

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

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

7 November 2018

Item: 1

Application No.:	18/02344/FULL
Location:	The Moorings Willows Riverside Park Windsor SL4 5TG
Proposal:	Upgrade and renewal of existing services to the moorings including replacement of existing electric hook-up and water points, replacement of existing mooring bollards with mooring rings, upgrading of black and grey water drainage system with installation of bespoke drainage system and replacement of existing storage sheds.
Applicant:	
Agent:	Mr Jeremy Lambe
Parish/Ward:	Bray Parish/Clewer North Ward

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 This current application follows application number 17/00045/FULL which was refused and dismissed on appeal. It seeks to address the previous Inspector's decision by deleting the 15 marine service bollards and the 45 mooring bollards from the proposal. These elements were considered to constitute inappropriate development in the Green Belt and no very special circumstances were considered to exist to outweigh the harm to the Green Belt. It is now proposed to install 66 mooring rings to replace existing mooring bollards and rings along the riverside. The existing electric hook-ups and water points are to be replaced by electric service boxes and water taps. The other aspects of the proposal remain unchanged and include the replacement of 7 metal storage sheds with timber bin stores and engineering works which include digging a trench to provide a bespoke drainage system and other services and the installation of underground pumping stations.
- 1.2 It is considered that the proposed development would now constitute appropriate development in the Green Belt and would preserve the openness of the Green Belt and would be acceptable in terms of its impact on the character and visual amenities of the site itself and the River Thames Setting.
- 1.3 It is acknowledged that there has been a large number of objections to this proposal. Many of the objectors consider that the existing services are more than adequate and there is concern that the upgrading of the moorings/drainage system would be a precursor for permanent house boats to be moored up along this stretch of riverbank. However it is not for the Local Planning Authority to anticipate what the applicant may or may not do in the future and the mooring of boats along this stretch of riverbank is controlled under the original planning permission, ref number 91/01625/FULL, which permits the continued use of the riverbank for thirty three residential and leisure boat moorings. The planning permission only allows the mooring of traditional boats or houseboats being '*capable of navigation by an independent integral means of propulsion.*'

<p>Subject to the final comments from the Environment Agency and the Local Lead Flood Authority it is recommended the Panel grants planning permission with the conditions listed in Section 13 of this report.</p>
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2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Bhatti and Councillor Pryer for the reason that it is in the public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises a strip of land adjacent to the River Thames at the northern end of the Willows Riverside Park, a residential caravan park. The site includes a grassed, amenity space used by the residents of the Park. There are large boats currently moored up along the riverbank. The Moorings currently consist of 25 green metal sheds, 25 electric hook-up points, 55 moorings rings, 8 mooring bollards, 25 angled galvanised posts at the edge of the river, water points, rubbish/recycling wheelie bins and 4 brick structures housing electrical gear. A footpath runs through the site, although this is not a public right of way. There are also a number of trees on the site which are subject to a Tree Preservation Order.

4. KEY CONSTRAINTS

- 4.1 The application site is situated within the designated Green Belt and lies within Flood Zones 2 and 3.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The application seeks planning permission to upgrade and renew existing services to the moorings including the replacement of existing electric hook-up and water points, replacement of existing mooring bollards and rings with 66 new mooring rings, upgrade the black and grey water drainage system with a bespoke drainage system and replace 7 of the metal storage sheds with timber sheds to accommodate wheelie bins.
- 5.2 The existing mooring bollards and various mooring fixings which are located along the riverbank are proposed to be replaced with standard galvanised mooring rings (120mm in diameter) and would be located on the camp-shedding along the riverbank. The mooring rings would lie flat when not in use.
- 5.3 The existing electric hook-up services are located along the river bank approximately 3-4m away from the edge of the river adjacent to the existing metal storage sheds. The existing hook-ups consist of square plastic / polypropylene boxes located on steel posts up to 1.3m above ground level. It is proposed to replace the 25 existing hook-up service boxes with 15 standard 'Gewiss' service boxes (H=396mm W=316mm D=160mm). Six of the service boxes would be mounted within six of the timber bin stores and would project 30mm beyond the external surface of the bin store. The other nine service boxes would be direct replacements of the existing service hook-up boxes and would be located on galvanised posts at a height of 710mm above ground level and have an overall height of 1.1m. They will be located adjacent to the existing metal storage bins.
- 5.4 The water points are currently located on the Park Homes side of the footpath. The water points are proposed to be located beside the replacement service boxes which will remove the need for pipes to be trailed across the footpath.
- 5.5 As before a service trench (approximate depth 700mm) is proposed to be installed along the edge of the riverbank adjacent to the existing camp-shedding and will run almost the entire length of the moorings. The new trench will house mains water, TV and Internet supply, electrical supply and foul water drainage. Three pumping stations and chambers are also proposed to be located below ground. It is proposed to replace 7 of the existing metal storage sheds with 7 timber bin enclosures which would measure 1.5m by 0.81m and be 1.3m in height.
- 5.6 During the course of the application further clarification/information has been sought and obtained and revised layout drawings have been submitted to clarify the position of the Service Boxes denoted as SB and shown as small green circles on the drawings. In addition the bin store drawings have been updated to show the services boxes mounted within the bin store and includes the 30mm projection of the service box. A drawing has also been provided to show the service boxes mounted on steel posts and the water taps.

5.7 The following planning history is considered to be relevant to this application:

Reference	Description	Decision and Date
91/01625/FULL	Continued use of riverbank for thirty three residential and leisure boat moorings. This permission is subject to two conditions which state: <i>“This consent shall apply only to the mooring of traditional boats or houseboats being capable of navigation by an independent integral means of propulsion”</i> and <i>“no more than thirty three boats shall be moored at the site at any one time”</i> . The reason for these conditions is to protect the visual amenities of this riverside site which is located within the Metropolitan Green Belt.	Granted Permission 11.02.1992
97/02403/UCU	Enforcement Enquiry: Unauthorised mooring of houseboat ‘Bodnic’	Closed
99/78496/FULL	To install 25 non-combustible storage lockers 1 for each mooring resident.	Permitted
00/79157/FULL	Installation of 25 non-combustible storage lockers (re-siting of lockers permitted under 99/78496).	Permitted
15/01833/FULL	Replacement of 33 residential and leisure boat moorings with 13 houseboat moorings for the siting of 13 houseboats together with associated services/storage/bin stores/parking landscape and environmental improvements.	Withdrawn on 10 th December 2015
17/00045/FULL	Upgrade and renewal of existing services to the moorings, replacement of existing electric hook-up and water points, mooring bollards, upgrading of black and grey water drainage system with bespoke drainage system and replacement of sheds.	Refused and dismissed on appeal.
17/50006/ENF	Enforcement Enquiry: Alleged mooring of residential vessel.	Pending Consideration

Planning application number 17/00045/FULL was refused for the following reason:

‘The scheme would result in inappropriate development within the Green Belt. A case of Very Special Circumstances does not exist which outweighs the harm caused to the Green Belt. This conflicts with paragraphs 87 and 88 of the National Planning Policy Framework and policies GB1 and GB2 (part A) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating Alterations Adopted June 2003).’

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, N2
Impact on the Green Belt	GB1 & GB2
Trees	N6
Flood Risk	F1

These policies can be found at

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

7. **MATERIAL PLANNING CONSIDERATIONS**

National Planning Policy Framework Sections (NPPF) (2018)

Section 12- Achieving well-designed places

Section 13- Protecting Green Belt land

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

Section 15- Conserving and enhancing the natural environment.

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Acceptable impact on River Thames corridor	SP4
Manages flood risk and waterways	NR1
Trees, Woodlands and Hedgerows	NR2

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 This document can be found at:

https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1

Supplementary Planning Documents

- RBWM Interpretation of Policy F1

More information on this document can be found at:

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

8. **CONSULTATIONS CARRIED OUT**

Comments from interested parties

- 8.1 282 neighbours were notified directly of the application and 293 were re-notified on the additional information received during the course of the application.
- 8.2 The planning officer posted a notice advertising the application at the site on the 15th August 2018.

8.3 31 letters have been received objecting to the application including a letter from the Oakley Green and Fifield Residents Association. In addition a petition with 95 signatures from Members of the Willows Residents Association and other Willows residents has been received and an e-petition which has been accepted by the Mayor entitled 'Stop the proposed development of the Moorings at Willows Riverside Park, Windsor' has also been received by the Council and includes 115 names.

The objections are summarised as follows:

Comments	Where in report this is considered
Electric boxes are much larger than ones on moorings – impact on Green Belt	Paragraph 9.6
Development will not tidy up the appearance of the moorings and reduce the impact on the Green Belt.	9.16 & 9.7
No very special circumstances for this development in the Green Belt	9.3 to 9.6
Bin enclosures are higher than existing sheds and will not match existing sheds	9.5
Essential services to the moorings already in place. Facilities provided are sufficient for traditional boats. Development is unnecessary.	9.20
Fishing area reserved for park residents should be protected from being used as a mooring.	9.21
Reduction in number of sheds and electric boxes indicates a reduction in the number of boat moorings which goes against the objectives of the Environment Agency to increase residential moorings.	9.22
Application site includes the amenity area reserved for park residents. The moorings only relates to a thin strip of land between the river and the footpath.	9.23
Concern regarding leakages of foul water from drainage system and flexible pipes.	9.24 & 9.25
Not enough evidence provided to justify the excavation of a trench on unstable soil on the riverbank within the 8m watercourse buffer.	9.26
Building of trenches will prevent new trees being planted.	9.14
There have been numerous attempts by park owners to put flat-floats or pontoon type boats on the river and these have been rejected by RBWM.	1.3
There are 5 traditional boats and 2 floating homes (non-traditional) currently moored at site. One of the floating homes is for sale and is also advertised on the Airbnb website as holiday accommodation. The toilet disposal facility, electricity and water connections enabling these houses to moor are laid over the footpath and create a trip hazard.	9.27
A bespoke drainage system is not required.	9.20
Object to excavation of trenches on the riverbank as it would put nearby houses at risk	9.28
Documentation is incorrect, inaccurate, missing or out-of-date.	9.29
Angled galvanised posts should not be removed as they are safety fixtures used during a flood to prevent the boats from coming onto land and capsizing when the water recedes.	9.30
The proposed development constitutes inappropriate development and no VSC exist in this case.	9.3 – 9.8
Application is not sufficiently different from application refused at appeal	9.8
Construction of trenches will harm trees	9.15
Proposal will not preserve or enhance the River Thames Corridor.	9.16
Upgrading of river front is a precursor for installing more 'floating homes'.	1.3
Spoil the character of the riverbank for residents and users of the river.	9.16
Development would decrease the resident's Amenity & Recreation Open Green Space.	9.23
Noise from pumping station will cause disturbance to residents.	9.18
One of the pumping stations is to be sited within an area allocated for fishing.	9.21
Planning already breached by illegally moored boats	9.27

Infringement of Park license	9.31
Application is defective – does not include anything about the purpose or use of the development applied for. This is a highly relevant ‘material consideration.’	1.3, 5.1 & 9.20
Not even expensive marinas offer a bespoke drainage system – there are pumping stations located in marinas and along the river and pumping boats that would service boats in their own moorings.	9.20
Application proposes infrastructure that is neither required nor expected by boaters.	9.20
The Moorings at the Willows Riverside Park is classified as online moorings which tend to be cheaper than off-line moorings found within marinas. The adjacent moorings do not offer a bespoke drainage system or BT cables.	9.20
The Factual Report on Ground Investigation was not available when the previous application was considered. The installation of trenches will increase the risk to nearby structures, the impact to the roots of the trees and the ability to increase the number of trees and improve biodiversity.	9.28, 9.14 & 9.15
The building of trenches and inspection chambers, pumps and foul system would reduce the capacity of the ground to absorb water and would increase the risk of flooding.	9.9 - 9.13
EA permit should be invalidated.	9.26
The tree information is out of date.	9.15
The timber bin enclosures pose a fire risk and would not be an attractive feature along the river frontage.	9.5 & 9.16

Statutory consultees

Consultee	Comment	Where in the report this is considered
Council's Ecologist	No objection subject to conditions	9.17
Lead Local Flood Authority	No increase in flood risk associated with surface water run-off as a result of the development – No objection. The LLFA has been re-consulted on the updated FRA and their comments are awaited.	9.12
Highway Authority	No objection. Informatives suggested.	9.33
Environment Agency	The FRA submitted with the application has considered the impact of the development on flood risk on and off site in relation to current predicted flood levels and increased levels as a result of climate change. The EA is satisfied that the development is in accordance with the NPPF and would not impact negatively on navigation of the River Thames. The proposed development will only meet the requirements of the NPPF if the measures as detailed in the FRA are implemented and secured by way of a planning condition. An Environmental Permit is in place, but a permit variation will be required for the proposed changes. The EA has been re-consulted on the updated FRA and their comments are awaited.	9.11 & 9.13
Tree Officer	Based on the information submitted it should be possible to install the services on this site. However the specification for any	9.15

	trenching has not yet been completed. Final details of the tree protection during the installation of the utilities would therefore be required once site investigations have been completed. Suggested conditions – Tree Protection during utility installation, Tree Protection, Tree Retention/Replacement.	
Environmental Protection	Condition suggested relating to plant noise	9.18

Consultees

Consultee	Comment	Where in the report this is considered
Bray Parish Council	Recommended for refusal – GB1 The proposed development is inappropriate development in the Green Belt. There are no very special circumstances which exist that outweighs the harm to the Green Belt. GB2 The proposed development by reason of size, scale, mass, bulk, siting would physically reduce the openness of the Green Belt and is therefore harmful to the openness. Bray Parish Council requests the application to be heard at Maidenhead Development Control Panel if the Planning Officer is minded to approve.	9.2-9.8 & 9.32
South Bucks District Council	No comments received.	
The River Thames Society	The River Thames Society wishes to object to this application on the same grounds as for the previous application for this site. There have been attempts made in the past to place houseboats on the site and it would appear that this application, again to provide permanent mains services is being made with a future application for permanent house boats in mind. We can see no justification for the provision of the described services if the moorings are used for boats which will at different times be mobile. We request that this application should be turned down at this stage.	1.3 & 9.20

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Flood Risk
- iii Impact on trees
- iv Impact on the character and visual amenity of the area
- v Ecology
- vi Other considerations.

i Green Belt

9.2 The site is located within the designated Green Belt and the Government attaches great importance to Green Belts. 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. It is therefore necessary to determine whether the proposal constitutes appropriate development within the Green Belt having regard to the NPPF (revised 2018) and the relevant development plan policies. In addition it is necessary to consider the effect of the development on the openness of the Green Belt. This current application seeks to address the previous Inspector's decision and has deleted the proposed 15 marine service bollards and 45 proposed mooring bollards from the application. These structures were considered to amount to the construction of new building in the Green Belt and were deemed to constitute inappropriate development in the Green Belt. No very special circumstances were considered to exist to justify the development in the Green Belt.

Appropriate forms of development in the Green Belt

- 9.3 This current application now proposes the installation of 66 mooring rings (120mm in diameter) which would be spaced at 5m internals along the riverbank and would lie flat when not in use. They would replace the existing mooring rings and bollards which are randomly placed along the river bank. It is considered that the proposed mooring rings would not be materially larger than the mooring fixings they would replace and therefore this part of the development would meet the exception provided under point d) paragraph 145 of the revised NPPF, *"the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces"*, and would constitute appropriate development in the Green Belt.
- 9.4 The installation of a trench (approx.700mm deep) to house the upgraded services to the moorings and the installation of 3 underground pumping stations would constitute an engineering operation. Paragraph 146 of the revised NPPF has replaced paragraph 90 set out in the previous NPPF and still states that *'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it'*. These include b) engineering operations. In determining the previous appeal the Inspector confirmed that the works *'principally involve the construction of a drainage system, which would fall under the scope of engineering works.'* Since these works would be constructed below ground level, and any above ground manifestations of the drainage system would be housed within existing buildings located on the river bank, without materially increasing their volume, the previous Inspector concluded that the engineering works proposed would preserve the openness of the Green Belt. The Inspector also wrote (paragraph 13) *'Considering the proposed engineering works against the purposes of including land in the Green Belt, as set out in paragraph 80 of the Framework, the evidence before me demonstrates that the drainage system would be connected to the ongoing servicing of a longstanding mooring facility for leisure and residential boards. As such, there would be no conflict with the Green Belt purposes of checking the unrestricted sprawl of large built-up areas, preventing neighbouring towns from merging in to one another, or assisting in safeguarding the countryside from encroachment. For the same reasons, these engineering works would have no effect on the setting and special character of historic towns, and would not conflict with the Green Belt purpose of assisting in urban regeneration, by encouraging the recycling of derelict land. The proposed engineering works would therefore meet the exception provided under bullet point 2 of paragraph 90 of the Framework and would not amount to inappropriate development.'* For the same reasons as cited by the previous Inspector it is therefore considered that the proposed engineering works would constitute appropriate development in the Green Belt.
- 9.5 There are currently 25 metal storage sheds located along the riverbank and 7 of these would be removed and replaced with 7 new timber wheelie bin stores. In determining the previous appeal the Inspector noted that the existing metal storage sheds measured approximately 1.85m in length, 1.13m in height and 0.87m in width equating to a volume of approximately 1.66 cubic metres. The replacement bin stores would measure around 1.53m in length, 0.81m in width and 1.3m in height with a resulting volume of around 1.61 cubic metres. The timber bin stores would house wheelie bins and be sited in the same location as the units they would replace. The inspector wrote (paragraph 10) *'...whilst the new bin stores would be slightly higher than the storage sheds that they would replace, the overall volume of the structures would be broadly similar.'* As previously concluded by the Inspector the replacement bin stores would not therefore

amount to a materially larger building, and would meet the terms of the exception set out in d) of paragraph 145 of the Framework.

- 9.6 The 25 existing electric hook-up service boxes which consist of square plastic / polypropylene boxes located on steel posts up to 1.2m above ground level are proposed to be replaced with 15 standard 'Gewiss' service boxes (H=396mm W=316mm D=160mm). Six of the service boxes would be mounted within six of the timber bin stores and the boxes would project 30mm beyond the external surface of the bin store. The other nine service boxes would be direct replacements of the existing service hook-up boxes and would be located on galvanised posts immediately adjacent to the existing metal storage bins. They would be mounted 710mm above ground level and have an overall height of 1.1m. The replacement service boxes will not be materially larger than the 25 existing hook-up boxes they replace and therefore this part of the development would be appropriate under point d) of paragraph 145 of the revised NPPF.

Impact on openness of the Green Belt

- 9.7 The proposed engineering works including the proposed pumping stations would all be below ground level and the electrical switch gear for the pump chambers would be located within the existing brick built electrical gear housing structures already located on the riverbank. The openness of the Green Belt would therefore be preserved. The total volume of the new bin stores would be no greater than the structures they would replace. Whilst there is a slight increase in height this would be compensated by the reduction in length and width and consequently the development would not have any harmful effect on the openness of the Green Belt. In addition the installation of mooring rings in place of existing mooring rings and bollards would have no greater impact on the openness of the Green Belt. Likewise the replacement of twenty five electric hook-up boxes with fifteen 'Gewiss' service boxes (six of which would be mounted within the six timber bin stores) would also have no greater impact on the openness of the Green Belt.
- 9.8 It is considered that the proposed development would constitute appropriate development in the Green Belt and would preserve the openness of the Green Belt. It would accord with saved local plan policies GB1 and GB2, emerging policies SP1 and SP5 and the guidance set out in the NPPF (revised July 2018). The previous Inspectors objections have been satisfactorily addressed by the deletion of the service and marine bollards from the scheme.

ii Flood Risk

- 9.9 The application site lies within Flood Zone 2 (medium risk) and 3a (high risk) and an updated Flood Risk Assessment has been submitted to reflect the current proposed development. As before it is accepted that the Sequential Test is passed since the proposal involves upgrading and replacing current services on site and there are no other locations where the proposals could be considered. The development needs to be at this location out of necessity, as this is where boats are permitted to moor. It is therefore agreed that the development, which would serve the residential and leisure moorings, has to take place in this location, and as such the Sequential Test is passed.
- 9.10 As the development would fall into 'Water Compatible' development, according to the Flood Risk Vulnerability Classification table in the NPPG there is no requirement for the Exceptions Test to be applied.
- 9.11 The FRA submitted with the application has considered the impact of the development on flood risk on and off site in relation to current predicted flood levels and increased levels as a result of climate change. It is considered that the development is in accordance with the NPPF and would not increase flood risk or impact negatively on navigation of the River Thames. The proposed development will however only meet the requirements of the NPPF if the measures as detailed in the FRA are implemented and secured by way of a planning condition. This includes that the bin stores shall be robustly fixed to the ground to prevent them washing away during a flood event. An appropriate condition detailing these measures will therefore need to be imposed on any planning permission granted.

- 9.12 The proposed development will result in no increase in impermeable area and there will therefore be no increase in flood risk associated with surface water runoff as a result of this development.
- 9.13 The final comments of the EA and LLFA based on the updated FRA are awaited, although it is not anticipated that their comments will fundamentally change and they have raised no objection to the scheme. Subject to their final comments it is considered that the proposed development accords with adopted policy F1 and emerging policy NR1 and the guidance set out in the NPPF.

iii Impact on trees

- 9.14 The trees on the site are protected by a Tree Preservation Order and the trees make an important contribution to the character of the area. All the trees are shown to be retained.
- 9.15 As before the application has been accompanied by an Arboricultural Impact Assessment (AIA), a Method Statement and Tree Protection Plan. A Soil Investigation Report has also been submitted. The tree officer requested some updated/ additional tree information and a revised AIA (reference 16-2921 3762 03 Version 7) has been submitted and a letter dated 21st September from Lockhart Garratt seeks to address the tree issues raised by the tree officer and includes a cross section of the 700mm deep trench in relation to a person working in the trench. The trench is to be excavated using an airspade and hand digging where necessary. There is still concern that the battering of the sides of the trenches as shown in the diagram would impact surface roots, would cause additional root damage and may not be practical using hand held tools. Based on the information that has been submitted it should however be possible to install the services on the site. The specification for the trenches has not yet been completed and details of the methodology for the installation of the underground services will need to be submitted for approval. Subject to the imposition of suitable conditions no objection is raised to the proposal on tree grounds and the proposal accords with adopted policy N6 and emerging policy NR2.

iv Impact on the character and visual amenity of the area

- 9.16 The various mooring methods to secure the houseboats and leisure boats currently produces quite a cluttered appearance along the riverbank. It is therefore considered that the proposed mooring rings and the removal of other fixings such as the existing bollards and the angled galvanised steel posts along the river edge would help to tidy up the appearance of the river frontage and result in visual benefit. All the services will be provided below ground level and this would also reduce the amount of piping/ cabling which currently runs over ground. There will also be a reduction in the number of electric hook up boxes. The bin enclosures are to be constructed from timber weatherboarding and have a natural finish and would house wheelie bins which currently lie adjacent to some of the metal storage bins. Overall it is considered that the proposal will help to improve the visual appearance of the site itself and would conserve and enhance the character and setting of the River Thames in accordance with saved policy N2 and emerging policy SP4.

v Ecology

- 9.17 The application has been accompanied by ecology survey reports dated March 2015 and July 2017 which conclude that the majority of the site is of low ecological value. To ensure that the works do not adversely affect any notable species or habitats a Construction Environmental Management Plan is required to be implemented and this can be secured by condition in the event of planning permission being granted. The CEMP should detail how pollution will be prevented and controlled and measures to avoid harming nesting birds, mammals and other wildlife. In addition in line with the recommendations made in the reports and paragraph 175 of the NPPF the development should incorporate opportunities for wildlife and a further condition to secure enhancement is required to be imposed. The ecological value of the River Thames Corridor will be maintained in accordance with emerging policy SP4 and no objection is raised to the application on ecological grounds subject to the imposition of suitable conditions.

vi Other considerations

- 9.18 A condition relating to plant noise to protect the amenities of the neighbours and prevent nuisance arising is recommended by the Environmental Protection Team.
- 9.19 It is not considered that the proposal will cause any harm to the living conditions of the neighbouring park homes.
- 9.20 The proposal is to upgrade an outdate system. It is not for the Local Planning Authority to decide whether the proposed development is necessary or not and it is not relevant to the assessment of the planning application. Given that this site has planning permission for residential and leisure moorings, it is considered reasonable to expect the operator/owner to upgrade facilities to serve boats that use these moorings. In addition the agent has confirmed that in response to representations made by third parties relating to Health and Safety Risks, Haulfryn Group has been contacted by the Food and Safety officer at RBWM and requested to undertake a Risk Assessment. A Full Risk Assessment has been undertaken and the documentation has been provided to the RBWM Food and Safety Officer. It is understood that in a letter from the RBWM Food and Safety Officer to Haulfryn Group dated 18.09.2018 regarding services on the riverbank and potential hazards, the letter states: "*Ideally these services should be underground, and a proper hook up point/tap should be alongside the mooring*".
- 9.21 It has been confirmed that the proposal would not prevent/ interfere with existing fishing rights for Park residents and the pumping stations will be below ground. However fishing rights would not be a material planning consideration and would be a civil matter between the Park owners and the residents.
- 9.22 Planning permission currently allows for 33 boats to be moored up along this stretch of river. Providing this number is not exceed there is no restriction on the number of boats moored up in this location.
- 9.23 The amenity space currently enjoyed by the residents would remain unaffected by the proposed development.
- 9.24 The agent has confirmed that the boats will be attached to the services using standard marine attachments for charging and discharging fresh and foul water together with an electrical shore attachment. All these attachments are standard marine type which can be readily disconnected and reconnected by quick release couplings which is in line with the majority of bank side and marine facilities. The pipes and cables are fully flexible umbilical cord style connections which accommodate the rise and fall of water levels. All aspects relating to the upgrading of the services to the moorings have been dealt with in conjunction with specialist Marine Consultants (C P Heath Marine).
- 9.25 The purpose designed grey water and black water system will ensure that there is no discharge of grey water into the River Thames. C P Heath Marine has confirmed that the Environment Agency are encouraging marinas/moorings to upgrade to purpose designed piped systems and chemical disposal points will eventually be phased out as part of the upgrading process.
- 9.26 Any development within 8m of the River Thames requires a 'Flood Risk Activity Permit' to be obtained from the Environment Agency. The EA has confirmed that there is already an Environmental Permit in place in relation to the proposed works and a permit variation will be required. An Informative can be added accordingly.
- 9.27 The legality of the 'floating homes' at this site is currently being investigated separately by the Enforcement Team.
- 9.28 A Factual Report on the Ground Investigation (dated May 2017) has been submitted with the application. Soil instability was recorded within four of the five boreholes during drilling to a depth of 3m. The report reads paragraph 4.2 '*Where stable excavations are required, excavations should either be suitably supported or side slopes should be battered back to a safe angle of repose. Particular attention must be paid to ensuring the stability of nearby structures, services and neighbouring sites.*' It is not considered that the digging of the services trenches to a depth of 700mm would pose any safety risk to the nearby Park Homes.

- 9.29 Revised drawings and further information have been obtained to provide accurate and up-to-date details.
- 9.30 The angled galvanised posts along the rivers' edge are to be removed as part of the upgrading work on the camp-shedding. In the event of an extreme flood event being forecast temporary vertical posts would be located within the camp-shedding at this time. The Marine Architect and Marine Engineers (C P Heath Marine) has confirmed that there is no reason for the angled posts to be located permanently and their removal would provide a visual improvement.
- 9.31 Any infringement of the Park license would be a legal/civil matter and is not a material planning consideration.
- 9.32 Whilst the site falls within Bray Parish it lies within Clewer North Ward and therefore the application falls to be considered by the Windsor Urban Panel.
- 9.33 There are no highway/parking issues raised by this proposal.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The development is not CIL liable.

11. CONCLUSION

- 11.1 Whilst it is acknowledged that there has been a large amount of public concern raised in connection with the proposed development and it is seen by many as a precursor for permanent house boats to be moored up along this stretch of the riverbank, the mooring of boats along this stretch of river is already controlled by a previous planning permission and the application must be considered on its merits. It is considered that the proposed development constitutes appropriate development in the Green Belt and would have no greater impact on the openness of the Green Belt. The previous Inspector's concerns have been satisfactorily addressed by the deletion of the Marine Service Bollards and mooring bollards. The proposal would not increase flood risk and there would be some benefit to the visual appearance of the site itself. It is considered that the proposed development accords with the guidance set out in the NPPF and saved local plan policies GB1, GB2, DG1, N2,N6 and F1 and emerging policies SP1, SP2, SP3, SP5,NR1 and NR2.

12. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed layout drawings.
- Appendix C – Elevations of proposed bin stores and underground pumps
- Appendix D – Elevation of Service box and water stand pipe.

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The existing electric hook-up and mooring bollards shall be removed within 1 month of the development hereby permitted being completed.
Reason: The development is within the Green Belt, and the proposed development is granted on the basis that the existing development to be replaced is removed. Relevant Local Plan Policies GB1 & GB2.
- 3 Details of a scheme for the insulation of the plant to be installed in the proposed pumping stations hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and the scheme as approved shall be fully implemented and maintained

in accordance with the approved details. It is recommended that the scheme is in accordance with British Standard (BS) 4142:20142 'Methods for rating and assessment industrial and commercial sound.'

Reason: To protect the residential amenities of the area. Relevant Local Plan Policy NAP3.

- 4 The development hereby permitted shall be carried out in accordance with the mitigation measures detailed in the revised Flood Risk Assessment (FRA) dated October 2018.
 1. The bin stores shall be robustly fixed to the ground and designed to ensure they do not wash away during a flood event.
 2. The electrical service boxes shall be set no lower than 710mm above the current ground level.

Reason: To reduce the risk of flooding and to the accord with paragraphs 160 & 163 of the National Planning Policy Framework.
- 5 Prior to any equipment, machinery or materials being brought onto the site, details of the methodology for the installation of the underground utility apparatus, including any necessary tree protection is to be submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all work to install the utilities.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant local plan policies DG1 and N6.
- 6 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent fo the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant local plan policies DG1 and N6.
- 7 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any tree work approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 8 All areas of land currently grassed where the new underground services are to be laid shall be returned to grass following the installation of the underground services to the satisfaction of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 9 No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been 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).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) 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 ensure that wildlife is not harmed as a result of this development. Relevant Policies - Local Plan N2.

- 10 No development hereby permitted shall commence until details of biodiversity enhancements, to include bird and bat boxes around the site and native and wildlife friendly landscaping, has been submitted to and approved in writing by the council.

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

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

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

Informatives

- 1 An Environmental Permit reference number EPR/CB31190QX is in place as required by the Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. A permit variation will be required for the proposed changes and the applicant is advised to contact WestThamesConsents@environment-agency.gov.uk for more information and guidance.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 3 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 4 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

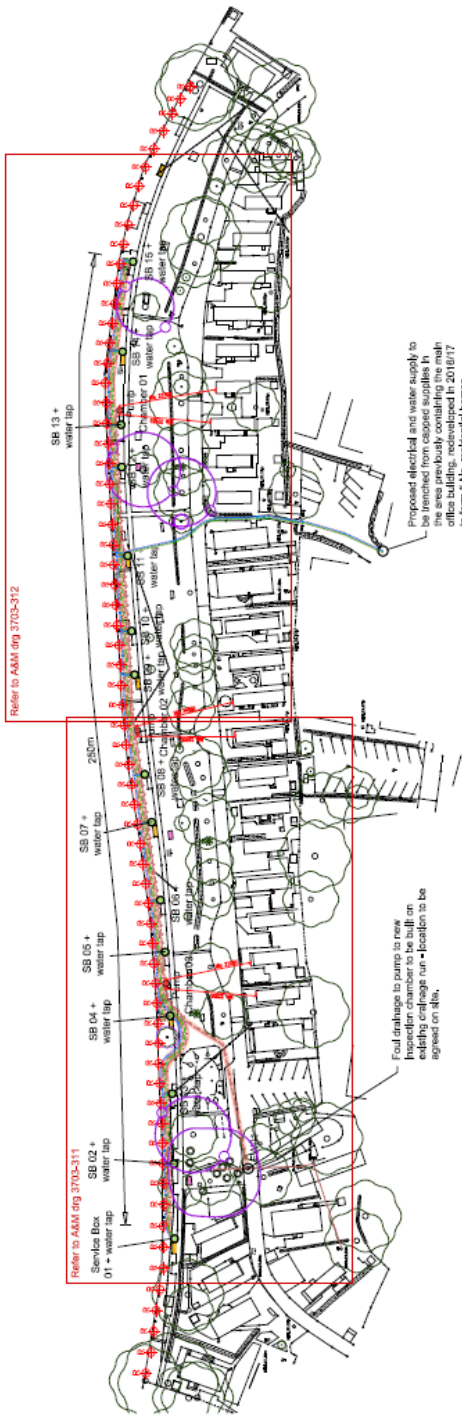
APPENDIX A – SITE LOCATION PLAN



APPENDIX B – PROPOSED LAYOUT DRAWINGS

WILLOWS RIVERSIDE PARK PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS - PROPOSED SERVICES PLAN - SHEET 1 OF 3

Copyright: The drawings are the property of Haulfryn and are not to be used, copied, reproduced, or otherwise disseminated without the prior written consent of Haulfryn. The drawings are provided for the use of the client and are not to be used for any other purpose. The drawings are provided on the basis of the information provided to Haulfryn and Haulfryn does not accept any liability for any errors or omissions in the drawings or for any consequences arising from the use of the drawings. The drawings are provided on the basis of the information provided to Haulfryn and Haulfryn does not accept any liability for any errors or omissions in the drawings or for any consequences arising from the use of the drawings.

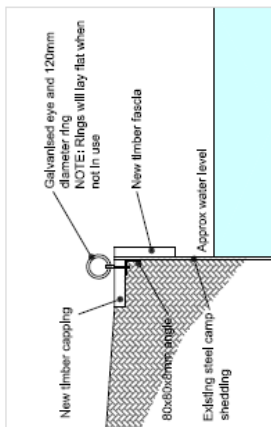


Refer to AMM dig 3703-312

Refer to AMM dig 3703-311

Foul drainage to pump to new inspection chamber to be built on existing concrete pad. Foundation to be agreed on file.

Proposed electrical and water supply to be trench from exposed supplies in the office buildings, redeveloped in 2018/17 to form 4 No. residential homes.



Mooring Ring Detail 1:10

LEGEND:

- Proposed service trench route
- Root protection areas - see drawings for details. Areas to be supplied in future making trenchless technology where practicable. Please refer to these protection plan for RPAs.
- Proposed mains water supply - to connect to capped supply in developed Office Area
- Proposed electrical supply - Refer to electrical contractors dig when available
- Duct for proposed fibre optic cable supply for TV & internet supply.
- Existing electrical enclosure containing pump station operator panel
- Proposed foul water drainage inspection chamber
- Proposed pumping station to be supplied by hydro-pump
- 7No. Existing metal storage units to be replaced by Apex timber bin store - to be purchased by client & installed by main contractor
- Proposed Mooring Rings
- Poles spaced for 40 No. Mooring Rings at 5m intervals.
- Proposed Service Box

HAULFARN GROUP LTD.
WILLOWS RIVERSIDE PARK
MORRHAY ROAD, WILLOWS, SA 7078

PROPOSED SERVICES TO EXISTING MOORINGS TO SUPPLY TO EXISTING MOORINGS

PROPOSED SERVICES - SHEET 1 OF 3
1:500

DATE: 20/07/2017
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1:500
PROJECT NO: 3703-310
DRAWING NO: 3703-310-01

WILLOWS RIVERSIDE PARK

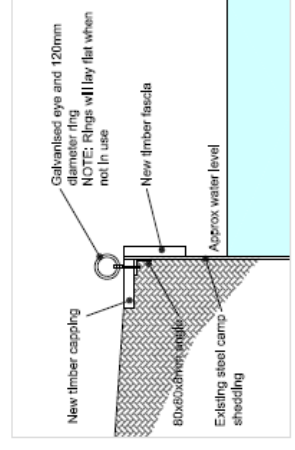
PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS - PROPOSED SERVICES - SHEET 2 OF 3

CONTRACT NO. 15/16 FOR THE PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS AT WILLOWS RIVERSIDE PARK. THE PROJECT IS BEING DELIVERED IN PHASES. THIS SHEET SHOWS THE PROPOSED SERVICES FOR PHASE 2. THE PHASE 1 SERVICES ARE SHOWN ON SHEET 1 OF 3. THE PHASE 3 SERVICES ARE SHOWN ON SHEET 3 OF 3. THE PHASE 4 SERVICES ARE SHOWN ON SHEET 4 OF 3. THE PHASE 5 SERVICES ARE SHOWN ON SHEET 5 OF 3. THE PHASE 6 SERVICES ARE SHOWN ON SHEET 6 OF 3. THE PHASE 7 SERVICES ARE SHOWN ON SHEET 7 OF 3. THE PHASE 8 SERVICES ARE SHOWN ON SHEET 8 OF 3. THE PHASE 9 SERVICES ARE SHOWN ON SHEET 9 OF 3. THE PHASE 10 SERVICES ARE SHOWN ON SHEET 10 OF 3. THE PHASE 11 SERVICES ARE SHOWN ON SHEET 11 OF 3. THE PHASE 12 SERVICES ARE SHOWN ON SHEET 12 OF 3. THE PHASE 13 SERVICES ARE SHOWN ON SHEET 13 OF 3. THE PHASE 14 SERVICES ARE SHOWN ON SHEET 14 OF 3. THE PHASE 15 SERVICES ARE SHOWN ON SHEET 15 OF 3. THE PHASE 16 SERVICES ARE SHOWN ON SHEET 16 OF 3. THE PHASE 17 SERVICES ARE SHOWN ON SHEET 17 OF 3. 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LEGEND:

- Proposed service trench route
- Road protection areas
NOTE: Services in road protection areas to be supplied as impact mooring (trenchless technology) where practically possible. Please refer to time protection plan for RPA's.
- Proposed main water supply - to connect to capped supply in developed Office Area
- Proposed electrical supply - Refer to electrical contractors dig when available
- Duct for proposed fibre optic cable supply for TV & internet supply.
- Existing electrical substation containing pump station operation panel
- Proposed foul water drainage inspection chamber
- Proposed pumping station to be supplied by hydrocub
- 700mm Existing metal storage units to be replaced by 1000mm units - to be installed by main contractor
- Proposed Mooring Ring - Positions shown for 06 No. Mooring Rings at 5m Interval.
- Proposed Service Box



Mooring Ring Detail 1:10



NO.	DATE	DESCRIPTION
1	15/01/2017	ISSUED FOR TENDER
2	15/01/2017	ISSUED FOR TENDER
3	15/01/2017	ISSUED FOR TENDER
4	15/01/2017	ISSUED FOR TENDER
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100	15/01/2017	ISSUED FOR TENDER

HAULFARN GROUP LTD.
WILLOWS RIVERSIDE PARK
MUCKHED BOULDER WAREHOUSE PLANT

PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS

PROPOSED SERVICES - SHEET 2 OF 3
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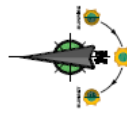
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PLANNING
 3703-311

WILLOWS RIVERSIDE PARK

PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS - PROPOSED SERVICES - SHEET 3 OF 3

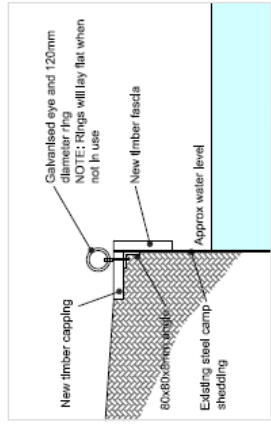
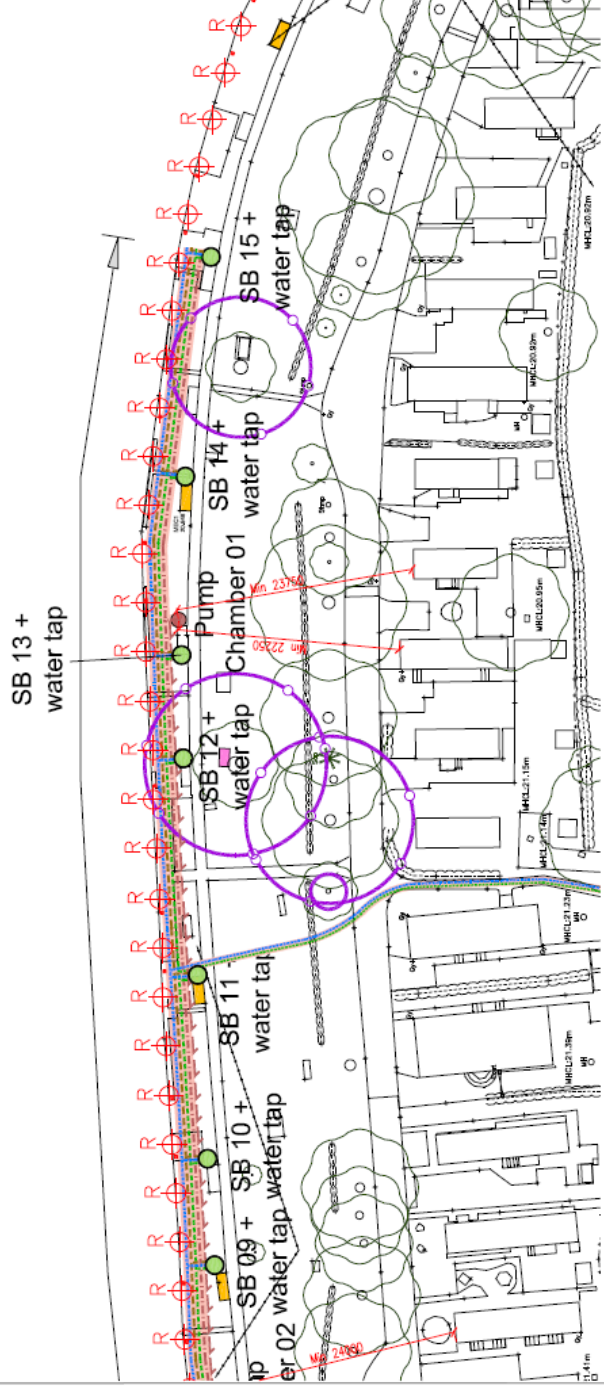
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 Project: Willows Riverside Park
 Client: [Name]
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 Revision: [Number]



REVISIONS	
1	Issue for tender
2	Issue for contract
3	Issue for construction
4	Issue for completion
5	Issue for handover
6	Issue for final
7	Issue for archive



Client:	HAULFRYN GROUP LTD.
Project:	WILLOWS RIVERSIDE PARK MILNERSON ROAD, WILSON, S4 8TH
Proposed:	PROPOSED IMPROVING OF SERVICES TO EXISTING MOORINGS
Sheet:	PROPOSED SERVICES - SHEET 3 OF 3
Date:	12/08/2017
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Checked by:	[Name]
Approved by:	[Name]
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Sheet No:	3

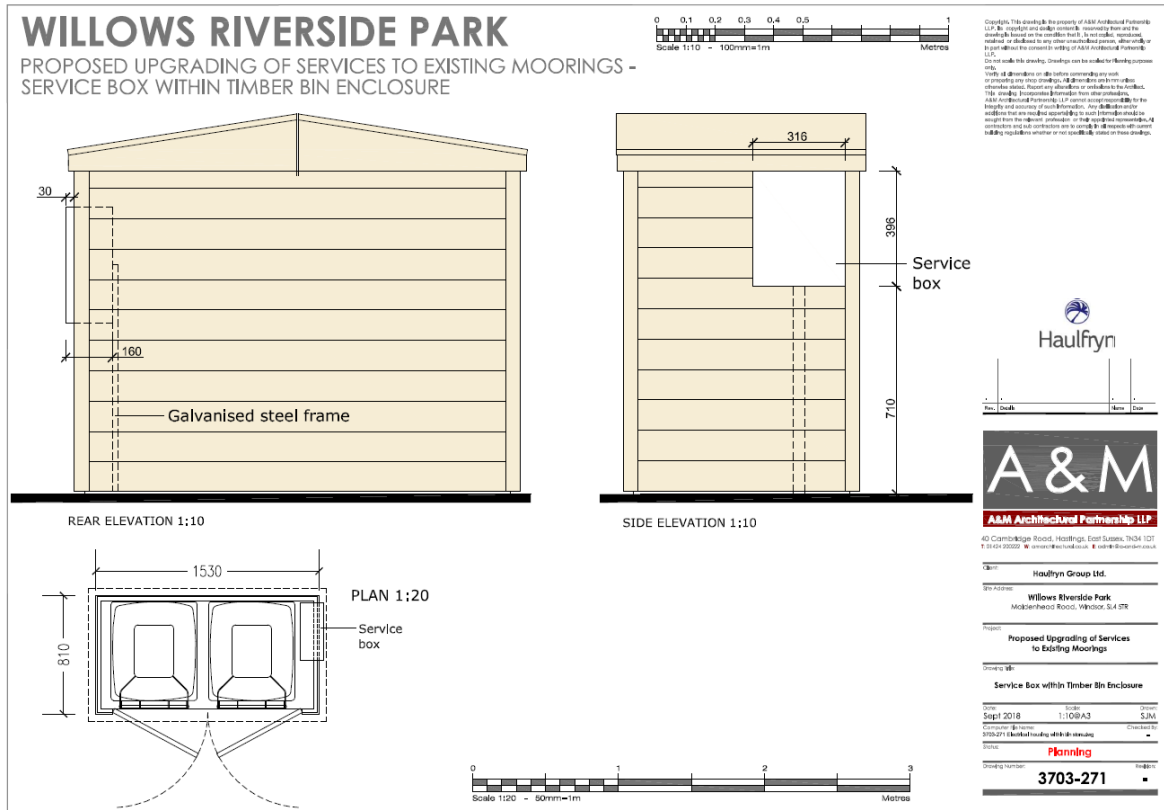
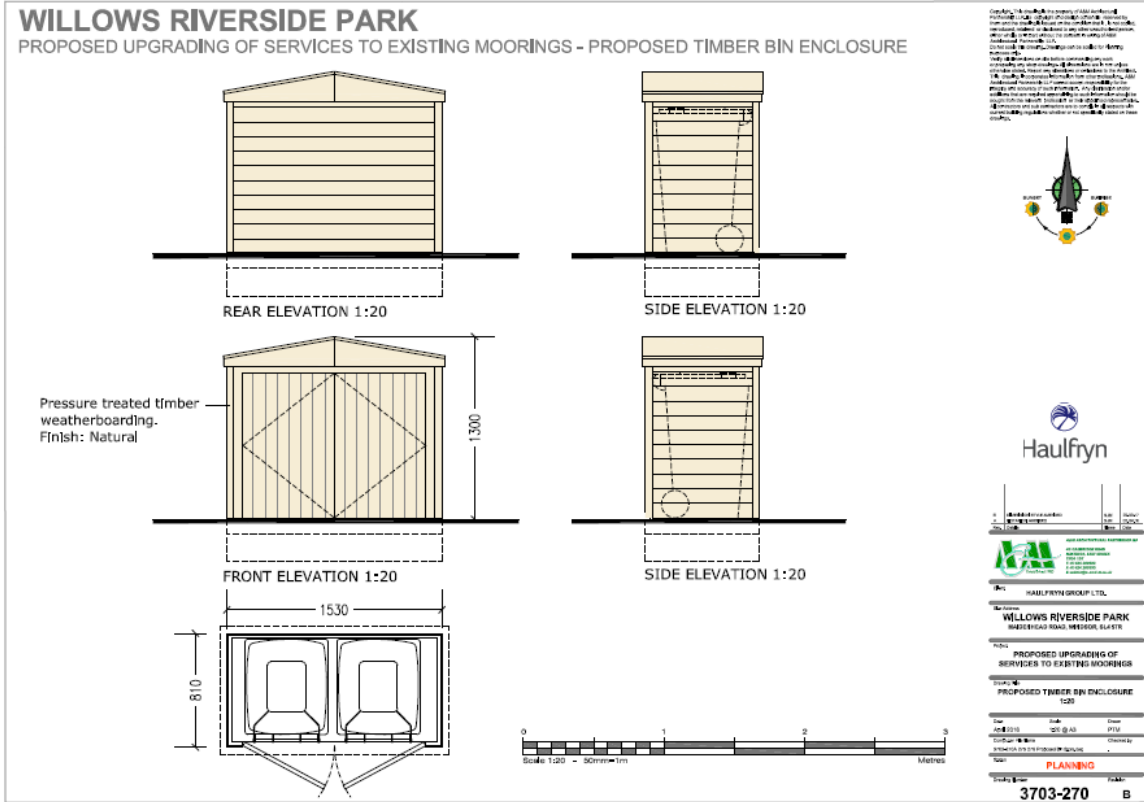


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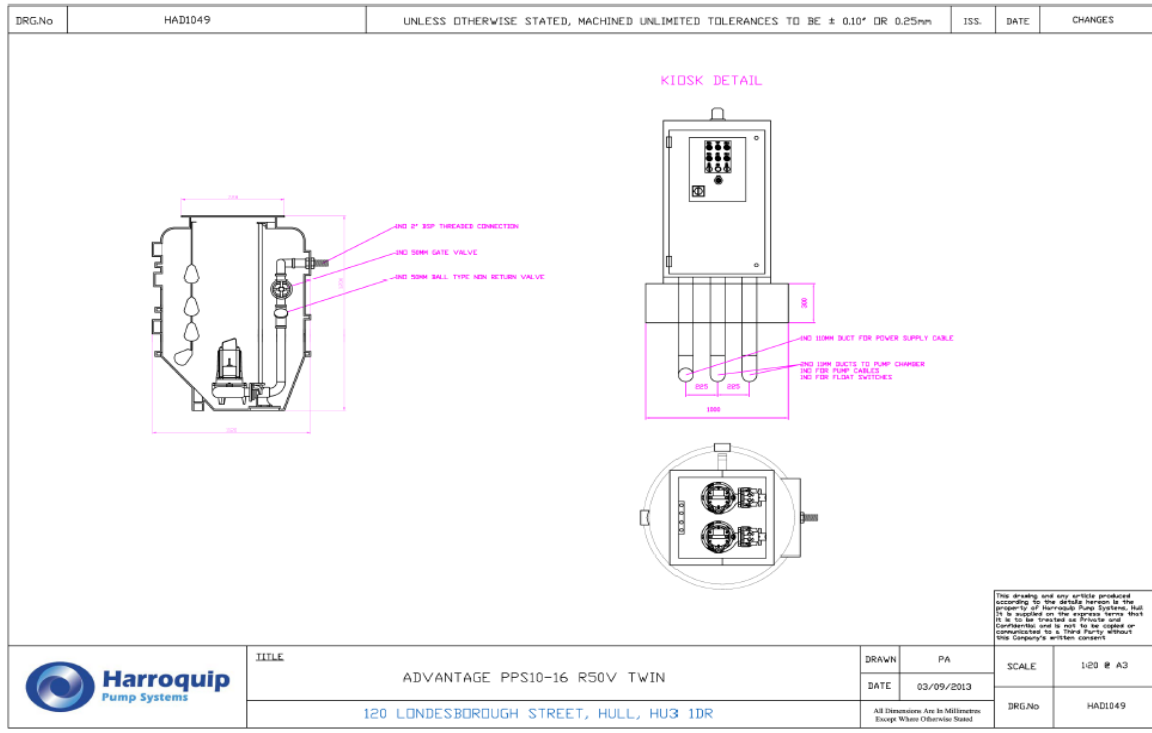
- Proposed service trench route
- Not a protection area
- Protection area (Note: Please refer to the protection plan for RPAs, where applicable)
- Proposed main water supply - to connect to capped supply in developed Offsite Area
- Proposed electrical supply - Refer to electrical contractors dig where available
- Duct for proposed 4-core cable supply for TV & Internet supply
- Existing electrical enclosure containing pump station operation panel
- Proposed foul water drainage
- Proposed pumping station to be supplied by Haulfryn
- No. Existing metal storage units to be replaced by Axxis Power Solutions Ltd. (to be confirmed by client & installed by main contractor)
- Proposed Mooring Ring - Positions denoted for 66 Mo. Mooring Rings at 5m intervals
- Proposed Service Box

Moorings Ring Detail 1:10
 0 5 10 20 30 40 50 60 70 80 90 100

APPENDIX C – ELEVATIONS OF PROPOSED TIMBER BIN STORES



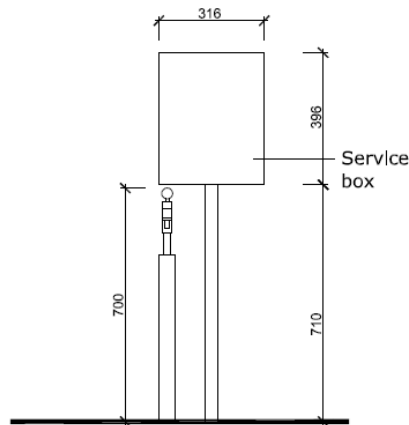
PUMPING STATION DETAIL



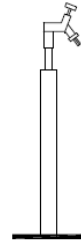
APPENDIX D – ELEVATIONS OF SERVICE BOX AND WATER STAND PIPE

WILLOWS RIVERSIDE PARK

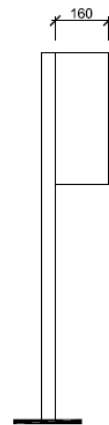
PROPOSED UPGRADING OF SERVICES TO EXISTING MOORINGS - SERVICE BOX AND WATER STAND PIPE



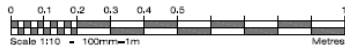
Service box and Water Stand Pipe Front Elevation



Water Stand Pipe Side Elevation



Service box Side Elevation



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Proposed Upgrading of Services to Existing Moorings

Service Box and Water Stand Pipe

Date: Sept 2018	Scale: 1:10@A3	Drawn: SJM
Computer File Name: 3703-273 Service Box and Stand Pipe Detail.dwg	Checked: -	
Status: Planning		
Drawing Number: 3703-273	Sheet: -	

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

7 November 2018

Item: 2

Application No.:	18/02346/FULL
Location:	75 - 75A Victoria Street Windsor
Proposal:	Change of use of part ground floor and basement from A1(retail) to B1a (offices) and part residential (1no.studio flat). Demolition of existing garages, alterations and extensions including a second floor extension and rear extensions to create 2no. 1 bed flats, 1no.1 bed dwelling and cycle/bin store.
Applicant:	Mr Gorslar
Agent:	Mr Stuart Mackay
Parish/Ward:	Windsor Unparished/Castle Without Ward

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 proposal comprises a change of use of the ground floor of the premises from Class A1 (retail) to Class B1a (office) and Class C3 (residential) to create a studio flat. In addition it is proposed to provide a second floor extension above the existing premises to create a 1 bed flat and demolish existing garages and erect a two storey rear extension to create a 1 bed dwelling. A cycle and bin store are to be provided to serve the development. Including the retention of the first floor 1 bed unit a total of 4.no 1 bed residential units will be provided in this town centre location.
- 1.2 The proposed change of use of the ground floor is considered to be acceptable in this location. The proposed extensions would not harm the significance of the Conservation Area and would be in keeping with the site itself and the locality in general. It is considered that the proposal would have no adverse impact on the living conditions of the neighbouring properties and the standard of amenity for future occupiers is considered to be adequate in this town centre location. It is considered that a parking free development can be accepted in the highly sustainable location and no highway safety aspects are raised by the proposal.

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

2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site currently comprises a two storey building with a small basement which fronts onto Victoria Street and lies within Windsor Town Centre. The ground floor is currently used as an office and the first floor comprises a residential flat which is accessed separately at the rear. There is a shared vehicular access at the rear of the site via Russell Street and the property currently has 3 car parking spaces provided within an open fronted, single storey garage building. The site lies adjacent to a large 2/3 storey office building at number 71/73 Victoria Street and a 2 storey office at number 77 Victoria Street. Residential properties lie to the south of the site and include flats in Ralston Court and terraced dwellings in Russell Street. Newly built flats at number 79 Victoria Street lie to the west of the site.

4. KEY CONSTRAINTS

- 4.1 The front of the site lies within the Windsor Town Centre Conservation Area. The site does not lie within a designated shopping frontage.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal comprises the change of use of the ground floor and basement from Class A1 (retail) to Class B1a (office) and Class C3 (residential). The office would be accessed from the front of the building and the studio flat would be accessed from the rear courtyard. It is also proposed to demolish 3 garages at the rear and alter/extend the building to include a second floor extension above the existing premises and ground and first floor rear extensions (flat roof) to provide 2no 1 bed flats accessed via an external staircase and a 2 storey 1 bed unit. These would all be accessed from the rear courtyard and the first and second floor flats would have small south facing deck/terraces. The 2 storey dwelling would have a Juliette balcony and French doors serving a bedroom. The building would be rendered to match the existing and a slate roof is proposed. A shared pedestrian/ vehicular access is to be retained at the rear via an archway from Russell Street.
- 5.2 During the course of the application concern was raised that the proposed car parking layout would be impractical. It was considered that a larger bin store and cycle store to serve the development would provide a better layout solution for the site.
- 5.3 There is no recent planning history relating to this site however planning permission for a similar residential development was granted at number 79 Victoria Street under application number 14/03204/FULL and is now complete.

6. DEVELOPMENT PLAN

Adopted Royal Borough Local Plan (2003)

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

Issue	Adopted Local Plan Policy
Design in keeping with character and appearance of area	DG1, H10,H11
Acceptable impact when viewed from nearby occupiers	H11
Parking and Highway issues	P4 & T5
Preserves or enhances Conservation Area	CA2
Housing in Windsor Town Centre	WTC3
Location of economic development	E1 & E6
Change of use of shops	S8

These policies can be found at

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

7. MATERIAL PLANNING CONSIDERATIONS

National Planning Policy Framework Sections (NPPF) (2018)

Section 4- Decision-making

Section 9- Promoting Sustainable Transport

Section 12- Achieving well-designed places

Section 16- Conserving and enhancing the historic environment

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Economic Development	ED1 & ED3
Shops outside defined centres	TR7
Historic Environment	HE1
Sustainable Transport	IF2

7.1 The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below.

7.2 Other Local Strategies or Publications

7.3 Other Strategies or publications relevant to the proposal are:

- Conservation Area Appraisal
- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

No comments have been received from the 18 occupiers notified directly of the application.

The planning officer posted notices advertising the application at the site on 22nd August 2018 (Victoria Street and Russell Street) and the application was advertised in the Maidenhead & Windsor Advertiser on 23rd August 2018.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions.	Paragraph 9.11

Consultees

Consultee	Comment	Where in the report this is considered
Thames Water	Advice is provided in respect to sewerage and water.	A suitable informative will be added.
Conservation Officer	No objection. The proposal will not harm the significance of the Conservation Area. Suggested conditions relating to window detailing and materials.	Paragraph 9.5
Environmental Protection	No objection subject to conditions.	Paragraph 9.13

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

i Proposed Change of Use

9.2 It is proposed to change the use of the ground floor and basement from Class A1 (retail) to part Class B1a (business) and part Class C3 (residential). It is understood that the lawful use of the ground floor is as retail although it has not been in retail use for 2 years and it has been occupied as an office for the past year. The premises do not lie within a primary or secondary shopping frontage and the loss of a retail unit in this location would have no impact on the vitality or viability of the shopping area. In addition it is not considered that a retail unit in this location would have fulfilled a function that benefits the local community. The use of part of the ground floor as an office is considered to be a suitable use in this location. Emerging policy ED1 encourages a range of different types and sizes of employment premises and emerging policy ED3 seeks to ensure that a suitable range of floor space is provided to meet the needs of businesses and this includes lower cost premises suitable for small and start-up businesses. The part change of use to residential would also accord with policy WTC3 which encourages housing in Windsor Town Centre in order to maintain the vitality of the town centre. As such no objection is raised to the change of use of the ground floor from retail to part business, part residential use in this location.

ii Impact on the character and appearance of the Windsor Town Centre Conservation Area, the site itself and the locality in general.

9.3 Local Plan Policy DG1 and emerging policy SP3 set out the design guidance for new development. Local Plan Policy H10 refers specifically to new residential development schemes, requiring them to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas. Policy H11 states that in established residential areas planning permission will not be granted for schemes which introduce a scale or density which would be incompatible with or cause damage to the character and amenity of the area. Emerging policy H05 requires all new housing to be developed at a density that is consistent with achieving good design and the density of development will be informed by amongst other things the need to ensure satisfactory residential amenity for both the proposed accommodation and nearby residential properties. The NPPF (revised July 2018) Section 12 'Achieving well-designed places' states that *'the creation of high quality 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.'* Paragraph 127 states that planning policies and decisions should ensure that developments, amongst other things, function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such

as increased densities) and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

- 9.4 There are a mix of building types, heights and designs fronting Victoria Street. It is proposed to add a second floor above the existing two storey flat roof building and the height would match the height of the extension recently permitted and constructed at number 79 Victoria Street. It is considered that the proposal would appear in keeping with the scale and proportions of the surrounding buildings and it would have no adverse impact on the character and appearance of the street scene in general.
- 9.5 The building which fronts onto Victoria Street lies within the Conservation Area and Local Plan Policy CA2 requires that development should enhance or preserve the character or appearance of the Conservation Area and should be of a high design standard which is sympathetic in terms of siting, proportion, scale, form, height, materials and detailing to adjacent buildings and the character of the area in general. It is not considered that the proposed development will harm the significance of the Conservation Area subject to the imposition of suitable conditions relating to window detailing and materials.
- 9.6 The rear of the site lies outside the Conservation Area and is set back behind the existing buildings fronting Russell Street including Ralston Court, a flatted development. The site is not readily visible from the public domain except from neighbouring properties. The extension/building at the rear would be 5.5m in height and has been designed with a flat roof and would have quite a contemporary appearance. The building would have smooth render walls and include glass balconies. It is considered that the height, scale, density, spacing and design of the proposed development would be appropriate for this town centre location and would be similar in design to the permitted scheme at number 79 Victoria Street. As such it is considered that the proposal would be in keeping with the site itself and the locality in general and would not detract from the character and appearance of the locality in general and would accord with saved policies DG1, H10, H11 & WTC3 and emerging policies SP2 & SP3.

iii Impact of the proposal on the living conditions of the neighbouring properties

- 9.7 It is important to assess the impact of any proposal on the living conditions of the neighbouring properties in terms of light, outlook and privacy.
- 9.8 There is already a degree of mutual overlooking within the rear courtyard from the existing buildings. The first floor full length windows and Juliette balcony in the western elevation of the proposed 2 storey building would serve a bedroom and would be sited approximately 9.5m from the windows in the eastern elevation of the newly completed apartments at number 79 Victoria Street and approximately 9m from the small amenity space at the rear of Ralston Court. In addition there is a small terrace/deck area proposed to the rear of the first and second floor flats however only restricted views would be available from these areas. Whilst there is likely to be a degree of overlooking and loss of privacy from the proposed development it is not considered that the proposal would introduce an unacceptable level of overlooking and loss of privacy to the surrounding neighbouring properties in this town centre location where some degree of mutual overlooking and loss of privacy is to be expected.
- 9.9 The site backs onto number 5 Ralston Court which has an adjoining first floor roof terrace and the rear of dwellings at numbers 14 & 16 Russell Street. The proposed two storey dwelling would have a height of approximately 5.5m and would be sited approximately 4.3m from the rear boundary of these properties. It is considered that sufficient spacing would be maintained and that the proposal would not result in an unacceptable loss of light and outlook to the rear of these adjoining properties in this town centre context.
- 9.10 It is considered that the proposal would have no adverse impact on the living conditions of the neighbouring properties in terms of light, outlook and privacy and the standard of amenity for the future occupiers is considered to be satisfactory in this town centre location. The proposal accords with saved policy H11 and emerging policy SP3.

iv Highways/Parking

- 9.11 The application site is located within Windsor town centre and is only 480m from the Windsor & Eton Central train station. The site is deemed to be in a sustainable/accessible location. The Local Authority's current Parking Strategy requires that 0.5 spaces are provided for a 1 bed unit and 1 space is provided per 100sq.m of B1 office space in this location. The application proposes to create an office and 4 x 1 bed units and the site would therefore attract a demand for 2 car parking spaces. The original layout showed 1 existing car parking space to be retained and one space to be provided to accommodate a second car parking space. There was however concern that the layout would be impractical and that insufficient space was being provided for refuse/bin storage and that access to the cycle store would be restricted. It is not considered that an objection could be raised to a car free development in this location. Parking restrictions and residents permits operate in the surrounding area which would prevent indiscriminate parking. The scheme has therefore been amended to delete the parking spaces and provide a larger cycle store and refuse/bin store to serve the development. The cycle stands have been revised to meet the design standards and the sizes/number of the bins have been revised to meet the waste guidance and provide refuse storage for the commercial and residential use.
- 9.12 No objection is raised to the proposal on parking or highway safety grounds subject to appropriate conditions and informatives being imposed and the proposal would accord with saved policy T5 and emerging policy IF2.

v Other Material Considerations

- 9.13 The Environmental Protection team has suggested conditions requiring an Environmental Construction Management Plan and restrictions on collection and delivery times during the construction phase. Given however the size of the development it is considered that these aspects can be reasonable dealt with by an Informative in this case.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 10.1 The proposal is CIL liable and a CIL Additional Information Requirement Form has been submitted with the application which calculates the net additional gross internal floor space to be 69 sq.m. CIL is calculated based on the net additional increase in floor space of a development multiplied by the charging rate which is £240 in this case. CIL is based on measurements of the gross internal area (GIA) of a building. CIL will be charged on additional floor space i.e. proposed new floor space minus existing floor space. Existing buildings must have been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the development. In this case it has been calculated that there would be a reduction in GIA floor space at ground floor level of 13.8 sq. The additional GIA floor space at first and second floor would amount to 86 sq.m. The net additional gross internal floor space has been calculated at 72 sq.m. Therefore the amount payable would be £17,280.

11. CONCLUSION

- 11.1 Significant weight is to be afforded to the relevant Borough Local Plan Submission Version policies in this case. The above application is considered to comply with the relevant policies listed above within the Development Plan and the Borough Local Plan Submission Version and it is recommended that planning permission is granted subject to the conditions set out below.

12. APPENDICES TO THIS REPORT

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

13. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The 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.
- 3 Prior to the insertion of the second floor windows in the front elevation of the building, further details including vertical and horizontal sections of the existing first floor windows and proposed second floor windows at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details.
Reason: To ensure the existing and proposed windows are consistently detailed and preserve the Conservation Area. Relevant Policy - Local Plan CA2.
- 4 Prior to the application of any render, a sample panel of the proposed render shall be prepared on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the render matches the existing render on the building in order to preserve the character of the Conservation Area. Relevant Policy - Local Plan CA2.
- 5 Prior to the tiling of the roof, a sample of slate shall be provided on site and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the proposal preserves the character of the Conservation Area. Relevant Policy - Local Plan CA2.
- 6 The development shall not be occupied until the covered and secure cycle parking has been provided in accordance with the approved drawings and the cycle store shall be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7 & DG1
- 7 The development shall not be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawings. These facilities shall be kept available for use in association with the development at all times.
Reason: Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5 & DG1
- 8 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policy - Local Plan T5.

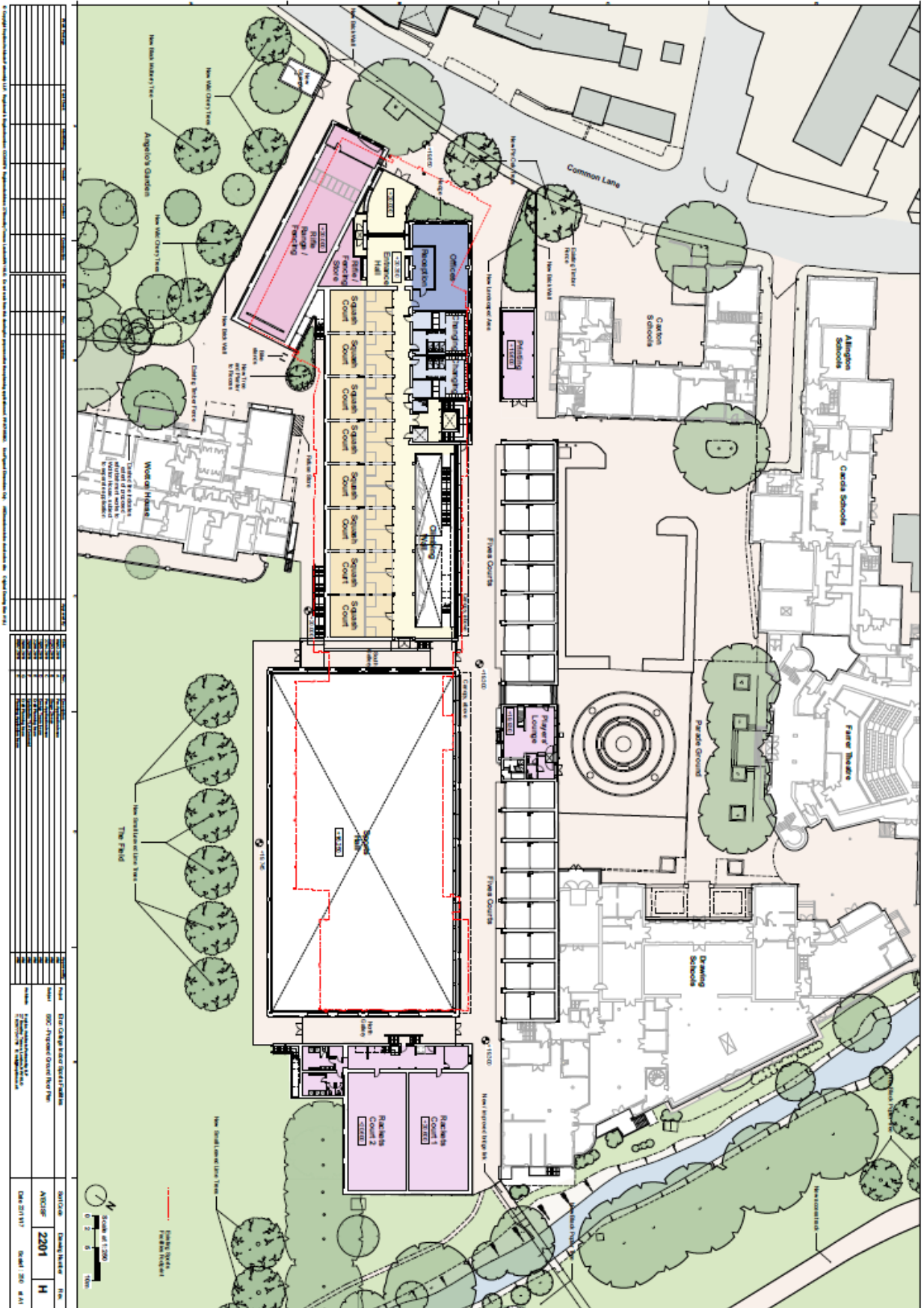
Informatives

- 1 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which

enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.

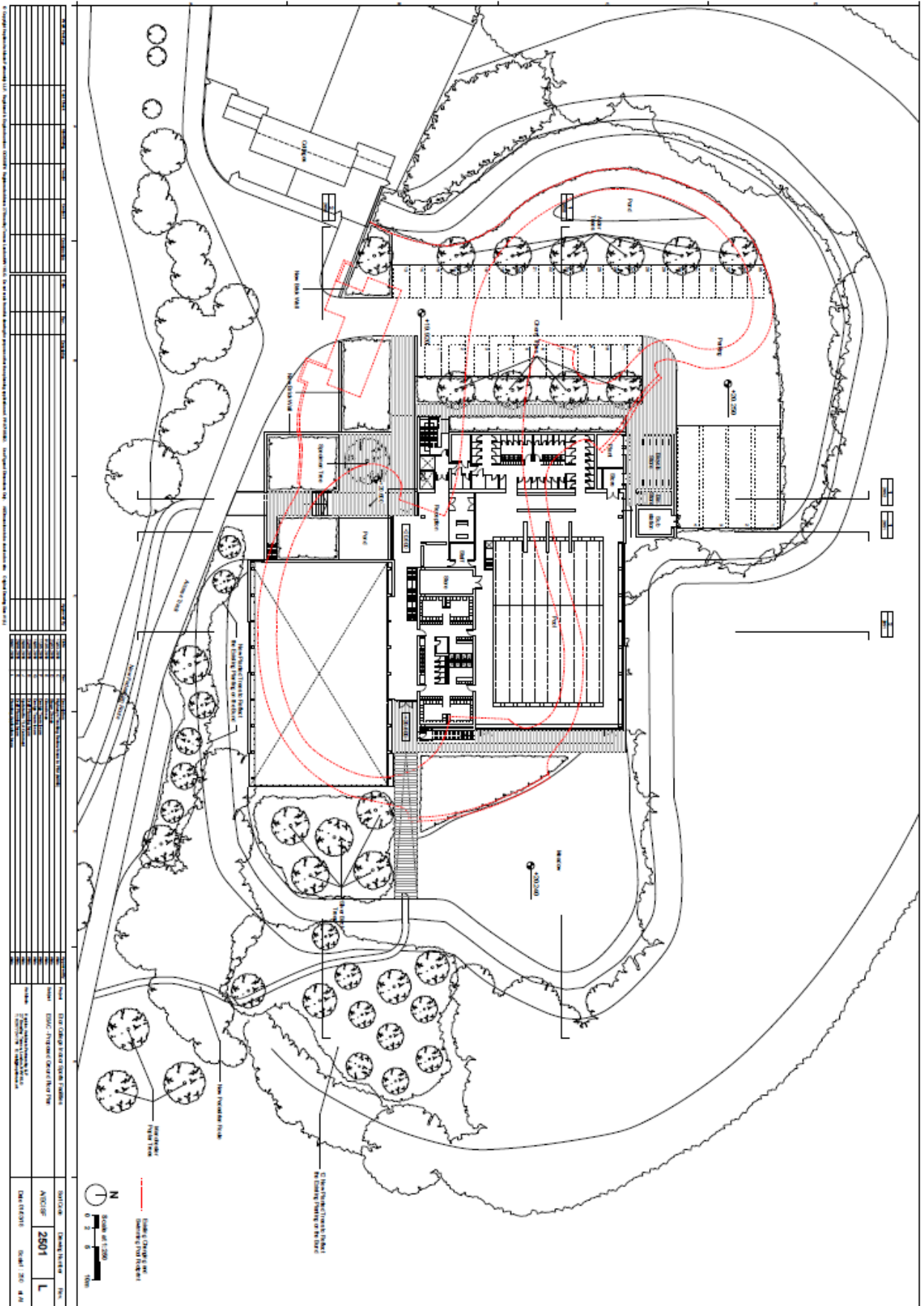
- 2 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 3 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.
- 4 The applicant is advised to adhere to the contents of the letter provided by Thames Water dated 22nd August 2018.
- 5 Due to the close proximity of the site to existing residential properties, the applicant's attention is drawn to the Considerate Constructors Scheme initiative. This initiative encourages contractors and construction companies to adopt a considerate and respectful approach to construction works, so that neighbours are not unduly affected by noise, smells, operational hours, vehicle parking at the site or making deliveries, and general disruption caused by the works. By signing up to the scheme, contractors and construction companies commit to being considerate and good neighbours, as well as being clean, respectful, safe, environmentally conscious, responsible and accountable. The Council highly recommends the Considerate Constructors Scheme as a way of avoiding problems and complaints from local residents and further information on how to participate can be found at www.ccscheme.org.uk

Site Layout SSC



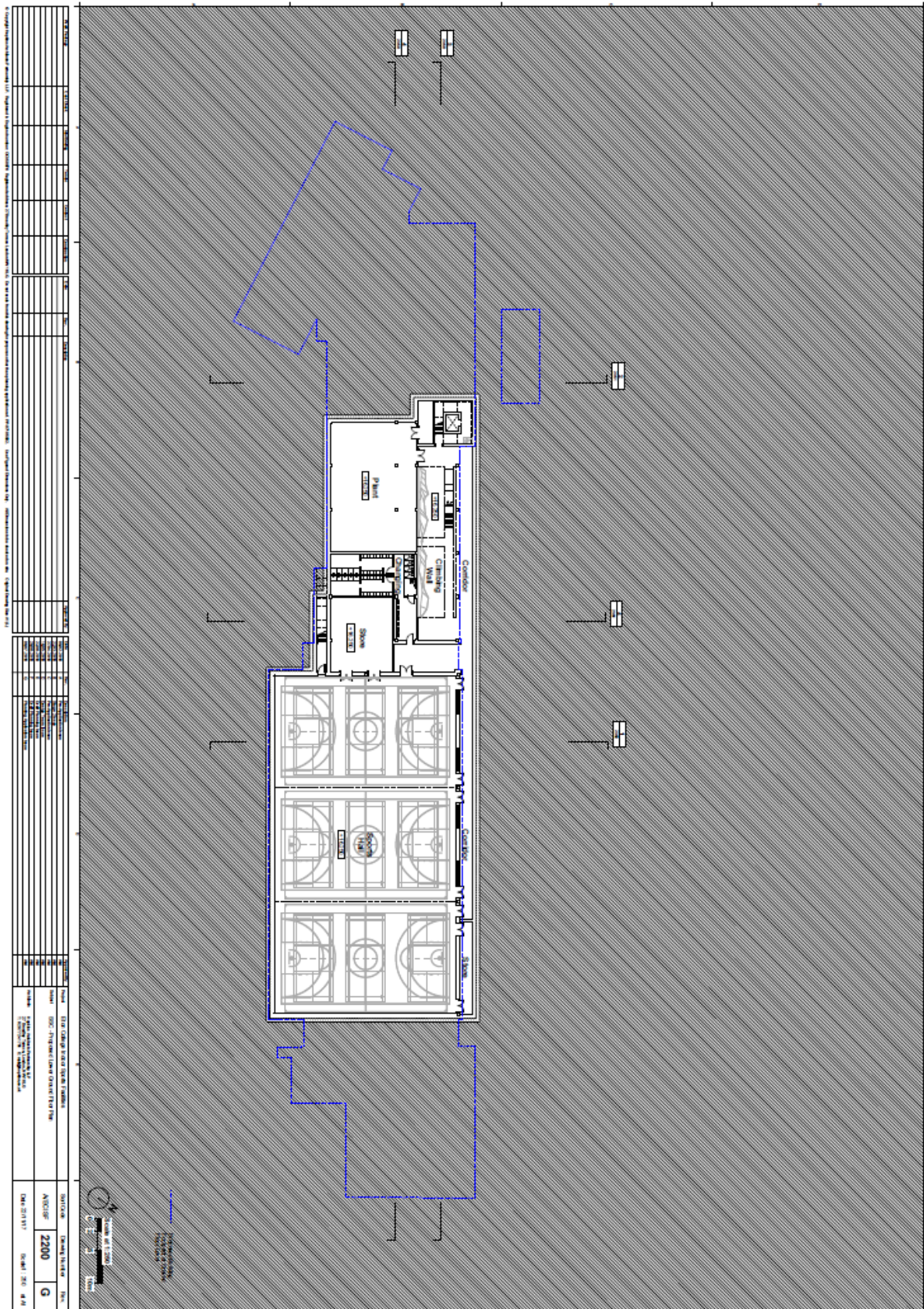
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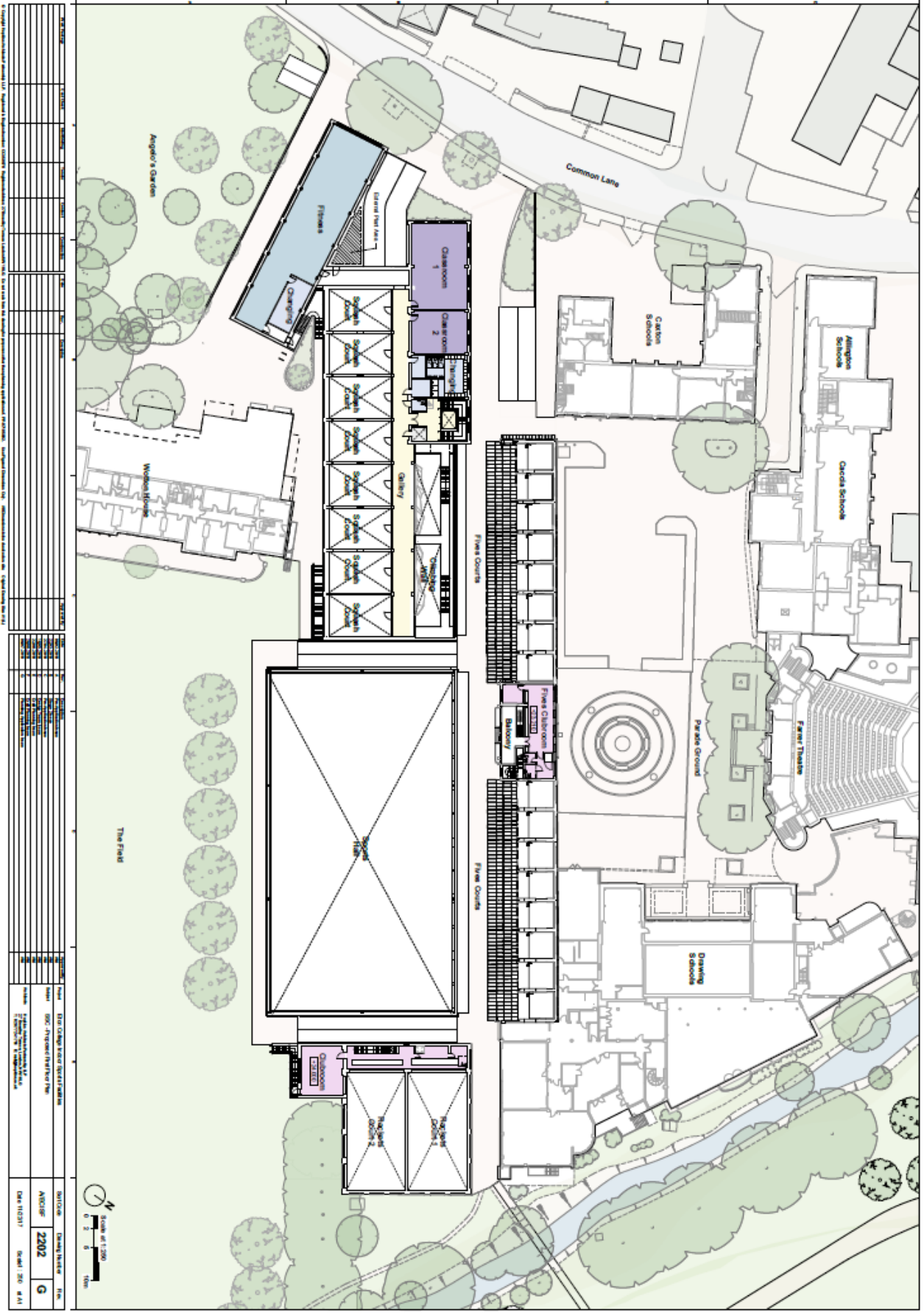
Site Layout ESAC



Appendix B

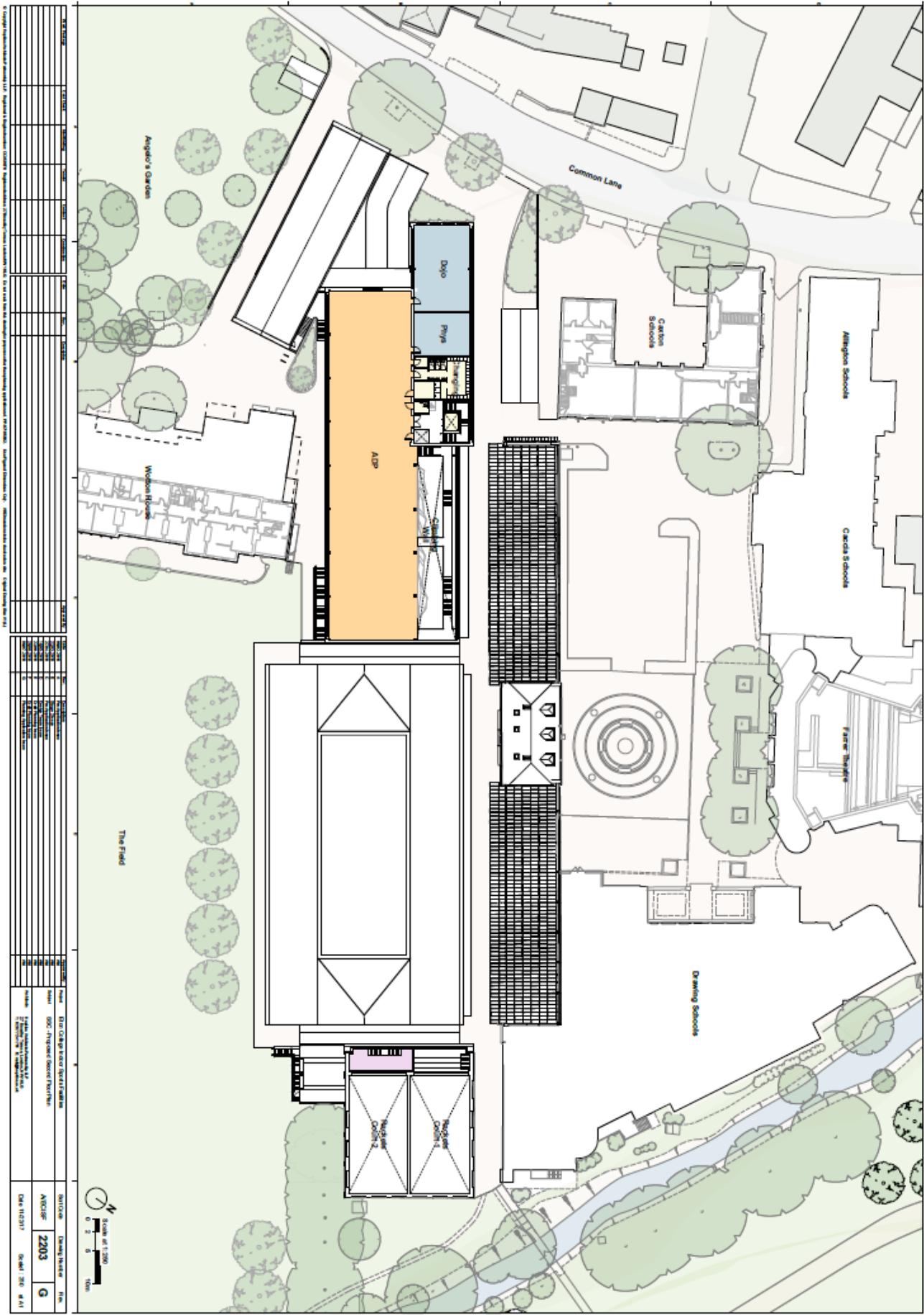
SSC Plans and Elevations





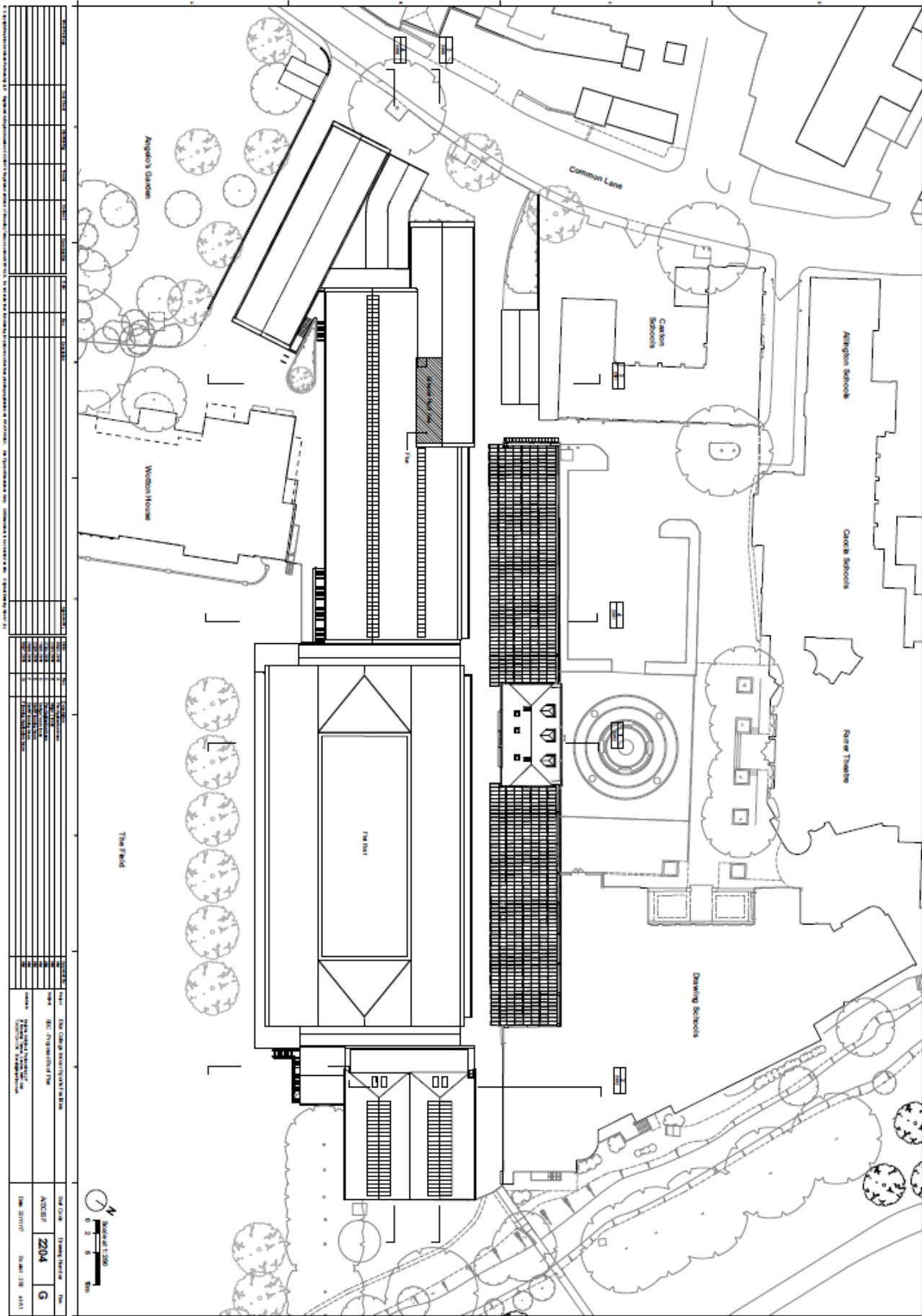
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 DATE: 11/11/2017
 SHEET NO. 4/11



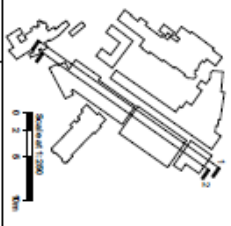
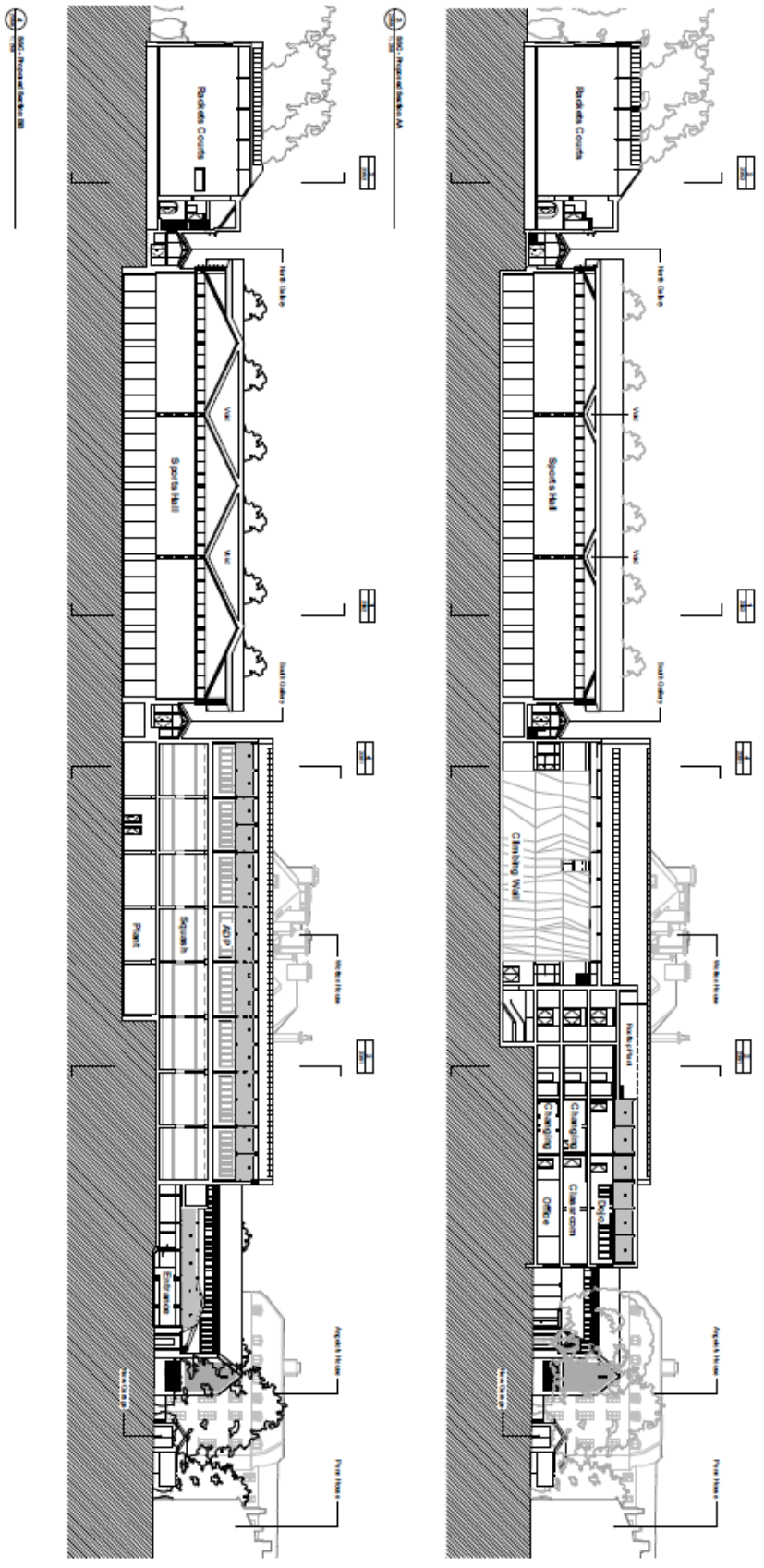
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Project: 1100 CAMP STREET, WEST WASHINGTON
 Owner: DCI / FIVE STAR DEVELOPMENT
 Architect: FIVE STAR ARCHITECTS
 Date: 11/2017
 Scale: 1:500
 Sheet: 20 of 44



NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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THE BOARD OF SUPERVISORS
 COUNTY OF SANTA CLARA
 SAN JOSE, CALIFORNIA
 ORDER NO. 2204
 DATE 01/11/11

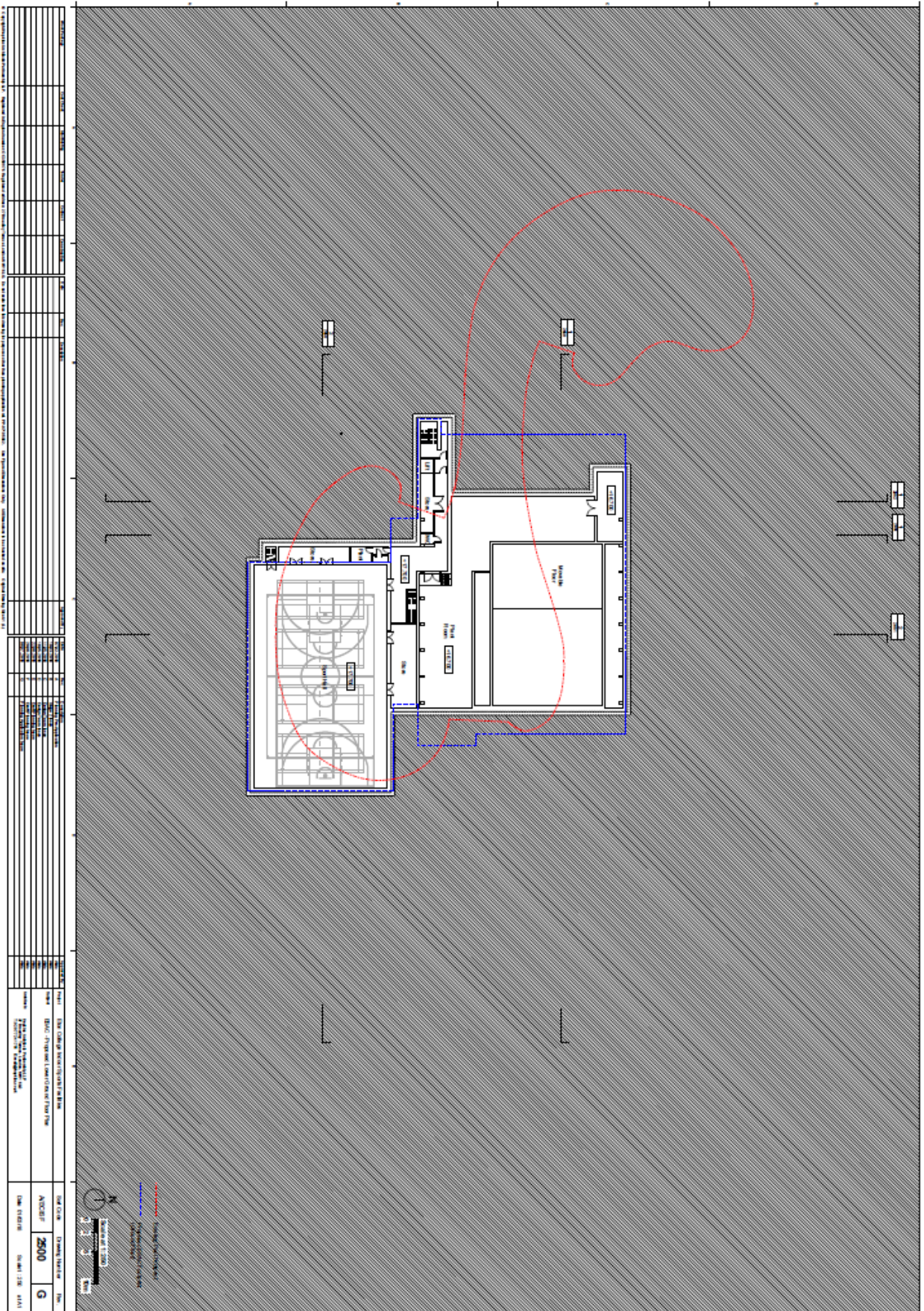


NO.	DATE	REVISION	BY	CHKD.	APPD.
1	2010.12.15	Initial Design
2	2011.01.10	Final Design
3	2011.02.05	Construction Documents
4	2011.03.15	Final Approval

PROJECT NAME	DESIGNER	SCALE
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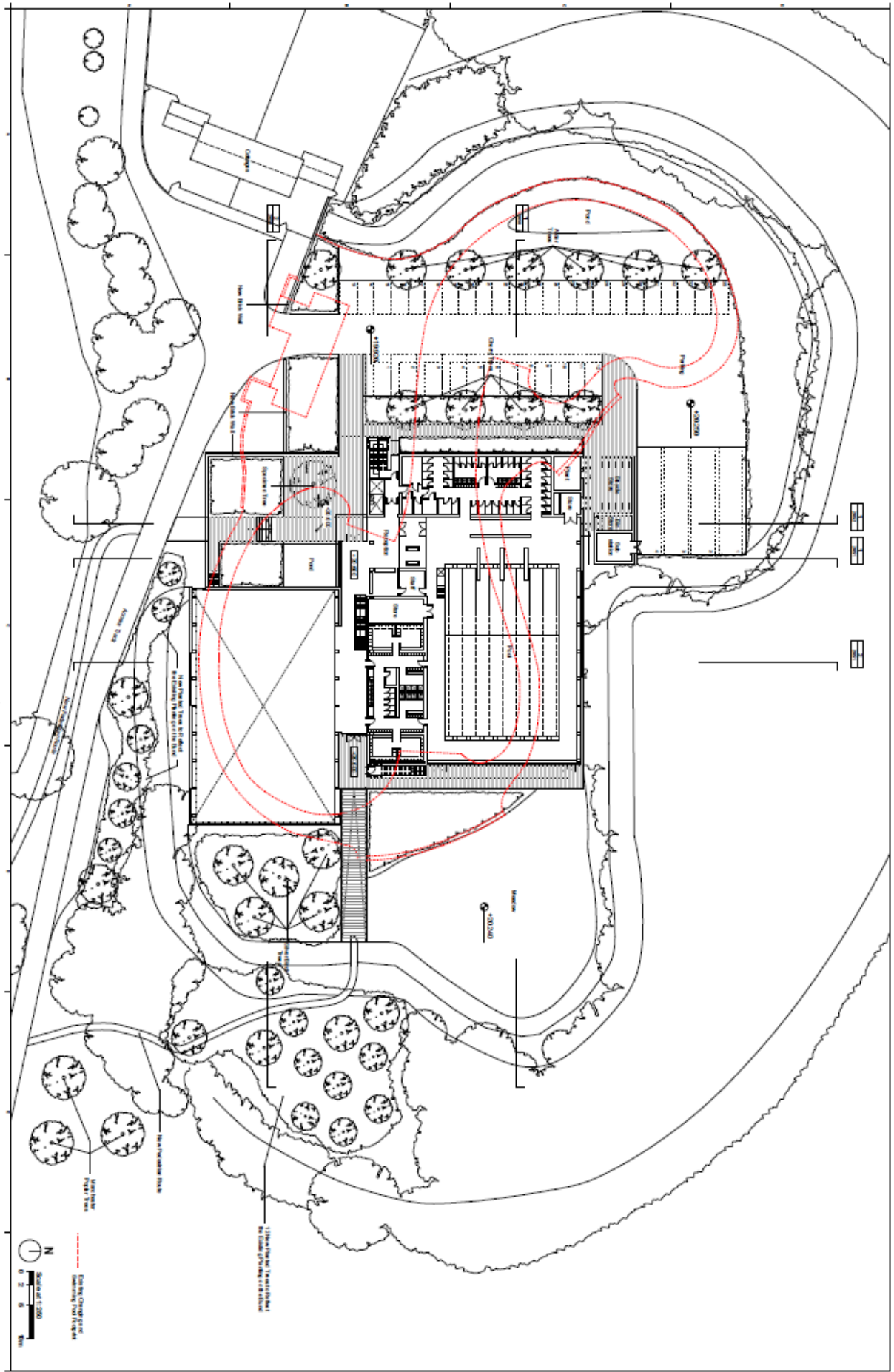
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ESAC Plans and elevations

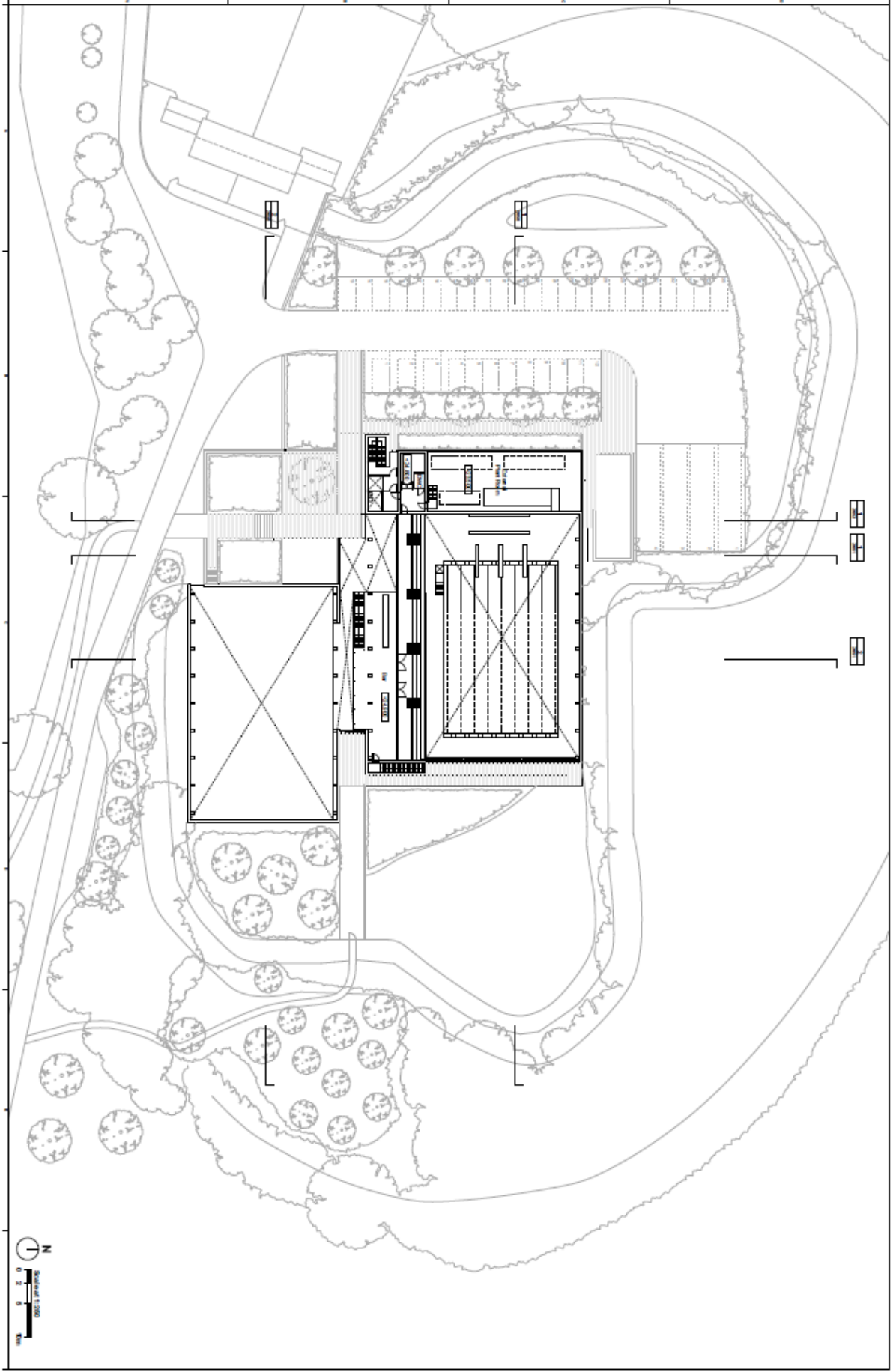


Project: ESAC Building Renovation and Refurbishment Client: ESAC (Environmental Science and Assessment Centre) Architect: ESAC Architects Date: 15/01/2024		Scale: 1:500 Drawing No: 01/01 Revision: 01
This drawing is a preliminary design and should not be used for construction without the approval of the architect.		

1. SITE PLAN 2. FLOOR PLAN 3. SECTION 4. ELEVATION 5. LANDSCAPE ARCHITECTURE 6. MECHANICAL 7. ELECTRICAL 8. PLUMBING 9. STRUCTURAL 10. CIVIL 11. ENVIRONMENTAL 12. HISTORIC PRESERVATION 13. TRANSPORTATION 14. UTILITIES 15. OTHER		16. DATE 17. SCALE 18. SHEET NO. 19. TOTAL SHEETS
20. PROJECT NAME 21. CLIENT 22. ADDRESS 23. CITY 24. STATE 25. ZIP	26. ARCHITECT 27. FIRM NAME 28. ADDRESS 29. CITY 30. STATE 31. ZIP	32. DATE 33. SCALE 34. SHEET NO. 35. TOTAL SHEETS



NO.	DESCRIPTION	DATE	BY	REVISION
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NO.	DESCRIPTION	UNIT	QTY	AMOUNT	TOTAL AMOUNT
1	GENERAL CONTRACT				
2	MECHANICAL/ELECTRICAL/PLUMBING				
3	INTERIOR FINISHES				
4	EXTERIOR FINISHES				
5	LANDSCAPE ARCHITECTURE				
6	ARCHITECTURAL SERVICES				
7	ENGINEERING SERVICES				
8	PERMITS AND FEES				
9	CONTINGENCY				
10	TOTAL ESTIMATE				
11	LAND COST				
12	ANALYST	2650			
13	LAND ENGINEER	8			
14	TOTAL COST				

