

Environment

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2. Environment

2.1 GREEN BELT

2.1.1 Outside the larger settlements, the whole of the Royal Borough is designated Metropolitan Green Belt. This designation was approved by the Secretary of State for the Environment in 1974¹. Within the Borough a number of the larger settlements are excluded from the Green Belt. These are identified within the approved Replacement Structure Plan and their detailed boundaries identified in the Green Belt Local Plan for Berkshire (1985).

2.1.2 The Berkshire Structure Plan 1991-2006, adopted in November 1995, continues to recognise the Metropolitan Green Belt as an essential element in planning policy, and contains a policy strongly restraining development within it (Policy C3). It also envisages, in line with Government advice in Planning Policy Guidance Note 2 (PPG2)², the permanence of the protection afforded by Green Belt, and hence considers that, within the Royal Borough of Windsor and Maidenhead, the boundaries as set out in the Green Belt Local Plan should be retained, except where correcting very minor local inconsistencies.

2.1.3 The boundaries shown on the proposals map therefore are basically the same as those shown in the Green Belt Local Plan. The following minor adjustments, identified in Appendix 9, are made under this Local Plan.

1. **Land south-west of Ascot Station** - to reflect more closely the edge of the built-up area.
2. **Sunningdale** - to rationalise the boundaries of this settlement following the transfer of land from Surrey Heath and Runnymede Councils. The areas transferred were designated Green Belt in local plans prepared by these Councils. However, the part of Sunningdale that was already in Berkshire is treated as an excluded settlement in the Green Belt Local Plan, and for consistency it is proposed to treat the whole of the previously identified settlement area of Sunningdale, as defined on the Proposals Map, as an excluded settlement. In practice, however, there will be little difference between the nature and effectiveness of the

policies applied to the two areas prior to the boundary change.

3. **Poundfield, Cookham** - this large open site lies adjacent to Green Belt land. Elsewhere in the Borough the Green Belt boundary has been drawn tightly around the built-up area. In the light of a 1990 appeal decision, refusing permission for residential development, it is logical and appropriate to include this area within the Green Belt.

4. **Coworth Close, Sunningdale** it is proposed to 'wash over' this small, isolated housing estate with Green Belt. No additional infilling opportunities exist, and the area is considered too small and isolated from other excluded settlements to justify separate exclusion.

5. **Land adjoining 54 The Avenue, Wraysbury** - to provide a more rational and defensible boundary to the Green Belt.

6. **Church Road, Old Windsor** - adjustments made in Windsor & District Local Plan, 1992.

7. **South Meadow Lane, Eton** - adjustments made in Windsor & District Local Plan, 1992.

2.1.4 Within the Green Belt are a number of smaller settlements which may have the ability to absorb strictly limited amounts of residential development without harming the overall character of the Green Belt. These places are identified as 'Recognised Settlements Within the Green Belt' and are identified on the Proposals Map. Within these Recognised Settlements slightly different development control policies in respect of residential development will apply as compared with the rest of the Green Belt. The boundaries of the Recognised Settlements have been reviewed since the Green Belt Local Plan and minor adjustments are identified in Appendix 9 and revised boundaries shown on the Proposals Maps.

These are as follows:

1. **Horton (Coppermill Road)** - to draw the boundary more tightly around the southern part of the built up area.

¹ Berkshire County Development Plan Amendment Map No. 13 (1974), superseded by the Green Belt Local Plan for Berkshire (1985).

² PPG2 (Revised) 'Green Belts'-DoE/HMSO, January 1995.

2. **Hythe End (Wraysbury Road/Staines Road)** - to rationalise the boundary following development in Feathers Lane and to include more of the built-up area south of Wraysbury Road.

3. **Knowl Hill** - to exclude the area south of Bath Road as this area is not considered capable of absorbing further infilling without causing harm to its rural character.

4. **Holyport** - to draw the boundary more tightly around the built-up area by removing the kitchen garden area to Holyport Lodge from the recognised settlement.

5. **Fifield** - to rationalise the boundary following recent development in Fifield Road.

2.1.5 The purposes of Green Belts are set out by the Government in PPG2 and include the following:

1. to check the unrestricted sprawl of large built-up areas;
2. to prevent neighbouring towns from merging into one another;
3. to assist in safeguarding the countryside from encroachment;
4. to preserve the setting and special character of historic towns; and
5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.1.6 Purposes 1, 2, 3 and 4 are the primary purposes of the Green Belt in Berkshire, although purpose 5 is relevant in relation to sustainable development considerations. This section of the Borough Plan sets out detailed local policies and objectives which this Council seeks to achieve within the Green Belt. It is important to encourage uses which are considered appropriate in the Green Belt where these will enhance its quality. The Council is aware of the pressures for alternative uses of long-term surplus agricultural land and buildings, especially in the urban fringe, and desires to see these positively managed and used.

2.1.7 One alternative use of agricultural land which is becoming increasingly popular is outdoor recreation. The Government recognises the role of Green Belts in providing access to the open countryside, both for active outdoor sports and for passive recreation (PPG2). This is confirmed in PPG17 "Sport and Recreation" which states that "outdoor sport" is one of the uses of land which will often be appropriate in the Green Belt. It accepts that

the suitable conversion of existing buildings may be needed to facilitate outdoor sport in the Green Belt, or in very special circumstances small ancillary buildings, unobtrusive spectator accommodation, or other essential facilities may be required. Outdoor sport may offer a means of improving the environmental quality of Green Belt land, especially in the urban fringe, but it will not be acceptable where the objectives of Green Belt policy would be harmed.

2.1.8 Key Objectives

- (i) To safeguard the open and rural character of the Borough's countryside and to protect it from inappropriate development.
- (ii) To enhance the quality of the Green Belt within the Borough while providing opportunities for appropriate sport and leisure activities.
- (iii) To encourage the re-use of surplus agricultural land and existing buildings for uses appropriate to the countryside.
- (iv) To preserve and enhance existing gaps between settlements.

Acceptable uses and development in the Green Belt

POLICY GB1

WITHIN THE GREEN BELT, AS DEFINED ON THE PROPOSALS MAPS, APPROVAL WILL ONLY BE GIVEN, SAVE IN VERY SPECIAL CIRCUMSTANCES, FOR

A) THE CONSTRUCTION OF NEW BUILDINGS FOR THE FOLLOWING PURPOSES:

- 1) DEVELOPMENT FOR AGRICULTURE OR FORESTRY;**
- 2) ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND OUTDOOR RECREATION, FOR CEMETERIES, AND FOR OTHER USES OF LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT;**

- 3) **RESIDENTIAL DEVELOPMENT IN ACCORDANCE WITH POLICIES GB3~GB5;**
- 4) **LIMITED INFILLING OR PARTIAL OR FULL REDEVELOPMENT OF DESIGNATED MAJOR DEVELOPED SITES IN ACCORDANCE WITH POLICY GB9;**
- B) **THE CHANGE OF USE OF BUILDINGS IN ACCORDANCE WITH POLICY GB8;**
- C) **ENGINEERING AND OTHER OPERATIONS AND THE MAKING OF MATERIAL CHANGES IN THE USE OF LAND WHICH MAINTAIN OPENNESS AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN THE GREEN BELT.**

2.1.9 Policy GB1 sets out those uses which are considered appropriate in the Green Belt. These uses are defined in PPG2 (revised) and include agriculture, forestry, certain types of residential development, and essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness and purposes of including land in the Green Belt. PPG2 also allows local authorities to identify 'Major Developed Sites in the Green Belt' within which limited infilling or partial or full redevelopment may be appropriate subject to various safeguards. Policy GB9 sets out those circumstances when such developments would be considered as appropriate development in the Green Belt.

2.1.10 It is no longer a requirement that new buildings for agriculture and forestry have to demonstrate that they are essential for that use. However, it is important to discourage abuse of permitted development rights. When granting permission for the use of agricultural buildings erected under proviso 1) for non-agricultural purposes the Council will consider whether the proliferation of farm buildings constructed under permitted development rights could result in harm to the openness of the Green Belt. Where this is considered likely, a condition will be attached to any permission withdrawing these rights for new farm buildings. The Council will also consider imposing conditions on planning permissions

for new farm buildings preventing their use for any other purpose. Policy GB8 deals with development involving the re-use of buildings in the Green Belt.

2.1.11 Planning permission is not normally required if a farmer wishes to make incidental sales from his farm of his own produce. The sale of goods which have been processed in some way or 'imported' to the farm may require planning permission and may constitute inappropriate development in the Green Belt. Any operation involving the sale of such goods is likely to generate additional traffic movements and general disturbance. It will lead to pressure for larger buildings, harming the openness and purposes of including land in the Green Belt, and may therefore be considered as an inappropriate commercial use in the Green Belt.

2.1.12 Objectives for the use of land in the Green Belt include the provision of opportunities for access to the open countryside for the urban population and the provision of opportunities for outdoor sport and recreation near urban areas. The use of land for such purposes is appropriate within the Green Belt. In addition the construction of new buildings for essential facilities for outdoor sport and recreation is also appropriate development. It will be necessary to demonstrate that such facilities are genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include small changing rooms or unobtrusive spectator accommodation for outdoor sport, or small stables for outdoor sport and recreation. Policies GB6 and GB7 provide more detailed policies for equestrian establishments and stables, and Chapter 3 of the Plan sets out policies for leisure and community facilities.

2.1.13 The Royal Borough of Windsor and Maidenhead is now the Minerals Planning Authority and Waste Disposal Authority for the Borough, and is jointly responsible for policies on mineral extraction and waste disposal. The Royal Borough will wish to ensure that high environmental standards are maintained during extraction and restoration and that the after-use of sites is appropriate to the Green Belt.

2.1.14 Policies GB3-GB5 set out those limited circumstances where residential

development may be acceptable within the Green Belt. These include:

- The limited extension, alteration or replacement of existing dwellings;
- Limited infilling and affordable housing development within a recognised settlement;
- New dwellings where there is a proven need for a new dwelling to be provided ancillary to an existing agricultural or forestry use on the site;
- Subordinate dwellings created within or by extending an existing house, or through the conversion of an existing building within its curtilage;
- The limited extension of residential gardens into non-residential land.

Policy GB8 refers to the re-use of existing buildings. In some instances conversion to a residential use may be acceptable. Paragraph 2.1.39 provides detailed guidance on how such applications will be considered.

POLICY GB2

PERMISSION WILL NOT BE GRANTED FOR NEW DEVELOPMENT OR THE REDEVELOPMENT, CHANGE OF USE, OR REPLACEMENT OF EXISTING BUILDINGS WITHIN THE GREEN BELT IF IT WOULD:

- A) HAVE A GREATER IMPACT ON THE OPENNESS OF THE GREEN BELT OR THE PURPOSES OF INCLUDING LAND IN IT THAN AN EXISTING DEVELOPMENT ON THE SITE;**
- B) HARM THE CHARACTER OF THE COUNTRYSIDE BECAUSE OF:**
- 1) THE SCALE, SITING OR DESIGN OF THE DEVELOPMENT OR THE MATERIALS EMPLOYED; OR**
 - 2) A MATERIAL INTENSIFICATION IN THE LEVEL OF ACTIVITY ON THE SITE; OR**
 - 3) A MATERIAL INCREASE IN THE SCALE OF DEVELOPMENT ON THE SITE; OR**
 - 4) THE PERMANENT LOSS OF GRADE 1, 2 OR 3A AGRICULTURAL LAND OR OF WOODLANDS; OR**

5) HARM TO RESIDENTIAL AMENITIES IN THE LOCALITY; OR

6) CONFLICT WITH ANY OTHER POLICIES OF THE PLAN.

2.1.15 One of the key objectives of Green Belt policy is to safeguard the open and rural character of the Borough's countryside. Great care should be taken over the scale, siting, design and materials employed in any new buildings to ensure that their impact on the countryside is minimised. The use of lighting which may have a damaging and urbanising effect on the rural character will be carefully controlled, as appropriate, through the use of planning conditions. The proliferation of small or temporary structures within a farm, residential, equestrian or commercial holding will generally not be acceptable because of their harmful visual effects. Where possible buildings within a single unit should be consolidated into one area. Similarly, the Council will resist proposals to erect a structure where the design is not related to its intended use, for example an agricultural building should not be designed to resemble a house. Temporary or mobile structures (eg caravans, portakabins) will not normally be acceptable except on farms where viability is unproven (see para 2.1.20).

2.1.16 The open and rural character of the countryside is also harmed through the loss of trees, the creation of extensive hard-surfaced areas and increased activity (for example through the generation of additional traffic on the surrounding road network). The scale of development on a site will also affect the built-up appearance of an area. This is particularly so where extensions or new buildings result in the over-development of small residential sites or where farm holdings have been fragmented into several small units. It may also occur where a development extends a site's developed frontage.

2.1.17 Residential amenities may be harmed by reason of noise, smell or other nuisance. The presence of livestock units or the storage of silage or slurry on farms can result in particular nuisance and proposals involving such features should be sited well away from the curtilage of any residential property (except for dwellings used for or in connection with agriculture). The Council will consider imposing conditions on permissions for any farm buildings allowed close to residential properties preventing their use for the accommodation of livestock or the storage of silage or slurry. Particular problems can arise where farm buildings have been converted to independent dwellings and sold off separately. The likelihood of incoming residents suffering from a loss of amenities through proximity to livestock units, or facilities for the storage of silage or slurry will need to be considered before granting permission for any such conversion.

The Council will encourage farmers to upgrade existing facilities for the accommodation of pigs and the storage of silage, slurry and fuel oil to meet improved standards required by Government Regulations, and where this would reduce any existing harm to residential amenities

New residential development

POLICY GB3

THERE WILL BE A GENERAL PRESUMPTION AGAINST ALLOWING PROPOSALS FOR RESIDENTIAL DEVELOPMENT EXCEPT WHERE:

- 1) THE PROPOSAL RELATES TO INFILLING WITHIN THE BOUNDARIES OF A RECOGNISED SETTLEMENT AS DEFINED ON THE PROPOSALS MAP. NEW DWELLINGS WILL ONLY BE PERMITTED WHERE THE DEVELOPMENT REPRESENTS THE CLOSING OF AN EXISTING SMALL GAP IN AN OTHERWISE BUILT UP FRONTAGE AND WOULD NOT RESULT IN HARM BEING CAUSED TO THE PHYSICAL OR VISUAL CHARACTER OF THE SETTLEMENT; OR**
- 2) THERE IS A PROVEN NEED FOR A NEW DWELLING TO BE PROVIDED ANCILLARY TO AN EXISTING, AGRICULTURAL OR FORESTRY USE ON THE SITE AND WHERE IT CAN BE DEMONSTRATED THAT THE DWELLING HAS TO BE LOCATED ON THE SITE, AND THAT NO SUITABLE EXISTING BUILDINGS EXIST WHICH COULD BE CONVERTED OR EXTENDED FOR THIS PURPOSE; OR**
- 3) THE PROPOSAL RELATES TO THE CREATION OF A SUBORDINATE DWELLING WHERE THIS IS FORMED EITHER (i) WITHIN THE EXISTING STRUCTURE OF THE DWELLING; OR (ii) BY AN EXTENSION TO THE EXISTING DWELLING; OR (iii) BY THE CONVERSION OF AN EXISTING BUILDING WITHIN THE CURTILAGE. THE BUILDING OF A SEPARATE DETACHED BUILDING WITHIN THE CURTILAGE WILL NOT BE ACCEPTABLE FOR OCCUPATION AS A SUBORDINATE DWELLING; OR**
- 4) THE PROPOSAL RELATES TO THE REBUILDING OR ONE-FOR-ONE REPLACEMENT OF AN EXISTING**

HABITABLE DWELLING OF PERMANENT CONSTRUCTION WHOSE RESIDENTIAL USE IS NOT SEASONAL OR OCCASIONAL AND WHICH HAS NOT BEEN ABANDONED. THE REPLACEMENT DWELLING SHOULD NOT BE MATERIALLY LARGER OR RESULT IN A MATERIAL ALTERATION TO THE SCALE OF DEVELOPMENT ON THE SITE; OR

- 5) THE PROPOSAL MEETS ALL THE REQUIREMENTS OF POLICY H4 (AFFORDABLE HOUSING IN RURAL AREAS); OR**
- 6) THE PROPOSAL IS FOR THE RE-USE OF A BUILDING IN ACCORDANCE WITH POLICY GB8.**

ALL NEW DWELLINGS PERMITTED IN THE GREEN BELT WILL BE REQUIRED TO HAVE REGARD TO LOCAL BUILDING STYLES IN THEIR DESIGN AND IN THE MATERIALS USED. THERE SHOULD ALSO BE NO CONFLICT WITH POLICY GB2.

2.1.18 Infilling within recognised settlements is defined as building on undeveloped land within the existing built up area of a settlement and in general represents the closing of an existing small gap in an otherwise built up frontage³. Infill development will usually be of single plots and must not harm the physical or visual character of the settlement or of the surrounding area. To be acceptable for infilling, the plot concerned should be of a size and shape comparable to the plots of the adjoining development and must have an existing frontage³ to a suitable road. Proposals to develop sites on the very edge of the recognised area or to develop sites whose present openness contributes to the settlement's physical or visual character would not be acceptable in principle. Proposals to erect two or more houses on a site in a recognised settlement will usually not be acceptable in principle, and will be resisted unless the proposed development constitutes the rare case of acceptable infilling by more than one dwelling. Other issues and planning considerations (e.g. Conservation Area Policies) might dictate that a proposal to develop a particular open site should be refused even if the proposal satisfies the above definition of infilling. It is important that development is in keeping with the character of the settlement. It also follows from the definition that:

³ Green Belt Local Plan for Berkshire, Berkshire County Council. Adopted 1985

- a) Backland development does not normally constitute acceptable infilling because the plot concerned would not have an existing frontage to a suitable road.
- b) The subdivision of a house plot in an area fully built up at a uniform, but low density would not create an acceptable infill plot because the size of the new plot would not be compatible with that of adjoining development.

2.1.19 In assessing whether there is a need for an agricultural or forestry dwelling, the Council will expect to be satisfied that:

- a) it is essential for the proper functioning of the holding for one or more workers to be readily available at most times; and
- b) the need cannot reasonably be met from existing dwellings on the holding or nearby.

If the evidence is inconclusive, the Council may ask for financial information about the applicant's intention to develop the enterprise. This is most likely to be required where the application relates to a completely new business or a major change in the nature or scale of an existing business.

2.1.20 In appropriate cases, the Council may consider granting a temporary planning permission for a mobile home, usually for two-three years, so that the progress of an enterprise can be monitored.

2.1.21 These tests are based on national guidance which is currently set out and amplified in Annex I of PPG7.

2.1.22 Any dwellings granted planning permission under proviso 2) should be of a size commensurate with the established functional requirement. Dwellings which are unusually large in relation to the agricultural needs of the unit will not normally be permitted. It is the requirements of the enterprise rather than of the owner or occupier which are relevant in such a determination. Dwellings will also be expected to meet all the requirements of Policy GB2.

2.1.23 When granting permission for a new agricultural dwelling the Council will normally seek to restrict the occupation of the dwelling to a person working in the locality in agriculture or forestry. It will also consider imposing such a condition on any other existing dwellings in the unit under the applicant's control in order to protect the countryside against the risk of pressure for new houses caused by the selling off of agricultural dwellings to people not working in agriculture or forestry. In appropriate circumstances, and especially on smaller units, the Council may also

seek a planning obligation to prevent the dwelling from being disposed of separately from the remainder of the land and buildings in the agricultural unit which provided the justification for that dwelling.

2.1.24 Provison 3) makes provision for certain types of subordinate dwelling. This is accommodation provided within the curtilage of an existing dwelling for domestic or personal staff (gardeners, cleaners, nannies etc.) or for dependant relatives living with their families (for example, grandparents). Such units can be created either within or by extending the main dwelling or by the conversion of an existing building within the curtilage of the main house. They must always be subordinate to the main residential use on the site and conditions will normally be placed on any permissions granted limiting the occupation of the subordinate dwelling to the categories of people referred to above, and requiring that, if it ceases to be required for the purpose for which it was originally created, it should be reincorporated back into the accommodation of the main dwelling and cease to be occupied as a separate unit. Where the subordinate dwelling is to be created by means of an extension to the main dwelling it must comply with policy GB4 as well. The building of a new detached dwelling within the curtilage of a property will not be acceptable for occupation as a subordinate dwelling (see Policy GB3(3)).

2.1.25 The replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces. There remains a presumption against a replacement dwelling which is materially larger than the dwelling it replaces as it will not then fall within the definition of appropriate development. Whether a proposal is acceptable in relation to a definition of "not being materially larger", will differ according to the dwelling concerned, its setting and the effect upon the openness of the Green Belt. Floorspace will be a guiding factor in determining whether a proposal is materially larger. However, the main determinant will be an assessment of the relevant criteria in the relevant policies including matters such as the scale and bulk of the proposals and other matters set out in Policy GB2. Floorspace areas will be calculated on the basis of gross floor areas for habitable rooms. The calculation of replacement floor areas will specifically exclude the area of existing outbuildings which are not part of the living accommodation of the original dwelling unless there are very special circumstances

Residential extensions

POLICY GB4

THE BOROUGH COUNCIL WILL ONLY APPROVE PROPOSALS FOR THE EXTENSION OF AN EXISTING DWELLING WHERE IT WOULD NOT CAUSE A DISPROPORTIONATE ADDITION OVER AND ABOVE THE SIZE OF THE ORIGINAL DWELLING.

2.1.26 A disproportionate addition could occur through one large extension or through the cumulative impact of a series of small ones. The size of the extension relative to the original dwelling (or 1947 for dwellings built before this date) will be an important consideration. Each case will be considered on its merits and in relation to the following factors: (i) the size of the original house, (ii) the size of the plot, (iii) the nature of the surrounding area, (including its topography, tree-cover, proximity and character of any neighbouring properties), (iv) the design and position of the proposed extension in relation to the view from public places, especially the appearance from the road, and (v) the history of development at the site.

2.1.27 Floorspace will be a guiding factor in assessing whether a proposal is in accordance with the policy. However, percentage increases are not the sole determining factor. The bulk and scale of the proposals, their effect on the openness and the purposes of the Green Belt and their impact on the general appearance of the area as well as the individual property will all be considered in assessing a proposal.

POLICY GB5

THE BOROUGH COUNCIL WILL NOT APPROVE PROPOSALS TO EXTEND PRIVATE GARDENS INTO NON-RESIDENTIAL LAND, OR TO CONVERT NON-RESIDENTIAL LAND INTO A PRIVATE GARDEN UNLESS THE BOROUGH COUNCIL IS SATISFIED THAT NO HARM WOULD BE CAUSED TO THE OPEN OR RURAL CHARACTER OF THE LANDSCAPE AND THE APPLICANT HAS AGREED TO THE REMOVAL OF ANY PERMITTED DEVELOPMENT RIGHTS WHICH MIGHT ACCRUE TO SUCH LAND.

2.1.28 The boundary of the Green Belt within the Royal Borough of Windsor and Maidenhead has, in many cases, been tightly drawn around the gardens of residential properties which back onto farmland or other undeveloped land in the Green Belt. This, together with the fact that there are many residential

properties lying within the Green Belt, has resulted in a number of such households wishing to extend their gardens through purchasing part of the adjacent Green Belt land. However, there may be circumstances where a small extension of a private garden would not result in any harm being caused to the rural character of the landscape. This will need to be assessed for each individual proposal but factors such as the size of the existing garden, the size of the proposed extension, the nature of the existing and proposed enclosure, the presence of views from public places including footpaths, roads or open access land, the prominence of the site in the local topography, and the presence or absence of trees or other screening will be relevant in making this judgment. Where a site is considered acceptable the means of enclosure will need to be considered. The Planning Authority will normally impose conditions withdrawing permitted development rights which would accrue to the land through permitting residential use. This will ensure that the openness and purposes of including land in the Green Belt are not harmed.

Equestrian establishments

POLICY GB6

PROPOSALS FOR NEW OR ENLARGED RIDING SCHOOLS AND OTHER COMMERCIAL EQUESTRIAN ESTABLISHMENTS WILL BE PERMITTED WHERE:

- 1) THERE IS SUFFICIENT EXISTING RESIDENTIAL ACCOMMODATION ON THE SITE TO MEET THE NEEDS OF THE PROPOSAL; AND**
- 2) IT WOULD NOT RESULT IN A HARMFUL PROLIFERATION OF COMMERCIAL EQUESTRIAN ESTABLISHMENTS WITHIN AN AREA; AND**
- 3) THE BOROUGH COUNCIL ARE SATISFIED THAT THE PROPOSAL WOULD NOT CREATE AN UNACCEPTABLE TRAFFIC HAZARD; AND**
- 4) SUITABLE BRIDLEWAYS AND OTHER RIDING LAND IS AVAILABLE FOR EXERCISING HORSES OFF THE PUBLIC HIGHWAY; AND**

5) THERE IS NO CONFLICT WITH POLICY GB2.

2.1.29 Equestrian establishments are normally acceptable outdoor recreation uses in the Green Belt. Proposals for stud farms, livery stables, polo centres, carriage-driving and similar operations will need to demonstrate that no material intensification of activity will result and that existing buildings will be re-used wherever possible. In particular, proposals will not be permitted unless it can be demonstrated that additional residential accommodation (including mobile homes) will not be required. The Council will seek planning obligations to ensure the residential accommodation is not sold off separately from the equestrian establishment. New buildings must be kept to a minimum and be carefully sited and designed to avoid harm to the open, rural or countryside character of the area. As the Borough is already well served by a range of commercial riding and livery establishments, preference will be given to the improvement of existing equestrian establishments where appropriate, rather than the creation of such facilities on new sites. There is a risk that a proliferation of establishments within an area might compromise the openness of the Green Belt and the purposes of including land within it.

POLICY GB7

PROPOSALS TO ERECT STABLES FOR KEEPING HORSES FOR PRIVATE RECREATIONAL USE WILL BE ACCEPTABLE WHERE:

- 1) **NO MORE THAN ONE STABLE OR FIELD SHELTER FOR THE KEEPING OF ONE HORSE EACH IS PROVIDED PER 0.4 HA OF LAND UP TO A MAXIMUM OF 4 STABLE UNITS ON ANY SITE PLUS ONE ASSOCIATED TACK ROOM AND ONE FEED STORE PER SITE;**
- 2) **THE BUILDINGS ARE OF A PERMANENT NATURE USING APPROPRIATE MATERIALS, SITING AND DESIGN SO AS TO MINIMISE THEIR VISUAL IMPACT;**
- 3) **ON FORMERLY AGRICULTURAL LAND, THE PLOT IS A MINIMUM OF 5 HA;**
- 4) **THERE IS NO CONFLICT WITH POLICIES GB2 OR N1.**

2.1.30 Planning permission is not usually required for using land for the grazing of horses, even if they are kept purely for recreation. However, permission is required if a piece of formerly agricultural land is to be used for schooling or jumping of horses or has buildings, jumps or maneges constructed on it.

2.1.31 This policy seeks to control the proliferation of small stable buildings in the countryside. Landscape character can be harmed either through the siting of several stables on small plots of land carved out of an original large agricultural holding or through over development of a small site causing harm to the open character of the site.

The re-use of buildings

POLICY GB8

THE CHANGE OF USE OF BUILDINGS IN THE GREEN BELT WILL BE PERMITTED PROVIDED THAT:

- 1) **THE USE PROPOSED AND ANY ASSOCIATED WORKS, INCLUDING BOUNDARY WALLS AND FENCING, OR EXTERNAL ACTIVITIES WOULD NOT HAVE A MATERIALLY GREATER IMPACT THAN THE PRESENT OR LAST USE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND IN IT AND WOULD NOT BE HARMFUL TO THE CHARACTER AND SETTING OF THE BUILDING;**
- 2) **THE CHANGE OF USE OF MORE THAN 300M² OF FLOORSPACE TO BUSINESS AND INDUSTRIAL USES WITHIN ANY INDIVIDUAL AGRICULTURAL UNIT OR SINGLE COMPLEX OF ADJACENT BUILDINGS WILL NOT BE PERMITTED EXCEPT THAT SOME FLEXIBILITY IN THIS FLOORSPACE LIMIT MAY BE ALLOWED IF THE BENEFITS OF DIVERSIFICATION TO THE PURPOSES OF THE GREEN BELT CAN BE DEMONSTRATED;**
- 3) **THE BUILDING MUST HAVE BEEN SUBSTANTIALLY COMPLETED AT LEAST 4 YEARS BEFORE THE DATE OF THE APPLICATION, IF IT WAS ERECTED WITH THE BENEFIT OF PERMITTED DEVELOPMENT RIGHTS;**

- 4) **THE BUILDING IS OF PERMANENT AND SUBSTANTIAL CONSTRUCTION AND IN SOUND CONDITION AND IS OF A FORM, BULK AND GENERAL DESIGN, WHICH IS IN KEEPING WITH ITS SURROUNDINGS;**
- 5) **THE PROPOSAL WOULD NOT REQUIRE EXTENSIVE RECONSTRUCTION OF THE BUILDING OR A MATERIAL INCREASE IN ITS SIZE OR SCALE;**
- 6) **PROVISION FOR ACCESS, VEHICLE PARKING AND SERVICING COMPLIES WITH THE ADOPTED STANDARDS OF THE COUNCIL AND WOULD NOT ADVERSELY AFFECT ROAD HIGHWAY SAFETY;**
- 7) **THERE IS NO CONFLICT WITH POLICIES GB2 OR LB3.**

THE COUNCIL WILL ALSO IMPOSE SUCH CONDITIONS AS MAY BE APPROPRIATE TO ENSURE THAT THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND WITHIN IT ARE MAINTAINED.

2.1.32 Within the Green Belt, the guiding principle for the operation of planning policy is a general presumption against inappropriate development. However, in the light of national policy advice, policies in the Berkshire Structure Plan and concern over the need for diversification of the rural economy, the re-use of existing buildings will be considered not to be inappropriate where proposals comply with Policy GB8 and it can be demonstrated that there will be no harm to the openness or purposes of including land in the Green Belt. Whether the re-use of a building is acceptable or unacceptable will depend on the scale and type of use proposed and the condition and appearance of the building including its state of repair, contribution to the character of the Green Belt and suitability for the use proposed. It will be necessary to impose strict conditions upon any permission granted, as appropriate.

2.1.33 Generally, only low employment and low traffic generating activities will be considered as appropriate for the re-use of such buildings. The primary concerns are to minimise any potential adverse effect on the Green Belt and to minimise conflict with the Council's other employment policies. The floorspace figures indicated for business and industrial uses are compatible with the figures applied under the Council's general employment policies.

2.1.34 The floorspace maximum of 300 m² contained in the Policy will be applied to a single farm business unit as defined at September 1992 or to any group of adjacent buildings located within 400 metres of any other building where permission for such a change of use exists even if the buildings are in more than one ownership or holding.

2.1.35 The Borough Council may consider some flexibility in the application of floorspace limits, subject to compliance with the remaining parts of the Policy, in cases where a planning application is accompanied by information, such as a farm management plan, providing reasoned justification for a more flexible approach. Such a plan should provide the following information:-

1. context information on recent farming practice on the holding, traffic movements, employment levels etc., demonstrating how diversification, as proposed, will assist the maintenance of productive agriculture in the countryside. Such information should cover the 3 year period preceding the submission of the application;
2. details of proposed uses, employment levels and other operations forming part of the proposed diversification of the holding or business, including details of long term proposals;
3. details of farm and landscape management proposals to deal with the effects of diversification, other changes in farming practice and enhancement of the area;
4. details of any agreements which the applicants are willing to enter into to secure the proper management of planning aspects of the diversification process, including the enhancement of the openness and rural character of the area and the achievement of the purposes of including land in the Green Belt.

2.1.36 Documentary or other evidence should normally be provided to demonstrate that the building(s) concerned was substantially completed a minimum of 4 years before the date of the application if erected under permitted development rights. If a building is not redundant but remains in use for its present purposes, the Local Planning Authority will require details of how the present uses are to be accommodated and will need to be convinced that granting planning permission for re-use under this policy will not lead to the need for additional buildings

or outside working or storage or other practices which would harm the appearance or openness of the Green Belt.

2.1.37 Temporary buildings, shed structures, small outbuildings, mobile buildings, buildings erected since 1900 which are not properly anchored to below-ground foundations, lightweight buildings capable of sectional dismantling, buildings in an obviously poor state of repair, buildings which appear flimsy, of limited life or which are not properly constructed, etc., are, for the purposes of this policy, unlikely to be considered to be of permanent and substantial construction or in sound condition.

2.1.38 Consideration of the re-use of buildings which are listed will be made in relation to policies in the Built Environment Section of the Local Plan, in particular, Policy LB3.

2.1.39 In the Royal Borough there is considerable pressure to convert existing buildings to dwellings. In the case of re-use of buildings for residential purposes, any conversion must not involve extensive alteration, rebuilding or extension. Proposals must be sympathetic to the rural character in terms of design, the use of traditional materials and the design and layout of the access. They must not involve works or associated structures, landscape features, fences or boundary treatments or other features which would affect the openness and purposes of including land in the Green Belt. In most instances, permitted development rights will be removed to prevent adverse effects on the Green Belt.

2.1.40 Residential conversions can often have detrimental effects on the fabric and character of historic farm buildings. While new uses can frequently be the key to the preservation of historic buildings, the Council will need to ensure that the new use is sympathetic in terms of design and materials to the rural character. In addition, the creation of a residential curtilage around a newly converted building can have a harmful effect on the setting of a Listed Building and the character of the countryside through the erection of new ancillary structures and other accoutrements associated with the domestic use of a property, the carrying out of planting and landscape works giving an urban rather than rural character, new boundary treatments and the accommodation of vehicles as part of the use of the building.

2.1.41 Conversion for tourist accommodation may be considered acceptable in some cases where proposals would not detract from the rural character of the area and the openness and purposes of including land in the Green Belt (see Policy TM8, Tourism on Farms for further details).

2.1.42 Applications should be accompanied by details of schemes of landscaping and other treatments to enhance the visual appearance and character of the area and the openness and purposes of including land in the Green Belt. Such schemes could include details of proposals to remove dilapidated buildings or structures.

2.1.43 The Borough Council will normally attach conditions, as appropriate, to any planning permission for the re-use of buildings in order to safeguard the openness and purposes of including land in the Green Belt and maintain control in the future in the Green Belt. For example it may be desirable to restrict or remove permitted development rights for extensions or ancillary buildings, or the erection of new agricultural buildings.

Major Developed Sites in the Green Belt

2.1.44 PPG2 (Revised) makes provision for limited infilling or redevelopment of major existing developed sites in the Green Belt. Policy GB9 replaces previous transitional arrangements which were adopted as part of the Local Plan in July 1999 following the recommendations of the Inspector into the Royal Borough of Windsor and Maidenhead Local Plan Inquiry that two categories of development be included (that of redundant hospital sites and sites in further or higher education).

2.1.45 Paragraph 3.4 of PPG2 refers to Annex C. Paragraph C1 of the Annex states that substantial sites may be in continuing use or be redundant and often pre-date the town and country planning system and the Green Belt designation. Criterion (vi) of Policy C4 of the Adopted Berkshire Structure Plan 1991-2006 allows for new buildings to be permitted as part of limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans. Policy GB9 identifies six sites that have been designated as major developed sites in the Green Belt. The designation of these sites was based on 4 main criteria as set out below:

1. The existing use of the sites falls within one of the following descriptions: factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals, and research and education establishments. These types of uses are described in paragraph C1 of Annex C, PPG2. The Council has restricted the designation of major developed sites in the Green Belt to these uses. The Council does not include primary and secondary schools in this definition. An exception to this

use criterion will be made if a site is considered by the Council to be of national standing. Sites not meeting this use criterion have not been included as a major developed site; and

2. The site occupies an area of at least 10 ha and contains more than 12,000m² gross floorspace. These threshold figures are based on the specific local circumstances in the Royal Borough. These figures also take into account the fact that schools are excluded from the description of major developed sites. Thus these parameters also relate to a size that is somewhat greater than a large secondary school. Sites not meeting this size criterion have not been included as a major developed site; and

3. The site in question:

i) Can accommodate redevelopment and/or infilling in a manner which will not have any greater impact on the Green Belt or the purposes of including land in it. The potential to accommodate infill relates mainly to the pattern and grain of development, including consideration of whether buildings are scattered over the site or form relatively compact groups, and particularly the size and distribution of gaps between buildings; and

ii) In the case of complete or partial redevelopment, such sites should offer the opportunity for environmental improvement without adding to the impact on the openness of the Green Belt or the purposes of including land within it.

In relation to i) and ii) it is clear that there may be sites which might qualify for designation on use, size or conformity to the development plan but which cannot accommodate development, particularly infill development, without causing demonstrable harm because of the character and location of development within the site; and

4. Development that would be enabled by designation would not generally be contrary, or likely to be contrary, to principles of employment restraint, built environment policies and principles of sustainable development as set out in government guidance and publications.

2.1.46 The sites that are designated in GB9 comprise the more significant developed sites within the Green

Belt areas of the Royal Borough. These sites meet all of the four criteria set out above. There are a number of other sites in the Borough, which are larger than the threshold figures indicated in the criterion to define 'major' and 'substantial'. These sites have not been designated because they do not sufficiently meet the other three criteria that are considered to be equally important to the size criterion.

POLICY GB9

THE FOLLOWING SITES ARE DESIGNATED AS MAJOR DEVELOPED SITES IN THE GREEN BELT WHERE INFILLING DEVELOPMENT OR COMPLETE OR PARTIAL REDEVELOPMENT MAY BE PERMITTED:

1. **BERKSHIRE COLLEGE OF AGRICULTURE, BURCHETTS GREEN;**
2. **BEAUMONT COLLEGE, OLD WINDSOR;**
3. **HEATHERWOOD HOSPITAL, ASCOT;**
4. **IMPERIAL COLLEGE, SILWOOD PARK, SUNNINGHILL;**
5. **CIVIL SERVICE COLLEGE, SUNNINGDALE;**
6. **LEGOLAND, WINDSOR**

THE BOUNDARIES OF THE DEFINED DEVELOPMENT ENVELOPES OF THE MAJOR DEVELOPED SITES, TO WHICH THE POLICY REFERS, ARE SHOWN AS INSETS TO THE PROPOSALS MAP IN APPENDIX 13.

WITHIN THESE DESIGNATED SITES, PLANNING PERMISSION WILL BE GRANTED WHERE SUCH DEVELOPMENT IS IN ACCORDANCE WITH THE FOLLOWING:

A) PROPOSALS FOR LIMITED INFILLING AT MAJOR DEVELOPED SITES, FOR THE CONTINUING USE WITHIN THESE SITES SHOULD:

1. **DEMONSTRATE THAT ADDITIONAL BUILDINGS AND/OR EXTENSIONS WILL HAVE NO GREATER IMPACT ON THE PURPOSES OF INCLUDING LAND IN THE GREEN BELT THAN THE EXISTING DEVELOPMENT;**
2. **.NOT LEAD TO A MAJOR INCREASE IN THE DEVELOPED PROPORTION OF THE SITE;**
3. **ONLY TAKE PLACE WITHIN SMALL GAPS BETWEEN EXISTING BUILT DEVELOPMENT;**

B) PROPOSALS FOR COMPLETE OR PARTIAL REDEVELOPMENT SHOULD:

- 1. CONTRIBUTE TO THE ACHIEVEMENT OF THE OBJECTIVES FOR THE USE OF LAND IN THE GREEN BELT;**
- 2. NOT OCCUPY A LARGER AREA OF THE SITE THAN THE EXISTING BUILDINGS UNLESS THIS WOULD ACHIEVE A REDUCTION IN HEIGHT WHICH WOULD BENEFIT VISUAL AMENITY;**
- 3. SHOULD DEMONSTRATE THAT SUCH REDEVELOPMENT CAN BE CARRIED OUT WITHOUT ADDING TO THE IMPACT ON THE OPENNESS OF THE GREEN BELT AND WHERE POSSIBLE HAVE LESS;**
- 4. CONTRIBUTE TOWARDS ENVIRONMENTAL IMPROVEMENTS OF THE SITE;**

C) INFILLING OR COMPLETE OR PARTIAL REDEVELOPMENT OF THE DESIGNATED MAJOR DEVELOPED SITES SHOULD ALSO:

- 1. NOT EXCEED THE HEIGHT OF EXISTING BUILDINGS;**
- 2. DEMONSTRATE THAT ANY NEW BUILDING DOES NOT MATERIALLY EXTEND THE DEFINED DEVELOPMENT ENVELOPE OF THE SITE;**
- 3. PROPOSALS SHOULD BE IN ACCORDANCE WITH INDIVIDUAL SITE POLICIES CONTAINED IN APPENDIX 13.**

2.1.47 Each designated site is subject to individual site policies. These individual site policies are contained within the schedules set out in Appendix 13 to the Local Plan. They provide comprehensive information on site size, area of developed floorspace, planning background and the way in which each site meets the various criteria set out in paragraph 2.1.45 above: They also include other information relevant to

the development of the site such as designations and policies on listed buildings, transport, nature conservation etc. Each individual site schedule refers to an attached plan. Each site plan defines the boundary of the development envelope, which encloses the present extent of current development within the site. Within the boundary, future development may be regarded as being not inappropriate development within the Green Belt, subject to meeting all other criteria. Only in exceptional circumstances would the extent of future development differ from the extent of current development. For those sites where the Council expects substantial redevelopment of all or part of the site, the Council will want a development brief to be prepared. A brief will enable development issues to be dealt with in greater detail and will enable interested parties to participate in the form of development that will be permitted. Any development should have regard to an approved development brief. In the event that a proposal is in conflict with individual site policies, the provisions of Policy GB9 will apply. For the purposes of B)2, the footprint excludes temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

Motorway Service Areas

POLICY GB10

THE BOROUGH COUNCIL WILL NOT APPROVE PROPOSALS FOR A MOTORWAY SERVICE AREA WITHIN THE BOUNDARIES OF ANY EXCLUDED SETTLEMENT AND WILL NOT APPROVE SUCH PROPOSALS ELSEWHERE WITHIN THE BOROUGH UNLESS VERY SPECIAL CIRCUMSTANCES CAN BE DEMONSTRATED.

2.1.48 The M4 motorway and a small section of the M25 motorway run through the area of the Borough (there is also the A404(M) and the A308(M)). PPG13 advises local authorities to provide guidance on areas likely to be suitable or unsuitable within their boundaries for the location of MSAs.

2.1.49 The longest stretch of motorway is the M4 which passes through the Borough from east to west for a distance of approximately 14 miles with the nearest service area at Heston, approximately 6 miles to the east of the Borough. The motorways within the Borough run almost wholly through areas designated as Green Belt. MSAs are considered as inappropriate development in the Green Belt. Planning permission was granted for the erection of a substantial MSA to the south of Reading at Field Farm, Nr Burghfield, approximately 8 miles to the west of the Borough, during 1993. This MSA became operational during

1995. The approval of such a large scale MSA was seen as justified in minimising pressure for intermediate MSAs in the Metropolitan Green Belt such as that which covers most of the Royal Borough.

2.1.50 Particularly sensitive to development is the stretch of countryside to the west of junction 8/9 on the M4 which passes through attractive and environmentally important landscapes containing ancient woodlands, SSSI's and Wildlife Heritage Sites, nearby conservation areas and listed buildings. The location of an MSA alongside this stretch of motorway would be particularly intrusive within the open and rural landscape in addition to conflicting with Green Belt objectives and purposes.

2.1.51 To the east of junction 8/9 of the M4 motorway, suitable sites are scarce as the motorway runs through heavily built up areas. There is also considerable uncertainty in this area resulting from DETR proposals for widening of the motorway. Further, all this length of motorway lies within 15 miles of the Heston Motorway Service Area

(N.B. 2.2 Natural Environment starts on page 2.12)

2.2.3 Key Objectives

- (i) To protect and enhance valued landscapes.
- (ii) To preserve and enhance existing wildlife habitats and provide opportunities to create new areas of nature conservation interest, in both rural and urban areas.
- (iii) To maintain and enhance the level of tree and hedgerow cover within the Borough.
- (iv) To promote opportunities for environmental education within the Borough.
- (v) To ensure that new development maintains and enhances the quality of the natural environment.

Areas of Special Landscape Importance

POLICY N1

WITHIN THE__AREAS OF SPECIAL LANDSCAPE IMPORTANCE AS SHOWN ON THE PROPOSALS MAPS, LAND USES AND DEVELOPMENT WHICH WOULD DETRACT FROM THE SPECIAL QUALITIES OF THAT LANDSCAPE WILL NOT BE PERMITTED. THE BOROUGH COUNCIL WILL IN PARTICULAR RESIST PROPOSALS THAT WOULD:

- 1. ADVERSELY AFFECT BOTH LONG DISTANCE AND LOCAL VIEWS WITHIN THESE AREAS;**
- 2. RESULT IN THE LOSS OF TREE COVER AND HEDGEROWS OR ADVERSELY AFFECT THE ECOLOGICAL VALUE OF THE AREA;**
- 3. ADVERSELY AFFECT FORMAL LANDSCAPE FEATURES AND THEIR SETTINGS.**

WHERE DEVELOPMENT IS PERMITTED, SPECIAL CARE WILL BE TAKEN TO ENSURE ITS SITING, SCALE, HEIGHT, DESIGN AND MATERIALS RESPECT THE SURROUNDING LANDSCAPE. EXTENSIVE LANDSCAPING OF ANY NEW DEVELOPMENT WILL ALSO BE REQUIRED.

2.2.4 The Berkshire Structure Plan 1991-2006, adopted in November 1995, sets out a policy for the protection of Areas of Special Landscape Importance

2.2 NATURAL ENVIRONMENT

2.2.1 A significant part of the Borough is open countryside which is valuable for its natural beauty, its wildlife and its historical and cultural associations as well as for the land uses it supports. Windsor is bordered by the Crown Estate which includes Windsor Forest and The Great Park. The River Thames provides another important environmental element, both in the urban setting and the adjacent rural areas.

2.2.2 Due to continuing pressure for development, there is a need for specific policies to protect and enhance the quality of both rural and urban environments. However, the Borough Council wishes to protect and enhance the natural environment as a whole, whatever its contribution, and not just the areas or features subject to special designations. The Borough Council will therefore explore opportunities to undertake a range of initiatives designed to improve the quality of the environment, in all parts of the Borough.

due to their strategic role. The boundaries of these areas are defined as part of the local plan process.

2.2.5 A range of criteria were used in the definition of Areas of Special Landscape Importance. Essentially the quality of the landscape has been the guiding factor together with common characteristics when judged against surrounding landscapes. Although scenic quality is the essential and overriding factor in designation, relevant non-visual factors (such as special concentrations of historical, wildlife or architectural features) have been taken into account. Cultural associations and public preferences relating to an area have also been given some weight.

2.2.6 Where appropriate, the Borough Council will seek to enter into management agreements as a means of controlling certain types of permitted development that threaten the landscape value of an area. As a last resort the Borough Council may apply for an Article 4 Direction.

2.2.7 In particular, the Borough Council will seek to ensure that the landscape impact of highways improvements and new access roads are minimised.

Area 1. Cookham, Bisham, Hurley.

2.2.8 The cutting of the Thames through the southern extension of the Chilterns has produced a landscape of notable quality and importance. It is one of the river's most striking and attractive stretches. The area comprises the majority of the rural area to the north west of Maidenhead and Cookham.

2.2.9 The Area of Special Landscape Importance identified on the Proposals Map broadly coincides with the Area of Great Landscape Value shown on the 1954 County Development Plan. The area has been revised to include all the undeveloped sections of those chalk-based hills severed and encircled by the Thames. The focus of the landscape protection and enhancement measures set out in this Plan is provided by - 'A Landscape Strategy for Berkshire', which was published in 1995 by Berkshire County Council.

2.2.10 The formation is of particular beauty and value in both a regional and county context. That value is enhanced by its proximity to the River Thames and traditional patterns of cultivation. There is extensive tree cover both on the steeper slopes of the ridge and on parts of the plateau. The area is relatively free from both sporadic and intrusive development.

2.2.11 It is therefore considered that the extension of the Chilterns formation south of the Thames should be protected from adverse development and landscape change.

Area 2. Home Park, Great Park and Windsor Forest

2.2.12 The combination of land form and man's influence over a period of some 900 years associated with the presence of a Royal Palace, has created an area of landscape of a particularly high quality and importance. The area incorporates the parkland setting of the Home Park together with the more heavily wooded ground of The Great Park and parts of the Windsor Forest. The area is unified by its topography and former role as part of the ancient royal hunting forest, enclosed in stages to create more formal park and farmland.

2.2.13 The majority of the area was identified in the Windsor and District Local Plan 1992. Taken as a whole, the area extends westwards across the Borough of Bracknell Forest towards Ascot Heath. The area also extends eastwards across the Borough of Runnymede to Ankerwycke.

2.2.14 The land form of the area is based on a chalk anticline, the core of which is exposed to form the site of the Castle. The chalk is overlaid by London Clay, which increases in depth to the south to create the undulating parkland and forest which characterises the area. The area is remarkable for its variety of habitats, including coniferous and mixed plantations, mature and over-mature broadleaved woodland, heath, improved and unimproved grassland. Of particular importance are the formal landscape features associated with the development of The Great Park, including 'The Long Walk', designed by Charles II, and Queen Anne's Ride.

2.2.15 Although the majority of the area benefits from being in Crown ownership and is therefore subject to careful land management, there is a need to recognise the special landscape character of the area as a whole and to clearly establish a presumption against proposals that could detract from the quality of landscape.

Setting of the Thames

POLICY N2

THE BOROUGH COUNCIL WILL CONSERVE AND ENHANCE THE SETTING OF THE THAMES, AS DEFINED ON THE PROPOSALS MAPS AND WILL NOT PERMIT

DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE CHARACTER AND SETTING OF THE RIVER IN BOTH URBAN AND RURAL LOCATIONS. PROPOSED DEVELOPMENT WILL BE REQUIRED TO MEET THE FOLLOWING CRITERIA:

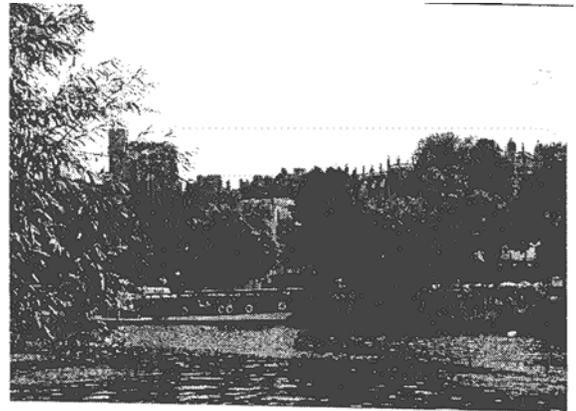
- 1) **THE CHARACTER, HEIGHT, SCALE AND BULK OF THE DEVELOPMENT RESPECTS THE WATER FRONTAGE TOGETHER WITH ADJOINING DEVELOPMENT AND LAND USES;**
- 2) **THE PROTECTION OF IMPORTANT VIEWS OF AND FROM THE RIVER;**
- 3) **THE RETENTION OF EXISTING WATERSIDE BUILDINGS WHERE THESE ARE CONSIDERED TO BE OF MERIT, ESPECIALLY TRADITIONAL BOATYARDS;**
- 4) **THE RETENTION OF TREE-COVER AND THE CONSERVATION OF THE ECOLOGICAL VALUE OF THE AREA, PARTICULARLY THE RETENTION OF VULNERABLE MEADOW-LAND;**
- 5) **EXISTING PUBLIC ACCESS SHOULD BE RETAINED AND, IN APPROPRIATE LOCATIONS, THE PROVISION OF NEW PUBLIC ACCESS WILL BE SOUGHT.**

2.2.16 The Berkshire Structure Plan 1991-2006, adopted in November 1995, recognises the importance of conserving and enhancing the setting of the Thames. The Thames is one of the Royal Borough's most significant landscape features. It includes stretches of great scenic character, for example the steep wooded slopes between Maidenhead and Bisham, and stretches with historic associations such as Windsor, Eton and Ankerwycke.

2.2.17 The character of the Thames will be maintained, and where appropriate, enhanced and its natural riverbanks protected from inappropriate development in the following ways:

1. maintenance and restoration of the tree cover to the valley sides particularly those stretches between Bradnam Wood and Winter Hill which suffered serious damage during the storms of 1987 and 1990;

2. retention of significant views to and from the river;
3. maintenance of the distinctive character of the various reaches, both rural and developed, which are of national significance either as landscape or for their historical associations, by protecting both the riverside and other land comprised in views of the river and its valley from adverse changes;
4. the encouragement of landscape enhancement measures on areas of degraded or poorly managed land, especially Hythe End, Wraysbury, as long as they do not conflict with other policies in the Local Plan (see Policy N3).



2.2.18 A detailed landscape assessment has been carried out in order to define the extent of the setting of the Thames within the Borough. The proposed boundary is shown on the Proposals Map. The whole valley sides have been included in areas where they are reasonably steep and comprise a distinctive topographical feature. This is the case with much of the valley above Cookham. In the flat, open reaches south of Maidenhead the boundary has been drawn to include all areas where change would have a significant impact on views from the towpath. The open nature of the flood plain in these reaches has necessitated the inclusion of large tracks of meadow-land and farmland between Old Windsor and Datchet and between Eton and Eton Wick, including the 'Brocas'. In the developed reaches, the setting has generally been defined as the first row of buildings. However, the prominence of Windsor Castle and Eton College both visually and historically have led to their inclusion within the Thames setting. In the upper reaches the complete villages of Bisham, Temple and Hurley are included within the setting due to their relationship to the river and the nature of the valley topography.

Landscape Enhancement Area

POLICY N3

WITHIN THE AREA IDENTIFIED ON THE PROPOSALS MAP, THE BOROUGH COUNCIL WILL, WHERE APPROPRIATE, SEEK LANDSCAPE ENHANCEMENT AS PART OF DEVELOPMENT THROUGH THE FOLLOWING MEASURES:

- 1) THE CREATION OR RESTORATION OF LANDSCAPE FEATURES;**
- 2) TREE PLANTING;**
- 3) POSITIVE LAND MANAGEMENT;**
- 4) THE PROVISION OF OPPORTUNITIES FOR PUBLIC ACCESS;**
- 5) NEW LAND USES APPROPRIATE TO THE AREA SUCH AS RECREATION;**
- 6) THE PROTECTION AND CREATION / RESTORATION OF WILDLIFE HABITATS.**

2.2.19 The area to the south of Hythe End has suffered landscape despoilation, largely as a result of mineral workings which have either not been restored or restored badly. Much of the land is used unproductively and is poorly managed.

2.2.20 Within this area, the Borough Council will encourage and support positive measures to enhance the landscape. This may include the rehabilitation of derelict land through the restoration or creation of landscape features and wildlife habitats. The Borough Council will encourage much increased tree cover, to be achieved through natural regeneration and appropriate additional planting. All proposals should recognise the nature conservation value of the site. Where appropriate, proposals for countryside recreation or other appropriate uses will be encouraged, in accordance with Policy R19. Landscape enhancement measures will be encouraged to provide opportunities for public access.

Common Land, Village Greens and Ponds

POLICY N4

THE COUNCIL WILL NOT APPROVE DEVELOPMENT PROPOSALS WHICH WOULD ADVERSELY AFFECT THE AMENITY OR ECOLOGICAL VALUE OF REGISTERED

COMMON LAND AND VILLAGE GREENS, ALLOTMENTS, PONDS AND WATERCOURSES, OR WOULD ADVERSELY AFFECT THEIR SETTING.

2.2.21 Common land, village greens, allotments, ponds, and watercourses are of considerable amenity and ecological value to both local residents and visitors. The Borough Council will seek to protect these features from the adverse effects of development on adjacent land, and will encourage their enhancement. Financial assistance for landscape/wildlife enhancement schemes may be available through grant aid from the Borough Council.

Trees

2.2.22 The importance of tree cover in contributing not only towards the quality of environment in the Borough, but also to nature conservation cannot be over-emphasised. Greater public awareness of the value of trees in both the urban and rural setting has been brought about by the ravages of Dutch Elm disease, the loss of trees as a result of modern farming methods and, more recently, by the devastation caused by the storms of October 1987 and January 1990. The Borough Council will seek to preserve and enhance the existing tree cover through the use of development control and making Tree Preservation Orders.

~~**POLICY N5**~~

~~**THE BOROUGH COUNCIL WILL MAKE TREE PRESERVATION ORDERS TO PROTECT INDIVIDUAL TREES, GROUPS OR AREAS OF TREES WHERE IT CONSIDERS THAT:**~~

- ~~**1) THE TREE (OR TREES) MAKES A SIGNIFICANT CONTRIBUTION TO PUBLIC AMENITY; AND**~~
- ~~**2) THE TREE OR TREES ARE IN GOOD HEALTH.**~~

~~**THE COUNCIL WILL NOT ALLOW THE REMOVAL OF PROTECTED TREES, UNLESS THERE ARE CLEARLY JUSTIFIABLE GROUNDS FOR REMOVAL, AND APPROPRIATE PROVISION IS MADE FOR REPLACEMENT PLANTING.**~~

~~**2.2.23** The Borough Council has the power to make Tree Preservation Orders under Section 198 of the Town and Country Planning Act 1990. Trees protected by an Order may only be felled or be the subject of works when express consent is granted, or~~

~~where they are dead, dying or dangerous. Tree surgery should be carried out in accordance with the British Standard to ensure the health and future attractiveness of the tree. Where felling is necessary, replanting will normally be insisted upon in order to secure the quality of the environment in the long term.~~

POLICY N6

THE BOROUGH COUNCIL WILL, WHERE APPROPRIATE, REQUIRE APPLICATIONS FOR NEW DEVELOPMENT TO:

- 1) **SUBMIT A DETAILED TREE SURVEY AS PART OF A PLANNING APPLICATION WHEREVER EXISTING TREES ARE A FEATURE OF THE SITE. PLANS FOR NEW DEVELOPMENT SHOULD, WHEREVER PRACTICABLE, ALLOW FOR THE RETENTION OF EXISTING SUITABLE TREES;**
- 2) **CARRY OUT ANY PROTECTION MEASURES CONSIDERED NECESSARY TO PROTECT TREES DURING SITE CLEARANCE AND BUILDING OPERATIONS;**
- 3) **INCLUDE AN APPROPRIATE TREE PLANTING AND LANDSCAPING SCHEME WHERE THE AMENITY VALUE OF TREES OUTWEIGHS THE JUSTIFICATION FOR DEVELOPMENT, PLANNING PERMISSION MAY BE REFUSED.**

2.2.24 The retention of existing trees on a development site can help to soften the impact of new buildings, as well as providing amenity. Therefore the Borough Council will, where appropriate, require developers to provide a tree survey carried out in accordance with the British Standard. When considering applications, particular importance will be given to the retention of trees, and planning conditions will be attached to protect existing trees during and after site work. Retained trees should be given adequate space to prevent nuisance to occupiers of new buildings and to allow for future growth. Where possible, layouts should be planned so that existing mature and semi-mature trees can be retained within or alongside footpath routes or open spaces. In appropriate cases, the Borough Council will require additional tree planting to be provided as part of the development scheme with preference being made to the use of locally native species in landscaping schemes. In particular, the Borough Council will seek new tree

planting along roadsides due to their capacity for absorbing CO².

2.2.25 Policy N6 is designed to ensure a balanced approach to preserving existing trees and new planting on development sites. However, where the contribution of the trees to local amenity outweighs the justification for development, planning permission may be refused.

Hedgerows

POLICY N7

THE BOROUGH COUNCIL WILL REQUIRE THE RETENTION OF HEDGEROWS AND WILL NOT PERMIT DEVELOPMENT WHICH WOULD RESULT IN THE LOSS OF OR THREAT TO AN IMPORTANT HEDGEROW, SUCH AS A BOUNDARY HEDGE. WHERE HEDGEROW REMOVAL IS UNAVOIDABLE, REPLACEMENT AND IMPROVED PLANTING WILL BE REQUIRED.

2.2.26 Hedgerows are a visually important characteristic of the rural environment. They provide a valuable habitat for a wide variety of flora and fauna and often contain numerous self-seeded trees. Clearly, hedgerows do need to be managed in order to maintain this ecological value. The loss of hedgerows due to development, and the replacement of hedgerows with fencing, usually detracts from the attractive nature of the rural environment. In accordance with The Hedgerows Regulations (1997), the Council aims to protect important hedgerows in the countryside by controlling their removal through a system of notification. Under these regulations, the Council also aims to designate important hedgerows under criteria relating to archaeological, historical, landscape or wildlife value. Where a hedgerow has been removed without consent, the Council will direct appropriate enforcement action and may require the replacement of a hedgerow removed in contravention of the Regulations.

Nature Conservation

2.2.27 The scale of the loss of semi-natural habitat over Great Britain as a whole has only become appreciated in recent years. In the Royal Borough, development required to meet the pressures of population growth has resulted in the extensive loss of wildlife habitats both on the fringe and in the heart of the urban areas. In addition, the Borough's wildlife habitats continue to be damaged by the intensification of agriculture and forestry practice.

2.2.28 However, a wide variety of valuable wildlife habitats remain in the Royal Borough, including wetlands, ancient woodland and unimproved grasslands. The latter include the acid pastures of Windsor Great Park and the rich alluvial meadows by the River Thames. Such a diverse range of habitats aids the survival of numerous species of flora and fauna, as well as enhancing the character and appearance of the rural environment. In addition, there are areas which provide a nature conservation resource in the urban areas which can be of particular local value and amenity.

2.2.29 The Borough Council is therefore determined to protect and enhance the existing nature conservation resource. In particular, the Policies set out below aim to ensure that new development provides opportunities for enhancement for nature conservation. The Council fully supports the 'Action for Wildlife' Nature Conservation Strategy which was published by the Berkshire Nature Conservation Forum, of which the Council is a member.

POLICY N8

~~DEVELOPMENT WHICH MAY DESTROY OR ADVERSELY AFFECT A DESIGNATED OR PROPOSED SITE OF SPECIAL SCIENTIFIC INTEREST, SPECIAL PROTECTION AREA, RAMSAR SITE, OR NATIONAL NATURE RESERVE EITHER DIRECTLY OR INDIRECTLY, WILL NOT BE PERMITTED.~~

2.2.30 ~~Sites of national importance for nature conservation purposes can be statutorily protected through their designation as a Site of Special Scientific Interest (SSSI) under the 1981 Wildlife and Countryside Act.~~

2.2.31 ~~English Nature is the body responsible for designating land which is of special interest due to its flora, fauna, geological or physiographic features. Owners and occupiers of land within a SSSI have a duty to give four months notice to English Nature of any intention to carry out works or activities which may be harmful to nature conservation interests. There are nine SSSI's of varied interest in the Royal Borough. They are identified on the Proposals Map and listed below:~~

- ~~• Bisham Woods, Bisham;~~
- ~~• Chobham Common, Sunningdale;~~
- ~~• Cock Marsh, Cookham;~~
- ~~• Great Thrift Wood, Cox Green;~~
- ~~• Cannon Court Farm Pit, Furze Platt (formerly Cooper's Pit);~~

- ~~• Windsor Forest and Great Park, Windsor;~~
- ~~• Bray Pennyroyal Field, Monkey Island Lane, Bray;~~
- ~~• Wraysbury and Hythe End Gravel Pits;~~
- ~~• Bray Meadows, Bray Road, Bray.~~

~~In addition, the Wraysbury and Hythe End Gravel Pits site is also a proposed Ramsar site and Special Protection Area. Chobham Common is a newly proposed Special Protection Area.~~

2.2.32 ~~The Borough Council will support proposals submitted by English Nature who are responsible for designating any further SSSI's within the Borough. The Council will expect planning applications to provide details of the development impacts on the nature conservation interest on affected application sites.~~

2.2.33 ~~Semi-natural habitats of County importance for nature conservation have been identified by the Berkshire, Buckinghamshire and Oxfordshire Naturalists Trust (BBONT). Phase I of the survey comprised desk top data retrieval and research using satellite imagery. Phase II was completed in 1994 for the Borough area, and involved site visits to verify the interest and to produce species lists and maps. Those sites meeting strict ecological criteria have been designated jointly by English Nature, BBONT and the County Council, and are shown on the proposals maps as Wildlife Heritage Sites. The Berkshire Nature Conservation Forum has co-ordinated the identification and designation of Wildlife Heritage Sites to ensure consistency across the County.~~

POLICY N9

IN CONSIDERING DEVELOPMENT PROPOSALS AFFECTING LOCAL NATURE RESERVES AND WILDLIFE HERITAGE SITES, THE COUNCIL WILL HAVE PARTICULAR REGARD TO THE NEED TO PROTECT NATURAL FEATURES AND THE AVAILABILITY OF MITIGATION MEASURES. MEASURES WILL BE REQUIRED TO SAFEGUARD AND ENHANCE WILDLIFE HERITAGE SITES INCLUDED WITHIN ANY DEVELOPMENT PROPOSALS.

2.2.34 The Wildlife Heritage Site designation is non-statutory and does not restrict the management of the site. The identification of these sites is primarily a means of ensuring that the existing nature conservation interest is taken into account in considering any relevant planning proposals. Where it is considered that development proposals may affect these sites, the

Borough Council will consult its consultant ecologist in order to assess the likely impact on the nature conservation interest. The protection afforded by Policy N9 of the Local Plan, supplements the provision of Policy EN8 of the Adopted Berkshire Structure Plan. PPG9 on Nature Conservation encourages the identification of sites of 'substantive nature conservation interest', as provided for by the Wildlife Heritage Site designation.



~~POLICY N10~~

~~DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD ADVERSELY AFFECT THE CONSERVATION OF FLORA OR FAUNA PROTECTED BY LAW.~~

~~POLICY N11~~

~~THE BOROUGH COUNCIL WILL IN CONSULTATION WITH ENGLISH NATURE AS APPROPRIATE, NEGOTIATE MANAGEMENT AGREEMENTS OR ACTIVELY PROMOTE THE ESTABLISHMENT OF LOCAL NATURE RESERVES IN ORDER TO PROTECT IMPORTANT WILDLIFE SITES. THE COUNCIL WILL ESTABLISH INFORMAL NATURE RESERVES AND POCKET PARKS. OPPORTUNITY WILL BE SOUGHT FOR THE CREATION OR RESTORATION OF WILDLIFE HABITATS IN ASSOCIATION WITH NEW DEVELOPMENT AND THE AFTER-USE OF MINERAL EXTRACTION SITES.~~

~~THE BOROUGH COUNCIL WILL PROMOTE PUBLIC ACCESS TO SITES OF NATURE CONSERVATION INTEREST AND WILL ENCOURAGE THE PROVISION OF EDUCATIONAL INFORMATION AND INTERPRETATIVE MATERIAL, PROVIDING THIS CAN BE ACHIEVED WITHOUT DETRIMENT TO THE NATURE CONSERVATION INTEREST.~~

~~2.2.35 The Borough Council will enter into Management Agreements under the 1981 Wildlife and Countryside Act with landowners, in order to secure the future of areas for nature conservation wherever appropriate. As a last resort, the Borough Council may apply for an Article 4 Direction as a means of controlling inappropriate types of permitted development that threaten the conservation interest of a site.~~

~~2.2.36 The Borough Council has powers to acquire, declare and manage Local Nature Reserves under the 1949 National Parks and Access to the Countryside Act. This not only safeguards these areas and their management for nature conservation, but also provides a local facility for public enjoyment of a nature conservation resource. Local authorities are required to exercise their functions in respect of LNR's in consultation with English Nature. The Borough Council has recently undertaken an initiative to progress the establishment of Local Nature Reserves within the Borough.~~

~~2.2.37 The Braywick Nature Centre is managed by the Borough Council for nature conservation. The centre is accessible to the public and provides information together with interpretative material. The proximity of the centre to the urban area means that it plays a valuable educational role.~~

~~2.2.38 The establishment of informal nature reserves and 'pocket parks' will also be sought by the Borough Council, particularly in connection with new development. 'Pocket parks' are small areas combining the role of a nature garden, land set aside and managed primarily for the benefit of wildlife, with that of a park for quiet recreation; suitable sites are likely to be either neglected areas, an overgrown pond or a stream-side area. Public open spaces provided in relation to new residential development (Policy R3) are likely to hold opportunities for the establishment of 'pocket parks'.~~

~~2.2.39 New development provides many opportunities for the restoration of degraded habitats or the creation of new habitats. In dealing with planning applications, where a nature conservation interest has been identified, the impact of the proposed development on that 'interest' will be considered in full. In appropriate cases, the Borough will enter into negotiations to obtain benefits for nature conservation.~~

~~2.2.40 Mineral extraction also provides an opportunity for the creation of new habitats since~~

~~many former mineral sites are now important areas for wildlife. The Borough Council is now the planning authority for minerals, and as such will create and maintain new wildlife habitats. BBONT have established two informal nature reserves on sites of earlier mineral extraction at Hurley Chalk Pit and Bray Pit; these reserves provide informal public access.~~

2.3 BUILT ENVIRONMENT

2.3.1 The Plan area contains a variety of built development which reflects the historic, social and economic evolution of the Borough. Certain areas and individual buildings and sites enjoy statutory protection, and are of national importance, other areas are of more local significance. The Plan sets out a framework so that the built environment is properly considered and respected in development proposals of whatever size, including not only major new buildings, but also shopfront alterations and advertisements, to ensure that the existing environment is preserved and, where possible, enhanced.

2.3.2 Key objectives

- (i) To promote standards of design which provide a high quality, varied and stimulating townscape and environment.
- (ii) To preserve and enhance the character of conservation areas in the Borough.
- (iii) To ensure that all buildings worthy of listing are properly identified and preserved, and to safeguard sites of archaeological interest, and historic gardens.
- (iv) To promote, when necessary, appropriate new uses for listed buildings in order to secure their long term future.
- (v) To encourage and promote the provision of facilities and amenities for people with physical and/or sensory disabilities in relevant proposals and to promote the improvement of pedestrian facilities for such persons.

Design guidelines

POLICY DG1

THE BOROUGH COUNCIL WILL HAVE REGARD TO THE FOLLOWING GUIDELINES WHEN ASSESSING NEW DEVELOPMENT PROPOSALS:-

1) WITHIN NEW DEVELOPMENT

SCHEMES, PUBLIC SPACES, SUCH AS FOOTPATHS, WALKWAYS AND AREAS OF OPEN SPACE, SHOULD BE OVERLOOKED BY ADJACENT BUILDINGS. WHERE POSSIBLE, SURVEILLANCE OF ADJOINING PUBLIC AREAS SHOULD BE IMPROVED IN ORDER TO REDUCE THE OPPORTUNITY FOR CRIME. PUBLIC AND PRIVATE AREAS SHOULD BE CLEARLY DEFINED;

2) DEVELOPMENTS SHOULD PROVIDE CONVENIENT ACCESS, PARKING AND FACILITIES FOR PEOPLE WITH DISABILITIES IN ACCORDANCE WITH THE AUTHORITY' S ADOPTED STANDARDS AS SET OUT IN APPENDIX 7;

3) THE DESIGN OF NEW BUILDINGS SHOULD BE COMPATIBLE WITH THE ESTABLISHED STREET FACADE HAVING REGARD TO THE SCALE, HEIGHT AND BUILDING LINES OF ADJACENT PROPERTIES. SPECIAL ATTENTION SHOULD BE GIVEN TO THE 'ROOFSCAPE' OF BUILDINGS. ILLUSTRATIONS SHOWING THE RELATIONSHIP BETWEEN NEW AND OLD WILL BE REQUIRED AT THE APPLICATION STAGE;

4) MATERIALS WHICH ARE SYMPATHETIC TO THE TRADITIONAL BUILDING MATERIALS OF THE AREA SHOULD BE USED. (ADDITIONAL CONSTRAINTS WILL APPLY IN CONSERVATION AREAS - SEE POLICY CA2);

5) PUBLIC VIEWS OF HISTORIC, TOWNSCAPE, OR SCENIC IMPORTANCE; ESPECIALLY THOSE IMPORTANT VIEWS OF WINDSOR CASTLE AND VIEWS OF THE RIVER THAMES, SHOULD BE RECOGNISED AND RETAINED;

6) DEVELOPMENT PROPOSALS, WHERE APPROPRIATE, WILL BE EXPECTED TO INCLUDE LANDSCAPING SCHEMES. PROVISION SHOULD BE MADE FOR THE FUTURE MAINTENANCE OF

THESE AREAS. LANDSCAPING PROPOSALS SHOULD FORM AN INTEGRAL PART OF A DEVELOPMENT'S OVERALL LAYOUT AND DESIGN. THE DIFFERENT ELEMENTS OF LANDSCAPING PROPOSALS SHOULD HAVE CLEARLY DEFINED FUNCTIONS AND TOGETHER SHOULD ENHANCE THE BUILT FORM. LANDSCAPING SCHEMES SHOULD UTILISE EXISTING NATURAL VEGETATION AND OTHER LANDSCAPE FEATURES WHEREVER POSSIBLE;

- 7) DEVELOPMENTS SHOULD PROVIDE ADEQUATE OFF STREET PARKING FOR VEHICLES AND CYCLES IN ACCORDANCE WITH THE BOROUGH COUNCIL'S ADOPTED STANDARDS AS SET OUT IN APPENDIX 7. SUCH PROVISION SHOULD BE WELL LANDSCAPED AND LEND ITSELF TO A REASONABLE DEGREE OF SURVEILLANCE;
- 8) DEVELOPMENT SHOULD PROVIDE ADEQUATE VEHICLE ACCESS, (INCLUDING ACCESS FOR REFUSE COLLECTION AND EMERGENCY VEHICLES), LOADING AND UNLOADING FACILITIES AND CIRCULATION SPACE WITHIN THE SITE AS APPROPRIATE;
- 9) THE TRAFFIC GENERATED BY THE PROPOSED DEVELOPMENT SHOULD NOT HAVE AN UNACCEPTABLE EFFECT ON THE LOCAL ROAD NETWORK AND THE ENVIRONMENT OF THE LOCALITY. WHERE APPROPRIATE, CONTRIBUTIONS WILL BE SOUGHT TOWARDS ASSOCIATED INFRASTRUCTURE AND PUBLIC TRANSPORT IMPROVEMENTS;
- 10) WITHIN MIXED DEVELOPMENT SCHEMES SEPARATE ACCESS SHOULD BE PROVIDED TO ANY RESIDENTIAL ACCOMMODATION;
- 11) HARM SHOULD NOT BE CAUSED TO THE CHARACTER OF THE SURROUNDING AREA THROUGH DEVELOPMENT WHICH IS CRAMPED, OR WHICH RESULTS IN THE LOSS OF IMPORTANT FEATURES WHICH

CONTRIBUTE TO THAT CHARACTER.

2.3.3 Within urban areas, conflict can arise between existing townscape and architecture and new development. As a result it is considered that guidelines for new development should be identified within the Local Plan. The design guidelines set out above are based on five principles against which new development proposals will be considered.

2.3.4 Providing a safe environment: The design and layout of schemes can affect crime and vandalism in the public realm. Areas which are not overlooked by adjacent properties are often under-utilised and perceived as unsafe by many sections of the population. They are often dark, deserted, graffiti-ridden and subject to material decay. Informal surveillance from adjacent properties ensures greater personal safety within these areas.

2.3.5 Retaining and enhancing the traditional and historic character of the area: Links with the past are particularly important in areas which have sustained great change and high levels of growth. Equally important is the need to maintain the 'sense of place' given by the use of traditional architectural styles and materials which can be lost in modern development leading to a sense of sameness. Insensitive new development of inappropriate scale, materials and massing, can easily scar attractive street facades, which may have evolved over hundreds of years. Conservation areas will conserve the traditional character of a few select areas. However, other areas and groups of buildings exist which, although not worthy of conservation area designation, nevertheless provide important links with the past and a 'sense of place'. These areas of traditional local character can be found within most urban areas of the Borough 'and in such areas new development will be expected to take account of the existing character of the specific area. In certain instances, a diversity of architectural styles will be encouraged provided these new developments are compatible with the established character of existing and adjoining properties.

2.3.6 Improving accessibility: Disabled people should not be discriminated against by a built form which limits their movement. Convenient access for all members of the population should be provided in new development schemes. This will not only benefit the disabled, but also the elderly, the sick, and those with young children.

2.3.7 Creating visual interest: To avoid monotony, elevations which are visible from the

public realm should include variations in form and detail. This is particularly true of prominent elevations which are frequently viewed over a range of distances. Special care should be taken over corner sites which are often not only visible from a range of distances, but also from different directions as well. Landscaping schemes can also often enhance visual quality and clearly define the structure of public space.

2.3.8 Protecting important public views: It is important to protect historic, riverside and townscape views from adverse development and to form new public views as opportunities arise. Recognition and retention of traditional public views of Windsor Castle and the River Thames are of particular importance, however, other views within the Borough will be recognised and protected where appropriate.

2.3.9 Public Art: The Borough recognises the significance of public art in developing a sense of place and civic pride. The Borough Council therefore supports a policy to promote percent for art and to promote the integration of public art into development and improvement schemes with an emphasis on quality, local distinctiveness, enhancement of the environment, suitability and sustainability. The Borough Council will, in appropriate cases, encourage the provision of new works of art as part of schemes for development.

Conservation Areas

2.3.10 To date, under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and earlier legislation, 27 conservation areas have been designated within the Local Plan area. The designation of a conservation area represents a commitment to preserve and to enhance the special character or appearance of an area. The character and appearance of each conservation area is unique and is derived from the composition of building form, materials, style and juxtaposition with open spaces. As part of the Local Plan preparation, a survey of all the Borough's conservation areas has been carried out, with a view to amending where appropriate existing conservation areas and designating new ones.

2.3.11 Paragraph 2.9 of PPG15 (Planning and the Historic Environment) states that plans should set out an authority's broad criteria for the designation of new conservation areas and for the review of existing conservation area boundaries. In carrying out this review and in any future consideration of proposals for conservation areas, the following elements of the environment will be considered for each area:-

- origins and development of the topographic framework;
- archaeological significance or potential of the area;
- the architectural and historic quality, character and coherency of the buildings;
- character and hierarchy of spaces and townscape quality;
- nature of building materials;
- contribution of green spaces, trees and other natural or cultivated element;
- prevailing or former uses and their influence on building types and layout;
- relationship of the built environment to landscape.

To merit conservation area designation an area must have a significant level of interest in the majority of these areas or be of exceptional quality in a limited number, and in either case these must not be diluted by the extent of negative influences through loss, intrusion or damage or the presence of neutral areas. Each conservation area will have a unique character derived from a combination of these factors and these will be explained in detail in the statement supporting the designation/review of the conservation area.

Maintenance of Conservation Areas

2.3.12 The Local Plan has provided the first opportunity to review the conservation areas in the Borough on a comprehensive basis. The majority of the conservation areas were originally designated by several predecessor local authorities and since there is no standard specification of how a conservation area should be defined some differences of approach are apparent. In reviewing the existing conservation areas an attempt has been made to draw conservation areas on a more consistent basis including only those built areas that possess the intrinsic character of that conservation area and only including open space that directly contributes to the built areas. As a result, amendments to existing Conservation Areas have been made to:

1. Beenhams Heath
2. Bisham Village
3. Burchetts Green
4. Datchet
5. Eton
6. Holyport
7. Hurley
8. Littlewick Green
9. Maidenhead Town Centre

10. Shurlock Row
11. Cookham Dean

All of these conservation areas were originally proposed for amendment within the Consultation Draft of the Boroughwide Local Plan together with proposals for four new conservation areas at:-

1. Altwood Road, Maidenhead
2. Pinkneys Green, Maidenhead
3. Sunningdale Village
4. St Mary' s and Bury Court, White Waltham.

These conservation areas have now been designated separately from the Local Plan procedure.

Development in Conservation Areas

POLICY CA1

THE BOROUGH COUNCIL WILL REQUIRE:

- 1) **APPLICATIONS FOR NEW BUILDINGS IN THE CONSERVATION AREAS ARE TO BE SUBMITTED WITH FULL DETAILS SHOWING PROPOSED LANDSCAPING, MATERIALS AND ADVERTISEMENTS AND OTHER RELEVANT INFORMATION SO THAT THE FULL IMPACT OF THE PROPOSAL CAN BE ASSESSED INCLUDING ACCESS ARRANGEMENTS;**
- 2) **APPLICATIONS FOR CONSERVATION AREA CONSENT FOR DEMOLITION ARE TO BE ACCOMPANIED BY DETAILS FOR THE REPLACEMENT DEVELOPMENT SCHEME AND WILL, WHERE APPROPRIATE, CONTROL THE TIMING OF DEMOLITION BY CONDITION.**

2.3.13 The Local Planning Authority is responsible for ensuring that conservation areas are protected against inappropriate development or alterations. Within designated conservation areas consent is required for total demolition of certain structures, and boundary walls and fences, whilst permitted development rights are more restricted. Any work on trees also requires 6 weeks advance notice to the Local Planning Authority and additional limitations apply to the display of advertisements. Local authorities are required to ensure that new development preserves or enhances the character and appearance of the conservation area.

2.3.14 Outline planning permission for development in conservation areas will not be acceptable and where necessary the Local Planning Authority will use its powers under the General Development Procedure Order (1995) to obtain full details of the proposed development. The detailed design of a building is an important consideration in whether to allow development in a conservation area. Consequently an outline application would not provide sufficient information for the merits of a proposal to be properly assessed.

2.3.15 Demolition of a building or structure will not always be followed by redevelopment of the site. However, where it is clear that redevelopment will be permitted the Secretary of State advises that consent to demolish should normally be given only where there are acceptable and detailed plans for that redevelopment (PPG15 - Planning and the Historic Environment). Even where there is no likelihood of redevelopment the Local Planning Authority will need to be satisfied that the future use of the land will not detract from the conservation area before granting any consent for demolition. In some cases it may be necessary for a Section 106 Agreement to be entered into by applicants but in most instances the timing of the demolition works associated with a redevelopment will be dealt with by planning condition.

Guidelines on development affecting Conservation Areas

POLICY CA2

IN RESPECT OF CONSERVATION AREAS THE BOROUGH COUNCIL WILL:

- 1) **REQUIRE THAT ANY DEVELOPMENT WILL ENHANCE OR PRESERVE THE CHARACTER OR APPEARANCE OF THE AREA;**
- 2) **REQUIRE THE RETENTION OF ANY BUILDING AND THE PROTECTION OF VIEWS THAT CONTRIBUTE TO THE DISTINCTIVE CHARACTER OF THE CONSERVATION AREA;**
- 3) **REQUIRE PROPOSALS FOR NEW BUILDINGS AND EXTENSIONS OR ALTERATIONS TO EXISTING BUILDINGS TO BE OF A HIGH DESIGN STANDARD WHICH IS SYMPATHETIC IN TERMS OF SITING, PROPORTION, SCALE, FORM, HEIGHT, MATERIALS AND DETAILING TO ADJACENT**

BUILDINGS AND THE CHARACTER OF THE AREA IN GENERAL;

- 4) NOT PERMIT THE USE OF INAPPROPRIATE SYNTHETIC MATERIALS AND REQUIRE THE USE OF TRADITIONAL MATERIALS FOR WINDOWS, DOORS, SHOPFRONTS, CANOPIES, FASCIAS AND RAINWATER GOODS;
- 5) REQUIRE CHANGES OF USE TO BE SYMPATHETIC TO THE CHARACTER OF BOTH THE BUILDING AND THE OVERALL CONSERVATION AREA AND NOT TO LEAD TO AN UNDESIRABLE INTENSIFICATION OF ACTIVITIES IN THE AREA;
- 6) NOT GRANT PERMISSION FOR DEVELOPMENT ON SITES WHICH FORM IMPORTANT OPEN SPACES WITHIN THE CONSERVATION AREA OR SITES WHICH BY THEIR OPENNESS FORM PART OF THE ESSENTIAL CHARACTER OF THE CONSERVATION AREA;
- 7) REQUIRE THE RETENTION OF ALL SIGNIFICANT WALLS, FENCES AND HEDGES.

2.3.16 The Local Planning Authority will need to be satisfied that any new development would preserve or enhance the character or appearance of the conservation area, before granting any approval. The loss of significant features will generally be opposed, as it is likely they will have an historic character that cannot be replicated by development.

2.3.17 The use of buildings and open spaces can be fundamental to the character of an area. Inappropriate changes of use can detract from that character in terms of both the alterations to the building/open space and the altered pattern and level of activities resulting from the new use. Once a change of use has been permitted, it can be difficult to resist further minor changes and alterations that can be considered normal requirements of that use, but may nevertheless detract from the character of the conservation area.

Article 4 Directions

POLICY CA3

~~IN ORDER TO GIVE ADDITIONAL PROTECTION TO THE CHARACTER OF A CONSERVATION AREA, IN APPROPRIATE CIRCUMSTANCES THE BOROUGH COUNCIL WILL MAKE DIRECTIONS UNDER ARTICLE 4 OF THE GENERAL PERMITTED DEVELOPMENT ORDER TO CONTROL CHANGES TO ORIGINAL ARCHITECTURAL FEATURES SUCH AS DOORS, WINDOWS, ROOFING MATERIALS, FACING MATERIALS, EXTERNAL PAINTING, GARDEN WALLS AND FENCES.~~

~~**2.3.18** Designation of an area as a conservation area will not necessarily be sufficient to protect the essential character and appearance of that area. The Local Planning Authority will consider making a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 to restrict development rights subject to the approval of the Secretary of State. Areas, for example, that may be characterised by the harmonised use of patterned brickwork may require an Article 4 Direction to prevent the painting over the brickwork, thus ensuring that the appearance of the area is preserved.~~

~~**2.3.19** At present, there is an Article 4 Direction Area in the Borough which restricts permitted development rights within the Windsor Town Centre conservation area in respect of external painting. The area protected requires review and there are several other areas that have been identified for future designation under an Article 4 Direction. These are:~~

- ~~1. parts of the residential areas in Inner Windsor Conservation Area;~~
- ~~2. Eton High Street;~~
- ~~3. parts of the residential area in Castle Hill Conservation Area in Maidenhead;~~
- ~~4. parts of the residential area in Datchet Conservation Area.~~

~~Other areas may also be identified in the future.~~

~~Environmental Improvements and Management of Conservation Areas~~

~~POLICY CA4~~

~~THE BOROUGH COUNCIL WILL ASSIST IN THE IMPLEMENTATION OF ENVIRONMENTAL IMPROVEMENT SCHEMES WITHIN CONSERVATION AREAS. ENVIRONMENTAL IMPROVEMENTS WILL BE SOUGHT WHERE APPROPRIATE TO ENSURE THAT NEW DEVELOPMENT CONTRIBUTES POSITIVELY TO THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA.~~

~~POLICY CA5~~

~~THE BOROUGH COUNCIL WILL ENSURE THAT WITHIN THE REQUIREMENTS OF HIGHWAY LAW, STREET FURNITURE, SIGNS AND OTHER HIGHWAY EQUIPMENT ARE KEPT TO THE MINIMUM NECESSARY, CAREFULLY SITED AND ARE OF A DESIGN APPROPRIATE TO A CONSERVATION AREA. THE BOROUGH COUNCIL WILL ALSO SEEK THE USE OF SMALLER SIGNS AND NARROWER YELLOW LINES AS PERMITTED BY THE DEPARTMENT OF THE ENVIRONMENT TRANSPORT AND THE REGIONS IN CONSERVATION AREAS AND WILL ENSURE THE RETENTION AND WHEREVER POSSIBLE THE REINTRODUCTION OF TRADITIONAL SURFACING AND PAVING MATERIALS~~

~~2.3.20 The Borough Council has sought, through the allocation of finance, to support improvements in conservation areas and will encourage the private sector to join in with initiatives and to carry out improvements as part of a permission for development where appropriate. The preparation of enhancement studies will be undertaken, where appropriate, to assess the character and scope for enhancement schemes.~~

~~2.3.21 The streetscape and the treatment of the spaces between buildings can be as important to the appearance of a conservation area as the buildings themselves. Every effort should be made to improve the quality of materials, street furniture, and landscaping and their maintenance within conservation areas. In accordance with the advice contained in PPG 15, the Local Planning Authority will seek to retain and reintroduce traditional surfacing materials and street furniture into these areas.~~

~~2.3.22 Although street furniture is not usually subject to planning control, historic towns and villages need special care in order to create a sympathetic street environment. This is recognised by the Borough Council in its use of street furniture, and statutory undertakers, telecommunications system operators and others carrying out work on the highway will be expected, where necessary, to adapt their equipment to a style and material appropriate to each conservation area.~~

Car parking in Conservation Areas

POLICY CA6

THE BOROUGH COUNCIL WILL:

1. EXPECT ANY NEW CAR PARKING PROVISION WITHIN CONSERVATION AREAS TO BE SENSITIVELY DESIGNED AND INCORPORATE APPROPRIATE HARD AND SOFT LANDSCAPING;
2. NOT PERMIT THE CONVERSION OF FRONT GARDEN AREAS TO CAR PARKING;
3. SEEK IMPROVEMENTS TO EXISTING CAR PARKING ARRANGEMENTS THROUGH REVISED LAYOUTS AND LANDSCAPING.

2.3.23 A major problem in conservation areas, particularly in commercial and residential areas, is parking for vehicles. The visual intrusion of cars both on streets or parking in front gardens is a particular problem and can be detrimental to the appearance of many conservation areas. Any opportunities therefore to minimise their impact, such as re-ordering specific parking areas or landscaping existing areas, will be pursued.

Listed Buildings

2.3.24 The Borough has a rich heritage of buildings and structures that form an irreplaceable element in the environment. Many of these buildings and structures are listed as being of Special Architectural or Historic Interest by the Department for Culture, Media and Sport under the provisions of Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.3.2 In total there are approaching 1,700 listed buildings in the Borough. They range from those of national importance such as Windsor Castle and Eton College, to distinctive groups of urban buildings,

small cottages and, importantly in the rural areas, many groups of farm buildings. Once a building or structure is 'listed' it should be properly maintained and preserved for future generations.



~~POLICY LB1~~

~~THE BOROUGH COUNCIL WILL:~~

- ~~1) REQUEST THE SECRETARY OF STATE TO REVIEW THE STATUTORY LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST FOR THE FORMER ETON URBAN DISTRICT AREA AND THE AREA OF THE FORMER BOROUGH OF NEW WINDSOR;~~
- ~~2) REQUEST THE SECRETARY OF STATE TO INCLUDE OTHER BUILDINGS BROUGHT TO HIS ATTENTION, WITHIN THE STATUTORY LISTS, WHEN SUCH BUILDINGS ARE CONSIDERED OF APPROPRIATE STANDARD;~~
- ~~3) SERVE BUILDING PRESERVATION NOTICES ON BUILDINGS CONSIDERED TO MERIT PRESERVATION WITHIN THE NATIONAL LISTING CRITERIA, WHICH ARE UNDER IMMEDIATE THREAT OF DEMOLITION OR ALTERATION THAT MAY HARM THE BUILDING'S CHARACTER;~~
- ~~4) MONITOR THE CONDITION OF LISTED BUILDINGS TO IDENTIFY THOSE WHICH ARE AT RISK OF FALLING INTO DISREPAIR. SUCH BUILDINGS WILL BE RECORDED ON A 'BUILDINGS AT RISK' REGISTER AND THE BOROUGH COUNCIL WILL, WHEN APPROPRIATE, MAKE USE OF ITS POWERS TO SECURE REPAIR OF~~

~~THE BUILDINGS IN DEFAULT OF ACTION BY THEIR OWNERS;~~

- ~~5) SUBJECT TO THE AVAILABILITY OF FINANCE, CONTINUE TO PROVIDE FINANCIAL ASSISTANCE IN THE FORM OF HISTORIC BUILDINGS GRANTS AND LOANS FOR THE REPAIR AND PRESERVATION OF BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST.~~

~~2.3.26 Listing is the responsibility of the Department for Culture, Media and Sport and is carried out using national criteria for assessment. Much of the Plan area has recently been fully resurveyed for listed buildings. The lists for the areas not yet resurveyed (Windsor, Eton and Eton Wick) are recognised to require review and a full resurvey of these areas is required to provide a sound base for the preservation of the built heritage.~~

~~2.3.27 As a supplement to the full resurvey process it is recognised that individual buildings will continue to merit addition to the list for various reasons; changing standards, new information, etc. This can be achieved either by spot listing by the Department for Culture, Media and Sport or in cases of imminently threatened damage by the service of a Building Preservation Notice by the planning authority.~~

~~2.3.28 Once buildings are protected by the listing status it is important to ensure they are properly maintained. In order to assist in the identification of buildings suffering from neglect and underuse, the Borough Council maintain a 'Buildings at Risk' register which can identify buildings most at risk and requiring action to secure repair. The Borough Council has certain powers available to instigate urgent repairs to a building but this is essentially a 'last resort' measure. It is recognised that it is more satisfactory to achieve proper maintenance encouraged, if appropriate, by grant or loan assistance.~~

~~Proposals affecting Listed Buildings or their settings~~

~~POLICY LB2~~

~~THE BOROUGH COUNCIL WILL HAVE SPECIAL REGARD TO THE PRESERVATION OF LISTED BUILDINGS AND THEIR SETTINGS AND WILL:~~

- 1) **NOT GRANT APPROVAL FOR THE DEMOLITION OF A LISTED BUILDING UNLESS IT IS SATISFIED THAT THERE ARE VERY EXCEPTIONAL CIRCUMSTANCES AS TO WHY THE BUILDING CANNOT BE RETAINED AND REUSED;**
- 2) **REQUIRE APPLICATIONS AFFECTING LISTED BUILDINGS TO BE ACCOMPANIED BY DETAILED SURVEY DRAWINGS, IN ORDER TO ENSURE AN ACCURATE RECORD OF THE EXISTING BUILDING(S) AND SITE, AGAINST WHICH ALTERATIONS CAN BE ASSESSED AND MONITORED;**
- 3) **ONLY GRANT LISTED BUILDING CONSENT FOR THE ALTERATION AND/OR EXTENSION OF A BUILDING (SUBJECT TO COMPLIANCE WITH OTHER RELEVANT POLICIES) PROVIDED THAT THE CHARACTER OF THE BUILDING WILL NOT BE ADVERSELY AFFECTED, BOTH INTERNALLY AND EXTERNALLY;**
- 4) **REQUIRE ANY WORKS OR ALTERATIONS TO A LISTED BUILDING OR TO BUILDINGS WITHIN THEIR CURTILAGE TO MAKE USE OF APPROPRIATE TRADITIONAL MATERIALS AND TECHNIQUES AND TO BE OF A HIGH STANDARD OF DESIGN;**
- 5) **ENSURE THAT DEVELOPMENT PROPOSALS DO NOT ADVERSELY AFFECT THE GROUNDS AND/OR SETTING OF LISTED BUILDINGS.**

2.3.29 The listed building legislation gives very great controls over works to listed buildings and carrying out unauthorised works can be a criminal offence. These controls, and related government advice contained in PPG15 reflect the importance attached to listed buildings and the presumption that they should be preserved. Accordingly, it is very rare for listed building consent to be granted for the demolition of a listed building. Any applications involving alterations to or demolition of listed buildings will be the subject of rigorous examination following the guidelines set out in PPG15. In particular, it is likely that evidence of marketing efforts and or estimates of repair costs will be required to be submitted to support some applications and these will be subject to close examination if they are

to be used to justify a proposal.

2.3.30 The PPG also provides criteria to be considered in determining applications that propose alterations to listed buildings, and emphasises that consideration must be given to interior features as well as external works. In order that these matters can be properly considered it is essential that applications for listed building consent are accompanied by properly detailed drawings showing both the existing situation and new proposals.

2.3.31 Each application for listed building consent must be considered on its merits but works affecting a listed building will be required to make use of traditional materials and techniques if they are to be considered appropriate. Whilst extensions need not necessarily match the original in every detail they should respect its scale, style and materials and allow the original building to remain a distinct element. In certain instances there may be an opportunity for a well designed and detailed modern extension to be added to an historic building.

2.3.32 The overall character of a listed building often derives much from its setting which can vary in extent from a landscaped garden, a formal street or a farmyard. Accordingly it is important to ensure that any development within the curtilage or setting of a listed building enables the character to be maintained. The planning legislation provides fairly extensive control over works within the curtilage of a listed building. Most curtilage buildings erected before 1948 are protected by the 'listing' status and the General Permitted Development Order (1995) allows very little permitted development within the curtilage.

Change of Use of Listed Buildings

POLICY LB3

WHEREVER POSSIBLE THE BOROUGH COUNCIL WILL REQUIRE THAT LISTED BUILDINGS ARE USED FOR PURPOSES WHICH WILL SECURE THEIR LONG TERM FUTURE AND WHICH WILL PRESERVE OR ENHANCE THEIR PHYSICAL FABRIC, SETTING, SPECIAL CHARACTER AND INTEREST. PROPOSALS FOR CHANGES OF USE OF LISTED BUILDINGS WHICH DO NOT MEET THESE OBJECTIVES WILL NOT BE PERMITTED.

2.3.33 It is widely recognised that the best use for an historic building is the one for which it was originally designed. However, over time some uses become

obsolete or buildings become redundant for an owner's purposes. The most suitable new use is likely to be the one that requires the minimum of alteration to a listed building and in this respect any proposals for change of use will need to be accompanied by properly detailed plans to show the full extent of alterations required, including those necessary to meet the likely requirements of Building and Fire Regulations.

2.3.34 Within the rural parts of the Plan area there is a particular problem with listed agricultural buildings. Changing agricultural practices have made many of these buildings redundant to a modern farming practice. They remain, however, an important element of the landscape, and examples of past working methods and craftsmanship. It is important that the most important of these buildings, reflected in those listed grade I and II*, are preserved in their original form. Conversion of other listed buildings may be appropriate but it is recognised that the essential characteristics of agricultural buildings, both internally and externally, are rarely preserved by a residential use. More appropriate uses are likely to be community or commercial uses, subject to other policy considerations in particular Policy GB8. Evidence of marketing exercises for the property and their results may be required to support an application for an alternative use.

2.3.35 Since agricultural buildings are often part of a group, in order to maintain the character of such historic farmsteads proposals for the conversion or change of use of one building in such a group must be related to an overall scheme for the future of the group. Otherwise the conversion of an individual building could pre-empt a more favourable mixture of uses. The consideration of the group as a whole should also allow the most important buildings to be retained in a substantially unaltered state with less sensitive buildings being adapted more extensively if necessary to produce a viable scheme.

Historic Gardens and formal landscapes

POLICY HG1

DEVELOPMENT PROPOSALS WHICH WOULD HAVE AN ADVERSE EFFECT ON THE 'SPECIAL' HISTORIC INTEREST OR APPEARANCE OR SETTING OF THE PARKS AND GARDENS IDENTIFIED IN THE REGISTER OF PARKS AND GARDENS OF SPECIAL HISTORIC INTEREST WILL NOT BE PERMITTED. THE BOROUGH COUNCIL WILL ALSO RESIST DEVELOPMENT PROPOSALS

THAT HAVE A DETRIMENTAL EFFECT ON THE APPEARANCE OR SETTING OF HISTORIC PARKS AND GARDENS AND FORMAL LANDSCAPES THAT ARE RECOGNISED TO BE OF LOCAL SIGNIFICANCE.

2.3.36 Within the Plan area there are 4 sites identified in the Register of Parks and Gardens of Special Historic Interest compiled by the Historic Buildings and Monuments Commission for England. The gardens include areas at Eton College, Frogmore Gardens, Windsor Great Park and Ditton Park, Datchet and their designation identifies them as a further essential element of the national heritage. Any development proposals adversely affecting these gardens would be resisted to ensure the survival of the gardens. The local importance of other gardens and parks not included on the national register is also recognised and when development proposals affect such areas their destruction or alteration will be resisted.

Archaeology

2.3.37 At present, within the Royal Borough, 17 sites or structures are identified as Scheduled Ancient Monuments and enjoy specific legislative protection under the Ancient Monuments and Archaeological Areas Act 1979. It is likely that this number will increase through the Plan period as further sites are designated as part of the Historic Buildings and Monuments Commission's 'Monument Protection Programme'. Scheduled monument consent for works directly affecting the structure of the monuments must be obtained from the Secretary of State for Culture, Media and Sport in addition to any planning permission or other consent which may be required. Existing Scheduled Ancient Monuments are shown on the proposals map.

Development on Scheduled Ancient Monuments

POLICY ARCH1

THERE WILL BE A PRESUMPTION IN FAVOUR OF THE PRESERVATION OF SCHEDULED AND NATIONALLY IMPORTANT MONUMENTS AND THEIR SETTINGS. PLANNING PERMISSION WILL NOT BE GRANTED FOR ANY DEVELOPMENT LIKELY TO AFFECT THE PRESERVATION OF SUCH MONUMENTS AND THEIR SETTINGS.

2.3.38 PPG16 "Archaeology and Planning" indicates that where nationally important archaeological remains and their settings are affected by proposed development, there should be a presumption in favour of their physical preservation. This principle is reflected in Policy ARCH1 which is designed to ensure that important archaeological remains are not destroyed and retain their value. It is considered that in the majority of cases there will be a strong presumption in favour of the physical preservation of Scheduled Ancient Monuments and other nationally important monuments and their settings.

Sites of Archaeological Importance and Development Proposals

POLICY ARCH2

PLANNING PERMISSION WILL NOT BE GRANTED FOR PROPOSALS ADVERSELY AFFECTING SITES IN BERKSHIRE'S SITES AND MONUMENTS RECORD WHERE ARCHAEOLOGICAL FEATURES MERIT IN SITU PRESERVATION UNLESS IT CAN BE DEMONSTRATED THAT:

- 1) THE PROPOSALS WILL NOT HARM THE ARCHAEOLOGICAL IMPORTANCE OF THE SITE AND ITS SETTING;**
- 2) APPROPRIATE AND ACCEPTABLE PROVISION IS MADE FOR THE PROTECTION AND MANAGEMENT OF THE ARCHAEOLOGICAL REMAINS IN SITU PRIOR TO AND/OR DURING DEVELOPMENT.**

POLICY ARCH3

PLANNING PERMISSION WILL NOT BE GRANTED FOR PROPOSALS WHICH APPEAR LIKELY TO ADVERSELY AFFECT ARCHAEOLOGICAL SITES AND MONUMENTS OF UNKNOWN IMPORTANCE AND AREAS OF HIGH POTENTIAL UNLESS ADEQUATE EVALUATION ENABLING THE FULL IMPLICATIONS OF THE DEVELOPMENT ON MATTERS OF ARCHAEOLOGICAL INTEREST IS CARRIED OUT BY THE DEVELOPER PRIOR TO THE DETERMINATION OF THE APPLICATION.

POLICY ARCH4

WHERE EVALUATION OF A SITE DEMONSTRATES THE PRESENCE OF ARCHAEOLOGICAL REMAINS WHICH DO NOT MERIT PERMANENT IN SITU PRESERVATION, PLANNING PERMISSION WILL NOT BE GRANTED FOR ANY DEVELOPMENT UNLESS PROVISION IS MADE FOR AN APPROPRIATE LEVEL OF ARCHAEOLOGICAL INVESTIGATION EXCAVATION, RECORDING AND OFF SITE PRESERVATION / PUBLICATION / DISPLAY OF SUCH REMAINS PRIOR TO DAMAGE OR DESTRUCTION OR TO THE COMMENCEMENT OF DEVELOPMENT.

2.3.39 PPG16 indicates that appropriate management is essential to ensure that archaeological remains survive in good condition and are not damaged or destroyed. The council, along with other key bodies such as English Heritage, encourage the positive management of important ancient monuments. In most cases it is essential to develop a management plan and to carry out regular maintenance to prevent decay and deterioration. Responsibility for this lies with landowners. However, a number of key bodies can provide expert advice and, in cases, financial assistance in relation to the appropriate management of scheduled ancient monuments.

2.3.40 There are many other sites of archaeological importance which are not scheduled ancient monuments or otherwise statutorily protected. As they have no specific protection, PPG16 advises that they therefore require safeguarding through local plan proposals. These latter types of archaeological site are numerous and vary in terms of size, period and typology. Full details are held on the Berkshire Sites and Monuments Record (SMR). The information held on the SMR will be used as a basis for assessing the importance of any remains and the likely archaeological implications of any development proposal.

2.3.41 PPG16 has reinforced the importance of the role of planning in managing the conflict between development and archaeology to ensure that the archaeological heritage is preserved and properly managed.

2.3.42 The presumption in favour of preservation may also apply to many sites which may be of regional or county importance. Development proposals will be very carefully assessed to determine that no harm will be caused and that appropriate arrangements are made to protect these remains. Where planning

applications affect unscheduled sites the Council's archaeological consultant will be consulted. The Borough Council will expect applications to include detailed information on matters of archaeological interest along with detailed proposals for the appropriate preservation, protection and management of the archaeological remains.

2.3.43 As in the case of Scheduled Ancient Monuments, the Borough Council will encourage land owners to positively manage sites of archaeological interest in order to protect irreplaceable information.

2.3.44 Where planning applications affect unscheduled sites the Council's archaeological consultant will be consulted. Developers are advised to ascertain from the Council's archaeological consultant at an early stage whether archaeological sites are known or are likely to be present on the site. In cases of sites or monuments of unknown potential, the Borough Council will expect appropriate evaluation and for applications to include information on the character and extent of archaeological remains within the site and what steps will be taken to mitigate the effects of any proposals. Planning permission may be granted subject to conditions requiring further evaluation and, where appropriate, that the feature of interest will be preserved in situ or be recorded to an adequate standard. Where a site is regarded as being worthy of permanent protection permission will be refused if the proposal is likely to cause material harm to features of archaeological interest.

2.3.45 Archaeological remains should be seen as finite and non-renewable resources, containing irreplaceable information about our past and should not be disturbed unless the appropriate consents have been granted. In order to ensure that the archaeological significance of areas that do not presently enjoy statutory protection is not prejudiced, the policies indicate that in certain instances an evaluation procedure and/or investigations will be required as part of any development proposals. The scale of archaeological investigation required will vary from site to site and will be determined with advice from the Council's archaeological consultant and English Heritage. In some instances a full-scale excavation and post-excavation operation may be required, whilst in others a brief photographic or measured survey may suffice, depending upon the type and scale of the proposed development. In some cases, a planning obligation will be sought to ensure that the appropriate level of investigation, excavation, recording and preservation is undertaken. Where features are not to remain in situ, appropriate arrangements will be sought for the off site

preservation, publication and/or display of remains.

Shopfronts and Advertisements

2.3.46 The appearance of shopfronts and advertisements makes a considerable impact on the environment. Within historic town and village centres the character and appearance of commercial properties is very easily altered by the introduction of modern shopfronts and signs and the use of standard corporate identities can all too easily destroy an individual town's identity. Advertisements in rural areas can be equally incongruous.

2.3.47 Planning Policy Guidance Note 19 'Outdoor Advertisement Control' endorses the need for sensitivity in the design and siting of advertisements to ensure they are in harmony with their setting. The Borough Council is anxious to establish an appropriate balance between commercial interests and environmental quality. The following policies are intended to be applicable throughout the Borough but are of particular significance in the main town centre conservation areas where it is the intention that the character of each area should be retained or, where appropriate, re-established. In addition to the Local Plan policies, and in accordance with the advice in PPG19, further detailed guidelines and advice have been published. The Borough Council has also endorsed the English Historic Towns Forum's publication 'Shopfronts and Advertisements in Historic Towns' as being advice applicable to the design of shopfronts and advertisements throughout the Borough.

Guidelines for shopfronts

POLICY SF1

PROPOSALS FOR NEW SHOPFRONTS OR ALTERATIONS OR REPLACEMENTS TO EXISTING ONES WILL BE REQUIRED TO MEET THE FOLLOWING CRITERIA:

- 1) WHERE AN EXISTING SHOPFRONT IS OF HISTORIC OR ARCHITECTURAL INTEREST IT SHOULD BE RETAINED AND REPAIRED IF NECESSARY AND THE OPPORTUNITY USED TO REINSTATE ANY MISSING FEATURES;**
- 2) WHERE EVIDENCE OF ORIGINAL SHOPFRONT DETAIL EXISTS, FOR EXAMPLE IN TERRACES OR GROUPS OF SIMILAR DESIGN, PROPOSALS FOR**

NEW SHOPFRONTS WILL BE EXPECTED TO RECREATE THE ORIGINAL DESIGN;

- 3) **NEW SHOPFRONTS SHOULD COMPLEMENT, NOT DOMINATE, THEIR SETTING AND TO THIS END SHOULD RESPECT THE SCALE, PROPORTIONS, CHARACTER AND APPEARANCE OF THE UPPER PART OF THE STRUCTURE AND, WHERE RELEVANT, ADJOINING BUILDINGS AND SHOPFRONTS AND THE OVERALL STREET SCENE. PARTICULAR REGARD WILL BE PAID TO FASCIA LINES, STALLRISER HEIGHTS, FRAME AND GLAZING BAR PROFILES, MATERIALS AND COLOUR IN CONSIDERING THE ACCEPTABILITY OF PROPOSALS;**
- 4) **WINDOWS TO UPPER FLOORS SHOULD NOT BE ENLARGED FOR DISPLAY PURPOSES;**
- 5) **REGARD SHALL BE PAID TO DESIGN GUIDELINES. WHERE PUBLISHED DESIGN GUIDELINES EXIST FOR A SPECIFIC CENTRE, ADVICE SHOULD BE ADHERED TO.**

Blinds on shopfronts

POLICY SF2

BLINDS SHOULD BE OF A TRADITIONAL MATERIAL AND DESIGN WHICH ARE INCORPORATED INTO THE FASCIA CORNICE OF THE SHOPFRONT WITHIN AN INTEGRATED BLIND BOX IN CONSERVATION AREAS THE USE OF DUTCH BLINDS WILL BE STRONGLY RESISTED, PARTICULARLY WHERE THE USE OF PLASTICS, WET-LOOK OR STRETCH FABRIC ARE PROPOSED.

2.3.48 Blinds have a practical purpose to protect goods from damage by sunlight and normally there is no need for them on north facing elevations or in narrow streets. In situations where blinds are necessary they must be properly fitted into the shopfront to avoid adding bulky fittings to an elevation. Dutch blinds or balloon canopies are usually erected as a means of increasing advertising space. The method of assembly tends to obscure the fascia and details of the shopfront and clutter its appearance as well as introducing an alien feature into the street. The Local Planning Authority will, therefore, resist applications for these blinds which

are particularly inappropriate to conservation areas.

Security shutters

POLICY SF3

THE BOROUGH COUNCIL WILL NOT PERMIT THE USE OF EXTERNAL SECURITY SHUTTERS.

2.3.49 Solid security shutters have a deadening effect on the character of shopping streets and are a particular concern in conservation areas. Where security is a problem the more appropriate ways of safeguarding the contents of the shop are by using laminated glass or installing internal lattice grilles. Where a new shopfront is installed, the Local Planning Authority will expect the provision of housings for internal security shutters, so that future occupants can take advantage of this provision if required.

~~**Disabled access**~~

~~**POLICY SF4**~~

~~**THE BOROUGH COUNCIL WILL REQUIRE NEW SHOPFRONTS TO INCORPORATE BETTER ACCESS FOR THE DISABLED IN THEIR DESIGN. ON LISTED BUILDINGS AND PROPERTIES WITHIN CONSERVATION AREAS, THE NEED FOR DISABLED ACCESS SHOULD BE TAKEN INTO ACCOUNT AS FAR AS POSSIBLE, COMMENSURATE WITH THE NEED TO PRESERVE THE CHARACTER OF THE BUILDING OR AREA.**~~

~~**2.3.50** New shopfronts should accommodate the needs of disabled people. As a general principle, steps should be avoided, unless the shop is part of a listed building where the steps may be considered to be an important element contributing to the character of the listed building. Doors should also be capable of being opened by people in wheelchairs. Handrails are helpful at changes in level. Frameless glass doors are not encouraged as they can be dangerous for the young and partially sighted.~~

Areas of Special Control of Advertisements

2.3.51 The advertisement regulations allow many signs to be displayed without a requirement of a specific grant of advertisement consent provided certain conditions and size limits are met. Whilst this level of advertising is intended to be appropriate in most commercial areas, it could be unduly intrusive in

particularly sensitive urban areas and also in rural areas. PPG19 'Outdoor Advertising Control', and Circular 5/92 Town and Country Planning (Control of Advertisement) Regulations 1992 contain advice that in these situations an Area of Special Control of Advertisements may be designated, subject to confirmation by the Secretary of State. Since 1965, parts of the centre of Windsor have been designated an Area of Special Control of Advertisements and it is proposed that this designation should be extended to a larger area of the town including Eton. The designation is also considered appropriate for the larger village conservation areas of Cookham and Datchet and throughout the rural areas of the Green Belt. Details of these designations were included in the Consultation Draft of the Local Plan but since this control is outside the normal local plan legislation these designations will now be progressed separately. In addition illuminated advertisements in residential areas will normally be resisted.

Display of Advertisements

POLICY ADV1

PROPOSALS FOR THE DISPLAY OF NEW, OR THE RETENTION OF EXISTING ADVERTISEMENTS WILL BE CONSIDERED ON THEIR INDIVIDUAL MERITS, BUT IN GENERAL THE BOROUGH COUNCIL WILL NOT PERMIT THE DISPLAY OF SIGNS WHICH WOULD BE OUT OF KEEPING WITH THE STYLE OR CHARACTER OF A BUILDING OR ITS SURROUNDINGS OR DETRIMENTAL TO AMENITY OR SAFETY, BY REASON OF GENERAL DESIGN, SIZE, COLOUR, POSITION OF SIGN, TYPE OR DEGREE OF ILLUMINATION.

Within conservation areas the following additional controls are imposed:

POLICY ADV2

IN ITS CONSIDERATION OF APPLICATIONS FOR EXPRESS CONSENT MADE UNDER THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS WITHIN CONSERVATION AREAS, THE BOROUGH COUNCIL WILL ONLY ACCEPT SIGNS SATISFYING THE FOLLOWING CRITERIA AS WELL AS THE CRITERIA SET OUT IN POLICY SFI:

- 1) **SIGNS SHALL BE EITHER PAINTED OR INDIVIDUALLY LETTERED IN A SUITABLE MATERIAL OF AN APPROPRIATE SIZE AND DESIGN IN RELATION TO THE BUILDING UPON WHICH THEY ARE TO BE DISPLAYED;**

- 2) **SIGNS SHALL PREFERABLY BE NON-ILLUMINATED.WHERE ILLUMINATION IS NECESSARY IT SHOULD BE DISCREET AND FULL DETAILS OF THE METHOD OF ILLUMINATION AND A MEASUREMENT OF THE MAXIMUM SIGN FACE LUMINANCE SHOULD BE SUBMITTED TO THE BOROUGH COUNCIL AT THE TIME OF APPLICATION;**
- 3) **THE FORM OF SIGNS SHALL BE APPROPRIATE TO THE TYPE OF BUILDING AND WILL DEPICT THE TRADE OR SERVICE OFFERED. TRADITIONAL FASCIA AND HANGING SIGNS WILL USUALLY BE PREFERRED.**

2.3.52 In addition to using the above policies to exercise control over advertisements and signs that require consent under the Advertisement Regulations, the Local Planning Authority will continually monitor the impact on the environment of signs erected under the 'deemed consent' provisions. If any such signs are detrimental to the visual amenity of an area, or cause problems of highway safety, then discontinuance action will be taken. If the proliferation of signs of a particular type is perceived to detract from the amenity of an area then the Council will consider whether an application for a Regulation 7 direction should be made to the Secretary of State. If such a direction is confirmed it has the effect of requiring all signs within the specified class to obtain advertisement consent before they are displayed.

Telecommunications Development

POLICY TEL1

THE BOROUGH COUNCIL WILL ONLY GRANT PLANNING PERMISSION FOR TELECOMMUNICATIONS DEVELOPMENT WHERE:

- 1) **THERE IS NO REASONABLE POSSIBILITY OF SHARING EXISTING FACILITIES;**
- 2) **IN THE CASE OF RADIO MASTS, THERE IS NO REASONABLE POSSIBILITY OF ERECTING ANTENNAE ON AN EXISTING BUILDING OR OTHER STRUCTURE**

WHERE THERE IS LITTLE OR NO ADVERSE ENVIRONMENTAL DAMAGE;

- 3) **THE PROPOSED DEVELOPMENT DOES NOT HAVE SIGNIFICANT ADVERSE VISUAL IMPACT AND IS SITED AND DESIGNED SO AS TO MINIMISE OBTRUSIVENESS;**
- 4) **IN THE CASE OF LOCATIONS WITHIN THE GREEN BELT, THERE IS NO CONFLICT WITH GREEN BELT POLICIES AND PARTICULARLY POLICY GB2;**
- 5) **THERE IS NO CONFLICT WITH OTHER POLICIES OF THE PLAN.**

2.3.53 Government guidance on telecommunications is contained within PPG8 "Telecommunications" which was revised 1992. A positive stance is adopted towards the needs of the industry. PPG8 advises that local plans should contain policies on the location, siting and external appearance of telecommunications development. This type of development has special technical requirements which may, for example, result in applications for 20m high masts and antennae in rural, Green Belt locations as well as masts and antennae in urban areas. The policy seeks to balance the need for telecommunications development against the impact of such development on the environment.

2.4 DEVELOPMENT WITHIN AREAS LIABLE TO FLOOD

2.4.1 A large area of the Royal Borough lies within the flood plains of the Rivers Thames and Colne. The boundaries of the areas liable to flood have been derived in the main from a comprehensive flood study using physical and mathematical modelling techniques, undertaken by the Environment Agency. It corresponds to the area where there is a 1 in 100 chance of flooding occurring in any one year.

2.4.2 The Borough has experienced major floods in 1894 and 1947. Since then several floods of lesser severity have occurred (in 1954, 1959, 1974 and 1990). Since the last major flood in 1947 there has been a substantial increase in the number of new buildings in the flood area. Concern was raised about the effect this additional development could have on future floods of a similar intensity due to the loss of flood water-storage capacity and the impeding of flow routes. As a consequence Borough Council has operated a policy restraining development in the flood plain since 1978.

This has been frequently supported at appeal.

2.4.3 Key objectives

- (i) To maintain adequate flood storage capacity within the identified flood area.
- (ii) To ensure the flow of flood water is not impeded
- (iii) To ensure that development does not increase the number of people and properties at risk from flooding and the associated costs of providing emergency services.

POLICY F1

WITHIN THE AREA LIABLE TO FLOOD AS SHOWN ON THE PROPOSALS MAPS, OR WITHIN OTHER AREAS SUBJECT TO FLOODING, DEVELOPMENT WILL NOT BE PERMITTED FOR NEW RESIDENTIAL OR NON-RESIDENTIAL DEVELOPMENT, INCLUDING EXTENSIONS IN EXCESS OF 30 SQUARE METRES, UNLESS IT CAN BE DEMONSTRATED TO THE SATISFACTION OF THE BOROUGH COUNCIL, THAT THE PROPOSAL WOULD NOT OF ITSELF, OR CUMULATIVELY IN CONJUNCTION WITH OTHER DEVELOPMENT:

- 1) **IMPEDE THE FLOW OF FLOOD WATER; OR**
- 2) **REDUCE THE CAPACITY OF THE FLOOD PLAIN TO STORE FLOOD WATER; OR**
- 3) **INCREASE THE NUMBER OF PEOPLE OR PROPERTIES AT RISK FROM FLOODING.**

2.4.4 For the purposes of this policy, new development will be taken to include:

- (i) Building on previously undeveloped sites; and
- (ii) Intensification of existing development through redevelopment or sub-division; and
- (iii) The raising of the level of land; and
- (iv) Residential or non-residential extensions; and
- (v) Detached ancillary buildings and portakabins.

2.4.5 The Environment Agency will be consulted for all planning applications for development within the flood plain to assess these risks. Development has occurred within the identified flood area to such an extent that the remaining undeveloped areas should be generally protected to maintain the present level of flood storage capacity and to prevent further encroachment and obstruction of flood flow routes. There is therefore a strong objection to new development in areas liable to flood which would impede the flow of flood water, reduce the capacity of the flood plain to store flood water, or increase the population at risk from flooding. This approach will be reviewed at a later date when the major flood alleviation channels between Maidenhead, Windsor and Eton and between Datchet, Wraysbury, Staines and Chertsey are complete, and this is shown, through consultation with the Environment Agency, to alter anticipated flooding areas and the need to safeguard these areas from development. Some sites falling outside the flood area shown on the Proposals Maps may also be at risk from flooding where these are adjacent to watercourses or lie at the edge of the 100 year floodplain. In these cases ground level surveys will need to be submitted with any proposal for development so that the risk from flooding may be fully evaluated.

Extensions to existing buildings

2.4.6 Since 1974 the Council has successfully operated a policy which balances the need to protect the flood plain from development with an individual's right to improve his property. This policy allowed small residential extensions up to 300 sq feet ground cover. Within this limit the individual and cumulative loss of flood storage capacity were considered to be acceptable.

2.4.7 The Borough Council considers that this balanced approach remains appropriate. In implementing Policy F1 residential and non-residential extensions up to 30 sq metres will not normally be regarded as conflicting with the policy. The 30 sq metres will be taken to include all additions completed since 26 September 1978 (the date the Council first adopted a flood policy) which required express planning permission. Detached ancillary buildings within the curtilage of a property such as garages, sheds, greenhouses, boathouses, summerhouses or enclosed swimming pools will all count as additions where they result from the grant of planning permission. Car ports with at least two sides completely open, buildings constructed before 26 September 1978 or under permitted development rights, and buildings on top of an existing patio raised above flood level will not be included.

Permission will normally be required for patios which involve a raising of the level of land. In such cases the area of raised land will be counted against the 30 sq metres allowance.

Redevelopment and subdivision

2.4.8 The redevelopment or subdivision of an existing site or building will normally be acceptable in terms of Policy F1 subject to no increase in either ground cover or the number of habitable rooms, (as defined in the glossary). In calculating existing ground cover, detached ancillary buildings within the curtilage of a property may only be included in cases where their floor levels are higher than the 1:100 year flood level and therefore are not liable to flood. If no additions have been made since 26 September 1978 an increase in ground cover up to 30 sq metres will normally be acceptable under the terms of Policy F1. The Borough Council will remove permitted development rights for extensions or enclosures when granting permission for redevelopment or subdivision (Part 1, Classes A, D, E; Part 2, Class A and Part 8, Class A of the second schedule to the Town and Country Planning General Permitted Development Order 1988, amended 1995).

Development on piers

2.4.9 The use of pier foundations will not be acceptable as a means of overcoming an objection to a proposal on the grounds of Policy F1. In the past, where this form of design solution has been allowed, problems have resulted from the inability of the planning authority to ensure that the voids beneath the building are not obstructed by domestic effects or by flood debris.

Flood compensation schemes

2.4.10 Flood compensation schemes may be considered acceptable but must be carried out on a level for level basis which fully accommodates flood flows and storage and should improve upon the pre-development situation. Any such scheme should be fully discussed with, and approved by, the Environment Agency before an application for planning permission is made. All excavated material must be completely removed from the flood plain area.

Floor slab levels

2.4.11 Wherever new development is permitted in the flood plain area, conditions will be imposed requiring floor slab levels of all habitable areas to be at least 150 mm above the predicted 1:100 flood level as determined by the Environment Agency.

2.5 POLLUTION AND DEVELOPMENT

POLICY NAP1

THE COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR NEW NOISE SENSITIVE DEVELOPMENT IN:

- 1) **AREAS SUBJECT TO EXTERNAL DAYTIME NOISE LEVELS OVER LAeq (16 HOURS) 63 dB AND NIGHT TIME NOISE LEVELS OVER LAeq (8 HOURS) 57dB FROM ROAD TRAFFIC;**
- 2) **AREAS SUBJECT TO EXTERNAL DAYTIME NOISE LEVELS OVER LAeq (16 HOURS) 66 dB AND NIGHT TIME NOISE LEVELS OVER LAeq (8 HOURS) 59 dB FROM RAIL TRAFFIC.**

2.5.1 The Council will continue to ensure that new housing, schools, hospitals or other noise sensitive developments are not located in areas which are affected by unacceptable levels of road or railway noise; the current standards used to assess these noise levels are those contained in the Planning Policy Guidance Note on 'Planning and Noise' (PPG24).

2.5.2 The main areas of the Borough suffering from road traffic noise include those areas of southern Maidenhead, Cox Green, Bray and Holyport affected by the M4 and its link roads, the A404(M) and A308(M). Further east the Windsor Relief Road runs through built-up areas of Windsor and between Eton and Eton Wick. The latter are also affected by the M4, as is Datchet. Hythe End lies adjacent to the M25. Fairly extensive areas of southern Maidenhead are also in close proximity to the Western Region mainline railway.

2.5.3 In exceptional circumstances, for example in town centres, sensitive development may be allowed in a location subject to high noise levels, provided that adequate sound insulation is provided. In such cases, all new housing will have to incorporate sound insulation measures to keep internal noise levels below 40 dB(A).

POLICY NAP2

NEW HOUSING DEVELOPMENT WILL NOT BE PERMITTED IN AREAS SUFFERING DAYTIME AIRCRAFT NOISE LEVELS OVER LAeq (16 HOURS) 66dB AND NIGHT TIME NOISE LEVELS OVER LAeq (8 HOURS) 57dB. NEW HOUSING WILL BE PERMITTED IN AREAS SUFFERING EXTERNAL DAYTIME NOISE LEVELS OVER LAeq (16 HOURS) 57 dB AND NIGHT TIME NOISE LEVELS OVER LAeq (8 HOURS) 48 dB ONLY IF APPROPRIATE LEVELS OF SOUND INSULATION ARE

INCORPORATED⁴.

2.5.4 Aircraft noise affects, in particular, the eastern part of the Borough although White Waltham Airfield to the west of Maidenhead may have some noise impacts on surrounding areas. No new housing or other noise sensitive development will normally be allowed in Datchet, Horton and Wraybury where aircraft noise levels exceed LAeq (16 hours) 66 dB(A). Where such development is permitted, sound insulation measures should be incorporated to keep internal noise levels below 40 dB(A). The built-up areas of Windsor and Old Windsor also suffer noise levels over LAeq (16 hours) 57 dB(A) and new housing will only be permitted in these areas if the appropriate sound insulation can be provided.

2.5.5 It is difficult to assess the extent to which benefits arising from the use of quieter aircraft over the Plan period will be outweighed by the effects of a possible fifth terminal and a third runway at Heathrow and subsequent changes in flight patterns and frequencies. Increasing importance, however, is being attached to the monitoring of aircraft noise levels.

⁴ The terms used in Policy NAP1 and NAP2 have the following meanings:-

- a) noise sensitive development includes dwellings, hostels, health buildings, educational establishments and other similar buildings;
- b) dB refers to a scale of measurement for sound intensity weighted to match the characteristics of the human ear;
- c) LAeq(T) refers to the equivalent continuous sound level; the sound level of the steady sound having the same energy as a fluctuating sound over a specified measuring period T;
- d) LAeq (16 hours) is the replacement measurement index for the Noise Number Index (NNI) for measuring aircraft noise. Measurements are based on the measurement period 0700 - 2300 hours;
- e) Night time noise levels relate to 2300 - 0700, accordingly, day time noise levels relate to 0700 - 2300.

POLICY NAP3

THE COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR PROPOSALS LIKELY TO EMIT UNACCEPTABLE LEVELS OF NOISE, SMELLS OR FUMES BEYOND THE SITE BOUNDARIES.

2.5.6 The pattern of development in the Borough is such that new industries which regularly give rise to smell or noxious emissions cannot be accommodated satisfactorily. Any proposals involving processes which give rise to smell or air pollution will be required to incorporate measures to isolate and contain their emissions to the satisfaction of the local authority.

2.5.7 Applicants should refer to DETR Circular 11/92 concerning planning at or near notifiable industrial sites and the Planning (Notifiable Substances) Regulations 1992 in relation to notified premises.

(Note: Certain premises may need to be authorised under Part I of the Environmental Protection Act 1990; 'Integrated pollution control provisions'. Where existing premises already give rise to such a nuisance, the local authority will consider what steps need to be taken to deal with the offending businesses under the appropriate legislation.)

POLICY NAP4

THE COUNCIL WILL NOT GRANT PLANNING PERMISSION FOR DEVELOPMENT WHICH POSES OR MIGHT POSE AN UNACCEPTABLE RISK TO THE QUALITY OF GROUNDWATER AND/OR WHICH WOULD HAVE A DETRIMENTAL EFFECT ON THE QUALITY OF SURFACE WATER.

2.5.8 As necessary, applicants will be required to submit details of measures designed to ensure no detrimental effect on surface and ground waters. The Council will liaise with the Environment Agency and the Water Companies in respect of such measures. Applicants should also give due regard to the Environment Agency Policy and Practice for the protection of ground water.

2.5.9 The water environment, both surface water and ground water can be seriously affected by development and processes/uses occurring within sites. Groundwater plays a key role in meeting public water supply needs in the Windsor and Maidenhead areas. Adequate measures are therefore required to protect the quality of the water supply from the effects of development particularly in the construction phases and as a result of ongoing activities which may have a high potential for pollution.