMA) 2016 unless there is evidence showing an alternative housing mix would be more appropriate.
- 10.145 The proposed development is seeking to provide eight 2-bedroom market units at 113-115 Peascod Street and one 1-bedroom unit at central development site. The proposal also includes the enlargement of two existing units at the central development site.
- 10.146 All proposed units are considered to meet the minimum requirement of gross internal floor areas as set out in the nationally described space standard.
- 10.147 Supporting text 7.5.3 to Policy HO2 sets out that there is a need for a focus on 2- and 3-bedroom properties in the market housing sector. The proposal is seeking to introduce eight 2-bedroom units to the site and it is in line with the findings of the 2016 Berkshire Strategic Housing Market Assessment (SHMA). Therefore, it is considered that the proposed housing mix of one and two bedroomed units in this application is accepted in this case.

viii) Highways and Parking

- 10.148 Paragraph 112 of the NPPF sets out that development proposals should give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating high-quality public transport. Policy IF2 of the Borough Local Plan sets out that new development should provide safe, convenient, and sustainable modes of transport.

Sustainable Modes of Transport

- 10.149 The site is within Windsor Town Centre, and it is immediately south of the Windsor and Eton Central Station and approximately 550 metres to the Windsor and Eton Riverside Station, which provides direct train services to Slough and London Waterloo respectively. There are also good bus routes to the surrounding towns of Ascot, Slough, London, Reading, Heathrow Airport and Bracknell.
- 10.150 This application is accompanied by a residential travel plan and a commercial travel plan framework, which are prepared by Stantec UK Ltd., on behalf of the applicant.

10.151 The aim of a residential travel plan is to maximise the number of journeys made to the site using sustainable modes and particularly active travel modes where possible. The travel plan suggests a number of measures to help achieve the aim of the travel plan. A travel plan coordinator will also be appointed, as part of the travel plan framework, to encourage future residents to utilise sustainable modes of transport. The coordinator will be responsible to ensure the site achieves the travel plan targets and objectives. The coordinator will be funded by the applicant in this application.

Commercial Travel Plan Framework

10.152 The aim of a commercial travel plan is to maximise the number of journeys made to the site using sustainable modes and particularly active travel modes where possible. The travel plan suggests a number of measures to help achieve the aim of the travel plan, including active travel, the use of public transport, car sharing, and transport information. A workplace travel plan coordinator will be appointed as part of the travel plan framework, to implement the measures within the action plan and oversee the success of the travel plan. The coordinator will be funded by the applicant in this application.

Summary

10.153 The Council Highways Authority has made some comments on both travel plans, regarding the targets, measures, and marketing. A revised residential travel plan framework and a revised commercial travel plan framework have been provided to include targets in the travel plan, to categorise the measures set out in the travel plan and to update the marketing information. The travel plans will be secured in a Section 106 Legal Agreement.

10.154 Overall, it is considered that the application site is within a sustainable and accessible location, and this allows future occupants and employees an opportunity to use sustainable modes of transport.

Vehicle Movements

10.155 Policy IF2 of the Borough Local Plan 2013-2033 sets out that new development shall be located to minimise the distance people travel and the number of vehicle trips generated. Neighbourhood. A transport statement, which is prepared by Stantec UK Ltd., on behalf of the applicant, has been provided to support the application. The following table highlights the vehicle movements of the cinema, hotel and office elements of the proposed development as follows:

Vehicle movements (2 way)	Cinema	Hotel	Office
Early Peak (0700-0800)	0 vehicle per hour	7 vehicles per hour	16 vehicles per hour
Morning Peak (0800-0900)	0 vehicle per hour	20 vehicles per hour	31 vehicles per hour
PM Peak (1700-1800)	5 vehicles per hour	5 vehicles per hour	28 vehicles per hour
Evening (1800-1900)	10 vehicles per hour	1 vehicle per hour	22 vehicles per hour

10.156 The transport statement sets out that the introduction of a cinema and office to the application site will change the typical trip profiles of the area. Offices will generate a peak in the morning and in the evening. Cinemas will also introduce some evening traffic to the area due to the opening time of the cinema.

10.157 The transport statement also includes two junction assessments, give the close proximity to Arthur Road/ Goswell Road/Charles Street roundabout and Charles Street/Clarence Road roundabout. The results of the junction assessments show that the junction will operate well within capacity in both the AM and PM peak hours with the proposed development.

10.158 The Council Highways Authority has made some comments on the vehicle trip generation and the junction assessments of the transport statement. Further information has been provided by the applicant to respond to those comments made. Notwithstanding, it is considered that the level of traffic likely to be generated by the proposed development would not have a material impact on the existing highway networks.

Parking

10.159 Policy IF2 of the Borough Local Plan sets out that new developments should provide vehicle and cycle parking and that the parking standards in the 2004 Parking Strategy should be used as a starting point (prior to the adoption of the Parking SPD). Consideration will be given to the accessibility of the site and any potential impacts associated with overspill parking in the local area.

10.160 According to the Parking Strategy, the site falls within an area of good accessibility. Therefore, the parking standards (area of good accessibility) should be adopted in this case. The following table summarises the maximum parking standard set out in the 2004 Parking Strategy for the proposed uses relevant to this application.

10.161 It is noted that the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 introduces a new use class E to replace the revoked use classes A1, A2, A3, B1, B2, D1 and D2.

Use Class	Maximum Parking Standard (Areas of Good Accessibility)	Number of spaces based on standard
C3 (1-bedroom units)	0.5 space per unit	0.5
C3 (2 to 3-bedroom units)	1 space per unit	9
C1 (hotel)	1 space per 2 bedrooms	63
A3 (restaurant)	1.5 spaces per 12 sqm	43
B1 (business)	1 space per 100 sqm	76
Total		191.5

10.162 The transport statement sets out that the proposed development will lead to a loss of 24 parking spaces due to reconfiguration of the multi-storey car park. However, the proposed development includes two additional levels of parking which will provide an additional 103 parking spaces (net gain of 79 parking spaces). The total number of parking spaces will be 845.

10.163 The application is also accompanied by a parking accumulation assessment, as requested by the Council Highways Authority. The assessment sets out that a maximum parking accumulation of 696 is forecast to be reached during lunchtime (1300-1400) on a weekend day. The assessment also sets out that the 58 allocated office spaces will also be made available for public use on a weekend day to increase the capacity of the car park.

10.164 According to the 2004 Parking Strategy, 192 parking spaces in total should be provided in this application. However, paragraph 9.7.2 of the Strategy sets out that standards may be expected to be lower in town centres because of the high accessibility to public transport. The proposed 79 additional parking spaces represent 41% of the maximum parking standard (area of good accessibility). However, it is considered that a pragmatic approach should be adopted given the overall sustainability of the location and the difference in demand for parking spaces in this application.

10.165 The application site is within the heart of Windsor Town Centre and in such locations, a car free development is accepted. The proposed development comprises the renovation of the existing

multi-storey car park which will provide the additional 79 parking spaces. The Council Highways Authority has raised no objection to the proposed parking arrangement and given the sustainable location of the application site, the car parking provision is therefore considered to be acceptable in this case.

Electric Vehicle Charging Facilities

- 10.166 The Council's Interim Sustainability Position Statement sets out that at least 20% of parking spaces should be provided with active electric vehicle charging facilities and 80% of parking spaces should be provided with passive provision. Further detail of the electric vehicle charging facilities can be secured by a planning condition.

Cycle Parking

- 10.167 The 2004 Parking Strategy does not have a specific cycle parking standard for residential units, hotel uses and cinema. Paragraph 9.7.3 of the Strategy sets out that with certain forms of residential development, cycle parking provision may be required. In a block of flats, a proportion of secure cycle parking will be required and will be calculated on a case-specific basis. A proportion of secure motorcycle parking may also be required in the case of larger residential developments. The proposed development is providing 2 spaces per units (16 in total) for the new residential units at 113-115 Peascod Street.
- 10.168 The 2004 Parking Strategy sets out that cycle parking should be allocated at not less than 1 space per 10 staff. The proposed development is providing 104 cycle parking spaces for the new office, 10 spaces for the staff of the new apart hotel and 10 spaces for the staff of the cinema. In total, there will be 124 cycle parking spaces to be provided in this application for the new office, staff of the cinema and the apart hotel. The additional information provided by the applicant's transport consultant sets out that it is expected that 689 jobs will be created in total for the new office, cinema, and the apart hotel. The provision of 104 cycle parking spaces is well above the requirement set out in the 2004 Parking Strategy (68.9 spaces should be provided).

Summary

- 10.169 Paragraph 111 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 10.170 The application site is within a highly sustainable and accessible location. It is also within reasonable walking/cycling distance to local services, facilities, local bus stops and railway stations. The submitted travel plan sets out several measures to encourage future residents and employees to use sustainable modes of transport. The overall parking arrangement is considered to be acceptable. Though further details related to electric charging vehicle facilities are required, it is considered that such details can be secured by planning conditions.

ix) Ecology and Biodiversity

- 10.171 The application site is not within any designated protected sites. However, it is within 4 kilometres of the Southwest London Waterbodies Ramsar, Special Protection Area (SPA) and Windsor Forest and Great Park Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI). Two local wildlife sites (LWS) also lie within 1 kilometre of the application site.
- 10.172 A biodiversity impact assessment, which is prepared by Greengage Environmental Ltd., on behalf of the applicant, is provided to support this application. The assessment identifies that no further survey is required, and it sets out that the proposed development will result in a net gain of 1.21 biodiversity units, which identifies that there is a 100% net gain in biodiversity.
- 10.173 Natural England and the Council Ecology Officer have been consulted in this application. No comments are received from Natural England by the time of writing this report. The Council Ecology Officer has raised no objection to the proposed development. However, further details of the construction environmental management plan (Biodiversity) and details of a Biodiversity Gain

Plan should be provided to support this application. Such details can be secured by planning conditions.

x) Environmental Health

- 10.174 Policy EP1 of the Borough Local Plan 2013-2033 sets out that new development will only be supported where it would not have an unacceptable effect on environmental quality both during the construction phase and when completed. Details of remedial or preventative measures and any supporting environmental assessments will be required and will be secured by planning conditions to ensure that the development will be acceptable.
- 10.175 A construction environmental management plan (CEMP), which is prepared by Wates Construction, on behalf of the applicant, is provided to support this application. The CEMP outlines the arrangements during the construction phases of the proposed development.
- 10.176 The Council Environmental Protection Officer has been consulted and has raised no objection to the submitted CEMP. However, it is noted that the CEMP should be updated with any changes in construction methods. The CEMP should also include the proposed mitigation measures related to air quality should also be integrated into the CEMP. The submission of an updated CEMP can be secured by a planning condition.

Air Quality

- 10.177 Policy EP2 of the Borough Local Plan 2013-2033 sets out that new development should aim to contribute to conserving and enhancing the natural and local environment, by avoiding putting new or existing occupiers at risk of harm from unacceptable levels of air quality.
- 10.178 An air quality assessment, which is prepared by Stantec UK Ltd., on behalf of the applicant, is provided to support the application. The assessment identifies that the Windsor Air Quality Management Area (AQMA) is approximately 65 metres west of the application site. However, the assessment summarises that the proposed development is not considered to have an adverse impact on air quality.
- 10.179 The Council's Environmental Protection Officer has been consulted and has raised no objection to the submitted air quality assessment, subject to the proposed mitigation measures identified in the assessment should also be integrated into the CEMP.

Noise

- 10.180 Policy EP4 of the Borough Local Plan 2013-2033 sets out that new development should consider the noise and quality of life impact on occupants of existing nearby properties and the intended new occupiers. Development proposals will need to demonstrate that they will meet the internal noise standards for noise-sensitive developments as set out in the Policy.
- 10.181 A noise impact assessment, which is prepared by Stantec UK Ltd., on behalf of the applicant, is provided to support this application. The assessment summarises that the application is suitable for residential use provided appropriate mitigation and consideration of acoustics is included at the detailed design stage.
- 10.182 The Council Environmental Protection Officer has been consulted and has raised no objection to the submitted noise impact assessment. Further details of the measures to provide acoustic insulation for the containment of internally generated noise should be provided but it is considered that such details can be secured by a planning condition.

Contaminated Land

- 10.183 Policy EP5 of the Borough Local Plan sets out that development proposals will be supported where they can demonstrate that adequate and effective remedial measures to remove the potential harm to human health and the environment are successfully mitigated.

- 10.184 A desk study report, which is prepared by Geotechnical and Environmental Associates Limited (GEA) on behalf of the applicant is provided to support this application. The report identifies that there is a moderate risk of there being a significant contaminant linkage at the site that could result in a requirement for major remediation work. A ground investigation should be carried out in order to determine the ground conditions and presence of groundwater beneath the site.
- 10.185 Both the Environment Agency and the Council Environmental Protection Officer have been consulted in this application. The Environment Agency has raised no objection in terms of contamination. The Council Environmental Protection Officer has also raised no objection to the findings of the report. A ground contamination investigation is required to be carried out, but it is considered that such details can be secured by a planning condition.

i) Other Considerations

- 10.186 Thames Valley Police has raised concerns regarding the existing situation of the undercroft and loading areas, shopping level access and the residential development. There is also concern about a lack of security and access strategy for the proposed office development at the southern development site.
- 10.187 It is considered that the comments from Thames Valley Police related to the some of the undercroft and loading areas are not within the application site and are not owned by the applicant. Therefore, some of the suggested conditions, including the re-introduction of the taxi marshalling, restriction of the access, are not considered to be enforceable and reasonable in this particular case.
- 10.188 Thames Valley Police also has made some comments related to the shopping level access and the proposed office development at the southern development site, including further information is required for the lighting and surveillance strategy. It is considered that such details can be secured by planning conditions.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 In accordance with the Council's adopted Community Infrastructure Levy (CIL) Charging Schedule, the residential element of the proposed development is CIL liable on the chargeable floor area at a rate of £ 315.55 per square metre (Indexation rate 2023).

12. PLANNING BALANCE AND CONCLUSION

- 12.1 This application is seeking to partially redevelop Windsor Yards with a mix of town centre uses including some improvements to the public realm.
- 12.2 The proposed development would lead to a loss of retail floorspace. Considering the change to the retail economy in the post-pandemic era and the recent changes to the use classes order which allows for the flexibility of retail use and business use, the loss is not considered to be harmful to the role of Windsor as a visitor and local service centre and the principle of the proposed office, hotel, cinema, and residential uses are considered to be acceptable at a town centre location in this particular case and in line with policies TR2 and VT1.
- 12.3 The proposed office building at the southern development site and the Travelodge extension will introduce two six-storey elements to the townscape. The proposed office building is not considered to be in line with the four-storey buildings along Charles Street adding height and prominence to the streetscape as a result of the development. The Travelodge extension will further increase the prominence of the building within the immediate vicinity and some wider viewpoints. Both buildings will have a moderate adverse impact to the townscape and character of the wider area.

- 12.4 The introduction of the proposed flat element of the infilled development at the central residential area is not considered to be consistent with the existing gabled roof pattern. The proposed development would constitute some limited harm to the design and appearance of the building.
- 12.5 The application site is within the Windsor Town Centre Conservation Area and within the setting of a number of heritage assets, including Windsor Castle, the Grade II listed Former Duke of Cambridge Public House building and the Grade II listed Windsor and Eton Central railway station building. Different parts of the proposed development will constitute different level of harm to the heritage assets. The overall degree of harm arising from the proposed development has been identified as less than substantial.
- 12.6 Notwithstanding, a number of public benefits are identified in the proposed development including the economic benefits, which support the role of Windsor as a town centre, a visitor and local service centre; the social benefits, which improve the overall accessibility and experience of both visitors and residents and the environmental benefits, which provide 100% net gain in biodiversity by introducing a number of greening and plantings within the application site and achieve a reduction in CO2 emissions including the introduction of new buildings which can achieve a greater reduction when comparing with the existing buildings to be demolished and the improvements to the existing buildings to be retained.
- 12.7 The proposal is considered acceptable in terms of highways and parking, ecology and biodiversity, flood risk and drainage, environmental health, and sustainability (subject to planning conditions).
- 12.8 This is considered to be a balanced case with moderate weight to be attached to both the heritage harm and design and character harm. Significant weight however should be attributed to the cumulative benefits of the proposed development, including the economic, social and environmental benefits identified in this report. On balance, it is considered that the proposed development is justified and acceptable in planning terms and therefore planning permission should be granted subject to conditions and a section 106 agreement.

13. APPENDICES TO THIS REPORT

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

14. 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 Approved Plans The development hereby permitted shall be carried out in accordance with the approved plans listed on the drawing and document schedule (ref: A11963-OT-1-001 - P10) dated 16 March 2023 and received by the Local Planning Authority on 19 March 2023.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans
- 3 Prior to the commencement of the development hereby permitted, a Phasing Strategy setting out how each development area along with landscape works would be delivered. The details shall include appropriate safeguards, if necessary, to be provided for the areas or buildings that are ready for occupation whilst construction works continue on other phases of the site and any temporary works that may be required to facilitate access to any buildings/ part of the site. The Phasing Strategy shall be implemented as approved.
Reason: To ensure the development is delivered on an appropriate phased basis and appropriate safeguards are in place during this phased work to protect the amenities of future occupiers of this site.
- 4 Prior to the commencement of the development above slab level hereby permitted of each phase set out in the Phasing Strategy or under Condition 3, samples of the materials to be used on the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the

approved details.

Reason: To protect the interests of the visual amenities of the area and the designated heritage assets. Relevant Policies - Policies QP3 and HE1 of the Borough Local Plan 2013-2033.

- 5 Prior to the commencement of the development above slab level hereby permitted of each phase set out in the Phasing Strategy or under Condition 3, samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

Reason: To protect the interests of the visual amenities of the area and the designated heritage assets. Relevant Policies - Policies QP3 and HE1 of the Borough Local Plan 2013-2033.

- 6 Prior to the occupation of the development hereby permitted of each phase set out in the Phasing Strategy under Condition 3, details of the lighting strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy should comply with the general standards of BSS5489:2020. The development shall be carried out and maintained in accordance with the approved details.

Reason: To protect the interests of the amenities of the area and in accordance with the National Planning Policy Framework and Policy QP3 of the Borough Local Plan 2013-2033.

- 7 Prior to the first occupation of the development hereby permitted, details of the vehicle parking spaces shall be submitted to and approved by the Local Planning Authority. The space approved shall be retained for parking at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Policies QP3 and IF2 of the Borough Local Plan 2013-2033.

- 8 Prior to the first occupation of the development hereby permitted, details of the covered and secure cycle parking facilities shall be submitted to and approved by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles at all times.

Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Policies QP3 and IF2 of the Borough Local Plan 2013-2033.

- 9 Prior to the first occupation of the development hereby permitted, details of the electric vehicle charging facilities shall be submitted to and approved by the Local Planning Authority. These facilities shall thereafter be retained for electric vehicle charging purposes at all times.

Reason: To ensure that the development is provided with adequate electric vehicle charging facilities. Relevant Policies - Policy QP2 of the Borough Local Plan 2013-2033 and the Council's Interim Sustainability Position Statement

- 10 Prior to the commencement of the development hereby permitted, a programme of archaeological work including a Written Scheme of Investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. The WSI shall include an assessment of significance and research questions, and the following:

- o The programme and methodology of site investigation and recording
- o The programme for post investigation assessment
- o Provision to be made for analysis of the site investigation and recording
- o Provision to be made for archive deposition of the analysis and the records of the site investigation
- o Nomination of a competent person or persons/organisation to undertake the works set out within the WSI.

Prior to the occupation of the development hereby permitted, the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. The development hereby permitted shall take place in accordance with the approved WSI.

Reason: To minimise impacts on archaeology in accordance with Policy HE1 of the Borough Local Plan 2013-2033.

- 11 Prior to the commencement of the development hereby permitted, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or

reduce impacts during construction (may be provided as a set of method statements and should include RAMs for reptiles, amphibians, hedgehog, and nesting birds).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise impacts on biodiversity in accordance with the National Planning Policy Framework and Policy NR2 of the Borough Local Plan 2013-2033.

- 12 Prior to the first occupation of the development hereby permitted, a Biodiversity Gain Plan for onsite delivery and monitoring of Biodiversity Net Gain and a Habitat Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plans shall deliver 100% increase in habitat units. The plans shall be in accordance with the approved biodiversity net gain assessment and shall include (but not limited to) the following:

- a) A habitat management plan
- b) Long term aims and objectives for habitats and species
- c) Detailed management prescriptions and operations for newly created habitats, locations, timing, frequency, durations, methods, specialist expertise (if required), specialist tools/machinery or equipment and personnel as required to meet the stated aims and objectives
- d) A detailed prescription and specification for the management of the new habitats
- e) Details of any management requirements for species specific habitat enhancements
- f) Annual work schedule for at least a 30 year period
- g) Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives
- h) Details of proposed reporting to the council and council ecologist and proposed review and remediation mechanism
- i) Proposed costs and resourcing and legal responsibilities

The Biodiversity Gain and Habitat Management Plan shall be implemented in accordance with the agreed details and timetable, and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain for biodiversity in accordance with the National Planning Policy Framework and Policy NR2 of the Borough Local Plan 2013-2033.

- 13 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment Report REF: 221229-MNP-XX-XX-RP-C-0001 REV P02 (Mason Navarro Pledge, February 2023) and the following mitigation measures that there shall be no raising of existing ground levels in flood zones 2 and 3. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent flooding elsewhere in line with the requirements of paragraph 167 of the National Planning Policy Framework.

- 14 The surface water drainage scheme shall be carried out in accordance with the surface and foul water drainage strategy set out in the submitted Flood Risk Assessment Report REF: 221229-MNP-XX-XX-RP-C-0001 REV P02 (Mason Navarro Pledge, February 2023).

Reason: To ensure compliance with the National Planning Policy Framework and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Policy - Policy NR1 of the Borough Local Plan 2013-2033.

- 15 Prior to the commencement of the development hereby permitted, a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- 1) A site investigation scheme, based on the Phase 1 PRA, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2) The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework.

16 Prior to the first occupation of the development hereby permitted, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework.

17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall include the following components:

1) A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

2) The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

18 No drainage systems for the infiltration of surface water to the ground are permitted unless it is approved in writing by the Local Planning Authority. If infiltration of surface water to the ground is required (unless otherwise agreed in writing with the Local Planning Authority) is used, no further development shall be carried out until an assessment of the risks to controlled water has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework and Position Statement G13 of 'The Environment Agency's approach to groundwater protection'. The use of infiltration SuDS is inappropriate at this site due to its location within source protection zone 2 and 3, and upon a principal aquifer.

19 Prior to the commencement of the development hereby permitted, a scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause

groundwater pollution or loss of water supplies in line with paragraph 174 of the National Planning Policy Framework and Position Statements G and N of 'The Environment Agency's approach to groundwater protection'. The submitted planning application indicates that boreholes will need to be installed at the development site to investigate groundwater resources. If these boreholes are not decommissioned correctly, they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is within source protection zone 2 and 3.

20 Piling using penetrative methods shall not be carried out unless it is approved in writing by the Local Planning Authority. If piling using penetrative method (unless otherwise agreed in writing with the Local Planning Authority) is used, no further development shall be carried out until details of groundwater monitoring programme alongside a piling method statement has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure that the proposed redevelopment, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement N of the 'The Environment Agency's approach to groundwater protection'. Piling using penetrative methods can result in risks to potable supplies from, for example, pollution/turbidity, risk of mobilising contamination, drilling through different aquifers, and creating preferential pathways. Groundwater is particularly sensitive in this location because the proposed development site is within source protection zone 2 and 3 and located upon principal aquifer.

21 Prior to the first occupation of the development hereby permitted, all water network upgrades required to accommodate the additional demand to serve the development have been completed and a written confirmation from Thames Water shall be provided to or a development and infrastructure phasing plan shall be submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted shall be in accordance with the approved development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

22 Prior to the commencement of the development hereby permitted, an updated Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust, and site lighting. The plan should include, but not be limited to:

- o Procedures for maintaining good public relations including complaint management, public consultation and liaison
- o Arrangements for liaison with the Environmental Protection Team
- o All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - o 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
 - o Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
 - o Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
 - o Procedures for emergency deviation of the agreed working hours.
 - o Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
 - o Measures for controlling the use of site lighting whether required for safe working or for security purposes.

Reason: An interim Construction Environmental Management Plan (CEMP) has been provided to support this application. An updated CEMP is required nearer the time of construction with any changes in construction methods, which is to protect the amenities of the neighbourhood during the construction of the development hereby permitted.

23 Prior to the commencement of the development hereby permitted, details of measures to provide

acoustic insulation for the containment of internally generated noise, (and associated ventilation measures) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be carried out and completed before the use commences and shall be retained maintained in good working order at all times.

Reason: To protect the amenities of the neighbourhood in accordance with Policy EP4 of the Borough Local Plan 2013-2033.

24 Prior to the first occupation of the development hereby permitted, details of the waste and refuse collection shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved details

Reason: To ensure that the development is carried out in accordance with the approved waste and refuse collection details and in accordance with Policy QP3 of the Borough Local Plan 2013-2033.

25 The development hereby permitted shall be carried out in accordance with the sustainability measures set out in the approved Energy Statement (ref: 14102-WBS-ZZ-ZZ-RP-SU-10005 P04) which is prepared by Watermans Building Services Limited dated February 2023.

Reason: To ensure that the development is carried out in accordance with the approved energy statement and in accordance with Policy SP2 of the Borough Local Plan 2013-2033 and the Council's Interim Sustainability Position Statement

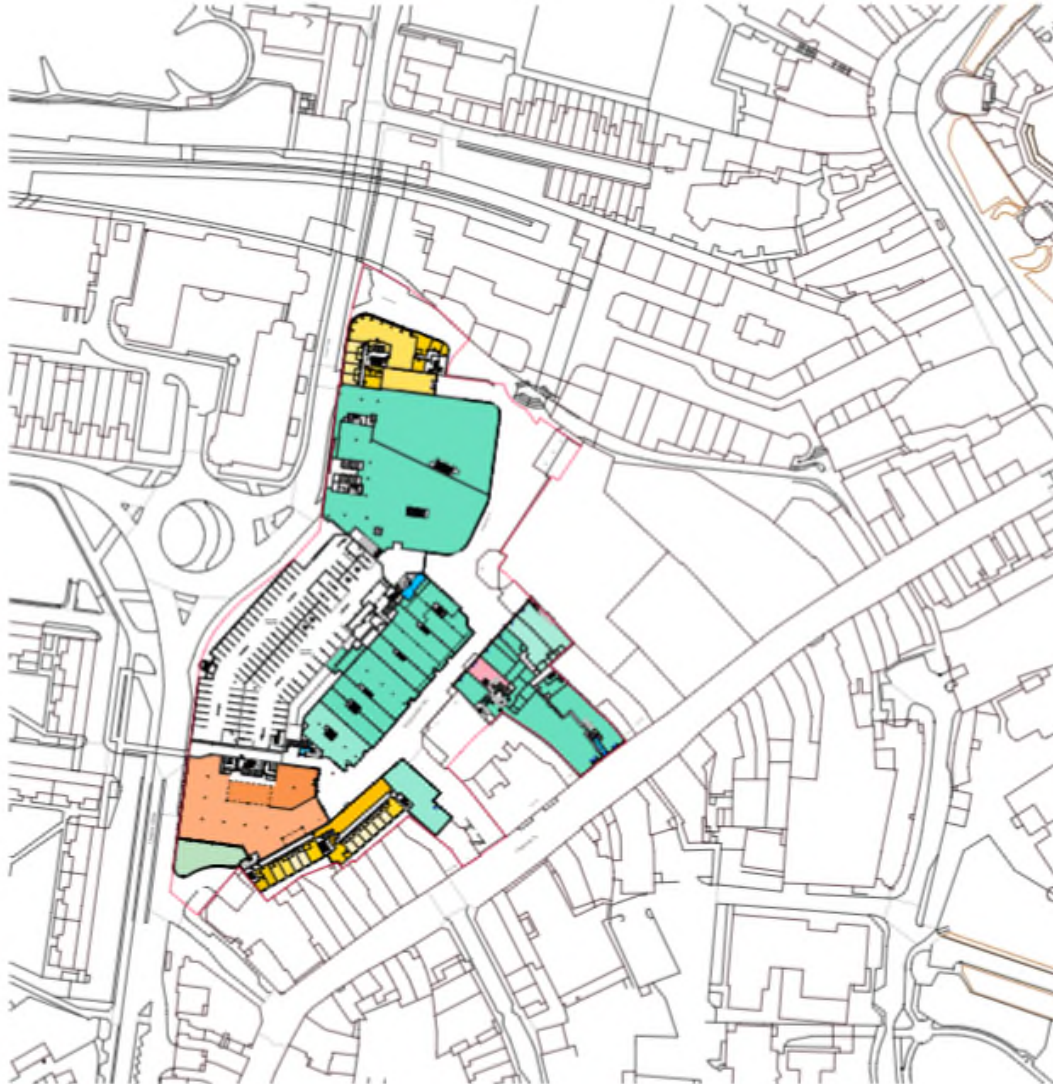
26 Notwithstanding any provision to the contrary under Part 3 (Class O) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order, no change of use of a building and any land within its curtilage from offices to residential use without planning permission having first been obtained from the Local Planning Authority.

Reason: To maintain the office development of the development.

22/02893/FULL- Windsor Yards, King Edward Court, Windsor
Appendices

Appendix A – Location Plan and Site Layout

Development Plan



Red-line boundary Plan

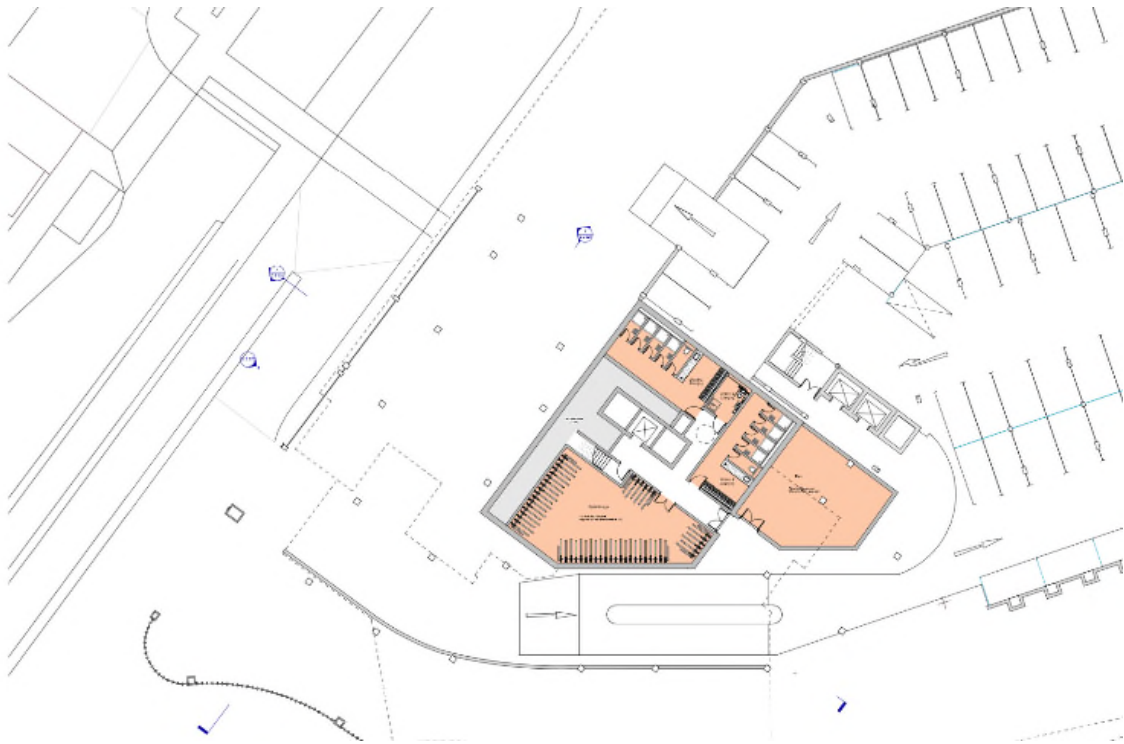


Appendix B – Plan and Elevation Drawings

- Southern Development Site (including Office, Hotel & Car Park)
- Central Residential Area
- Eastern Development Site
- Travelodge Extension

Southern Development Site

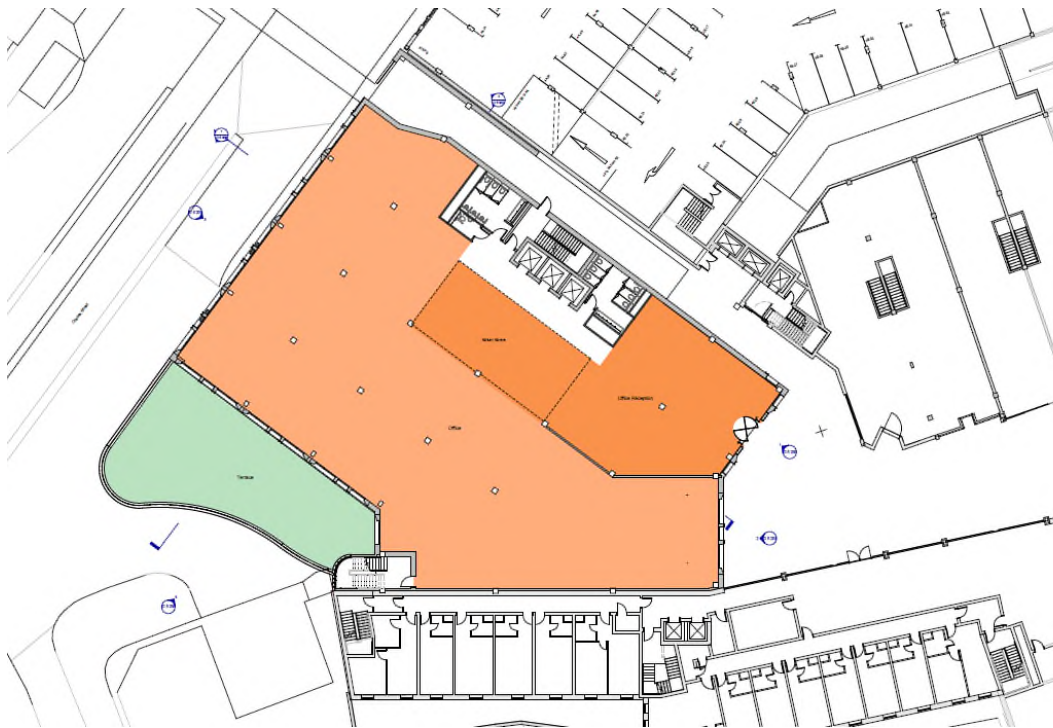
Proposed Service Yard Level (Office)



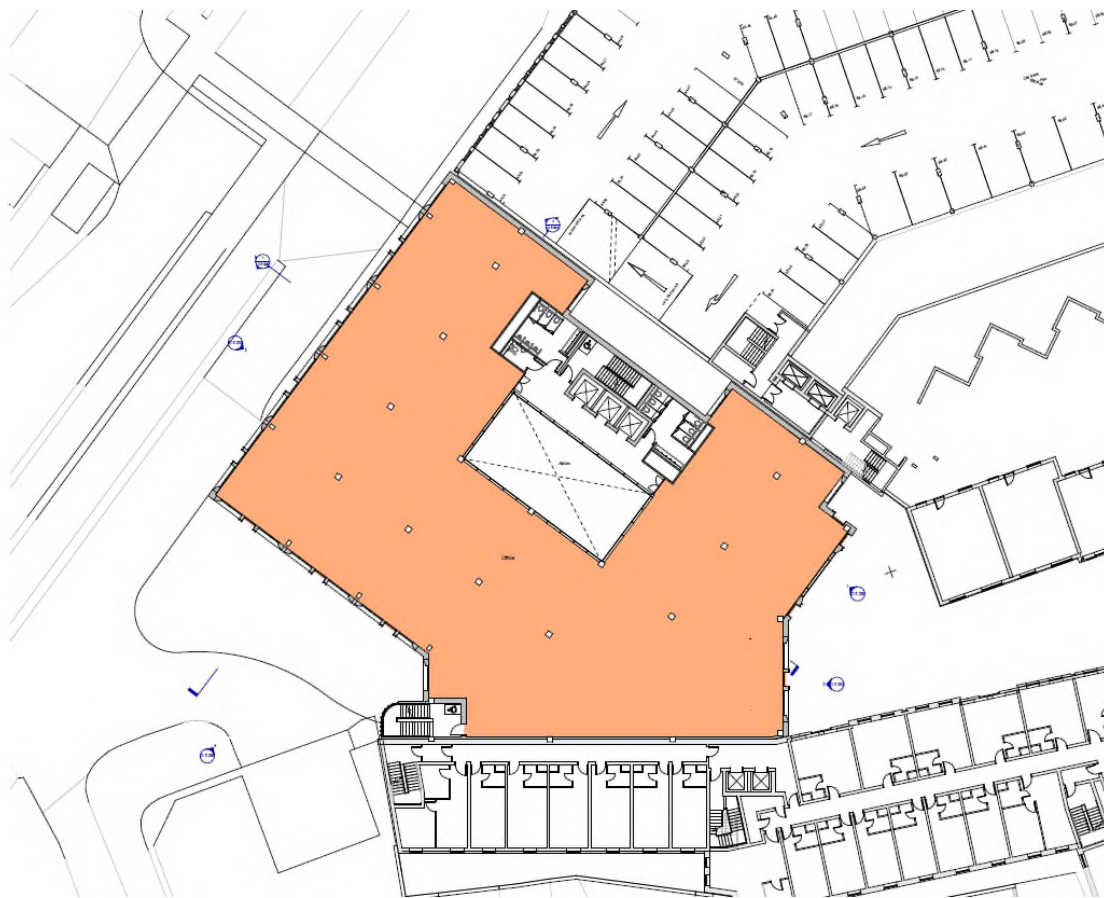
Proposed Mezzanine Level (Office)



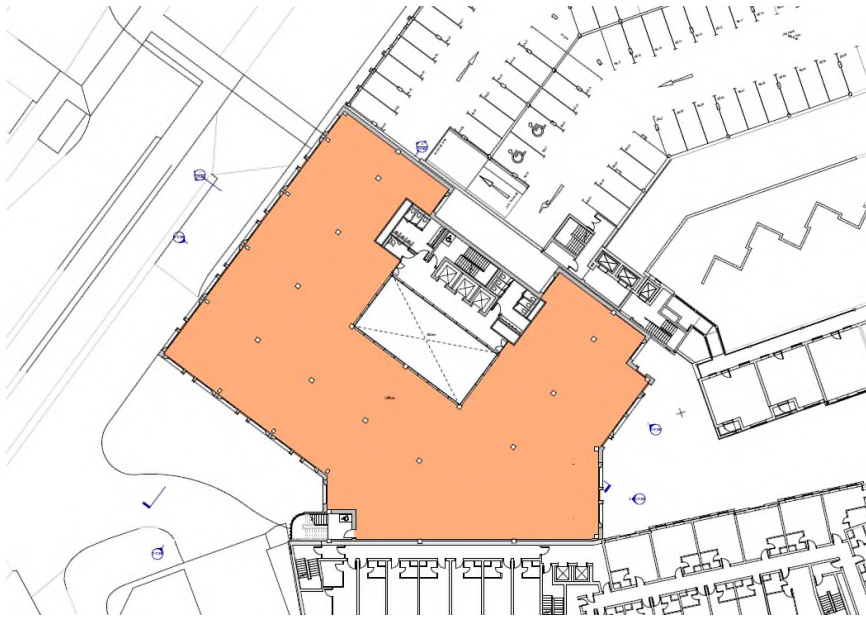
Proposed Ground Floor (Office)



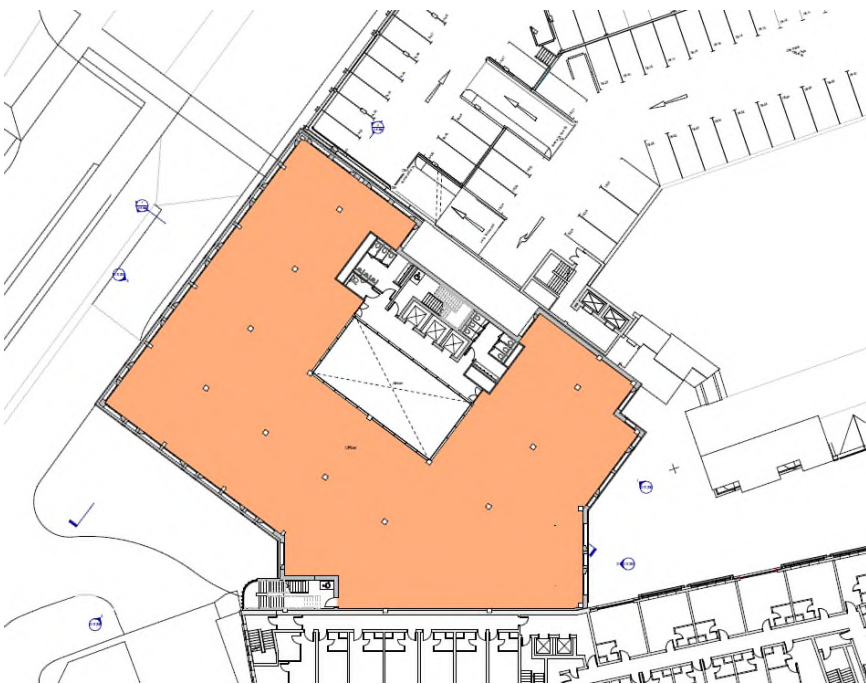
Proposed First Floor (Office)



Proposed Second Floor (Office)



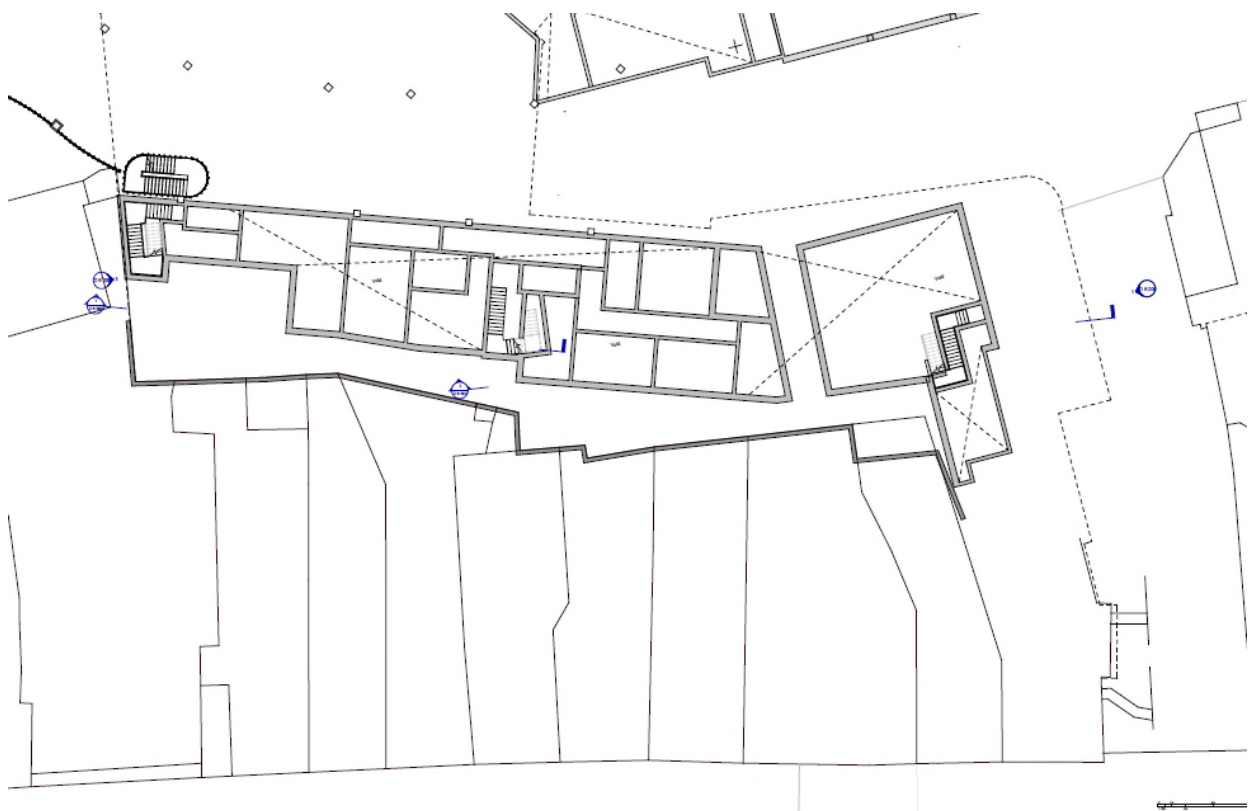
Proposed Third Floor (Office)



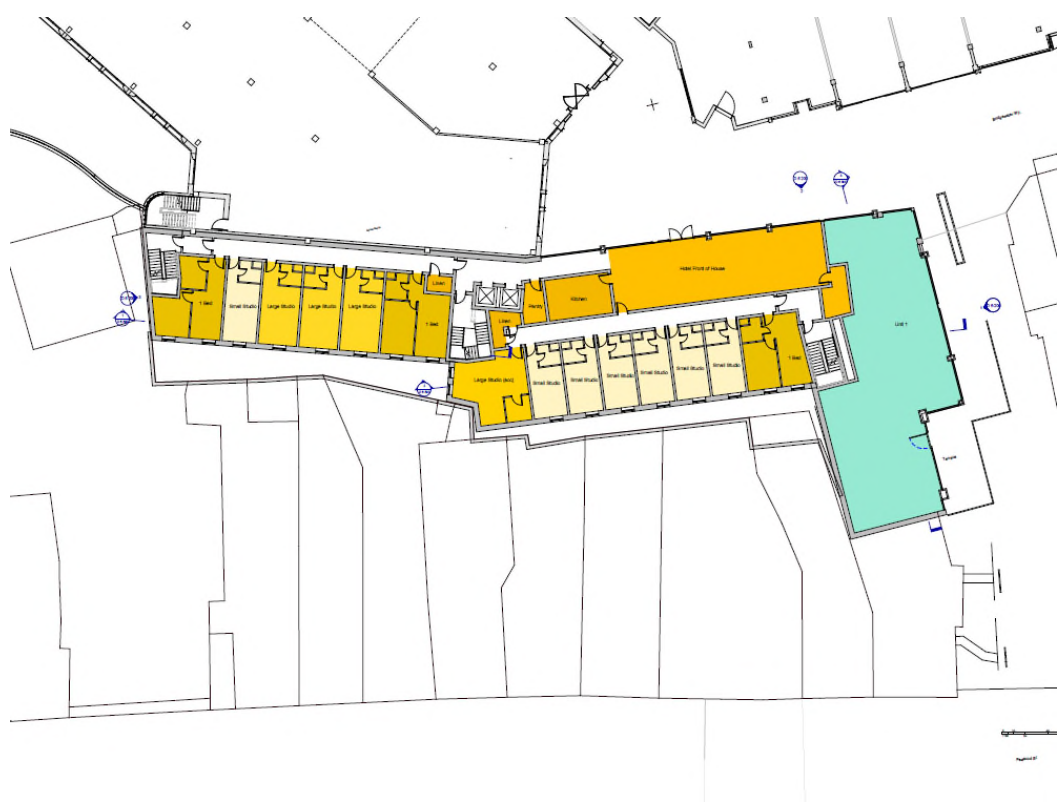
Proposed Service Yard Level (Hotel)



Proposed Mezzanine Level (Hotel)



Proposed Ground Floor (Hotel)



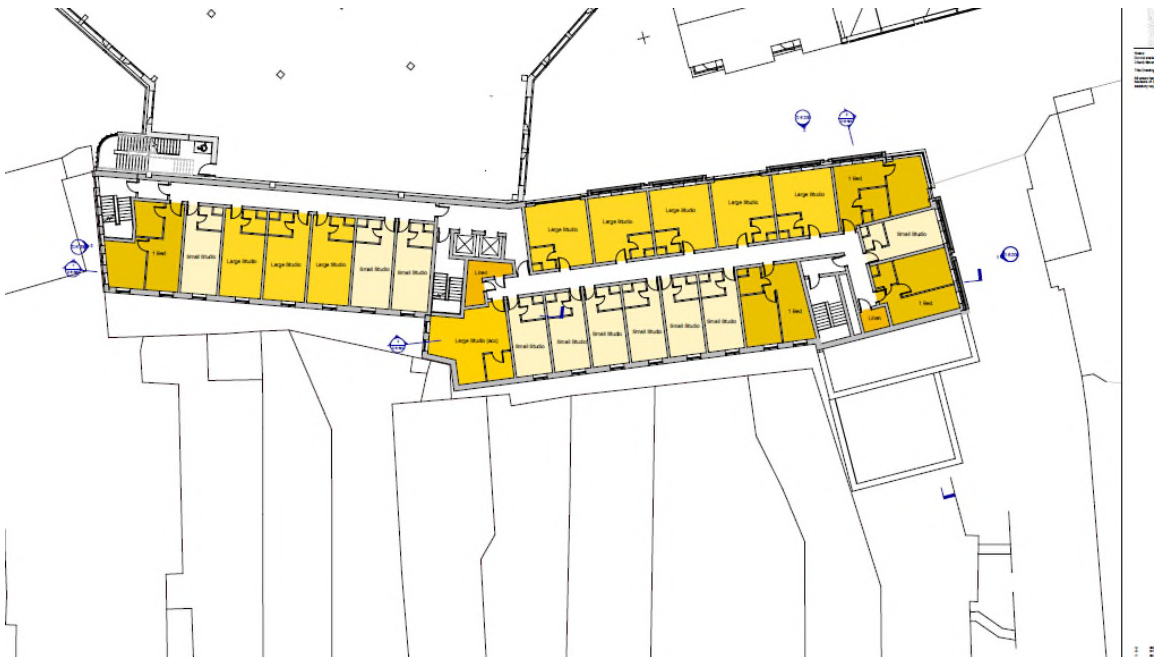
Proposed First Floor (Hotel)



Proposed Second Floor (Hotel)



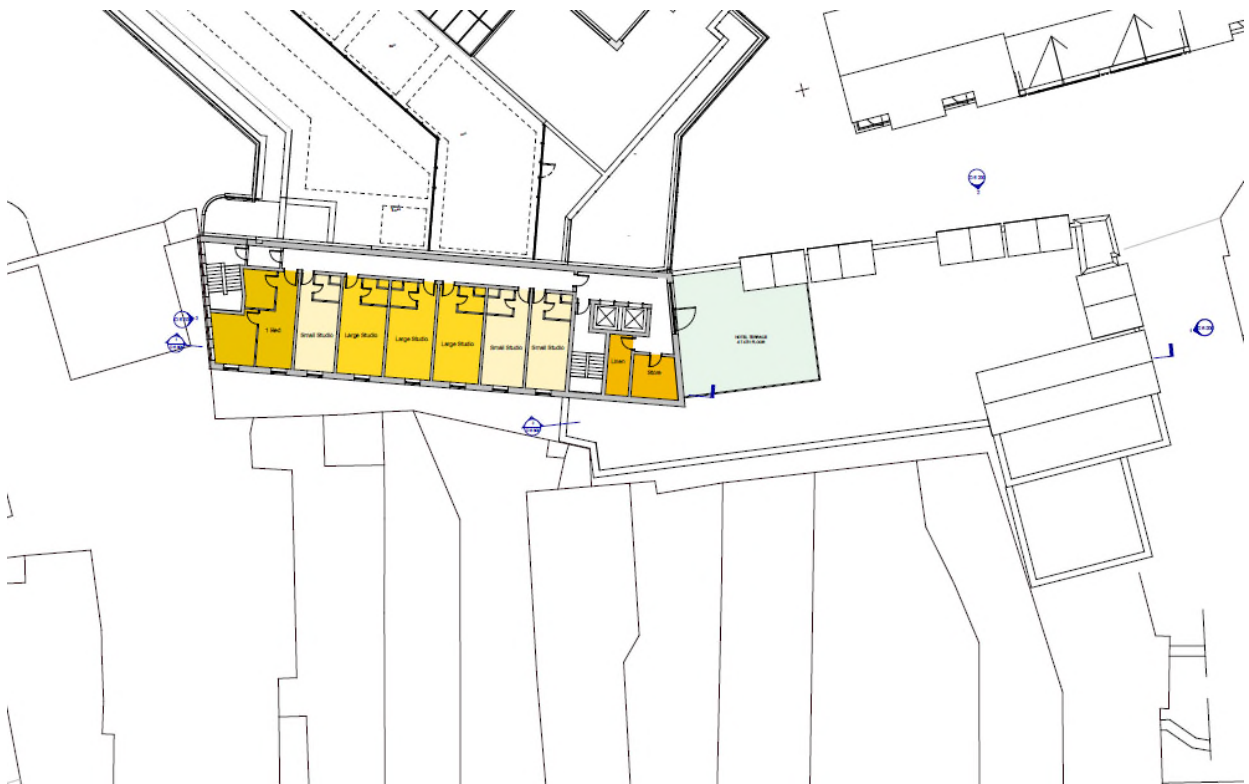
Proposed Third Floor (Hotel)



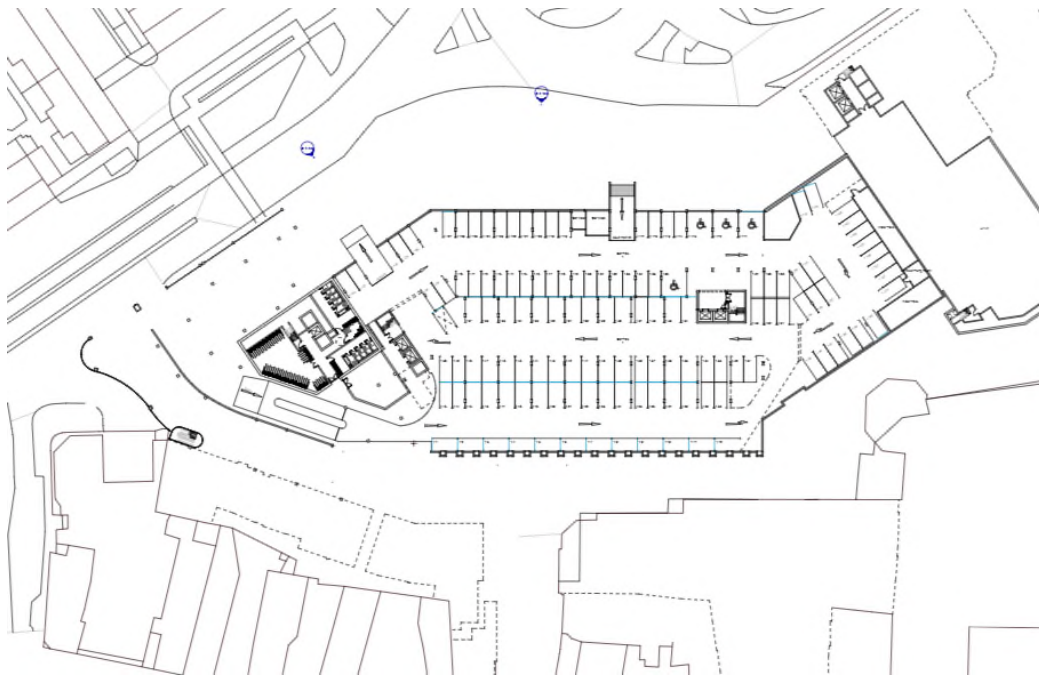
Proposed Fourth Floor (Hotel)



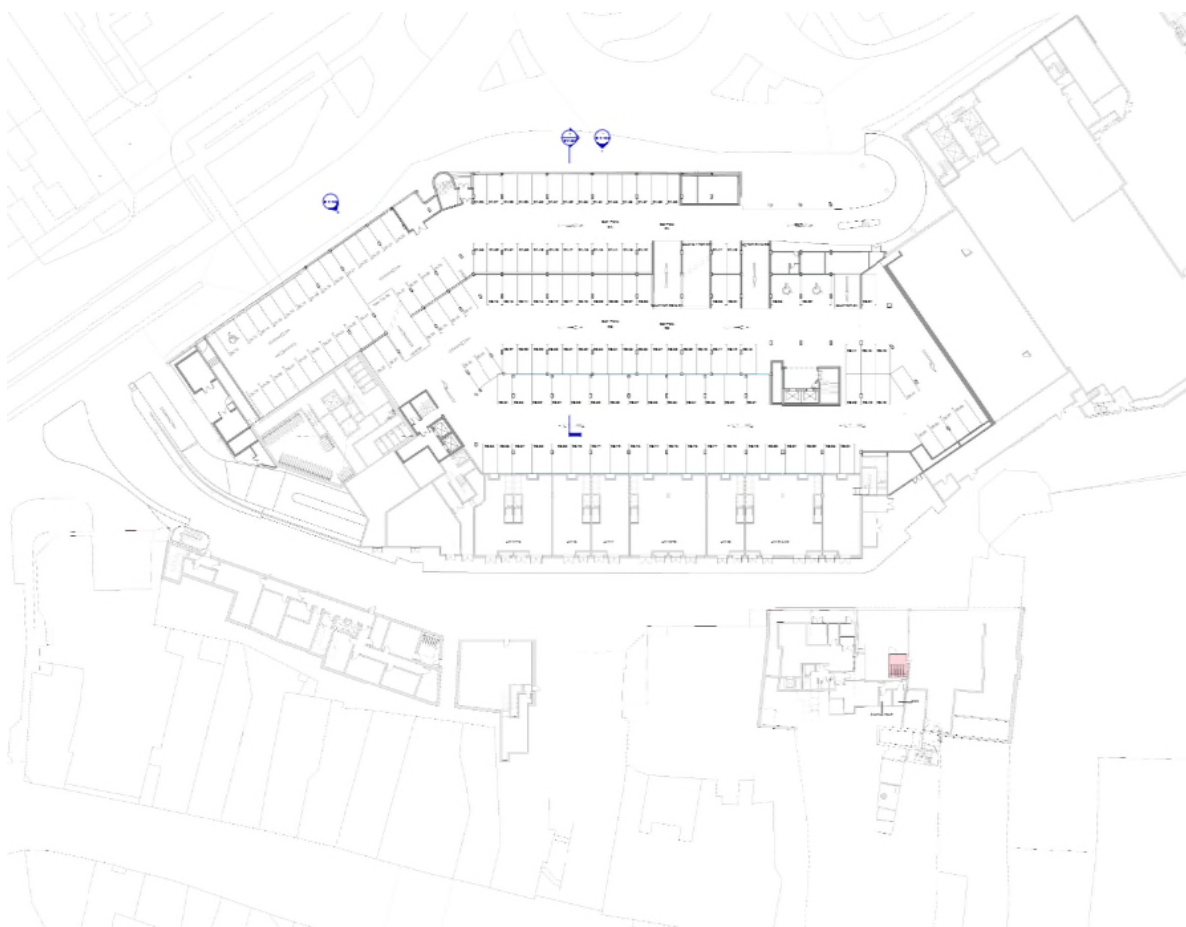
Proposed Fifth Floor (Hotel)



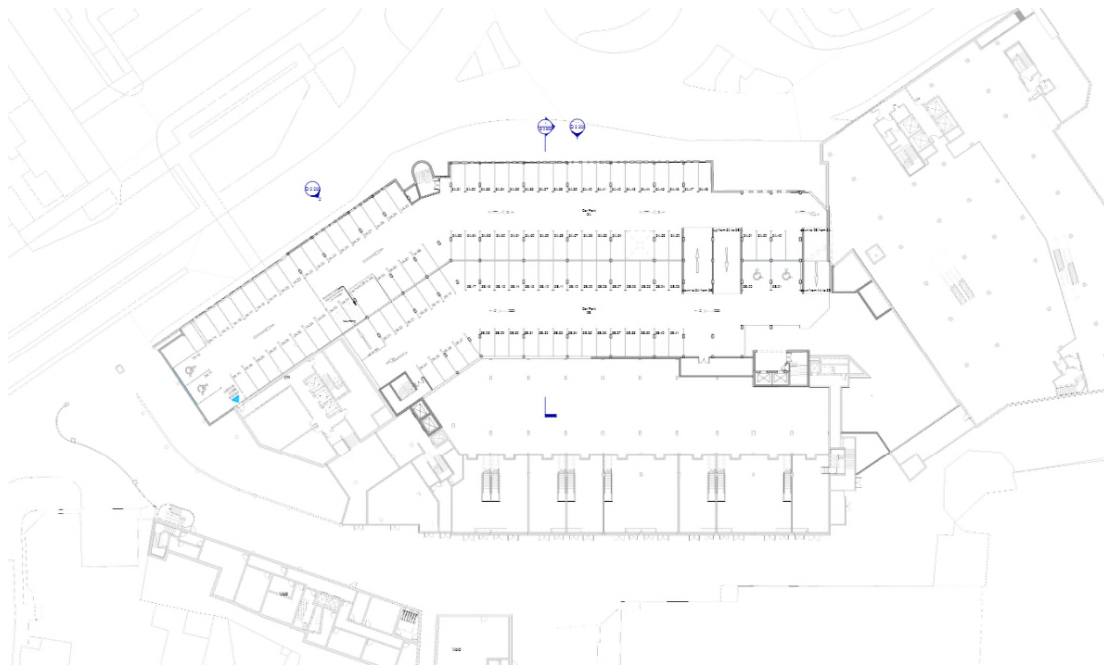
Proposed Car Park Entry Level (Car Park)



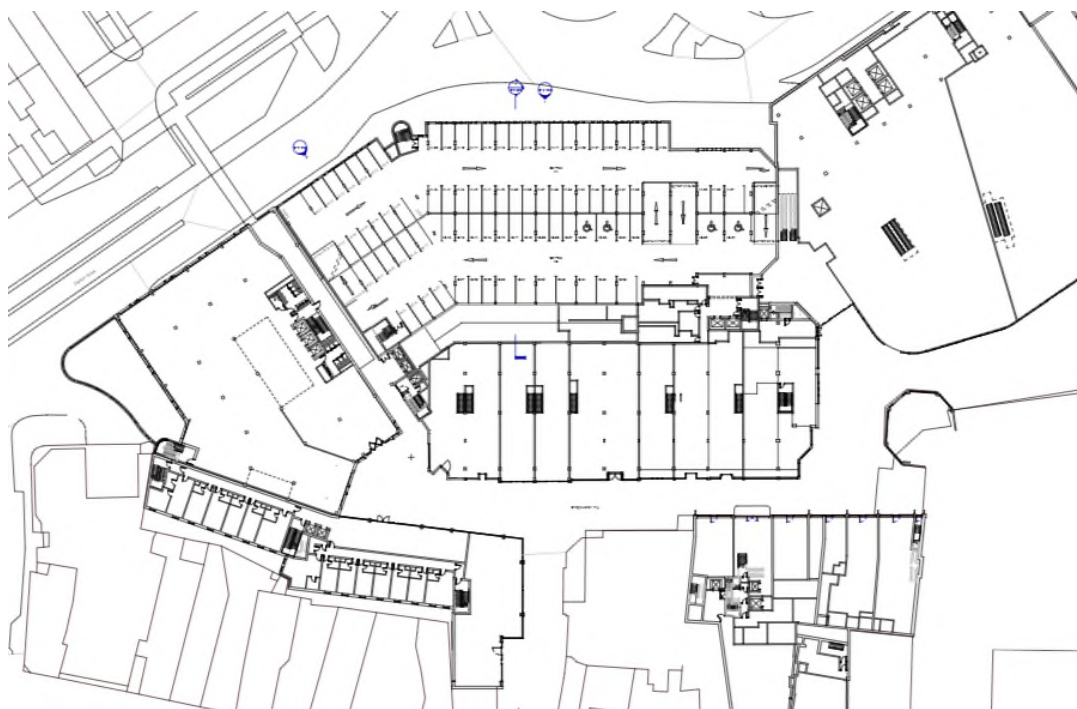
Proposed Service Yard Level (Car Park)



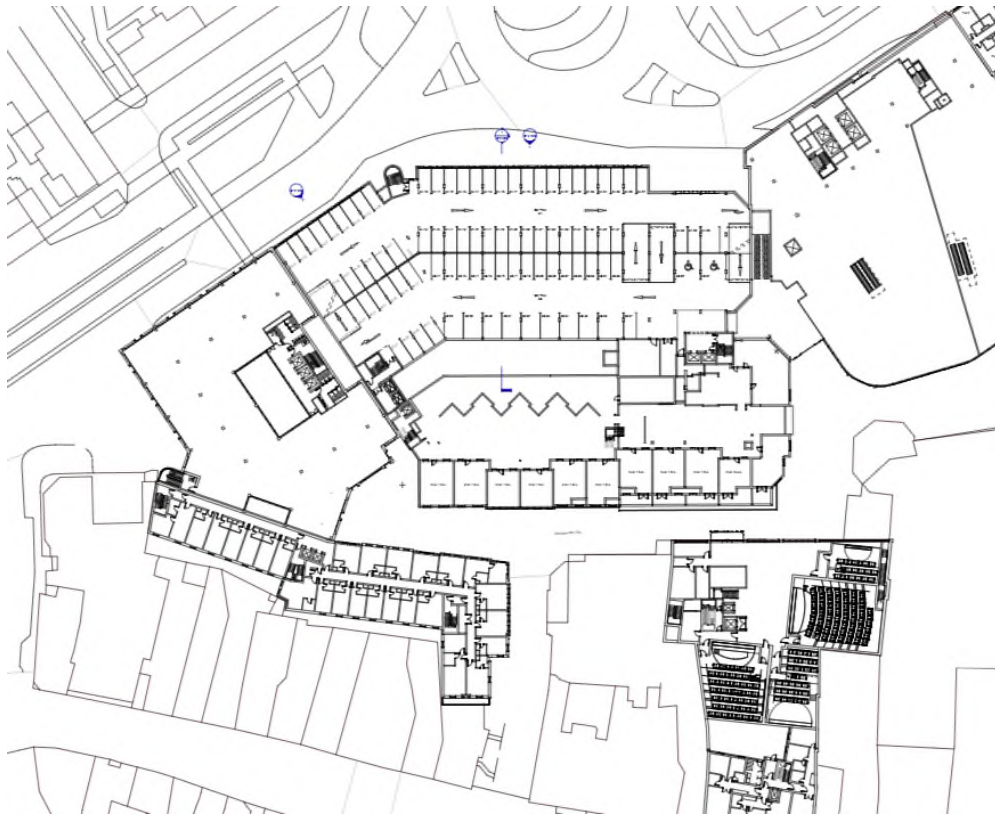
Proposed Mezzanine Level (Car Park)



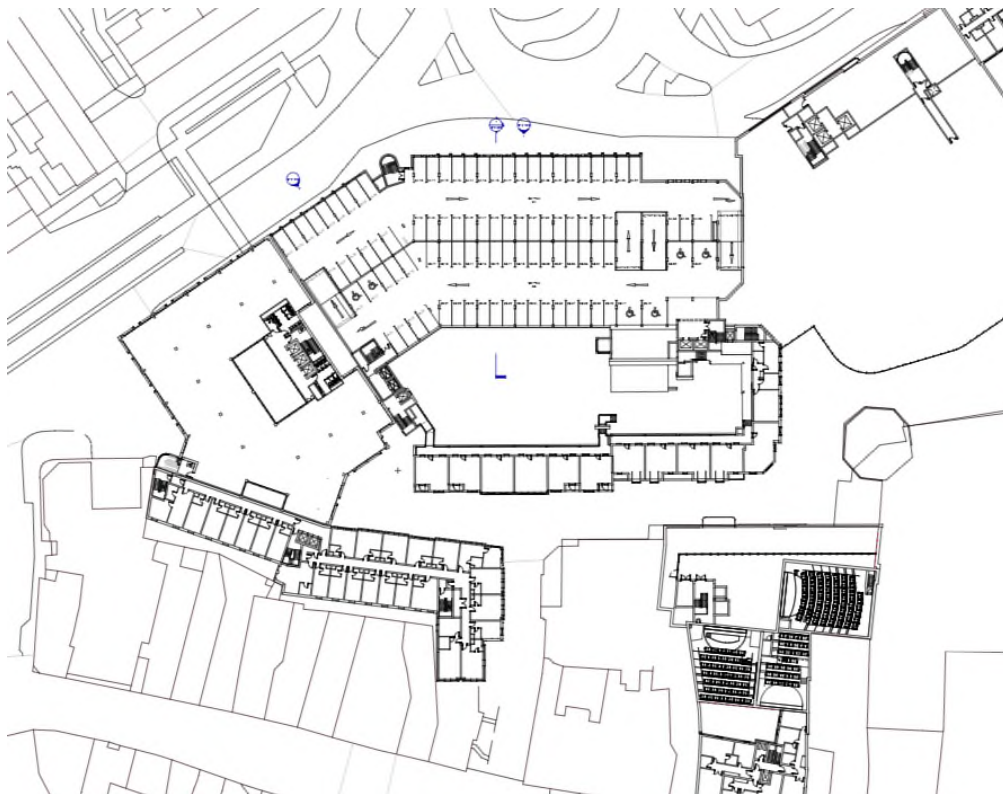
Proposed Ground Floor (Car Park)



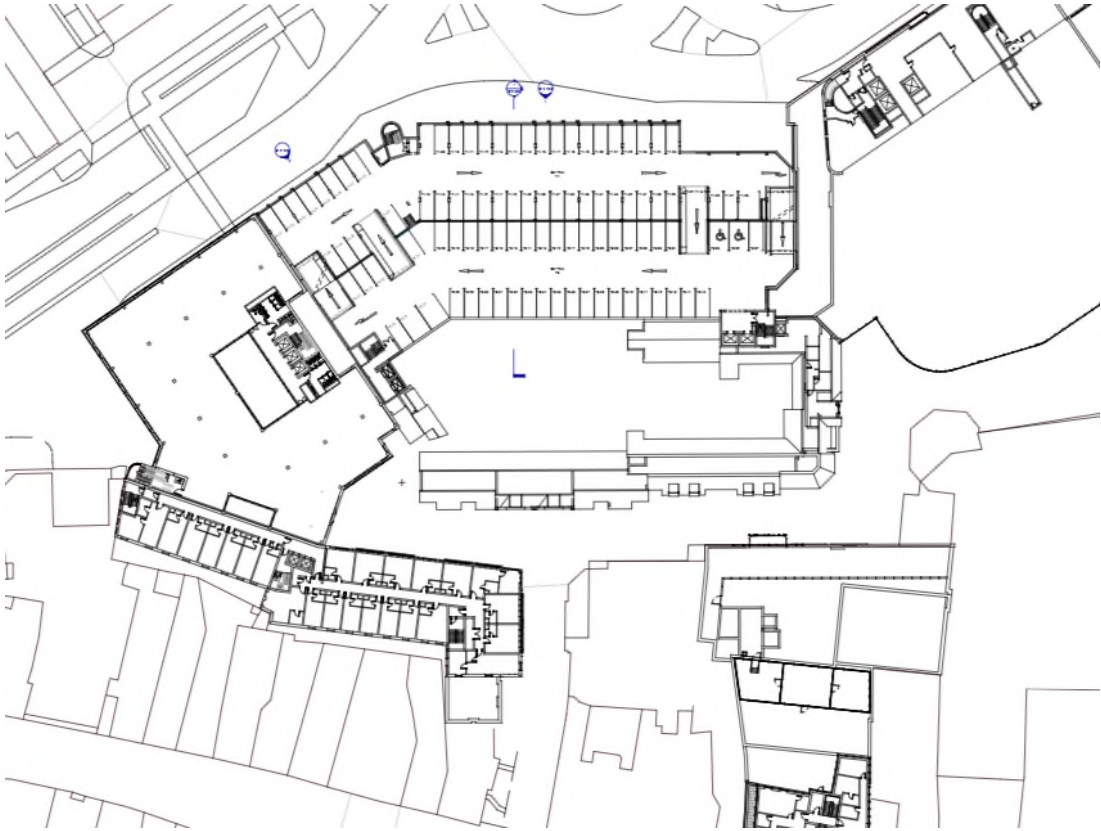
Proposed First Floor (Car Park)



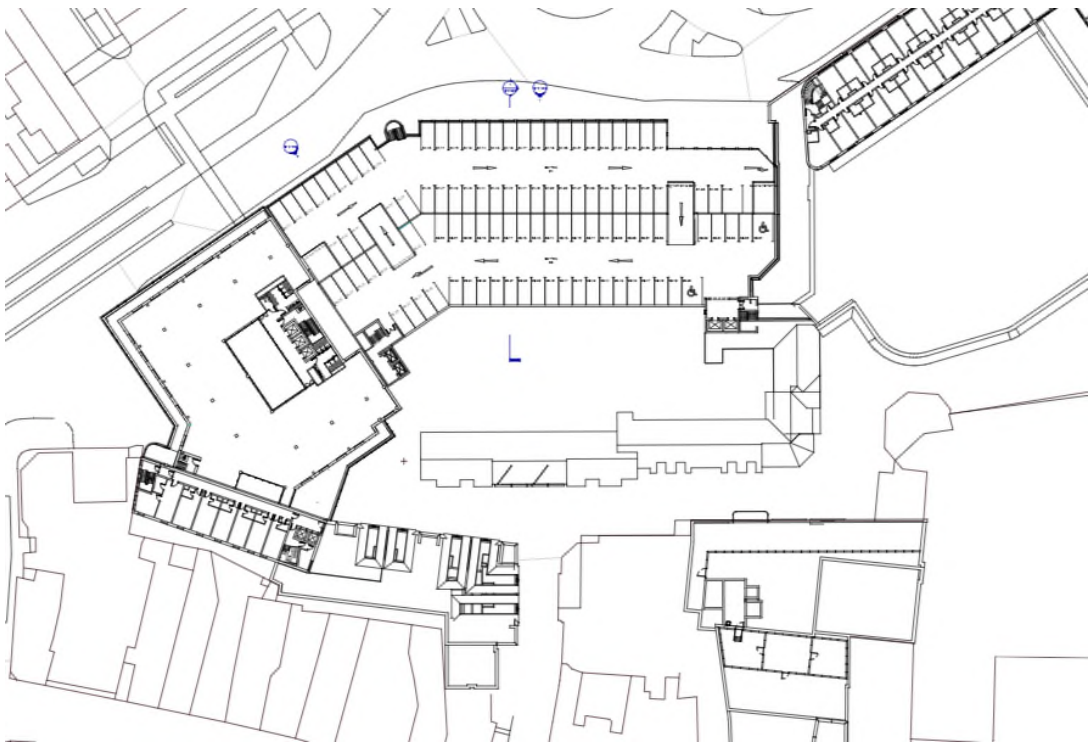
Proposed Second Floor (Car Park)



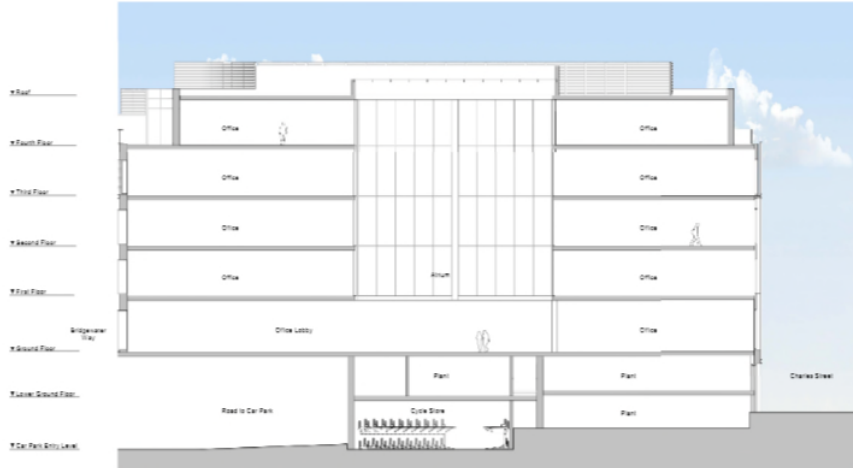
Proposed Third Floor (Car Park)



Proposed Fourth Floor (Car Park)



Proposed Sections (Office)



Proposed Sections (Hotel)



① Section 01

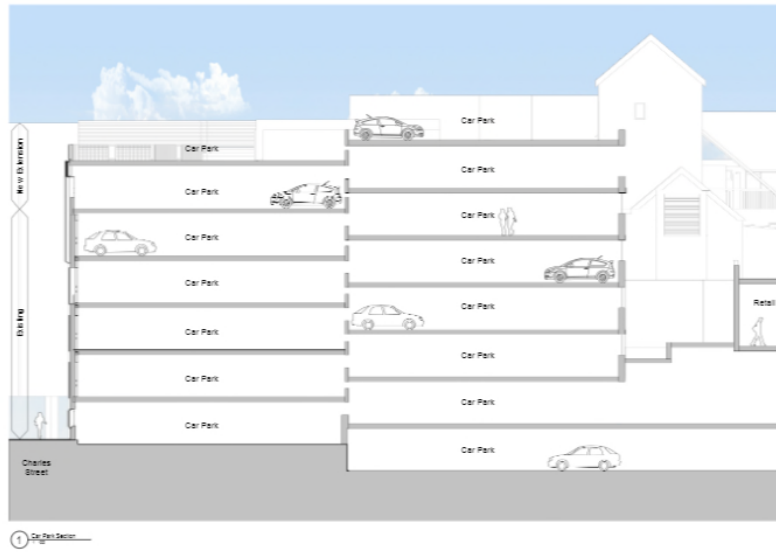


② Section 02

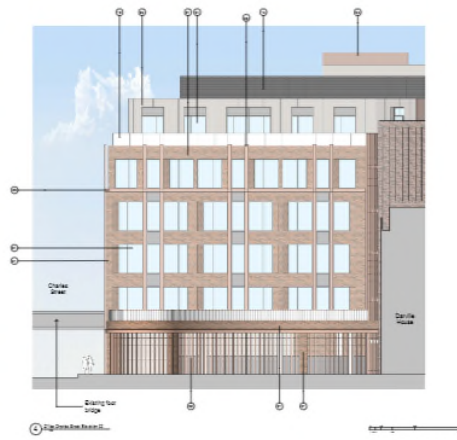
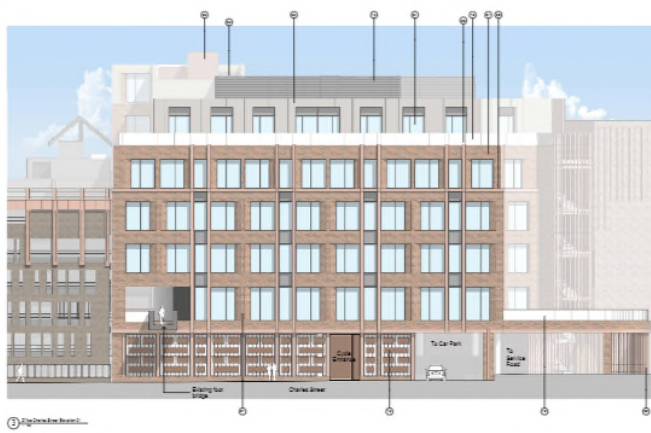


③ Section 03

Proposed Sections (Car Park)



Proposed Elevations (Office)



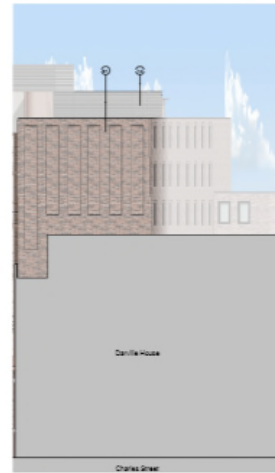
Proposed Elevations (Hotel)



1) mgfassociates, llc



2) mgfassociates, llc



3) mgfassociates, llc

Central Residential Area

Proposed Service Yard Level



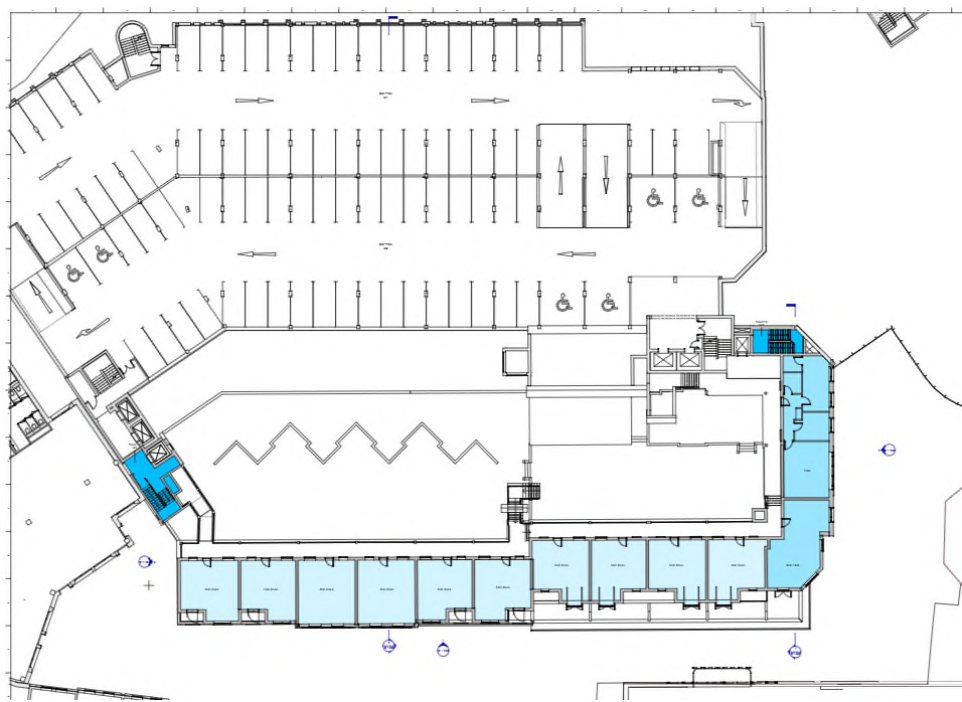
Proposed Ground Floor



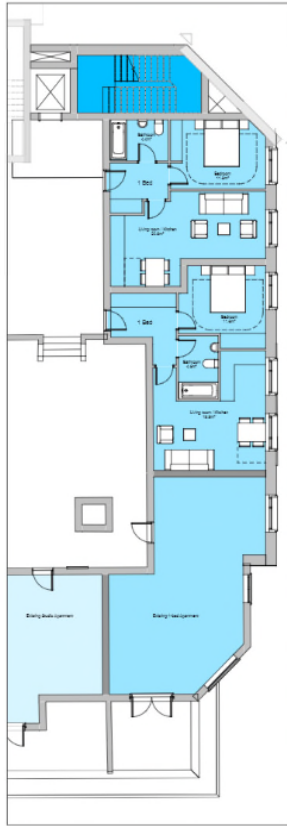
Proposed First Floor



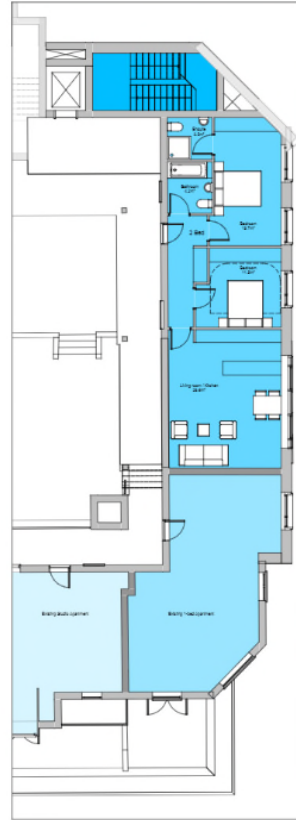
Proposed Second Floor



Proposed Apartment Layout

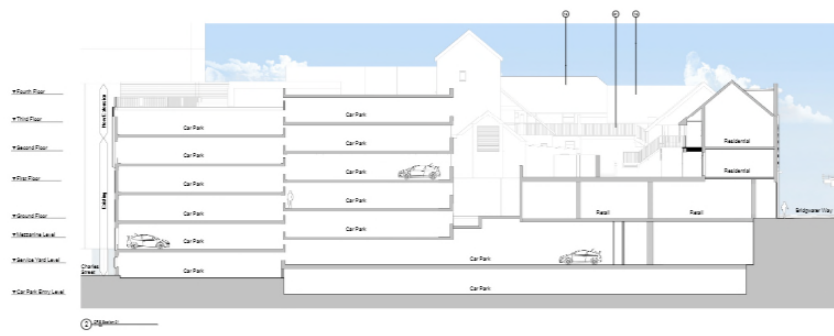
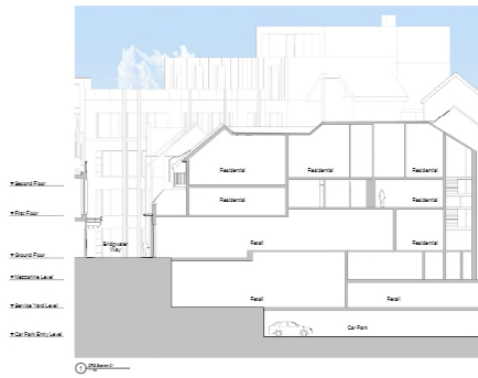


① Apartment, Unit 101



② Apartment, Unit 102

Proposed Sections

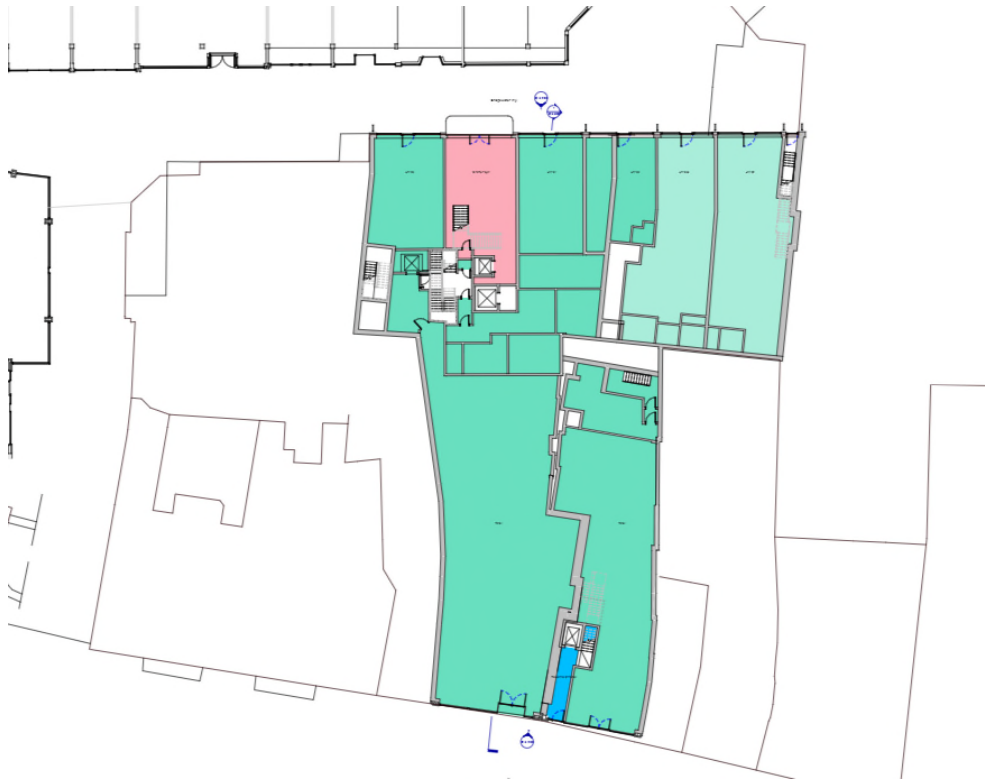


Proposed Elevations



Eastern Development Area

Proposed Ground Floor



Proposed First Floor



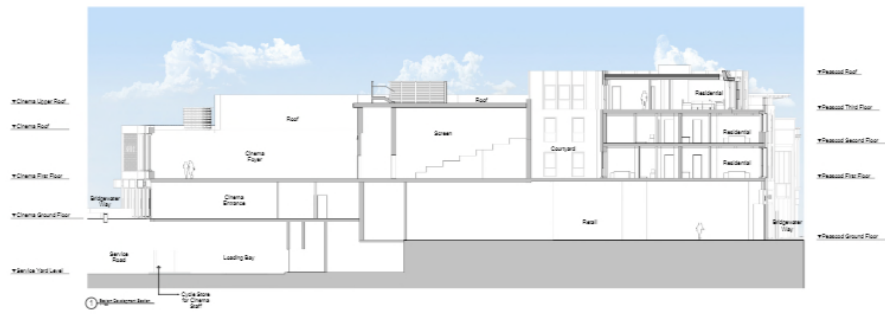
Proposed Second Floor



Proposed Third Floor



Proposed Sections

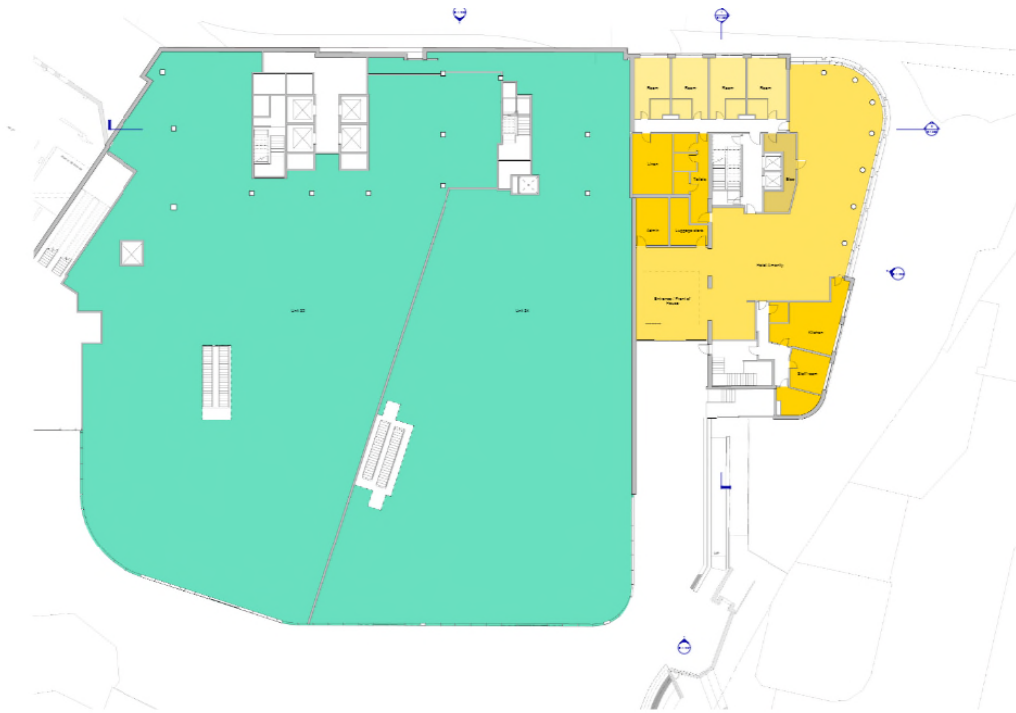


Proposed Elevations

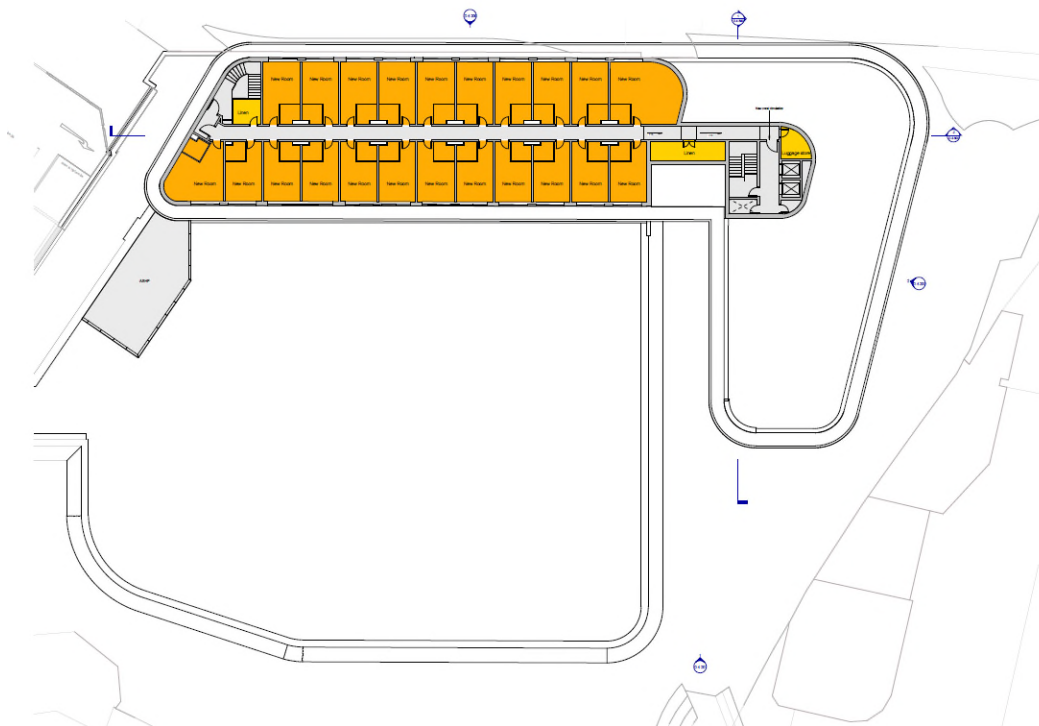


Travelodge Extension

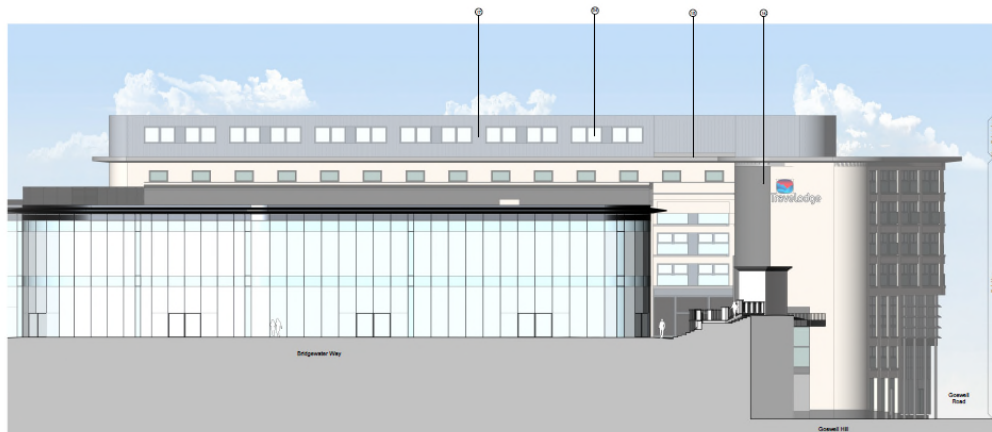
Proposed Ground Floor



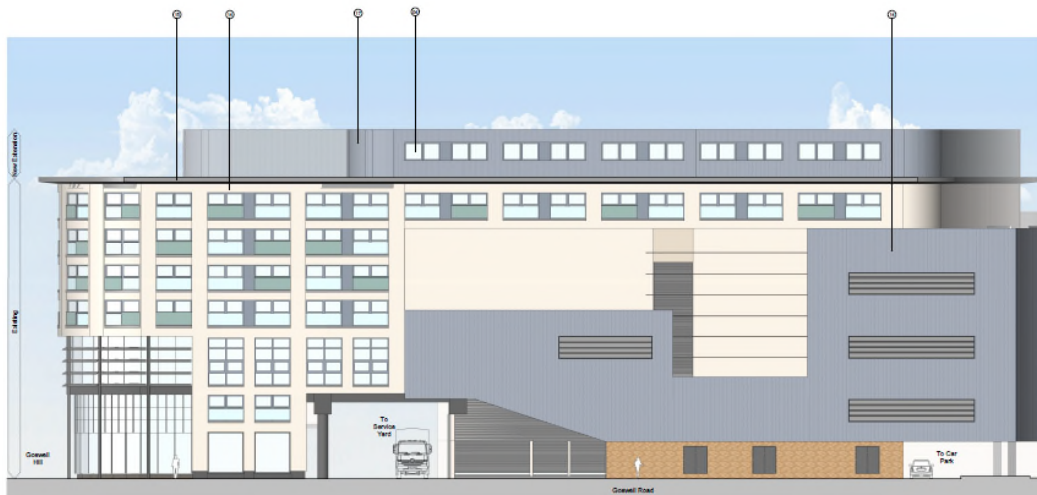
Proposed Fifth Floor



Proposed Elevations



1



1



2

5 April 2023

Item: 2

Application No.:	22/02990/FULL
Location:	119 - 120 High Street Eton Windsor SL4 6AN
Proposal:	Three storey rear extension and new third floor.
Applicant:	Mr Pryer
Agent:	Mr Ben Willcox
Parish/Ward:	Eton Town Council/Eton And Castle

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

1. SUMMARY

- 1.1 The application site comprises offices situated on Eton High Street. The site lies within the Conservation Area and is surrounded by listed buildings.
- 1.2 The proposal involves a 3-storey rear extension and a roof extension to provide additional office accommodation. The proposal would be harmful to the historic character and appearance of the site, to the setting of the adjacent listed buildings and the character and appearance of the Conservation Area.
- 1.3 The proposal would have an unacceptable impact on the living conditions of the neighbouring residential properties in terms of light, outlook and privacy.
- 1.4 It has not been adequately demonstrated that the proposal would meet the requirements of policy SP2 and the Interim Sustainability Position Statement to help mitigate climate change.
- 1.5 The proposal would be acceptable in terms of flood risk.

It is recommended the Committee refuses planning permission for the following summarised reasons (the full reasons are identified in Section 15 of this report):	
1.	The proposal, by virtue of its scale, height, mass and design would appear unduly dominant and would not reflect the historic character and appearance of the site itself and the local environment in general and would result in less than substantial harm to the setting of the adjacent listed buildings, 118a, 119 and 121 High Street and would result in less than substantial harm, at the higher end of the scale, to the character and appearance of Eton Conservation Area. The public benefits would not outweigh the identified harm and the proposal is contrary to Local Plan policies QP3 and HE1, Neighbourhood Plan policy HD3 and principle 7.6 of the Design Guide.
2.	The proposal, by virtue of its siting, scale, height, massing and design would have an unacceptable impact on the living conditions of the neighbouring properties, 121-123 High Street, 122A High Street and 118A High Street in terms of light, outlook and privacy, contrary to Local Plan policy QP3 and principle 7.6 set out in the Design Guide.
3.	Insufficient information has been submitted to determine whether the proposal would meet the requirements of Local Plan policy SP2 and the Interim Sustainability Position Statement to mitigate climate change and no legal agreement has been secured in relation to the carbon off-set fund.

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 as the application has been called in by Cllr Rayner if officers are minded to refuse the application, on the grounds that the

Neighbourhood Plan seeks to encourage a thriving High Street and the Corporate Plan seeks thriving places.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is situated towards the northern end of Eton High Street and comprises two buildings, numbers 119-120 High Street, which are occupied as offices. The application site extends to the rear and includes a large car park with space for approximately 24 cars accessed via a narrow driveway between numbers 120 and 121 High Street.
- 3.2 Number 120 High Street is a three storey, flat roof building built in the early 1970's and is attached to number 119 High Street, a grade II listed building. The buildings form part of a row of listed properties which include numbers 118 and 118A High Street which are in retail and residential use. To the north lies a row of four storey, grade II listed buildings, numbers 121-123 High Street, which are in residential use. To the rear is a detached building, number 122A High Street which comprises four garages and a residential flat above. A communal garden, owned by Eton College, lies to the rear of the site and the site backs onto South Meadow.

4. KEY CONSTRAINTS

- 4.1 The buildings surrounding number 120 High Street are grade II listed and include numbers 118, 118A and 119 High Street, listed for group value. The four storey dwellings to the north of the site, numbers 121-123 High Street, are also grade II listed. The site lies within Eton Conservation Area and Flood Zones 2 & 3. The site also lies within an amber impact zone for Great Crested Newts.

5. THE PROPOSAL

- 5.1 Planning permission is sought to erect a three-storey rear extension and a third-floor roof extension to extend the existing offices at number 120 High Street. The proposal does not involve any physical alterations to number 119 High Street, the grade II listed building.
- 5.2 The application follows previous application, reference number 21/03164/FULL, which was withdrawn. The third-floor roof extension has been revised and would be zinc clad and the height and bulk reduced. The height of the parapet has also been reduced. It is proposed to be set back from the building frontage and a roof terrace is proposed at the rear. The third-floor roof extension would provide an additional 98 sq.m of office floorspace.
- 5.3 The 3-storey rear extension has not been amended since the previous application and would have a maximum depth of 6.2m and would measure 9.2m in height. The rear extension would provide an additional 71 sq.m of office floorspace over three floors. The extension would be contemporary in design with brickwork to match the existing building. A new fire escape, to replace the existing spiral fire escape, is proposed to be integrated into the rear extension along with rear terraces/balconies. A new landscaped courtyard area and cycle parking is also proposed.

6. RELEVANT PLANNING HISTORY

The most recent planning history is set out below:

Reference	Description	Decision
21/03164/FULL	Three storey rear extension and new third floor.	Withdrawn 2022
01/80674/LBC	Consent to carry out internal alterations (retrospective).	Permitted 2002
91/00335/FULL	Installation of a new window and enlargement of an existing window at second floor level in the side elevation of number 120.	Permitted 1991

7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

Adopted Borough Local Plan

Issue	Policy
Climate Change	SP2
Character and Design of New Development	QP3
Economic Development	ED1
Other Sites and Loss of employment	ED3
Hierarchy of Centres	TR1
Local Centres	TR5
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Contaminated Land and Water ?	EP5
Sustainable Transport	IF2

Adopted Eton and Eton Wick Neighbourhood Plan 2016-2036

Issue	Policy
Development within Eton	HD3
Car Parking	T12
Bicycle Parking	T13
Flooding	EN3

8. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development

Section 6 – Building a strong, competitive economy

Section 7 – Ensuring the vitality of town centres

Section 9- Promoting Sustainable Transport

Section 11 – Making effective use of land

Section 12- Achieving well-designed places

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

Section 16- Conserving and enhancing the historic environment

Supplementary Planning Documents

- Borough Wide Design Guide

Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

RBWM Parking Strategy

Interim Sustainability Position Statement

Corporate Strategy

Environment and Climate Strategy

9. CONSULTATIONS CARRIED OUT

Comments from interested parties

17 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on the 22nd November 2022 and the application was advertised in the Local Press on the 24th November 2022.

4 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Extension would project beyond rear of numbers 121-123 High Street and come close to number 122a High Street.	Section 10iii
2. Loss of privacy to number 122A High Street	Section 10iii
3. Overshadowing of small courtyard gardens and loss of light and privacy to numbers 121-123 High Street.	Section 10iii
4. Potential impact of storing building materials and equipment on the trees, wildlife and natural habitats at the rear of the car park.	Section 10vii
5. Additional office space will exacerbate existing parking pressures	Section 10v
6. Residents living in Eton sustain the 'thriving community' not office workers.	Section 12
7. Plenty of office space available to rent in the area.	Section 12
8. Unacceptable loss of light and privacy to neighbouring dwellings	Section 10iii
9. Overbearing impact	Section 10iii
10. Loss of parking and manoeuvring space	Section 10v
11. Proposal will overlook gardens of 118A High Street and 1 Church Close.	Section 10iii
12. Safety issue arising from increase in traffic using narrow driveway	Section 10v
13. Proposal will increase flood risk– South Meadow flooded in 2014.	Section 10iv
14. Impact of large extension on conservation area	Section 10ii
15. Increase in traffic and parking will have negative impact on trees and wildlife.	Section 10v and vii
16. Proposal will not preserve the setting of the listed buildings or the character and appearance of the Eton Conservation Area.	Section 10ii
17. Proposal does nothing to make the local area any more thriving or to improve the economic success of the High Street.	Section 12

Consultees

Consultee	Comment	Where in the report this is considered
Conservation Officer	Less than substantial harm - objection	See section 10ii
Highways	Further information requested	See section 10v
Environmental Protection	Condition suggested (CEMP)	Noted
NatureSpace	No comments received	

Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Eton Town Council	No comments received	

10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i Principle of Development
- ii Impact on character and Heritage Assets
- iii Impact on neighbouring properties
- iv Flooding
- v Parking and Highway Impacts
- vi Climate Change and Sustainability
- vii Other Material Considerations

i Principle of Development

10.2 Numbers 119 and 120 High Street are already in office use and the proposal would add an additional 169 sq.m of office floorspace in total.

10.3 Borough Local Plan policy ED1 states:

1. *A range of different types and sizes of employment land and premises will be encouraged to maintain a portfolio of sites to meet the diverse needs to the local economy. Appropriate intensification, redevelopment and upgrading of existing sites and premises will be encouraged and supported to make their use more efficient and to help meet the forecast demand over the plan period and to respond to modern business needs.*
2. *The Royal Borough will seek to make provision for at least 11,200 net new jobs across a range of floorspaces.*
3. *It will do this by ensuring a flexible supply of high-quality employment floorspace making some new allocations, utilising existing employment areas and promoting a more intensive use of these sites through the recycling, refurbishment and regeneration of existing older or vacant stock and promotion of flexible working practices.*

Borough Local Plan ED3 states that development proposals for employment on sites currently in employment use will be supported.

10.4 The site lies within Eton, a Local Centre as defined in the BLP. Windsor and Maidenhead are the preferred location for main town centre uses such as offices, followed by the District and Local Centres. Policy TR1 states that development proposals for main town centre uses including offices will be supported in accordance with the hierarchy, provided they are appropriate in terms of their scale, character and design and are well-related to the centre.

10.5 Local Centres perform a more limited role, acting as the focus for convenience and service uses that serve their immediate community. The Borough's strategy is to ensure that local centres continue to provide a broad range of services for their community, mainly serving specialist local needs or the immediate day to day needs to their local area (paragraph 9.12.2 of the BLP).

10.6 Eton High Street contains a mix of residential and commercial/retail units and the Neighbourhood Plan and the Corporate Plan '*support the High Street as an economic centre and thriving community*'

10.7 Overall there is no objection in principle to extending the existing offices providing the proposal accords with all other policies set out in the BLP and Neighbourhood Plan.

ii Impact on Character and Heritage Assets

10.8 The application has been accompanied by a Design and Access Statement and a Heritage Statement.

10.9 Local Plan policy QP3 sets out a number of design principles for achieving sustainable high quality design and includes respecting and enhancing the local and historic character of the environment paying particular regard to urban grain, layouts, rhythm, density, height, scale, bulk,

massing, proportions and materials, amongst other things. Local Plan policy HE1 requires the historic environment to be conserved and enhanced in a manner appropriate to its significance. Development proposals need to demonstrate how they preserve or enhance the character, appearance and function of heritage assets and their settings and respect the significance of the historic environment. Neighbourhood Plan policy HD3 requires proposals within Eton to demonstrate how they have taken into account the Eton Design Guidance. Proposals should not detract from the character of existing buildings and the positive features and appearance of the surrounding area. Proposals should be in harmony with the materials, scale, massing and the architectural vernacular and rhythm of surrounding buildings and spaces. The Borough Wide Design Guide provides guidance for new development. Principle 7.6 states ‘1. 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. 2. The council will resist proposals where the bulk, scale and mass adversely impact on the street scene, local character and neighbour amenities.’

- 10.10 Number 119 High Street is a late 18th century, 3 storey red brick, grade II listed building. Number 120 High Street is a more recent 3 storey building built in the 1970’s. The two buildings have an overall positive impact on the streetscape with their traditional Georgian appearance. The buildings are surrounded by grade II listed buildings at numbers 118, 118a and 121-123 High Street.

Rear extension

- 10.11 The proposed rear extension has not been amended since the previous application and the principal concern remains its impact on the setting of the neighbouring listed buildings and the Conservation Area. Number 120 High Street already extends beyond the rear of number 119 High Street and the neighbouring buildings. The 3-storey extension would add a further 6.2m in depth to the existing building and would measure 9.2m in height. The proposal would significantly increase the overall size, footprint and mass of the building.
- 10.12 As well as being visible from the adjacent sites, longer views of the site are available from Church Close, a footpath through the grounds of St John’s Church and from South Meadow to the west of the site. The increased dominance of the building would harm views within the Conservation Area. There is a barn attached to the rear of number 118a High Street, a grade II listed building, which lies immediately to the south of the application site. The proposed rear extension would have a negative impact on the setting of the barn and the character and appearance of the listed building. Number 120 High Street already extends beyond the rear building line of number 121 High Street to the north of the application site and the proposed rear extension would have a negative impact on the setting of this early 19th century listed building as well as the attached listed building, number 119 High Street.

Third floor extension

- 10.13 The proposed 3rd floor roof extension has been amended since the previous application to reduce its visual dominance within the street scene. The parapet has been reduced in height and this traditional feature for a Georgian style building would be in keeping with the overall style of the building and the conservation area. The design of the roof extension has been amended to provide a more traditional mansard form and the height has been lowered to reduce the visual impact within the street scene. Despite these revisions, the mansard roof still does not reflect the local character prevalent within Eton Conservation Area and the fenestration needs to be more cohesive in appearance and lined up with the main building.
- 10.14 Overall, the proposal, by virtue of its scale, height, mass and design would appear unduly dominant and would not reflect the historic character and appearance of the site itself and the local environment in general. The proposal would result in less than substantial harm to the setting of the adjacent listed buildings including numbers 118a, 119 and 121 High Street and would result in less than substantial harm, at the higher end of the scale, to the character and appearance of Eton Conservation Area. When considering the impact of a proposed development on the significance of a designated heritage asset, which in this case are listed buildings and the Conservation Area, great weight should be given to the asset’s conservation.

10.15 The applicant's heritage statement concludes that there would be no harm to the significance of any heritage asset and the submission as a whole does not seek to put forward a public benefits case. Notwithstanding, the Council recognises that there would be small increase in the amount of office floor space of 169 sq.m which could be deemed as a public benefit. However, in this case the increase in office floorspace is considered to be minor compared to the existing floor area of the buildings. Furthermore, there is no case put forward that the extensions to the building are required to ensure long-term viability. As such, when considered in the balance, the small public benefit would not outweigh the cumulative less than substantial harm to a number of heritage assets which has been identified. Overall, the proposal is contrary to Local Plan policies QP3 and HE1, Neighbourhood Plan policy HD3 and principle 7.6 of the Design Guide.

iii Impact on neighbouring properties

10.16 Local Plan policy QP3 states that proposals will be considered high quality design and acceptable where it has no unacceptable effect on the amenities enjoyed by the occupants of adjoining properties in terms of privacy, light, disturbance, pollution and access to sunlight and daylight amongst other things.

10.17 The site is surrounded by residential properties. They include numbers 121-123 High Street, a row of 4 storey residential properties with small courtyard gardens to the north of the shared driveway, number 122A High Street, a first-floor flat above garages to the rear and number 118A High Street which has a rear garden which abuts the south boundary of the application site.

10.18 The D&A Statement accompanying the application contains a series of diagrams to attempt to demonstrate that the proposal would have no adverse impact on light to the rear of numbers 121-123 High Street. The existing building already projects beyond the rear elevation of number 121 High Street and the proposed rear extension would project further beyond this rear elevation and comes close to the first floor flat at number 122A High Street which has a first-floor bedroom window in the south elevation. Number 121 High Street has a ground floor dining room with a glass roof and first and second floor windows serving a playroom and bedroom in the rear elevation. The proposed rear extension by virtue of its scale, depth, siting and height would appear unduly prominent and overbearing when viewed from the rear of number 121 High Street and number 122A High Street and would result in an unacceptable loss of light and outlook to these properties. The proposal would also have an overbearing impact on the courtyard gardens to the rear of number 121-123 High Street and result in an unacceptable loss of light and outlook to these small gardens.

10.19 The windows in the rear and flank elevations of the proposed extension and the proposed roof terraces/ balconies would result in an unacceptable level of overlooking and loss of privacy to number 121 and 122A High Street and the rear courtyard gardens of 121-123 High Street. Number 118A High Street has a rear garden which abuts the boundary of the site, and the proposal would result in an unacceptable level of overlooking and loss of privacy to this private amenity space. Sufficient distance would be maintained between the proposed extension and number 1 Church Close.

10.20 Overall, the proposal, by virtue of its siting, scale, height, massing and design would have an unacceptable impact on the living conditions of the adjoining properties, 121-123 High Street, 122A High Street and number 118A High Street in terms of light, outlook and privacy and is contrary to Local Plan policy QP3 and principle 7.6 set out in the Design Guide.

iv Flooding

10.21 The site lies within Flood Zone 3a, and the application has been accompanied by a Flood Risk Assessment in accordance with Local Plan policy NR1. Neighbourhood Plan policy EN3 states that development should not result in an increase in maximum flood levels within adjoining properties using mitigation appropriate to the site circumstances.

10.22 The building would remain in office use which is classified as 'less vulnerable' in flooding terms. The proposed increase in footprint would be approximately 48 sq.m and non-residential

extensions with a footprint less than 250sq.m are classed as 'minor development' and are not subject to the sequential or exception test. The assessment follows the EA Standing Advice for minor development.

- 10.23 In the design flood event, the 1% AEP plus climate change event, the whole site is expected to flood. The estimated flood water level (1% AEP plus climate change event) for the site is 20.71m AOD. The ground floor of the existing building is between 20.41m and 20.44m AOD which are below the design flood level. The proposed ground floor extension would have a floor level set no lower than the existing level, therefore there will be no change to the depth of flooding due to the proposal. The building would need to be designed to be flood resistant and it is proposed to implement the 'water exclusion' approach including the implementation of several devices to prevent flood water entering the property. These can include flood doors, demountable flood barriers and ensuring the property is recoverable after a flooding event by ensuring protected utility boxes, raised electrical plugs and sealed floors. The likelihood of a rapid river level rise within the river Thames is considered low and it should be possible to provide timely flood warnings to those who sign up for the Environment Agency flood warning service.
- 10.24 Whilst the risk of fluvial flooding at the site is high there is no change to the level of risk nor vulnerability due to the proposed minor extension. In accordance with the EA standing advice for minor development, there is no obligation to compensate for the increase in building footprint given that minor developments are unlikely to significantly raise the flood risk.
- 10.25 The flood risk from surface water and groundwater is shown to be very low in this case.
- 10.26 The proposal meets the requirement of the EA standing advice for minor developments. Subject to securing appropriate conditions to ensure the development is carried out in accordance with the 'water exclusion' strategy outlined in the FRA and that any future occupiers of the building sign up to the EA Flood Warning service, the proposal is acceptable in flood risk terms and accords with Local Plan NR1 and NP policy EN3.

v Parking and Highways Impact

- 10.27 The site lies in a location with good access to public transport. The existing rear car park has approximately 24 spaces and the proposed parking plan shows 21 spaces. The Council stipulates a maximum of 1 space per 100sq.m for commercial property Use Class B1 in an area of good accessibility. The parking provision is therefore acceptable, and the proposal would not generate any significant amount of traffic on the local highway network.
- 10.28 The car park is accessed via a narrow, shared driveway between numbers 120 and 121 High Street and provides access to four garages used by residents. The proposed rear extension would extend the length of the narrow driveway further into the site and the proposal could make it more difficult for residents to manoeuvre into their garages.
- 10.29 The Highways section has requested further information in the form of an existing, scaled block plan to compare the existing access and parking arrangement with the proposed parking plan. In addition, vehicle swept paths to show how vehicles will enter, park and egress the site including a vehicle swept path to show how residents will access their garages is required. Details relating to the proposed emergency and fire access strategy relating to the new access arrangement need also to be provided.
- 10.30 Three Sheffield cycle parking stands are shown to be provided however further detail will be required to ensure adequate spacing between the stands and wall and to show the cycle parking is adequately covered. This can adequately be covered by condition.
- 10.31 As things stand it has not been adequately demonstrated that the proposal would accord with Local Plan policies QP3 and IF2. Notwithstanding, the footprint of the extension does not prohibit access to the car park and parking spaces and therefore it is considered that the final parking layout and turning space could be controlled by condition.

vi Climate Change and Sustainability

- 10.32 Local Plan policy SP2 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The delivery of this policy is intrinsically linked with the Environment and Climate Strategy 2020 and the Interim Sustainability Position Statement 2021.
- 10.33 All development proposals, with the exception of householder extensions and non-residential development with a floorspace below 100sq.m, are required to make the fullest contribution to minimising carbon dioxide emissions. The proposal involves an increase in floorspace of 169 sq.m and it needs to be demonstrated how the proposal meet the 7 requirements set out in the ISPS.
- 10.34 A Sustainability and Energy statement has been submitted. The carbon emissions calculations are based on the installation of an air source heat pump and photovoltaic panels on the flat roof of the 3rd floor roof extension. The panels would be inclined at an angle of around 20 degrees. The use of an ASHP and Panels would amount to a total reduction of 70.36% of the total (TER) emissions and a carbon offset payment of £760 has been calculated.
- 10.35 No details of the ASHP and photovoltaic panels have been provided and it is not possible to determine whether they would be acceptable from a heritage point of view. In addition, in the absence of securing an appropriate Unilateral Undertaking to secure the carbon off set contribution the requirements of Local Plan policy SP2 and the Interim Sustainability Position Statement have not been met.

Vii Other Material Considerations

- 10.35 The proposal should have no impact on the garden area situated to the rear of the site in terms of nature conservation, biodiversity and trees. However, in the event of planning permission being granted a condition would need to be secured to obtain details of a construction management plan/site set up plan and tree protection plan to ensure that no building materials/equipment are stored near the trees/garden area at the rear of the site.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 11.1 The development is not CIL liable.

12. PLANNING BALANCE

- 12.1 Any economic benefits arising from the additional office floorspace would not outweigh the harm to the historic character and appearance of the site, the setting of the adjacent listed buildings, the character and appearance of the Conservation Area and the impact on the living conditions of the neighbouring properties.

13 CONCLUSION

- 13.1 The proposal would have an unacceptable impact on the character and appearance of the site and its surroundings in this sensitive location within the Conservation Area and close to adjacent listed buildings. It would also have an unacceptable impact on the living conditions of the surrounding residential properties and further information is required to demonstrate that the sustainability measures can be met and that the access and manoeuvring arrangements within the site are acceptable. On this basis the proposal is deemed to be unacceptable and planning permission should be refused.

14. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout

- Appendix B – plan and elevation drawings

15. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposal, by virtue of its scale, height, mass and design would appear unduly dominant and would not reflect the historic character and appearance of the site itself and the local environment in general and would result in less than substantial harm to the setting of the adjacent listed buildings, 118a, 119 and 121 High Street and would result in less than substantial harm, at the higher end of the scale, to the character and appearance of Eton Conservation Area. The public benefits would not outweigh the identified harm and the proposal is contrary to Local Plan policies QP3 and HE1, Neighbourhood Plan policy HD3 and principle 7.6 of the Design Guide.
- 2 The proposal, by virtue of its siting, scale, height, massing and design would have an unacceptable impact on the living conditions of the neighbouring properties 121-123 High Street, 122A High Street and 118A High Street in terms of light, outlook and privacy and is contrary to policy QP3 of the Borough Local Plan (adopted February 2022) and principle 7.6 set out in the Borough Wide Design Guide.
- 3 Insufficient information has been submitted to determine whether the proposal would meet the requirements of Local Plan policy SP2 and the Interim Sustainability Position Statement to mitigate climate change and no legal agreement has been secured in relation to the carbon off-set fund.

APPENDIX B – PROPOSED FLOOR PLANS AND ELEVATIONS

Ground floor



First floor



Second floor



Third floor



ELEVATIONS

Front



Rear



Side elevation - north



Side elevation - south



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5 April 2023

Item: 3

Application No.:	22/03413/PIP
Location:	Land Adj 25 The Drive Wraysbury Staines TW19 5ES
Proposal:	Construction of 3no. detached dwellings.
Applicant:	Mr Fowles
Agent:	Mr Alan Gunne-Jones
Parish/Ward:	Wraysbury Parish/Datchet Horton And Wraysbury
If you have a question about this report, please contact: Jeffrey Ng on or at jeffrey.ng@rbwm.gov.uk	

1. SUMMARY

- 1.1 This application seeks to obtain permission in principle for the erection of three detached dwellings.
- 1.2 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle from the technical details of the development. The permission in principle consent route is a two-stage process, (i) permission in principle and (ii) technical details consent.
- 1.3 When considering an application for permission in principle, the scope of consideration is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.
- 1.4 The proposed development is considered to be unacceptable in terms of location, land use and amount of development for the following reasons: 1) inappropriate development within the Green Belt where no very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness and 2) failure to provide an acceptable flood risk assessment and to pass the sequential test and exceptions test.

It is recommended the Committee refuses this permission in principle application for the following summarised reasons (the full reasons are identified in Section 13 of this report):	
1.	The proposed development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural landscape. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness. The location, land use and amount of development are considered unacceptable. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.
2.	The proposed development is within Flood Zone 3. The proposal development fails to pass the sequential test. Furthermore, in the absence of an acceptable flood risk assessment, the proposed development fails to assess the flood risk to future occupiers and elsewhere. The location of the proposed development is considered unacceptable. The proposed development would be contrary to Section 14 of the National Planning Policy Framework and Policy NR1 of the Borough Local Plan 2013-2033.

2. REASON FOR COMMITTEE DETERMINATION

- 2.1 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
- 2.2 This application was called in by Cllr Muir regardless of the recommendation of the Head of Planning as the application is within the Green Belt and also the impact of the proposed development on flood risk.

3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is within Environment Agency Flood Zone 3 and lies within the Metropolitan Green Belt. The site is also identified as a "Farmed Parkland" setting under the Council's Townscape Character Assessment.

4. KEY CONSTRAINTS

- Environment Agency Flood Zone 2 and 3
- Metropolitan Green Belt
- "Farmed Parkland" setting under the Council's Townscape Character Assessment

5. THE PROPOSAL

- 5.1 This application seeks to obtain permission in principle for the erection of three detached dwellings.

5.2 RELEVANT PLANNING HISTORY

- 5.3 There are a number of historical planning applications at the site for the erection of three detached dwellings, but they all were refused.
- 5.4 There is no recent planning history of the site.

6. DEVELOPMENT PLAN

- 6.1 The main relevant policies are:

Adopted Borough Local Plan 2013-2033

Issue	Policy
Spatial Strategy for the Borough	SP1
Development in Rural Areas and the Green Belt	QP5
Managing Flood Risk and Waterways	NR1

Adopted Horton and Wraysbury Neighbourhood Plan 2018-2033

Issue	Policy
The presumption in favour of sustainable development	NP/SUSTDEV01
Management of the Water Environment	NP/SUSTDEV02
Redevelopment & Change of Use	NP/HOU4
Water Supply, Waste Water, Surface Water and Sewerage Infrastructure	NP/HOU5

• MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2021)

Section 2 – Achieving sustainable development
 Section 4- Decision-making
 Section 5 – Delivering a sufficient supply of homes
 Section 11 – Making effective use of land
 Section 12- Achieving well-designed places
 Section 13 – Protecting Green Belt land
 Section 14- Meeting the challenge of climate change, flooding and coastal change

Other Local Strategies or Publications

Other Strategies or publications material for the proposal are:

- i. Berkshire Strategic Housing Market Assessment (SHMA) 2016
- ii. RBWM Townscape Assessment
- iii. RBWM Landscape Assessment

• CONSULTATIONS CARRIED OUT

Comments from interested parties

13 occupiers were notified directly of the application and 38 letters were received in total.

2 letters were received supporting the application.

Consultees

Consultees	Comments	Where in the report this is considered
RBWM Lead Local Flood Authority	Further information is required related to the changes in impermeable area on the development site.	Section 9 of this Report.
RBWM Environmental Protection	No objection subject to conditions related to aircraft noise and the submission of the site-specific construction environmental management plan (CEMP).	Noted.
Berkshire Archaeology	No objection. A pre-commencement condition requiring the submission of a programme of archaeological work including a written scheme of investigation shall be attached to the technical details stage permission if granted.	Noted.
Nature Space UK	No objection. A preliminary ecological appraisal should be provided to support the technical details stage application.	Noted.
Natural England	No objection and confirms that the proposed development will not have significant adverse impacts on designated sites.	Section 9 of this Report.
Environment Agency	No comments received by the time	Noted.

	of writing this report.	
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Others (e.g. Parish and Amenity Groups)

Groups	Comments	Where in the report this is considered
Wraysbury Parish Council	Strongly object on the ground of over development in the Green Belt and in Flood Zone 3.	Section 9 of this Report.

7. EXPLANATION OF RECOMMENDATION

- 7.1 The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle from the technical details of the development. The permission in principle consent route is a two-stage process, (i) permission in principle and (ii) technical details consent.
- 7.2 When considering an application for permission in principle, the scope of consideration is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.
- 7.3 The key issues for consideration are:
- iv. Location
 - v. Land use
 - vi. Amount of development
 - vii. Other Matters

• Location

- 7.4 The site is identified as a "Farmed Parkland" setting under the Council's Townscape Character Assessment. The submitted documents set out that the site is currently used for ancillary storage. Based on the site visit, the site comprises some structures including containers. The access to the site is currently closed and blocked. It is not considered that the site is currently being actively used as storage.

Habitats Developments

- 7.5 Paragraph 5B of the Town and Country Planning (Permission in Principle) (Amendment) Order 2016 sets out that a local planning authority may not grant permission in principle, on an application to the authority, in relation to development which is –
- 1 major development;
 - 2 habitats development;
 - 3 householder development; or
 - 4 Schedule 1 development.
- 7.6 The National Planning Policy Framework (NPPF) defines habitats site as any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 (as amended) for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.
- 7.7 The proposal is seeking to introduce three residential dwellinghouses to the application site, so it is not a major, householder or Schedule 1 development. However, the site is in close proximity to the South West London Waterbodies Special Protection Area and Wraysbury No.1 Gravel Pit Site

of Special Scientific Interest.

- 7.8 Paragraph 5⁵ of the Planning Practice Guidance sets out that planning in principle must not be granted for development which is habitats development. Habitats development means development which is likely to have a significant effect on a qualifying European site or a European offshore marine site, referred to as habitats sites in the National Planning Policy Framework (either alone or in combination with other plans or projects); is not directly connected with or necessary to the management of the site, and; the competent authority has not given consent, permission, or other authorisation in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017.
- 7.9 Natural England has been formally consulted on this application and considers that the proposed development would not have significant adverse impacts on any designated sites. Therefore, the proposed development is not considered as habitats development in this case.

Green Belt

- 7.10 The application site is within the Green Belt. It is a relevant material consideration in assessing the acceptability of the location of the proposed development.
- 7.11 Paragraph 137 of the National Planning Policy Framework (NPPF) sets out the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 148 sets out that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt when considering any planning application. Paragraph 149 then sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
1. buildings for agriculture and forestry;
 2. the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
 3. the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 4. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 5. limited infilling in villages;
 6. limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
 7. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 1. not have a greater impact on the openness of the Green Belt than the existing development; or
 2. not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 7.12 Policy QP5 of the Borough Local Plan 2013-2033 relates to development within the Green Belt and reflect the guidance as set out in the NPPF. Paragraph 4 of Policy QP5 specifically relates to limited infilling in village, which sets out that certain forms of development are not considered inappropriate within the Green Belt, as defined in the NPPF. Within the Royal Borough, village settlement boundaries are identified on the Policies Map, and these boundaries will be used in determining where limited infilling may be acceptable:

⁵ Paragraph: 005 Reference ID: 58-005-20190315

1. Limited infilling within the identified village settlement boundaries within the Green Belt as designated on the Policies Map (marked "Settlements (QP5)").
 2. Limited infilling outside identified village settlement boundaries where it can be demonstrated that the site can be considered as falling within the village envelope as assessed on the ground. In assessing the village envelope consideration will be given to the concentration, scale, massing, extent and density of built form on either side of the identified village settlement boundary and the physical proximity of the proposal site to the identified village settlement boundary.
- 7.13 The application site is within the "farmed parkland" setting character area under the Council's Townscape Character Assessment. There is no planning history or records showing that the site has been converted to other uses. As it is an agricultural land, it is not considered to be previously developed land (PDL), as defined in the NPPF. Therefore, the only applicable exception outline at Paragraph 149 of the NPPF would be (e) limited infilling in villages or (g) limited infilling.
- 7.14 The application site is not within the identified village settlement boundary. There is no definition of limited infilling in villages within the NPPF. The generally accepted definition of infilling is the infilling of a small gap in an otherwise built up frontage. Policy QP5 of the Borough Local Plan 2013-2033 also sets out that limited infilling must be within the identified village settlement boundaries within the Green Belt as designated on the Policies Map or outside identified village settlement boundaries where it can be demonstrated that the site can be considered as falling within the village envelope as assessed on the ground.
- 7.15 The application site is adjacent to the settlement of Wraysbury. However, it forms a wide and open gap beyond the settlement boundary. Although the application site is along the Drive, land to the rear is open and undeveloped. The area around the application site is not built up nor is it part of a built up frontage. The application site is not within a village and is not a small gap in otherwise built up frontage. Therefore, it does not represent limited infilling within a village, nor does it meet any of the other exceptions identified within the NPPF.
- 7.16 The proposed development would therefore constitute inappropriate development in the Green Belt. Paragraph 147 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal is seeking to introduce three permanent buildings onto the site, which is currently free from development. It would be harmful to openness both spatially and visually. No material planning considerations have been advanced by the applicant which would constitute very special circumstances. Therefore, the Local Planning Authority is unable to identify any very special circumstances in this case.
- 7.17 In summary, the proposal development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances however were identified in this case. Therefore, the proposed development is contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.

Environment Agency Flood Zone 3

- 7.18 The application site is within Environment Agency Flood Zone 3 where there is a high risk of flooding. It is a relevant material consideration in assessing the acceptability of the location of the proposed development.
- 7.19 As a more vulnerable development in the Flood Zone, the proposal would need to be supported by a site-specific flood risk assessment and to pass both the Sequential Test and Exception Test.

Sequential Test and Exceptions Test

- 7.20 National Planning Policy Framework (NPPF) sets out that the proposed residential development is classified as a “More Vulnerable” use and the sequential test is required as it is within Flood Zone 3. Paragraph 162 of the NPPF sets out that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Policy NR1 of the Borough Local Plan 2013-2033 also sets out that the sequential test is required for all development in areas at risk of flooding, except for proposed developments on sites allocated in the Borough Local Plan or in a made Neighbourhood Plan.
- 7.21 Though the geographical search area of the test is Borough-wide, the submitted sequential test is also only passed on a reduced site search area basis. The test, however, should cover all reasonably available sites, which include any sites that are suitable, developable and deliverable and it is not limited to sites within the Housing and Economic Land Availability Assessment (HELLA) only.
- 7.22 Furthermore, there are queries regarding the dismissal of several of the assessed sites. The test identifies that 2-4 Albert Street, Maidenhead is not suitable as prior approval is believed to be implemented but it then says that the rest of office is occupied. Based on the Council’s record, the prior approval is for the change of use from office to residential use. It is not clear whether the prior approval has been implemented or not in this case. Also, 30-32 Forlease Road, Maidenhead is considered not suitable as planning permission 18/00421/FULL was granted but does not appear to have been implemented and the site is partially within Flood Zone 3a. Sites would only be considered unsuitable if both planning permissions have been granted and conditions discharged. The test also discounts some potentially developable sites which states that there is no indication the site is for sale or available. However, no further evidence is provided to demonstrate that land agents or landowners were contacted to enquire about the availability of those sites.
- 7.23 The sequential test is not considered to be robust enough to demonstrate that there are no reasonably available sites as a lower risk of flooding that could accommodate this development. It is considered that the proposed development fails to pass the sequential test in this case.
- 7.24 The proposed development would need to pass the Exception Test. Upon failure to pass the sequential test, there is no need to go on assessing whether the Exception Test is passed in this case.
- 7.25 In summary, the proposed development fails to pass the sequential test. Therefore, the proposed development fails to comply with Section 14 of the National Planning Policy Framework and Policy NR1 of the Borough Local Plan 2013-2033.

Site-specific Flood Risk Assessment

- 7.26 Policy NR1 of the Borough Local Plan 2013-2033 sets out that development will only be supported within designated Flood Zones 2 and 3, where an appropriate flood risk assessment has been carried out and it has been demonstrated that development is located and designed to ensure that flood risk from all sources of flooding is acceptable in planning terms. Development proposals should include an assessment of the impact of climate change using appropriate climate change allowances over the lifetime of the development so that future flood risk is considered.
- 7.27 Policy NP/SUSTDEV02 of the Horton and Wraybury Neighbourhood Plan 2018-2033 sets out that development proposals for residential or non-residential development within the areas shown within Flood Zones 2 and 3 as shown on the Environment Agency’s Flood Maps will not be supported apart from the one for one replacement of houses and extensions to existing houses up to the limit allowable under the permitted development rights granted by Parts A and E of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 2015 or such secondary legislation that replaces it. The design and construction of new buildings should have regard to national flood resilience guidance and other relevant policies in the development plan. Additionally, action should be taken where appropriate to improve and reduce the overall flood risk.

- 7.28 The site-specific flood risk assessment is to demonstrate to the Local Planning Authority how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users. The assessment should set out whether the proposed development is likely to be affected by current or future flooding from any source; whether it will increase flood risk elsewhere; whether the measures proposed to deal with these effects and risks are appropriate; whether there are no other reasonably available sites appropriate for the proposed development with a lower probability of flooding in order to pass the Sequential Test, and; whether the development will be safe and pass the Exception Test.
- 7.29 A flood risk assessment (FRA), which is prepared by WtFR Ltd, on behalf of the applicant, is provided to support the application. The assessment report summaries that the finished floor level will be set 300mm above the flood level including the 1 in 100+ climate change (35%).
- 7.30 The Environment Agency has been consulted on this application, but no comments were received by the time of writing this report. However, the Lead Local Flood Authority (LLFA) has asked for clarification regarding the changes in impermeable area of the proposed development, given that the FRA identifies the site as an open field used for storage but then sets out that the proposed development would lead to a reduction in impermeable area of the site. It is not consistent with the proposed development which is actually increasing the impermeable area of the site. In an absence of any further clarification related to this matter, it is not considered that the flood risk of the proposed development is reasonably assessed and mitigated as set out in the FRA.
- 7.31 In summary, the application site is located within Flood Zone 3. However, an acceptable flood risk assessment has not been provided to support this application. Therefore, the proposed development fails to comply with Section 14 of the National Planning Policy Framework and Policy NR1 of the Borough Local Plan 2013-2033.

Summary

- 7.4 The application site is within Green Belt and Flood Zone 3. The proposal development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. However no very special circumstances however were identified in this case, which can outweigh the harm to the Green Belt as a result of inappropriateness with the moderate harm to openness. Furthermore, the application site is located within Flood Zone 3. The proposed development fails to pass the sequential test. Furthermore, an acceptable flood risk assessment has not been provided to support this application. The proposed development also fails to pass the sequential test. The location of the proposed development is therefore not considered acceptable in this case.

8. Land Use

- 8.1 The submitted technical note sets out that the area immediately around the application site is characterised by low density detached and semi-detached housing. However, it is considered that this site is currently used as a green buffer between the existing dwellinghouses along the Drive and Welley Road. The proposed development will permanently remove this green buffer and urbanise this part of the Drive.
- 8.2 Given the concerns raised above, in relation to the impact of the proposed development on the Green Belt by virtue of the inappropriate nature of the proposed development within the Green Belt and the impact on the openness of the Green Belt, the use of the land for housing is not considered acceptable in this particular case.

9. Amount of Development

- 9.1 The proposed development is seeking to introduce three detached dwellinghouses to the application site. The site is not an allocated housing site so it would be considered as a windfall site.
- 9.2 Given the concerns raised above, in relation to the impact of the proposed development on the Green Belt by virtue of the inappropriate nature of the proposed development within the Green Belt and the impact on the openness of the Green Belt, this amount of development would have an adverse and permanent impact on the openness of the Green Belt and is not considered acceptable in this particular case.

10. Other Matters

- 10.1 As this is the permission in principle application, the scope of consideration is limited to location, land use and amount of development. Other matters should be considered at the technical details consent stage.

Climate Change and Sustainability

- 10.2 Policy SP2 of the Borough Local Plan 2013-2033 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The sustainability matter can be dealt with under the technical details consent stage when details of design of the proposed dwellinghouses are provided.

Design and Character

- 10.3 The scale, layout and appearance of the proposed dwellinghouses including the full impact of the area are not under consideration at this permission in principle stage. This will be considered at the technical details consent stage.

Amenity for Existing and Future Occupiers

- 10.4 The submitted plan shows that the separation distance between the proposed dwellinghouses are approximately 6 metres. It is considered that side windows are proposed at the third bedroom on the first floor may overlook other new dwellinghouses at the site. However, it is considered that such matter will be fully assessed at the technical details consent stage.

Ecology and Biodiversity

- 10.5 The application site is not within any designated sensitive area or protected site but it is close to a number of designated protected sites including Special Protection Area (SPA), Sites of Special Scientific Interest (SSSI), Ramsar site, and Local Wildlife Site. In an absence of any supporting information related to ecology and biodiversity, it is not possible to assess whether the proposed development would have any impacts on ecology and biodiversity.
- 10.6 Notwithstanding, it is not considered that the proposed development would have any potential adverse ecology and biodiversity impact when considering location, land use and amount of development of the proposed development. Any detailed information related to ecology and biodiversity including the submission of a preliminary ecological appraisal or any further survey if required will need to be provided at the technical details consent stage.

Trees and Landscaping

- 10.7 The application site is not subject to any Tree Preservation Order (TPO). It is not considered that the proposed development would have any potential adverse impact on existing trees when considering location, land use and amount of development of the proposed development. Any detailed information related to trees including any arboricultural report will be considered at the technical details consent stage.

Parking and Highways

- 10.8 A transport note, which is prepared by Magna Transport Planning Ltd, on behalf of the applicant, is provided to support this application. The note summaries that sufficient parking spaces for vehicles and cycle and electric vehicle charging points will be provided for each dwellinghouse and the proposed development would not have an adverse impact on highways.
- 10.9 It is not considered that the proposed development would have any potential adverse highways impact when considering location, land use and amount of development of the proposed development. Any detailed information related to highways and parking will be considered at the technical details consent stage.

Archaeology

- 10.10 It is not considered that the proposed development would have any potential adverse archaeological impact when considering location, land use and amount of development of the proposed development. Any detailed information related to archaeology will be considered at the technical details consent stage including the imposition of any pre-commencement condition.

11. COMMUNITY INFRASTRUCTURE LEVY (CIL)

The development is CIL liable. The proposed floorspace of the dwellings is £315.55 per sqm (indexation rate 2023).

12. PLANNING BALANCE AND CONCLUSION

- 12.1 The scope of consideration of an application for permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.
- 12.2 The application site is within Green Belt and Flood Zone 3. The proposed development does not fall within any exceptions identified in the NPPF and therefore it would constitute inappropriate development which, by definition, would be harmful to the Green Belt. However no very special circumstances however were identified in this case, which can outweigh the harm to the Green Belt as a result of inappropriateness with the moderate harm to openness. Furthermore, the application site is located within Flood Zone 3 and an acceptable flood risk assessment has not been provided to support this application. The proposed development also fails to pass the sequential test. The location of the proposed development is therefore not considered acceptable in this case.
- 12.3 To conclude, the proposed development would introduce three detached market dwellinghouses to the site. However, the weight attributed to the provision of housing would not either individually or cumulatively, be sufficient to outweigh the other harms that are set out above. On this basis of the foregoing, it is therefore recommended that this permission in principle application should be refused.

13. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and Site Layout Out
- Appendix B – Plans and elevation drawings

14. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposal development would constitute inappropriate development which, by definition, would be harmful to the Green Belt. The proposed development would result in the intensification of the use of the site and the encroachment of substantial built form within the open and rural landscape. The harm to the Green Belt as a result of inappropriateness with the moderate harm to openness must be afforded substantial weight. No very special circumstances exist to outweigh the harm to the Green Belt by virtue of its appropriateness and harm to openness. The

location, land use and amount of development are considered unacceptable. The proposed development would be contrary to Section 13 of the National Planning Policy Framework and Policy QP5 of the Borough Local Plan 2013-2033.

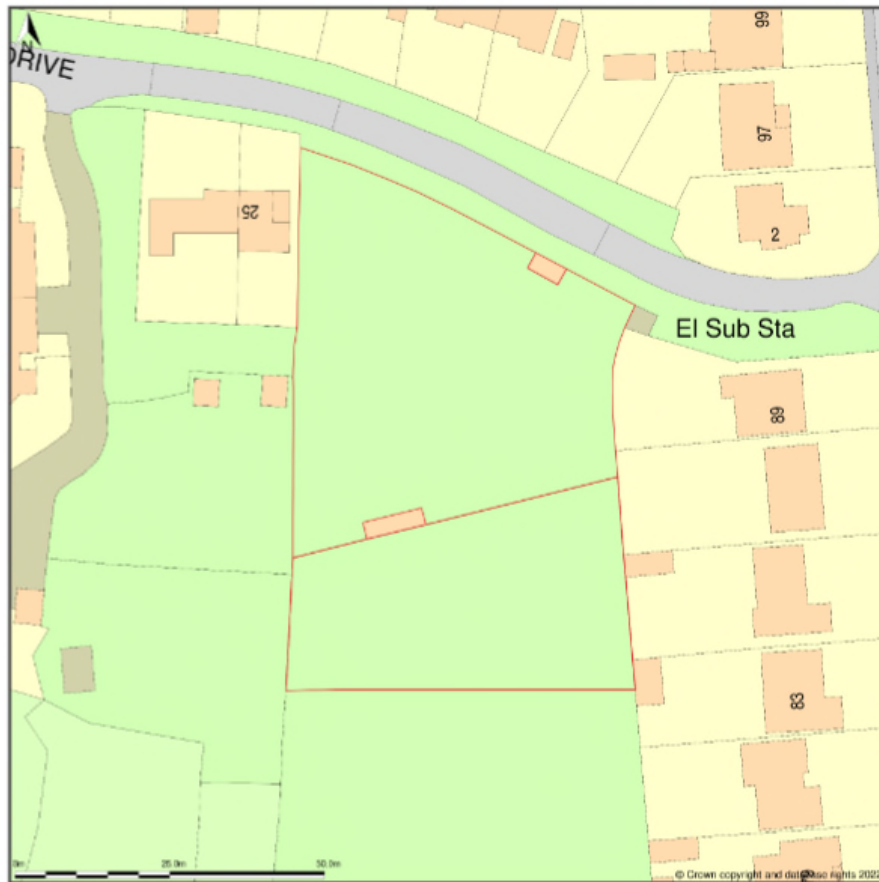
- 2 The proposed development is within Flood Zone 3. The proposal development fails to pass the sequential test. Furthermore, in the absence of an acceptable flood risk assessment, the proposed development fails to assess the flood risk to future occupiers and elsewhere. The location of the proposed development is considered unacceptable. The proposed development would be contrary to Section 14 of the National Planning Policy Framework and Policy NR1 of the Borough Local Plan 2013-2033.

22/03413/PIP - Land Adj 25 The Drive, Wraysbury, Staines TW19 5ES

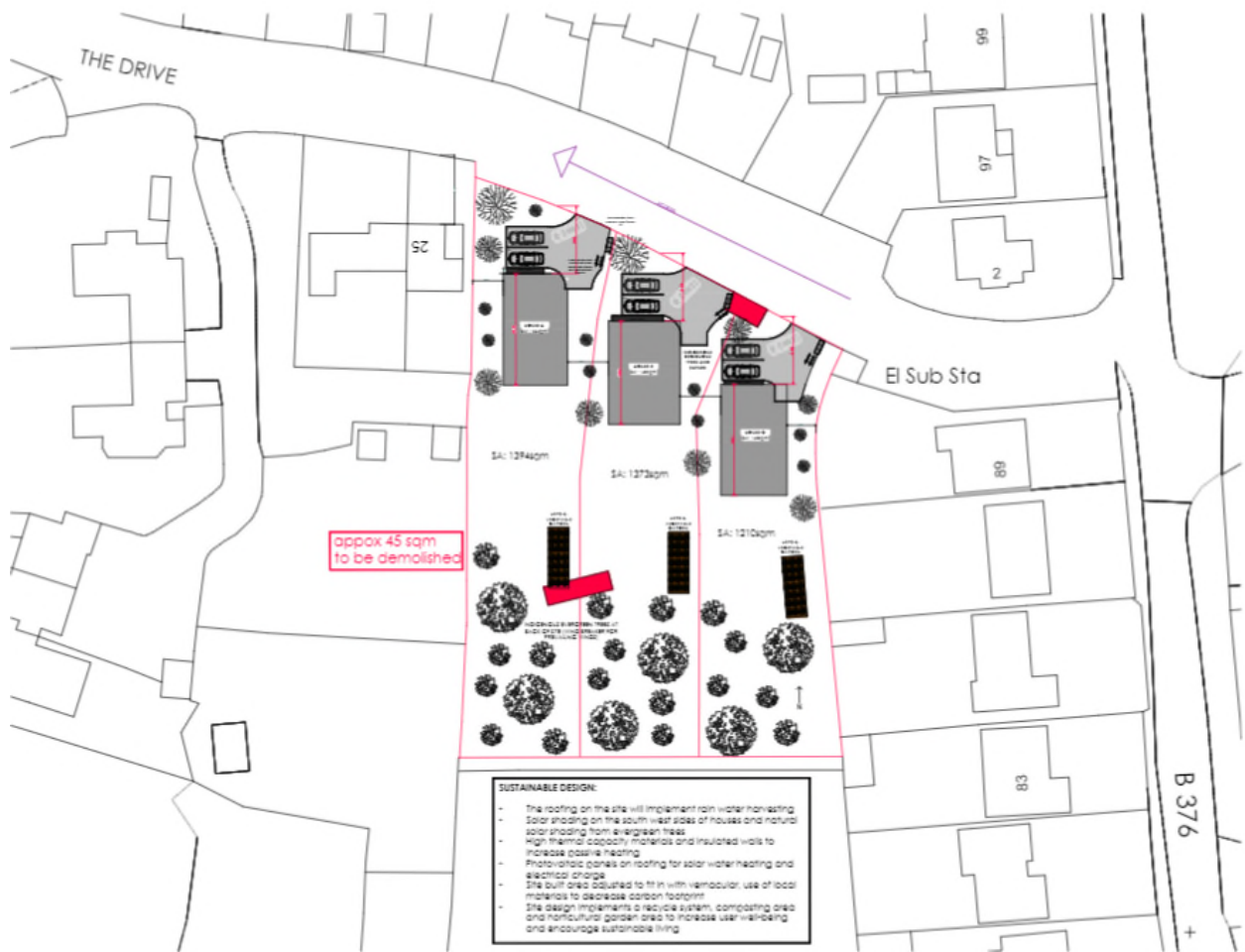
Appendices

Appendix A - Site Location Plan and Site Layout

Site Location Plan

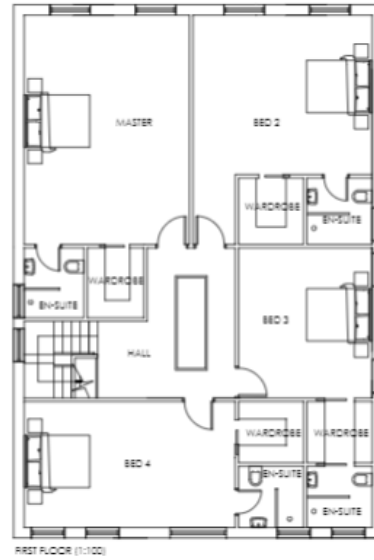
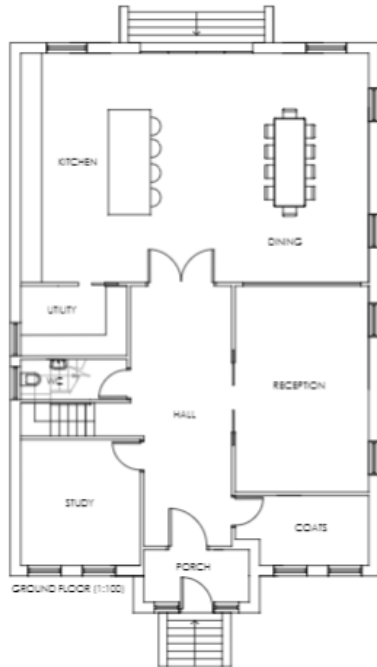


Site Layout

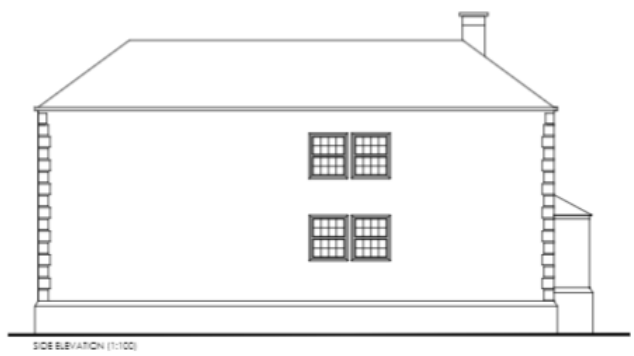
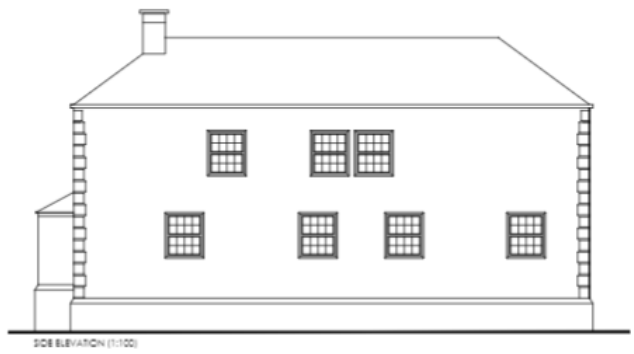


Appendix B - Plans and elevation drawings

Floorplans



Elevations



Planning Appeals Decisions

21 February - 23 March 2023

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

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

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

Ward:

Parish: Sunninghill And Ascot Parish

Appeal Ref.: 23/60009/REF **Planning Ref.:** 22/01526/FULL **Plns Ref.:** APP/T0355/D/22/3307842

Date Received: 24 January 2023

Comments Due: TBA

Type: Refusal

Appeal Type: Fast Track Appeal

Description: New front porch canopy and pillars, part garage conversion, part single part two storey, part first floor side extension, single storey rear extension, raising of the eaves and ridge height, 2no. front dormers, 1no. side dormer, 2no. rear dormers and alterations to the external finish and alterations to fenestration.

Location: **Burwood House 22 Llanvair Drive Ascot SL5 9HT**

Appellant: Mr & Mrs B Tatla **c/o Agent:** Mr. Paul Dickinson Highway House Lower Froyle Hants GU34 4NB

Ward:

Parish: Windsor Unparished

Appeal Ref.: 23/60010/REF **Planning Ref.:** 22/01757/FULL **Plns Ref.:** APP/T0355/D/22/3310667

Date Received: 24 January 2023

Comments Due: TBA

Type: Refusal

Appeal Type: Fast Track Appeal

Description: First floor rear extension and alterations to fenestration.

Location: **28 Oak Lane Windsor SL4 5EU**

Appellant: Anne Cheung **c/o Agent:** Mr. Paul Chaston Bedford I-Lab Stannard Way, Priory Business Park Bedford Bedfordshire MK44 3RZ

Planning Appeals Received

21 February - 23 March 2023

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

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

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

Ward:

Parish: Sunninghill And Ascot Parish

Appeal Ref.: 23/60033/REF **Planning Ref.:** 22/01125/TPO **Plns Ref.:** APP/T0355/W/22/3301823

Date Received: 20 March 2023

Comments Due: TBA

Type: Refusal

Appeal Type: Fast Track Appeal

Description: T1 - Sycamore - fell, T2 - Sycamore - fell, T3 - Sycamore - fell (013/2008/TPO)

Location: **Pegasus 3 Spinney Close Ascot SL5 7FS**

Appellant: Mr Tim Steeds Pegasus 3 Spinney Close Ascot SL5 7FS