

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Urban Panel

18th March 2019

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APP = Approval
CLU = Certificate of Lawful Use
DD = Defer and Delegate
DLA = Defer Legal Agreement
PERM = Permit
PNR = Prior Approval Not Required
REF = Refusal
WA = Would Have Approved
WR = Would Have Refused

Item No.	1	Application No.	18/03754/FULL	Recommendation	REF	Page No.	
Location:	Squires Garden Centre Maidenhead Road Windsor SL4 5UB						
Proposal:	Erection of 39 dwellings, creation of new access off Maidenhead Road and provision of parking, internal circulation, public open space, landscaping and related infrastructure						
Applicant:	Bewley Homes PLC And Square Bay (No5) LLP	Member Call-in:	Cllr E Wilson and Cllr Da Costa	Expiry Date:	25 March 2019		
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Item No.	2	Application No.	19/00290/FULL	Recommendation	REF	Page No.	
Location:	19 Arthur Road Windsor SL4 1RS						
Proposal:	Single storey side/rear extension, alterations to rear fenestration, raising of ridge, second floor rear extension with rear dormer and 4 No. roof lights to facilitate a loft conversion						
Applicant:	Mr & Mrs Pearson	Member Call-in:	Cllr Richards	Expiry Date:	28 March 2019		
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**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

18 March 2019

Item: 1

Application No.:	18/03754/FULL
Location:	Squires Garden Centre Maidenhead Road Windsor SL4 5UB
Proposal:	Erection of 39 dwellings, creation of new access off Maidenhead Road and provision of parking, internal circulation, public open space, landscaping and related infrastructure
Applicant:	Bewley Homes PLC And Square Bay (No5) LLP
Agent:	Mrs Hannah Knowles
Parish/Ward:	Bray Parish/Clewer North Ward

If you have a question about this report, please contact: Antonia Liu on 01628 796034 or at antonia.liu@rbwm.gov.uk

1. SUMMARY

- 1.1 The site lies in Green Belt and the proposed development is considered to be an inappropriate form of development in the Green Belt which would result in harm to the openness of the Green Belt and would be contrary to one of the purposes of the Green Belt. No case for Very Special Circumstances (VSC) has been demonstrated to outweigh the harm to the Green Belt and any other harm.
- 1.2 The Green Belt boundary is proposed to be amended through the BLPSV and the site forms part of a larger parcel of land proposed to be allocated for housing, ref: HA11 Land West of Windsor, north and south of the A308. Given the extent of unresolved objections to BLPSV policy HO1 this currently carries little weight and is only a material planning consideration. The Development Plan has primacy.
- 1.3 There are concerns that the proposal would be an overly dominant, cramped, urban development which would be out of character with the semi-rural and spacious character of the streetscene and area. The scale and massing, stepped heights and elevations, complicated roof form and variations in the size and style of fenestration and brick surrounds would also result in the proposed block of flats at plots 28-39 being incongruous when seen in context with neighbouring development to the detriment of the streetscene and out of keeping with the wider locality.
- 1.4 The proposal includes 30% of the proposed residential units as affordable housing, but tenure mix has not been agreed. In the absence of a completed S106 legal agreement, the development fails to secure an acceptable level and tenure of affordable housing units.
- 1.5 Additional information and amendments have been submitted to address concerns raised on sustainable drainage, trees and highways, and any further comments from the Lead Local Flood Authority, the Council's Arboriculture Officer and Local Highway Authority will be reported in an update. As necessary the planning balance may be updated in response to those comments.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 13 of this report):

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| 1. | The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt, furthermore it would be harmful to visual and spatial openness of the Green Belt. This harm is afforded substantial weight. Very Special Circumstances that clearly outweigh the harm to the Green Belt and any other harm has not been demonstrated. |
| 2. | By reason of its layout, scale, form and design the proposal would result in a dense, urban pattern of development which would appear overly dominant and cramped within the site and out of character with the semi-rural and spacious character of the streetscene and |

	area. Furthermore, the block of flats at plot 28-39 would have a disjointed and disharmonious appearance due to its stepped heights and elevations, complicated roof form and variations in the size and style of fenestration and brick surrounds. The block of flats at plot 28-39 would therefore fail to successfully integrate with the neighbouring development, the streetscene and area.
3.	In the absence of a completed S106 legal agreement, the development fails to secure 30% Affordable Housing and an acceptable tenure mix.

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.
- At the request of Councillor E Wilson and Councillor Da Costa, irrespective of the recommendation of the Head of Planning, in the public interest

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The 0.73ha site comprises land bounded by Maidenhead Road to the north; the A308/Maidenhead Road roundabout to the east; the A308 to the south and the residential dwellings to the west beyond which is open land. Willows Park Homes' are to the north west and The Willows to the north – a former mansion house dating from 1850 which has been divided into a number of individual properties. The site was occupied by Squires Garden Centre which includes a car park, a single storey retail building and an open air plant display area, but has recently been vacated. The site is bounded by a red brick wall that forms part of the garden centre building to the north; a wrought iron fence to the east; trees/shrubs on the boundary with the A308 to the south; and a combination of close board fencing and trees to the west.

4. KEY CONSTRAINTS

- 4.1 The entire site lies in Green Belt, and in accordance with the Environment Agency Flood Map for Planning the eastern corner of the site lies in Flood Zone 2

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 5.1 The proposal is for the erection of 39 dwellings, creation of new access off Maidenhead Road and provision of parking, internal circulation, public open space, landscaping and related infrastructure. 27 units are for the open market, with 12 units proposed as affordable housing. The proposed housing mix is as follows:

Market Housing	No. of units
1-bed flat	3
2-bed flat	8
3-bed house	12
4-bed house	4
Total	27

Affordable Housing	No. of units
1-bed flat	2
2-bed flat	8
3-bed flat	2
Total	12

- 5.2 The proposal layout, drawing ref: 17-J2116-01, shows the retention of the existing access from serving a 2-storey house (plot 27) sited to the west of the access road and a part 3-storey, part 2-storey block of 12 flats sited to the east (plots 28-39). The house at plot 27 includes 3 undercroft parking spaces, and for the block of flats a parking area comprising of 18 spaces is located to the south of plot 27-39 with 1 additional car parking space to the front of the block of flats and 1 parking space to the north.

- 5.3 A new access to the west serves the remaining residential units (plots 1-26). To the east of the access road are 5 detached houses and a pair of semi-detached houses, which are 2-2 ½ storey in height. To the west of the access road are 2 detached houses, 2 sets of 3-house terraces and another detached house, all of which are also 2-2 ½ storey. Parking for the houses are provided in internal or external garages, and hardstanding to the front and/or side of the houses. A block of 10 flats located to the south of these houses, which is -2 ½ storey in height. 18 parking spaces for the flats are provided to the west, adjacent to the shared boundary with Willows Cottage. The parking area for the flats is access via an undercroft with plot 14 being sited over the access.
- 5.4 An area of open space is provided along the southern boundary of the site to the south of plot 20 and north-east of plot 10-19 which is irregular in shape and measuring approximately 255sqm. A Local Area for Play (LAP) is proposed within this space.
- 5.3 There is extensive planning history for the site associated with the operation of the garden centre, but no relevant planning history for the redevelopment of the site for residential or otherwise.

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
Green Belt	GB1
Design character and appearance of area	DG1, H10,H11
Highways	P4, T5, T7
Flooding	F1
Open Space	R3, R4

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) (2019)

Section 2 – Achieving Sustainable Development

Section 4 – Decision Making

Section 5 – Delivering a Sufficient Supply of Homes

Section 8 – Promoting Healthy and Safe Communities

Section 9 – Promoting Sustainable Transport

Section 11 – Making Effective Use of Land

Section 12 – Achieving Well-Designed Places

Section 13 – Protecting Green Belt Land

Section 14 – Meeting the Challenges 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
Housing Development	HO1, HO2, HO5, HA11
Affordable Housing	HO3
Trees, Woodlands and Hedgerows	NR2
Infrastructure Provision	IF1

Sustainable Transport	IF2
Community Facilities	IF7

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 and the degree of consistency of those policies to the NPPF (2012). 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
- Interpretation of Policies R2, R3, R4, R5 and R6

Other Local Strategies or Publications

7.3 Other Strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- Affordable Housing Planning Guidance

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

32 occupiers were notified directly of the application. The planning officer posted notices advertising the application around the site on 15 January 2019 and the application was advertised in the Local Press on 10 January 2019.

1 letters were received supporting the application, summarised as:

Comment	Where in the report this is considered
1. Provision of housing to meet demand	Para. 9.49-9.50

58 letters were received objecting to the application, including from Oakley Green and Fifield Residents Association, summarised as:

Comment	Where in the report this is considered
1. Assumes Borough Local Plan will be adopted, application is premature	Para. 9.12

2.	Inappropriate development in the Green Belt, encroachment into the countryside, harm to openness, no Very Special Circumstances demonstrated	Section 9 i
3.	Increase in traffic resulting in congestion, increase in air pollution and to the detriment of highway safety	Section 9 vi
4.	Insufficient parking resulting in increase in on-street parking pressures	Para. 9.34 – 9.36
5.	Location of access is dangerous	Para. 9.33
6.	Density is too high resulting in a cramped layout to the detriment of amenity for future occupiers and local character	Section 9 iii & v
7.	Height out of keeping, overly dominant with surrounding properties	Para. 9.19
8.	Loss of community use e.g. local café and restaurant which was by local residents to meet and socialise; development should include some kind of community facility	The café was an ancillary use to the main garden centre (A1, retail) use and does not benefit from policy protection as it is not a principle use of the site.
9.	Land liable to flood, inadequate drainage; increase in pressure on sewer network	Para. 9.13 – 9.14 and Thames Water response
10.	Increase in pressure on GPs, Schools, Roads etc.	Para. 10.1
11.	Harm to neighbouring amenity in terms of loss of view, loss of light, loss of privacy, increase in noise and disturbance	Para. 9.26 – 9.30. In relation to loss of view, this is not a material planning consideration.
12.	Harm to wildlife	Para. 9.39 – 9.44
13.	No change of use from commercial to residential has been approved.	Change of use forms part of the proposal.

Consultees

Consultee	Comment	Where in the report this is considered
Access Advisory Forum	Raises objections as no information on inclusive design or whether accessible and adaptable dwellings are planned.	Applicant has confirmed 10% of the units will be adaptable, and would be covered by Building Regulations.
Environment Protection	No objection subject to condition relating to aircraft noise and site specific construction environmental management plan; and informatives relating to aircraft noise, smoke control, and asbestos.	Applicant has agreed to the proposed pre-commencement conditions.
Ecology	No objection subject to conditions relating to a construction environmental management plan (in line with the Environmental Protection response); securing the recommendations made in Section 6 of the Preliminary Ecology Appraisal (2018); and submission and approval of details of biodiversity enhancements; and an informative relating to breeding birds.	Para. 9.39 – 9.44.
Berkshire Archaeology	No objection subject to condition to secure implementation of a programme of archaeological works to be submitted and approved by the local planning authority.	Para. 9.45 – 9.46 and applicant has agreed to the proposed pre-commencement condition.
Environment Agency	Wishes to make no comment.	Noted.
Highways	No objection in principle but further information required in relation to visibility splays, swept	Para. 9.31 – 9.38

	path analysis, cycle parking layout and to either improve or make a financial contribution to extent the footway from the A308 to bus stop on Ruddlesway and improve/provide pedestrian route from the site to Maidenhead Road.	
Lead Local Flood Authority	Raises objection as there is insufficient information to demonstrate whether all the storage would be available for attenuating surface water flows or whether flooding would occur from permeable paving at a local low point; pollution control capabilities; why above ground SUDS features cannot be provided; adequate mitigation to prevent overland flows affecting the proposed properties; and how exceedance flows will be managed.	Para. 9.13 – 9.14
Trees	Raises objections over the failures to secure the long-term retention of off-site trees and the landscaping scheme is insufficient to soften the built form or provide a level of enhancement for such a large and prominent development.	Para. 9.23 – 9.25
Thames Water	No objection as application indicates that surface waters will not be discharged in to the public network.	Noted.

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i Green Belt
- ii Flood Risk
- iii Character and Appearance
- iv Trees
- v Residential Amenity
- vi Highways
- vii Ecology
- viii Archaeology
- ix Open Space
- x Affordable Housing
- xi Other Material Considerations
- xii Case for Very Special Circumstances

i. Green Belt

9.2 The entire site lies within the Metropolitan Green Belt and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 145 of the NPPF (2019) states that new buildings in the Green Belt would be regarded as inappropriate development with some exceptions. Local Plan policy GB1 and BLPSV policy SP5 also sets out appropriate development in the Green Belt. The Local Plan was prepared in accordance with the cancelled PPG2 Green Belts while the BLPSV was prepared in accordance with the NPPF

(2012), and therefore while broadly in line with the NPPF (2019) differs in emphasis. As such, Local Plan policy GB1 is not consistent with the relevant NPPF and is not given full weight. BLPSV Policy SP5 is NPPF (2012) consistent but due to unresolved objections is given moderate weight as a material planning consideration. The NPPF is considered to be a more up-to-date expression of Government intent and is afforded significant weight as a material planning consideration.

- 9.3 One of the exceptions listed in paragraph 145 of the NPPF is the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt than the existing development or would not cause substantial harm to the openness of the Green Belt where the development would re-use previously developed land and contribute towards meeting an identified affordable housing need within the area of the local planning authority. This is a new assessment introduced by the later frameworks. As land which is occupied by a permanent structure, including the curtilage of the development and any associated fixed surface structure, it is accepted that the application would fall under the definition of previously developed land given in the Framework. It therefore falls to the impact on openness of the Green Belt.
- 9.4 The Council's Strategic Housing Market Assessment (SHMA) (2016) evidences housing need (for all types of housing) and demonstrates an identified need for an additional 434 new affordable homes in the Borough every year. The proposal includes 12 affordable units on site, which accords with Local Plan Policy H3 which seeks 30% to the total units in the form of affordable housing to meet the needs of the Borough. This policy is consistent with the relevant framework.
- 9.5 Officers have reviewed relevant appeal decisions in relation to this part of the NPPF. On the basis of that review the Panel is advised that paragraph 145 is not intended to be engaged where a scheme only delivers a policy compliant level of affordable housing, or below a policy compliant level based on a case of viability. It is clear that the intention of this section is to support schemes that deliver materially above the policy level in order to contribute towards meeting the need that is greater than 30% of the SHMA objectively assessed housing need of 712 dwellings per annum. This scheme does not contribute above a policy compliant level. Additionally the tenure of that affordable housing provision is key.
- 9.6 Policy H3 of the adopted Plan is silent on tenure, it makes reference to identified local need which the SHMA sets out in detail. Paragraph 64 of the NPPF, which is a material consideration, states that at least 10% of the homes are expected to be available for affordable home ownership, as part of the overall affordable housing contribution from the site unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing need within the Borough. This would equate to 4 of the 12 units. The SHMA sets out a tenure of 80% of social/affordable rented and 20% intermediate housing to meet, which would equate to 10 units of social/affordable rented and 2 units of intermediate housing. Whilst the NPPF is more recent and is given significant weight in this respect the SHMA does identify the need for affordable housing in this borough as being predominantly social rent and then affordable rent. The expectation would be that the scheme would bring no more than 4 units forward for Low Cost Home Ownership and the remainder for rented products. However, while the Planning Statement breaks down the proposed mix of the 12 affordable units as 2 x 1-bed, 8 x 2-bed and 2 x 3-bed units, tenure is not set out and has not been agreed with the planning authority.
- 9.7 Based on the above analysis it is considered that the proposal would not fall to be considered against part f) of paragraph 145 of the Framework. Therefore the scheme has to be judged against the test as to whether the development would have a greater impact on the openness of the Green Belt than the existing development.
- 9.8 The concept of openness relates to the lack of development or built form. Mindful of recent case law (*Goodman v SSCLG* [2017] and *Turner v SSCLG* and *East Dorset Council* [2016]), which should be given weight as material to the consideration of the application; the impact on openness of the Green Belt should be assessed taking into account both spatial and visual impact.

- 9.9 The extent of permanent buildings on the site equates to a footprint of approximately 1592sqm against that of the proposed housing development which equates to a footprint of approximately 2198sqm, significantly less. In addition, the existing building is single storey measuring approximately 4.5m in height and has a much lower profile than the proposed two-storey houses which would be approximately 8.2m to 10m in height and the two to three storey blocks of flats would be 10.2 to 11.4m, significantly higher. The existing building is concentrated in the north-western corner of the site, while the residential dwellings would spread across the site to areas previously used for storage, plant displays, car parking. While the extent to which these areas remain open and free from development is dependent on the intensity of use at a particular time, it is considered that permanent two to three storey buildings, many with their own individual curtilage, would have a greater impact on spatial openness than the existing development. Furthermore, while there would be some screening from trees, the increased amount of development would clearly be notable from nearby residential properties, Maidenhead Road, the A308 (Maidenhead Road and Windsor Road), the roundabout junction, and Ruddlesway.
- 9.10 Taking into account the footprint, height, scale and siting of the proposed development it is considered that the proposed development would have a greater spatial and visual impact on the openness of the Green Belt than the existing development, thereby failing the first test of part g) of paragraph 145 of the Framework. Given the extent, it is also considered that the proposal would result in a substantial loss of visual and spatial openness overall thereby failing the second test of part g) of paragraph 145 of the Framework should it have been applicable.
- 9.11 For the reasons above the proposal is considered to constitute inappropriate development in the Green Belt. Paragraph 144 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). The harm by reason of inappropriateness is afforded substantial weight. The applicant considers the proposal to be appropriate development, but has also put forward a case for VSC within the submitted Planning Statement which is assessed below.
- 9.12 The Green Belt boundary is proposed to be amended through the BLPSV and the site forms part of a larger parcel of land allocated for housing, ref: HA11 Land West of Windsor, north and south of the A308. Given the extent of unresolved objections to BLPSV policy HO1 together with the degree of consistency with the relevant Framework (the requirement to demonstrate exceptional circumstances to release sites from the Green Belt) this carries limited weight as a material planning consideration. The assessment above and conclusion is based on the Development Plan Policy and the NPPF (2019) which carries significant weight as a material consideration, greater than the limited weight afforded to the BLPSV. This is considered further in the planning balance section of the report.

ii. Flood Risk

- 9.13 In accordance with the Environment Agency (EA) Flood Map for Planning, part of the block of flats at plots 28 to 39 is sited in Flood Zone 2 while the remainder of the site lies in Flood Zone 1. However, following a more detailed model undertaken by the EA the site is shown to be located outside of the 1% + 20% Climate Change AEP area (flood zone 2). The NPPG advises that it is not normally necessary to apply the Sequential Test, which aims to steer development away from areas at highest risk, to development proposals in Flood Zone 1. The Exception Test is not considered to be applicable as housing is considered to be 'more vulnerable' development in accordance with Table 2: Flood Risk Vulnerability Classification, which is appropriate development in Flood Zone 1 in accordance with NPPG Table 3: Flood Risk Vulnerability Classification. With reference to paragraph 163 of the NPPF, as a material consideration given significant weight, footnote 50 advises that a site specific flood risk assessment is not required in this case and given its location in Flood Zone 1 it is not considered that the proposed development would increase flood risk elsewhere. The proposal complies with the requirements of Policy F1 of the adopted Local Plan.

- 9.14 To accord with paragraph 165 of the NPPF, as the proposal falls into the category of major development (10 units or more), a sustainable drainage system should be incorporated unless there is clear evidence that this would be inappropriate. The submitted sustainable drainage strategy proposes to attenuate the additional surface water from the development by incorporating permeable paving within all drives and carriageways, two storage tanks on site, and a hydrobrake at the outflows into the Thames Water assets. This is acceptable in principle, but further information was required on storage capacity, pollution control capabilities, clarification on why above ground SUDS features cannot be provided, mitigation to prevent overland flows affected the proposed properties, and how exceedance flows will be managed. Further information to address these issues has been submitted by the applicant, and comments from the Lead Local Flood Authority will be reported in an update. If the matter is not capable of being resolved and the LLFA does not recommend a condition this could be a holding reason for refusal.

iii. Character and Appearance

- 9.15 Local Plan policy H10 states that new residential schemes will be required to display a high standard of design and landscaping and where possible enhance the existing environment, while policy DG1 resists development which is cramped or which results in the loss of important features which contributes local character, and policy H11 resists development which introduces a scale or density which would be incompatible with or cause damage to the character of the area. As a material consideration, BLPSV policy SP2 requires larger developments (over 10 residential units) to foster a sense of community and sense of place, while SP3 requires development to achieve a high quality design and expects compliance with the design principles set out in the policy. Significance weight is given to these BLPSV policies as they accord with the NPPF which states that good design is a key aspect of sustainable development and indivisible from good planning, and planning permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions. This position is further supported by the NPPF as a material consideration of significant weight on its own.
- 9.16 The proposed development would result in a density of approximately 55 dwellings per hectare (dph), which would be a significant uplift from the density of the existing locality which is around 20-35 dph. There are no objections in principle to a higher density on site than the surroundings as it would represent an efficient use of land. This is supported by paragraph 123 of the NPPF that states that planning decisions should avoid homes being built at low densities and ensure that developments make optimal use of each site. However, there are concerns that the proposal would be overly dominant and cramped within the site, which is considered to represent overdevelopment and would cause harm to the character and appearance of the area. This is analysed further below.
- 9.17 To the west is a group of individual houses set in spacious plots. To the north is Willows Riverside Park, which comprises detached, bungalow-style park homes on regular plots laid out in a predominately linear rows on both sides of the internal access road. To the north-east are new houses generally arranged around a shared courtyard with long back gardens leading to the riverside. While the character of built development within the locality is diverse, the experience of the area is a semi-rural, verdant, edge of settlement with intermittent, domestic scale development. Denser 1960s style residential development lies to the south-east within the Windsor settlement, but due to the roundabout junction and the A308 the site is considered to be physically and visibly separate from this more urban character area.
- 9.18 The proposal layout as shown on drawing ref: 17-J2116-01 retains the existing access from Maidenhead Road serving a house (plot 27) and block of flats sited to the east (plots 28-39), and proposes a new access to the west serving the remaining residential units (plots 1-26). As the two access roads do not interlink, the site is effectively visually subdivided into two.

- 9.19 In relation to the eastern section of the site, the block of flats at plot 28-39, it would be a substantial building occupying a large footprint of approximately 458sqm with the 3 storey section measuring a maximum 11.4m in height and the 2 storey section measuring a maximum 9.4m in height, both served by crown roofs which are a poor design solution. It is acknowledged that the block of flats at plots 28-39 has been designed to break-up bulk and mass through stepped heights and elevations, however these design elements do not sufficiently reduce the overall cumulative mass of the building. It would also extend close to the north, east and southern boundary of this section of the site and would abut the internal access road to the west, with limited landscaping in between to mitigate the scale and massing of the building or to soften the setting to reflect the prevailing semi-rural context. Together with the proposed house at plot 27 sited to the north-west and parking to the south of both buildings it is considered that the proposal would result in the majority of the self-contained enclave, and the perception of it, being unduly dominated by built form and cramped within the space in marked contrast to the character of the area. Given its siting in the inward curve of the roundabout junction, bounded to the north, east and south by the public highway the block of flats at plot 28-39 is also considered to be particularly prominent within the streetscene. The success of integration is often derived from the relationship with neighbouring development and a building sited in this location would be seen in context from various vantage points with The Willows. In this case, in addition to appearing cramped within its plot, it is considered that the scale and mass of the proposed block of flats at plot 28-39 does not sufficiently relate to the domestic scale and massing of The Willows. It is noted that the 2 storey section of the block of flats at plot 28-39 would be the nearest element to The Willows before stepping up to 3 storey, but does not counter the cumulative mass of the building. Furthermore, the complicated roof form and variations in the size and style of fenestration and brick surrounds of the flats at plot 28-39 results in a disjointed appearance which is also considered to be poor design in itself and detract from the character of The Willows. The proximity of the block of flats at plot 28-39 would preclude the planting of tree species within the site, or outside the site, which would attain a reasonable size in order to provide any significant screening or enhancement. As such, it is considered to have a harmful effect on the character and appearance of the streetscene and fails to comply with the Development Plan.
- 9.20 In terms of the western section of the site, the frontage development onto Maidenhead Road is generally reflective of the pattern and character of this particular streetscene. However, when approaching the central part of the western section of the site the design and layout of the houses would be such that this part would be dominated by building, hard-surfacing and car parking. Soft landscaping strips are proposed to the front of the houses, but it is considered that the amount would provide little visual relief from the amount of built development. Furthermore, the height of planting would have to be limited to avoid the obstruction of sightlines for cars. It is therefore considered that this would represent an overly dominant form of development. The impression would be exacerbated by the expanse of building from the terraces at plot 3-5 and plot 6-8. There is no variation in building height or building line, and with a steep pitch gable roof and a limited gap (1.2m) between the two terraces it is considered to present an overly large rectangular block. The fenestration, in particular the consistent row of first floor windows, would also emphasise the elongated form and would have a rather monotonous appearance. Such a dense, urban form and uniform pattern of development would be in marked contrast to the semi-rural and spacious character of the area. The block of flats to the south at plot 10-19 is also considered to be a substantial building occupying a large footprint of approximately 444sqm with 2 storey element with roof accommodation having a maximum height of approximately 10.2m and connecting mid-section with a height of approximately 7.7m and another 2 storey element with a maximum height of approximately 9.2m. As with the block of flats at plots 28-39, the building has been designed to break-up bulk and mass with stepped heights and elevations, however these design elements are not considered to sufficiently reduce the overall cumulative mass of the building. It would also extend close to the southern boundary with the A308 with limited landscaping in between, would abut the parking area to the west, and abut and extend over the internal access road to plot 9 to the north. As such, it is considered that there would be an insufficient setting and soft landscaping to the proposed block of flats at plot 10-19 to mitigate its scale and massing and to reflect the prevailing semi-rural environment. The block of flats at plot 10-19 would be visible from the A308 to the detriment of this streetscene. While there are existing trees along the boundary with the A308, there are concerns over the impact and retention of these trees, covered later in the report.

- 9.21 It is acknowledged that the redevelopment of this site is likely to necessitate built form of some substance, but for the reasons given it would result in an unacceptable form and scale which would be harmful to the character and appearance of the streetscene and the locality. It is also acknowledged that areas to the west and south of the site forms a strategic housing site identified in the BLPSV and, if realised, it would likely alter the character and appearance of the wider area. However, this policy is only a material planning consideration given limited weight given the extent of unresolved objections to BLPSV policy HO1. The Development Plan has primacy.
- 9.22 Overall, it is considered that the proposed development would harm the character and appearance of the streetscene and wider area. Consequently, this would be contrary to Local Plan policies H10, H11 and DG1, emerging BLPSV policies SP2 and SP3 and paragraph 127 of the NPPF. This weighs against the scheme in the planning balance set out at the end of this report.

iv.Trees

- 9.23 Adopted Local Plan policy N6 requires new development to allow for the retention of existing suitable trees wherever practicable, to include protection measures necessary to protect trees during development and an appropriate tree planting and landscaping scheme. Where the amenity value of trees outweigh the justification for development then planning permission may be refused. As a material consideration of significant weight, BLPSV NR2 states that development proposals should carefully consider the impact of proposed development on existing trees and where harm is unavoidable provide appropriate mitigation measure. New development should also plant new trees and allow adequate space for new trees to grow. Where the amenity value of trees outweighs the justification for development than planning permission may be refused.
- 9.24 As originally submitted, the existing trees within the site are considered to be of low quality or sited in an unsustainable location. There are no objections, in principle, to their loss subject to an acceptable landscaping scheme. In relation to the impact on off-site trees, there are a number of significant trees located around the perimeter of the site on the adopted highway which the proposed development would conflict with thereby potentially harming their health and longevity. The balcony structure to the south-east corner of the block of flats at plot 28-39 would intrude into the RPA of T11 (oak) and T12 (cherry plum), while the block of flats at plot 10-19 would also be sited on the very edge of the RPA of T20 (Ash) with no allowances for construction processes or a margin of error, and therefore likely to result in some incursion. Furthermore, no details on underground utilities which would be required to serve the development have been provided to demonstrate no additional incursion into RPAs. In terms of mitigation for the loss of on-site trees and potential harm to off-site trees, the landscaping scheme originally submitted is considered to be insufficient to soften the built form or provide an appropriate level of enhancement. The layout indicates that areas for tree planting would be either up tight against hardstanding (parking bays) or within 5m of proposed buildings, which would preclude the planting of tree species on highway land which would attain a reasonable size to provide some significance and enhancement. Being the main road between Maidenhead and Windsor and the junction with Ruddlesway, the trees are highly visible and make a significant contribution to the verdant character. There would be harm through the loss of trees in itself and harm to the character of the area. A response to the Council's Arboriculture Officer's initial comments and revised landscaping scheme has been submitted in an effort to address these concerns. Comments from the Council's Arboriculture Officer on this additional/revised information will be reported in an update. Currently the assessment is that the proposal fails to accord with the development plan and this weighs against the scheme.
- 9.25 Additional concerns were raised by the Council's Arboriculture Officer on the potential shading on some proposed ground floor and first floor rooms and trees, leading to a pressure from future owners/occupiers to prune or fell to the detriment of their health and longevity. In most instances the affected windows would not be the sole source of outlook and light and and/or the separation distance is considered sufficient so as not to be unduly overbearing. As such this concern is not considered to warrant refusal of the application on this basis.

v. Residential Amenity

- 9.26 Adopted Local Plan policy H11 states that planning permission will not be granted for schemes which introduce a scale or density of new development which would cause damage to the amenity of the area. As a material consideration of significant weight, BLPSV Policies SP3 and HO5 also seeks to ensure no undue harm to residential amenity enjoyed by the occupants of adjoining properties
- 9.27 The nearest residential properties are Willows Cottage, Willow House, Fold Cottage, Westlodge Cottage and Westwind Manor to the west, and nos. 1 and 2 Park Cottage, and nos. 1, 5 and 14 The Willows which are sited to the north on the opposite side of Maidenhead Road.
- 9.28 In relation to the residential properties to the west there would be a separation distance of approximately 20m between the existing and proposed houses, which is considered to be sufficient to mitigate any undue impact in terms of loss of light, loss of privacy and visual intrusion. It is noted that the parking area for the flats at plot 10-19 would be sited adjacent to the shared boundary with Willows Cottage, but the proposed parking is not considered to unduly harm the amenity of the occupants through undue noise and disturbance due to the width and depth of their garden. Furthermore, the parking replaces an existing delivery and storage area and therefore it is considered that the parking and associated manoeuvring is unlikely to introduce a significant increase in noise and disturbance over and above the existing situation.
- 9.29 The house at plot 1 would be sited opposite the entrance to Willows Riverside Park and so would have little to no impact on residential amenity for the existing properties to the north. The house at plot 26 would have a front-to-side relationship with nos. 1 and 2 Park Cottage, while the house at plot 27 would have a side-to-side relationship with no. 1 The Willows. The side elevation of nos. 1 and 2 Park Cottage does not have any ground floor windows but there are 2 first floor windows that appear to be primary windows serving habitable rooms, while there are ground and first windows serving habitable rooms to the side elevation of no. 1 The Willows, all of which abut the highway. It is considered that there would be no undue loss of daylight to the windows and rooms as the proposed house at plot 26 would subtend a 25 degree line taken from the mid-point of each first floor window. Taking a 25 degree line from the mid-point of each ground floor window the proposed house at plot 27 would clip this line, but given that the impact of the vast majority of the house would subtend this angle it is also considered that there would be no materially harmful loss of daylight to these windows and rooms. The proposed houses at plot 26 and 27 would increase the visual presence of built development when viewed from nos. 1 and 2 Park Cottage and no. 1 The Willows, but houses sited on opposite sides of a road is not an uncommon relationship and there would be a separation distance of approximately 11m and 15m, respectively. As such, it is considered that the proposal would not be visually overbearing or intrusive when viewed from nos. 1 and 2 Park Cottage. The proposed house at plot 26 would also have a first floor window which would approximately align with a first floor window at nos. 1 and 2 Park Cottage, both of which serve a habitable room. However, it is considered that there should be less expectation of total privacy for windows facing a public highway and mutual overlooking between houses on opposite sides of the road is not exceptional in the surrounding area. There are no windows proposed to the side elevation facing no. 1 The Willows and so there are no privacy concerns.
- 9.30 The block of flats at plot 28-39 would have a side-to-side relationship with no. 5 The Willows, sited on the opposite side of Maidenhead Road at a distance of approximately 19m. There are 3 ground floor and 2 first floor windows to the side elevation of no. 5 The Willows, while there are 3 ground floor and 3 first floor windows proposed to the side elevation of the proposed block of flats. Taking a 25 degree line taken from the mid-point of each ground floor window at no. 5 The Willows, the proposed building would subtend this line and so not considered to result in an undue loss of daylight to this neighbouring property. While the proposed building would be substantial in size, it is considered that the separation distance would be sufficient to mitigate any undue visual intrusion or overbearing when viewed from no. 5 the Willows. The distance is also considered to sufficiently mitigate any undue overlooking from proposed windows to existing windows at no. 5 The Willows. The proposal complies with the development plan in regard to residential amenity.

vi. Highways

- 9.31 Adopted Local Plan policy T5 requires all development proposals to comply with adopted highway design standards, policy P4 requires all development proposals to accord with adopted car parking standards, while policy T7 seeks to ensure that new development makes appropriate provision for cyclists including cycle parking. As a material consideration, BLPSV policy IF2 states that development proposals should support the policies and objectives of the Transport Strategy as set out in the Local Transport Plan and provide car and cycle parking in accordance with the current Parking Strategy. Given the lack of unresolved objections to policy IF2 it is considered that this policy should be afforded significant weight in the consideration of this application.

Trip Generation

- 9.32 The submitted Transport Assessment compares the vehicular two-way trips generated by the existing development (travel survey) with the proposed development (TRICS) which is summarised as follows:

	AM Peak		PM Peak		Daily		Saturday Peak	
	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.
Existing	18	0	2	15	112	122	53	53
Proposed	6	24	17	8	120	124	5	11
Net Change	-12	+24	+15	-7	+8	+2	-48	-42

Overall, there would be a slight increase in vehicular trips with 12 additional two-way trips during the morning peak, 8 additional two-way trips during the evening peak and 10 additional two-way daily trips, and significant decrease of approximately 90 two-way trips during the Saturday peak. On this basis it is considered that the impact on upon the local highway network and air pollution from additional traffic would be acceptable.

Access

- 9.33 The existing site benefits from a single point of access to the north east corner of the site which will be retained to serve plots 27 to 39 to the east of the site. A second access is proposed serving the remaining units which is sited approximately 35m west of the existing access. As originally submitted the application fails to demonstrate that the proposed accesses would achieve acceptable visibility splays of 2.4m x 43m in both directions in accordance with adopted highways design standards. A revised plan was subsequently submitted, ref: 1807075-02, to demonstrate that this can be achieved and comments from the Highway Authority will be reported in an update.

Parking

- 9.34 To facilitate the new access, 2 on-street parking spaces will need to be relocated approximately 37m to the west. There is no objection to this in principle, in the event of any planning permission being granted it is recommended that the re-provision of this parking is secured by condition.
- 9.35 The Council's adopted Parking Strategy requires a maximum provision of 1 car parking space per 1-bed unit, 2 car parking spaces per 2-3 bed unit, and 3 car parking spaces for a unit with 4 or more bedrooms, which equates to a maximum provision of 78 spaces. The proposal would provide 77 on-site car parking spaces which is in compliance. The spaces also conform to RBWM parking design standards. If minded to approve it is recommended that the on-site parking provision as shown on drawing ref: BEW21784 10A is secured by condition.
- 9.36 Cycle parking for the flats will be provided in the cycle store as shown at Drawing BEW21784 10A while residents of the houses will be able to store bicycles within the curtilage of the dwelling. To ensure that the proposed provision of cycle parking at the site is in accordance with RBWM details of the cycle parking layout could be secured by condition.

Refuse Provision

- 9.37 A swept path analysis, drawing ref: 1807075-TK01 B, demonstrates that a RBWM refuse vehicle can successfully enter, turn and exit the site in forward gear to serve the residential units to the west of the site, which is acceptable. For the residential units to the east the waste collection vehicle will not be required to enter/exit the site as the flats will be provided with communal bin stores located adjacent to the block while the bin store for the house would be within the curtilage, both of which are within 25m from the waste collection point (Maidenhead Road).

Sustainable Modes of Travel

- 9.38 Paragraph 103 of the NPPF states that significant development should be focused on locations which are or can be made sustainable through offering a genuine choice of transport modes. The Highway Authority has therefore commented that the application will need to either improve or make a financial contribution to extend the footway from the A308 Windsor Road to the bus stop on Ruddlesway; and improve/provide a pedestrian route from the site to Maidenhead Road by providing a formal pedestrian crossing east of the roundabout on Maidenhead Road. This could be facilitated through the CIL contribution from the scheme and fall to the Highway Authority to then implement.

vii. Ecology

- 9.39 As a material consideration Paragraph 175 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or as a last resort compensated for then planning permission should be refused. Furthermore, protecting and enhancing the natural environment forms part of the 'Environmental' dimension of 'Sustainable Development' and paragraph 170 of the NPPF states that planning decisions should minimise impacts on and provide net gains for biodiversity. BLPSV Policy NR3, which should be allocated significant weight in the consideration of this application, states that proposals should demonstrate how they maintain, protect and enhance the biodiversity of application sites and requires proposals to mitigate, or as a last resort compensate for, any adverse biodiversity impacts where unavoidable adverse impact on habitats and biodiversity arise.

Habitats

- 9.40 The nearby river and woodland may constitute Habitats of Principle Importance under Section 40 of the Natural Environment and Rural Communities Act (2006). The nearest protected site is Sutherland Grange, which is a designated Local Nature Reserve and Local Wildlife Site located 405m east. There are no other statutory or non-statutory designated sites within 1km of the application site. As the application site is largely isolated from Sutherland Grange, the river and woodland by main roads and existing development it is unlikely that the proposed works would significantly impact the Priority Habitats, Local Nature Reserve and Local Wildlife Site provided standard measures to reduce the risk of pollution are adhered to. Therefore a Construction Environmental Management Plan should be prepared to include measures to reduce the effect of noise, vibration, dust and site lighting. This could be secured by condition, if the application were to be approved.

Bats

- 9.41 The trees and buildings were assessed as having negligible to low potential to host roosting bats and no evidence of bats were observed. The summer house on site, identified as building no. 4 in the submitted Preliminary Ecological Appraisal, was noted to have a single potential bat entrance feature, which did not lead to a suitable roost space, but nevertheless the Preliminary Ecological Appraisal recommended that this feature if examined with an endoscope by an ecologist immediately prior to demolition works and subsequently dismantled by hand. This could be secured by condition.

Other Wildlife

- 9.42 Given the extent of habitats present and lack of nearby accessible ponds it is considered unlikely that great crested newts or reptiles are present on site, and no evidence of badgers were observed.
- 9.43 The site may be used by nesting birds. Breeding birds, their eggs and active nests are protected by the Wildlife and Countryside Act 1981 (as amended) and therefore if minded to approve than it is recommended that an informative is added to advise that works to building roofs should be taken outside of the bird nesting season, or if it is not practical then such areas should be checked by a qualified ecologist immediately prior to clearance.

Biodiversity Enhancement

- 9.44 In line with paragraph 175 of the NPPF, development should incorporate opportunities for wildlife. If minded to approve, it is recommended that biodiversity enhancement schemes such as bat and bird boxes, hedgehog friendly fencing, log piles etc. should be secured by condition.

viii. Archaeology

- 9.45 Adopted Local Plan policy ARCH 3 states that planning permission will not be granted for proposals which appear likely to adversely affect archaeological sites of unknown importance unless adequate evaluation enabling the full implications of the development on archaeological interests is carried out prior to the determination of the application. This is supported by paragraph 189 of the NPPF which states that where a development site has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 9.46 The site lies within the Thames Valley which has been a focus of settlement, agriculture and burial from the earlier prehistoric period to the present day and important prehistoric finds have been recorded close to the application site. Therefore, the application site falls within an area of potential archaeological significance. If minded to approve, a programme of archaeological field evaluation in accordance with a written scheme of investigation, and any subsequent mitigation strategy, can be secured by condition. It is considered that this requirement can be secured post-permission in this particular case as there has been some previous development on the site.

ix. Open Space

- 9.47 Adopted Local Plan policy R3, R4 and R5 requires this site to make appropriate provision for public open space within the development which should incorporate a local area for play (LAP). National guidance (Guidance for Outdoor Sports and Play: Beyond the Six Acre Standards) sets out the minimum activity zone for a LAP as 100sqm with a 5m separation between activity zones. The proposed site plan shows the provision of approximately 233sqm of open space which is sufficient to accommodate this and comply with the development plan.

x. Affordable Housing

- 9.48 The proposal includes 12 affordable units on site which accords, in principle, with Local Plan policy H3 which requires that this development provides 30% affordable housing on site. As a material consideration, paragraph 64 of the NPPF states that where major development involves the provision of housing, at least 10% of the homes are expected to be available for affordable home ownership, as part of the overall affordable housing contribution from the site unless this would exceed the level of affordable housing required in the area or prejudice the ability to meet the identified affordable housing need within the Borough. The Strategic Housing Market Assessment (SHMA) highlights needs of the Borough and sets out a tenure of 80% of social/affordable rented and 20% intermediate housing. In this case, while the number of affordable housing units is acceptable, tenure mix has not been agreed, and in the absence of the S106 legal agreement to secure the appropriate level and tenure of affordable housing the

proposal is considered contrary to Local Plan policy H3 and paragraph 64 of the NPPF. This weighs against the scheme.

xi. Other Material Considerations

Housing Land Supply

- 9.49 Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

Footnote 7 of the NPPF (2019) clarifies that policies which are most important for determining the application are out-of-date for applications involving the provision of housing in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer). The same footnote confirms that the so called 'tilted balance' does not apply where a site is located within the Green Belt. That said, the contribution a proposal makes towards housing supply can form part of a case for Very Special Circumstances but Government has made it clear that it would not, on its own, have sufficient weight to outweigh substantial harm.

- 9.50 Following the Regulation 19 consultation on the Submission Version of the Local Plan, the Council formally submitted in January 2018. The Borough Local Plan Submissions Version sets out a stepped housing trajectory over the plan period (2013-2033). As detailed in the supporting Housing Land Availability Assessment a five year supply of deliverable housing sites can be demonstrated. However as the BLPSV is not yet adopted planning policy, due regard also needs to be given regarding the NPPF standard methodology in national planning practice guidance to determine the minimum number of homes needed for the borough. At the time of writing, based on this methodology, the Council is able to demonstrate a five year rolling housing land supply based on the current national guidance.

xii. Very Special Circumstances

- 9.51 Paragraph 11 of the NPPF sets out that there will be a presumption in favour of Sustainable Development. However, in this case paragraph 11 and the tilted balance is not engaged due to the Green Belt designation which precludes the tilted balance being applied (footnote 6).
- 9.52 It has been demonstrated that in accordance with the NPPF the proposal is inappropriate development in the Green Belt and should not be approved except in very special circumstances. Very special circumstance would not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations.
- 9.53 In accordance with 144 of the NPPF substantial weight is given to the harm to the Green Belt by reason of inappropriateness and the harm to openness. There is also other harm with regards to character and appearance of the street scene and locality, and harm to trees which are given significant weight against the proposal.
- 9.54 The applicant has put forward the following case for 'VSC'. Officers have assessed each in turn and then carried out a balancing exercise as required.

VSC put forward by the Applicant	Weight attributed by Officers
Housing Need Benefits	
Provision of 39 dwellings of a mixed type	RBWM can demonstrate a 5 year housing land supply and provision of a mix of types and sizes to meet local need is a policy requirement, therefore this is given limited weight .
Provision of affordable homes (30%) of a mixed type and tenure	Percentage of affordable housing provision is a policy requirement, and therefore this is given no weight .
Sustainable Development (Economic)	
Job creation at construction stage	Not quantified and therefore given limited weight .
Increase in expenditure by residents on local services	Not quantified and therefore given limited weight .
Increase in council tax revenue and New Homes Bonus	This would be of limited financial benefit and therefore given limited weight .
Sustainable Development (Social)	
Provision of publically accessible open space which will provide social and health benefits.	Does not constitute VSC as provision is a policy requirement and therefore given no weight .
Would facilitate a more balanced local demographic whereby younger people and families will enjoy greater opportunities to live locally with the supply of new homes, including affordable homes	Open market housing would be available to anyone, and affordable housing would be available to those eligible also regardless of age, and therefore given no weight .
Sustainable Development (Environmental)	
Provision of green infrastructure through provision of open space and landscaping scheme	Does not constitute VSC as provision is a policy requirement and therefore given no weight .
Provision of areas for ecological enhancements	Does not constitute VSC as provision is a policy requirement and therefore given no weight .
Provision of SUDS scheme	Does not constitute VSC as provision is a policy requirement and therefore given no weight .
Provision of a high quality and attractive development on a redundant and vacant site, including new landscaping.	Considered to be harmful to the character and appearance of the streetscene and locality for the reasons outlined in para. 9.12 - 9.19 of this report and therefore given no weight .
Other Considerations	
BLPSV should be allocated significant weight where they are no subject to significant unresolved objections. Furthermore, it is evidence that there are exceptional circumstance that justify release of GB land in the Borough as set out in relation to the Stage 1 Examination Hearings.	Does not constitute VSC.
Site constitutes previously developed land and other than Green Belt does not have any other designated constraints.	Does not constitute VSC.
Site represents a suitable location for development as situated in main urban	Does not constitute VSC.

centres within the Borough and proximate to a number of local services. Furthermore, the proposed allocation HA11 is identified to deliver open space, sports pitches, educational facilities and community hub.	
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9.53 The case of VSC put forward by the applicant would not clearly outweigh the substantial harm to the Green Belt, and harm to the character and appearance to the streetscene and locality, and harm to trees therefore the proposal would be contrary to the Development Plan.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 In accordance with the Council's adopted CIL charging schedule the development is CIL liable at a rate of £240 per square metre of chargeable floor space. The Levy is intended to cover the provision of infrastructure required to make development acceptable and that infrastructure required over the plan period is set out in the Council's Infrastructure Delivery Plan, last updated in January 2018.

11. CONCLUSION AND PLANNING BALANCE

11.1 In accordance with Section 38(6) of the Planning Act consideration should be given as to whether there are material considerations which would suggest a different decision: consideration against the Development Plan and material considerations is set out below.

11.2 The proposed development constitutes an inappropriate form of development in the Green Belt, and would result in harm to the openness of the Green Belt. This harm to the Green Belt is afforded substantial weight against the development. The case of VSC put forward by the applicant would not clearly outweigh this harm and the harm to the character and appearance of the streetscene, locality and trees. As such the proposal is contrary to Local Plan Policy GB1 and GB2(a), policies SP1 and SP5 of the BLPSV (material consideration, significant weight) and paragraph 133, 134, 143, 144 and 145 of the NPPF (material consideration, significant weight).

11.3 The proposed sustainable drainage system is acceptable in principle, but additional information has been submitted in respect of storage capacity, pollution control capabilities, clarification on why above ground SUDS features cannot be provided, mitigation to prevent overland flows affected the proposed properties, and how exceedance flows will be managed. Further comments from the Lead Local Flood Authority will be reported in an update. This may weigh against the scheme.

11.4 The proposed development would also represent poor design by reason of its layout, scale, form and design the proposal would result in a dense, urban pattern of development which would appear overly dominant and cramped within the site. This would be out of character with the semi-rural and spacious character of the streetscene and area. Furthermore, the block of flats at plot 28-39 would have a disjointed and disharmonious appearance due to its stepped heights and elevations, complicated roof form and variations in the size and style of fenestration and brick surrounds. The block of flats at plot 28-39 would therefore fail to successfully integrate with the neighbouring development and the streetscene and area. As such, the proposal would be contrary to Local Plan policies DG1, H10 and H11, policies SP2 and SP3 of the BLPSV (material considerations, significant weight) and paragraph 127 of the NPPF (material consideration, significant weight).

11.5 There are no objections to the proposed loss of on-site trees which are of poor quality, but there are a number of significant trees located around the perimeter of the site on the adopted highway which the proposed development would conflict with thereby potentially harming their health and longevity, and in terms of mitigation the landscaping scheme originally submitted is considered insufficient to soften the built form or provide an appropriate level of enhancement. A response to the Council's Arboriculture Officer's initial comments and revised landscaping scheme has been submitted to address these concerns. Comments from the Council's Arboriculture Officer on this additional information will be reported in an update. On the current assessment this is considered to constitute harm and weighs against the scheme.

- 11.6 The proposal is considered to be acceptable in terms of impact on neighbouring amenity. The proposed development would not have a significantly detrimental impact on the daylighting levels currently received by the nearby residential properties and would not result in significant increased overlooking or visual intrusion. The proposal is considered to accord with Local Plan policy H11 and BLPSV policy SP3 and HO5 (material considerations, significant weight).
- 11.7 Subject to no substantive objection from the Highway Authority on revised plans, submitted to demonstrate that acceptable visibility plays can be achieved at the proposed accesses there are no highway concerns. Further comments from the Local Highway Authority will be reported in an update.
- 11.8 The proposed development is considered to be acceptable in terms of impact on ecology subject to conditions relating to a construction environmental management plan (in line with the Environmental Protection response); securing the recommendations made in Section 6 of the Preliminary Ecology Appraisal (2018); and submission and approval of details of biodiversity enhancements.
- 11.9 The impact of the proposed development on archaeological sites of unknown importance is considered to be acceptable in accordance with Local Plan policy ARCH3 and paragraph 189 of the NPPF subject to a condition to requiring a programme of archaeological field evaluation in accordance with an approved written scheme of investigation, and any subsequent mitigation as necessary. It is considered that this requirement can be secured post-permission in this particular case as there has been some previous development on the site.
- 11.10 The proposed open space is considered to be in accordance with Local Plan policy R3, R4 and R5.
- 11.11 The proposal includes 30% of the proposed residential units as affordable housing, but tenure mix has not been agreed, and in the absence of a S106 legal agreement the development fails to secure an acceptable level and tenure of affordable housing units. This would be contrary to Local Plan policy H3 and paragraph 62, 63 and 64 of the NPPF.
- 11.12 It is recommended that the proposal fails to accord with the Development Plan in a number of areas. This would indicate that permission should be refused. Regard has been given to relevant material planning considerations, the proposal also fails to accord with some of those material planning considerations and no material considerations have been identified of such weight that it would suggest that a different decision should be taken. The application is therefore recommended for refusal for the reasons set out in Section 13.

12. APPENDICES TO THIS REPORT

- Appendix A – Site Location Plan and Site Layout
- Appendix B – Proposed Plan and Elevation Drawings

13. REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED

- 1 The proposal represents inappropriate development in Green Belt, which is by definition harmful to the Green Belt and would conflict with one of the purposes of the Green Belt, namely 'to assist in safeguarding the countryside from encroachment', and would be harmful to actual openness of the Green Belt. Very Special Circumstances that clearly outweighs the harm to the Green Belt and any other harm has not been demonstrated. The proposal is therefore contrary to the provisions of saved policies GB1 and GB2(a) of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003), policies SP1 and SP5 of the Borough Local Plan Submission Version (2017) and paragraph 133, 134 ,143, 144 and 145 of the National Planning Policy Framework (2019),
- 2 By reason of its layout, scale, form and design the proposal would result in a dense, urban pattern of development which would appear overly dominant and cramped within the site and out

of character with the semi-rural and spacious character of the streetscene and area. Furthermore, the block of flats at plot 28-39 would have a disjointed and disharmonious appearance due to its stepped heights and elevations, complicated roof form and variations in the size and style of fenestration and brick surrounds. The block of flats at plot 28-39 would therefore fail to successfully integrate with the neighbouring development and the streetscene and area. The proposal is therefore contrary to the provisions in saved policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan Incorporating Alterations adopted June 2003 (Local Plan), policies SP2 and SP3 of the Borough Local Plan Submission Version (2017) and paragraph 127 of the National Planning Policy Framework (2018).

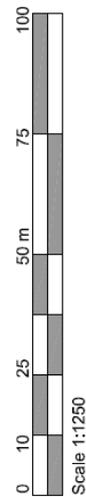
- 3 In the absence of a completed S106 legal agreement, the development fails to secure 30% Affordable Housing and an acceptable tenure mix, and as such the proposal fails to comply with the provisions of saved policies H3 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (Incorporating Alterations Adopted in June 2003) and paragraph 62, 63 and 64 of the National Planning Policy Framework (2019).

Appendix A – Site Location Plan and Site Layout



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<p>Ascot Design Ltd Buckingham House 25-27 High Street, Buckingham, UK, G5 2JF Tel: 01295 29330 Fax: 01295 29331 Email: info@ascotdesign.com www.ascotdesign.com</p>		<p>Scale: 1:1250 @ A4</p> <p>Date: June '18</p>		<p>Project No: 17 - J2116 - LP</p> <p>Client: CT</p>	



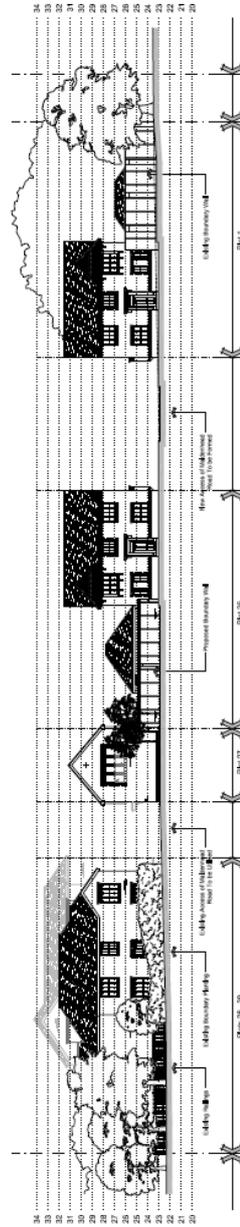
Appendix B – Proposed Plans and Elevations



PROPOSED SITE SECTION AA-A (1:200)

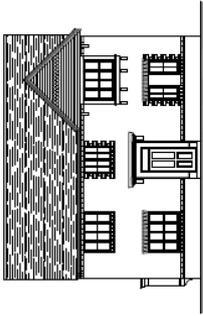


PROPOSED SITE SECTION B-B (1:200)

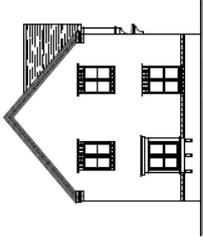


PROPOSED STREET SCENE C-C (1:200)

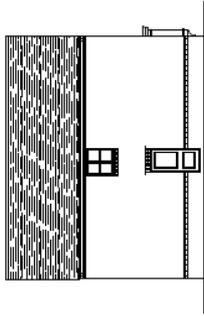
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 ASCOT DESIGN Timeless architecture <small>Ascot Design Architects, 1000 Bay Street, Suite 200, Toronto, ON M5G 1R7 Tel: 416-593-9922 Fax: 416-593-9923 Email: info@ascotdesign.com</small>	
BEWLEY HOMES PLC <small>Client</small>	
SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR	
PROPOSED STREET SCENE & SITE SECTIONS	
<small>Project No.</small> 15200 @ A1	<small>Date</small> DEC-16 CT
<small>Issue No.</small> 17-J216-19	<small>Date</small> -
<small>Prepared by:</small> J. M. [unreadable]	



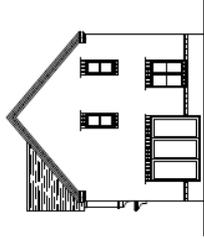
FRONT ELEVATION
PLOT 1 (BEWLEY HOUSETYPE - LONGSTOCK)



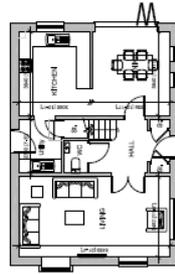
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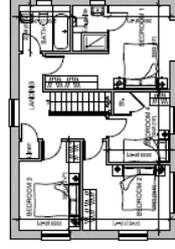
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SIDE ELEVATION

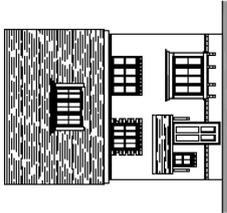


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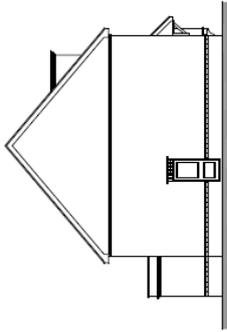


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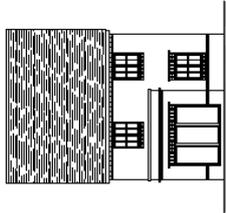
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 <p>ASCOT DESIGN Timeless architecture</p> <p>Ascot Design, Maidenhead Road, Windsor, SL2 1PW Tel: 01753 393222 Email: info@ascotdesign.co.uk www.ascotdesign.co.uk</p>
BEWLEY HOMES PLC
<p>CLIENT: SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR</p> <p>PROJECT: PLOT 1 FLOOR PLANS & ELEVATIONS</p> <p>DATE: 17/12/16 SCALE: A1 DRAWN BY: DEC-18 CHECKED BY: CT</p> <p>PROJECT NO: 17 - J2116 - 02</p> <p>This document is the property of Ascot Design Ltd.</p>



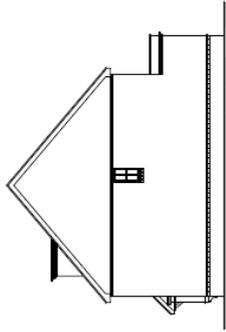
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PLOT 2 & 22



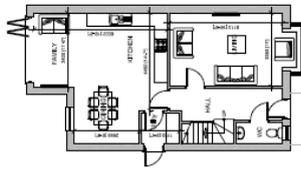
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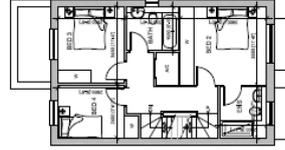
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SIDE ELEVATION



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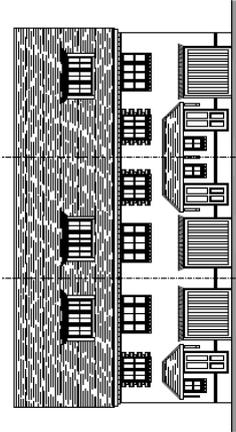
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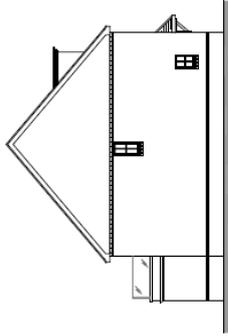
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DATE: 17/01/16

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 - 1000mm

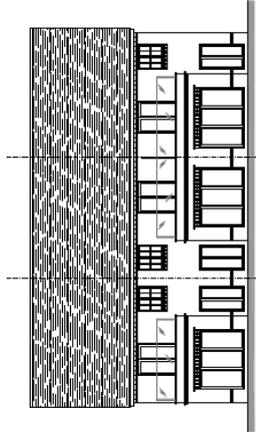
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BEWLEY HOMES PLC			
SQUIRES GARDEN CENTRE MALDENHEAD ROAD, WINDSOR			
PLOT 2 & 22 FLOOR PLANS & ELEVATIONS			
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1:100 @ A1	17/01/16	CT	
PROJECT NO.	17-12116-03		
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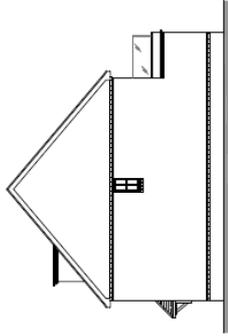
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PLOTS 3-5



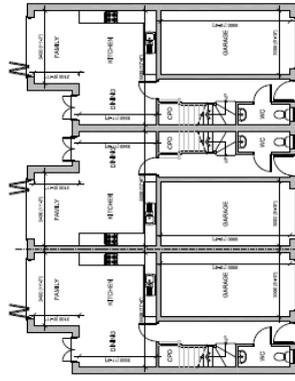
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REAR ELEVATION

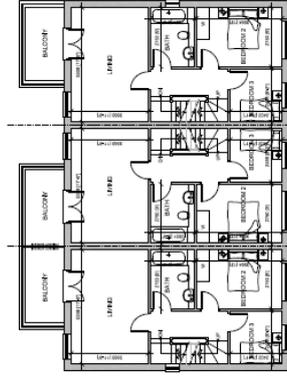


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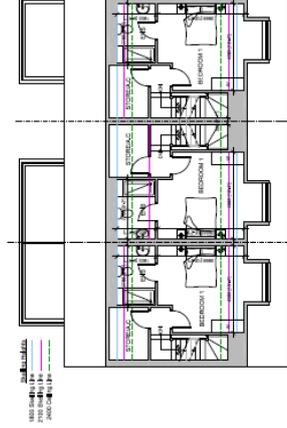
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(Exc. Garage)	(Exc. Garage)	(Exc. Garage)
TOTAL	TOTAL	TOTAL
GLA, 38,4m ² / 423 ft ²	GLA, 38,4m ² / 423 ft ²	GLA, 38,4m ² / 423 ft ²
GLA, 76,4m ² / 846 ft ²	GLA, 76,4m ² / 846 ft ²	GLA, 76,4m ² / 846 ft ²



FIRST FLOOR

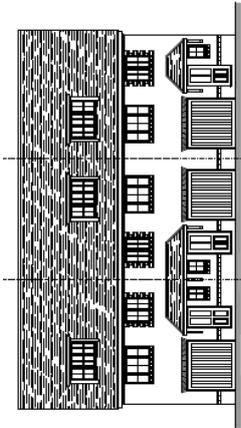
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GLA, 52,2m ² / 562 ft ²	GLA, 52,2m ² / 562 ft ²	GLA, 52,2m ² / 562 ft ²
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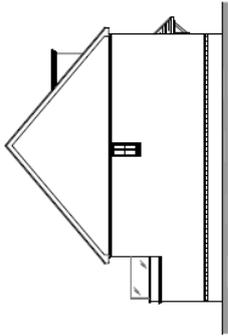
SECOND FLOOR

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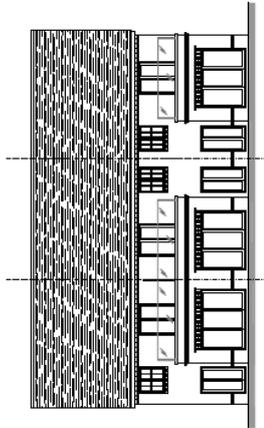
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BEWLEY HOMES PLC <small>100, The Squires, Garsden Centre, Maidenhead Road, Windsor, SL2 7JH</small>			
PLOTS 3-5 FLOOR PLANS & ELEVATIONS			
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17/12/18	04		
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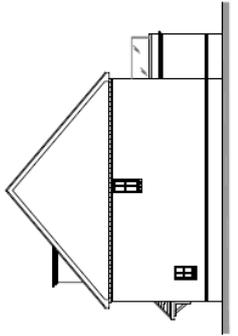
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PLOTS 6-8



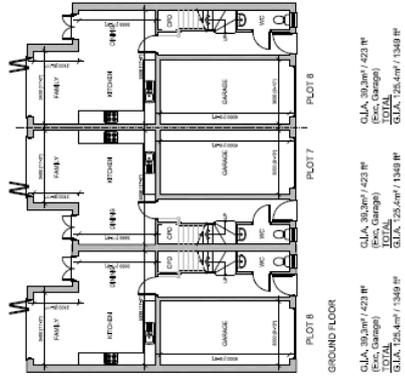
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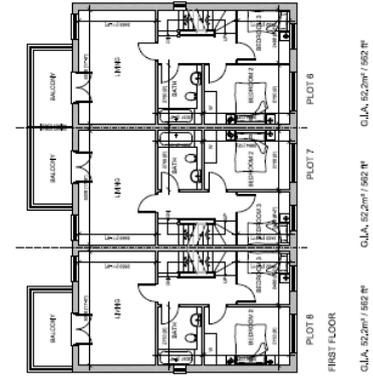
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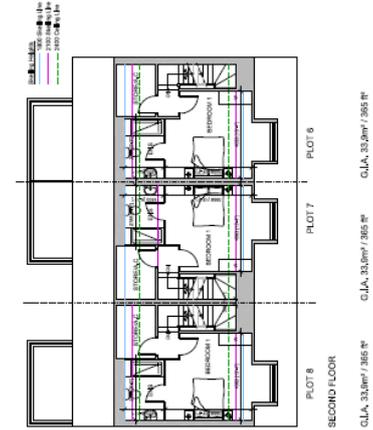
SIDE ELEVATION



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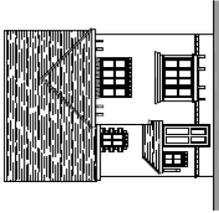


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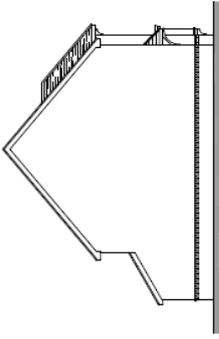


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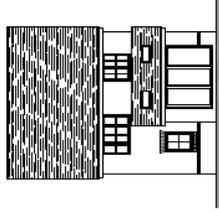
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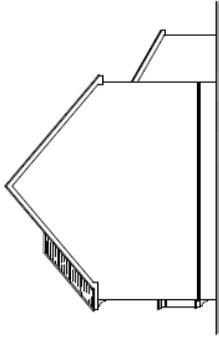
FRONT ELEVATION
PLOTS 9 & 24 (BEWLEY HOUSETYPE - RIPLEY)
+ GARDEN ROOM



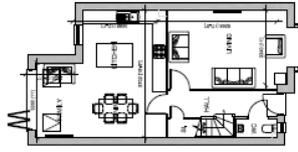
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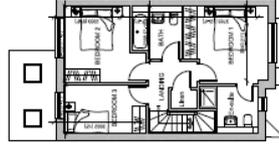
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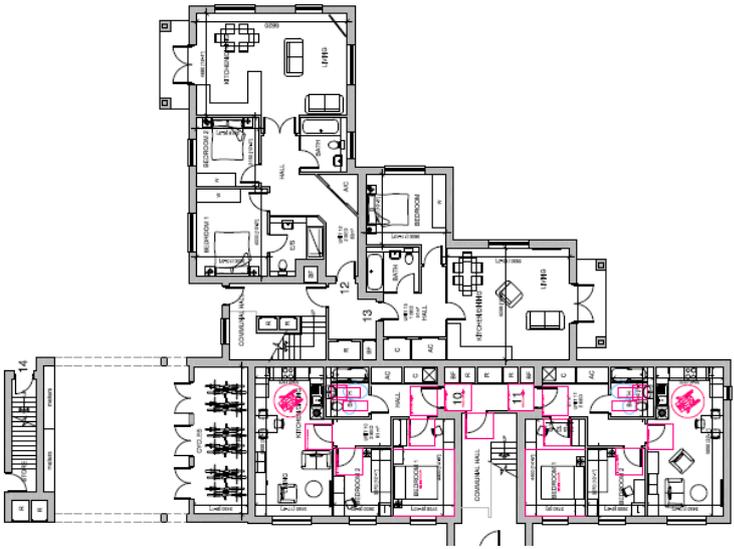


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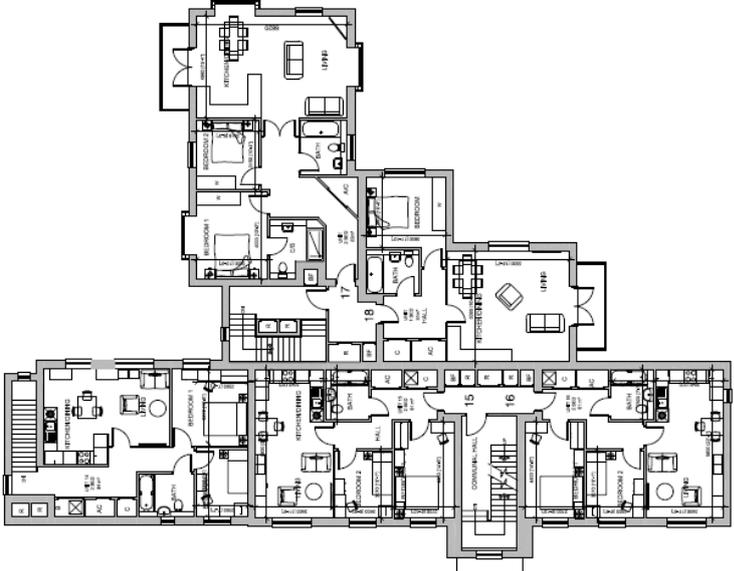


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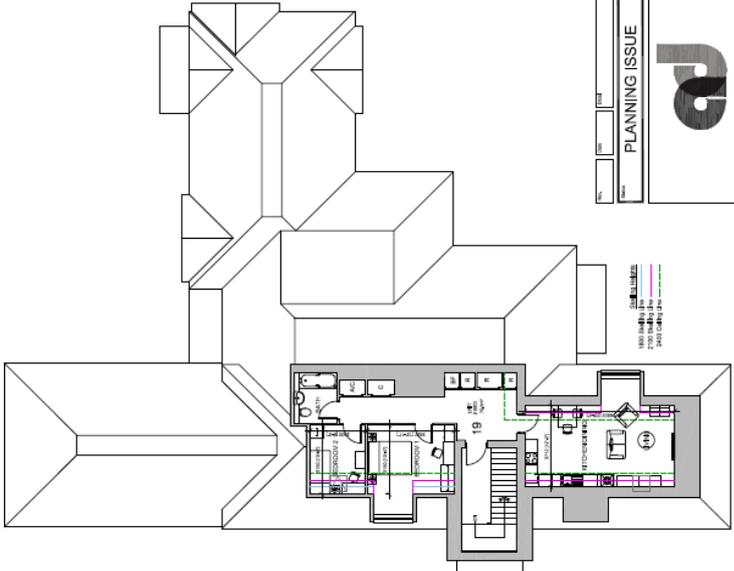
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BEWLEY HOMES PLC		
SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR		
PLOTS 9 & 24 FLOOR PLANS & ELEVATIONS		
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PROJECT NO.	DATE	BY
17 - J2116 - 05		
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GROUND FLOOR
PLOTS 10-13

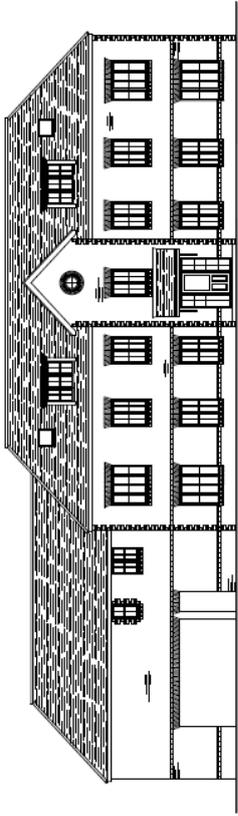


FIRST FLOOR
PLOTS 14-18

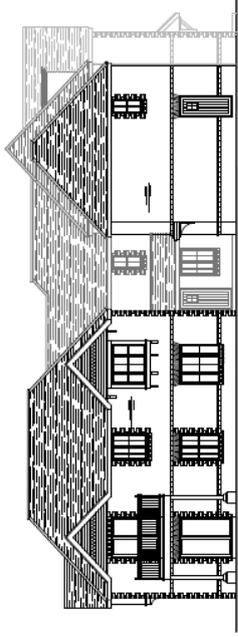


SECOND FLOOR
PLOT 19

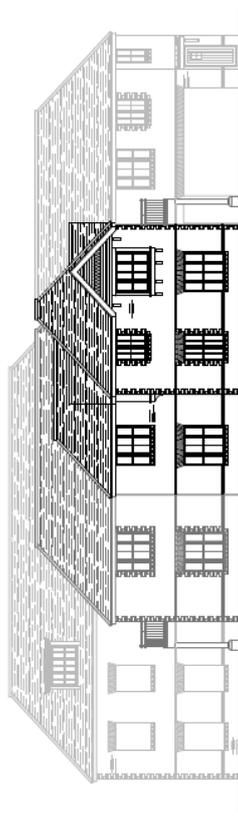
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ISSUE	PLANNING ISSUE			
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BEWLEY HOMES PLC SQUIRES GARDEN CENTRE MADENHEAD ROAD, WINDSOR				
PLOTS 10 - 19 FLOOR PLANS				
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DATE	17/12/16	17/12/16	17/12/16	17/12/16
ISSUE	PLANNING ISSUE	PLANNING ISSUE	PLANNING ISSUE	PLANNING ISSUE
To comply with Planning Condition 100				



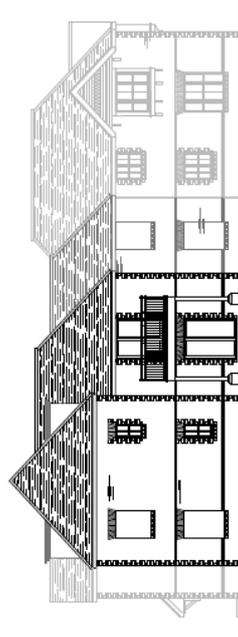
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SIDE ELEVATION

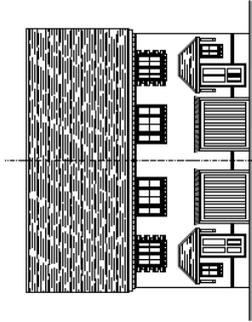


FRONT ELEVATION

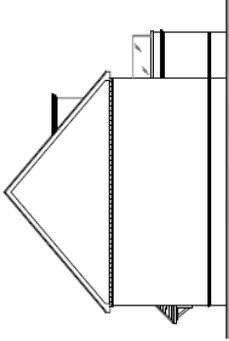


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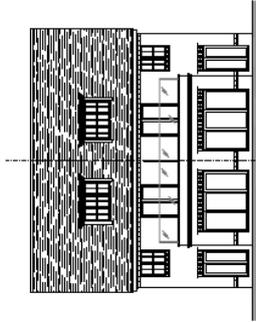
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BEWLEY HOMES PLC		
SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR		
PLOTS 10 - 19 ELEVATIONS		
DATE	11/10/2016	BY
PROJECT NO.	17 - J2/116 - 08	SCALE
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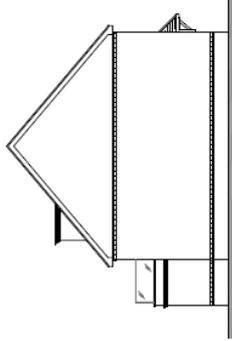
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PLOTS 20 - 21



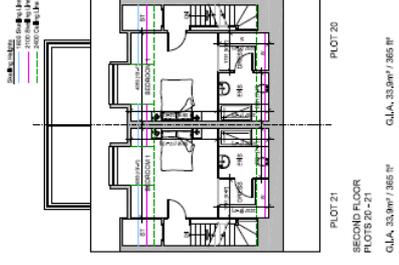
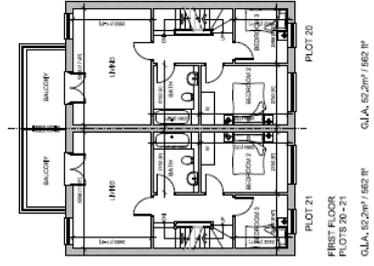
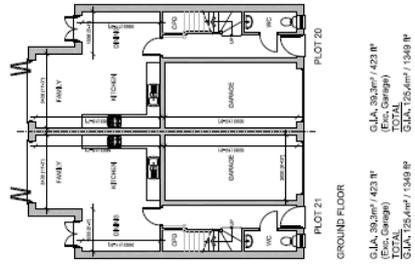
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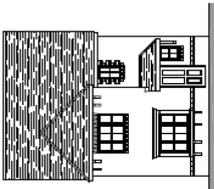
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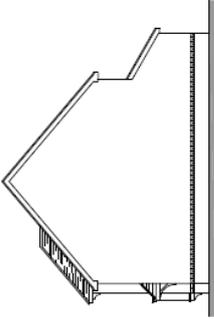
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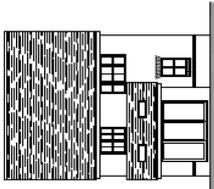
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BEWLEY HOMES PLC			
SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR			
PLOTS 20 & 21 FLOOR PLANS & ELEVATIONS			
DATE:	11/05/2018	SCALE:	CT
REF:	17-12116-09	PROJECT:	
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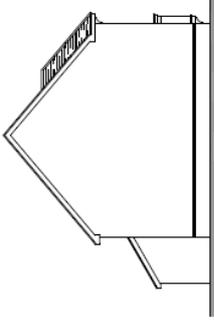
FRONT ELEVATION
PLOTS 23 & 25 (BEVLEY HOUSETYPE)
RIPLEY + GARDEN ROOM



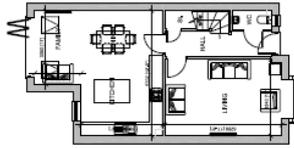
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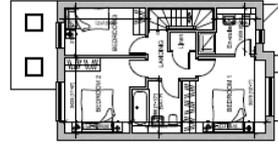
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SIDE ELEVATION

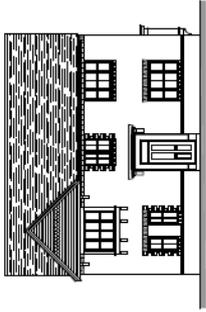


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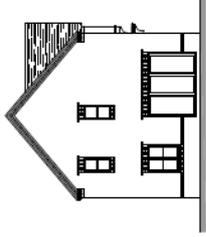


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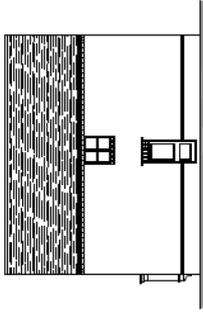
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 <p>ASCOT DESIGN Timeless architecture 14, The Quadrant, 1724-1728, The Quadrant, Windsor, SL4 1JF www.ascotdesign.com</p>	
BEVLEY HOMES PLC	
SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR	
PLOTS 23 & 25 FLOOR PLANS & ELEVATIONS	
DATE:	11/06 @ A1
DATE:	DEC '18
DATE:	CT
DATE:	17 - J2116 - 10
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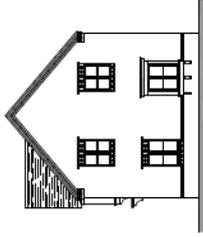
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PLOT 26 (BEWLEY HOUSETYPE - LONGSTOCK)



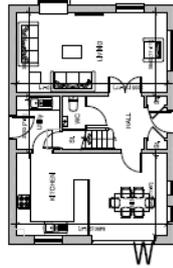
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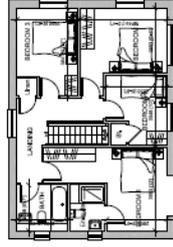
REAR ELEVATION



SIDE ELEVATION

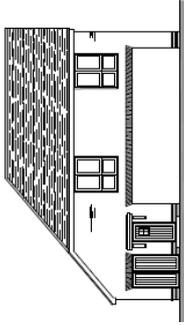


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DATE: 17/11/16
DRAWN BY: [Name]

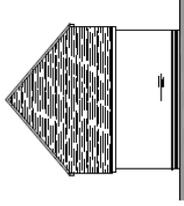


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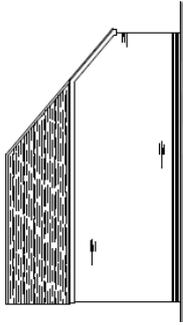
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 ASCOT DESIGN Timeless architecture <small>Ascot Design Ltd, 26 Squires Garden, Plot 26, Maidenhead Road, Windsor, Berkshire, SL4 2JY Tel: 01753 202222 Fax: 01753 202223 www.ascotdesign.co.uk</small>			
BEWLEY HOMES PLC			
SQUIRES GARDEN CENTRE MAIDENHEAD ROAD, WINDSOR			
PLOT 26 FLOOR PLANS & ELEVATIONS			
NO.	11/100 (B-A1)	DATE	DEC '16
NO.	17	DATE	J21'16 - 11
<small>The information in this document is for guidance only and does not constitute a contract.</small>			



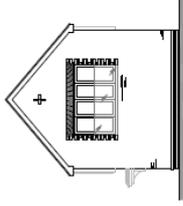
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PLOT 27



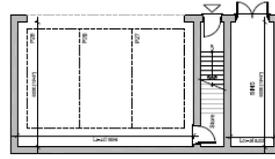
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REAR ELEVATION



FRONT ELEVATION

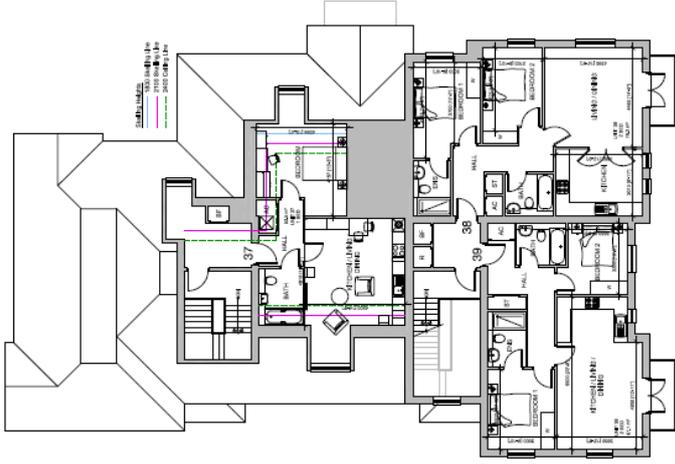


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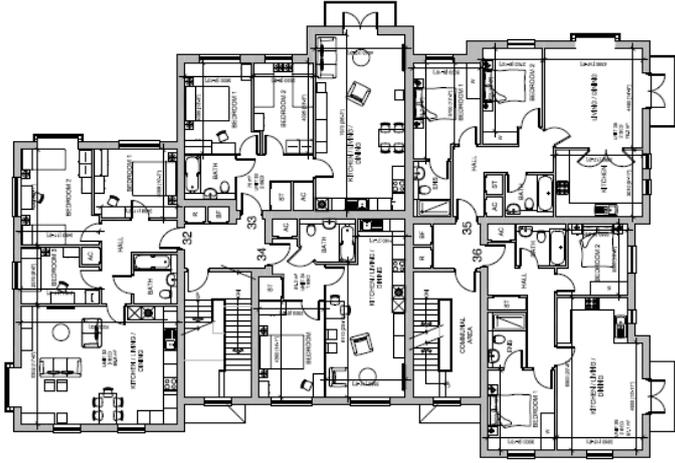


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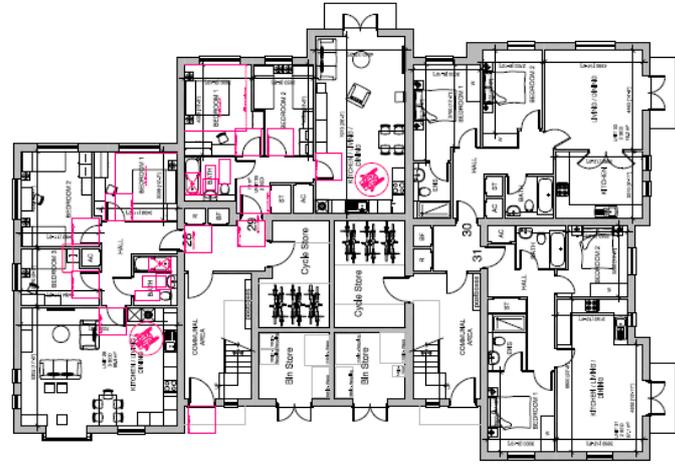
Plot	Issue	Date	Drawn	Checked
PLANNING ISSUE				
 ASCOT DESIGN Timeless architecture <small>Ascot Design Architects Ltd, 17, Park Street, Ascot, Berkshire, RG22 7AA Tel: 01344 871111 Fax: 01344 871112 Email: info@ascotdesign.co.uk</small>				
BEWLEY HOMES PLC				
SQUIRES GARDEN CENTRE MAIDENHEAD ROAD, WINDSOR				
PLOT 27 FLOOR PLANS & ELEVATIONS				
Scale	1:100 @ A1	DEC-16	CT	
Drawn By	17 - J2116 - 12			
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SECOND FLOOR
PLOTS 28 - 31

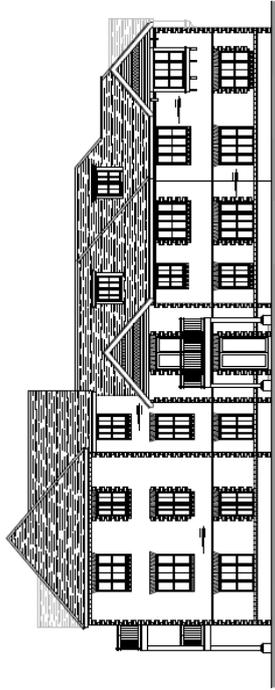


FIRST FLOOR
PLOTS 28 - 31

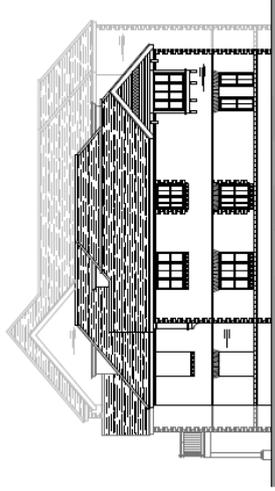


GROUND FLOOR
PLOTS 28 - 31

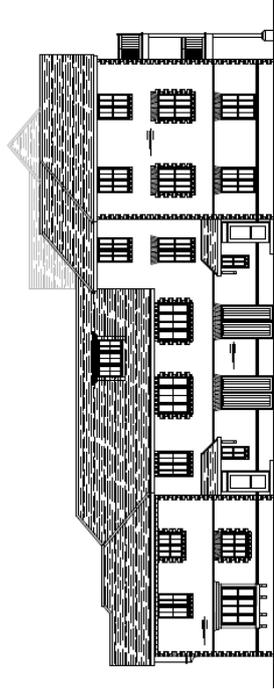
NO.	DATE	ISSUE
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ASCOT DESIGN Timeless architecture <small>Ascot Design Architects, 20000 18th Ave, Suite 100, Aurora, Colorado, USA 80015 Tel: +1 303 499 9222 Fax: +1 303 499 9223 Email: info@ascotdesign.com</small>		
BEWLEY HOMES PLC		
SQUIRES GARDEN CENTRE, MAIDENHEAD ROAD, WINDSOR		
PLOTS 28 - 39		
FLOOR PLANS		
DATE:	11:00 @ A1	NOV '18
NO.:	17 - J2118 - 13	
<small>The number in the bottom right corner of each drawing refers to the sheet number.</small>		



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

NO.	DATE	ISSUE
PLANNING ISSUE		
		
ASCOT DESIGN Timeless architecture		
<small>Head Office: 10, The Square, Maidenhead, Berkshire, SL6 6PS Tel: 01753 634300 Fax: 01753 634301 Email: info@ascotdesign.com www.ascotdesign.com</small>		
BEWLEY HOMES PLC		
<small>RESIDENTIAL</small> SQUIRES GARDEN CENTRE MAIDENHEAD ROAD, WINDSOR		
<small>PROJECT NO.</small> PLOTS 28 - 39 ELEVATIONS		
<small>DATE</small>	<small>BY</small>	<small>SCALE</small>
11/06 @ A1	NOV'18	
<small>DATE</small>	<small>BY</small>	<small>SCALE</small>
17 - J2116 - 14		
<small>Approved by the Local Planning Authority on 17/11/18</small>		

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

18 March 2019

Item: 2

Application No.:	19/00290/FULL
Location:	19 Arthur Road Windsor SL4 1RS
Proposal:	Single storey side/rear extension, alterations to rear fenestration, raising of ridge, second floor rear extension with rear dormer and 4 No. roof lights to facilitate a loft conversion
Applicant:	Mr & Mrs Pearson
Agent:	Mrs Rosie Craggs
Parish/Ward:	Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: Haydon Richardson on 01628 796697 or at haydon.richardson@rbwm.gov.uk

1. SUMMARY

- 1.1 The proposed development is for rear and roof extensions to an existing end of terrace dwelling. The proposals would have an unacceptable impact on the character and appearance of the area because of their bulk and design.

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 9 of this report):

- | | |
|----|--|
| 1. | Due to the site's prominent location, the bulky, contrived and poor design of the proposed roof works would be visible from Charles Street, Goswell Road and the end of Arthur Road. The visually prominent and uncharacteristic roof extension is therefore considered to be harmful to the area's character and appearance contrary to policies DG1 and H14 of the Councils Local Plan, alongside Section 12 of the NPPF (2019), which seeks to sympathetically integrate development into existing environments. The proposal would also be contrary to emerging policies SP2 and SP3 of the Borough Local Plan Submission Version. |
|----|--|

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Richards in the public interest

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 No.19 Arthur Road is a two storey, brick built, end of terrace property. To the east of the site is the spacious entrance to the FM Global business centre, several small trees and the Charles Street roundabout. Due to the height of the dwelling and the openness of its surroundings the properties side elevation is clearly visible from Goswell Road and Charles Street.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The application seeks planning permission for a single storey side/rear extension with an L shaped dormer and raising of the properties ridge height.

Ref.	Description	Decision and Date
18/02763 /FULL	Single storey side/rear extension with roof terrace above, alterations to rear fenestration, raising of ridge, second floor rear extension with Juliet balcony, rear dormer and 4 No. rooflights to facilitate a loft conversion	Refused: 27.11.2018

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

	Within settlement area	High risk of flooding
Local Plan	DG1, H14	F1

These policies can be found at:

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

5.2 Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Manages flood risk and waterways	NR1

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 and degree of consistency with the 2012 NPPF. Therefore, the weight afforded to each policy as a material planning consideration will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below. The Development Plan has primacy.

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- Interpretation of Policy F1 – Areas liable to flooding

More information on this document 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 Flooding
- ii Visual impact on host dwelling and locality in general
- iii Impact on neighbour amenity
- iv Parking provision

i. Flooding

- 6.2 The application site is located within flood zone 3. Local Plan Policy F1 of the Adopted Local Plan is applied to all development within areas liable to flooding. The policy indicates that new residential development or non-residential development, including extensions in excess of 30m² will not be permitted “unless it can be demonstrated to the satisfaction of the Borough Council that the proposal would not of itself, or cumulatively in conjunction with other development: 1) impede the flow of flood water; or 2) reduce the capacity of the floodplain to store flood water; or 3) increase the number of people or properties at risk from flooding”. The proposed rear extension would add approximately 10m² of ground covered area and would therefore be in compliance with Local Plan Policy F1. Policy F1 is considered to be consistent with the relevant NPPF; the proposal is also consistent with the NPPF 2019 which is afforded significant weight as a material consideration.

Visual Impact

- 6.3 The appearance of a development is a material planning consideration and the National Planning Policy Framework, Section 12 (Achieving well-designed places) and Local Plan Policy DG1, advises that all development should seek to achieve a high quality of design that improves the character and quality of an area. Local plan Policy H14 suggests that extensions should cause no significant harm to the appearance of the host dwelling. Borough Local Plan Submission Version emerging Policy SP3 can be given significant weight and places similar emphasis on integrating development into areas in a sympathetic and visually harmonious manner.
- 6.4 The proposed single storey rear extension would be no deeper than the existing single storey rear addition and would predominantly infill the space between the properties two storey outrigger and side boundary wall. The extension has a pitched roof, with 2.5m eaves and a 3m ridge height. Due to its moderate height and considered design, the ground floor extension would have an acceptable impact on the host dwelling and would cause no harm to the area’s appearance.
- 6.5 Other properties in the area have been granted planning permission for L shaped dormers and raised ridges (15/02452, 15/01182, 17/00106). Notwithstanding the above, each application should be determined on its own merits. Due to the site’s end of terrace location the proposed works would not be contained within neighbouring terraces (like the approved schemes referenced above). The resulting property would have a bulky and contrived roof form, consisting of flat and pitched elements, of varying heights and material. Furthermore it would be viewed against the property’s brick side elevation, which is much lighter in colour and would therefore increase the prominence of the works. The contrived and uncharacteristic design of the scheme would be visible from Arthur Road, Charles Street and Goswell Road and is considered to be significantly harmful to the area’s appearance.
- 6.6 Moreover, the site is part of a terrace of five properties where roofs have not been altered in terms of ridge height or other significant alterations. These properties are of a smaller scale than other properties further along the terrace where significant alterations have taken place.
- 6.7 For these reasons the proposal is contrary to policies DG1 and H14 of the Adopted Local Plan, alongside Section 12 of the NPPF, which seeks to sympathetically integrate development into existing environments, and emerging policies SP2 and SP3 of the Borough Local Plan Submission Version which are afforded significant weight as material planning considerations.

Neighbour Amenity

- 6.8 Policy H14 requires that extensions should not result in an unacceptable loss of light or privacy to neighbouring properties or significantly affect their amenities by being visually intrusive or overbearing.

- 6.9 The infill element of the extension would be sited next to the entrance of the neighbouring business centre where it would cause no harm. At present a 2m deep, 2.8m high extension exists on the boundary shared with No.21 Arthur Road. The new extension would be of similar depth and would be 2.5m high on the boundary. For these reasons the extension is unlikely to have any significantly worse impact on the amenities of No.21 when compared with the existing. The proposed dormer and Juliet balcony would provide similar views to the existing first floor windows and other dormers which have been approved in the area.
- 6.10 For these reasons the proposed development is not considered to have a significantly harmful impact on the amenities of neighbouring properties.

Parking Provision

- 6.11 In accordance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004, it is necessary for 4 bedroom dwellings to provide 3 parking spaces and therefore there would be a shortfall in parking provision. However, there are parking restrictions along Arthur Road and given the sites close proximity to bus routes, the train station and Windsor Town Centre, it would be unreasonable to refuse the scheme on parking grounds.

Other Considerations

- 6.12 Whilst the Council has introduced CIL and a Charging Schedule would detail that the levy applies, the proposal would not exceed 100m² in residential floor space and would not require any payment on that basis.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

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

Comment	Where in the report this is considered
1. The existing property is in a state of disrepair and is infrequently occupied by its owners. The poor state of the property is impacting upon my terrace and I am concerned that the proposed works could cause further harm to my property.	The owners occupation of the property is not a material planning consideration, nor is the property's maintenance.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Existing elevation and floor plans
- Appendix C – Proposed elevation and floor plans

Documents associated with the application can be viewed at <http://www.rbwm.gov.uk/pam/search.jsp> by entering the application number shown at the top of this report without the suffix letters.

This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a

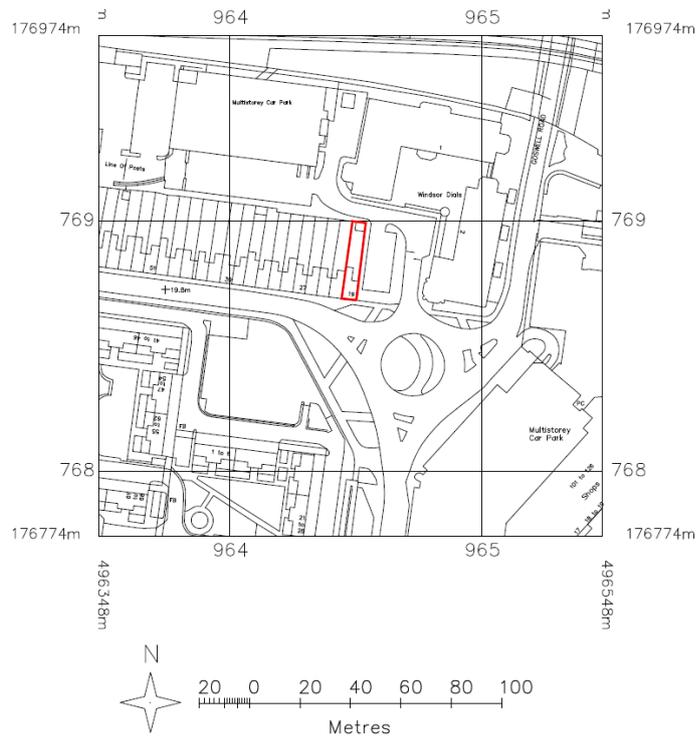
development that improves the economic, social and environmental conditions of the area, in accordance with NPPF.

In this case the issues have been unsuccessfully resolved.

9. RECOMMENDED FOR REFUSAL

- 1 Due to the site's prominent location, the bulky, contrived and poor design of the proposed roof works would be visible from Charles Street, Goswell Road and the end of Arthur Road. The visually prominent and uncharacteristic roof extension is therefore considered to be harmful to the area's character and appearance contrary to policies DG1 and H14 of the Councils Local Plan, alongside Section 12 of the NPPF (2019), which seeks to sympathetically integrate development into existing environments. The proposal would also be contrary to emerging policies SP2 and SP3 of the Borough Local Plan Submission Version.

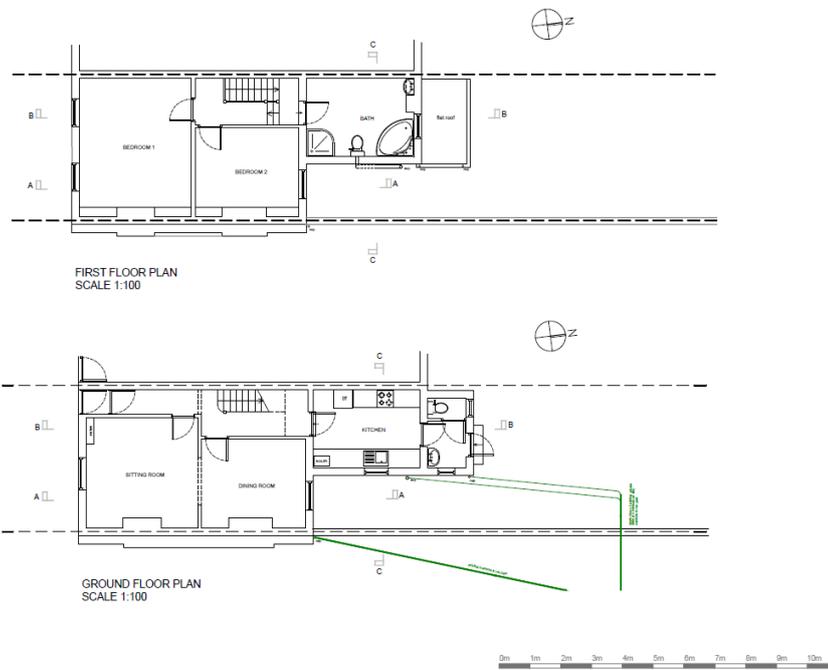
Appendix A – Location Plan



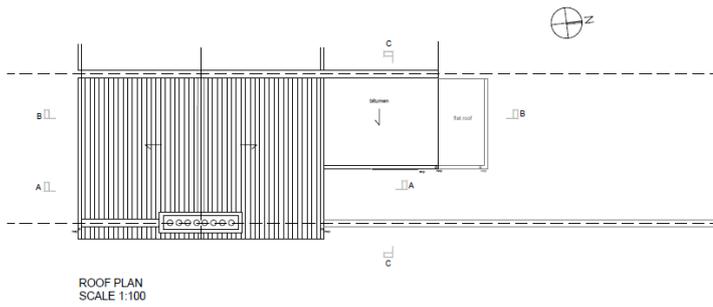
NOTES:

REV.	DATE	REVISION DETAILS	BY
SS4ARCHITECTS			
<small>17 Warner Road LONDON E17 4HL Tel: 0203 300 8573 www.ss4architects.co.uk</small>			
CLIENT: JAMES PEARSON			
JOB TITLE: 19 ARTHUR ROAD			
DRAWING TITLE: LOCATION PLAN			
JOB NO.	DRAWING NO.	REVISION	
0185	001	<>	
SCALE: 1:1250 @ A3	DRAWN BY: RAC	CHECK:	03/18

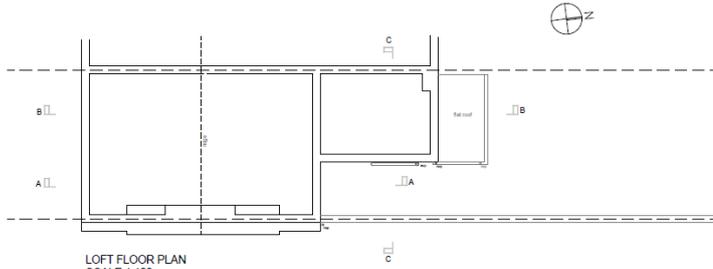
Appendix B – Existing floorplans and elevations



REV.	DATE	REVISION DETAILS	BY
SS4ARCHITECTS			
<small>17 Warner Road LONDON E17 4HL Tel: 0203 300 8573 www.ss4architects.co.uk</small>			
CLIENT: JAMES PEARSON			
JOB TITLE: 19 ARTHUR ROAD			
DRAWING TITLE: EXISTING GROUND & FIRST FLOOR PLANS			
JOB NO.	DRAWING NO.	REVISION	
0185	100	<>	
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ROOF PLAN
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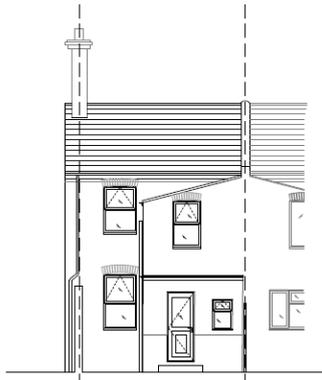


LOFT FLOOR PLAN
SCALE 1:100

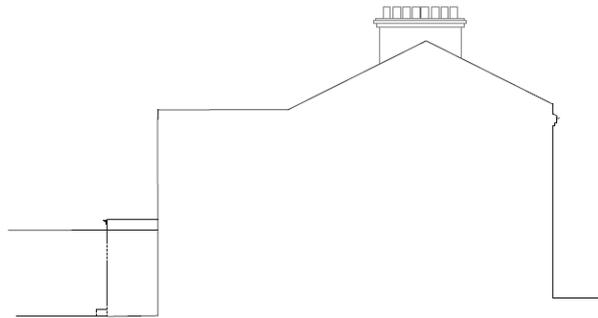


NOTES:
Measured survey does not include for intrusive survey to determine exact location of steelwork/supporting structure. All dimensions must be checked on site prior to works commencing by the contractor.

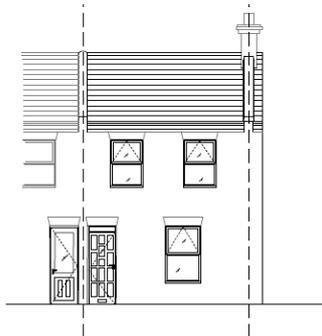
REV.	DATE	REVISION DETAILS	BY
SS4ARCHITECTS			
57 Warner Road Leigh, W.L.		Tel: 0203 380 8573 www.ss4architects.co.uk	
client JAMES PEARSON			
job title 19 ARTHUR ROAD			
drawing title EXISTING LOFT & ROOF PLANS			
job no.	drawing no.	revision	
0185	101	<>	
scale 1:100	paper A3	drawn by RAC	date 03/18



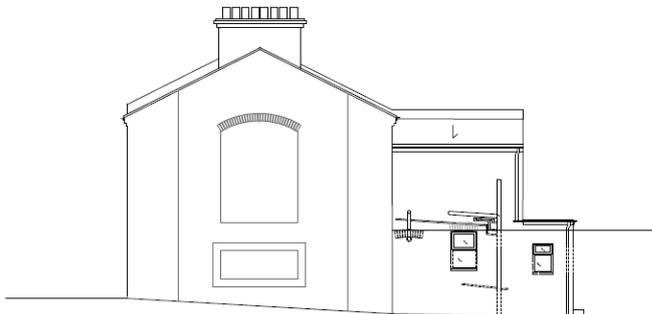
REAR ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



FRONT ELEVATION
SCALE 1:100



EAST ELEVATION
SCALE 1:100

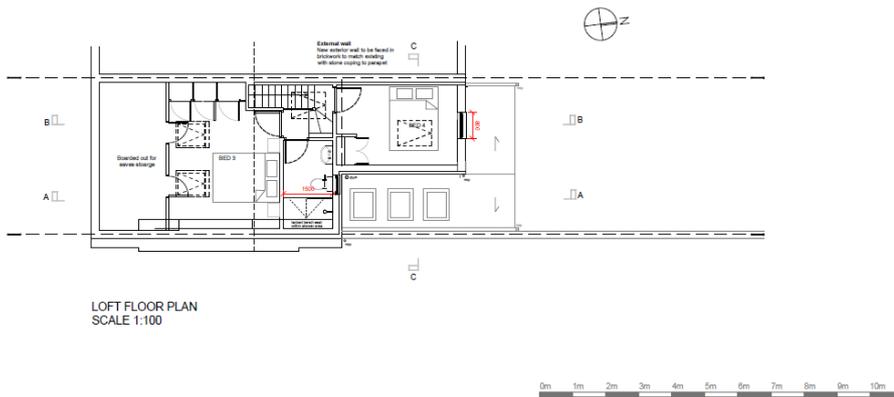
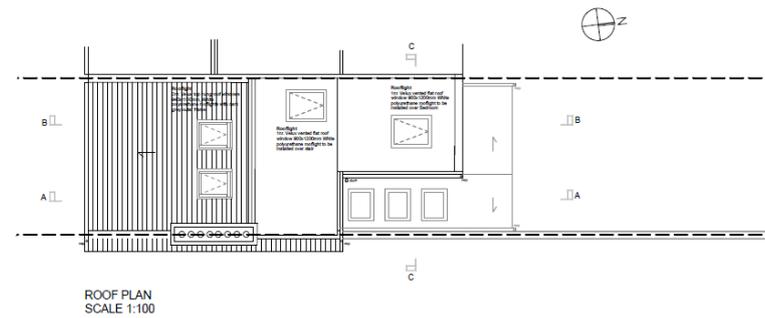
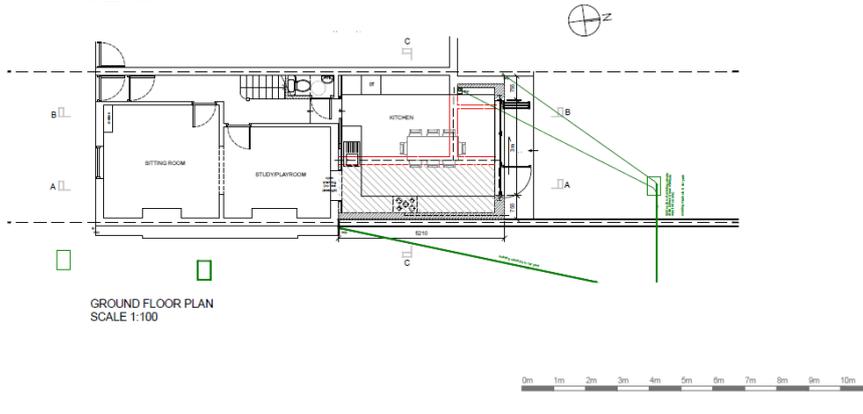
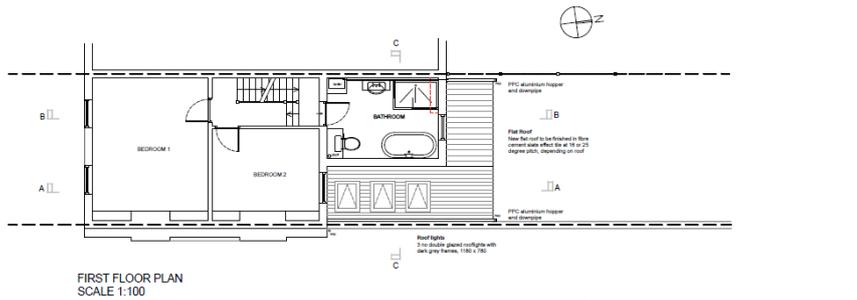


Contract is to be carried out in accordance with the conditions of contract for building contracts published by the Institution of Structural Engineers. The contractor shall be responsible for obtaining all necessary planning and building regulations approval for the proposed works.

NOTES:
Measured survey does not include for intrusive survey to determine exact location of steelwork/supporting structure. All dimensions must be checked on site prior to works commencing by the contractor.

A. 07.18 West elevation added RC			
REV.	DATE	REVISION DETAILS	BY
SS4ARCHITECTS			
57 Warner Road Leigh, W.L.		Tel: 0203 380 8573 www.ss4architects.co.uk	
client JAMES PEARSON			
job title 19 ARTHUR ROAD			
drawing title EXISTING ELEVATIONS			
job no.	drawing no.	revision	
0185	102	A	
scale 1:100	paper A3	drawn by RAC	date 03/18

Appendix C – Proposed floor plans and elevations



NOTES:
Measured survey does not include for intrusive survey to determine exact location of steelwork/supporting structure. All dimensions must be checked on site prior to works commencing by the contractor.

C.	11.15	Revised ground floor extension roof & first floor envelope in line with planning comments	RC
B.	07.18	Revised to include roof terrace	RC
A.	03.18	Opt A kitchen layout included, notes added	RC
Rev. date		Revision details	by

SS4ARCHITECTS

57 Warren Road
Lymington
Hants

Tel: 0203 380 8573
www.ss4architects.co.uk

client
JAMES PEARSON

job title
19 ARTHUR ROAD

drawing title
PROPOSED GROUND & FIRST FLOOR PLANS
OPTION B

job no.	drawing no.	revision
0185	201	C
scale 1:100 @ A3	drawn by RAC	date 03/18

commenting by the contractor:

D.	01.19	Revised window to bed 4	RC
C.	11.15	Revised ground floor extension roof in line with planning comments	RC
B.	09.18	Note added to alteration to party wall	RC
A.	03.18	Bed 4 window revised to Juliette balcony	RC
Rev. date		Revision details	by

SS4ARCHITECTS

57 Warren Road
Lymington
Hants

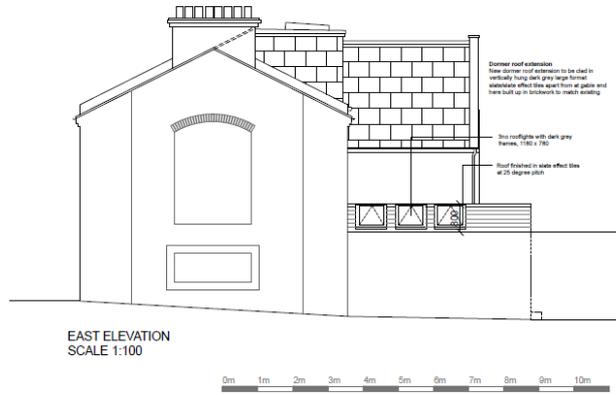
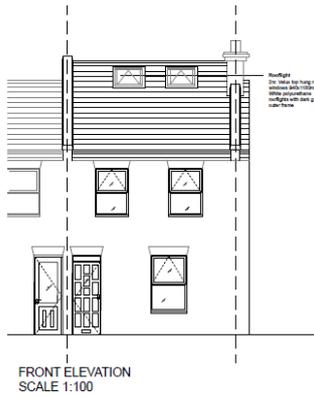
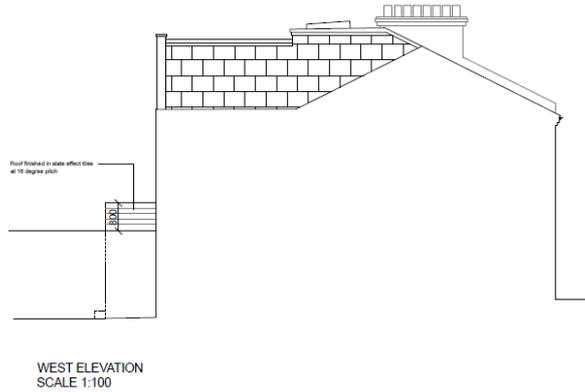
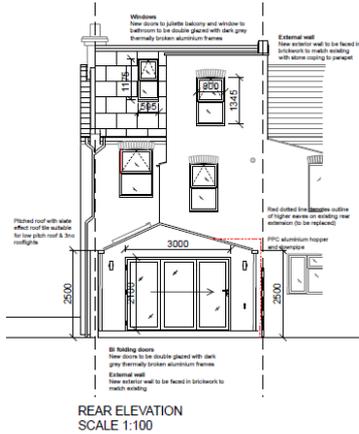
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drawing title
PROPOSED LOFT PLANS
OPTION B

job no.	drawing no.	revision
0185	203	D
scale 1:100 @ A3	drawn by RAC	date 03/18



PLANNING

NOTES:
Measured survey does not include for intrusive survey to determine exact location of steelwork/supporting structure. All dimensions must be checked on site prior to works commencing by the contractor.

- F. 01.18 Revised window to loft bedroom RC
- E. 11.15 Revised GF extension roof & FF window reverted to existing in line with planning comments RC
- D. 11.15 Red pen overlay RC
- C. 08.15 Coordination with GF plan RC
- B. 07.15 Revised to include roof lamp RC
- A. 03.15 Back L window revised to Juliette balcony, notes added RC

rev. date revision details by

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**PROPOSED ELEVATIONS
(COMBINED)**

job no.	drawing no.	revision
0185	204	F

scale 1:100 @ A3 drawn by RAC date 03/18