

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

31 January 2018

Item: 2

Application No.:	17/03743/FULL
Location:	Pavement Outside Memorial Buildings Eton College Slough Road Eton Windsor
Proposal:	Installation of anti-vehicle bollards on the pavement outside of the School Hall
Applicant:	The Provost And Fellows
Agent:	Mr Michael Chapman
Parish/Ward:	Eton Town Council/Eton With Windsor Castle Ward

If you have a question about this report, please contact: Antonia Liu on 01628 796697 or at antonia.liu@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposal is for the installations of anti-vehicle bollards within Eton Conservation Area on the pavement outside of the Memorial Buildings which is Grade II Listed. The proposal is considered to cause less than substantial harm to the designated Heritage Assets and the public benefit of the proposal is considered to outweigh the harm. The proposal is not considered to hinder the use of the footway to the detriment of public amenity or highway infrastructure.

It is recommended the Panel authorises the Head of Planning:	
1.	To approve the application with the conditions listed in Section 10 of this report subject to no neighbour comments being received by 1 February 2018 raising new material considerations that have not been covered in this report.

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site comprises a section of pedestrian walkway on Slough Road and Common Lane to the front of the Memorial Buildings, Eton. This section of pedestrian walkway is designated as adopted highway and owned by the Royal Borough. There are currently 9 bollards adjacent to the Slough Road and Common Lane. The Memorial Buildings are Listed Grade II (List entry number: 1210903) and the site lies within Eton Conservation Area. Adjacent to the Memorial buildings to the south is Durnford House which is also Grade II listed, while to the east on the opposite side of Slough Road is Eton College which is Grade I listed.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal comprises of the installation of 38 vehicle bollards on the pedestrian walkway, adjacent to the Slough Road and Common Lane. The bollards would be spaced approximately 1.1m apart and each bollard would measure approximately 0.9m in height with a diameter of approximately 0.2m. They would be fixed into a 0.45m by 0.45m foundation and would have a root depth of approximately 0.3m. The Victorian style bollards would be constructed from an engineered grade polyurethane case around a steel core and finished in black.
- 4.2 There is no relevant planning history.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections 7, 12

Royal Borough Local Plan

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

Within settlement area	Highways
DG1, CA2, LB2,	T5

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Acceptable impact in historic environment	HE1
Acceptable impact on infrastructure	IF2

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

1. RBWM Eton Conservation Area Appraisal
2. RBWM Townscape Assessment
3. RBWM Highway Design Guide

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact on the setting of a Listed Building and character of the conservation area
- ii Impact on Highway Infrastructure

Impact on the setting of a Listed Building and character of the conservation Area

6.2 The Council, in considering a planning application, must have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In accordance Local Plan policy LB2 states that the Council will have special regard to the preservation of Listed Buildings and their settings, while subsection 5 of LB2 goes on to state that development proposals should not adversely affect the grounds and/or setting of Listed Buildings. The supporting text of policy LB2 states that the overall character of a Listed Building often derives from its setting. Accordingly it is important to ensure

that any development within the curtilage or setting of a Listed Building enables the character to be maintained.

- 6.3 Furthermore, the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In accordance Local Plan policy CA2 states that development in conservation areas should enhance or preserve the character or appearance of the area and the loss of features that contribute to the essential character of the conservation area would be opposed.
- 6.4 In this case the Grade II listed Memorial Buildings, built as a Boer War Memorial, are both large, monumental and decorated buildings with a highly distinctive image. The building to the south has a rectangular front with a large Ionic doorway with a central single round-headed window above flanked by a wide stone pilaster and a stone balustrade parapet. The building to the north is octagonal surmounted by a leaden dome with cupola over and a stepped parapet surmounted by urns. Each wall forming the octagonal building contains a round-headed window flanked by narrow pilasters. Their setting, which comprises of the surroundings in which the heritage asset is experienced, includes other large, individually designed and distinctive buildings on the western side of Slough Road. The majority of these are also listed for their architectural and historic significance. While large in scale, sited in close proximity to each other and abutting the public highway the width of the road, which widening further at the junction with Slough Road and Common Lane, prevents an undue sense of enclosure. On the opposite site of Slough Road is Eton College, which is set back from the street with integrated gardens, courtyards and green space, and within the more open College area there are important glimpsed, framed and open views of the Memorial Buildings and neighbouring buildings.
- 6.5 In terms of the Eton Conservation Area the relevant appraisal identifies the importance of views which emphasises the historical backdrop, and 'surprise views' which come from turning corners throughout the twisting back streets and the contrasts of tall buildings to open spaces. The views from the Eton College to the Memorial buildings is specifically mentioned as an important and impressive view. The appraisal further states that that within the College area there is relatively little street furniture other than signs but at the junction of Slough Road with Common Lane and Keats Lane the number of associated signage and controls for traffic detract from this area.
- 6.6 In this context it is considered that the proposed bollards would result in less than substantial harm to the setting of the Memorial Buildings. While the size, style and materials are considered to be appropriate to the character of the area, the bollards would be sited in a visually prominent location to the front of the Memorial buildings and would become part of the setting and views of the Memorial Buildings from Eton College and other vantage points along Slough Road and Common Lane. This is considered to result in some harm to the setting of the Listed Buildings. The bollards would also add to the visual clutter at this junction, which has been identified as harmful to Eton Conservation Area.
- 6.7 Paragraph 133 of the NPPF, which post-dates the Local Plan and therefore considered to be more up-to-date, states that where a proposed development would lead to less than substantial harm to a designated heritage this harm should be weighed against the public benefit of the proposal. In this case following a full threat assessment the South East Counter Terrorism Unit had identified the immediate area outside of the Memorial Buildings being a natural place for congregation as being particularly vulnerable to hostile vehicle attacks from the direction of Slough Road and Eton High Street. The proposal would replace the existing bollards with fixed bollards that have been design and sited to withstand such an attack. This public benefit is considered to significantly outweigh the limited harm to the setting of the Listed Buildings and Eton Conservation area.
- 6.8 The section of paving within the site is of high quality and in good condition. Eton Conservation Area Appraisal notes that in some areas the paving is in poor condition with damaged slabs and/or reinstatement in non-matching materials. The reinstatement of paving removed during installation or repair in matching materials can be secured by condition.

Impact on Highway Infrastructure

- 6.9 Local Plan policy T5 states that all development is expected to comply with Council adopted Highway Design Standards. The Council's Highway Design Guide states footway reserved for pedestrian movement and running parallel and adjacent to the carriageway should allow pedestrians, prams and wheelchairs to pass each other freely and without hindrance. However, it is noted that the existing footway is insufficient in width to accommodate this and, while the bollards would reduce the width of the useable footway by approximately 0.5m, following the installation of the bollards the width of the footway at the narrowest point would be sufficient to accommodate either a pedestrian, pram or wheelchair. As such, it is considered that the proposal would not unduly hinder the use of the footway.
- 6.10 It is noted that there is a bus stop to the front of Memorial Buildings. The bus stop does not serve a public bus route and serves a private sightseeing tour bus company. The bollards are not considered to hinder the operation of this bus stop.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 In line with the Council's Charging Schedule the proposal is not CIL liable.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on 3 January 2018 and the application was advertised in the Maidenhead & Windsor Advertiser on 11 January 2018. The overall consultation period expires on the 1 February 2018 and therefore the recommendation is subject to no representations being received by the 1 February 2018 raising new material considerations that have not been covered in this report. No representations have been received at the time of writing.

Other consultees

Consultee	Comment	Where in the report this is considered
Conservation	No objection as the bollards are sensitively designed and finish is acceptable in the conservation area and minimum harm to the surrounding listed buildings and conservation area is outweighed by public benefit.	Paragraph 62 – 6.8
Highways	No objection but raises concerns over the effectiveness of the bollards, and recommends an informative relating to highway licence for works carried out within the highway.	Siting and type of bollards are in line with specification recommended by specialist advisors following a full threat and site assessment. No objection noted, and Informative recommended.

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Proposed elevations

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.
- 4 Any paving affected by the installation of the bollards hereby approved shall be re-instated in materials matching the existing.
Reason: To preserve the appearance of the conservation area and the setting of the listed building.

Informatives

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.