

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

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

9 November 2016

Item: 1

Application No.:	16/01097/FULL
Location:	109 High Street Eton Windsor SL4 6AN
Proposal:	Single storey rear and two storey side extensions with amendments to fenestration, following the removal of the existing non-original extensions. Part change of use to class C3 (residential)
Applicant:	Mr Shymansky
Agent:	Mr Alex Chapman - Lewandowski Architects Ltd
Parish/Ward:	Eton Town Council/Eton With Windsor Castle Ward
If you have a question about this report, please contact: Rachel Fletcher on 01628 685687 or at rachel.fletcher@rbwm.gov.uk	

Application No.:	16/01098/LBC
Location:	109 High Street Eton Windsor SL4 6AN
Proposal:	Consent for single storey rear and two storey side extensions with internal and external refurbishments and associated works following demolition of non-original extensions to existing buildings. Part change of use to C3 (residential).
Applicant:	Mr Shymansky
Agent:	Mr Alex Chapman - Lewandowski Architects Ltd
Parish/Ward:	Eton Town Council
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1. SUMMARY

- 1.1 This application was reported to Panel on the 12th October 2016, where the resolution of the Panel was defer the application for 1 cycle to allow for the Panel members to carry out a site visit. In addition, since the Panel this report has been updated to take into account the submitted 'Sequential Assessment' required to comply with flood policy of the National Planning Policy Framework. The following is the content of the original report update to take into account the Sequential Assessment; the recommendation remains to refuse the application.
- 1.2 This report considers both the full planning and listed building consent applications for this proposal, which is to extend the building at the sides and rear, and to provide three flats on the first and second floors of the building in place of two flats. The site is in a Conservation Area and the building itself is Grade 2 listed. The design and layout of the scheme is considered acceptable in this sensitive context.
- 1.3 The site is in a floodable area. The applicant has submitted a Sequential Assessment (SA) that assesses whether there are alternative sites at a lower risk of flooding that are 'reasonably available' that could accommodate the development. A number of sites have been discounted for not being 'reasonably available' but the reasons are not considered to be valid ones; this is discussed in more detail in the main part of the report. As the Sequential Test has not been passed it is not necessary to consider any other aspects of flooding policy relating to the Exceptions Test and whether the development would be appropriate in flood risk terms. It is therefore not necessary to consider the applicant's 'Flood Warning and Evacuation Plan' document which was submitted alongside the SA.

- 1.4 In considering the listed building application, the Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, as required under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The application has been considered on the basis of the Development Plan, and notwithstanding the flood issues noted above, the proposal is considered to comply with Local Plan Policies DG1, CA1, CA2, LB2 and the corresponding advice in the NPPF.
- 1.5 An earlier version of this report was published in the agenda for the Windsor Urban Panel meeting of 20th July 2016. However, the applications were withdrawn from that agenda pending receipt of additional information on the issues which now form reasons for refusal of the full planning application. The report has since been updated to reflect these issues and in addition to further clarify impacts on trees.

Recommendation 1: 16/01097/FULL

It is recommended the Panel refuses planning permission for the following summarised reasons (the full reasons are identified in Section 11 of this report):	
1.	It has not been satisfactorily demonstrated that there are alternative sites that are reasonably available at a lower flood risk that could accommodate the residential development, contrary to advice in the NPPF and Planning Practice Guidance. As the Sequential Test has not been passed, it is not necessary to consider flood policy relating to the Exceptions Test and whether the development is appropriate in Flood Risk terms.
2.	The proposal does not provide sufficient on-site car parking, and would result in additional demand for on-street car parking in an area within which demand exceeds supply.

Recommendation 2: 16/01098/LBC

It is recommended the Panel grants listed building consent with the conditions listed in Section 10 of this report.
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2. REASON FOR PANEL DETERMINATION

- Application 16/01097 was called in at the request of Councillor Alexander, irrespective of the recommendation, because of the degree of public comment and interest in the application and it was felt appropriate to bring the corresponding listed building consent together with it.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application property is a listed building on the western side of the High Street close to its junction with Eton Court. The site forms part of the Eton Conservation Area. The building itself consists of a number of elements dating over several centuries of construction and occupation. Some of these are of significant architectural and historic interest visible both internally and externally, although there also appear to be at least two unauthorised PVC framed replacement windows in the rear and side elevations.
- 3.2 The ground floor of the building is currently occupied by a photographic studio business and contains reception areas, studios, offices and store rooms. Access to this is from the High Street. The first floor contains offices, a store room used by the photographic studio business and part of an apartment which also occupies part of the second floor. The second floor is in residential use. Both business and residential uses share car parking to the rear.
- 3.3 The site is within Flood Zones 2 and 3.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is to extend the existing building to the side and rear following the demolition of the existing single storey side and rear extensions, which are not considered to be of any historic significance. The extensions would be built on the same footprint as the existing, with the most prominent part of the proposal being the two storey side extensions to replace the existing single storey, while those at the rear would be single storey in height. Internal works are also proposed, re-ordering the existing internal rooms mainly at first and second floor levels but with some minor alterations on the ground floor.
- 4.2 The proposals will also result in some of the commercial space at first floor level becoming residential accommodation, and with the extensions one additional 2 bed flat would be provided, resulting in one 1-bedroom flat and two 2-bedroom flats / maisonettes over the first and second floors. (The existing accommodation consists of one 1-bedroom flat and one 2-bedroom flats/maisonettes.)
- 4.3 The majority of the ground floor would remain in business use, with a small portion of the new extension to be utilised as an entrance foyer for the residential accommodation above; first and second floor levels would be occupied solely by residential accommodation, as follows:
- Maisonette 1 will occupy parts of the first floor including parts of both the existing building and the proposed extension, and provide two bedrooms and an open plan living room and kitchen. This apartment also has a terrace which would be located above the proposed single storey rear extension. Two sash windows on the rear elevation would be replaced with double glazed timber sash windows of matching appearance.
 - Maisonette 2 would also be spread across parts of both the existing building and new extension, with a new opening proposed in the end gable wall of the original building to provide access between the living room and kitchen. The bathroom will be accessed via an existing window opening which is proposed to be enlarged to become a doorway and the existing staircase would be retained to provide access to two double bedrooms at second floor level. A new roof light is proposed above this staircase to provide natural light, ventilation and additional headroom.
 - Maisonette 3 would be located solely within the existing building and use the existing main staircase to provide access from the living room, kitchen and bathroom at first floor to a second floor bedroom. The existing roof light over the main staircase will be repaired where necessary and retained.
- 4.4 The property has the following planning history:

Ref.	Description	Decision and Date
97/76026/LBC	Installation of street lighting flood lamp with associated cable and control box to front elevation	Permitted 02.02.1998
15/03655/FULL	Single storey rear, part two storey, part three storey side extensions.	Withdrawn 16.12.2015
15/03657/LBC	Consent for single storey rear, part two storey, part three storey side extensions, Internal and external refurbishments and associated works following demolition of non-original extensions to existing buildings.	Withdrawn 16.12.2015

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework, Section 2, 4, 6, 7 10, 11 and 12.

Royal Borough Local Plan

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

Within settlement area	High risk of flooding	Conservation Area	Listed Building	Highways, car parking and cycle storage	Area specific policies
DG1, H10, H11	F1	CA1, CA2	LB2, LB3	T5, P4, T7	ETN1

Supplementary planning documents

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 these documents can be found at:

http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.4 Other strategies or publications relevant to the proposal are:

- RBWM Parking Strategy
- RBWM Strategic Flood Risk Assessment
- RBWM Townscape Assessment

View the above guidance at:

http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

- Conservation Area appraisal - view at http://www.rbwm.gov.uk/web/pp_conservation_consultation_appraisals.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i whether the proposal would harm the special historic or architectural interest, including the setting of, listed buildings, and if there is harm whether there are public benefits that would outweigh that harm;
- ii whether the proposal would preserve or enhance the character and appearance of the Eton Conservation Area, including impacts on trees;
- iii other design issues;
- iv whether the proposal would, either by itself or cumulatively with other similar proposals, impede the flow of flood water, reduce the capacity of the flood plain to store flood water, or increase the number of people or properties at risk from flooding;
- v the impact on the amenities of the neighbouring residents; and
- vi the adequacy of parking on the site and the impact on highway safety in the area.

Impact on the historic character and fabric of Listed Buildings

6.2 The Council has had special regard to the desirability of preserving listed buildings and their setting, and any features of special architectural or historic interest which they possess, as required under Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the application has been considered on the basis of the Development Plan, including Local Plan Policy LB2 and the NPPF. Paragraph 131 of the NPPF says that when determining applications local authorities should take account of the desirability

of sustaining and enhancing heritage assets and putting them to viable uses consistent with their conservation and the desirability of new development making a positive contribution to local character and distinctiveness.

- 6.3 A significant part of the south-facing flank wall of the original building would be covered up. Whilst the current visibility of the gable elevation is interesting and an attractive feature, covering up the majority of the gable elevation would not reduce the historical significance of the building. As the heritage statement sets out, within the last century this elevation was largely obscured from view because buildings continued along the western side of High Street.
- 6.4 It is considered that the blend of contemporary and traditional architectural features as a design approach for the side extension is appropriate because it ensures the extension represents the era within which it was constructed and allows the listed building to remain prominent and visually distinct. The quality of finish will be important and can be managed through condition. The proposed use of brick as a traditional material will compliment the listed building.
- 6.5 Proposed internal alterations to facilitate the new flats are small scale and would retain, to a large extent, the existing layout of the listed building. Where modifications are to be made they have carefully been chosen in locations that have far less significance such as the 19th century rear extensions to the building. A new single doorway through the gable wall of the oldest part of the building to facilitate the flat arrangements is a minor change that would not harm the special interest of the building.
- 6.6 It is considered that the setting of other important listed buildings including those along the High Street would not be compromised. Current views from Jubilee Square area towards Grade II listed St John's church to the north east would be obscured however it is not considered that this view is an essential part of the significance of the church building, although serendipitous views are an attractive element of a townscape.
- 6.7 Overall, the proposals retain and repair the important historical fabric of the listed building. It is considered that the proposals would preserve the special interest of 109 High Street and therefore would not cause harm as set out in the NPPF. The quality of the proposal together with some traditional external materials ensures the scheme complies with Local Plan Policy LB2. The public benefits of the continued use of the building for residential use together with much needed repairs to the building are genuine heritage benefits. It is also considered that the proposal would not harm the setting of nearby listed buildings.

The character and appearance of the Conservation Area including impacts on trees

- 6.8 NPPF 126 advises that new development should make a positive contribution to local character and at paragraph 137 that opportunities for new development should be sought in Conservation Areas that enhance or better reveal the significance of the Conservation Area. Where a proposal would cause less than substantial harm NPPF paragraph 134 explains that there should be public benefits from the scheme that outweigh that harm including putting the building to its optimum viable use.
- 6.9 The design of the side extension is clearly contemporary, and would provide a clear contrast between the old and new buildings at the site. While this differs from the styles of surrounding buildings, the design is of high quality and it is considered that this will preserve the appearance of the Conservation Area by providing an appropriately scaled extension that is "of its time" while also achieving a considerable sympathetic approach to the extension of the building. The more traditional but less visible extensions at the rear are also considered to be acceptable. In arriving at this recommendation special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 6.10 The proposed extensions are therefore also considered to achieve the aims of paragraph 126, and while some of the historic fabric - part of the side wall at first floor level and (in perspective) the second floor level will be lost in views from surrounding public viewpoints - the restoration and refurbishment of the listed buildings will achieve the aim of paragraph 137. The heritage benefits of the continuing use of the building for largely commercial use on the ground floor with residential above and the repairs to be undertaken to the building constitute heritage benefits and therefore the scheme meets the requirements of NPPF paragraph 134.
- 6.11 There are a number of trees located adjacent to the building. These include an ash and a lime on the southern boundary of the car parking area to the rear, and a young maple on the Eton Court street frontage towards its junction with the High Street. Local Plan policy N6 requires a tree survey to be submitted with any application where existing trees are a feature of the site and for good quality trees to be retained. While no tree survey was submitted, the site plan notes that the ash tree is 6.7m from the rear wall of the building, and the lime just less than 13.8m. The ash tree although with a sizeable trunk has been pollarded about 2.5 - 3.0m above ground level, and because of this it is highly unlikely that it could be graded at anything above 'C' category under BS5837. Had the application been recommended for approval BS5837 compliant tree protection around all adjacent trees prior to demolition and construction would have been conditioned.
- 6.12 Along with the small park at the corner of Eton Court, the young maple on the Eton Court street frontage makes an important contribution to the streetscape. The Tree Officer has commented that this tree was planted to replace a horse chestnut that formerly grew in this location but was removed because it was diseased, and raised an issue with the potential impact on this tree from future pruning as a result of the location of the first floor side extension. It is noted that four new first floor windows in the extension would face this tree, including the corner "wrap around" window that would face both frontages. Both this window and the next one towards the rear on the south facing elevation would serve a kitchen living room. The next window towards the rear would serve a stairwell, and the closest window to the rear corner of the extension would serve a bedroom that would also be served by a rear facing window. The tree is at present young enough to allow formative pruning that should not be detrimental to its longer-term form, and given that the two habitable rooms closest to the tree would be served by more than one window it is not considered that a possible need for future pruning to improve light for future occupiers is such that the future impacts on this tree would be detrimental of the character and appearance of the Conservation Area, and no objection is sustained on this issue.
- 6.13 The design and access statement explains that it is not anticipated that the building work would disturb the planting in Jubilee Gardens. This area is outside the application site boundary, although it is stated that the applicant intends to reinstate any plants which are compromised in the construction of the development. If the Council were minded to approve the scheme a condition would be required to ensure that tree protection extended to both the street frontage tree noted at 6.12 and this amenity planting, and any tree fencing on the public highway would require a separate highways license.

Other design issues

- 6.14 Policy N2 (Setting of the Thames) requires further consideration of design in this specific setting, and Policy DG1 also seek high standards of design in the layout, appearance and landscaping of new development. The Council's consideration of these matters is assisted by the Townscape Assessment (TA), which provides a very detailed assessment of the Borough's townscape areas and characteristics. The TA classifies the area as a Historic Town Core, and while there is an area of post-war flats to the south west this is not visible from public vantage points around the application site.
- 6.15 In the event that planning permission is granted, there is some scope for introducing discreet landscape elements in the rear car parking area, which would further contribute to the setting of the listed building and to the character and appearance of the Conservation Area.
- 6.16 As noted above, the overall design is considered to be acceptable in this historic context. It is also satisfies the requirements of Local Plan policy N2 and DG1 in this respect.

Flooding issues

- 6.17 The site lies within an area at risk from flooding. Flood Zone 3 is land assessed as having a 1 in 100 or greater annual probability of river flooding (>1% in any given year), and is classified as being at High Risk in flooding terms; Flood Zone 2 is at a moderate risk of flooding. The application site is wholly in Flood Zone 2, with a small part of the car park at the western edge being in Flood Zone 3.
- 6.18 The NPPF advises that new houses should be avoided in high risk areas and directed to lower risk areas using the Sequential Test to steer development to areas with the lowest probability of flooding. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. In this, case sites at a lower probability of flooding would be Flood Zone 2.
- 6.19 In the submitted Sequential Assessment (SA), a number of sites across the Borough have been assessed by the applicant in terms of whether they are 'reasonably available' alternative ones that could accommodate the development. These alternative ones are described by the applicant as being 'small windfall sites' that have been identified in through a review of the Council's Strategic Housing and Land Availability Assessment (SHLAA). The sites are up to 0.25ha in size and are ones in Flood Zones 1, 2 and 3. There are no allocated sites of this size allocated in the Local Plan or the Maidenhead Town Centre Area Action Plan.
- 6.20 A number of sites have been discounted for reasons such as: they are too small for the proposed development (0.05ha); they are in a higher risk flood area or in the same flood zone; and, the site can accommodate a greater amount of development to make a more efficient use of the land. In addition, some of the sites identified in the SA Officers are aware developments are either under construction or completed even though this has not been addressed in the submitted document. These are all valid reasons.
- 6.21 Some sites have been discounted in the SA for other reasons. The table sets out the reasons and the response of Officers:

SA Reason For Site Being Discounted	Response
The proposed development of apartments would be out of character with established residential areas.	It is not uncommon for apartments to be sited in established residential areas where the prevailing house type is detached, semi-detached and terraced houses. This would not be a valid reason to discount sites.
The site is in a location where the commercial element would not be appropriate.	The existing commercial use on the ground floor of the building will be retained albeit it within a slightly different configuration but without any increase in floorspace. There is no reason why the commercial part of the scheme has to be alongside the residential development. Further, and most importantly, it is only the residential development that needs to be considered for the purposes of the sequential test. Sites have been discounted in the Sequential Test based on the commercial element being incompatible with the location. This would not be a valid reason to discount sites.
Sites granted planning permission for residential development.	Sites with planning permission obtained by other parties would not mean that the site is not available to the applicant. As planning permission relates to the land and not a person, then such sites should be considered to be potentially available.

Sites refused planning permission.	Alternative schemes could be considered that could overcome reasons for refusal on the identified sites.
Lease restrictions	A site in Maidenhead Town Centre has been discounted because of 10 year leases that started in 2013. Leasehold ownerships would not mean that the site is 'not reasonably available' because ownership matters can be overcome.

- 6.19 In addition, the applicant has not considered sites within planning permission that are not referred to in the SHLAA. National Planning Policy Guidance refers to Environment Agency Standing Advice on the application of the SA, which states that sites of a similar nature that have planning permission should be assessed. For this reason and the reasons set out in the table above, the SA is considered to be flawed. As the Sequential Test has not been passed it is not necessary to consider any other aspects of flooding policy relating to the Exceptions Test and whether the development would be appropriate in flood risk terms. It is therefore not necessary to consider the applicant's 'Flood Warning and Evacuation Plan' document which was submitted alongside the SA.

Impacts on the amenities of the neighbouring residents

- 6.20 It is not considered that either the additional windows provided in this extended building or the rear facing first floor level balcony would result in any significant overlooking or loss of privacy to nearby properties. The proposal would also not result in any perceptible loss of light to windows serving adjacent properties.

Parking and highway safety

- 6.21 The site is deemed to be within a sustainable area being within 500m from the Windsor and Eton Riverside train station which has links to London. Therefore the minimum parking standard as provided in the Council's *Parking Strategy* is deemed to be acceptable, which is for 1.5 spaces per 60sqm for the ground floor commercial use (3 spaces per 120sqm) and 1 car parking space for each one or two bed flat. The highways officer advises that the current provision of eight existing spaces is two short of this standard. The proposal is to allocate five spaces for the shop and one space for each of the flats. Given the existing shortfall in on-site car parking, a section 106 planning obligation to restrict future residents of the new flats from being eligible for on-street parking permits would be required in the event that planning permission is granted. However a section 106 obligation has not been completed and the second reason for refusal is therefore recommended on the basis that the proposal does not provide sufficient on-site car parking, and in the absence of this control the proposal would result in additional demand for on-street car parking in an area within which demand exceeds supply.
- 6.22 Had the application been recommended for approval conditions requested in the Highways consultation response would have been included. This would include a requirement for submission and approval of a construction management statement.

Other Material Considerations

Housing Land Supply

- 6.23 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that applications for new homes should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.24 It is acknowledged that this scheme would make a contribution to the Borough's housing stock. However, it is the view of the Local Planning Authority that the socio-economic benefits of

the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme as identified in this report, contrary to the adopted local policies, all of which are essentially consistent with the NPPF, and to the development plan as a whole.

Aircraft noise

- 6.25 The area is subject to significant aircraft noise, and in the event that planning permission is granted a condition setting out measures to protect future occupiers from aircraft noise should be included in any permission. Because of the listed status of the building, it may however be the case that it will only be the new building fabric that can be made fully compliant with current requirements in this respect.

Living conditions of future occupiers

- 6.26 The proposed residential unit that will be located to the rear of the building will benefit from a first floor outdoor terrace area. While the two maisonettes that are closest to High Street will not, the existing accommodation does not benefit from private amenity space and therefore there is in essence no change in that situation. It is considered that the living conditions of future residents would be adequate and thus meet the requirements of the Core planning principles of the NPPF (paragraph 17).

Archaeology

- 6.27 The plan of the medieval town is largely unaltered and previous investigations along the High Street have recovered medieval and post-medieval remains. This proposal therefore lies in an area of archaeological importance and has the potential to impact on significant buried remains, particularly on the High Street frontage, where opportunities for archaeological investigation in Eton have been very limited.
- 6.28 Had the application been recommended for approval a condition would have been used to secure the appropriate details relating to archaeology. This is in accordance with Paragraph 141 of the NPPF which states that local planning authorities 'should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'.

7. ASSOCIATED INFRASTRUCTURE IMPROVEMENTS

- 7.1 The application proposes new residential development and therefore would be liable for a Community Infrastructure Levy contribution at the rate of £240 per sq.m. for the new floorspace to be provided.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

Ten occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 18 April, and the application was advertised in the Maidenhead and Windsor Advertisers on 21 April 2016.

Six letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
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1.	Scale and design of the proposed side extension is inappropriate in this location and as part of a listed building.	6.2 - 6.16
2.	Contemporary architecture has often been unsuccessful in Eton	6.2 - 6.16
3.	Concerns about construction traffic, as the rear of the site provides access to other nearby residential properties.	6.21 - 6.22
4.	Impacts on trees on site and on the street frontage.	6.11 - 6.13

Statutory Consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	The proposed development as submitted is unlikely to increase flood risk on site and elsewhere. Therefore, we have no objection to the proposal as submitted. However, the application must also successfully pass the flood risk sequential test to be deemed appropriate within flood zone 2 and provide a safe access and escape route to ensure adequate flood resilience.	6.17 - 6.19

Other Consultees

Consultee	Comment	Where in the report this is considered
Highways:	No objections subject to section 106 to control access to future parking permits for the new flat, and to conditions.	6.23 - 6.24
Berkshire Archaeology:	This proposal therefore lies in an area of archaeological importance and has the potential to impact on significant buried remains, particularly on the High Street frontage, where opportunities for archaeological investigation in Eton have been very limited. However it is noted that the proposal involves the removal of non-original existing extensions and their replacement, along the same wall lines, with new extensions. At face value, this suggests limited impact on <i>in situ</i> remains, although the foundations for the existing extensions may be shallow and slight. A condition has been requested.	6.27 - 6.28

9. APPENDICES TO THIS REPORT

- Appendix A - site location plan
- Appendix B - proposed elevation drawings, floor plans and streetscene drawing
- Appendix C - existing elevation drawings, section and floor plans

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. 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 for the full planning permission have not been successfully resolved.

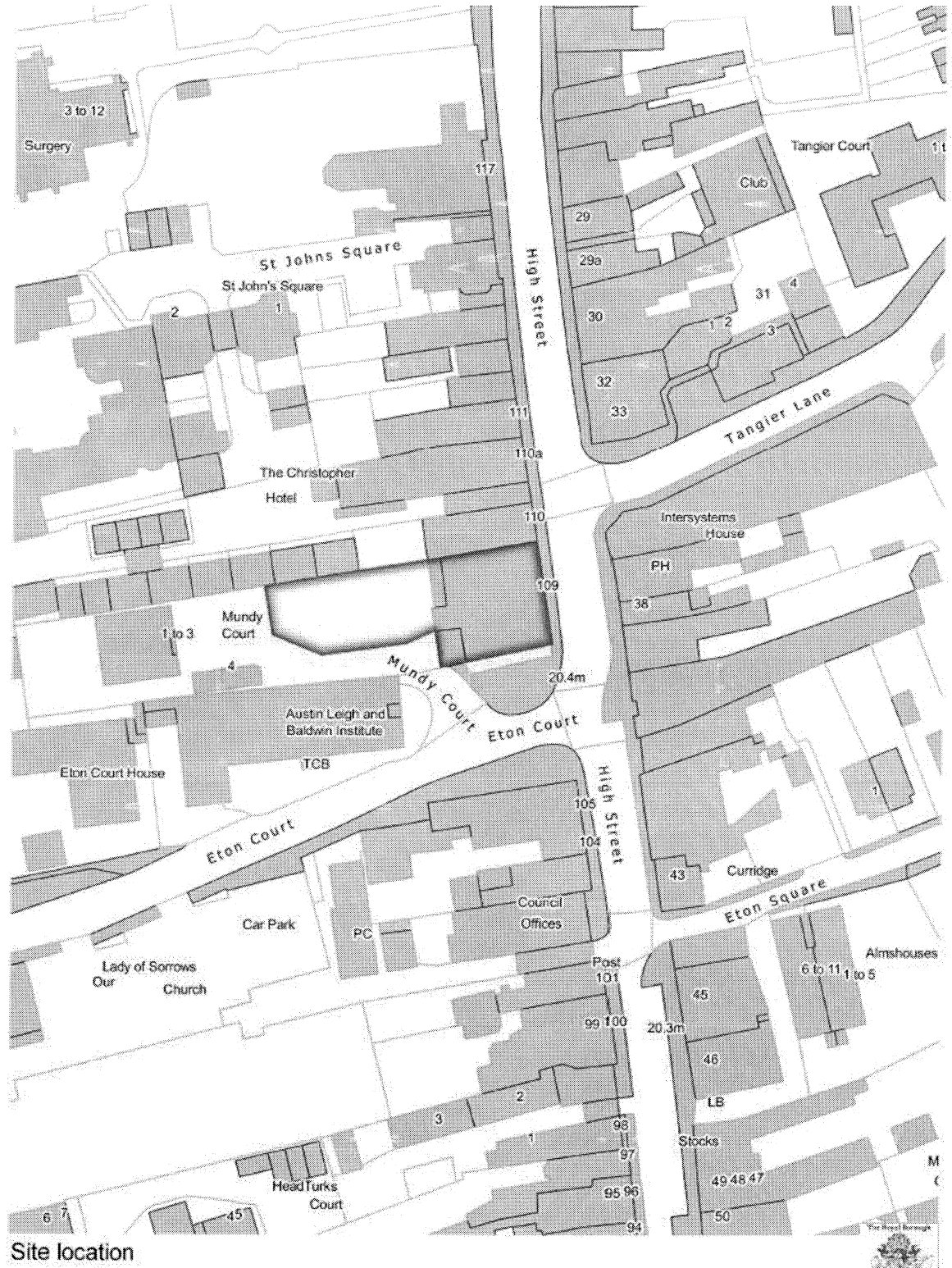
10. CONDITIONS FOR THE LISTED BUILDING CONSENT 16/01098/LBC IF GRANTED

- 1 The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
- 2 Rainwater goods shall be cast iron or cast aluminium.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 3 Prior to commencement a brick panel shall be created for inspection by the Local Planning Authority showing the proposed brick, bonding, mortar type, pointing detail and shall be approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 4 Prior to their insertion, details showing a section of proposed windows and external doors including opening surrounds shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 5 Prior to its use in the development a sample of coping material to be used (and elsewhere indicated for use) shall be provided to the Local Planning Authority and approved in writing. The work shall then be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 6 Prior to the commencement of the scheme a schedule of repairs to be undertaken to 109 High Street and a timeframe for the work shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 7 Where new openings are proposed in the listed building plaster will be made good with like-for-like plaster including lime plaster which it exists.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 8 This consent does not permit the demolition or dismantling of any part of the building, or the removal of any internal feature, floor, wall or ceiling surface, except in so far as the alterations and extension hereby approved necessitate the removal of certain parts of the existing structure as shown on the approved plans.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.
- 9 Prior to installation further details shall be provided for the balustrade including a details plan of the detail and information about the materials and finish to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved detail.
Reason: To protect and preserve the character of the listed building. Relevant Policies - Local Plan LB2.

11. RECOMMENDED REASONS FOR REFUSAL FOR APPLICATION 16/01097/FULL

- 1 It has not been satisfactorily demonstrate that there are alternative sites that are reasonably available at a lower flood risk that could accommodate the residential development contrary to advice in the NPPF 100 and 101 and Planning Practice Guidance. As the Sequential Test has not been passed, it is not necessary to consider flood policy relating to the Exceptions Test and whether the development is appropriate in Flood Risk terms.
- 2 The proposal does not provide sufficient on-site car parking, and in the absence of a section 106 agreement to remove eligibility of future residents for on-street car parking permits the proposal would result in additional demand for on-street car parking in an area within which demand exceeds supply, contrary to Local Plan Policy P4 and T5.

Appendix A – Location Plan



Site location

NOTES



FRONT ELEVATION
(EAST ELEVATION)

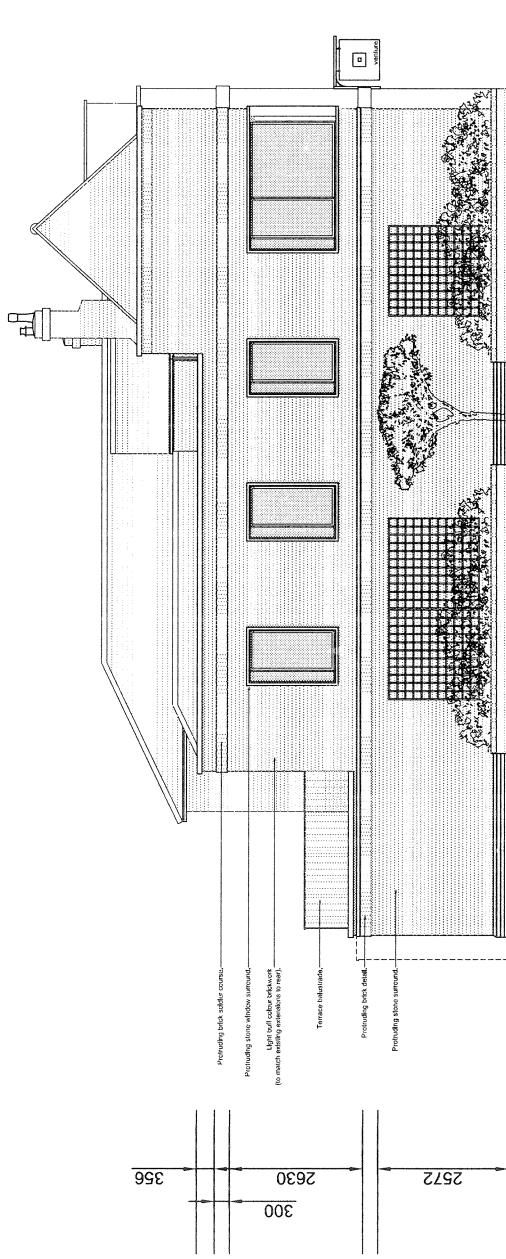
01 REVISED - ELEVATION NUMBER
00 ORIGINAL DRAWING NUMBER

REV. DATE DESCRIPTION DRAWN

CLIENT
MR R SHYMANSKY
PROJECT
109 HIGH STREET
ETON
DRAWING TITLE
PROPOSED EAST ELEVATION

STATUS
FOR PLANNING
PROJECT NO
2324
SCALE
1:100@A3
DATE
MAY 15
DWG NO
300
PL
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01
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AC

COMPILED BY: MR R SHYMANSKY, MR R SHYMANSKY, MR R SHYMANSKY, MR R SHYMANSKY
DRAWN BY: MR R SHYMANSKY, MR R SHYMANSKY, MR R SHYMANSKY, MR R SHYMANSKY
CHECKED BY: MR R SHYMANSKY, MR R SHYMANSKY, MR R SHYMANSKY, MR R SHYMANSKY
109 HIGH STREET ETON WINDSOR, BERKSHIRE SL4 4AA
T: 01753 620700 F: 01753 620421
WWW.LEWANDOWSKI.CO.UK



SIDE ELEVATION
(SOUTH ELEVATION)

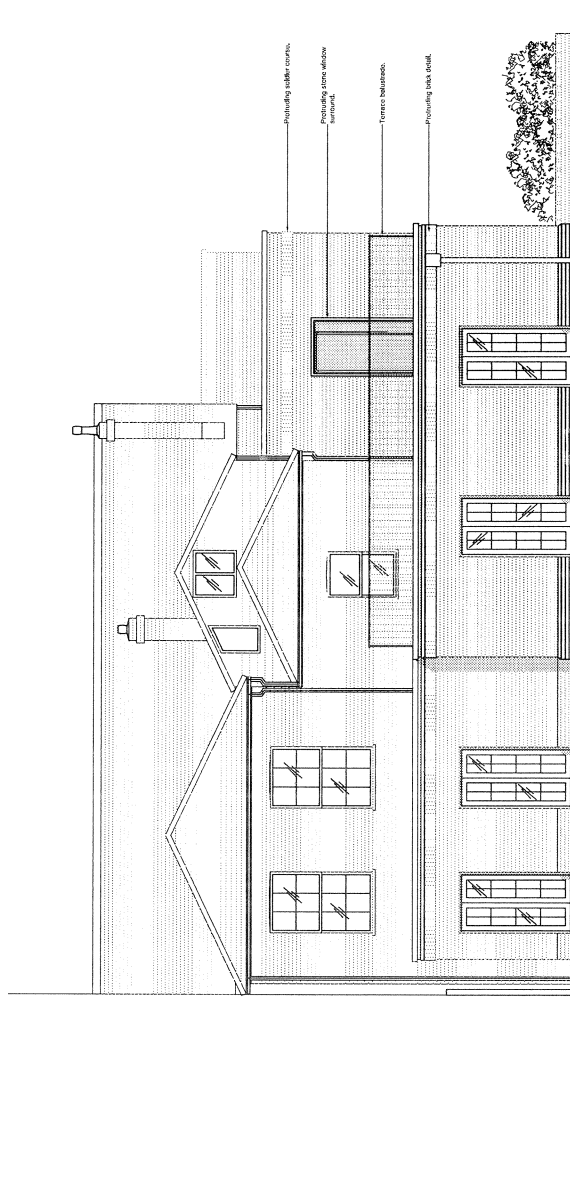
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CLIENT: MR. R. SHYMANSKY
PROJECT: 109 HIGH STREET
ETON
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STATUS: FOR PLANNING
PROJECT NO: 2324
SCALE: 1:100@A3
DATE: MAY 15, 2015
DWG NO: 301
REV: 01
DRAWN: AC
CHECKED: AC

LEWANDOWSKI ARCHITECTS
1117 N. LAUREL STREET, SUITE 200
CHICAGO, IL 60610
TEL: 312.487.8200
WWW.LEWANDOWSKIARCHITECTS.COM



REAR ELEVATION
(WEST ELEVATION)

01 APPROVALS: MARKS FOR PLANNING
00 SUBMITTED: 05/03/2011 11:48:05

REV DATE DESCRIPTION DRAWN

CLIENT: MR R SHYMANSKY
PROJECT: 109 HIGH STREET
ETON
DRAWING TITLE: PROPOSED WEST ELEVATION

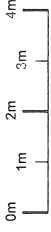
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PROJECT NO: 2324
DWG NO: 302
REV: 01

SCALE: 1:100 @ A3
DATE: MAY 15 2011
DRAWN: AC
CHECKED: AC

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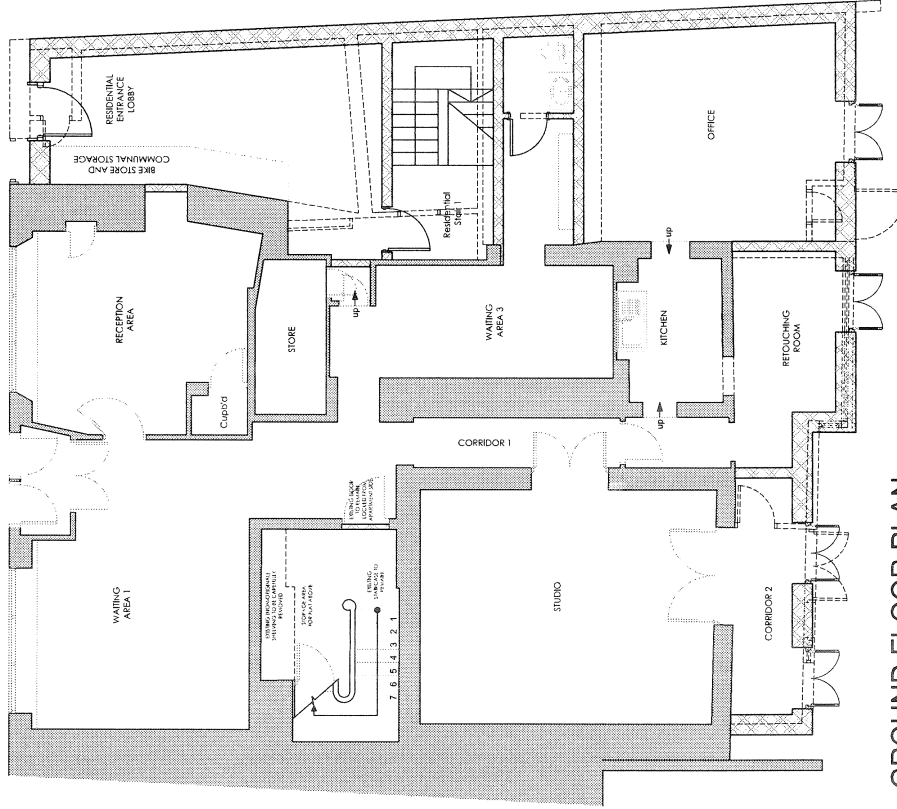
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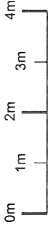
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- EXISTING STRUCTURE TO BE REMOVED
- NEW WALLS



GROUND FLOOR PLAN

01	DATE	REVISION NUMBER	BY
00	DATE	REVISION NUMBER	BY
REV	DATE	DESCRIPTION	DRAWN
CLIENT			
MR R SHYMANSKY			
PROJECT			
109 HIGH STREET			
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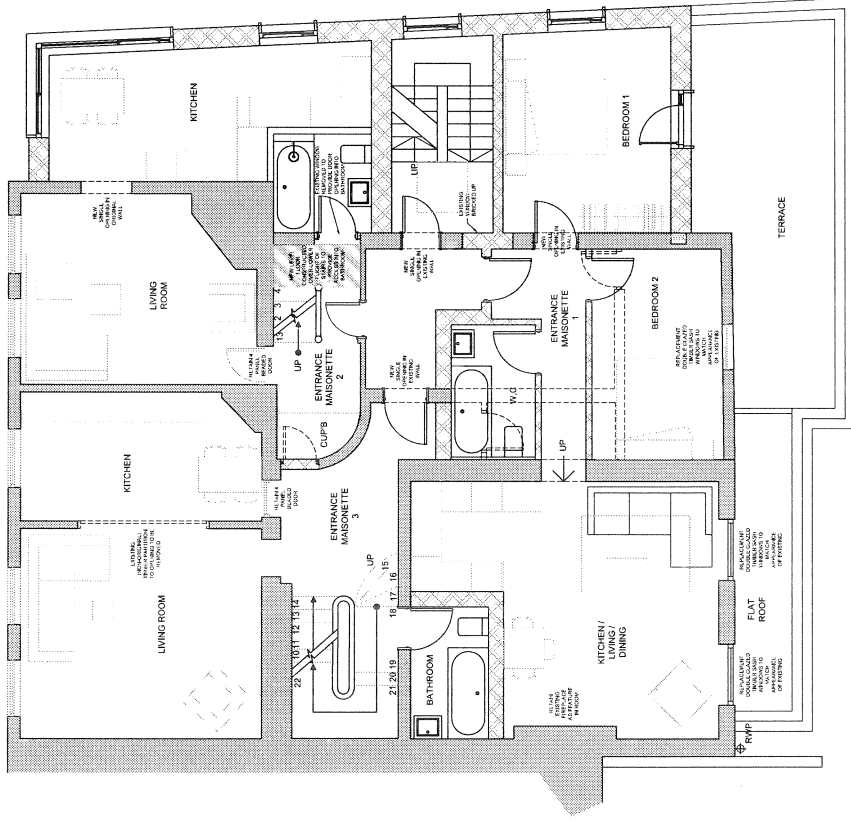
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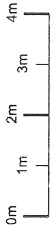
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- NEW WALLS



FIRST FLOOR PLAN

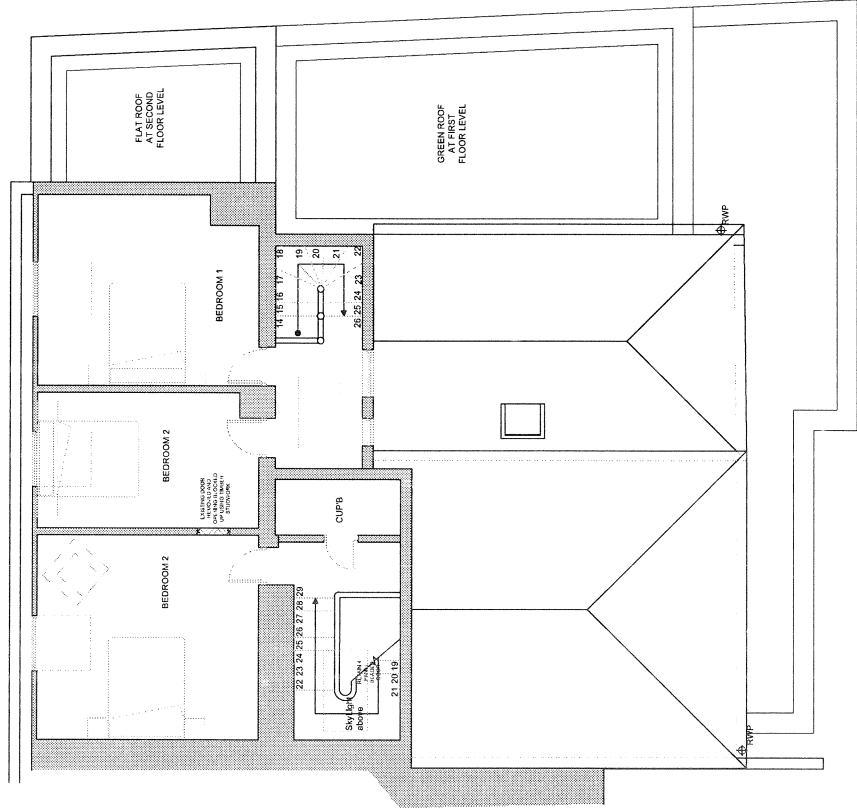
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STATUS: FOR PLANNING PROJECT NO: 2324 DWG TYPE: PL SCALE: 1:100 DATE: 03 MAY 15 DRAWN: AC CHECKED: AC				
LFW AND ASSOCIATED ARCHITECTS 130 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AE T: 01753 620200 F: 01753 620021 WWW.LEWANDOWSKIARCHITECTS.CO.UK				

NOTES	
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02	WORKS TO BE REMOVED
REV DATE DESCRIPTION DRAWN	
CLIENT MR R SHYMANSKY	
PROJECT 109 HIGH STREET	
ETON	
DRAWING TITLE PROPOSED SECOND FLOOR PLAN	
STATUS FOR PLANNING	
PROJECT NO 2324	DWG NO 202
SCALE 1:100@A3	DATE MAY'15
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<small>109 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AE T: 01753 620260 F: 01753 620421 WWW.LEWANDOWSKIARCHITECTS.COM</small>	



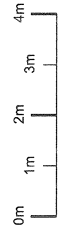
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- NEW WALLS



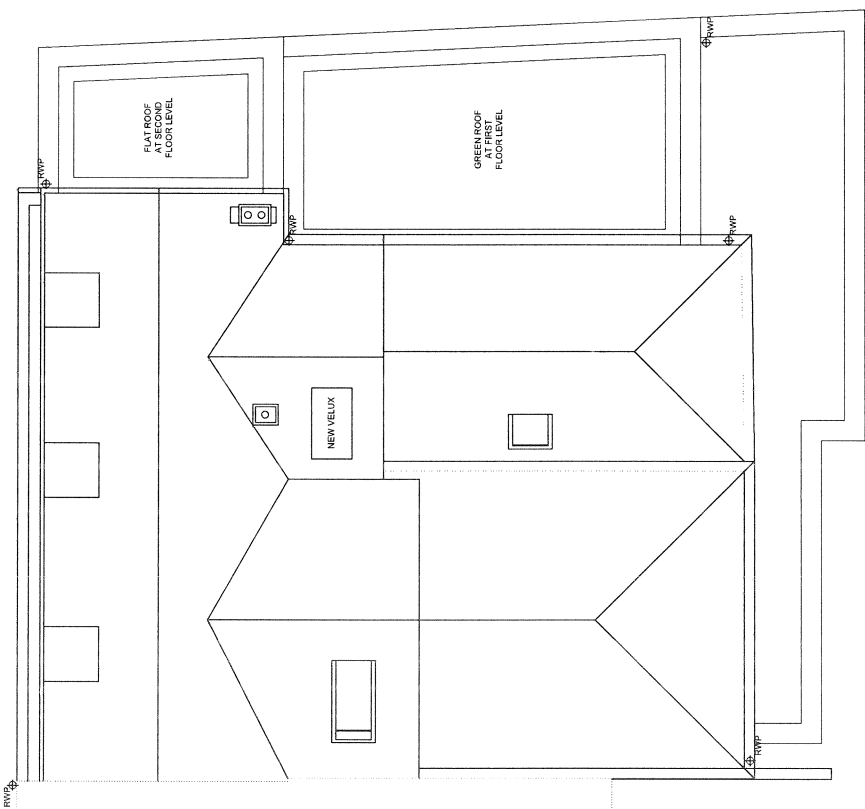
SECOND FLOOR PLAN

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CURT MR R SHYMANSKY PROJECT 109 HIGH STREET ETON DRAWING TITLE PROPOSED ROOF PLAN			
STATUS		FOR PLANNING	
PROJECT NO	2324	DWG TYPE	PL
REV	01	DWG NO	203
SCALE	1:100@A3	DATE	11 MAY 15
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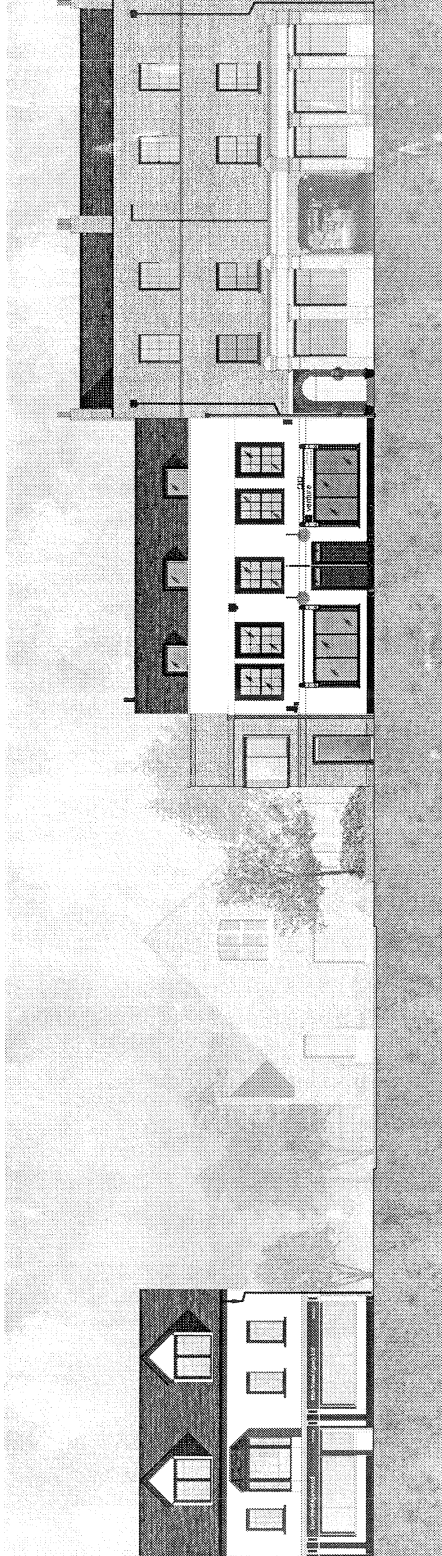


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- EXISTING STRUCTURE TO BE REMOVED
- NEW WALLS



ROOF PLAN



00 10/01/2016 10:00:00 AM

REV DATE DESCRIPTION

CLIENT

MR R SHYMANSKY

PROJECT

109 HIGH STREET

ETON

DRAWING TITLE

PROPOSED STREET ELEVATION

STATUS

FOR PLANNING

PROJECT NO.

2324

PL

310

DATE

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DATE

03/27

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109 HIGH STREET ETON, WINDSOR, BERKSHIRE SL4 4NR

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APPENDIX C.

Lewandowski Architects



NOTES

00 DOCUMENTS BIDDING DRAWING

REV	DATE	DESCRIPTION	DRAWN

CLIENT	MR R SHYMANSKY
PROJECT	109 HIGH STREET
LOCATION	ETON
DRAWING TITLE	EXISTING SITE PLAN
STATUS	FOR PLANNING
PROJECT NO	2324
DWG TYPE	PL
DWG NO	011
REV	00
SCALE	1:200@A3
DATE	MAY 15
DRAWN	AC
CHECKED	AC

3000 UNIVERSITY DRIVE, SUITE 100, WASHINGTON, DC 20007
 202-338-8300
 1017 31ST STREET, N.W., WASHINGTON, DC 20007
 202-338-8300
 www.lewandowskiarchitects.com



NOTES

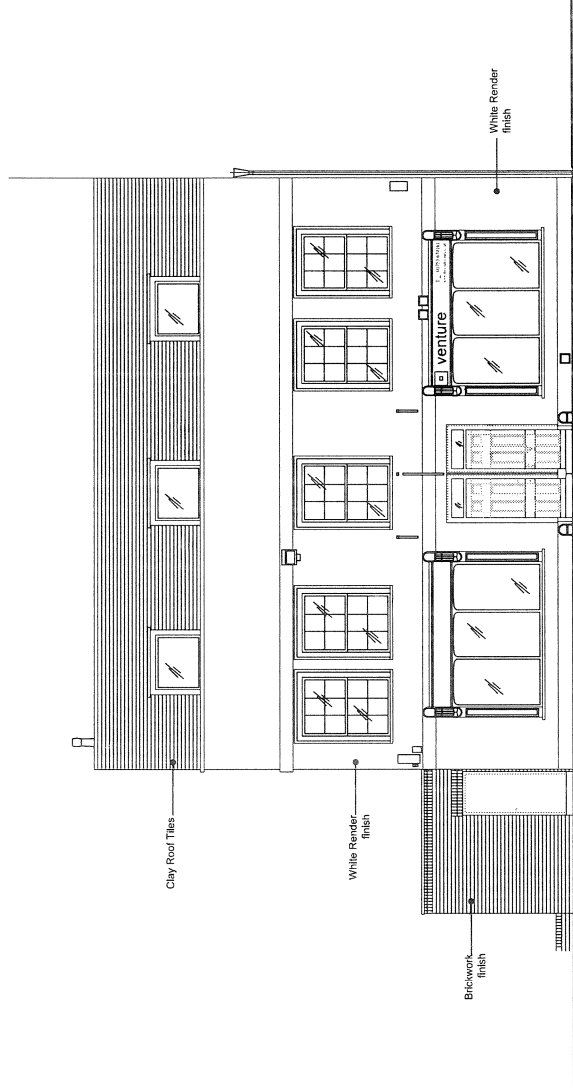
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PROJECT 109 HIGH STREET
ETON
DRAWING TITLE EXISTING EAST ELEVATION

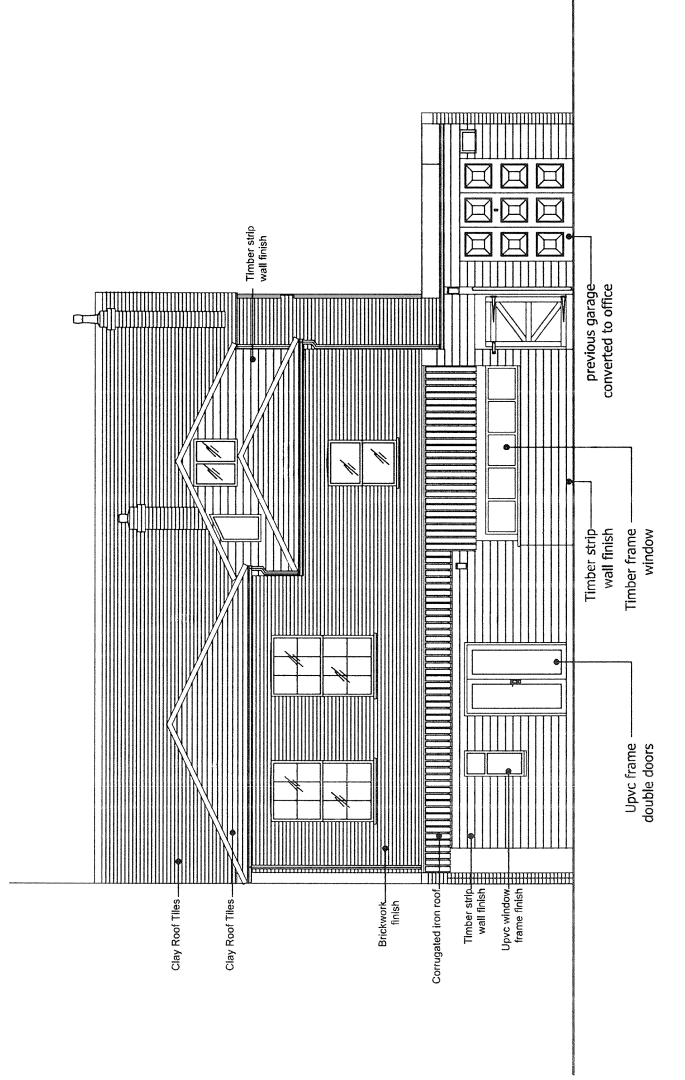
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PROJECT No 2324
DWG TYPE PL
DWG No 030
REV 00
SCALE 1:100@A3
DATE 11 MAY 15
DRAWN AC
CHECKED AC

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2. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED.
3. NO HIGH STREET, ETON, WINDSOR, Berkshire, UK
4. www.lewandowskiarchitects.com



FRONT ELEVATION
(EAST ELEVATION)

NOTES



REAR ELEVATION
(WEST ELEVATION)

100 UNITS OF 1/8" = 1'-0" (1:12.5)

REV. DATE DESCRIPTION DRAWN

CLIENT
MR R SHYMANSKY
PROJECT
109 HIGH STREET
ETON
DRAWING TITLE
EXISTING WEST ELEVATION

STATUS
FOR PLANNING
PROJECT No
2324
DWG TYPE
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CONTRACT NO. 109 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6AA
ARCHITECTS: LEWANDOWSKI ARCHITECTS
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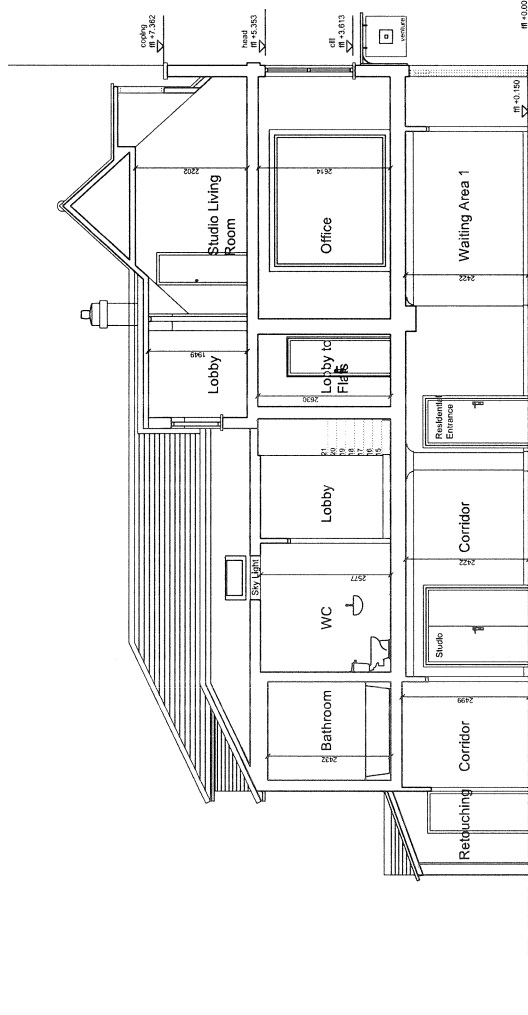
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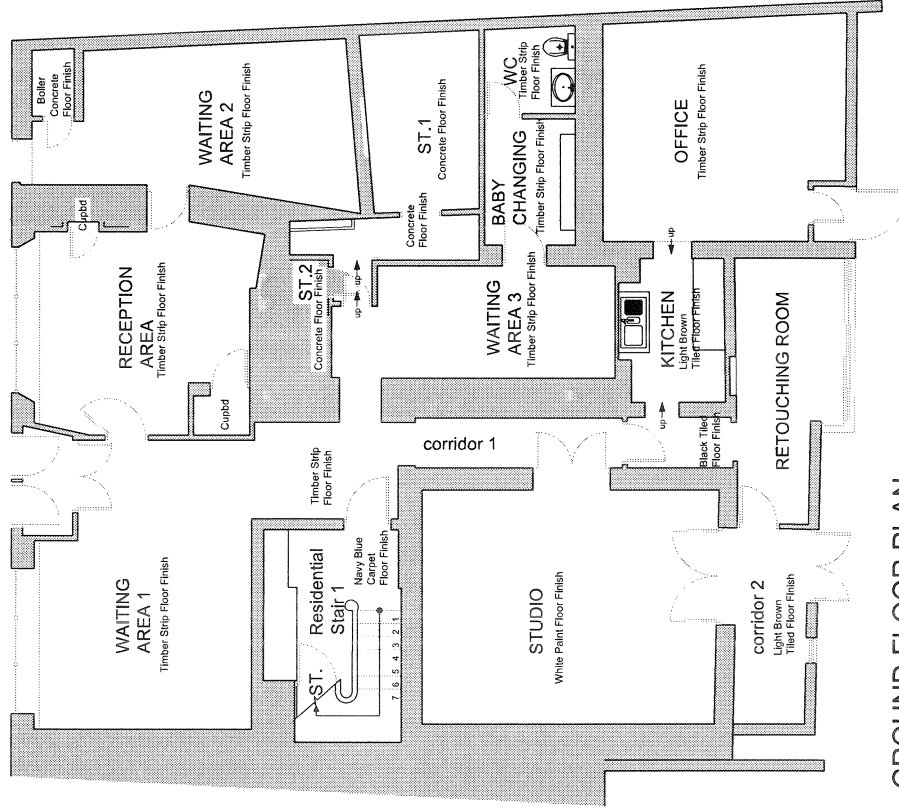
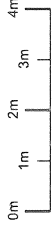
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CONTRACTOR: J. J. JENNINGS PARTNERSHIP OF PARTNERS OF PARTNERS
 100 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6JF
 ARCHITECTS: LEWANDOWSKI ARCHITECTS
 100 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 6JF
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Section A-A

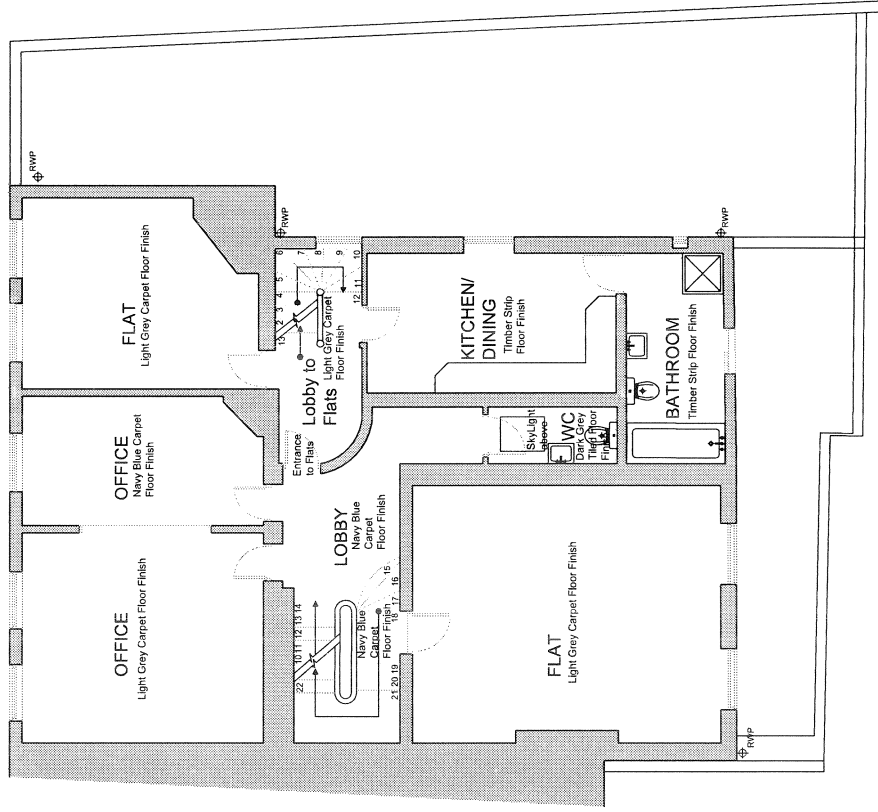
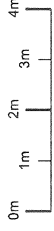
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GROUND FLOOR PLAN

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		MR R SHYMANSKY			
		PROJECT			
		109 HIGH STREET			
		ETON			
		DRAWING TITLE			
		EXISTING GROUND FLOOR PLAN			
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FOR PLANNING					
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2324	PL	00	020	00	AC
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<small> CONSULTING ARCHITECTS AND PLANNERS 100 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 4AP TEL: 01753 634444 FAX: 01753 634445 WWW.LEWANDOWSKIARCHITECTS.COM </small>					

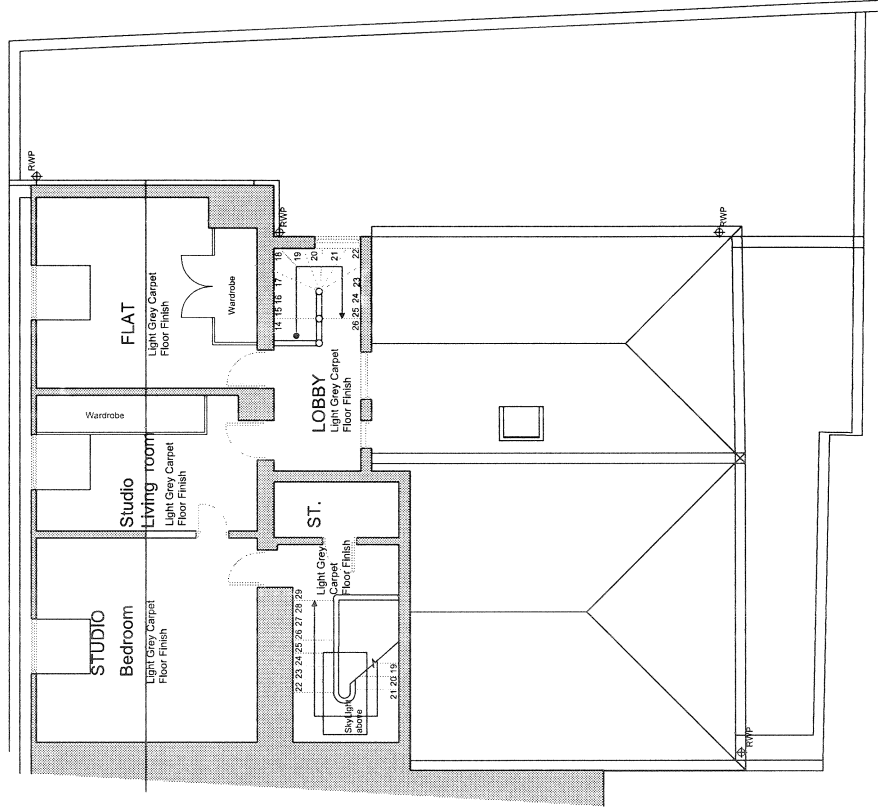
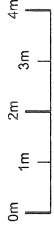
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FIRST FLOOR PLAN

00	100% COMPLETE	DATE	DESCRIPTION	DRAWN
CLIENT				
MR R SHYMANSKY				
PROJECT				
109 HIGH STREET				
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DRAWING TITLE				
EXISTING FIRST FLOOR PLAN				
STATUS				
FOR PLANNING				
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<small> LEWANDOWSKI ARCHITECTS, 130 HIGH STREET, ETON, WINDSOR, BERKSHIRE, SL4 4AA TEL: 01753 634444 FAX: 01753 634445 WWW.LEWANDOWSKIARCHITECTS.CO.UK </small>				

NOTES



SECOND FLOOR PLAN

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MR R SHTYMANSKY									
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<small> LWA ARCHITECTS LTD, 111 BRIMLEY ROAD, WILLOW PARK, DUBLIN 15, IRELAND. TEL: +353 1 452 2200 FAX: +353 1 452 2201 WWW.LEWANDOWSKIARCHITECTS.COM </small>									
<small> 100 HIGH STREET, ETON, WINDSOR, BERKSHIRE, UK, W6 6AA N. 01753 620766 F. 01753 620621 WWW.LEWANDOWSKIARCHITECTS.COM </small>									

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

9 November 2016

Item: 2

Application No.:	16/01578/FULL
Location:	51 Alma Road Windsor SL4 3HH
Proposal:	Part single, part two storey rear extension, additional habitable accommodation within existing roof space and widen vehicle access on front boundary
Applicant:	Mr And Mrs Parsons
Agent:	Mr Jeremy Evans
Parish/Ward:	Windsor Unparished/Castle Without Ward

If you have a question about this report, please contact: David Johnson on 01628 685692 or at david.johnson@rbwm.gov.uk

1. SUMMARY

- 1.1 This application was reported to Panel on the 12th October 2016, where the resolution of the Panel was defer the application for 1 cycle to allow for the Panel members to carry out a site visit. The following is the content of the original report; the recommendation of the Head of Planning is unchanged.
- 1.2 During the consideration of the application the applicants have submitted an amended drawing showing a reduction in the height and depth of the extension. The proposal is now very similar to the extensions previously approved at No. 49. It is on the basis of the amended plans that the recommendation is made.
- 1.3 The property is a large semi detached house situated in the Trinity Place Clarence Crescent Conservation Area of Windsor. It has accommodation over 3 floors, and a rear conservatory. The rear of the house has a projecting room on the ground floor with a catslide roof above it and featuring a dormer window to the bathroom above.
- 1.4 The proposal is to replace the catslide roof with a first floor extension above the existing room to accommodate a new bedroom. This would have a gable ended roof, and a new window facing the garden. All materials used would match the house, namely the bricks, roof tiles and timber framed sash windows.
- 1.5 Due to the orientation of the application site with the neighbouring dwelling No. 53,(application site sited to the north of no. 53) it is considered that the proposal would not result in a significant loss of light to windows in the rear and side elevations of the neighbouring property (No. 53). Although slightly higher by approximately 900mm than the extension approved at No. 49 Alma Road, the development would mirror the style of alterations and rebalance the look of the rear of these two properties. It is considered that the design is such that it would reflect the design of the original house, and would not be harmful to the appearance of the houses, or the street scene. The side of the extension would only be glimpsed from the street, and would otherwise not be visible from any public viewpoint.

It is recommended the Panel grants planning permission with the conditions listed in Section 9 of this report.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Rankin irrespective of the recommendation as there is public interest about the impact of the development on the Conservation Area.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1 The building is a three storey domestic dwelling located in a predominantly residential area. The property is semi-detached and is accessed from Alma Road. The rear of the site lies in the area at high risk of flooding, while the house itself is almost entirely outside of this area. The house is set behind a low wall along the road frontage. The site lies within the Trinity Place/Clarence Crescent Conservation Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The proposal is for a part single, part two storey rear extension, additional habitable accommodation within the roof space, although the amended drawings have removed the proposed additional bathroom in the roof space and widening of the vehicle access on the front boundary.

4.2 There is no relevant planning history for the property.

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	Conservation Area
Local Plan	DG1, H14	F1	CA2

5.2 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

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link at paragraph 5.2
- RBWM Parking Strategy – view using link at paragraph 5.2

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the proposal would have any adverse impact on the character and appearance of the area, on the street scene, or on the conservation area;
- ii Whether the proposal would increase the risk of flooding;
- iii Whether the proposal would harm the amenities of the neighbouring residents; and
- iv Highway and pedestrian safety.

Impact on the character and appearance of the area and the adjoining conservation area.

- 6.2 NPPF 126 advises that new development should make a positive contribution to local character and at paragraph 137 that opportunities for new development should be sought in Conservation Areas that enhance or better reveal the significance of the Conservation Area. Where a proposal would cause less than substantial harm NPPF paragraph 134 explains that there should be public benefits from the scheme that outweigh that harm including putting the building to its optimum viable use.
- 6.3 The design of the proposed rear extensions at No. 51 whilst not exactly the same as those approved and constructed at No. 49 would add balance to the rear of these two properties and are clearly contemporary, providing a clear contrast between the old and new building at the site. This part of Alma Road provides a variation in the design and size of properties and this can clearly be seen when viewing the row of properties from the rear. No. 49 and 51 form one set of semi – detached properties and No. 53 and 55 another set of semi – detached properties both sets completely different in design. It is therefore reasonable when assessing the impact of development on the conservation area to consider the impact of such development on its twin first and then the wider street scene. The design of the proposed extensions at No. 51 would in general terms mirror those of No. 49, it is considered that the proposals are of a high quality design and that this will preserve the appearance of the Conservation Area by providing an appropriately scaled balanced extension that is “of its time” while also achieving a considerable sympathetic approach to the extension of the building. In arriving at this recommendation special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.4 The proposed extensions are therefore also considered to achieve the aims of paragraph 126, and while some of the historic fabric - part of the rear wall and roof at ground and first floor level will be lost in views from surrounding public viewpoints the extension and refurbishment of the dwelling will achieve the aim of paragraph 137.

Whether the proposal would increase the risk of flooding.

- 6.5 The area in which the extension is located is identified as being within Flood Zone 3 and as such Local Plan Policy F1 would be relevant. Local Plan Policy F1 identifies that within Flood Zone 3, residential extensions up to 30sq metres will not normally be regarded as conflicting with the flood plain. Policy F1 advises that the 30sq metres will be taken to include all additions that required planning permission since 26 September 1978. There appears to be an existing conservatory to the rear of the dwelling, however there is no planning history for this and as such this would not be considered under Local Plan Policy, and the property has the full 30 square metre allowance. The rear projection would appear to be an original feature of this property. The proposed extension would have a ground covered area of approximately 8.2sq metres. The proposal is therefore less than 30sq metres and satisfies the requirements of Local Plan Policy F1.

Whether the proposal would harm the amenities of the neighbouring residents.

- 6.6 The National Planning Policy Framework (NPPF) was published in March 2012 and is a material planning consideration in the determination of planning decisions. One of the core planning principles contained within the NPPF seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. 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. Light guidelines are provided in Appendix 12 of the Local Plan to assist with assessing whether a proposed extension would result in a loss of light to the neighbouring properties.
- 6.7 With regard to impact on the adjoining property no. 49 Alma Road, it is not considered that the proposed rear extensions will have a significant impact on the amenities of the neighbours in terms of loss of light or privacy over that which currently exists.
- 6.8 With regard to the neighbour amenity at no. 53 Alma Road this property has a side rear conservatory extending from the rear elevation to the line of the existing rear elevation of the

application site. The proposal would extend the ground floor by 1m and increase the height from 2m at its lowest point to 3m. The proposed depth of the first floor extension would be approximately 6.4m at its highest point with the total height being approximately 6m (eaves) closest to the boundary with no. 53. At first floor level the proposed extension would not infringe the 60 degree daylighting angle from the closest rear-facing window of no. 53 Alma Road and therefore the upstairs rooms of this neighbour would not be adversely affected. No. 53 is situated to the south of no. 51 and therefore no blocking of sunlight would take place as a result of the proposed extension. The proposed two storey rear extension will be visible from the neighbour's conservatory and rear garden because of the relative positions of the two dwellings. However, the two storey element will be no closer to the side boundary than the existing side elevation of the dwelling (0.9m), it should be noted that Policy H14 (4) refers to a minimum setback at first floor level of 1m from the boundary with the neighbouring property this however, relates to side extensions and not as in this case rear extensions and is designed to prevent a terracing affect between properties by reducing the gap. The proposed extension is set well down from the ridge of the main roof and will have a pitched roof which would serve to reduce its bulk near the boundary. Considering these factors, it is therefore considered that the proposal would not cause a harmful overbearing impact sufficient to justify refusal of the application.

6.9 Lastly in respect of the side facing windows and door referred to above, it should be noted that in planning terms it is accepted that side windows do not enjoy the same freedom from visual intrusion that normally applies to windows contained in principal front or rear elevations. Indeed, light and outlook is usually restricted to side windows, particularly in a suburban environment such as this.

Highway and pedestrian safety

6.10 Although the extension would increase the number of bedrooms in the property to five, it is considered that the apron parking in front of the property is sufficient for the house as extended, situated as it is within an urban area well served by public transport.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Two occupiers were notified directly of the application. The application was advertised in the Maidenhead and Windsor Advertisers on 2nd June 2016. The planning officer posted a statutory notice advertising the application at the site on 10th June 2016.

Two letters were received objecting to the application, summarised as:

	Comment	Where in the report this is considered
1.	With regard to Mr Evans (Bowen Evans) letter dated 20 June 2016, it states the scheme has been amended and "the roof has been lowered to match the height of the rear extension at number 49 Alma Road". Having compared the application drawing with the scheme approved and built at No. 49, I have marked on the ridge and eaves heights in red on the amended drawings to show how the current proposals are significantly higher than the extension to the adjoining house.	See Para. 1.4 and 6.3.
2.	Furthermore, I should point out that 49 Alma Road is not adjacent to a residential property and is indeed some distance from the adjoining medical consultancy building so the impact of that extension are minimal and with no detrimental effects. The proposals at No. 51 however are in very close proximity and overbearing to my property [see attached marked photos]. Suffice to say I would not expect the ridge or eaves height of the extension to be any higher or the extension to be any deeper at first floor level than that at No. 49. This at the very least will	See Para. 6.8 (The proposal is no deeper than the scheme approved at no. 49 but is approximately

reduce any unnecessary loss of day light currently enjoyed in my dining room and lessen the overbearing impact the proposed extension will have.	900mm higher).
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Other consultees and organisations

Consultee	Comment	Where in the report this is considered
The Windsor and Eton Society	<p>The application refers to a two and a half storey extension but the “half” roofline height in the drawings show a full storey roofline making this a 3 storey extension.</p> <p>51 Alma Road is one of a pair of semi-detached Victorian villas in the Windsor Trinity Conservation Area. The application is at odds with the 2 storey extension to 49 Alma Road (the other semi) (reference planning application 07/01720). A comparison of the two drawings for both these extensions shows very clearly that the above application is to create a third floor extension and roofline.</p> <p>The proposal would unbalance this fine pair of Victorian villas. The opportunity should be taken to recreate a mirror image with an amended scheme in line with the 2007 scheme next door. This would enhance the Conservation Area.</p> <p>In addition, the excessive height and depth makes this proposed extension overbearing which would, in its current form, cause substantial harm to both the amenity of neighbours and the Conservation Area.</p>	The drawings have been amended to reduce the height and depth of the proposed extension, so visually it is now more in the style of first floor extension originally approved at no. 49. The proposal now offers a scheme that would visually add balance to the two dwellings.

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan, plans and elevation drawings

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 NPFF.

In this case the issues have been successfully resolved.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

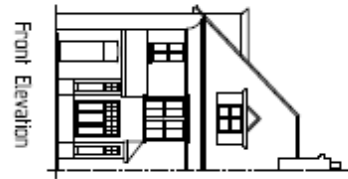
- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall match those of the existing building unless first otherwise agreed 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 Policies - Local Plan DG1.

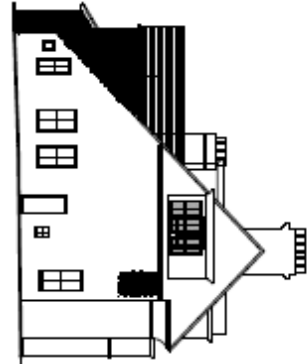
- 3 No windows shall be inserted at first floor level in the north and south facing elevations of the extension without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H14.

- 4 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.

Appendix A – 16/01578/FULL, 51 Alma Road, Windsor - Location Plan, Floor Plans and Elevations.



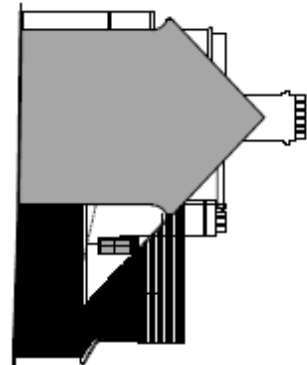
Front Elevation



Side Elevation



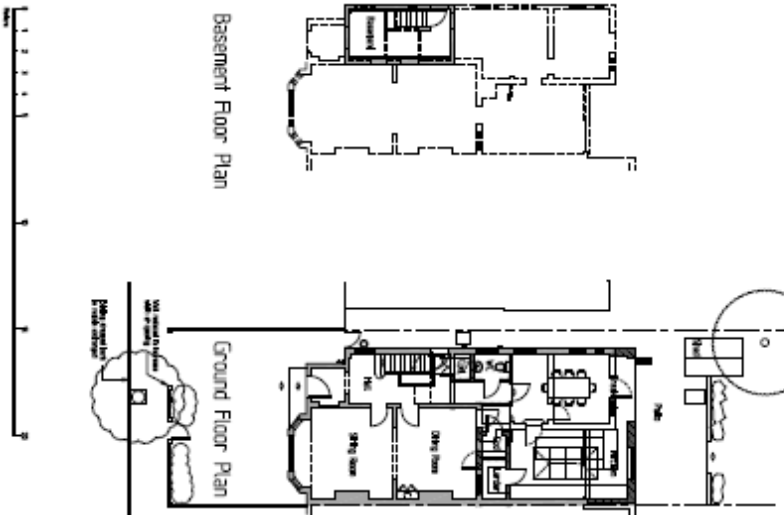
Rear Elevation



Side Elevation

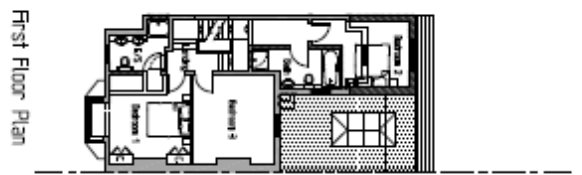


Site Location Plan (1:250)

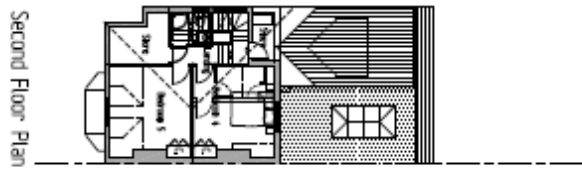


Basement Floor Plan

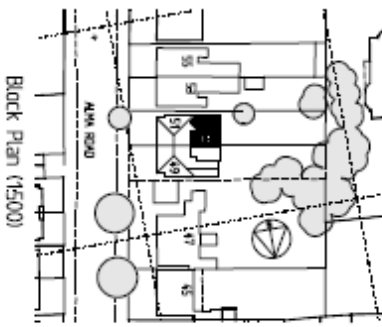
Ground Floor Plan



First Floor Plan



Second Floor Plan



Block Plan (1:500)

FOR: MR & MRS PERKINS	DATE: 14/11/16	NO. OF SHEETS: 16
SCHEME PROPOSALS	SCALE: 1/4th	NO. OF SHEETS: 16
Plans & Elevations	DATE: 14/11/16	NO. OF SHEETS: 16
1:100	14/11/16	16-01-16A
DOMINI EVANS CONSULTANT ARCHITECTURAL SERVICES 100, WINDSOR ROAD WINDSOR, WYOMING, WY 82301 TEL: 307.733.1111 		

WINDSOR URBAN DEVELOPMENT CONTROL PANEL

9 November 2016

Item: 3

Application No.:	16/02702/FULL
Location:	23 And Land At 21 Clewer Hill Road Windsor
Proposal:	2 No. detached houses, pair of semi detached houses and new access following demolition of existing dwelling at No. 23.
Applicant:	Quantum Estates
Agent:	Mr Paul Dickinson
Parish/Ward:	/Park Ward

If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk

1. SUMMARY

- 1.1 This application was reported to Panel on the 12th October 2016, where the resolution of the Panel was defer the application for 1 cycle to allow for the Panel Members to visit the application site, and the affected neighbours on Kimber Close. The recommendation of the Head of Planning is unchanged. There was a Panel Update at the previous meeting, where it was reported that a further 5 letters of objection, a letter of support, and comments from the Highway Authority and Tree Officer had been received. These comments are summarised in the tables in Section 8 of this report.
- 1.2 The application seeks planning permission for 2 new detached dwellings and a pair of semi-detached dwellings, following the demolition of number 23 Clewer Hill Road. The development is considered to have an acceptable impact on the character and appearance of the area, where a mix of housing styles exist, and the development is not considered out of keeping with the pattern and form of development in the area.
- 1.3 The proposed development will be visible from neighbouring properties, however, it is not considered that the development would be unduly overbearing or would result in unacceptable levels of overlooking to neighbouring properties to warrant refusal of the application.
- 1.4 The scheme would provide sufficient on-site parking in accordance with the Council's Parking standards, and is considered to have an acceptable impact on highway safety.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.
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2. REASON FOR PANEL DETERMINATION

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site consists of a detached bungalow set in a long garden (23 Clewer Hill Road), and a detached dwelling number 21 Clewer Hill Road and its rear garden.
- 3.2 The surrounding sites to the application site are:
 - to the south-east side, the gardens of 17 and 19 Clewer Hill Road and beyond this a flatted development at Byron Court;
 - on the north-western side, 25 Clewer Hill Road, another smaller detached property; and,
 - to the rear is 11 and 12 Kimber Close.

3.3 The style of size of residential properties is varied along Clewer Hill Road.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
02/82563/FULL	Erection of 18 three bedroom dwellings following demolition of existing properties.	Would have refused; appeal on grounds of non-determination was dismissed.
02/82564/FULL	Erection of 18 three bedroom dwellings following demolition of existing properties.	Refused, 01.11.2002.
16/01440/FULL	Erection of 9 dwellings and new access, following demolition of number 23.	Refused on the 30.06.16.

4.1 The proposal is to demolish the detached bungalow at 23 Clewer Hill Road and build two detached houses, and a pair of semi-detached houses. A detached dwelling would be built in the place of number 23 Clewer Hill Road. A new detached dwelling and a pair of semi-detached dwellings would be constructed at the rear of the application site. The proposed dwellings would have a mix of pitched and hipped roofs. The dwellings would be finished in a mixture of brick and tile hanging. A new vehicular access to the houses at the rear of the site would be created between the new detached dwelling at the front of the site (plot 1) and the dwelling at number 21 Clewer Hill Road.

4.2 The scheme provides for areas of hardstanding for parking bays in front of the new dwellings, and each dwelling would have 2 car parking spaces. The plans show the provision for some new soft landscaping within the scheme.

4.3 The heights of the proposed dwellings are set out below.

	Height to ridge (metres)	Height to eaves (metres)
Plot 1	9	5.1
Plot 2	9	5.1
Plots 3 and 4 (semi-detached)	9.4	5.1

4.4 This application submission follows the refusal of planning permission for 9 dwellings (where the application site was larger), which was refused on the following grounds:

1. The layout and design of the proposed buildings would result in cramped relationships with the surrounding residential development that would be harmful to the character of the surrounding area, and would introduce a scale of built form that would be harmful to the character and amenity of its surroundings. This harm would arise from: The width of the two terraces across the site; the proximity of the two buildings comprising Plots 2 - 9 and of the ends of the access road to the side boundaries, which would result in there being little space available for significant planting along these boundaries that could assist in mitigating the impacts of the development on the properties to either side; and the amount of hardstanding in front of the Plots 2 - 9 houses, which would result in a blurring of the clearly defined plots at

this site. The proposal is therefore contrary to saved policies DG1, H10 and H11 of the Royal Borough of Windsor and Maidenhead Local Plan 1999 (incorporating alterations adopted June 2003) and to advice in the National Planning Policy Framework Section 7 (Requiring Good Design).

2. The proposed would be detrimental to the privacy of surrounding properties at Clewer Hill Road and Kimber Close, particularly from overlooking second floor windows in the proposed townhouses (Plots 2 - 9) and from the rear balconies at Plots 6 - 9. In addition the siting and width of the terraced buildings on the rear of the plot combined with their height would present a mass that would be harmful to the outlook of the occupiers of Kimber Close. The proposal would be contrary to Core Planning Principle 4 of the National Planning Policy Framework.
3. While the level of car parking would be sufficient for nine 3-bedroom dwellings some of the dwellings could be utilised as four-bedroom houses, and the development does not provide sufficient car parking to meet the likely level of future demand for car parking. As such, the proposal is contrary to Local Plan Policies DG1, P4 and T5.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework (NPPF):

Paragraph 14 - presumption in favour of sustainable development;
 Paragraph 17 - good standard of amenity for all; and,
 Paragraphs 56, 57, 60 and 64 – Design.

Royal Borough Local Plan

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

Within settlement area	Highways and Parking	Aircraft noise
DG1, H10, H11	P4, T5	NAP2

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i the impact upon the character and appearance of the area;
- ii the impact on the living conditions of occupiers of neighbouring properties;
- iii the living conditions of future occupiers at the development;
- iv impacts on biodiversity within the site;
- v highway safety and parking

Impact on the character and appearance of the area

6.2 The site consists largely of rear garden land, which is not considered as previously developed according to the NPPF. However, land may be developed within urban and suburban areas, provided that the key planning policy requirements at both National and Local level are properly

addressed. At the local level, Local Plan policies H10, H11 and DG1 are all relevant in considering the layout, character and appearance of new residential development. These policies are considered to be consistent with those of the NPPF.

- 6.3 The Council's Townscape Assessment (TA) is of assistance in interpreting local character, classifying the Borough's urban areas into 17 townscape types and, within each townscape type, identifying character areas. The application site is set within an 'interwar suburb' townscape, specifically character area 8P. On the northern side of Clewer Hill Road is the Victorian Village character area 5D, and the 'late twentieth century suburb', character area 10AC abuts the site on its southern side. All three of these character areas are typical townscapes of their type, although directly to the east of the site, Byron Close is an atypical large flatted development that is mainly three stories in height. This Close was formed across the site of the former 13 Clewer Hill Road and former rear garden land at 7, 9, 11 and 15 Clewer Hill Road, and provides 29 flats in a three storey building.
- 6.4 The proposed dwelling on plot 1 (to replace number 23) is considered to have an acceptable impact on the streetscene. In looking at the pattern of development within this part of Clewer Hill Road, it can be seen that dwellings on this side of the road tend to be set close to the road, with long rear gardens, however, the flatted development at Byron Court is set well back from the road, and this building also forms part of the character of the area.
- 6.5 It is also important to consider that the previous application for dwellings was not refused on the basis that the development to the rear of this land was unacceptable.
- 6.6 This scheme is considered to be materially different from the previously refused scheme. The previously refused scheme was deemed to be harmful to the character of the area, owing to the width of the buildings, the proximity of the buildings to the side boundaries, and the extent of hard surfacing in front of the buildings. Compared to the refused scheme where there were two blocks of terraced houses at the rear of the site, the proposed dwellings are more broken up in scale and massing. Instead of the long terraced buildings, the built form now comprises a detached and semi-detached dwelling, and the use of hipped and gable roofs reduces the mass of the building compared to the mansard roof that was used in the previously refused scheme. Even though the ridge heights of the dwellings are higher in this application, the eaves are 0.9 metres lower than in the previously refused scheme. It is considered that the overall scale massing of the buildings has been reduced from the previously refused scheme.
- 6.7 In respect of hardstanding, whilst it is acknowledged that a fairly large amount of hard surfacing would be laid down in front of the dwellings, and it would be a dominant feature, this scheme does allow for more soft landscaping than in the previous scheme.
- 6.8 It is understood that trees were previously cleared from the site; however, these were not subject to Tree Preservation Orders. It is not considered that there are any trees or vegetation on the site which are worthy of retention, and some smaller trees could be planted as part of the landscaping scheme if this application is approved (see condition 5).
- 6.9 The proposed dwellings are considered to be of a good design, and are considered to fit appropriately with the mix of housing styles in the area.

The living conditions of occupiers of neighbouring properties

- 6.10 This scheme does not have second floor windows or balconies in their rear elevations that face Kimber Close (this was part of the reason for refusal in the previous application). Whilst the proximity and relationship of the proposed buildings with the rear gardens of Kimber Close remains largely the same as in the previously refused scheme, the scale and mass of the buildings have been reduced from the previous scheme, as there is no longer a solid terrace. In addition, the style of roofs proposed is less bulky and imposing than the mansard roof in the previous scheme.
- 6.11 As a guide, habitable room windows which directly face each other should be at least 21 metres away from each other. The proposed dwellings would be over 21 metres away from the rear elevations of the dwellings on Kimber Close (numbers 11 and 12), and so it is not considered that

the development would give rise to unacceptable levels of overlooking in the habitable room windows of these dwellings.

- 6.12 The first floor windows in the dwellings on plots 2-4 will be visible above the boundary wall with Kimber Close, and so the development will give rise to some views into the rear gardens of numbers 11 and 12 Kimber Close. However, given that the first floor windows in the rear elevations of the proposed dwellings are at least 11 metres away from this boundary wall, it is not considered that the first floor windows would give rise to an unacceptable level of overlooking to these rear gardens to warrant refusal on these grounds. It should also be noted that garden areas are afforded less protection in terms of privacy and overlooking than habitable rooms windows. It is considered that if new dormer windows were inserted in the rear roofspace of the dwellings on plots 2-4 that this is likely to give rise to unacceptable overlooking in to the rear gardens of 11 and 12 Kimber Close (from elevated views), and as such a condition to remove permitted development rights to insert dormer windows in the rear elevations of these properties is recommended (see condition 8).
- 6.13 The dwellings, and particularly the roofs will be visible from numbers 11 and 12 Kimber Close. However, the test is not whether they are visible, but whether the building would harm the outlook from these properties. The style of the roofs of the dwellings on plots 2-4, means that the roofs slope away from numbers 11 and 12 Kimber Close, which helps to reduce the impact. Given that the gardens to numbers 11 and 12 Kimber Close are fairly spacious, and owing to the reduction in scale and mass in this scheme, it is considered that the new dwellings would not be overly oppressive or overbearing to the gardens of Kimber Close to warrant refusal on these grounds. Also, given the distances between the proposed dwellings and the neighbouring dwellings on Kimber Close, it is not considered that the scheme would result in an unacceptable loss of daylight or overshadowing to habitable room windows in numbers 11 and 12 Kimber Close.
- 6.14 The side facing windows at first floor level and above in plots 2 and 4 would not face any private amenity outdoor space in neighbouring dwellings, and so the relationship is considered to be acceptable. Looking at the relationship of the proposed dwellings on plots 2-4, with numbers 19 and 25 Clewer Hill Road, there would be an oblique relationship with the windows in the front elevations of these proposed dwellings, and the rear gardens and dwellings on these neighbouring plots, as such it is not considered that unacceptable levels of overlooking would arise.
- 6.15 There is a side facing bedroom window in number 25 Clewer Hill Road, however, given that there is a gap of 2.6 metres between the dwelling on plot 1 and the side elevation of number 25, it is not considered that there would be an unacceptable impact on this window. The side facing bedroom window in number 25 is the only window serving this room, but has been created as result of an extension to this dwelling. The proposed dwelling on plot 1 would breach the 25 degree light angle to a dining room window at ground floor level in the side elevation; however, the extension to this dwelling resulted in this being the only window to the dining room. It also has to be taken into account that side facing windows do not normally have the same freedom from visual intrusion that normally applies to windows contained in principal front or rear elevations.

The living conditions of future occupiers at the development

- 6.16 It is considered that each of the proposed dwellings would have reasonably sized gardens, for future occupiers. Each of the gardens would be between 8-10 metres deep and 8-9 metres wide. Also, the distances between the proposed new dwellings at the rear of the site and the rear elevations of the dwellings fronting Clewer Hill Road (plot 1 and number 21) are in excess of 20 metres, and so there is not considered that there would be unacceptable levels of overlooking arising between these dwellings. There is a window in the second floor level in the dwelling on plot 1 which would face the parking bays in front of the proposed dwelling on plot 2; this area is not a private amenity space, and so the views onto this area is considered to be acceptable.

Impacts on biodiversity within the site

- 6.17 An ecological walk over survey was undertaken in March 2016. The conclusions of this walkover survey was that there was no evidence of protected species on site.

Highway safety and convenience

- 6.18 The car parking provision of two spaces per dwelling complies with the maximum requirement for three-bedroom dwellings in the Council's *Parking Strategy*. The parking spaces comply with the dimensions for the parking spaces (2.4x 4.8 metres), with a 6 metre gap behind the parking bays to allow the cars to manoeuvre out of the parking spaces. The site layout plan shows that a refuse vehicle can manoeuvre within the site to leave in a forward gear.
- 6.19 The site layout plan shows that visibility splays of 2.4 x 43 metres can be provided, which are considered sufficient on Clewer Hill Road. The proposed access arrangements, and level of traffic from the development is considered to be acceptable in terms of highway safety. Comments from the Highways Authority will be reported in the Panel Update.

Housing Land Supply

- 6.20 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is considered that that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

Other material considerations

- 6.21 Reference is made to the developer coming into to get planning permission on the adjacent land if this scheme is permitted. This application can only consider the plans put forward.
- 6.22 An objector raises concern over light from windows in the new dwellings, or new external lighting that could cause light pollution. It is not considered that such light would result in detriment to neighbouring dwellings to warrant refusal.
- 6.23 The Lead Local Flood Authority has recommended a condition on surface water drainage, but as this is not a major application there is no requirement under planning policy for the development to provide a scheme that would meet Government's requirements.
- 6.24 It is not considered the internal layouts allows for 4 bedroom dwellings to be created.
- 6.25 The scheme is considered to comply with planning policy for the reason set out in this report.

7. COMMUNITY INFRASTRUCUTRE LEVY

The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

56 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on the 9th September 2016.

To date, 7 letters have been received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	The scheme is overdevelopment.	6.5-6.6.
2.	Overlooking into neighbouring gardens.	6.10-6.14.

3.	Developer references Byron Court- this site was formerly industrial and this scheme is on garden land.	6.4.
4.	The developer is likely to develop the other garden land next to the application site; this would change the character of the area.	6.20.
5.	This scheme is not materially different from the previous scheme refused.	6.6.
6.	This development is cramped and bulky.	6.5-6.6.
7.	The dwellings are three stories in height, and higher than the previous scheme refused.	6.6.
8.	There is only a gap of 1.5 metres between the detached dwelling and semi-detached dwelling; as such it will appear as one single mass.	6.6.
9.	The windows in the rear elevations of the dwellings facing number 12 Kimber Close would result in loss of privacy to the bedroom windows in this dwelling.	6.12.
10.	Potential light pollution from windows in the new dwellings without curtains and from any external lighting installed.	6.21.
11.	This development is swallowing up gardens.	6.2-6.6.
12.	A number of trees were removed from this site. This application contains no information on tree planting.	6.8.
13.	Concerns over detriment to highway safety onto Clewer Hill Road.	6.18.
14.	The site is undeveloped garden land.	6.25
15.	Proposal harms the character of the area.	6.2-6.9
16.	Concerns another room in the dwellings could be converted to bedrooms, and then there would not be sufficient parking.	6.24
17.	Reduction in light to the properties on Kimber Close.	6.10-6.15
18.	3 storey buildings are out of scale with buildings in area.	6.26-6.9
19.	Traffic is already a problem, this will add to it.	It is considered that the level of traffic likely to be generated by the proposed development can be accommodated on the highway network.
20.	Scheme does not overcome the reasons for refusal, it is contrary to policy, it harms the character of the area and it harms living conditions of the neighbours.	Addressed throughout the main report.
21.	The site is undeveloped garden land.	Noted, however, the scheme is considered to comply with

		planning policy.
22	There is scope to convert another room in the dwellings into additional bedrooms, and therefore there would be inadequate parking.	It is not considered the internal layouts allows for 4 bedroom dwellings to be created.
23	Letter of support is from the developer.	This is not a material consideration in the determination of the application.
24	Potential for future occupiers to want to add additional windows in roofspace.	Condition 8 would result in the requirement for planning permission for any further windows.

One letter of support has been received, summarised as:

Comment		Where in the report this is considered
1.	The development is much less intrusive than Byron Court and similar in scale to properties on Clewer Hill Road.	Noted.
2.	This development is further away from the properties on Kimber Court than the Byron Court development.	Noted.
3	Houses are desperately needed, and this is a good use of land.	Noted.

Consultee responses

Consultee	Comment	Where in the report this is considered
Lead Local Flood Authority	Offers no objection, but asks for a condition for the surface water drainage system to be implemented in accordance with the detailed design submitted.	6.22.
Environmental Protection	No objection, subject to a condition for details of acoustic measures to be submitted.	See recommended condition 10.
Council's Tree Officer	Raises no objection, but recommends a condition for details of landscaping.	See recommended condition 5.
Highway Authority	Highway Authority offer no objection, subject to conditions for: <ul style="list-style-type: none"> • Access to be constructed in accordance with plan • Visibility splays as per the approved plan • Construction management plan to be submitted • Parking and turning area to be retained 	See recommended conditions.

	• Details of refuse to be submitted.	
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9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Proposed layout
- Appendix C - Elevations and floor plans
- Appendix D - Plans for previously refused scheme.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. 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 successfully resolved.

10. CONDITIONS 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 Prior to the construction of the dwellings hereby approved, samples of the materials to be used on the external surfaces of the dwellings shall be 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 - Local Plan DG1.
- 3 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 4 No development shall take place until detailed plans showing the existing and proposed ground levels of the site together with the slab and ridge levels of the proposed development, relative to a fixed datum point on adjoining land outside the application site, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
Reason: In the interest of the visual amenities of the area. Relevant Policy - Local Plan DG1.
- 5 Prior to the construction of the dwellings hereby approved, full details of both hard and soft landscape works, shall be 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 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 prior 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.

- 6 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning 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, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 7 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 8 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house on plots 2, 3 and 4 as shown on the approved plans the subject of this permission shall be carried out.
Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed, and it is required to restrict dormer windows being inserted in the rear of the roofspace of the dwelling so as to prevent unacceptable overlooking to the gardens on Kimber Close. Relevant Policies - Local Plan H11, DG1, and in accordance with a core principle of the NPPF.
- 9 The window(s) in the western elevation(s) of the dwelling on plot 1 shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass to level 3 or above. No further windows shall be inserted in this elevation (including the roofspace).
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. In accordance with the requirements of the NPPF.
- 10 Details of the measures to be taken to acoustically insulate all habitable rooms of the development hereby permitted against aircraft noise, together with details of the methods of providing ventilation to habitable rooms shall be submitted to the Local Planning Authority and approved in writing before development commences.
Reason: To protect the residential amenities of the development from aircraft noise and to accord with the Local Plan Policy NAP2.
- 11 Prior to the installation of any outdoor lighting, details of the lighting (specification of the lights, LUX levels and operational times) along the access road shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so retained as operational thereafter.
Reason: In the interests of the amenity of the occupiers of neighbouring properties.
- 12 No gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety and convenience. Relevant Policy - Local Plan DG1
- 13 No other part of the development shall commence until the access has been constructed in accordance with the approved drawing (3079/PL101). The access shall thereafter be retained.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1
- 14 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.

Appendix A- Site plan



Appendix B – Proposed layout



Appendix C- Proposed Elevations and floor plans

Plot 1





GROUND FLOOR PLAN
1:50
PLOT 1



FIRST FLOOR PLAN
1:50
PLOT 1



SECOND FLOOR PLAN
1:50
PLOT 1



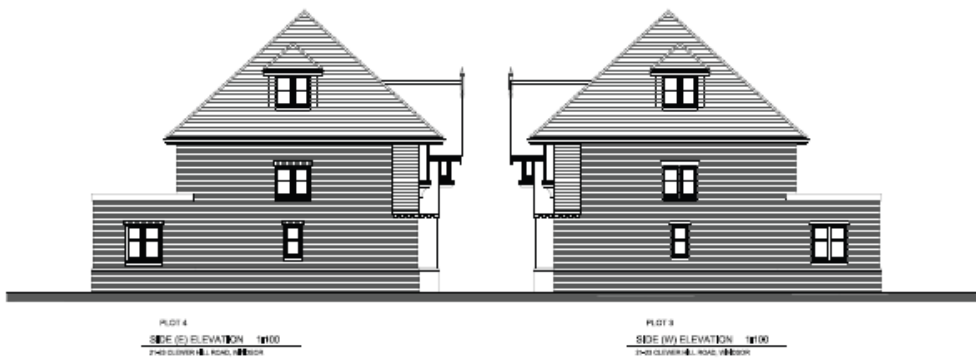
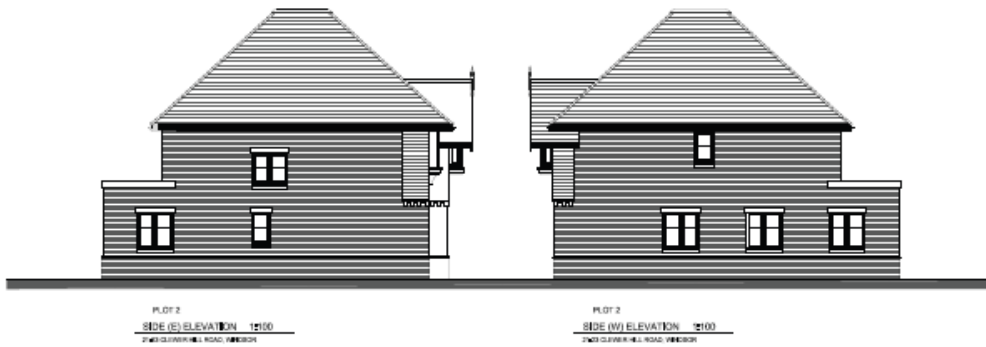
ROOF PLAN
1:50
PLOT 1

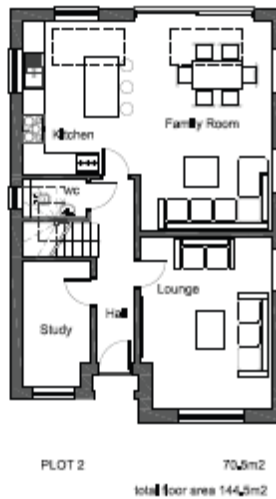
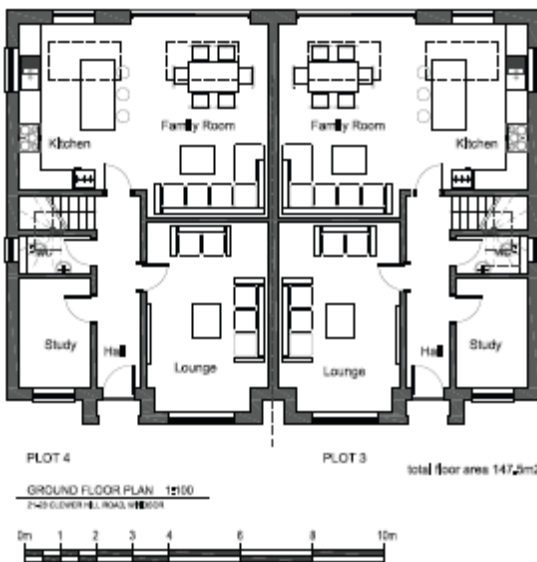
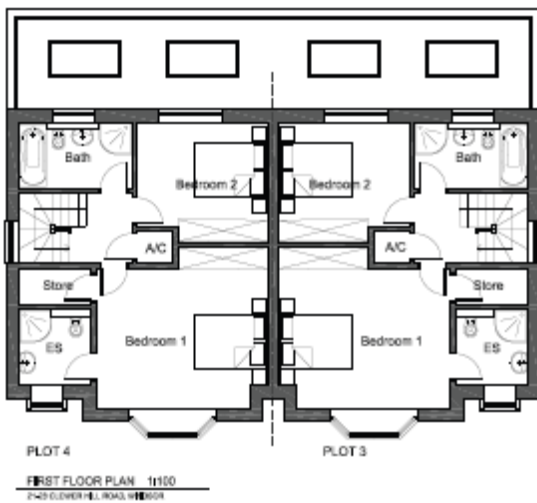
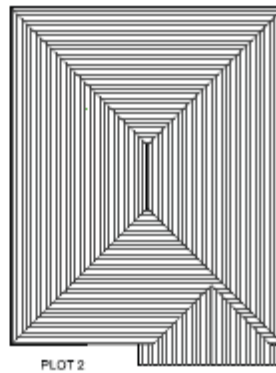
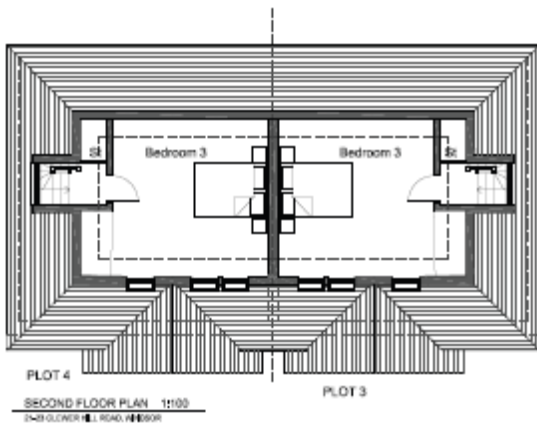
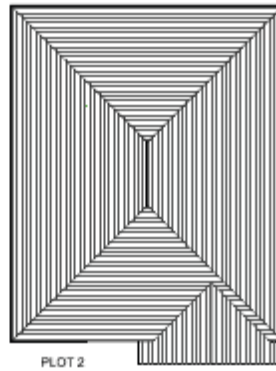
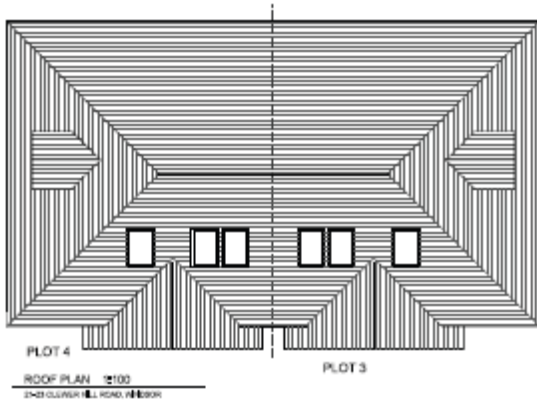


Plots 2, 3 and 4

Plots 3 and 4

Plot 2





Appendix D- Previously refused scheme



