

DEVELOPMENT CONTROL PANEL

1 March 2023

Item: 2

Application No.:	22/00715/FULL
Location:	Land At 11 And 11 Clifton Rise Windsor
Proposal:	x1 new semi-detached dwelling and new dropped kerb following demolition of existing elements.
Applicant:	Grewal
Agent:	Mr Mirsad Krasniqi
Parish/Ward:	Windsor Unparished/Clewer And Dedworth West

If you have a question about this report, please contact: Susan Sharman on 01628 685320 or at susan.sharman@rbwm.gov.uk

1. SUMMARY

- .1 The application site is within the built-up area of Windsor where the principle of development is acceptable. The application proposal involves the addition of one new dwelling to the side of an existing semi-detached house, resulting in a terrace of three dwellings of similar scale and appearance to each other and the surrounding development. Regular spacing between sets of dwellings would be maintained within the street scene and the development would not appear cramped on the plot. The proposal makes an efficient use of land without harming the character or appearance of the area or the living conditions of any neighbours. The development is of a high-quality, sustainable design that incorporates on-site renewable energy technology. Subject to planning conditions, there are no objections to the proposal on highway or ecology grounds.

It is recommended the Committee authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to ensure the development is net-zero carbon, as outlined in paragraphs 9.18 and 9.19 of this report and with the conditions listed in Section 12; or
2.	To refuse planning permission if an undertaking to ensure the development is net-zero carbon as outlined in paragraphs 9.18 and 9.19 of this report has not been satisfactorily completed for the reason that the proposed development would be contrary to Policy SP2 of the Borough Local Plan and the Council's Interim Sustainability Statement.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Davey for the following reasons: Development not in keeping with the character of area, adverse impact on parking and set a precedent on similar future applications harming the character of the area.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the south side of Clifton Rise, Windsor, and comprises land to the side of the existing semi-detached house at No.11 Clifton Rise. The site is currently occupied by a detached single garage and single storey, flat-roofed extension to No.11.
- 3.2 The site is located within a circa 1960s, open-plan residential development of Windsor. The area is characterised by similarly designed brick and tile, semi-detached, gable-ended dwellings, with a number of properties extended at first floor level over the original attached garages. A public footpath runs adjacent to the west boundary of the site.

4. KEY CONSTRAINTS

- 4.1 There are no key planning constraints relating to the site.

5. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

5.1 The application seeks planning permission for a new, two-bedroom house to be adjoined to No. 11 Clifton Rise, following removal of the existing detached garage and single storey side extension. In addition, a new dropped kerb is proposed for the existing property at No.11.

5.2

Reference	Description	Decision and Date
21/03284/FULL	x1 new dwelling following demolition of existing elements.	Withdrawn – 19.01.2022.

6. DEVELOPMENT PLAN

6.1 The main Development Plan policies applying to the site are:

Issue	Policy
Spatial Strategy for the Borough	SP1
Climate Change	SP2
Sustainability and Placemaking	QP1
Character and Design of New Development	QP3
Housing Mix and Type	HO2
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Sustainable Transport	IF2

Windsor Neighbourhood Plan (2011-2026)

Issue	Policy
Design in keeping with the character and appearance of area	DES.01
Highways/parking	PAR.01
Residential amenity	RES.01

7. MATERIAL PLANNING CONSIDERATIONS

7.1 National Planning Policy Framework Sections (NPPF) (2021)

Section 4 – Decision-making

Section 5- Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

7.2 Supplementary Planning Documents

- Borough Wide Design Guide (2020)
- RBWM Townscape Assessment (2010)

7.3 Other Local Strategies or Publications

- RBWM Parking Strategy (2004)

- Interim Sustainability Position Statement (2021)

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

1 letter objecting to the proposal was received, as summarised below:

Comments:	Officer's response
<ul style="list-style-type: none"> -Terraced effect which is out of keeping with area. -Development will devalue No.9 Clifton Rise. -Proposal will lead more future similar applications in the area. 	<p>The impact of the proposal on the character and appearance of the area is considered in paragraphs 9.3 – 9.7 of this report. Whether a proposal will affect the market value of other properties is not a material planning consideration. Each application proposal is treated on its own merits.</p>

Consultees and Other parties

Comment	Officer's response
<p>Windsor Neighbourhood Plan Delivery Group;</p> <ul style="list-style-type: none"> -Proposed application would change the semi-detached pair of properties into a terrace and would be out of keeping with the rest of the road. -Development will detract from open fronted character of the area. -The application has not considered, and does not conform, to the Laing Estate Design Guide. -Overall development contrary to Windsor Neighbourhood Plan Policy DES.01 and NP Area Design Guide. 	<p>Noted and addressed in paragraphs 9.3 – 9.7 of this report.</p>
<p><i>Ecology;</i></p> <p>No Objection to the proposal subject to external lighting and biodiversity enhancement conditions.</p>	<p>Noted and addressed in paragraph 9.16 of the report.</p>
<p><i>Highways;</i></p> <p>No objections raised subject to vehicle cycling parking conditions. The new dwelling and existing dwelling to be retained to be served by separate accesses physically distinguished by a clear separation wall/hedging.</p>	<p>Noted and addressed in paragraph 9.14 of this report.</p>

9. EXPLANATION OF RECOMMENDATION

9.1 The key issues for consideration are:

- i. The impact of the proposal on the character and appearance of the area;
- ii. The impact on the amenities of the neighbours and future occupiers of the development;
- iii. Parking provision and highway safety;
- iv. Ecology and Biodiversity matters; and
- v. Climate change and sustainability issues.

9.2 **Impact on character and appearance of the area**

9.3 The appearance of a development is a material planning consideration, and the design of a proposal should not have an adverse impact on the character and appearance of the street scene or wider area in which it is to be located. A core planning principle of the National Planning Policy Framework (NPPF) is to ensure new development is of a high-quality design, and provides a good standard of amenity for all existing and future occupants of land and buildings. Section 12 of the NPPF seeks specifically to ensure that the scale, density, massing, height, landscaping, layout, materials and access of new development is sympathetic and relates well to neighbouring buildings and, more generally, the area in which it is to be located. Policies QP1 and QP3 of the adopted Borough Local Plan and the Borough Wide Design Guide mirror and complement this national planning policy approach.

9.4 The application site is located within the Laing Estate Neighbourhood Area, as identified in the Windsor Neighbourhood Plan, Appendix 2 Design Guide. The Area Character Assessment for this area describes the estate as comprising a mix of residential units, including bungalows, two-storey detached, semi-detached and terraced dwellings and three-storey town houses, which together incorporate a consistent set of design features contributing the estate's distinctive and attractive character. Development Guidance for the area explains that new development should not exceed the height and bulk of surrounding buildings and should observe existing building lines. In order to maintain the spacious feel of the estate, spatial separation between buildings should be retained, and infilling between buildings, where this creates the appearance of a terrace, should be avoided.

9.5 The area surrounding the application site is primarily characterised by semi-detached dwellings with attached single garages and regular, good-sized gaps between pairs of properties. Within the street scene it is apparent that a number of dwellings have two storey side extensions, or first floor extensions over the original attached garage, for example, at 8 Clifton Rise, directly opposite the application site, and 2 Clifton Rise respectively. Although these extensions have been constructed in line with the front elevations and main ridgelines of the host dwellings, increasing the overall width of the pairs of dwellings, gaps/ good sized spacing between the extended sides of the dwellings and the non-adjointing neighbouring properties have been maintained, avoiding the appearance of cramped development and allowing the spacious feel of the street scene to be retained.

9.6 The proposed dwelling would follow the same front and rear building lines and main ridge line as the existing pair of semi-detached houses to which it would be attached. In addition, it would have an almost identical appearance to the front elevation of the neighbouring property, incorporating matching design features and materials. Although the resultant group of dwellings would become a terrace of three houses, it would be similar in appearance to other dwellings, within the vicinity of the site, that have infilled previous gaps to the side by way of two-storey/first floor side extensions. Crucially, as with the extended neighbouring properties, a good-sized gap between the new dwelling and existing semi-detached house to the west, (No.13 Clifton Rise) would be retained, maintaining the spacious character of the street scene.

9.7 Overall, the proposed dwelling is sympathetic in scale and design to the surrounding development and would sit comfortably within the application site with sufficient space around it.

Although different in form, (a terraced house, rather than semi-detached one), the proposal will not significantly detract from the street scene, nor harm the character and appearance of the area. Accordingly, and subject to appropriate conditions in respect of materials and landscaping, the proposal complies with the relevant Development Plan policies and National Planning Policy.

9.8 Impact on amenities

9.9 Paragraph 130 (f) of the NPPF (2021) and Borough Local Plan Policy QP3 require development works to not cause any unacceptable impact on the amenities of the immediate neighbouring properties in terms of loss of privacy, loss of light or from appearing dominant or overbearing. The Borough Wide Design Guide and NPPF also require new residential development to provide a high level of amenity for future occupiers of the scheme.

9.10 The proposed rear elevation of the new dwelling would align with the existing main rear elevation of No.11 and therefore, the proposal will not harm the living conditions of the occupiers of No.11 in terms of loss of light, loss of privacy or from the dwelling appearing overbearing.

9.11 Other than the adjoining house at No.11, the closest neighbouring property to the new dwelling would be at No.13 Clifton Rise. As the main flank wall of this dwelling will be positioned over 10m away, the proposal will also not harm the living conditions of the neighbours of this property.

9.12 The proposed dwelling (2-bed) and the existing dwelling at No.11 (3-bed) will both have a private outdoor amenity space of at least 65sqm. This complies with Principle 8.2 of the Borough Wide Design Guide in relation to minimum outdoor amenity space requirements for 2/3 bed houses. Both dwellings would also comply with the internal space standards.

9.13 Overall, the proposal will provide sufficient private amenity space and living accommodation for future occupiers of the development and will not harm the living conditions of any neighbours. Accordingly, the proposal complies with the relevant Development Plan policies and the Borough Wide Design Guide SPD.

9.14 Highways

9.15 No. 11 Clifton Rise and the application dwelling would each be provided with 2 off-road parking spaces to the front of their respective plots, and this complies with the Council's adopted parking standards. In addition, each property will be provided with a cycle store to the rear of their respective sites, with separate external access. Subject to appropriate conditions, no objection is raised to the proposal on highway grounds.

9.16 Ecology and Biodiversity

9.17 An ecology report submitted with the application concludes that the existing garage and side extension to be demolished are unlikely to host roosting bats, however the site may be suitable for use by foraging and commuting bats. Furthermore, other than nesting birds which may use the shrubs and trees on site, (which are not protected but largely to be retained), the site is unlikely to support any protected or priority species. The report recommends any new external lighting to be installed as part of the new development to be wildlife-sensitive, so as to not adversely affect bats or other wildlife. The Council's ecologist has recommended a planning condition be imposed to this effect, together with a condition to secure biodiversity enhancements on the site in line Policy NR2 of the BLP and the NPPF. Subject to these conditions, there are no objections to the application on ecological grounds.

9.18 Climate Change and Sustainability

9.19 The Council's Interim Sustainability Statement (March 2021) requires new development over a certain size to achieve a net-zero carbon rating. Any shortfalls to this are required to be mitigated by way of a financial contribution to the Council's Carbon Offset Fund. Additionally, paragraphs 7 and 8, and Section 14 of the NPPF (2021) and Policy SP2 of the Borough Local Plan (2022),

encourage new development to be built to mitigate climate change, by including energy efficient features into their design and through the use of on-site, renewable energy technologies.

9.20 Information submitted with the application explains that carbon emissions from the development will be minimised by incorporating energy efficient measures within the design of the scheme and from installing 15 photovoltaic panels on the south-facing rear elevation, enabling the dwelling to produce its own electricity from a renewable resource. However, the scheme will not be net-zero carbon and therefore to mitigate this the applicant has agreed to enter into a Section 106 legal agreement with the Council to ensure the appropriate financial contribution will be made towards the Carbon Offset Fund. Subject to the satisfactory completion of the s.106 agreement, the proposal would comply with Policy SP2 of the BLP and the requirements of the Council's Interim Sustainability Statement.

10. COMMUNITY INFRASTRUCTURE LEVY (CIL)

10.1 The development would be liable to pay CIL based on the following:

Reason for liability	New residential development.
CIL Charging Rate	£315.55
New floorspace	90 sqm

11. APPENDICES TO THIS REPORT

- Appendix A - Site location plan & site layout plan
- Appendix B – Proposed ground floor plan & proposed first floor plan
- Appendix C – Proposed front elevation & proposed rear elevation
- Appendix D – Proposed front elevation context

12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development above slab level shall take place until details of the materials to be used on the external surfaces of the development have first 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 area. Relevant Policy QP3.
- 3 No part of the development shall be occupied until vehicle parking spaces has been provided in accordance with the approved drawing. The spaces approved shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Borough Local Plan IF2.
- 4 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Borough Local Plan IF2.
- 5 Prior to the installation of an external lighting, a report detailing the external lighting scheme, and how this will not adversely impact upon wildlife, shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices: A layout plan with beam orientation; A schedule of equipment; Measures to avoid glare and; An isolux contour map showing light spillage to 1 lux both vertically and horizontally, areas identified as being of importance for commuting and foraging bats, and locations of bird and bat boxes. The approved lighting plan shall thereafter be implemented and maintained as agreed.
Reason: To limit the impact of light pollution from artificial light on nature conservation in

accordance with paragraph 185 of the NPPF.

- 6 Prior to the commencement of the development above slab level, details of biodiversity enhancements, to include integral bird and bat boxes, tiles or bricks on the new building (including at least 1 Swift brick), and native and wildlife friendly landscaping (including pollen-rich and fruit-bearing planting, and gaps created at the bases of fences to allow hedgehogs to traverse through the gardens), together with the timescales that these enhancements shall be implemented shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed in accordance with these approved details and retained in perpetuity.

Reason: To incorporate biodiversity in and around developments in accordance with the National Planning Policy Framework and local policy NR2.

- 7 No development above slab level shall commence until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved within the first planting season following the substantial completion of the development and retained 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.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan QP3

- 8 The development shall be implemented in accordance with energy efficiency measures and renewable energy technology proposed for the scheme in the Energy Statement dated 1st March 2022.

Reason: To help reduce energy use and carbon emissions from the development. Relevant Policy BLP SP2.

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

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



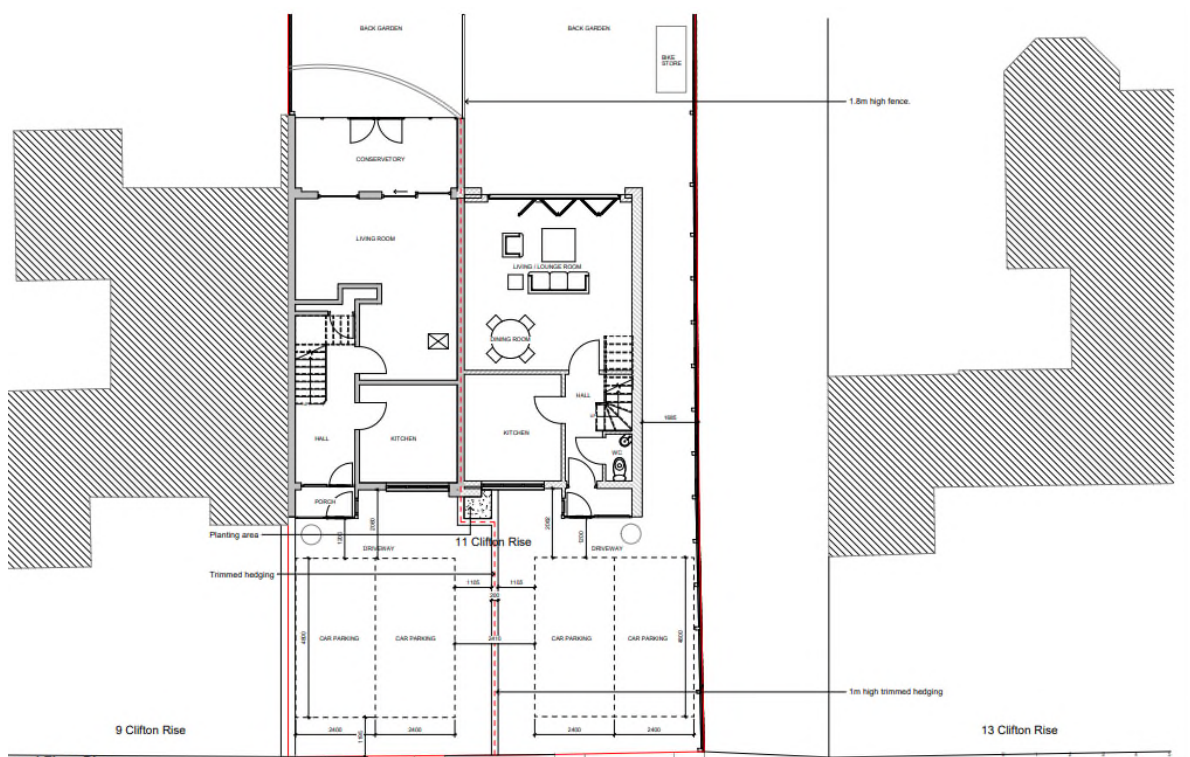
Site Location Plan

Application site

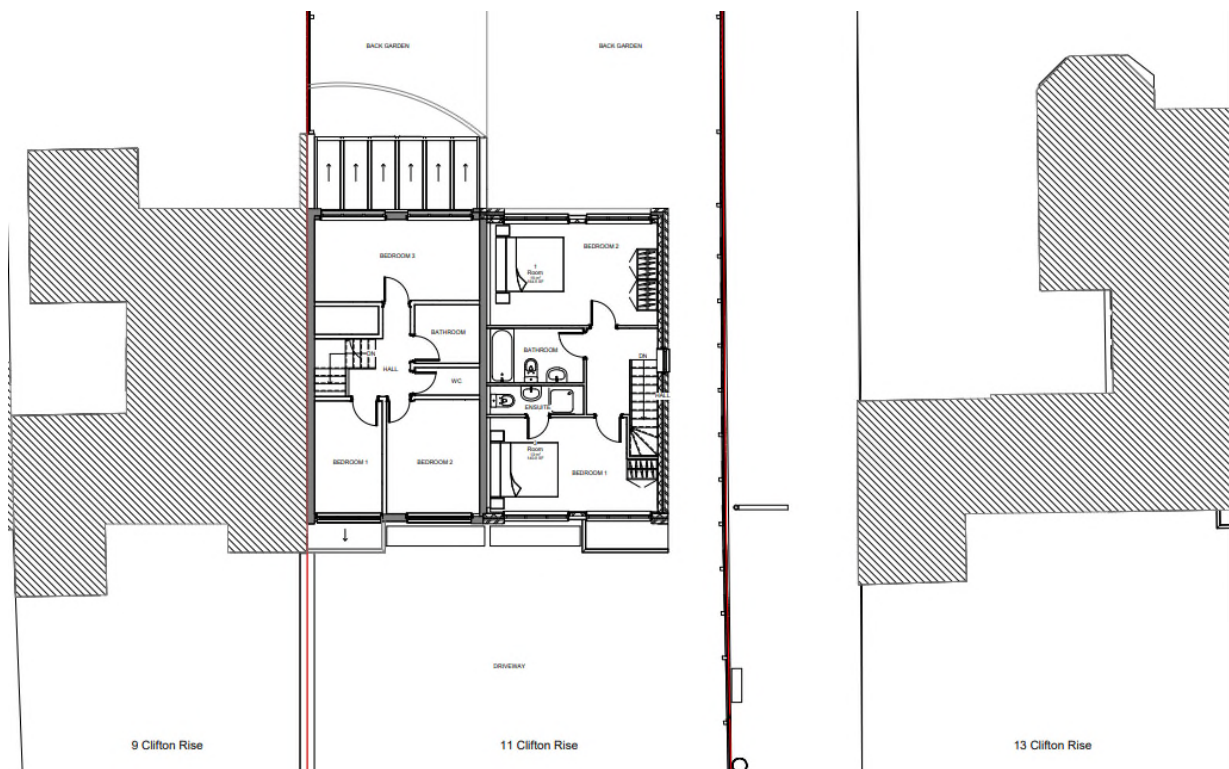


Site Layout Plan

Application site



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Front Elevation



Proposed Rear Elevation



Proposed Front Elevation Context