

NOTICE  
OF  
MEETING

**WINDSOR RURAL DEVELOPMENT  
MANAGEMENT PANEL**

will meet on

**WEDNESDAY, 23RD AUGUST, 2017**

**At 7.00 pm**

in the

**COUNCIL CHAMBER - GUILDHALL, WINDSOR**

TO: MEMBERS OF THE WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DR LILLY EVANS (CHAIRMAN), COLIN RAYNER (VICE-CHAIRMAN),  
MICHAEL AIREY, CHRISTINE BATESON, DAVID HILTON, JOHN LENTON,  
JULIAN SHARPE, LYNDY YONG AND MALCOLM BEER

SUBSTITUTE MEMBERS

COUNCILLORS JOHN BOWDEN, SAYONARA LUXTON, NICOLA PRYER,  
EILEEN QUICK, JACK RANKIN, WESLEY RICHARDS, SAMANTHA RAYNER,  
JOHN STORY, WISDOM DA COSTA, LYNNE JONES AND SIMON WERNER

Karen Shepherd - Democratic Services Manager - Issued: Tuesday, 15 August 2017

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Andy Carswell** 01628 796319

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## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any Declarations of Interest.	5 - 6
3.	<u>MINUTES</u>  To confirm the Part I Minutes of the meeting held on June 28 <sup>th</sup> 2017.	7 - 8
4.	<u>PLANNING APPLICATIONS (DECISION)</u>  To consider the Director of Development & Regeneration / Development Control Manager's report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. <a href="http://www.rbwm.gov.uk/pam/search.jsp">http://www.rbwm.gov.uk/pam/search.jsp</a> or from Democratic Services on 01628 796251 or <a href="mailto:democratic.services@rbwm.gov.uk">democratic.services@rbwm.gov.uk</a>	9 - 64
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u>  To consider the Essential Monitoring Reports.	65 - 70
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u>  To consider passing the following resolution:-  "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 6 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act."	

**PART II**

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
7.	<u>ENFORCEMENT REPORT</u>  To consider the contents of the report.  <b><i>(Not for publication by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b>	71 - 76



## MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

### Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

### Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

*Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'*

### Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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# Agenda Item 3

## WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 28 JUNE 2017

PRESENT: Councillors Dr Lilly Evans (Chairman), Colin Rayner (Vice-Chairman), David Hilton, Julian Sharpe, Lynda Yong and Malcolm Beer

Also in attendance: Councillor Derek Wilson

Officers: Mary Kilner, Andy Carswell and Chris Sawden

### APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Airey, Bateson and Lenton. Cllr Story attended as substitute. Cllr Rayner had submitted apologies as he would be late for the meeting.

Cllr Beer stated his belief that any Members who are not able to attend meetings should seek a substitute themselves. The clerk informed Members that he had contacted the Reserve Members but they were all unavailable apart from Cllr Story.

### DECLARATIONS OF INTEREST

**Cllr Dr Evans** – Declared a personal interest in item 17/01066/VAR as she had attended the meeting of Sunningdale Parish Council when the item was discussed. She stated that she had not taken part in the discussions or the vote and confirmed that she had come to Panel with an open mind.

### MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on May 3<sup>rd</sup> were agreed as an accurate record.

Cllr Rayner arrived at 7.09pm.

### PLANNING APPLICATIONS (DECISION)

NB: An update was received in relation to the application being considered.

17/01066      Kebbell Homes Ltd: Redevelopment of site to provide 6 x 3 bedroom apartments under planning permission 15/03090 (allowed on appeal) without complying with condition 2 (approved plans) to substitute approved drawings at The Little House, Charters Road, Sunningdale, Ascot SL5 9QF – **THE PANEL VOTED IN FAVOUR of authorising the Head of Planning to grant planning permission subject to the completion of a satisfactory S111 Agreement to secure SAMM and SANG mitigation and to refuse planning permission if a satisfactory S111 Agreement to secure SAMM and SANG mitigation is not received by 31<sup>st</sup> July 2017, subject to the addition of a condition that all roof lights on the side elevations are fitted with obscured glass and are non-opening; and the amendment of informative 2 so that the words “due to extraordinary traffic” are removed.**

(Four Councillors (Cllrs Beer, Evans, Hilton and Yong) voted in favour of the motion and three (Cllrs Rayner, Sharpe and Story) voted against it.)

(The Panel was addressed by Michael Burn of Sunningdale Parish Council in objection to the application.)

ESSENTIAL MONITORING REPORTS (MONITORING)

The contents of the report were noted by the Panel. The Planning Officer stated that it was hoped that the Council’s performance at appeals would improve with the progress of the implementation of the Borough Local Plan, as there would be criteria to assess applications against.

Cllr Wilson said that concerns had been raised at the number of planning appeals that were being lost across the Borough, not just those from applications considered by the Panel. Cllr Wilson reminded Members that the Key Performance Indicator suggested that the Council was losing around 34 per cent of appeals, and that the recent housing White Paper would set local authorities a target of reducing that figure to 10 per cent by reducing the percentile of what is allowable on appeal. Cllr Wilson said that Local Authorities not able to reach this target could find that the Department for Communities and Local Government would step in and take over the service relating to their appeals . However he added that the Council could help to resolve this once an up to date Local Plan was adopted.

Cllr Wilson stated that other local authorities had recently had their Objective Assessed Need increased by the Planning Inspectorate as a result of not having a 5 year Housing Plan Supply.

In relation to Planning Appeal 15/04081, it was noted that the application had not been resolved despite being submitted in November 2015. The Planning Officer stated that the applicant had continued to send in new evidence relating to the appeal as recently as a few weeks ago. Cllr Beer informed Members that he had responded to the application, as had Old Windsor Parish Council.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 7 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.**

The meeting, which began at 7.00 pm, finished at 8.19 pm

CHAIRMAN.....

DATE.....



## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Windsor Rural Panel

23rd August 2017

#### INDEX

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

<b>Item No.</b>	1	<b>Application No.</b>	17/00120/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	11
<b>Location:</b>	Hill House Cross Road Sunningdale Ascot SL5 9RX						
<b>Proposal:</b>	Erection of 4 x 2 bedroom and 1 x 3 bedroom apartments with basement car parking, cycle and bin store following demolition of existing dwelling.						
<b>Applicant:</b>	Mr Mills	<b>Member Call-in:</b>		<b>Expiry Date:</b>	2 June 2017		

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<b>Item No.</b>	2	<b>Application No.</b>	17/00207/VAR	<b>Recommendation</b>	PERM	<b>Page No.</b>	31
<b>Location:</b>	95 Straight Road Old Windsor Windsor						
<b>Proposal:</b>	Redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing buildings as approved under planning permission 15/03843 without complying with condition 22 (boundary wall) 23 (approved plans) for demolition of existing flank wall down to 2m in height on boundary, with new brick wall built on boundary line to a height of 2m with the Friary and substitute plan.						
<b>Applicant:</b>	Mr Chidlow	<b>Member Call-in:</b>		<b>Expiry Date:</b>	10 April 2017		

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<b>Item No.</b>	3	<b>Application No.</b>	17/01222/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	42
<b>Location:</b>	Charters School Charters Road Sunningdale Ascot SL5 9QY						
<b>Proposal:</b>	Two storey teaching block and ancillary works to support school expansion.						
<b>Applicant:</b>	Royal Borough Of Windsor And Maidenhead	<b>Member Call-in:</b>		<b>Expiry Date:</b>	22 June 2017		

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<b>Item No.</b>	4	<b>Application No.</b>	17/01638/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	58
<b>Location:</b>	Heather Cottage Cross Road Sunningdale Ascot SL5 9RX						

**Proposal:** Detached triple garage with storage/hobby room in roof space

**Applicant:** Mr Robinson

**Member Call-in:** Cllr Ms Sayonara Luxton

**Expiry Date:** 10 August 2017

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

**WINDSOR RURAL DEVELOPMENT CONTROL PANEL**

23 August 2017

Item: 1

<b>Application No.:</b>	17/00120/FULL
<b>Location:</b>	Hill House Cross Road Sunningdale Ascot SL5 9RX
<b>Proposal:</b>	Erection of 4 x 2 bedroom and 1 x 3 bedroom apartments with basement car parking, cycle and bin store following demolition of existing dwelling.
<b>Applicant:</b>	Mr Mills
<b>Agent:</b>	Mr Paul Dickinson
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale Ward

**If you have a question about this report, please contact:** Adam Jackson on 01628 796660 or at [adam.jackson@rbwm.gov.uk](mailto:adam.jackson@rbwm.gov.uk)

**1. SUMMARY**

- 1.1 This application follows a number of previous applications. The application most recently determined on this site is 13/02972 which was dismissed at appeal on the 9<sup>th</sup> September 2014.
- 1.2 It is considered that the proposed development would have an acceptable impact on the character and appearance of the area. The apartment building has been significantly reduced in size from the previous dismissed appeal (13/02972/FULL) and the on site vegetation would ensure that the verdant nature of the area is preserved. The apartment building is similar in scale and design to other apartment buildings to the North West.
- 1.3 It is not considered that there would be any significant negative impacts on the amenity of neighbouring properties/occupiers and the future occupiers of the proposed building would be provided with sufficient outdoor amenity space.
- 1.4 The apartment building will be provided with 12 vehicle parking spaces at basement level which is sufficient to provide 2 parking spaces per dwelling and 2 visitor spaces; an additional visitor/disabled space is provided at ground floor level at the front of the site. It is proposed to retain and widen the existing vehicle access which would provide sufficient visibility splays in both directions. It is considered that Cross Road can comfortably accommodate the addition vehicle movements that will be generated by the development.
- 1.5 Subject to conditions it is considered that the development proposal would have an acceptable impact on trees and wildlife on site. The majority of trees are being retained and as such the verdant character of the area will be retained.
- 1.6 The application site is within 5km of the Thames Basin Heaths Special Protection Area and as such it is necessary therefore for mitigation to be secured in the form of SANG (Suitable Alternative Natural Green Space) and SAMM (Strategic Access Management and Monitoring). It is considered necessary for this mitigation to be secured by way of a separate section 111 legal agreement. At the time of writing this report the Section 111 legal agreement has not yet been secured.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission following the satisfactory completion of a legal agreement which secures the necessary mitigation for the significant effect that the proposal would have on Chobham Common, which is part of the SPA, with the conditions listed in Section 10 of this report.</b>
2.	<b>To refuse planning permission if a legal agreement to mitigate for the significant impact on Chobham Common, which is part of the SPA has not been satisfactorily completed by the 20<sup>th</sup> September for the reason that the proposed development would have a significant harmful effect on the SPA from increased visitor and recreational pressure.</b>

## **2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended.

## **3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The site is currently occupied by the Hill House property, which is located on the northern side of Cross Road. The site has been split into 2 with permission having already been granted on the North Western side of the site for a 5 property apartment building. The remainder of the site to which this application relates is 0.37 hectares and benefits from an existing access in the South East corner. The site is well planted and many of the trees are subject to Tree Protection Orders.
- 3.2 The property lies near the edge of the settlement area and is approximately 150m to the east of the A30 London Road, within walking distance of the shops and railway station in Sunningdale. Land to the West and North is predominantly residential in character with large dwellings and, particularly on the northern side of Cross Road, flatted developments. The Sunningdale Ladies Golf Club is to the South East of the site which is within the Green Belt. The site slopes up towards the South East.
- 3.3 Apart from the nearby area of the Green Belt, the site and its immediate surroundings are classified as being within the 'leafy residential suburb' townscape type within the Borough's Townscape Assessment. Some nearby properties to the South West are within the 'villas in a woodland setting' townscape type, although these do not form part of the immediate context for the application site.
- 3.4 The site is located within 5km of the Thames Basin Heaths Special Protection Area.

## **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The proposal is for the construction of a building to accommodate 4 x 2 bedroom apartments and 1 x 3 bedroom apartment. The apartment building is approximately 10m tall, 22m wide and is set back from the road by approximately 25m. The building has a crown roof and includes features such as dormer windows and chimney stacks.
- 4.2 Access to the site will be provided via the existing access in the South East corner and parking spaces are provided within the basement; the basement is sufficient to provide 12 parking spaces (10 for residents and 2 visitor spaces) Cycle and refuse storage will also be provided within the basement.

Ref.	Description	Decision and Date
13/01206/FULL	Construction of a detached house.	Permitted, 15.08.2013.
13/02972/FULL	Demolition of existing dwelling house and erection of two linked buildings comprising 10 apartments.	Refused. 13.01.2014.
14/01029/FULL	Erection of 10 apartments with associated works. Amendment to planning application 13/02972.	Refused 06.06.2014.
14/00451/FULL	Construction of 5 no. apartments.	Refused, 09.06.2014.
14/03591/FULL	Construction of 4 no. apartments.	Refused, 10.02.2015 and dismissed on appeal.
15/01199/FULL	Construction of 1 apartment block comprising of 4 x 2 bed and 1 x 3 bed apartments.	Refused, 10.02.2015 and dismissed at appeal.
16/00266/FULL	Erection of 4 x apartments (3 x 2 and 1 x 3 bed).	Would have approved, 15.07.2016; dismissed on appeal, 07.09.2016.
16/01179/FULL	Erection of 5 x apartments with associated works	Would have approved, 15.07.2016; dismissed on appeal, 07.09.2016.
16/02220/FULL	Construction of 5 No. apartments with basement and new access.	Permitted, 16.12.2016.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

### 5.1 National Planning Policy Framework Sections 6, 7, 8, 9, 10 and 11

#### Royal Borough Local Plan

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

	Within settlement area	Highways and Parking	Trees	Biodiversity	Energy efficiency
RBWM Local Plan	DG1, H9, H10, H11	P4, T5	N6		
Neighbourhood Plan	NP/H2, NP/DG1, NP/DG2, NP/DG3 and NP/EN3	NP/T1	NP/EN2	NP/EN4	NP/DG5

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

**Borough Local Plan: Submission Version**

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1
Housing	H02, H03, H05
Important trees	NR2
Nature conservation	NR3
Thames Basin Heaths Special Protection Area	NR4

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

### **Other Local Strategies or Publications**

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i The impact on the character and appearance of the area
- ii The impact on amenity
- iii Parking and highway safety
- iv The impact on important trees
- v Ecology
- vi The Thames Basin Heaths Special Protection Area

### **The impact on the character and appearance of the area**

6.2 There are a number of Neighbourhood and Local Plan policies relevant to the consideration of this application. Local Plan policy H11 sets out that proposed

developments should be compatible with the scale of the surrounding area, and not cause damage to the character amenity of the area in which it is set; this is consistent with design guidance set out in the NPPF. With regards to Neighbourhood Plan policies: NP/DG1 requires development to respond positively to local townscapes, policy NP/DG2 requires new development to be similar in density, footprint, separation and bulk of surrounding buildings and policy NP/DG3 requires new development to demonstrate good quality design. Neighbourhood Plan policy NP/EN3 also requires that proposals for new dwellings on private residential gardens should:

- a) Not result in an unacceptable reduction of the garden space created by the garden (either by) itself or in combination with the surrounding gardens; and
- b) Not result in an unacceptable impact on the landscape and environmental value of the site

6.3 The proposal is to build a 5 unit apartment building with basement parking. A previous application (13/02972/FULL) for a larger 10 unit building (on a larger site) was dismissed at appeal as the inspector considered that the excessive scale and massing of the proposal would result in a development that would dominate and be out of keeping with neighbouring properties. It was considered that the development due to its length and sustained height along its side elevation would appear particularly prominent within views from the South East where properties are generally smaller in scale compared to the flatted developments further to the North West. The apartment building proposed has a much smaller footprint than that dismissed at appeal with the depth of the side elevation having been significantly reduced. The overall height of the building will be similar to that dismissed at appeal, however, due to the reduced depth much more of the building will be obscured by trees and other planting when viewed from the South East. As such it is not considered that the building would appear dominant from this view. Trees and planting would also largely obscure views of the building from the North West and from the front of the site where the buildings 25m setback also helps to reduce its impact on the street scene. The height and design of the building is similar to the other flatted developments to the North West and it is considered therefore that the impact on the character and appearance of the area would be acceptable. The retention of the majority of trees on site would ensure that the townscape character as a 'leafy residential suburb' would be respected. The retention of trees can be controlled via condition. (See conditions 12, 13 and 14 in section 10 of this report)

6.4 There would be sufficient space around the apartment building (25m from the front boundary, up to 4m to the North West boundary and up to 12m from the South East boundary) to prevent the site from appearing overdeveloped. The basement parking also means that the level of hardstanding to the front and around the rest of the dwelling can be kept to a minimum.

#### **The impact on amenity**

6.5 The proposed building has a number of first floor side windows and roof lights at second floor on both flank walls. Both side boundaries are heavily planted, notwithstanding this issue should be addressed in the design stage of the development to protect residential amenity. Due to the set back of the proposed apartment building the windows on the North West elevation would face into garden of the apartment building permitted under 16/02220/FULL should it be built out. Of the first floor windows facing towards the North West 3 are proposed to be obscurely glazed and the remaining window serves a kitchen. It is considered unlikely given the high level of planting along this boundary and given that the majority of windows

will be obscurely glazed that there would be any significant loss of privacy to this neighbouring property. The roof lights would also not provide direct lines of sight into neighbouring properties or gardens due to the angle of the roof. To the South East is the Sunningdale Ladies Golf Course, however, there is a separation of 10 to 12 metres to this boundary and as this is a non residential use it is afforded less protection. The use of the site would be intensified as a result of the additional units, however, the site will remain within residential use and any increased activity is unlikely therefore to cause any significant noise or disturbance.

- 6.6 The proposed apartment building would be provided with a shared outdoor amenity space to the rear of the site with an area of approximately 1200sqm; each apartment will also be provided with an outdoor terrace. It is considered therefore that the future occupiers of the apartments would be provided with sufficient amenity space.

### **Parking and highway safety**

- 6.7 It is proposed to retain the existing access in the South East corner of the site and widen it to 4.8m to accommodate the additional traffic that would be generated by the proposal. Visibility splays for this access would also be improved to 2.4m x 43m in both directions in accordance with the advice given in Manual for Streets; this will be achieved by cutting back the front boundary holly hedge either side of the existing access. A development of this scale is likely to generate between 22 to 33 vehicle movements per day. The highway network including the Cross Road junction with the A30 London Road is capable of safely accommodating the additional traffic that would be generated by this development.

- 6.8 The proposed development is to be provided with 12 car parking spaces in the basement (2 for each apartment and 2 for visitors). This level of parking exceeds the Council's standards of 1 space per apartment (for areas of good accessibility). 1 additional disabled space is provided to the front of the apartment building. Secure and covered cycle parking (5 spaces) and a bin store are also to be provided in the basement. Bins will be moved to the front of the site by the management company on collection day.

### **The impact on important trees**

- 6.9 Trees on the application site are protected by a tree preservation order and make a strong contribution to verdant character of Cross Road. The proposed apartment building maintains similar clearance from the trees to the front of the property and increases the separation from the trees to the rear of the property compared to the previous scheme (13/02972) which was dismissed at appeal. The impact on trees was considered at length in the 2013 appeal and it was considered that the only tree which would be significantly harmed by the development would be T17 (Common Oak) due to the loss of a large proportion of its canopy and future pressure to prune this tree. The development now proposed is set further from this tree and as such would not result in harm being caused. Other smaller trees (T20, T29 and T31) are being removed and pruning work is proposed to T6. These works are not being objected to by the tree officer and the loss of T20, T29 and T31 would not negatively impact on the character and appearance of the area as they are of poor form and limited visibility. The loss of these trees would also be mitigated by the presence of the larger mature trees in the surrounding area and suitable replacement planting can be achieved. Given the findings of the appeal decision it is considered that the impact on trees will be acceptable subject to conditions.

### **Ecology**



- 6.10 An updated bat survey was undertaken in May and June 2017 as the previous survey in 2014 was deemed out of date. During the follow up survey in 2017, a single brown long eared bat was recorded returning to roost within the building and bat droppings were recorded within the loft space. All bats and their roosts are protected and therefore, without mitigation, the development would be in breach of the legislation protecting bats. The applicant has provided a summary of the mitigation measures to compensate for the loss of the roost within the building which includes the creation of replacement roosting opportunities, removal of bat roosting features under a watching brief and sensitive lighting all of which will be detailed within a method statement to accompany a European Protected Species licence. It is likely therefore that the development proposals will not have a detrimental effect to the maintenance of the populations of bats species provided the mitigation measures are followed. (See condition 15 in section 10 of this report). The buildings, trees and vegetation are recorded as having the potential to support breeding birds. The applicant's ecologist has provided information with regards to timing of vegetation and building removal and protective measures with regards to breeding birds. It is recommended that development is carried out in accordance with these timings and this can be secured via condition (See condition 16 in section 10 of this report).

### **The Thames Basin Heaths Special protection Area**

- 6.11 The application site is within a 5km zone of the Thames Basin Heath Special Protection Area (SPA) which is an area designated to protect a network of important bird conservation sites; the proposed development would likely have a harmful effect on Chobham Common, which is part of the SPA due to increased visitor and recreation pressure. It is necessary therefore for mitigation to be secured in the form of SANG (Suitable Alternative Natural Green Space) and SAMM (Strategic Access Management and Monitoring). It is considered necessary for this mitigation to be secured by way of a separate section 111 legal agreement. At the time of writing this report the Section 111 legal agreement has not yet been secured.

### **Other Material Considerations**

#### Housing Land Supply

- 6.12 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.13 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) weigh in favour of the development.

## **7. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 7.1 In line with the Council's Charging Schedule the proposed development would be CIL liable. The applicant has submitted the required forms. The required CIL payment for the proposed development is £240 per sqm.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

21 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 15.02.2017

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

Comment		Where in the report this is considered
1.	Hill House is in keeping with the traditional character of the locale, including Sunningdale Golf Club. Any planning permission should be to renovate and retain the existing dwelling.	The impact of the proposed development on the character and appearance of the area has been assessed in paragraphs 6.2 – 6.4.
2.	We are inundated with apartments, particularly in Cross Road, London Road and the very near vicinity. There is already an approved plan for apartments in the land next to Hill House highlighting that more apartments are not needed.	The Berkshire Strategic Housing market Assessment identifies that there is a need for flatted developments which provide 2 to 3 bed units.
3.	Traffic is an issue in Cross Road and the proposal will likely lead to increased road side parking.	Parking and highway safety issues have been assessed in paragraphs 6.7 and 6.8.
4.	The development will no doubt cause increased noise and disturbance to this peaceful road.	Residential amenity has been assessed in paragraphs 6.5 and 6.6.

### Other consultees

Consultee	Comment	Where in the report this is considered
<b>Parish Council</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> We object to the appearance of scale and bulk when viewed from the Cross Road. The number of windows on the front elevation, the 4 chimney stacks and the 4 large dormer windows leave no doubt that this is a very large 3 storey apartment block.</li> <li><input type="checkbox"/> There is little information about the height of the apartment block versus the application that failed at appeal.</li> <li><input type="checkbox"/> There are a total of 46 TPO trees on the site. We ask for confirmation that only T29 and T31 are to be removed.</li> <li><input type="checkbox"/> T6 is a Sweet Gum tree classified as B1. If the application is granted this is likely to lead to an early request to prune this</li> </ul>	The impact on the character and appearance of the area has been assessed in paragraphs 6.2 to 6.4, scale plans have been provided with the application which allows the height of the proposed building to be measured. The impact on trees has been assessed in paragraph 6.9. The impacts of the development on parking and highway safety have

	<p>tree.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> All parking for the 5 apartments is limited to the basement. The only visitor parking for all of the apartments is 1 hardstanding parking space that is extremely close to a turning area. There will therefore be pressure for additional visitor parking and any additional hardstanding would impact on the RPA of the trees to the front of the plot.</li> <li><input type="checkbox"/> The basement access abuts the boundary and will negatively impact on trees along this edge.</li> <li><input type="checkbox"/> The bulk and mass of the building and its close proximity to the boundary will also mean that it will dominate Sunningdale Ladies Golf Course Club House.</li> </ul>	<p>been assessed in paragraphs 6.7 and 6.8.</p>
<b>SPAE</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The scale and bulk of the building, as seen from the front, remains overbearing and out of keeping with the character of the area. The building will appear as an apartment building and not a single dwelling as asserted by the applicant.</li> <li><input type="checkbox"/> There are a number of TPO trees onsite, many of which are in close proximity to the proposed apartment block. We have serious concerns about the impact of the scheme on trees.</li> </ul>	<p>The impact on the character and appearance of the area has been assessed in paragraphs 6.2 to 6.4. The impact on trees has been assessed in paragraph 6.9</p>
<b>Neighbourhood Plan Delivery Group</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The scale and bulk of the building, as seen from the front, remains overbearing and out of keeping with the character of the area – the building looks unmistakably like an apartment block and not a single dwelling as stated by the applicant.</li> <li><input type="checkbox"/> We remain concerned about the potential long term impacts of the scheme on the Sweet Gum tree (T6)</li> </ul>	<p>The impact on the character and appearance of the area has been assessed in paragraphs 6.2 to 6.4. The impact on trees has been assessed in paragraph 6.9</p>
<b>Lead Local Flood Authority</b>	<p>The application does not contain any details of how surface water will be managed.</p>	<p>The development is not classified as a major development and as such surface water management is not required.</p>
<b>Highways Authority</b>	<p>No objection subject to conditions</p>	<p>The impact on parking and highway safety has been assessed in paragraphs 6.7 and 6.8.</p>
<b>Tree Officer</b>	<p>No objection subject to conditions</p>	<p>The impact on trees has been assessed in paragraph 6.9</p>
<b>Ecologist</b>	<p>No objection subject to conditions</p>	<p>Ecology considerations have been assessed in</p>

**9. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

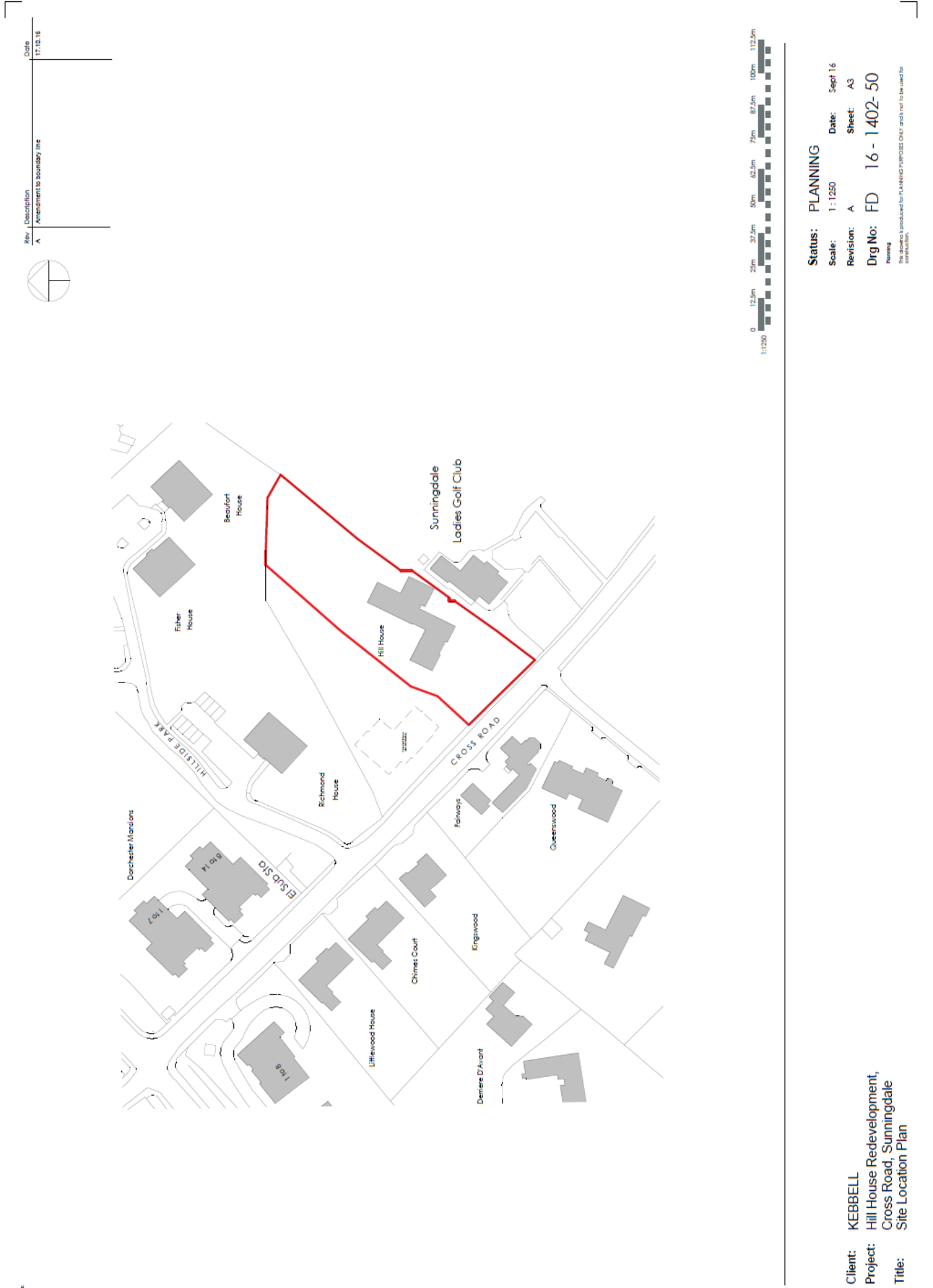
**10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until details of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1
- 3 The first floor windows in the north west and south east elevations (with the exception of the kitchen window in both elevations) of the development shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the window shall not be altered without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 4 No further windows shall be inserted at first floor level in the north west or south east elevations of the development without the prior written approval of the Local Planning Authority.  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan H11.
- 5 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 6 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

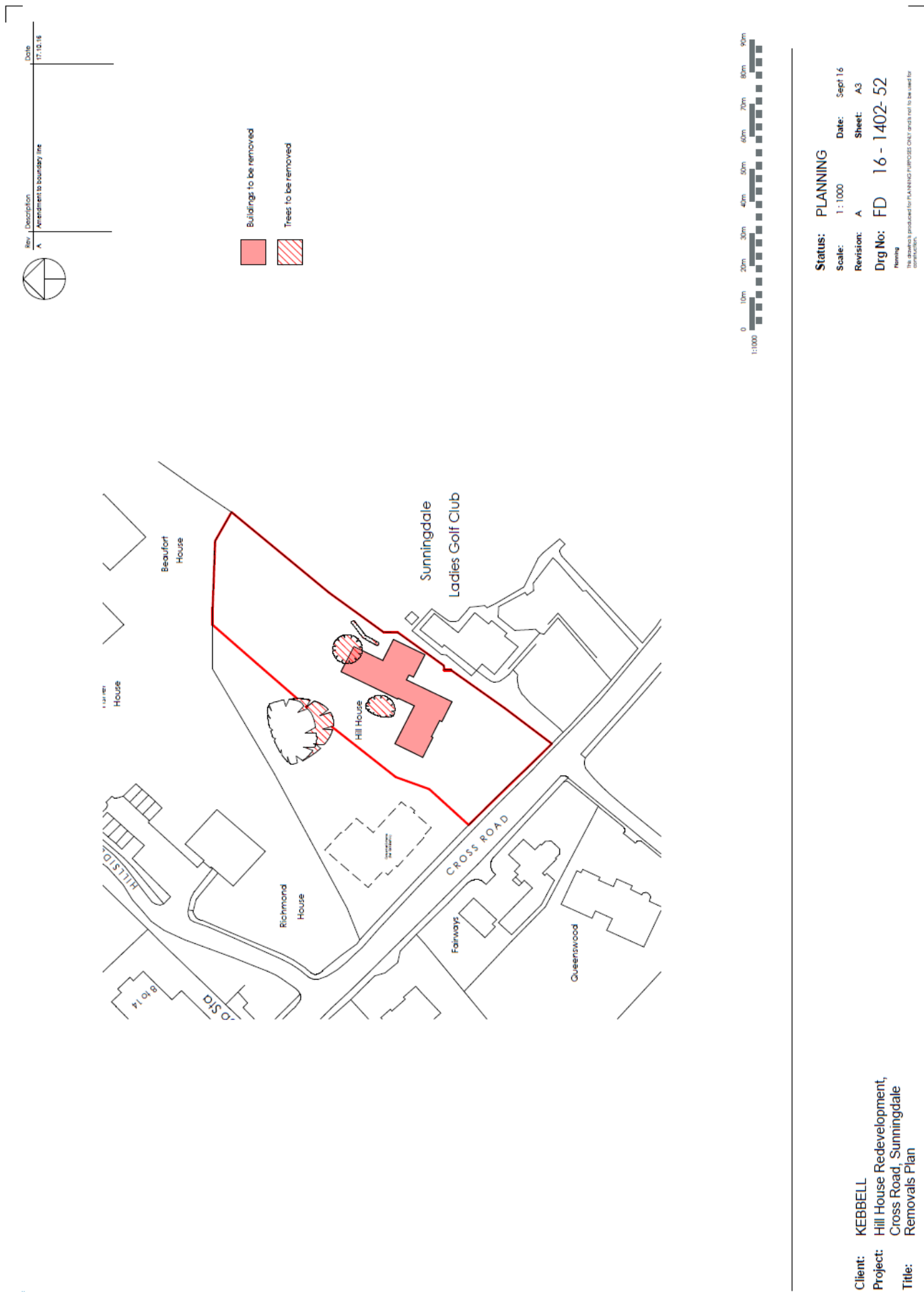
- 7 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.
- 8 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.  
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 9 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.  
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1.
- 10 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 11 Any gates provided shall open away from the highway and be set back a distance of at least 5 metres from the highway boundary or at least 7 meters from the nearside edge of the carriageway of the adjoining highway.  
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan T5
- 12 Prior to any equipment, machinery or materials being brought onto the site, updated details of the measures to protect, during demolition and construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. Utilities proposed within the root protection areas of retained trees will only be installed using a trenchless method and any soakaways will be located away outside the root protection area of the retained trees.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

- 13 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any tree work be undertaken other than in accordance with the approved plans and particulars and without the written approval of the Local Planning Authority, until five years from the date of occupation of the building for its permitted use. Any tree work approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the size and species, and shall be planted at such time, as specified by the Local Planning Authority.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 14 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained thereafter in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 15 Prior to development a copy of the EPSL for bats, issued by Natural England, shall be provided to the Local Planning Authority. Development shall then be carried out and maintained in accordance with the details within the agreed licence.  
Reason: In order to comply with advice in the National Planning Policy Framework 2012 and Neighbourhood Plan NP/EN4.
- 16 The development shall be carried out and maintained in accordance with the details (including the time frames in relation to vegetation and building removal) contained within the AAE Environmental Consultants letter report dated 27th June 2017 and addressed to Mr Dudley Mills.  
Reason: In order to comply with advice in the National Planning Policy Framework 2012 and Neighbourhood Plan NP/EN4.
- 17 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

**Appendix A — Site location plan and site plans**



Existing site plan



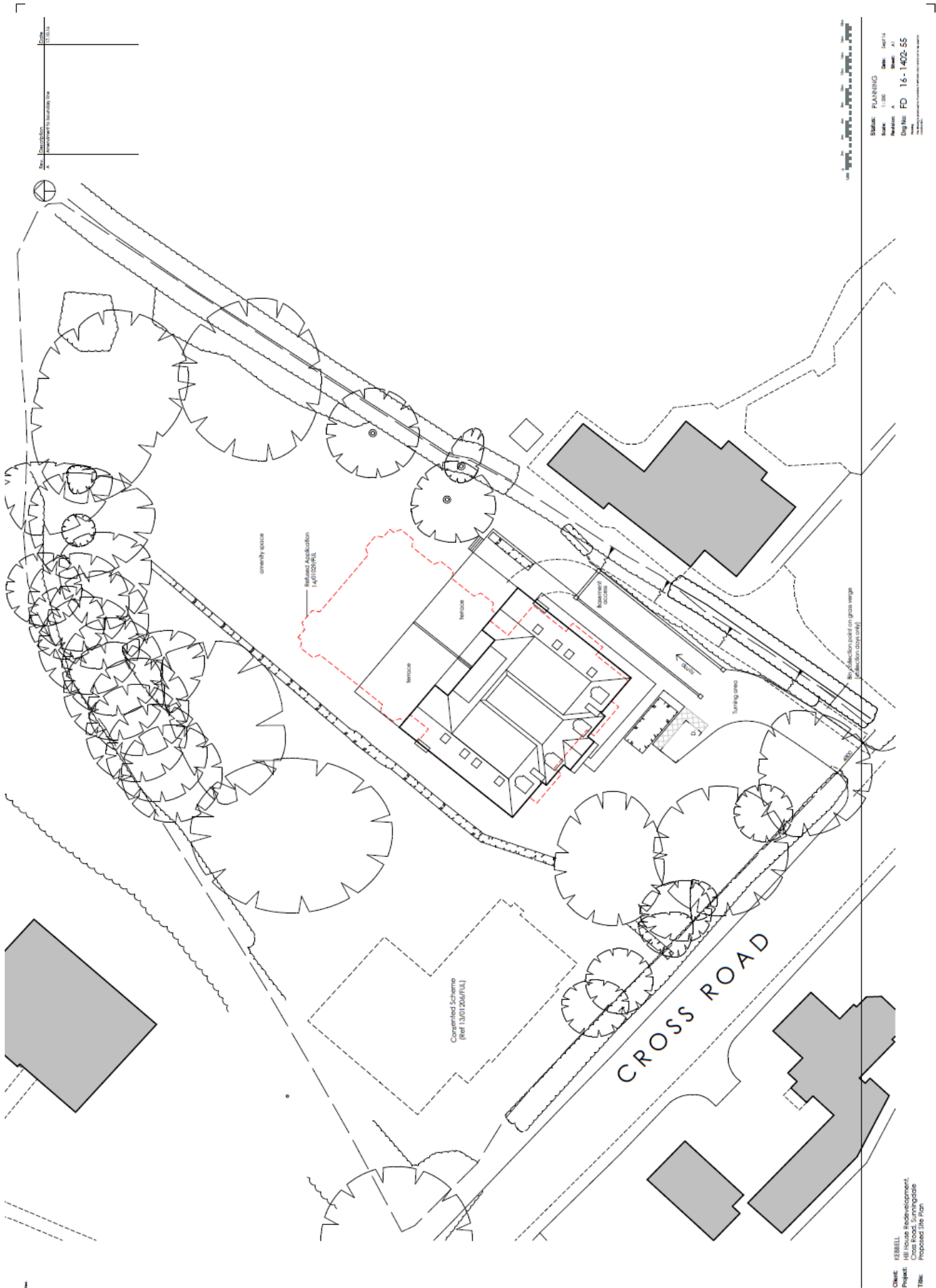
**Client:** KEBBELL  
**Project:** Hill House Redevelopment,  
 Cross Road, Sunningdale  
**Title:** Removals Plan



Proposed site plan



Proposed site plan with refused application (dotted red)

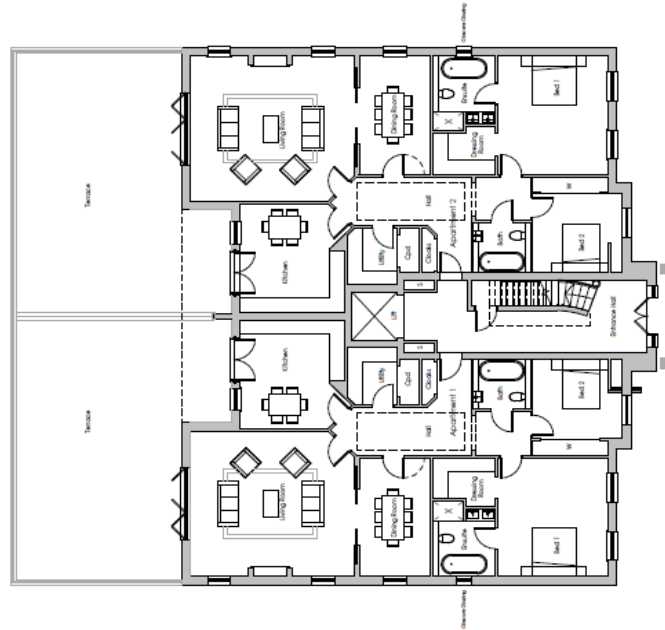


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 Date: April 14  
 Sheet: A1  
 Dwg No: FD 16-1402-55

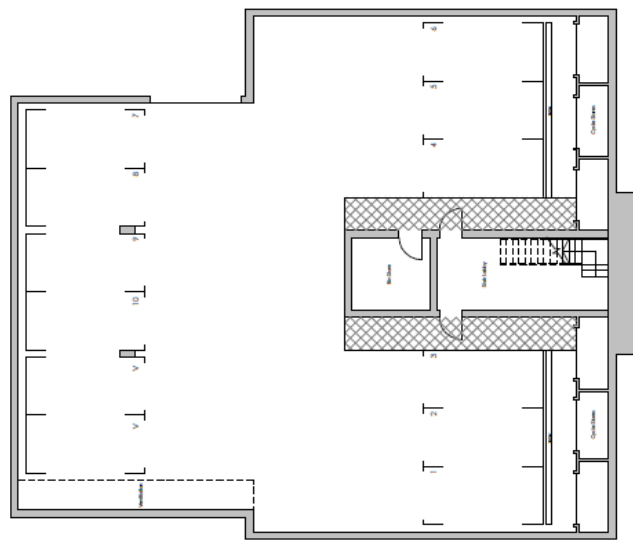
Client: KERBELL  
 Project: Hill House Redevelopment,  
 Cross Road, Sunningdale  
 Title: Proposed Site Plan

**Appendix B— Plan and elevation drawings - Proposed basement and ground floor**

No.	Description	Date



Ground Floor Plan

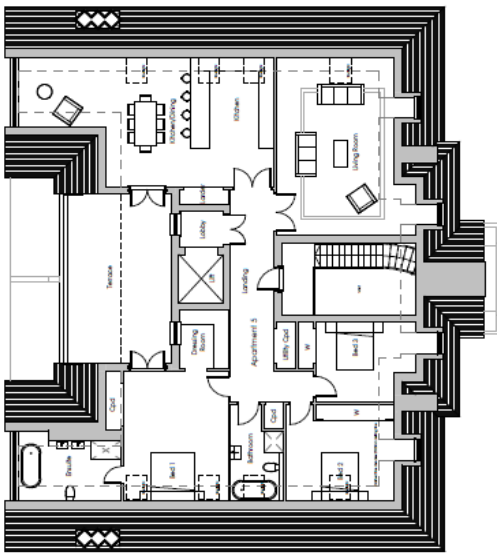


Basement Floor Plan

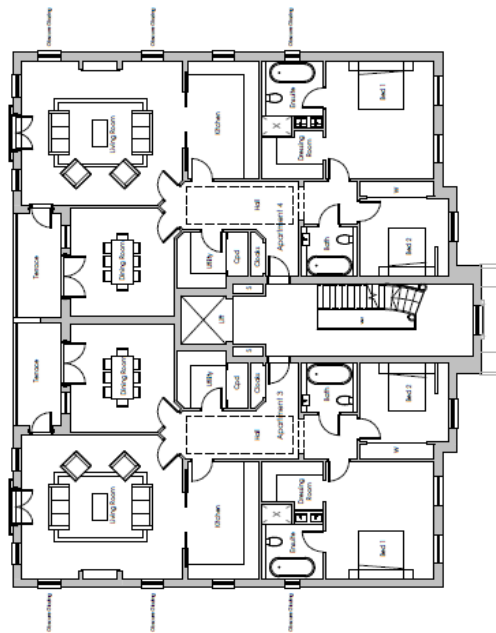
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Scale: 1:100	Date: 14/02/16
Revision: A1	Sheet: A1
Dwg No: FD 16-1402-100	
<small>                     This drawing is the property of KEBELL &amp; ASSOCIATES. It is to be used only for the project and site mentioned herein. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of KEBELL &amp; ASSOCIATES.                 </small>	

CLIENT: KEBELL  
 Project: Hill House Redevelopment,  
 Cross Road, Sunningdale  
 Title: Proposed Basement & Ground floor Plans

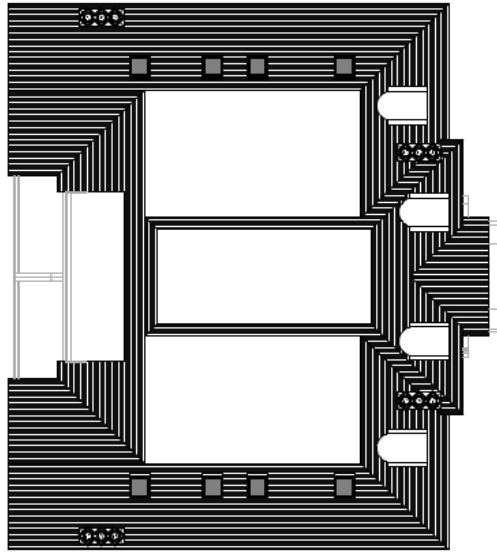
Proposed first floor, second floor and roof plan



Second Floor Plan



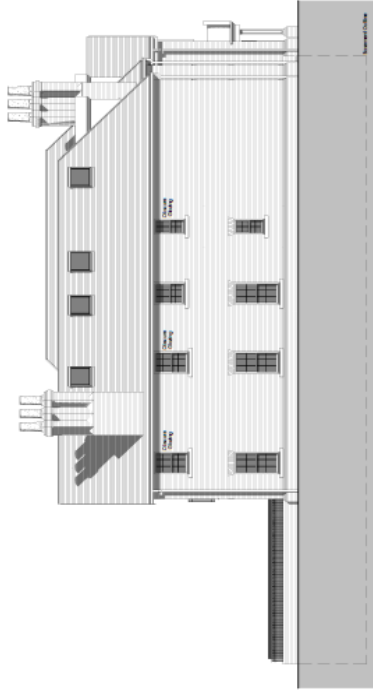
First Floor Plan



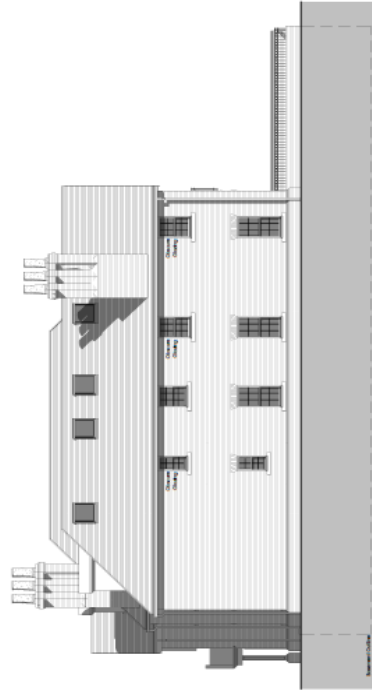
Roof Plan

Proposed elevations

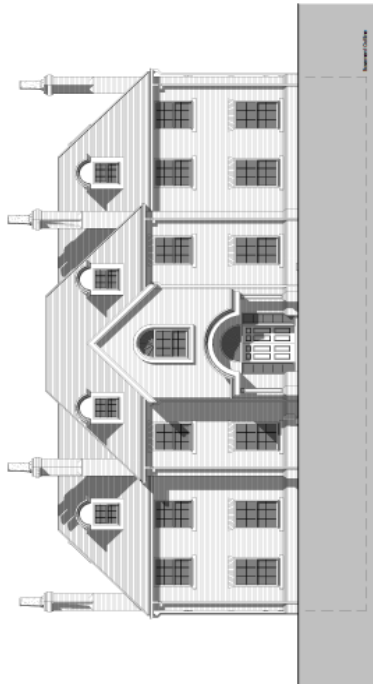
Date	Description



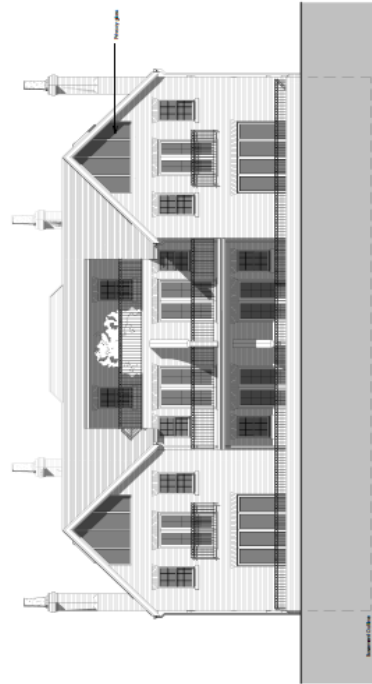
Left Flank Elevation



Right Flank Elevation



Front Elevation



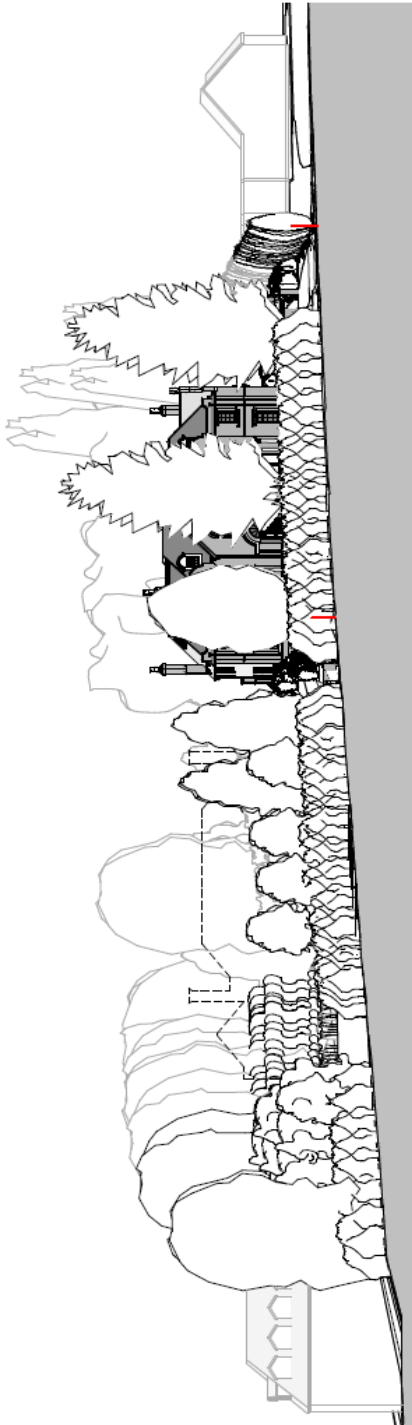
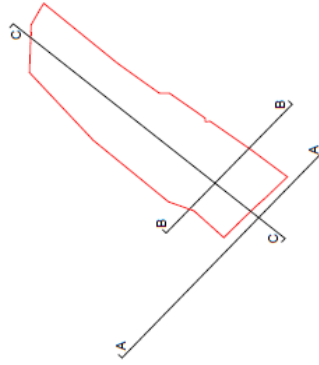
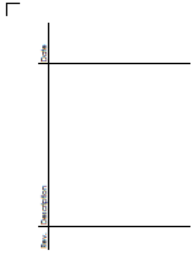
Rear Elevation



State: PLANNING  
 Scale: 1/8" = 1'-0"  
 Revision: 1  
 Date: Sept 14  
 Sheet: A1  
 Dig. No.: FD 16-1422-110  
 Project: Hill House Redevelopment, 10000 Hillside Avenue, Hillside, IL 60462

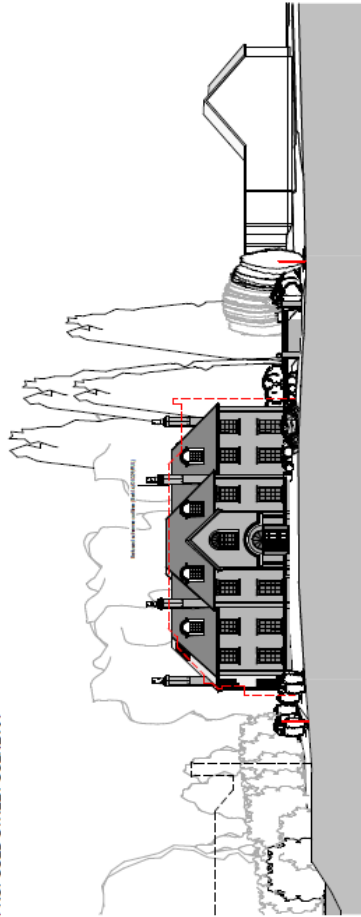
Client: KEBBELL  
 Project: Hill House Redevelopment, 10000 Hillside Avenue, Hillside, IL 60462  
 Title: Proposed Elevation

Proposed site section



Richmond house Land, also owned by applicant... approved application ref: 13/01206/FULL Application Site Sunningdale Ladies Golf Club

PROPOSED STREET SCENE AA



Application Site Sunningdale Ladies Golf Club

PROPOSED SITE SECTION BB



Chase Road Application Site Beaumont House

PROPOSED SITE SECTION CC

Status: PLANNING Date: Sept 14  
 Scale: As Indicated Sheet: 21  
 Revision: Dig No: FD 16-1402-700  
 Date: 16/09/2016  
 Author: [Name]

Client: KEBBELL  
 Project: Hill House Redevelopment,  
 Chase Road, Sunningdale  
 Title: Proposed Site Sections

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

23 August 2017

Item: 2

<b>Application No.:</b>	17/00207/VAR
<b>Location:</b>	95 Straight Road Old Windsor Windsor
<b>Proposal:</b>	Redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing buildings as approved under planning permission 15/03843 without complying with condition 22 (boundary wall) 23 (approved plans) for demolition of existing flank wall down to 2m in height on boundary, with new brick wall built on boundary line to a height of 2m with the Friary and substitute plan.
<b>Applicant:</b>	Mr Chidlow
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Old Windsor Parish/Old Windsor Ward
<b>If you have a question about this report, please contact:</b> Claire Pugh on 01628 685739 or at <a href="mailto:claire.pugh@rbwm.gov.uk">claire.pugh@rbwm.gov.uk</a>	

### 1. SUMMARY

The application seeks to vary conditions 22 (retention of the Old Stable Wall) and 23 (approved plans) of planning permission 15/03843/FULL so that the existing boundary wall is retained but reduced in height to 2 metres, and that new brick walls either side of the Old Stable wall are built up to 2 metres in height either side of this existing wall. The proposed boundary treatment on this part of the site is considered to have an acceptable impact upon the character of the area.

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

### 2. REASON FOR PANEL DETERMINATION

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

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is situated on the east side of the A308 which is the main road that runs through Old Windsor and is used for car sales, carwash and repairs. The site is situated within an area of high risk flooding (flood zone 3). The site lies within a suburban and predominantly residential area, although a petrol filling station immediately adjoins the application site. Dwelling types in the area are a mix of designs. To the rear of the site lies an unmade private road which serves properties in The Friary.

### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Application reference	Description	Decision
15/03843/FULL	Redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition	Permitted on 09 August 2016.

	of existing buildings	
17/00269/CONDIT	Details required by condition 2 (external materials) of planning permission 15/03843 for the redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing buildings	Approved 9 <sup>th</sup> March 2017.
17/00473/CONDIT	Details required by condition 3 (Bat Licence by Natural England) of planning permission 15/03843 for the redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing	Approved 17 <sup>th</sup> March 2017
16/03843/VAR	Redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing buildings as approved under planning permission 15/03843/FULL to vary condition 23 (Approved Plans) to substitute plans.	Pending a decision
16/03874/CONDIT	Details required by condition 4 (archaeological statement), 5 (construction management plan), 6 (contamination), 7 (acoustic report), 9 (demolition management plan), 10 (suds), 12 (landscaping), and 20 (biodiversity report) of planning permission 15/03843/FULL for Redevelopment to provide 11 x dwellings with ancillary parking and new access road, following demolition of existing buildings.	Pending a decision

4.1 Section 73 of the Town and Country Planning Act (as amended) (this variation application) specifically excludes the reconsideration of issues other than those covered by the conditions that are the subject of this application. The application seeks to vary conditions 22 (retention of the boundary wall along the eastern boundary of the site) and 23 (approved plans), to reduce the existing flank wall down to 2m in height on the boundary, with new brick walls built on boundary line to a height of 2m with the Friary and substitute the approved plan to reflect this change.

4.2 The new brick wall would have a height of 2 metres and would be in Michelmersh Hampshire Stock.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

60, 61 and 64- Design

100- Flood Risk



## Royal Borough Local Plan

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

Within settlement area	Flood Risk
DG1	F1

These policies can be found at

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

## Borough Local Plan: Submission Version

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

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

## Other Local Strategies or Publications

- 5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i Impact on the character and appearance of the area.
- ii Flooding

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

- 6.2 Under planning permission 15/03843/FULL, planning condition 22 stipulated:

*'Notwithstanding the details shown on the approved plans, the old stable wall along the eastern boundary of the site shall be retained, and the proposed wooden fencing along this boundary replaced with a continuous brick wall.'*

Reason: To protect a key feature that is important to the character and appearance of the area. Relevant Policy - Local Plan DG1.'

- 6.3 Originally the application sought to vary condition 22 so that the existing boundary treatment on the eastern boundary of the application site was replaced with a new brick wall, as it was not considered the old stable wall could be retained. The agent has since advised that the old stable wall can be retained, and so amended plans were received so that the old stable wall is reduced to 2 metres in height, and new 2 metre high brick walls built up either side of this wall, with some fencing on the southern part of this boundary. The reduction in the height of the old stable wall is considered to be acceptable, and a height of 2 metres is a typical height for boundary treatments to residential developments, as it is more neighbourly with residential properties and their gardens. The new brick wall to the either side of the old stable wall at a height of 2 metres is considered to be acceptable. Michelmersh Hampshire Stock Red Multi is proposed as the external facing brick of the new walls and this is considered to be in keeping with the materials in the area. The fencing at the southern part of this boundary is considered to have an acceptable impact on the character of the area. Condition 23 also needs to be varied as the plan which shows the boundary treatment is listed as an approved plan.
- 6.4 The comments from the Council's tree officer are noted regarding the potential impact upon the Maple tree from the works proposed under this variation application, however, the tree officer does not object to the boundary treatment proposed as the tree has no amenity value to warrant its protection/retention.

### **Flooding**

- 6.5 There is already solid boundary treatment along this part of the site, and so putting up new brick walls on the boundary is considered to be acceptable in respect of flood risk.

### **Other considerations**

- 6.6 Concern is raised over the construction traffic that building a new wall would have on Friary Road. However, it is considered that construction traffic can park within the application site and not park on Friary Road.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

21 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 25<sup>th</sup> January 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 26<sup>th</sup> January 2017

4 letters were received objecting to the application on the original plans, summarised as:

Comment		Where in the report this is considered
1.	The Friary Trust is interested in ensuring the boundary wall is located correctly and built properly so that the interests of future residents of the Friary Estate are protected. We have made it clear to Aquinna Homes that the Friary Trust will abide by the decisions of the local planning authority in the matter of what should be retained or built.	6.2-6.3
2.	The plans appear to show a new wooden fence.	6.2-6.3
3.	Strongly object to the loss of the Victorian brick boundary wall as it makes an important contribution to the character of the area	6.2-6.3
4.	Why does new brick wall not extend across the entire length of eastern boundary- it should.	6.2-6.3
5.	Even if the wall does require underpinning, this is not a valid reason to allow this wall to be removed.	6.2-6.3
6	No structural engineer report has been submitted with the application	6.2-6.3
7	The construction of a new wall along Friary Road will result in additional construction traffic and disruption to residents on Friary Road.	6.5

#### Statutory consultees

Consultee	Comment	Where in the report this is considered
Local Lead Flood Authority	No comments to make in this instance.	Noted.
Environment Agency	No comments received.	Noted.

#### Other consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	No comment to make on the application.	Noted.
Council's tree officer	Comments that whilst the maple tree will not be considered a constraint due to their limited landscape contribution, the foundations of the proposed wall will be located directly within its critical rooting zone. Whilst the applicant has the common law right to cut back any encroaching roots or branches to the boundary line to facilitate an approved development, this may cause the neighbouring trees to become unstable and have a negative impact on their health and appearance. Should the tree(s) fail or die as a result of these operations the applicant may be deemed responsible	6.4

	for damage/injury that occurs. It is therefore recommended that the applicant contact a suitably qualified Arboriculturist to obtain the appropriate advice in this instance.	
Council's Ecologist	The application does not relate to ecology and therefore I have no further comments to make in this instance.	Noted.
Parish Council	Members had a strong objection to this application. It was agreed on the original application that the wall will stay as it is and that is what should happen. We also note that the applicant's assertion that the Friary Trust agreed the proposed change contradicts the Trust's written response.	See main report.

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Submitted drawings

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 The development hereby permitted shall be commenced on or before the 9th August 2019.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development shall be constructed in accordance with the external materials approved under permission reference 17/00269/CONDIT. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Local Plan policy DG1.
- 3 The demolition of the building or any development/works shall be carried out in accordance with the details approved under permission reference 17/00473/CONDIT  
Reason: To ensure compliance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981, as amended and the NPPF.
- 4 No development, including demolition or site preparatory works, shall take place within the application area until the applicant has secured the implementation of a programme of archaeological works, which may comprise more than one phase of investigation, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the Planning Authority.  
Reason: The site is in an area of archaeological potential, specifically relating to Roman and medieval Old Windsor. A programme of works is required to mitigate the impact of development and to record and advance understanding of the significance of any heritage assets to be lost in accordance with national and local plan policy.
- 5 The works shall be carried out in accordance with the Construction Management Plan approved under permission 16/03874/CONDIT. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

- 6 The works shall be undertaken in accordance with the contamination details approved under permission 16/03874/CONDIT. The condition can only be fully discharged when a validation report, including a validation of gas membrane installation is undertaken and submitted to the Local Authority.  
Reason:To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.
- 7 The development shall be carried out in accordance with the measures set out in the acoustic report approved under permission 16/03874/CONDIT.  
Reason: To protect the residential amenities of the development from environmental noise and to accord with the Local Plan Policy NAP1.
- 8 No part of the development shall be occupied until the access has been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 9 Prior to the commencement of any works a demolition/construction management plan shall be submitted to the Local Planning Authority detailing a method statement and project plan for the excavation and demolition/construction works. The plan shall include the predicted levels and the impact of vibration and noise on sensitive receptors. The plan shall also includes details of noise, vibration and dust mitigation measures as well as specifying acceptable noise, vibration and dust limits to be met at nearby residential and sensitive receptors. There shall also be an ongoing monitoring programme incorporated within the plan to ensure these limits are complied with throughout the duration of these works.  
Reason: To protect the amenities of the area. Relevant Policy Local Plan NAP3
- 10 The development shall be carried out in accordance with the Sustainable Drainage scheme approved under permission 16/03874/CONDIT  
Reason: To ensure that the principles of sustainable drainage are incorporated into the proposed development and that the risk of flooding is not increased.
- 11 The approved surface water drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing, and maintained in accordance with the submitted maintenance arrangements thereafter.  
Reason: To ensure that the principles of sustainable drainage are incorporated into the proposed development and that the risk of flooding is not increased.
- 12 The landscaping scheme shall be carried out in accordance with the landscaping scheme approved under permission 16/03874/CONDIT.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1
- 13 The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) dated June 2011 undertaken by AAH Planning Consultants and the supplied technical note reference: Safe Access and Egress Review dated January 2016, prepared by Odyssey Markides and the following mitigation measures detailed within these documents:

-Finished flood levels and timber walkway will be set no lower than 17.48 metres above Ordnance Datum;

-A very low hazard route of access and egress to an area wholly outside 1% AEP plus 20% allowance for climate change flood extent as shown in drawing reference: 15-201-SK-007 dated January 2016.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and saved policy F1 of the Royal Borough of Windsor and Maidenhead (RBWM) Local Plan (adopted 2003) to ensure that the proposed development does not increase flood risk onsite or elsewhere by impede flood water flows or storage and to reduce the risk of flooding to the proposed development and future occupants.

- 14 There shall be no raising of existing ground levels above the 1% AEP plus 20% allowance for climate change flood level other than the raised walkway onsite and the offsite pavement raising works as detailed in drawing reference: 15-201-SK-003 Rev C dated October 2015.

Reason: To ensure that the proposed development does not increase flood risk onsite or elsewhere by impede flood water flows or storage. This is sought in accordance with paragraph 103 of the NPPF and saved policy F1 of the RBWM Local Plan (adopted 2003).

- 15 There must be no net loss of floodplain storage within the 1% AEP plus 20% allowance for climate change flood extent at any time during construction.

Reason: : To ensure that the proposed development does not increase flood risk onsite or elsewhere by impede flood water flows or storage. This is sought in accordance with paragraph 103 of the NPPF and saved policy F1 of the RBWM Local Plan (adopted 2003).

- 16 The first floor window(s) in the southern elevation(s) of the dwelling on plot 1 shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass to level 3 or above.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. In accordance with the requirements of the NPPF.

- 17 Prior to the first occupation of the dwellings hereby approved, the works to the highway as detailed on drawing 15-201-SK-003 Revision C dated January 2016 shall be implemented in full.

Reason: This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and saved policy F1 of the Royal Borough of Windsor and Maidenhead (RBWM) Local Plan (adopted 2003) to reduce the risk of flooding to the future occupants.

- 18 No part of the development shall be occupied until vehicle parking space has been provided in accordance with the approved drawing. The space approved shall be retained for parking in association with the development.

Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4, DG1.

- 19 Any steps to be provided on the rear elevations of the dwellings hereby approved,

shall be designed so as not to impede the free flow of floodwater and the areas beneath them shall be kept free of obstructions at all times.

Reason: To prevent an increased risk of flooding elsewhere due to impedance of flood flows and reduction of floodwater storage capacity. Relevant Policy - Local Plan F1.

20 The biodiversity enhancements shall be undertaken in accordance with the details approved under permission 16/03874/CONDIT.

Reason: To accord with the National Planning Policy Framework.

21 The timber walkways within the site shall be permanently maintained in a good condition.

Reason: To reduce the risk of flood risk. Local Plan - Policy F1

22 The old stable wall along the eastern boundary of the site shall be retained and lowered to a height of 2 metres.

Reason: To protect a key feature that is important to the character and appearance of the area. Relevant Policy - Local Plan DG1.

23 The external facing brick of the new boundary walls shall be in Michelmersh Hampshire Stock red multi.

Reason: In the interest of visual amenities of the area. Relevant Policy - Local Plan DG1

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

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

Appendix A- Site Location





**Appendix B- Submitted drawings**



LINE NOTATIONS	
SYMBOLS	RADIUS
2823.011	
2823.012	AS SHOWN
2823.013	
D	
2823.014	
2823.015	

**FENCING LEGEND**

**2.0m HIGH BRICKWORK SCREEN WALL**  
 (Refer to details in the Foundation Details drawing)



**EXISTING WALL RETAINED**

(Reduced to 2m in height)



**1.8m HIGH CLOSEBOARD SCREEN FENCE**  
 to BS 1122 Part 5 (max. 100mm x 100mm posts at maximum  
 2.7m centres with 3 No. wires rails 1 No. gravelboard and  
 1 No. centre ramp per bay.  
 All pressure treated to BS 1122 Part 9 - Appendix K



**CLOSE BOARDED GARDEN GATE**  
 1.8m high x 2.0m wide framed, edged and boarded to match  
 fencing with galvanized T-fingers, Galvalink (not oil lower bolt.  
 All pressure treated to BS 1122 Part 9 - Appendix K



**2.0m HIGH TIMBER ACOUSTIC FENCE**  
 To Akasaka specification constructed light up  
 against existing perforation fence.



## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

23 August 2017

Item: 3

<b>Application No.:</b>	17/01222/FULL
<b>Location:</b>	Charters School Charters Road Sunningdale Ascot SL5 9QY
<b>Proposal:</b>	Two storey teaching block and ancillary works to support school expansion.
<b>Applicant:</b>	Royal Borough Of Windsor And Maidenhead
<b>Agent:</b>	Mr Karl Harris
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale Ward
<b>If you have a question about this report, please contact:</b> Josh McLean on 01628 685693 or at <a href="mailto:josh.mclean@rbwm.gov.uk">josh.mclean@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 The application proposes the construction of a new two-storey teaching block and the extension of the existing dining hall.
- 1.2 The proposed site is located within the Green Belt and the development proposed constitutes an inappropriate form of development in the Green Belt causing substantial harm. Inappropriate development in the Green Belt can only be considered acceptable if there are very special circumstances which clearly outweigh the Green Belt and any other harm. The case of very special circumstances (VSC) put forward by the applicant are primarily related to the educational need to provide additional places to accommodate the growing demand and expected rise in children requiring secondary school places.
- 1.3 Taking into account the proposed siting of the new building and new extension, the acceptability in terms of scale, massing, height and external materials of the proposed development is also not considered to significantly harm the openness of the Green Belt.
- 1.4 In order to make the proposed development acceptable in terms of highways and transport, a number of conditions have been recommended but it is also a requirement of the increase in pupil numbers at the school by 1FE to review and implement highways measures to improve the pedestrian and cycle movements. These include off site works which might impact on trees; this has not been assessed as part of this planning application.
- 1.5 The proposal itself would not have a detrimental impact on ecology or trees subject to the scheme being constructed in accordance with the recommendations of the ecology and Arboricultural reports.
- 1.6 As the proposal would be over 1000sq.m of new floor space located within the Green Belt, the planning application would need to be referred to the Secretary of State (Department for Communities and Local Government), prior to any planning permission being granted.

**It is recommended the Panel defers and delegates the decision on the application to the Head of Planning subject to:**

- obtaining the Secretary of State's respective decisions not to direct refusal of**

- permission and/or call in the application,
- Details of the off site highway works required by condition 8 being submitted in advance of determination of the application for consultation with the tree officer
  - No objection from the tree officer to the proposed off site highway works
  - Amendments to condition 8 to take account of the above; and that the Head of Planning is then able to grant planning permission with the conditions listed in Section 10 of this report.

## 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application because the Council has an interest in the land and the development is for more than 1000 sq m of floor space (gross)

## 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site, Charters School, is located on the southern side of Charters Road. The site is located within a relatively rural area and lies within the Green Belt. There are residential properties located to the south and south-west.
- 3.2 Charters School is an academy secondary school and sixth form, with a specialism in sport. Currently there are 1737 students enrolled at Charters School between the ages of 11 and 19, with a Planned Admission Number (PAN) of 240.
- 3.3 The existing school buildings consist of a mixture of styles, ages and external materials. All of the buildings on site are either single or two storeys in height. The original red brick buildings date back to the 1950s, the single storey buildings to the 1970s and the newer sixth form building was constructed in the 2000s.
- 3.4 The vehicular and pedestrian access to the school is provided via Charters Road to the north of the site, with a one way vehicle access system.

## 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 There is an extensive planning history on the site relating to alterations and extensions to the school buildings. A summary of the more recent applications is listed below.

Ref.	Description	Decision and Date
16/01333/FULL	Erection of new sports hall, reception and associated external works	Withdrawn
14/02607/FULL	Extension, remodelling and refurbishment of the existing special education needs (SEN) resource unit within the dining block	Permitted 22.09.2014
14/01736/FULL	Extension, remodelling and refurbishment of the existing special education needs resource unit	Permitted 10.07.2014
13/00424/FULL	Construction of a new sports hall with reception	Permitted

	and associated works. Renewal of planning application 10/00544/FULL	23.04.2013
12/02305/FULL	Construction of a single storey extension of recreation centre to provide larger changing facilities	Permitted 10.10.2012
11/00647/FULL	Change of Use of from School Caretakers bungalow to Extended Horizons Facility including re-modelling of existing garage including new lobby entrance, covered cycle and bin storage and additional car parking. (amendments to permission 10/01438)	Permitted 18.04.2011
10/01438/FULL	Change of Use of from School Caretakers bungalow to Extended Horizons Facility including re-modelling of existing garage including new lobby entrance, covered cycle and bin storage and additional car parking.	Permitted 10.08.2010

4.2 The application seeks consent for the demolition of an existing school building and the erection of a new two-storey building totalling 607sq.m in floor space. The proposal also included the provision of hard and soft landscaping. The new building would provide:

- 2 x 83sq.m science labs;
- 11 x 56sq.m general teaching classrooms;
- Separate prep room;
- Staff office for two;
- Staff base for eight members of staff;
- Pupil/staff/accessible toilets in line with statutory requirements for the additional student numbers.

4.3 The new school building would be constructed to the east of the existing school buildings and west of the existing outdoor sports facilities. The layout adopts a rectangular footprint of two storeys in height and would be finished

4.4 It is also proposed to extend the dining space by 105sq.m, as well as refurbishments to both the dining spaces and the existing classrooms with the Science block.

4.5 Overall it is proposed to create 1319sq.m (GIA) of new build teaching, learning, dining and ancillary support to serve the whole school. In terms of landscaping, it is proposed to create a new soft external landscaped area for play and social use and new trees are to be planted to the south of the proposed new building.

4.6 The proposal would increase the school by 1 form of entry (1FE), increasing the Planned Admission Number (PAN) to 270, in order to accommodate a total of 1825 children. It is not expected that the current number of staff will increase.

## 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

- Core Planning Principles

- Chapter 4 – Promoting sustainable transport
- Chapter 7 – Requiring good design
- Chapter 9 – Protecting Green Belt land
- Chapter 11 – Conserving and enhancing the natural environment

### Royal Borough Local Plan

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

	Green Belt and other general policies	General Policies	Protected Trees	Highways / Parking issues
Local Plan	GB1, GB2	DG1, N6	N6	T5, P4
Ascot, Sunninghill and Sunningdale Neighbourhood Plan	NP/DG1 NP/DG2 NP/DG3	NP/EN4	NP/EN2	NP/TA

These policies can be found at [https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at: <http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

### Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment

- RBWM Townscape Assessment
- RBWM Parking Strategy

More information on these documents can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness;
- ii Impact on the character and appearance of the area;
- iii Impact on neighbouring amenities;
- iv Highways and parking issues;
- v Trees, landscaping and ecology;
- vi Drainage;
- vii Any other material considerations; and
- viii Planning balance.

### **Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness**

6.2 The fundamental aim of the Green Belt policy, as set out in paragraph 79 of the NPPF, is to keep land permanently open. Paragraph 89 of the NPPF indicates the construction of new buildings is inappropriate, except in a number of circumstances. These are:

- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on openness of the Green Belt and the purpose of including land within it than existing development.

6.3 The proposal takes the form of two elements: an extension to the existing school building and the construction of a new two-storey building. In isolation, the extension to the dining area would be considered to be appropriate development given that it is small scale and would not result in a disproportionate addition to the original buildings. However, it is considered that the new building does not fall within one of the above exceptions and as such is considered inappropriate development in the Green Belt. The proposals are therefore contrary to Policy GB1 of the Local Plan and NPPF. It could only be approved, if there are 'Very Special Circumstances' (VSC) that clearly outweighs the harm to the Green Belt caused by inappropriateness and any other harm. The applicant has made a case for VSC and this is considered at the

end of the report under the 'Planning Balance' after consideration of all the other issues.

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

- 6.4 Policy DG1 of the Local Plan requires that new developments should promote high quality standards of design, be compatible with the established street scene and use appropriate materials.
- 6.5 The existing character of the site consists of a range of single and two storey buildings of red brick and white/yellow render.
- 6.6 The proposed new building would be located to the eastern side of the school buildings and located within the middle of the site. The building proposed would be two storeys in height with a flat roof, rectangular footprint and finished with red brickwork and metal cladding. The proposed dining hall extension would be single storey in height and finished with a vertical grey cladding. In terms of scale, the proposed new building and extension would be in keeping with the existing school buildings. Within the Design and Access Statement, there is a section on visual impact assessment which illustrates with visualisations how the proposed building would be viewed within the context of the school. It is considered that the proposed buildings relate well to the existing school buildings and surrounding area. The proposed red brick would complement the existing building and while the dining extensions is proposed of modern contrasting cladding, its siting is set away from the front and tucked behind the front set of buildings and is not considered to have a significant detrimental visual impact.
- 6.7 Overall the proposed development is considered to be of a high quality design and is considered to successfully integrate and complement the existing buildings on site in terms of scale, massing, height and finishing materials.

### **Impact on neighbouring amenities**

- 6.8 The proposed developments are sited centrally within the site and are a significant distance from neighbouring residential properties to the east and south. Also taking into account the intervening tree screening along the site boundaries, the proposals would not result in the loss of light or privacy for the occupiers of neighbouring residential properties. The main impact of the proposal would be the noise and general disturbance from the planned increase in children. The car parking would remain at the front of the site and given the increase in children in comparison to the overall number of existing children, it is not considered that it would result in a significant increase in noise levels.

### **Highways and parking provision**

- 6.9 A Transport Statement (TS) has been submitted to support the application.
- 6.10 Charters Road is a local distributor road that links the A330 Devenish Road to the A30 London Road and is subject to a 30mph speed limit. There are double yellow lines on both sides of Charters Road from the Devenish Road junction, there are also 'School Keep Clear' markings. There are existing parking bays with a capacity for approximately 7 vehicles and a 2 hour waiting restriction between 8am-4pm with no return in 2 hours also on the south side.

- 6.11 In terms of access, it is not proposed to alter the current access arrangements under the proposals. As such there are no concerns regarding this aspect.
- 6.12 In terms of parking provision, it is not proposed to change the existing parking provision on-site as the applicant has stated there will be no increase in staff numbers. In order to help mitigate and reduce the vehicle movements, the Transport Statement proposes a number of measures to reduce the potential highways impact in the form of reducing car journeys and the school drop-off and pick-up impacts given the expansion of the school by one form of entry and its unsustainable location.
- 6.13 The TS suggests that the proposal will generate an additional 120 vehicle movements in the morning peak period and 114 in the afternoon peak period increasing the overall vehicle movements at the site by approximately 8%. However, the Highways Authority is of the view that this level of vehicle movements should have a negligible impact on the existing highway network. They comment further that the School Travel Plan measures proposed to reduce car use and the targets set out in the TS appear realistic, this is detailed further below in terms of how it might be achieved.
- 6.14 The Transport Statement indicates a strategy to reduce car journeys that includes encouraging the use of non-motorised modes such as cycling and walking, this is a challenge given the location of the site and the catchment area for the school. The targets set out are considered to be realistic to the Highways Authority. However, they note that the existing walking and cycling facilities in the area are considered to be limited for this purpose and may hinder the aspirations for modal shift as well as presenting some road safety concerns. The current footways are in average condition and narrow at 1.2m, especially outside a school, and are not considered suitable for large volumes of pedestrians or those with reduced mobility. Signs are already in place warning motorists of the safety concerns associated with the narrow footways – any issues will be exacerbated by the proposed increase in pedestrians. Also, the cycle map presented in the TA Appendix highlights the adjacent roads to Charters Road School as being high speed with high volumes of HGVs. This is not a suitable environment for encouraging additional cycling especially as many will be children. Encouraging pupils to walk and cycle on these poor existing facilities is a substantial safety concern and highways contributions are requested towards reviewing and upgrading cycle and pedestrian facilities in the area, as well as improvements/expansion where necessary to the existing 'school zone' in order to reduce and control traffic speeds.
- 6.15 Having reviewed the submitted Transport Statement and consideration of the proposed development, it is considered that in order to mitigate the impacts of the development, it is necessary to review and implement highways measures to improve the pedestrian and cycle movements. These improvements are off site and not covered by this application currently; it would have to occur within the adopted highway which is in the control of the applicant. Officers are concerned that improvements might not be deliverable, might have an adverse effect on significant trees/planting and might attract representations from the Tree Officer and/or residents. Consequently it is recommended that the application be deferred and delegated to the Head of Planning to enable these issues to be resolved prior to the grant of planning permission. This is because – without the mitigation required – the application might otherwise be considered to cause harm in terms of impact on the network and highway safety and this would have to. They also recommend that conditions 6 and 7 are attached relating to access details and vehicle parking and



turning space are to be provided for the approval of the Local Planning Authority. Condition 8 will require the required pedestrian and cycle improvements.

### **Trees, landscaping and ecology**

- 6.16 An Arboricultural Impact Assessment and Method Statement has been submitted for the application site alone which assesses the potential impact on trees and landscape from the proposed development. It is noted that there are no protected trees on site.. In order to facilitate the development, it is proposed to remove 2 trees identified as T1 (category C) and T2 (Category B) within the report. It is agreed that the removal of the trees will not have a detrimental impact and the report advises that the loss of the trees will be mitigated with new tree planting during the soft landscaping phase of the development. All remaining arboricultural features will be retained and protected during the development. The report states that all proposed buildings and areas of hard surfacing have been positioned to avoid the root protection areas of retained trees. All remaining trees will be protected during the construction works and a condition will be attached to ensure that no works commence until the proposed tree protection measures have been installed the development will be implemented in full accordance with the submitted Arboricultural Method Statement.
- 6.17 In terms of ecology, a Preliminary Ecological Appraisal and an Internal and External Bat Survey have been carried out on the site. The report concluded that the site is unlikely to have ecological potential and the development will not impact any habitats.

### **Drainage**

- 6.18 A Drainage Report has been submitted with the application. The report states that the existing drainage system remains largely unaltered with some slight changes where necessary, such as where structural changes to the existing building apply. This is this case where the existing dining hall is to be extended and some alteration is required. The existing drainage system will service parts of the new school building and new connections need to be made.
- 6.19 In terms of proposed drainage, the new surface water drainage has been designed to a sustainable urban drainage system (SuDS). It is proposed to provide a new soakaway at the south side of the drained area, and the new drainage network will discharge into the proposed soakaway.

### **Other Material Considerations**

- 6.20 An Energy Report has been prepared and advises that photovoltaic panels will be installed in order to achieve a 10% reduction in energy requirements.
- 6.21 The NPPF makes it clear at paragraph 72 that the Government attaches great importance to ensuring that there is a sufficient choice of school places available to meet the needs of existing and new communities. The NPPG requires planning authorities to give great weight to the need to create, expand or alter schools.

### **Planning Balance and the Case of Very Special Circumstance (VSC)**

- 6.22 As stated in the NPPF and in the Borough Local Plan, planning permission can only be granted for inappropriate development if there is a case of Very Special

Circumstances that clearly overcomes the harm to the Green Belt and any other harm. It has been concluded that the development constitutes an inappropriate form of development which is harmful by definition and substantial weight needs to be given to this harm.

6.23 The VSC put forward by the applicant is as follows:

1. *Charters School is the only secondary school within the Ascot area;*
2. *To provide further secondary school places for the area would mean either relocation of the existing school or provision of a new secondary school, or searching for a site to build the proposed scheme on land that isn't within the Green Belt;*
3. *There is an immediate need for further secondary school places within the areas of North Ascot, Ascot, South Ascot, Sunninghill, Old Sunningdale and Sunningdale and therefore the options of provision of a new school or relocation of the existing school is not a feasible alternative, especially when considering the uplift in school places proposed at the site. As the proposal relates to such a small expansion to the school, providing the scheme on a suitable non-Green Belt site would also not be feasible and lead to a dispersal of activities, which would be financially viable or practical from an operational point of view.*
4. *The Charters School is an educational facility that is in high demand, whilst the RBWM have a duty to provide the extra required school places needed within the area and, as such, the expansion would cater for the future need at the school. Therefore, it is considered that the immediate need for school places means that alternative sites would not be a practical or viable option at this point in time and therefore the above amounts to VSCs in this particular case.*

6.24 It is accepted that this school is the only secondary school within the area but it is not the only secondary school which serves the area. Ranelagh School, within Bracknell Forest borough, is accessible to pupils who live in this part of the borough and is an option. The proposal does not relate to a small expansion of the school as it adds an additional form of entry ultimately increasing significantly the number of pupils and has a consequent impact on the highway which requires mitigation. The applicant could have provided more detailed information setting out the case for expansion at this school in relation to all of the options for secondary school provision.

6.25 Nevertheless it is accepted that the school is in high demand. The Council also has a requirement to provide school places. The NPPF endorses this need for choice. The alternative options explored by the school are considered to be sufficient and, on balance, the unviable conclusions of these options is accepted by the Planning Authority. For these reasons, significant weight can be afforded to the case of the VSC in tandem with the policy requirements of the NPPF as the considered long term benefits outweigh the substantial weight that has to be given to the harm through the inappropriateness of the development.

### **Conclusion**

6.26 A case for 'VSC' has been made by the applicant and is considered to provide more beneficial weight than the substantial harm caused by the inappropriateness of development. The proposal is considered acceptable in regard to impact on character and appearance of the area, neighbouring amenities, highways, trees and ecology.

## **7. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

7.1 The proposal is not CIL liable.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

No occupiers were notified directly of the application and no letters have been received.

The planning officer posted a notice advertising the application at the site on 18.05.2017.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions	6.9 – 6.15
Trees		

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

## 10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS RECOMMENDED FOR REFUSAL IF PERMISSION IS NOT GRANTED (delete as appropriate)

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development (other than demolition works) shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy DG1
- 3 The development shall not be occupied until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. The landscaping scheme shall include replacement tree planting (for trees T1 and T2). If within a period of five years from the date of planting of any tree or shrub shown on the approved

landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.

Reason: To ensure a form of development that maintains, and contributes positively to the character and appearance of the area. Relevant policies DG1

- 4 The development shall be carried out in full accordance with the submitted Arboricultural Method Statement. No works shall commence on site until the erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition.

Reason: In the interests of protecting trees which contribute to the visual amenities of the area. Relevant policies - DG1, N6.

- 5 The precautionary methods of working to safeguard wildlife during the demolition and construction phases, as set out in the submitted ecological reports shall be strictly adhered to.

Reason: In the interests of biodiversity and ecology and paragraph 118 of the NPPF.

- 6 No part of the development shall be occupied until the access has been revised and constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be retained.

Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.

- 7 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with a layout that has first been submitted to and approved in writing by the Local Planning Authority. The space approved shall be kept available for parking and turning in association with the development. Reason: To ensure that the development is provided with adequate parking and turning facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

- 8 No development (other than demolition works) shall commence until a Section 278 (of the Highways Act 1980) Agreement has been secured with the Highways Authority for the review and implementation for the improvement of the pedestrian and cycle environment along Charters Road and Devenish Road. The development shall not be occupied until the aforementioned upgrade as approved through the S278 Agreement has been carried out in full.

Reason: In the interest of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

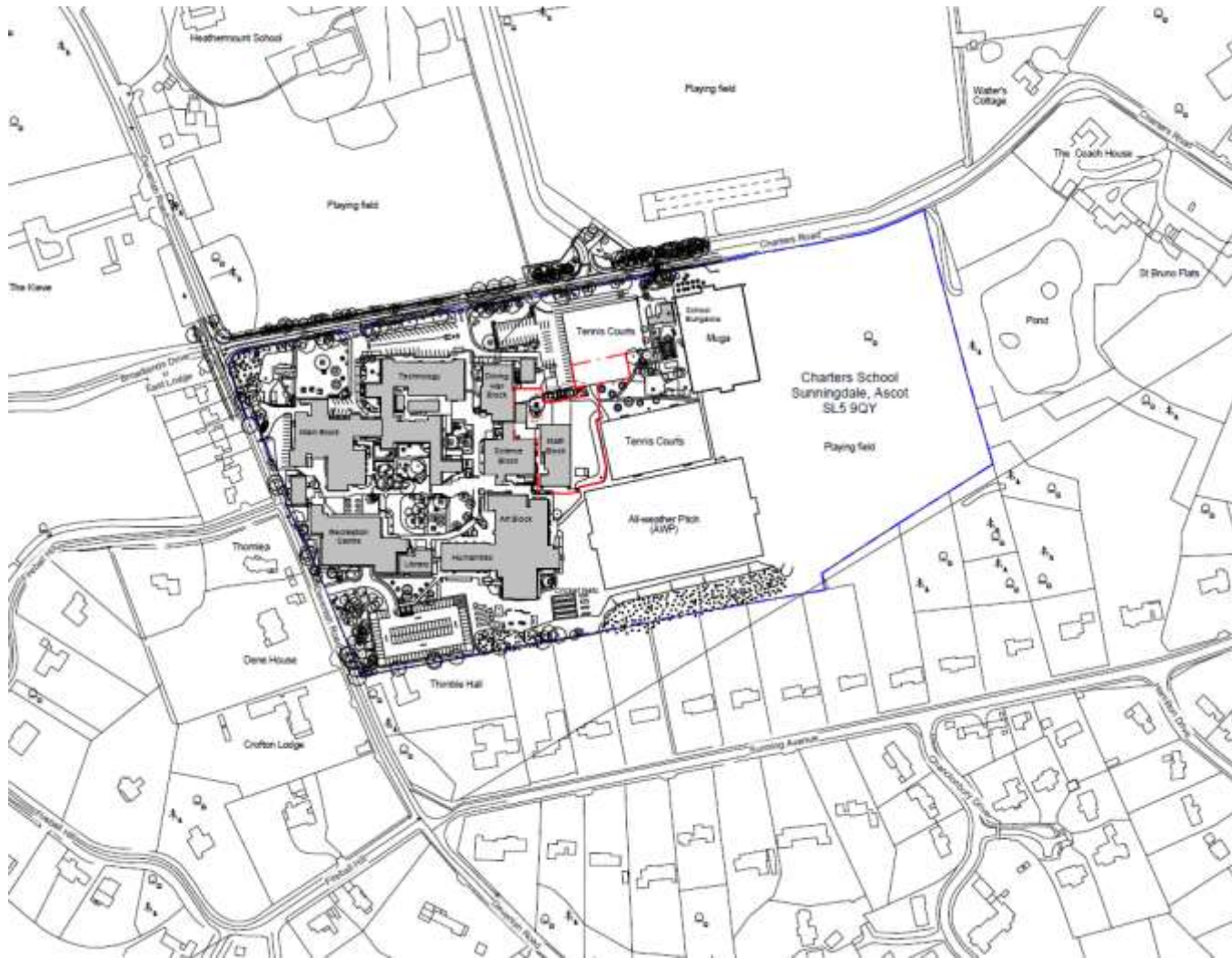
- 9 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

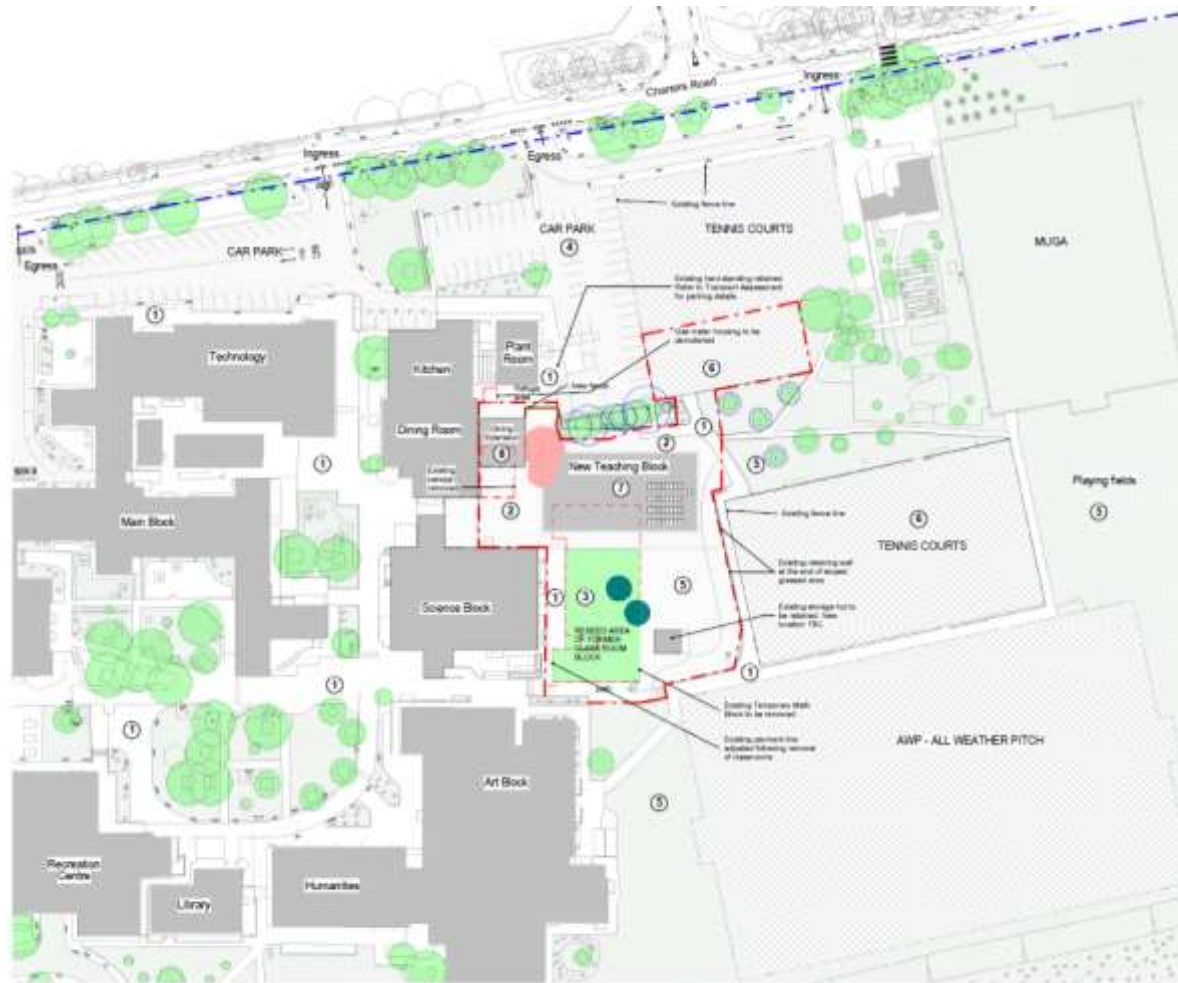
## **Informatives**

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 3 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 4 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.
- 5 No builders materials, plant or vehicles related to the implementation of the development should be parked/stored on the public highway so as to cause an obstruction at any time.

Appendix A- Site location



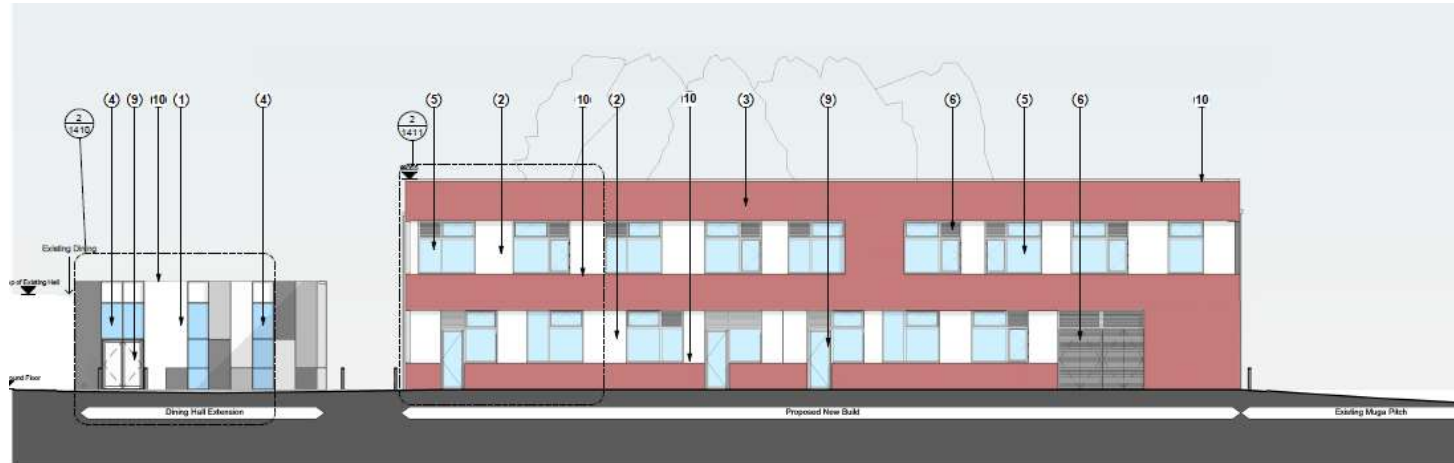
Appendix B- Proposed layout



KEY:

- ① Pavement Existing
- ② Pavement Proposed
- ③ Soft Play proposed
- ④ Car Park Existing
- ⑤ Soft Play Existing
- ⑥ Hard Play Existing
- ⑦ Proposed Teaching Block
- ⑧ Proposed Dining Extension
- Existing buildings
- New Tree - Decid & Landed Tree
- Existing Tree Retained
- Existing Tree Removed
- Plant Protection Zone Wall to be demolished & replaced
- Existing to be demolished/renewed
- New fence to be installed
- Application boundary

Appendix C- Proposed elevations



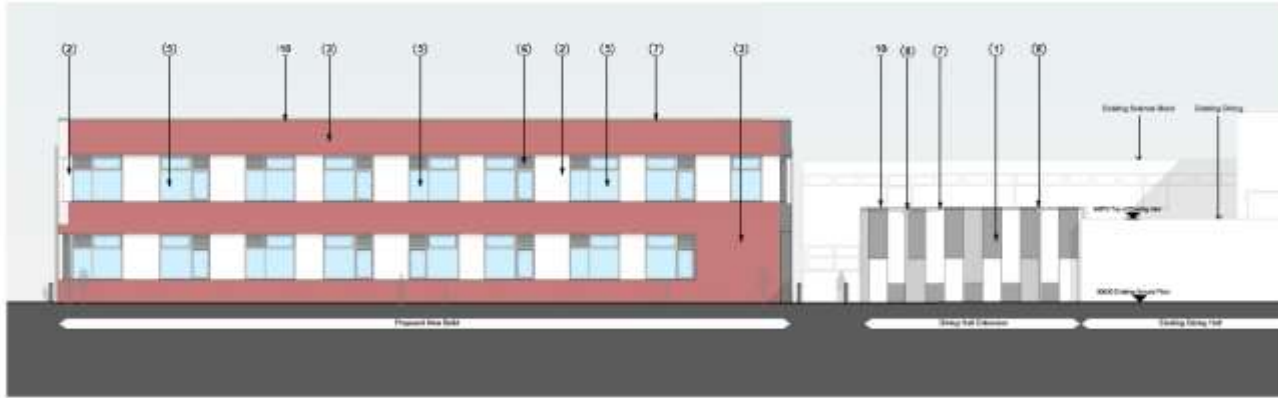
① South Elevation  
1 : 100

56

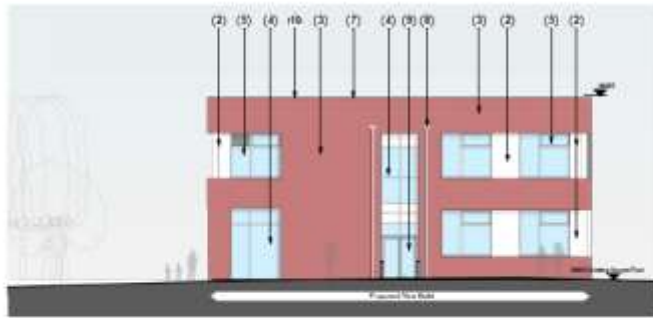


② East Elevation  
1 : 100

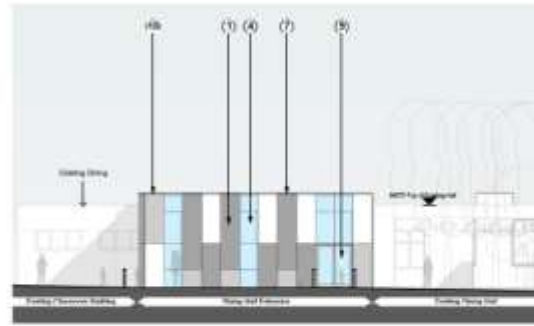




1 North Elevation  
1 : 100



2 West Elevation  
1 : 100



3 Elevation- Dining Extension  
1 : 100

EXTERNAL MATERIALS PALETTE:

- ① Thawed concrete or similar composite panel with screen panels with various widths in black, grey or white
- ② Thawed concrete or similar composite panel with screen panels in white
- ③ Aluminium (150 x 80) x 1000 finished with silver metallic paint, colour set to match existing building.
- ④ Black carbon anodized aluminium in grey. Aluminium with PVC finish. 100mm x 100mm at structural connections.
- ⑤ Double glazed aluminium window unit in grey PVC frame and rubber gaskets. Window with acoustic light.
- ⑥ Interlocking concrete panels in grey PVC. Steel reinforcement grid for the mechanical connection system.
- ⑦ Grey aluminium for walls.
- ⑧ PVC Aluminium with screen glass. Colour to match the window frame.
- ⑨ Aluminium glass door panels. Used to be Panel 1000. 100 glass, window opening.
- ⑩ Industrial light coloured PVC. Aluminium with PVC finish. Integrated into curtain walling and/or window frames. Colour to match window.

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

23 August 2017

Item: 4

<b>Application No.:</b>	17/01638/FULL
<b>Location:</b>	Heather Cottage Cross Road Sunningdale Ascot SL5 9RX
<b>Proposal:</b>	Detached triple garage with storage/hobby room in roof space
<b>Applicant:</b>	Mr Robinson
<b>Agent:</b>	Catherine Casey
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale Ward
<b>If you have a question about this report, please contact:</b> David Johnson on 01628 685692 or at david.johnson@rbwm.gov.uk	

### 1. SUMMARY

- 1.1 The planning application seeks permission for the construction of a detached one and a half storey triple garage with accommodation to provide a hobby room in the roof space. The proposal is considered to be in keeping with the character of the area, which is defined as 'Villas in a Woodland Setting'. The originally submitted block plan showed the proposed garage to be located adjacent to the front boundary of the site. However, following discussions with the applicants the proposed location for the garage has been amended and is now set almost in line with the front elevation of the dwelling and approximately 20m from the front boundary. It is considered that given the distance between the proposed garage and the side boundary adjacent to the neighbouring property (Coval Court) that the proposed garage would not have an unacceptable impact on the amenities of the neighbouring occupiers. The proposed garage would have an eaves height of 2.3m and an overall height of approximately 5.8m, given the set back from the front boundary of the site and the level of natural screening along the boundaries of Heather Cottage both within the applicants control and outside the site and the neighbouring properties including the fairways associated with the golf club it is considered that the proposal will not be overly dominant when viewed from Cross Road or indeed by the golfers using the fairways. Furthermore, the height of the proposed garage is in keeping with other garages located on Cross Road which are much more visible in the street scene than that proposed at Heather Cottage.

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

### 2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Luxton.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Heather Cottage is one of three properties (Coval Court and Queensway located to the northeast being the other two) directly accessed along a private drive off Cross Road, a further property located along the same line as these is Fairways which is accessed directly from Cross Road. The application site comprises of a detached two storey dwelling on a broadly rectangular site. The dwelling is situated roughly in line with the neighbouring property Coval Court and both these dwellings are set further into their respective sites than Queensway. To the southeast and southwest of the site are the fairways belonging to Sunningdale Ladies Golf Club.

3.2 The dwelling is well concealed, being located to the end of the private road. The dwelling has a long front garden area. There are trees and mature hedges to the front and sides of the site; none of these trees are subject to a Tree Preservation Order.

#### 4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

4.1 The application proposes a new detached one and a half storey triple garage with a hobby room located in the roof space. The applicants have submitted an amended block plan which shows the proposed garage relocated from the front of the front boundary of the site some 20m further back into the site and on the southwest boundary. The roof of the garage is pitched and the height to the ridge of the roof would be 3.4m, and to the eaves 2.3m.

Ref.	Description	Decision and Date
02/81762/FULL	Demolition of existing dwelling and erection of a 6 – bedroom dwelling with an integral triple garage.	Permitted on the 24 <sup>th</sup> April 2002

#### 5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

##### Royal Borough Local Plan

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

	Within settlement area	Parking
Local Plan	DG1, H14	P4

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

##### Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

The Ascot, Sunninghill and Sunningdale Neighbourhood Plan was made part of the Development Plan in April 2014 and all relevant planning decisions should be made in line with this plan. As such it is afforded full weight when determining planning applications. The policies considered as part of this application are as follows:

Policy NP/DG1 – Respecting the Townscape  
Policy NP/DG2 – Density, footprint, separation, scale, bulk  
Policy NP/DG3 – Good quality design  
Policy NP/T1 – Parking and Access

### **Other Local Strategies or Publications**

5.2 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link below
- RBWM Parking Strategy – view using link below

More information on this document can be found at:

[https://www3.rbwm.gov.uk/info/200414/local\\_development\\_framework/494/supplementary\\_planning](https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning)

## **6. EXPLANATION OF RECOMMENDATION**

6.1 The key issues for consideration are:

- i Impact on the character and appearance of the area;
- ii Impact on the amenity of neighbouring occupiers; and
- iii Parking and Highways

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

6.2 Heather Cottage is situated within a fairly large plot, and it is considered that the proposed detached triple garage would be of an appropriate foot print and scale, so that the spaciousness of the plot is retained. The Parish Council has raised concerns that the proposed location of the garage - as originally envisaged - to the front of the site would be contrary to policy NP/DG3.3 of the Neighbourhood Plan. Policy NP/DG3.3 states that:

*“Parking should be designed so that it fits in with the character of the proposed development. Considerations should include:*

- *Garages designed to reflect the architectural style of the house they serve*
- *Garages set back from the street frontage*
- *Parking located in between houses (rather than in front) so that it does not dominate the street scene”.*

6.3 Heather Cottage is located at the end of a driveway approximately 120m from the closest public road/highway, Cross Road. The applicants have confirmed that the access driveway is owned by and is the responsibility of the three houses which use

it and is not part of the public highway. Furthermore, the site is screened to the front and side boundaries with a holly hedge, which is approximately 4.5m high and 1 metre deep.

- 6.4 Following discussions with the case officer the applicants have submitted an amended block plan which shows the garage relocated some 20m from the front boundary and adjacent to the southwest boundary. Given this change it is considered that the garage would not have any impact on views from Cross Road, affords an acceptable set back from the street frontage and would not dominate the street scene. It is therefore considered that the concerns raised by the Parish Council in this regard have been satisfactorily addressed.
- 6.5 The Parish Council also raised concerns about the impact the proposed garage would have on the openness of the property, stating that:

*“Whilst this property is not visible from the public highway, it abuts the Green Belt and the position of the proposed garage would significantly affect the openness of the property.”*

The application site is not located within the Green Belt, although the golf course running along the front and southwest side boundary of the site is within the Green Belt. It is not considered given the level of screening surrounding the site that the garage either in its initial location or in its proposed new location would have a significant impact on the openness of the property.

#### **Impact on the amenity of neighbouring occupiers**

- 6.6 The proposed triple garage would be located on the southwest side of the site approximately 25m from the northeast boundary with Coval Court. The matter for consideration is whether the garage would be so overbearing to the neighbouring properties to warrant a refusal. In this case given the distances involved it is considered that the proposal will have no detrimental impact on the amenities of the neighbouring properties in terms of loss of light or privacy. The proposal includes the insertion of three rooflights into the rear roof slope there would be no overlooking of neighbouring properties from these rooflights.

#### **Parking and Highways Safety.**

- 6.7 The application is for a triple detached garage with a hobby room located in the roof space to provide additional secure parking on the site; the existing dwelling has garage parking integral to the dwelling. It is considered that sufficient space would remain on the site to accommodate the car parking required for the dwelling in compliance with the adopted parking standards in Appendix 7 of the Local Plan as amended by the Royal Borough of Windsor and Maidenhead Parking Strategy, May 2004.

### **7. CONSULTATIONS CARRIED OUT**

#### **Comments from interested parties**

Three occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on the 19<sup>th</sup> June 2017

No letters were received supporting the application.

No letters were received objecting to the application.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Sunningdale Parish Council.	The Parish Council strongly object to this application due to the contravention of NP/DG3.3 for the siting of garages away from the street frontage and to be located between houses rather than in front.	6.2 – 6.4
	Whilst this property is not visible from the public highway, it abuts the Green Belt and the position of the proposed garage would significantly affect the openness of the property.	6.5

### Other consultees and organisations

Consultee	Comment	Where in the report this is considered
SPAE	No comments have been received.	Noted.
ASANDS	No comments have been received.	Noted.

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Amended Block Plan
- Appendix C – Proposed Elevations
- Appendix D – Proposed Plans

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

This recommendation is made following careful consideration of all the issues raised through the application. The Case Officer has sought solutions to these issues where possible to secure a development that improves the economic, social and environmental conditions of the area, in accordance with NPFF.

In this case the issues have been successfully resolved.

## 9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.

- 3 The hard surface in connection with the additional area of driveway shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Requirement 5 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.

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

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

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## Appeal Decision Report

20 June 2017 - 11 August 2017

**WINDSOR RURAL**

www.rbwm.gov.uk



**Appeal Ref.:** 17/60010/ENF      **Enforcement Ref.:** 16/50274/ENF      **Plns Ref.:** APP/T0355/C/16/3159536

**Appellant:** Mr Timothy Fowles **c/o Agent:** Mr Michael Krantz Gunnercooke LLP 1 Cornhill London EC3V 3ND

**Decision Type:** Enforcement Notice      **Officer Recommendation:**

**Description:** Appeal against the Enforcement Notice: Change of use of the land to a mixed waste transfer station and skip hire business.

**Location:** **Charles Morris Fertilizer Hythe End Farm Hythe End Road Wraybury Staines TW19 5AW**

**Appeal Decision:** Allowed      **Decision Date:** 20 June 2017

**Main Issue:** The enforcement notice has been quashed and the appeal on ground (c) was allowed. The inspector was satisfied that, on the balance of probabilities, the appellants were able to show that in functional terms the use alleged in the notice is ancillary to the primary use of the site as defined by the Certificate of Lawful Use. He was also satisfied that, as a matter of fact and degree, the use alleged in the notice has not resulted in a material change in the character of the site and that the character of the site remains that of a waste processing centre. For those reasons, the inspector found that the use alleged in the notice did not amount to a material change in use of the site. He therefore concluded that the matters alleged in the notice do not, constitute a breach of planning control.

**Appeal Ref.:** 17/60036/REF      **Planning Ref.:** 16/03784/FULL      **Plns Ref.:** APP/T0355/W/17/3170547

**Appellant:** Mr Tomasz Szymkowicz Dog And Partridge 92 Upper Village Road Ascot SL5 7AQ

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Siting of a caravan for occupation by family members. Retrospective.

**Location:** **Dog And Partridge 92 Upper Village Road Ascot SL5 7AQ**

**Appeal Decision:** Allowed      **Decision Date:** 13 July 2017

**Main Issue:** The container and caravan either individually or collectively do not have a significant effect on levels of on-street parking or road safety more generally. Therefore there is no conflict with Policies DG1 and P4 of the Royal Borough of Windsor and Maidenhead Local Plan 2003 (the LP) or Policy NP/T1.2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 (the NP). These seek, where possible, adequate on-site parking in accordance with adopted standards. Neither the container nor caravan cause unacceptable harm to the character and appearance of the area. There is thus no conflict with Policies DG1 and H11 of the LP or Policies NP/DG1 and NP/DG2 of the NP. Amongst other things, these seek high quality development that is compatible in terms of scale with its surroundings.

**Appeal Ref.:** 17/60040/NOND **Planning Ref.:** 15/04081/FULL **Plns Ref.:** APP/T0355/W/16/  
ET 3165223

**Appellant:** Mr S Rye - Simon Rye Pension Fund **c/o Agent:** Mr Paul Uttley FORM-Architecture And  
Planning Hersham Place 41 - 61 Molesey Road Hersham Walton-On-Thames Surrey KT12  
4RZ

**Decision Type:** Delegated **Officer Recommendation:** Would Have  
Refused

**Description:** Erection of a block of 8 x residential units with semi-basement parking and landscaping,  
following demolition of existing office and flats

**Location:** **The Boatyard 105 Straight Road Old Windsor Windsor SL4 2SE**

**Appeal Decision:** Dismissed **Decision Date:** 2 August 2017

**Main Issue:** The Inspector dismissed the appeal on three of the four grounds put forward by the Council  
in its "would have refused" report on the planning application. Flooding The Inspector  
stated that Planning Policy Guidance Table 3 "Flood Risk Vulnerability and Flood Zone  
Compatibility" made clear that more vulnerable development should not be permitted in  
Flood Zone 3b. The appellant's argument, that because the footprint of the existing building  
prevents the flow of water, it is not part of the functional flood plain, was not accepted. The  
Inspector agreed with the Council that the appellant, in carrying out the required Sequential  
Test, had drawn too tightly the parameters for assessing whether a site is reasonably  
available. Specifically the appellant should not have discounted sites in Flood Zone 1 only  
because they were scheduled in the SHLAA to come forward after 2019, and were therefore  
viewed as not available immediately. It appeared to the Inspector that there was no valid  
reason as to why such sites would not be reasonably available now, and that as, therefore,  
there are reasonably available sites at lower risk of flooding, the proposal failed the  
Sequential Test. As the Sequential Test had not been passed it was therefore unnecessary  
to consider whether the Exception Test had been met. The scheme was found to conflict with  
paragraphs 100, 101 and 103 of the NPPF and with policy F1 of the Local Plan. Character  
and appearance (Trees) The Inspector found that initial and on-going pruning of a TPO'd  
tree (that would be required because of the location of the proposed development) would  
harm the character and appearance of the area, including the setting of the Thames, as  
appreciable from the Thames Path National Trail, from Straight Road, and from the river  
Thames itself. The scheme was found to conflict with policies H10, N2, N6 and DG1 of the  
Local Plan. Living conditions. Due to the substantially increased height of the new building,  
and to its proximity to windows in an existing neighbouring residence, the development  
would be unneighbourly and overbearing for neighbouring occupants, whose living  
conditions would be harmed with regard to outlook. The scheme was found to conflict with  
paragraph 17 of the NPPF. Conclusion As the proposed development would conflict with  
specific restrictive policies of the NPPF (in this case relating to locations at risk of flooding)  
the proposal could not be considered to be sustainable development for which the  
Framework presumes in favour. Furthermore, the proposal would conflict with the  
development plan, and in accordance with Sec 38(6) of the Planning and Compensation Act  
2004 and paragraph 12 of the NPPF, the proposal should be refused.

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**Appeal Ref.:** 17/60045/REF      **Planning Ref.:** 16/03771/FULL      **Plns Ref.:** APP/T0355/W/17/3172618  
**Appellant:** Mr Tomasz Szymkowicz Dog And Partridge 92 Upper Village Road Ascot SL5 7AQ  
**Decision Type:** Delegated      **Officer Recommendation:** Refuse  
**Description:** Siting of storage container in car park (retrospective)  
**Location:** **Dog And Partridge 92 Upper Village Road Ascot SL5 7AQ**  
**Appeal Decision:** Allowed      **Decision Date:** 13 July 2017

**Main Issue:** The container and caravan either individually or collectively do not have a significant effect on levels of on-street parking or road safety more generally. Therefore there is no conflict with Policies DG1 and P4 of the Royal Borough of Windsor and Maidenhead Local Plan 2003 (the LP) or Policy NP/T1.2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2011-2026 (the NP). These seek, where possible, adequate on-site parking in accordance with adopted standards. Neither the container nor caravan cause unacceptable harm to the character and appearance of the area. There is thus no conflict with Policies DG1 and H11 of the LP or Policies NP/DG1 and NP/DG2 of the NP. Amongst other things, these seek high quality development that is compatible in terms of scale with its surroundings.

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**Appeal Ref.:** 17/60046/NOND ET      **Planning Ref.:** 17/00297/FULL      **Plns Ref.:** APP/T0355/W/17/3172740  
**Appellant:** Mr Dale Greenhead **c/o Agent:** Mr Kevin Gill Planning 4 Property Avondale Barrack Path Woking Surrey GU21 8UA  
**Decision Type:** Delegated      **Officer Recommendation:** Would Have Refused  
**Description:** Double storey rear extension  
**Location:** **Wentworth And Associates White Hart House 9 Silwood Road Ascot SL5 0PY**  
**Appeal Decision:** Dismissed      **Decision Date:** 28 July 2017

**Main Issue:** The Inspector considered that from the study in the ground floor side elevation of No 7, the extension would appear as a looming expanse of masonry built right up to the boundary causing prolonged periods of overshadowing and would severely curtail the amount of sky that can be viewed - resulting in an overbearing and oppressive outlook for the neighbouring property. The Inspector also considered that the extension would cause an appreciable reduction in outlook from the first floor kitchen window to No. 7 and have a significant enclosing effect on the balcony area to the rear of the first floor of No 7.

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**Appeal Ref.:** 17/60048/REF      **Planning Ref.:** 16/02810/FULL      **Plns Ref.:** APP/T0355/W/17/3169962  
**Appellant:** Mr G Scott **c/o Agent:** Mr Graham Sturdy Surrey Planning And Design Ltd 19 Station Road Addlestone KT15 2AL  
**Decision Type:** Committee      **Officer Recommendation:** Defer and Delegate  
**Description:** Erection of a detached five bedroom dwelling with attached garage.  
**Location:** **Land At Priory Lodge Priory Road Sunningdale Ascot**  
**Appeal Decision:** Dismissed      **Decision Date:** 3 August 2017

**Main Issue:** The Inspector acknowledged that overall there would be some change to the character and appearance of the area through a loss of openness on the appeal site, however, that this would not be readily apparent from public vantages and therefore they concluded that the proposed development would not cause unacceptable harm to the character and appearance of the area. In addition, the Inspector considered that the scheme would have an acceptable impact in terms of living conditions of neighbouring properties. The Inspector, however, dismissed the appeal because the lack of an obligation means that the effect of the development on the SPA would be unacceptable.'

**Appeal Ref.:** 17/60057/REF      **Planning Ref.:** 16/03741/FULL      **Plns Ref.:** APP/T0355/D/17/  
3173231

**Appellant:** Miss Heidie Grech **c/o Agent:** Mr Ken Marshall Marshall Associates Honyash Curls Lane  
Maidenhead Berkshire SL6 2QF

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Proposed dropped kerb

**Location:** **50 Straight Road Old Windsor Windsor SL4 2RX**

**Appeal Decision:** Dismissed      **Decision Date:** 28 July 2017

**Main Issue:** The Inspector considered that a further access onto the main road would have an adverse impact upon highway safety and the free flow of traffic along Straight Road, contrary to Policy T5 of the Local Plan.

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**Appeal Ref.:** 17/60063/REF      **Planning Ref.:** 17/00721/FULL      **Plns Ref.:** APP/T0355/D/17/  
3177284

**Appellant:** Mr Shamir Davda **c/o Agent:** Mr Ehsan UI-Haq Archigrace Limited 50 Two Mile Drive Slough  
SL1 5UH

**Decision Type:** Delegated      **Officer Recommendation:** Refuse

**Description:** Single storey front and rear extensions, raising of overall roof to form habitable accommodation in roofspace.

**Location:** **121 Coppermill Road Wraysbury Staines TW19 5NX**

**Appeal Decision:** Allowed      **Decision Date:** 10 August 2017

**Main Issue:** The Inspector considered that the design is acceptable insofar as it retains the appearance of a pitched roof, albeit at a steeper pitch, the front elevation is stepped to add interest and it is intended to use matching materials. Although the crown roof is a somewhat unattractive element, it would not be readily apparent as what it is from public viewpoints, and in this instance allows for the provision of additional accommodation without an excessive increase in the height of the dwelling. The Inspector concluded that the proposal would not harm the character and appearance of the area and that it would be consistent with Local Plan Policies DG1 and H14.

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**Planning Appeals Received**  
**20 June 2017 - 11 August 2017**

**WINDSOR RURAL**

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns reference number and write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Room 3/23 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or email [teame1@pins.gsi.gov.uk](mailto:teame1@pins.gsi.gov.uk)

**Other appeals:** The Planning Inspectorate Room 3/10A Kite Wing Temple Quay House 2 The Square Bristol BS1 6PN or email [teamp13@pins.gsi.gov.uk](mailto:teamp13@pins.gsi.gov.uk)

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 17/60064/PRPA      **Planning Ref.:** 16/03732/TPO      **PIns Ref.:** APP/TPO/T03  
55/6099  
**Date Received:** 4 May 2017      **Comments Due:** Not Applicable  
**Type:** Part Refusal/Part Approval      **Appeal Type:** Fast-track  
**Description:** (T19) Scots Pine - selective tip reduction of 10 branches by up to 3m to natural target pruning points (T22) Sweet Chestnut - crown reduction to final height of 14m with 5m radial branch spread (T23) Sweet Chestnut - crown reduction final height of 18m with 4m radial branch spread (T24) Sweet Chestnut - remove epicormic growth to 8m (T27) Scots Pine - fell (T11) Beech - crown lift to 4.5m (T10) Beech - clear building by 3m retaining over hanging branches, crown lift to 4.5m and reduce branches growing towards dwelling to north west to radial length of 4.5m  
**Location:** **Gainsborough House Furlong Drive Ascot SL5 7GW**  
**Appellant:** Mr And Mrs Elliott **c/o Agent:** Mr Ben Abbatt Sapling Arboriculture Limited 94 Mount Pleasant Road Alton GU34 2RS

**Ward:**  
**Parish:** Old Windsor Parish  
**Appeal Ref.:** 17/60059/PRPA      **Planning Ref.:** 17/00249/TPO      **PIns Ref.:** APP/TPO/T0  
355/6152  
**Date Received:** 19 June 2017      **Comments Due:** Not Applicable  
**Type:** Part Refusal/Part Approval      **Appeal Type:** Fast-track  
**Description:** (T1) Cedar - Tip reduction of 20 branches in the crown of the tree by up to 3m. Removal of vertical branch at 9m on the southwest side of the tree. Tip reduce branches to east and south to give a clearance of 1.5m from phone lines. Tip reduce branches to maintain a clearance from of 2m from the roof of the house.  
**Location:** **Kenmore Cottage The Friary Old Windsor Windsor SL4 2NP**  
**Appellant:** Mr And Mrs Mascarenhas Kenmore Cottage The Friary Old Windsor Windsor SL4 2NP

**Ward:**  
**Parish:** Sunningdale Parish  
**Appeal Ref.:** 17/60061/REF      **Planning Ref.:** 16/03869/FULL      **PIns Ref.:** APP/T0355/D/1  
7/3175830  
**Date Received:** 28 June 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Two storey side/rear extension  
**Location:** **36 Beech Hill Road Ascot SL5 0BW**  
**Appellant:** Mr And Mrs P Rowe **c/o Agent:** Mr Christopher Arden 11 Galton Road Ascot Berkshire SL5 0BP

**Ward:**

**Parish:** Sunningdale Parish  
**Appeal Ref.:** 17/60062/REF      **Planning Ref.:** 16/03957/FULL      **Plns Ref.:** APP/T0355/D/17/3175369

**Date Received:** 28 June 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Detached garage with office, wet room, toilet facilities and storage  
**Location:** **Wilton House 13 Sunning Avenue Sunningdale Ascot SL5 9PN**  
**Appellant:** Mr Alistair Macdonald **c/o Agent:** Mr Mark Philpot The Planning Consultancy Gateway (Unit 3) 83-87 Pottergate Norwich Norfolk NR2 1DZ

**Ward:**  
**Parish:** Horton Parish  
**Appeal Ref.:** 17/60063/REF      **Planning Ref.:** 17/00721/FULL      **Plns Ref.:** APP/T0355/D/17/3177284

**Date Received:** 30 June 2017      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Single storey front and rear extensions, raising of overall roof to form habitable accommodation in roofspace.  
**Location:** **121 Coppermill Road Wraysbury Staines TW19 5NX**  
**Appellant:** Mr Shamir Davda **c/o Agent:** Mr Ehsan Ul-Haq Archigrace Limited 50 Two Mile Drive Slough SL1 5UH

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 17/60069/REF      **Planning Ref.:** 17/00031/FULL      **Plns Ref.:** APP/T0355/W/17/3177811

**Date Received:** 19 July 2017      **Comments Due:** 23 August 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Erection of 2x detached dwellings with double garages and improvements to access road.  
**Location:** **The Burleigh Bushes Cottage Burleigh Road Ascot SL5 7LE**  
**Appellant:** Mr Mark Perkins **c/o Agent:** Mr Robert Reynolds PDP Wash Hill Cottage Wash Hill Wooburn High Wycombe HP10 0JA

**Ward:**  
**Parish:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 17/60070/NONDET      **Planning Ref.:** 17/01065/FULL      **Plns Ref.:** APP/T0355/W/17/3177412

**Date Received:** 19 July 2017      **Comments Due:** 23 August 2017  
**Type:** Non-determination      **Appeal Type:** Written Representation  
**Description:** Erection of two detached houses with integral garages and revised access arrangements, following the demolition of the existing house.  
**Location:** **The Chalet Ravensdale Road Ascot SL5 9HJ**  
**Appellant:** Heywood Real Estate Ltd **c/o Agent:** Mr Robert Clarke R Clarke Planning Ltd Kewferry Farm Rickmansworth Road Northwood Middlesex HA6 2RF

**Ward:**  
**Parish:** Wraysbury Parish  
**Appeal Ref.:** 17/60077/REF      **Planning Ref.:** 17/00158/CLD      **Plns Ref.:** APP/T0355/X/17/3174405

**Date Received:** 4 August 2017      **Comments Due:** 15 September 2017  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Certificate of Lawfulness to determine whether the existing use of five flats at ground floor and 6 flats at first floor (flat 12 part FF, part SF) as 11 x C3 (Dwellinghouses) is lawful.  
**Location:** **Wraysbury Hall 1 Ferry Lane Wraysbury Staines TW19 6HG**  
**Appellant:** Mr Scott Hamilton **c/o Agent:** Mr Michael Williams Michael Williams 9 St Michaels Road Cardiff CF5 2AL

# Agenda Item 7

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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