

# ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

## PANEL UPDATE

<b>Application No.:</b>	20/01987/FULL
<b>Location:</b>	Land At And Including The Old Ruins St Leonards Hill Windsor
<b>Proposal:</b>	New dwelling incorporating existing ruins. PV panels within grounds for carbon offsetting
<b>Applicant:</b>	Mr Try
<b>Agent:</b>	Ms Dido Milne
<b>Parish/Ward:</b>	Windsor Unparished/Clewer And Dedworth East
<b>If you have a question about this report, please contact:</b> Jo Richards on 01628 682955 or at jo.richards@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The wording of the proposed pre-commencement conditions have been amended to allow minor exploratory works prior to the submission of the requisite information as requested by that condition.
- 1.2 The wording of condition 5 has been altered such that it requests for details of the repair/maintenance of the garden structures rather than their re-building.
- 1.3 As set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, the Windsor Neighbourhood Plan can now be given significant weight in decision making.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission subject to the conditions listed in Section 12 of the main report as amended by this panel update</b>

### 2. ADDITIONAL INFORMATION

- 2.1 The applicant has been carrying out some minor investigative works to the footings of the existing Planning Panel Windsor Area

ruins below ground level. Conditions 2, 4, 6, 7, 12, 13, 14, 15, 16, 17, 18, 19 and 20 have been reworded to allow for these works to continue ahead of the submission of the relevant details to which they refer by including the following sentence:

- 2.2 No works or development, other than careful excavation of the existing ruins down to slab level, shall take place until....
- 2.3 The wording of condition 5 has been altered such that it requests for details of the repair/maintenance of the garden structures rather than their re-building.
- 2.4 Paragraph 7.5 of the panel report lists the relevant Windsor Neighbourhood Plan policies. It should be noted that as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 the plan can now be given significant weight in decision making. In attaching significant weight to these policies, which are reflective of the NPPF, the recommendation to grant planning permission is unchanged.

### **3. AMENDED CONDITIONS**

2. No development shall take place (other than careful excavation of the existing ruins down to slab level) until a schedule of the materials to be used on the external surfaces of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the site and the area in general and to ensure the character and appearance of the non-designated heritage asset is preserved. Relevant Policy DG1 and NPPF Section 16
4. No works or development shall take place (other than careful excavation of the existing ruins down to slab level) until a schedule of works, method statement and management plan for the restoration, consolidation and maintenance of the ruins has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the areas of linkages between the ruins and new dwelling. The development shall be carried out and maintained in accordance with the approved details.  
Reason: To preserve the historic significance and long-term protection and restoration of the non-designated heritage asset. NPPF Section 16
5. Prior to occupation of the dwelling house hereby permitted, a management plan for the maintenance of the grounds of the new dwelling and repair/maintenance of all garden structures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter any works within the grounds of the new dwellinghouse shall accord with these approved details.  
Reason: In the interests of the visual amenities of the site and the area in general and to ensure the character and appearance of the non-designated heritage asset and its setting is preserved and enhanced. Relevant Policy DG1 and NPPF Section 16
6. No works or development (other than careful excavation of the existing ruins down to slab level) shall take place until a structural report and plans (at scale 1:10 or as appropriate) detailing the original footings/structure of the mansion house, and the location and design of new footings and positions of new underground services, within the permitted dwelling house has been submitted to and approved in writing by the Local Planning Authority.  
Reason: In the interests of the visual amenities of the site and the area in general and to ensure the character and appearance of the non-designated heritage asset is preserved. Relevant Policy DG1 and NPPF Section 16
7. No works or development (other than careful excavation of the existing ruins down to slab level) shall take place until plans (at scale 1:5, 1:10 or as appropriate) and details of the design features of the dwelling house hereby permitted including, windows and glazing, external doors, parapets, balustrades, fenestrations, pergola, hand rails and internal covered courtyard walkway, have

been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details.

Reason: The submitted drawings are inadequate in these respects and in the interests of the visual amenities of the site and the area in general and to ensure the character and appearance of the non-designated heritage asset is preserved. Relevant Policy DG1 and NPPF Section 16

12. No development (other than careful excavation of the existing ruins down to slab level) shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
13. Prior to any equipment, machinery or materials being brought onto the site, (other than in connection with careful excavation of the existing ruins down to slab level) revised details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
14. Prior to the commencement of development or other operations on site (other than careful excavation of the existing ruins down to slab level), an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the implementation, supervision and monitoring of all temporary tree protection and any special construction works within any defined tree protection area. Thereafter the development shall incorporate and be undertaken in accordance with the approved statement.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
15. Prior to the commencement of development or other operations on site (other than careful excavation of the existing ruins down to slab level), details of all services/utilities and drainage shall be submitted to and approved in writing by the Local Planning Authority. This includes the alignment, depth and type, and these works shall be carried out as approved and retained thereafter in accordance with the approved details.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6
16. Prior to commencement of the development (other than careful excavation of the existing ruins down to slab level), an updated Woodland Management Plan (incorporating the recommendations for biodiversity enhancements and management provided in ecological appraisal, BSG 2020 and woodland and biodiversity management plan, U&H, 2020) shall be submitted and approved in writing by the Council. The Woodland Management Plan shall thereafter be implemented as agreed.  
Reason: To ensure long-term protection and enhancement of the woodland in accordance with paragraph 175 of the NPPF.

17. No development shall take place (including demolition, ground works, vegetation clearance, other than careful excavation of the existing ruins down to slab level) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, in particular to nearby Local Wildlife Sites, woodland, GCN, reptiles, hedgehogs, badgers and invertebrates (this may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
- Reason: To minimise impacts on biodiversity in accordance with Paragraphs 170 and 175 of the NPPF.
18. Prior to commencement of the development (other than careful excavation of the existing ruins down to slab level), a report detailing any new a scheme detailing the lighting and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the LPA. The report shall include the following figures and appendices:
- A layout plan with beam orientation
  - A schedule of equipment
  - Measures to avoid glare
  - An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats.
- The approved lighting plan shall thereafter be implemented as agreed.
- Reason: To limit the impact of light pollution from artificial light on nature conservation in accordance with para 180 of the NPPF.
19. The development shall not commence (other than careful excavation of the existing ruins down to slab level) until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to the council. Thereafter mitigations measures approved in the licence shall be maintained in accordance with the approved details. Should the applicant conclude that a licence for development works affecting bats is not required, the applicant is to submit a report to the council detailing the reasons for this assessment, and this report is to be approved in writing by the council prior to the commencement of works.
- Reason: The structures host roosting bats which may be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely affected by the development.
20. Prior to commencement of the development (other than careful excavation of the existing ruins down to slab level) a Biodiversity Enhancement Scheme (incorporating the recommendations for biodiversity enhancements and management provided in ecological appraisal, BSG 2020 and woodland and biodiversity management plan, U&H, 2020 )shall be submitted and approved in writing by the council. The Approved Biodiversity Enhancement Scheme shall thereafter be implemented as agreed.
- Reason: To incorporate biodiversity improvements in and around developments in accordance with paragraph 175 of the NPPF.



