

NOTICE  
OF  
MEETING  
  
**WINDSOR RURAL DEVELOPMENT  
MANAGEMENT PANEL**

will meet on

**WEDNESDAY, 2ND MAY, 2018**

**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 AND LYNNE JONES

Karen Shepherd - Democratic Services Manager - Issued: Tuesday, 24 April 2018

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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RBWM website, after the meeting.

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## **AGENDA**

### **PART I**

<b><u>ITEM</u></b>	<b><u>SUBJECT</u></b>	<b><u>PAGE NO</u></b>
1.	<b><u>APOLOGIES FOR ABSENCE</u></b>  To receive any apologies for absence.	
2.	<b><u>DECLARATIONS OF INTEREST</u></b>  To receive any Declarations of Interest.	5 - 6
3.	<b><u>MINUTES</u></b>  To confirm the Part I Minutes of the meeting of the previous meeting	7 - 8
4.	<b><u>PLANNING APPLICATIONS (DECISION)</u></b>  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 - 32
5.	<b><u>ESSENTIAL MONITORING REPORTS (MONITORING)</u></b>  To consider the Essential Monitoring Reports.	33 - 36



## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

In accordance with the requirements of the Local Government (Access to Information) Act

1985, each item on this report includes a list of Background Papers that have been relied

on to a material extent in the formulation of the report and recommendation.

The list of Background Papers will normally include relevant previous planning decisions, replies to formal consultations and relevant letter of representation received from local societies, and members of the public. For ease of reference, the total number of letters received from members of the public will normally be listed as a single Background Paper,

although a distinction will be made where contrary views are expressed. Any replies to consultations that are not received by the time the report goes to print will be recorded as

“Comments Awaited”.

The list will not include published documents such as the Town and Country Planning Acts

and associated legislation, Department of the Environment Circulars, the Berkshire Structure Plan, Statutory Local Plans or other forms of Supplementary Planning Guidance,

as the instructions, advice and policies contained within these documents are common to

the determination of all planning applications. Any reference to any of these documents will be made as necessary under the heading “Remarks”.

## **STATEMENT OF THE HUMAN RIGHTS ACT 1998**

The Human Rights Act 1998 was brought into force in this country on 2nd October 2000, and it will now, subject to certain exceptions, be directly unlawful for a public authority to act in a way which is incompatible with a Convention right. In particular, Article 8 (respect

for private and family life) and Article 1 of Protocol 1 (peaceful enjoyment of property) apply to planning decisions. When a planning decision is to be made however, there is further provision that a public authority must take into account the public interest. In the vast majority of cases existing planning law has for many years demanded a balancing exercise between private rights and public interest, and therefore much of this authority's decision making will continue to take into account this balance.

The Human Rights Act will not be referred to in the Officer's report for individual applications beyond this general statement, unless there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues.

## 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.***

# Agenda Item 3

## WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 4 APRIL 2018

PRESENT: Councillors Dr Lilly Evans (Chairman), Colin Rayner (Vice-Chairman), Michael Airey, Christine Bateson, David Hilton, Julian Sharpe and Malcolm Beer

Also in attendance:

Officers: Ashley Smith, Andy Carswell, Adam Jackson and Sean O'Connor

### APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Lenton and Yong.

### DECLARATIONS OF INTEREST

**Cllr Hilton** – Declared a personal interest in Item 1 as a member of Sunninghill and Ascot Parish Council, where the item had been discussed previously. He stated that he had not made any judgement regarding the application.

**Cllr Dr Evans** – Declared a personal interest in Item 2 as a member of Sunningdale Parish Council. She stated however that she had not been present at the Parish Council meeting where the item had been discussed previously.

### MINUTES

The minutes of the meeting held on March 7<sup>th</sup> 2018 were unanimously agreed as an accurate record.

### PLANNING APPLICATIONS (DECISION)

NB: Member updates were available for applications marked with an asterisk\*.

**17/03365\* Mr Gosling: Construction of two storey side extension. Single storey rear extension with basement and single storey front extension at 4 Sunninghill Road, Sunninghill, Ascot SL5 7BU**

**Members voted UNANIMOUSLY to APPROVE the application, as per Officer recommendation, subject to the conditions in Section 9 of the Officer's report being met.**

(The Panel was addressed by Valerie Noceti, on behalf of the applicant.)

**18/00046\* Mr Lovell: Replacement three storey building with basement following demolition of existing single storey retail unit at Electronic Accordions Ltd, Verve House, London Road, Sunningdale, Ascot SL5 0DJ**

**Members voted UNANIMOUSLY to APPROVE the application, as per Officer recommendation, subject to the conditions in Section 10 of the Officer's report being met.**

(The Panel was addressed by David Taylor, on behalf of the agent.)

## ESSENTIAL MONITORING REPORTS (MONITORING)

The contents of the reports were noted.

The Chairman noted that the appeal in relation to Broomfield Park was listed as being non-determined; however the appeal application had been determined by the Council in December. The Deputy Head of Planning informed Members that the Council would make appropriate representations and Members would be informed of any updates.

The meeting, which began at 7.00 pm, finished at 7.32 pm

CHAIRMAN.....

DATE.....



## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Windsor Rural Panel

2nd May 2018

#### 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>	17/02204/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	11
<b>Location:</b>	Bluebells Restaurant And Bar London Road Sunningdale Ascot SL5 0LE						
<b>Proposal:</b>	Construction of a building to provide x8 two bed flats, together with access to London Road and landscaping, following demolition of the existing buildings.						
<b>Applicant:</b>		<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	31 January 2018		

<b>Item No.</b>	2	<b>Application No.</b>	18/00820/FULL	<b>Recommendation</b>	PERM	<b>Page No.</b>	27
<b>Location:</b>	Old Windsor Library Memorial Hall Straight Road Old Windsor Windsor SL4 2RN						
<b>Proposal:</b>	Single storey side extension.						
<b>Applicant:</b>	Mr Gallagher	<b>Member Call-in:</b>	Not applicable	<b>Expiry Date:</b>	17 May 2018		

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

**WINDSOR RURAL DEVELOPMENT CONTROL PANEL**

2 May 2018

Item: 1

<b>Application No.:</b>	17/02204/FULL
<b>Location:</b>	Bluebells Restaurant And Bar London Road Sunningdale Ascot SL5 0LE
<b>Proposal:</b>	Construction of a building to provide x8 two bed flats, together with access to London Road and landscaping, following demolition of the existing buildings.
<b>Applicant:</b>	
<b>Agent:</b>	Mr Douglas Bond
<b>Parish/Ward:</b>	Sunningdale Parish/Sunningdale Ward
<b>If you have a question about this report, please contact:</b> Alys Hughes on 01628 796040 or at <a href="mailto:alys.hughes@rbwm.gov.uk">alys.hughes@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 Permission is sought for a two-storey building comprising 8 x 2-bed apartments, with associated parking and landscaping to replace the existing two-storey restaurant building on site.
- 1.2 The application follows a previous proposal, ref 16/03177/FUL, for 9 apartments which was refused by the Council under delegated authority on 01.02.2017 on grounds of inappropriate development in the Green Belt and impact on the character of the area due its design and massing.
- 1.3 The current proposal, which follows pre-application discussions with the Council, is for a development of reduced scale and massing which is now considered to have no greater impact on the openness of the Green Belt than the existing development and thus can be deemed as appropriate development in the Green Belt. Furthermore, the amended design and appearance of the building is considered to respond positively to the context of the surrounding area.
- 1.4 The reasons for refusal of the previous planning application ref: 16/03177/FUL have now been overcome and thus it is recommended that planning permission be forthcoming for the proposed development.

<b>It is recommended the Panel authorises the Head of Planning:</b>	
1.	<b>To grant planning permission following satisfactory amendment to the secured Section 111 for mitigation to the SPA</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; such decisions can only be made by the Panel.

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

- 3.1 This application site currently comprises a large but unassuming two storey building with various single storey extensions and outbuildings. Its existing use is as a restaurant, with car parking to the rear of the building and a lawned area beyond. Near the rear boundary, behind a row of leylandii trees, is a large storage building.

- 3.2 The building is set back from the main A30, with a surfaced vehicular access to either side. There is a mix of residential development in the locality, of a variety of types, sizes and ages, including a modern apartment building to the immediate west.
- 3.3 The site is situated within the Green Belt, and most of the site is covered by a group Tree Preservation Order. The site is situated within 5 km of the Thames Basin Heaths Special Protection Area.
- 3.4 A small part of the application site is within Runnymede Borough Council, and a planning application has been submitted to that Council for the proposed development.

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

- 4.1 The proposal is to demolish the existing buildings on site, one of which includes a restaurant, and to build a new part single storey/part two-storey building to accommodate 8 x 2-bed apartments. A previous application, reference 16/03177/FULL, was refused under delegated authority by the Borough Council in January 2017. The reasons for refusal related solely to design issues and the harmful impact on the openness of the Green Belt, thereby constituting inappropriate development.
- 4.2 The front elevation of the proposed building would be of a traditional design and has features common in Victorian and Edwardian buildings. This elevation would be finished in render, with a red brick plinth. The roof would be in a plain clay tile. The two storey part of the building would have a height of circa 7.7 metres to the ridge.
- 4.3 The proposed building is a T-shape. The section to the rear is lower in height than the front section with accommodation at ground floor only. Both sections are joined by a two storey flat roof element. The single storey side elements also incorporate a flat roof with parapet.
- 4.4 The proposed building would have a depth of circa 31 metres. The front part of the building would have a width of circa 42 metres, and the width of the rear wing varies from 9.5 metres (single storey) to 20 metres (two storey).
- 4.5 Two of the existing accesses would be used to serve the development. Two parking spaces would be provided on the western part of the site, with the remainder of parking spaces provided on the eastern part of the site. A new outbuilding to accommodate bike storage would be provided behind this parking area.
- 4.6 Tree planting is shown in the rear part of the site, in place of the existing building to be demolished.

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

- 5.1 National Planning Policy Framework Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring Good Design), 8 (Promoting Healthy Communities) and 9 (Protecting Green Belt Land)

##### **Royal Borough Local Plan**

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

Issue	Local Plan Policy	Compliance	
Design in keeping with character of area	DG1	Yes	
Acceptable impact on appearance of area	DG1, H10, H11	Yes	
Acceptable impact on highway safety	T5	Yes	
Sufficient parking space available	P4	Yes	

Acceptable impact on Green Belt	GB1, GB2 (Part A)	Yes	
Acceptable impact on trees important to the area	N6	Yes	

### **Ascot, Sunninghill & Sunningdale Neighbourhood Plan 2011-2026**

Issue	Neighbourhood Plan Policy	Compliance	
Good Quality Design	NP/DG3	Yes	
Respecting the Townscape	NP/DG1	Yes	
Density, Footprint, Separation Scale, Bulk	NP/DG2	Yes	
Parking and Access	NP/T1	Yes	
Trees	NP/EN2	Yes	
Biodiversity	NP/EN4	Yes	

The Council's planning policies in the Local Plan can be viewed 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
Trees	NR2

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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

### **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:

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Development within the Green Belt;
- ii Impact on the character and appearance of the area;
- iii Neighbouring Amenity
- iv Parking and highways
- v Trees
- vi Ecology
- vii Thames Basin Heaths Special Protection Area

### Development within the Green Belt

6.2 The proposed development would be situated within the Green Belt where development is restricted to protect its open and undeveloped character. Paragraph 89 of the National Planning Policy Framework (NPPF) states that the construction of new buildings within the Green Belt are inappropriate however it goes on to list certain exceptions to this. One of which includes the:

*'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 the openness of the Green Belt and the purpose of including land within it than the existing development.'*

6.3 Within the Local Plan, policy GB2 (Part A) explains that proposals should not have a greater impact on the openness of the Green Belt than the existing development. Policy SP1 (Spatial Strategy) of the emerging Borough Local Plan states that the Green Belt will be protected from inappropriate development in line with Government policy. Policy SP5 (Development in the Green Belt) closely reflects the national Green Belt policy outlined in section 9 of the NPPF adding further detail where required in terms of the exceptions to inappropriate development. These policies carry substantial weight in the determination of this planning application.

6.4 It is considered that the scheme represents the redevelopment of a previously developed site. Previously developed land is defined in the NPPF as *'land which is or was occupied by a permanent structure, including the curtilage of development land and any associated fixed surface infrastructure'*. The site is occupied by a permanent restaurant building and associated hard-surfacing and therefore the proposal passes the first test of the above exception to inappropriate development.

6.5 The second test is that the development would not have a greater impact on the openness of the Green Belt than the existing development. This assessment consists of a comparison test between the existing and proposed development, in particular their floorspace, volume, height, scale, form and mass.

Floor space and Volume comparisons			
Application Number: 17/02204/FULL			% Increase
Floorspace of existing building	1076.5	sq. metres	
Floor space of proposed building	1162	sq. metres	
	<b>86 sq.m or 8% increase</b>		
Volume of existing building	4248.8	c. metres	
Volume of proposed building	4098	c. metres	
	<b>150.8 c.m or 3.5% decrease</b>		

- 6.6 Looking firstly at floorspace, the proposed development would result in a circa 8% increase in floorspace over the existing development on site, which is significantly smaller than the previously refused scheme. Whilst there is a slight increase in floorspace, floorspace is not the sole determining factor. In terms of volume, calculations have been provided, which show a reduction in volume across the site of 3.5%. (The increase in floor area but overall decrease in volume of development across the site is likely to have arisen through the proposed demolition of a large detached outbuilding positioned at the rear of the site, which, whilst only single storey, has a considerable footprint and a pitched roof.)
- 6.7 The floor space and volume figures are only guiding factors, and ultimately the height, scale, mass and spread of the proposed built form needs to be assessed, including a comparison of the amount of hard-surfacing within the site.
- 6.8 With regard to height, the central part of the proposed development would be two storeys, with single storey wings and a narrower single storey rear projecting section. The height of development would be no higher than the two-storey part of the existing building.
- 6.9 The main objection to the previous application was to the mass and bulk of development resulting from the use of crown and flat roofs. It was considered that this would have resulted in a built form and mass that would have a greater impact on the openness of the Green Belt than the existing building, which has a very limited first floor mass. The bulk and massing of the building has been reduced significantly since the last application, including a reduction in the depth and height of the rear projecting section. The proposed eaves height of this part of the development has been reduced from the refused scheme and the link section of the development now has a flat roof, thereby reducing the overall bulk at first floor level. Also taking into account the reduction in spread of development across the site and the significant reduction in hard-surfacing, when considering these factors cumulatively, along with the decrease in volume of development, the proposal is considered not to have a greater impact on the openness of the Green Belt than the existing development and thus the second part of bullet point 6 of paragraph 89 of the NPPF has been met.

- 6.10 The change of use from a restaurant to a residential development would not conflict with the purposes of the Green Belt.
- 6.11 The amended scheme has therefore met the tests set out by bullet point 6 of paragraph 89 of the NPPF and thus constitutes appropriate development in the Green Belt. There is no other harm to the Green Belt arising from the proposal.

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

- 6.12 Paragraph 64 of the NPPF explains that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. SP2 of the emerging Borough Local Plan states that 'All new developments should contribute to the places in which they are located.' Furthermore, policy SP3 states that development proposals should achieve various design principles, including but not limited to, respecting and enhancing the local character and high quality townscapes and providing high quality soft and hard landscaping. Significant weight can be given to these emerging policies at this time.
- 6.13 The existing building on site is considered to be of a good quality design, which contributes positively to the character and appearance of the area. The scale and mass of the building together with a fairly simple appearance contributes to the high quality appearance of the building.
- 6.14 Looking in isolation at the front elevation of the proposed building only, this elevation has Victorian and Edwardian features, and it is considered that the form and proportions of this elevation make it a good quality design. It was considered under application 16/03177/FULL that the appearance of the side and rear elevations of the building by reason of the extensive flat roof at two stories in height would not contribute to the character of the area or the site itself and so was considered to represent poor design.
- 6.15 As mentioned above, the extensive flat roof element has been eliminated from the current scheme and replaced with a low pitched roof with gabled features. A small section of flat roof still exists on the two storey link element between the front and rear section of the building however due to its scale and positioning, it is not a prominent element of the scheme. The rear wing now relates well to the high quality design of the front wing in terms of scale and form and its single storey height allows it to appear subservient.
- 6.16 Looking at the surrounding area, the buildings opposite to the site are of a traditional design with pitched roofs and are considered to make a positive contribution to the character and appearance of the area. The apartment block to the west of the site is a modern building with a crown roof, and this also forms part of the local area. Whilst this neighbouring building may not be as high a quality design as other buildings in close proximity to the site, this building does have a coherent design on all elevations.
- 6.17 Based on the above, the proposed appearance, scale, form and design of the building is considered to harmonise well with surrounding development and would represent good quality design that does not appear prominent or overdominant from the street scene.

#### **Impact on neighbouring amenity**

- 6.18 The roof terrace on the proposed building which faces the boundary with the Garden Lodge is 16 metres off this boundary. This distance is considered sufficient in order for there not to be unacceptable levels of overlooking to this site. The proposed rear balconies are of a greater distance than this from neighbouring boundaries to avoid unacceptable levels of overlooking. First floor side facing windows in the proposed building would be over 20 metres off the side boundaries, and so it is not considered that any of these windows would result in unacceptable levels of overlooking to neighbouring properties.



- 6.19 The side roof terrace facing South Lodge, would be over 25 metres off the boundary with this property; this distance is considered sufficient for there not to be unacceptable levels of overlooking to this property.

### **Parking and highways**

- 6.20 It is considered that the proposed development is likely to lead to a reduction in vehicle movements when compared with the existing use. The change from restaurant to residential use is also likely to result in a marked reduction in visits by larger delivery and service vehicles.
- 6.21 The scheme provides a slight overprovision of car parking spaces - 20 space are proposed when 16 are required by the standards for 8 residential units. It is noted that Neighbourhood Plan Policy NP/T1 (Parking and Access) places a great emphasis on visitor parking and the need to reduce reliance on on-street parking. It is also noted that car ownership levels are slightly higher in Ascot, Sunninghill and Sunningdale than the Borough average. Taking this into consideration along with the overall reduction in hard-surfacing across the site and the benefits of the scheme as a whole, this slight overprovision in parking is not objected to. The proposed access, parking turning arrangements are considered to be acceptable and the scheme is considered to have an acceptable impact on highway safety.

### **Trees**

- 6.22 The site and neighbouring properties are covered by Tree Preservation Order 1 of 1957, an 'Area' designation protecting all species. The proposal would result in the loss of two Wild Cherry trees and one Ash tree which form a group on the southern eastern boundary. Other tree loss is acceptable as it mainly comprises the linear group of Leyland cypress and some other small ornamental trees of little significance. There will also be a need for additional tree planting within the site, in the front garden and intermittently along the western boundary. The Council's Tree Officer has recommended conditions should planning permission be granted and these relate to Tree protection (condition 8), site storage and services/drainage (condition 7 ), landscaping scheme (condition 10) and a landscape management plan (condition 11). The proposal is considered to comply with policy N6 of the adopted local plan and policy NR2 of the emerging Borough Local Plan.

### **Ecology**

- 6.23 An ecological assessment was undertaken in September 2015 in support of the previous application and was initially resubmitted with the current application. As the survey was two years old, it was recommended that an updated survey was undertaken.
- 6.24 Regarding potential impact on designated sites, this is discussed in the following section at paragraphs 6.24 -6.25).
- 6.25 In terms of the impact on bats, the updated survey showed similar site conditions to the original survey – the building was recorded as supporting an individual roost of common pipistrelle bats and one sweet chestnut tree was recorded as having moderate potential to support roosting bats. The applicant's ecologist has provided an outline bat mitigation strategy which includes removal of all tiles on roof and other bat roosting features within main building by hand under ecological supervision, provision of temporary and permanent roosting features on retained mature trees and within the new buildings and sensitive lighting, all of which will be detailed within a method statement to accompany a European Protected Species licence (EPSL). Therefore, it is likely that the development proposals would not have a detrimental effect to the maintenance of the populations of bats species at a favourable conservation status in their natural range, as long as the mitigation and compensation measures are followed. The trees on site which have potential for roosting bats are not shown for removal. It is considered that the scheme would have an acceptable impact on bats, provided that certain conditions being imposed which have been recommended by the Council's ecologist (see condition 5). Condition 6 is also recommended in regard to biodiversity enhancements.

## **Thames Basin Heaths Special Protection Area**

- 6.26 The proposed development site is within 800 m of the Thames Basin Heaths Special Protection Area (SPA), which was classified in 2005 under the EC Birds Directive. The Council's Thames Basin Heath SPA Supplementary Planning Document (Part 1) states that within the zone of 400m to 5km from the Thames Basin Heath SPA, it is likely that additional residential dwellings (either alone or in combination with other new dwellings) are likely to have a significant effect on the SPA unless mitigation measures are put in place. The guidance within this document stipulates that the agreed approach to mitigation is for developers to provide Suitable Alternative Natural Greenspace (SANG) (or financial contribution towards a Council SANG) and financial contributions towards Strategic Access Management and Monitoring.
- 6.27 The Council has an adopted Suitable Alternative Natural Greenspace (SANG), Allen's Field. Financial contributions in line with the scale of charges set out in the Council's SPD would provide the mitigation required to ensure that the additional residents of additional dwellings would not impact adversely on the SPA, satisfying the requirements of the regulatory framework and SPD that are discussed above. Mitigation measures have been secured through a section 111 agreement, which is currently in the process of being amended to reflect the reduction in number of units. The recommendation is subject to securing the amended section 111 agreement.

### **Other Material Considerations**

#### Affordable Housing

- 6.28 Adopted local plan policy H3 states that the Council will seek to achieve affordable housing on sites of over 0.5ha or more or schemes proposing 15 or more net additional dwellings. Whilst the site is greater than 0.5ha, the combined gross maximum floor area of the development is less than 1,000sq.m and in cases such as this substantial weight is given to the NPPG which advises that 'contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area)'.

#### Housing Land Supply

- 6.29 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) sets 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.
- 6.30 The Berkshire (including South Bucks) Strategic Housing Market Assessment (SHMA) (2016) identifies an objectively assessed housing need (OAN) of 712 dwellings per annum. Sites that deliver the OAN and a stepped housing trajectory over the plan period (2013-2033) are set out in the Submission Version Borough Local Plan that is currently undergoing examination. A five year supply of deliverable housing sites can be demonstrated against this trajectory.

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

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. Based on the submitted information, the tariff payable for this development would be £x

## **8. CONSULTATIONS CARRIED OUT**

### **8.1 Comments From Interested Parties**

14 letters were sent to neighbouring residents and a site notice was posted by the planning officer.

1 letter was received objecting to the application summarised as:

Comment	Officer Response
I own land on two sides - at the back right of Bluebells and I have not been notified of this application	Occupiers of the adjoining land were notified by letter and a site notice was displayed at the site as required by legislation.

## 8.2 Other Consultees and Organisations

Comment	Officer Response
Highways Authority: Amended plans now acceptable with regard to parking provision. No objections subject to conditions.	See section 6.20-6.21
Council's Tree Team: Recommend approval subject to conditions	Noted
Council's Ecologist: Recommend approval subject to conditions	Noted
Rights of Way: No objection	Noted
Lead Local Flood Authority: No objection subject to condition and informatives	Noted Condition
Parish Council: Object on following grounds: <ul style="list-style-type: none"> <li>- Insufficient tree information</li> <li>- Transport statement states that 24 parking spaces would be provided however only 16 parking spaces shown on site layout plan. 24 should be provided.</li> </ul>	Further tree information submitted since following comments from Tree Officer. Amended site plan also submitted which includes 20 parking spaces.
SPAE: - Inadequate parking provision <ul style="list-style-type: none"> <li>- Further information submitted on trees should be reviewed by the Council</li> </ul>	Further comments provided by council's tree officer on 27 <sup>th</sup> of September.
Runnymede Borough Council: No objection	Noted

## 9. APPENDICES TO THIS REPORT

- Appendix A - Location plan
- Appendix B – Site plan
- Appendix C – Proposed elevations
- Appendix D - Volume comparison

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

- 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).
- No development 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
- Within one month of the substantial completion of the development the building shown to be removed on the approved plans, shall be demolished in its entirety and all materials resulting from such demolition works shall be removed from the site.  
Reason: To prevent the undesirable consolidation of development on the site having regard to its Green Belt location. Relevant Policies - Local Plan GB1, GB2,

- 4 No development shall take place until samples and/or a specification of all the finishing materials to be used in any hard surfacing on the application site have been submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 5 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.
- 6 The development shall be carried out in accordance with the recommendations for biodiversity enhancements contained within the ecological survey produced by AA Environmental Consultants, dated 8th of November 2018.  
Reason: To secure biodiversity enhancements.
- 7 Prior to the commencement of development details of the areas to be used for on site materials storage, construction workers' parking, and for ancillary temporary building(s) including any phasing of use such areas, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.  
Reason: To ensure that retained landscaping on the site is not damaged or destroyed during construction. Relevant Policies - Local Plan DG1, N6.
- 8 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the 'ACD Arboricultural Method Statement rev. A '31.07.2017, dated 11.10.17' before any equipment, machinery or materials are brought on to 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. 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.  
To protect trees which contribute to the visual amenities of the site and surrounding area.  
Relevant Policies - Local Plan DG1, N6.
- 9 Prior to the commencement of development details of the areas to be used for on site materials storage, construction workers parking, and for ancillary temporary building(s) including any phasing of use such areas, as well as details of underground services and drainage, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.  
Reason: To ensure that retained landscaping on the site is not damaged or destroyed during construction. Relevant Policies - Local Plan DG1, N6.
- 10 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 in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 11 Prior to the commencement of development a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The plan shall cover any areas of existing landscaping, including woodlands, and all areas of proposed landscaping other than private domestic gardens.

Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Policies - Local Plan DG1.

- 12 Prior to the commencement of any works or demolition a construction 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.

- 13 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.

- 14 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.

Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1

- 15 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.

- 17 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 7 metres from 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

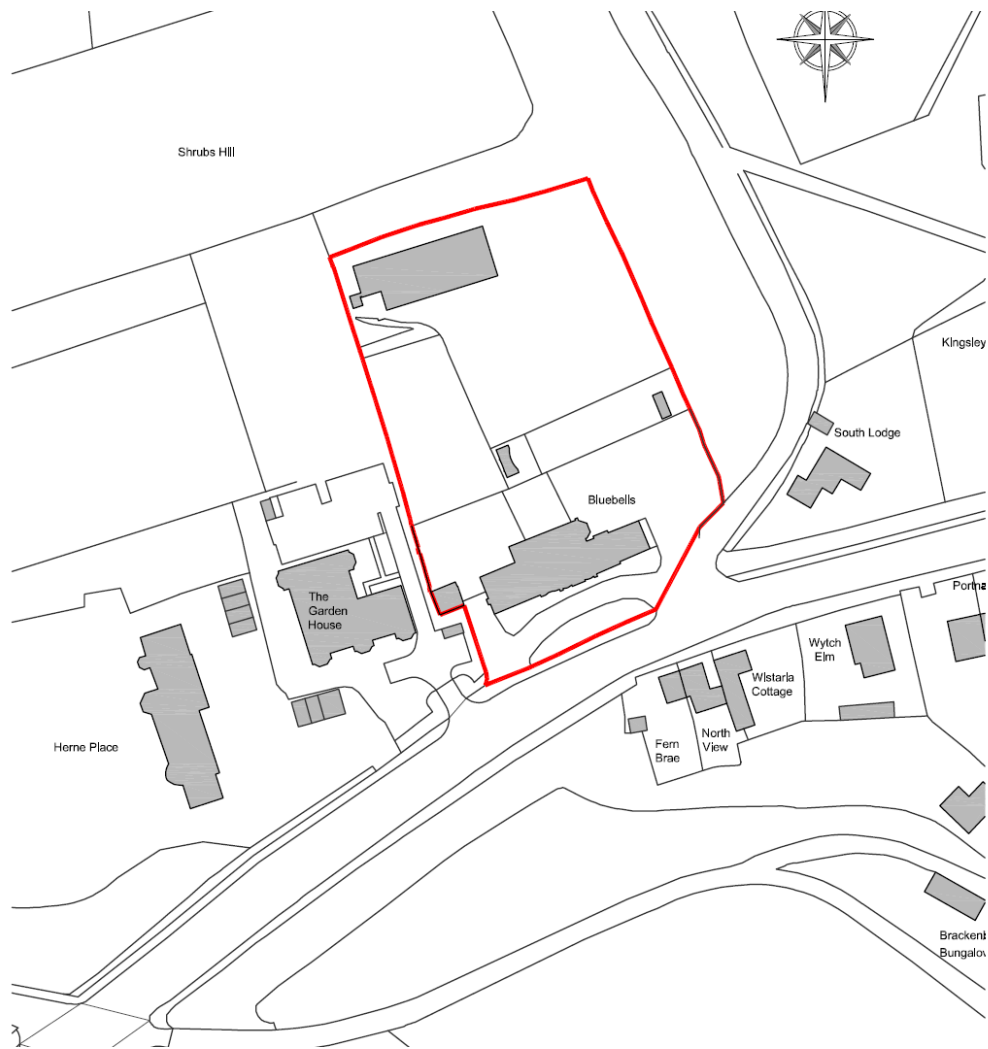
- 18 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

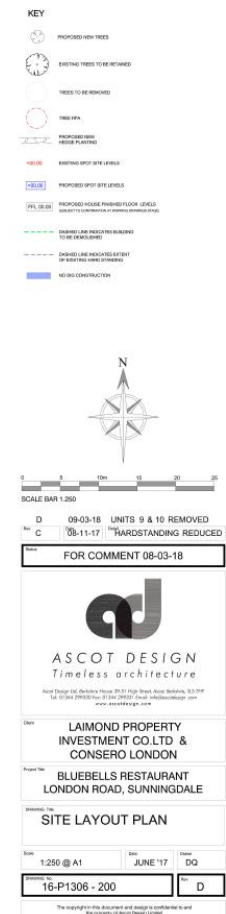
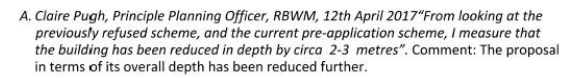
### **Informatives**

- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR 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.

Appendix A – Location plan



## 23



Appendix C – Proposed elevations



FRONT ELEVATION



SIDE ELEVATION (EAST)



SIDE ELEVATION (WEST)



REAR ELEVATION

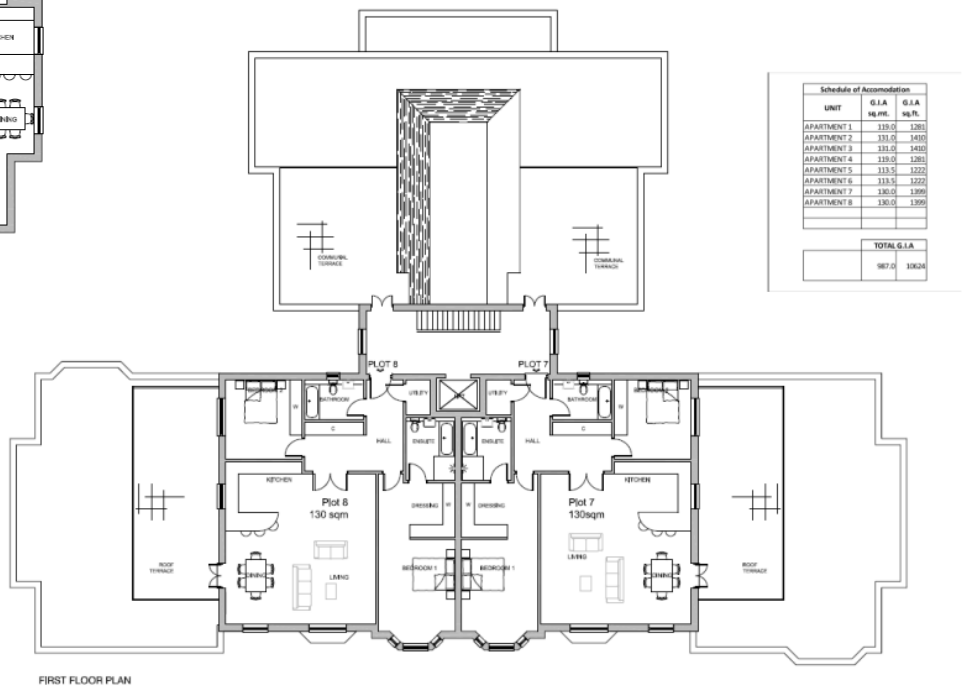
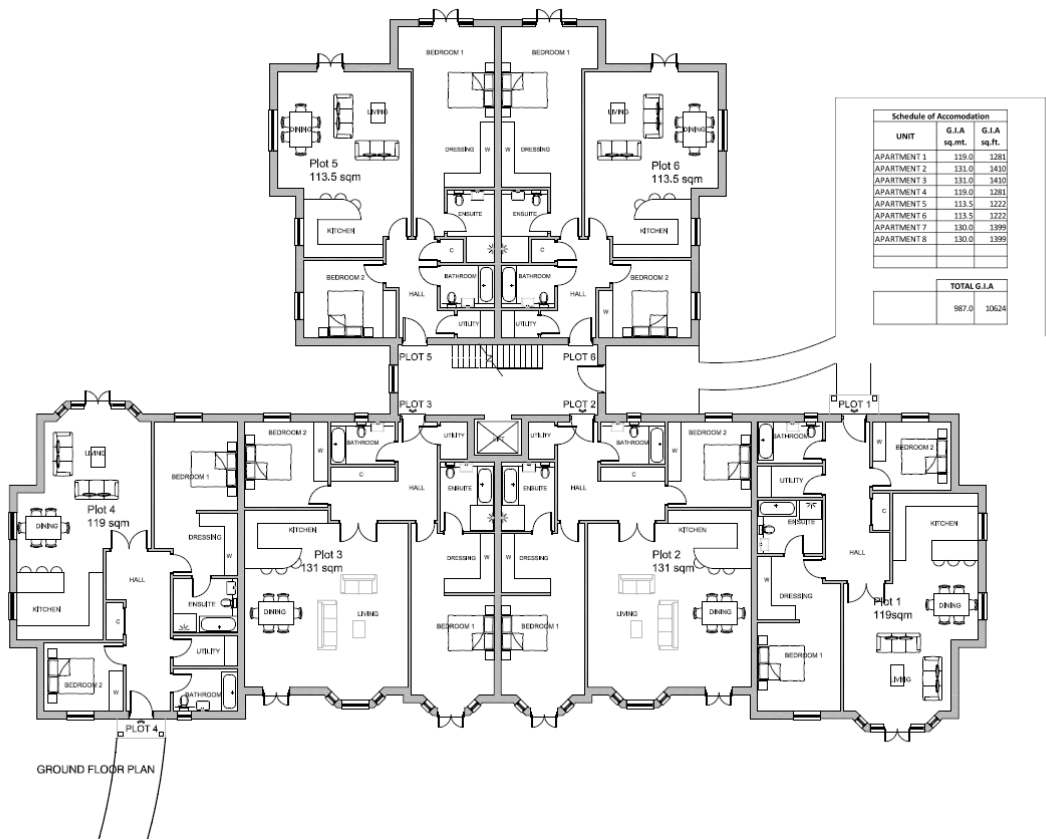
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A	08-03-18	UNITS 9 & 10 REMOVED
FOR COMMENT 08-03-18		
 <b>ASCOT DESIGN</b> Timeless architecture <small>Ascot Design Ltd, Bonhill House, 90-91 High Street, Ascot, Berkshire, SL1 1YJ Tel: 01344 355200 Fax: 01344 355201 Email: info@ascotdesign.com www.ascotdesign.com</small>		
Client: <b>LAIMOND PROPERTY INVESTMENT CO. LTD &amp; CONSERO LONDON</b>		
Project Name: <b>BLUEBELLS RESTAURANT LONDON ROAD, SUNNINGDALE</b>		
Drawing Title: <b>ELEVATIONS</b>		
Scale: <b>1:100 @ A1</b>	Date: <b>JUNE '17</b>	Drawn: <b>DG</b>
Project No: <b>16-P1306-203</b>	Sheet: <b>A</b>	
<small>The copyright in this document and design is confidential to client © Ascot Design Ltd 2017</small>		

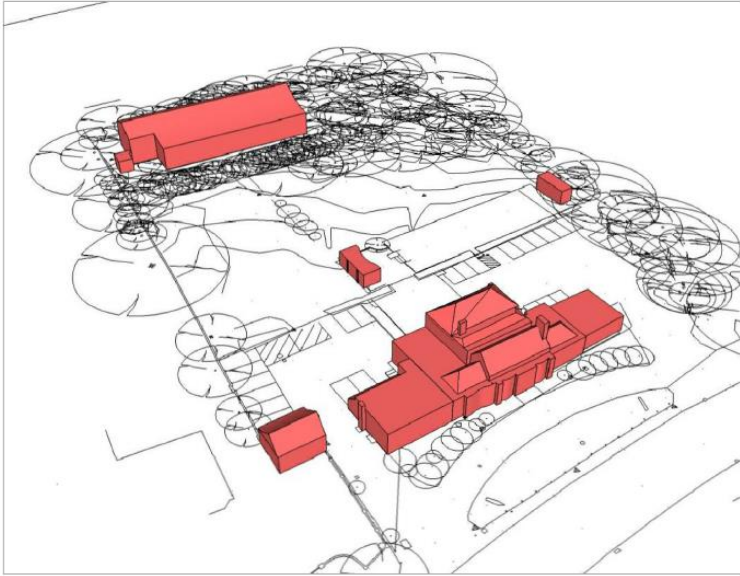


Appendix D – Proposed floorplans

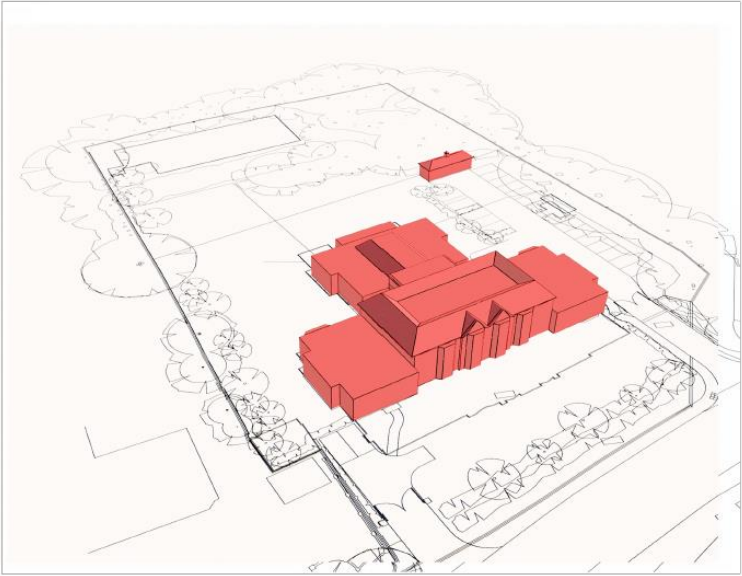
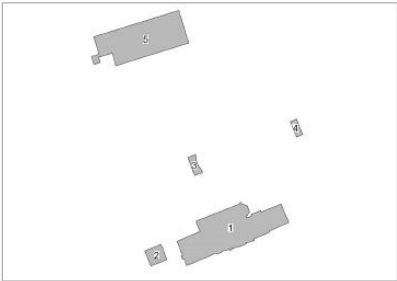
25




Appendix D – Volume comparison



EXISTING VOLUME SCHEDULE	
BUILDING 1 -	1974.0 m³
BUILDING 2 -	144.9 m³
BUILDING 3 -	49.1 m³
BUILDING 4 -	37.8 m³
BUILDING 5 -	2043.0 m³
TOTAL -	4248.8 m³



PROPOSED VOLUME SCHEDULE	
MAIN BUILDINGS -	4035 m³
CYCLE STORE -	63 m³
TOTAL -	4098 m³

 Ascot Design Ltd Rushmore House 39-51 High Street, Reading, RG2 7HT Tel: 01344 399222 Fax: 01344 399551 Email: info@ascotdesign.com www.ascotdesign.com	PLANING APPLICATION SET	Rev: C	Date: 12.03.18	Total: VOLUME REDUCED
	Client: LAIMOND PROPERTY INVESTMENT CO.LTD & CONSERO LONDON	VOLUME COMPARISON		
	Project Name: BLUEBELLS RESTAURANT LONDON ROAD, SUNNINGDALE	Scale: not to scale @ A3	Date: NOV'16	Drawn: JP
		16-P1306-500	Rev: C	

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

2 May 2018

Item: 2

<b>Application No.:</b>	18/00820/FULL
<b>Location:</b>	Old Windsor Library Memorial Hall Straight Road Old Windsor Windsor SL4 2RN
<b>Proposal:</b>	Single storey side extension.
<b>Applicant:</b>	Mr Gallagher
<b>Agent:</b>	Paul Ansell
<b>Parish/Ward:</b>	Old Windsor Parish/Old Windsor Ward

**If you have a question about this report, please contact:** Louise Fuller on 01628 796121 or at [louise.fuller@rbwm.gov.uk](mailto:louise.fuller@rbwm.gov.uk)

### 1. SUMMARY

- 1.1 A single storey side extension is proposed at Old Windsor Library to provide a toilet, kitchenette and study area. The proposed extension would not harm the character and appearance of the area nor impact any neighbouring amenity. There is no requirement for additional car parking. The site lies within flood zone 3 but given the small size of the extension approximately 10m<sup>2</sup> it complies with Local Plan Flood policy F1.

<b>It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.</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; such decisions can only be made by the Panel as the Council has an interest in the land.

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

- 3.1 The existing library is adjacent to Old Windsor Memorial Hall sited on the east of Straight Road. To the rear of the site is a day centre and play area. Opposite the site lies a large pub/restaurant with the surrounding character consisting of predominately housing of a mix of styles. The area in front of the site is used for car parking.

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

- 4.1 The proposed development would be single storey with a flat roof and overall height of approximately 3m. It would be 2.2 metres wide and 5 metres deep. It would provide a toilet area, kitchen sink area and desk space. The building would be constructed of brick to match the existing with a felt roof.
- 4.2 Whilst the Memorial Hall has been extended previously, no extensions appear to have been carried out to the library building.

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

- 5.1 National Planning Policy Framework Sections

#### 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	Community facilities
DG1, H10, H11	P4, T5	CF1

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
Community Facilities	IF7

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 Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council prepared a report summarising the issues raised in the representations and setting out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents have now been submitted to the Secretary of State for examination. The Submission Version of the Borough Local Plan does not form part of the statutory development plan for the Borough. However, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the submission version. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more details in the assessment below.

Significant weight is to be accorded to Borough Local Plan Submission Version policies SP2, SP3 and IF1 in this case. Lesser weight should be accorded to Borough Local Plan Submission Version policy NR1 due to the extent and nature of objections raised to it by representations on the Borough Local Plan Submission Version. The above application is considered to comply with the relevant policies listed within the Development Plan and those Borough Local Plan Submission Version policies to which significant weight is to be accorded.

This document can be found at:

[https://www3.rbwm.gov.uk/info/201026/borough\\_local\\_plan/1351/submission/1](https://www3.rbwm.gov.uk/info/201026/borough_local_plan/1351/submission/1)

### **Supplementary planning documents**

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- The Interpretation of Policy F1 (Area Liable to Flooding) Supplementary Planning Guidance (SPG) 2004

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)

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

5.4 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 Principle of development;
- ii Impact on the character and appearance of the area;
- iii Impact on neighbouring amenity;
- iv Highway considerations; and
- v Flooding

### **Principle of development**

6.2 The proposed site lies within the settlement area of Old Windsor, as such the principle of development is acceptable. Furthermore, the upgrading of these library facilities would provide benefits to the community which weighs heavily in favour of the development. The proposal complies with the aim and objectives of Local Plan policy CF1 and emerging plan policy IF7.

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

6.3 The proposed extension is single storey in nature and would be sited behind the Memorial Hall screened from public view. It would be constructed in matching materials to the existing library building. Given its size, siting and design it would have no material impact on the character and appearance of the area.

### **Impact on neighbouring amenity**

6.4 Again due to the size and siting of the extension it would have no harmful impact on neighbouring amenity.

### **Highway Considerations**

6.5 Highways raise no objections, the proposal does not require any additional car parking nor does it impact the existing car parking arrangements on site. No change to the access is proposed.

### **Flooding**

6.6 The proposed extension would result in a ground coverage area of just under 11m<sup>2</sup>. The library building has not been extended previously and therefore the proposal complies with Local Plan Policy F1 having a footprint of less than 30m<sup>2</sup>.

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

7.1 There is no CIL requirement.

## **8. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

9 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 5<sup>th</sup> April 2018.

No letters of support or objection have been received.

### **Other consultees**

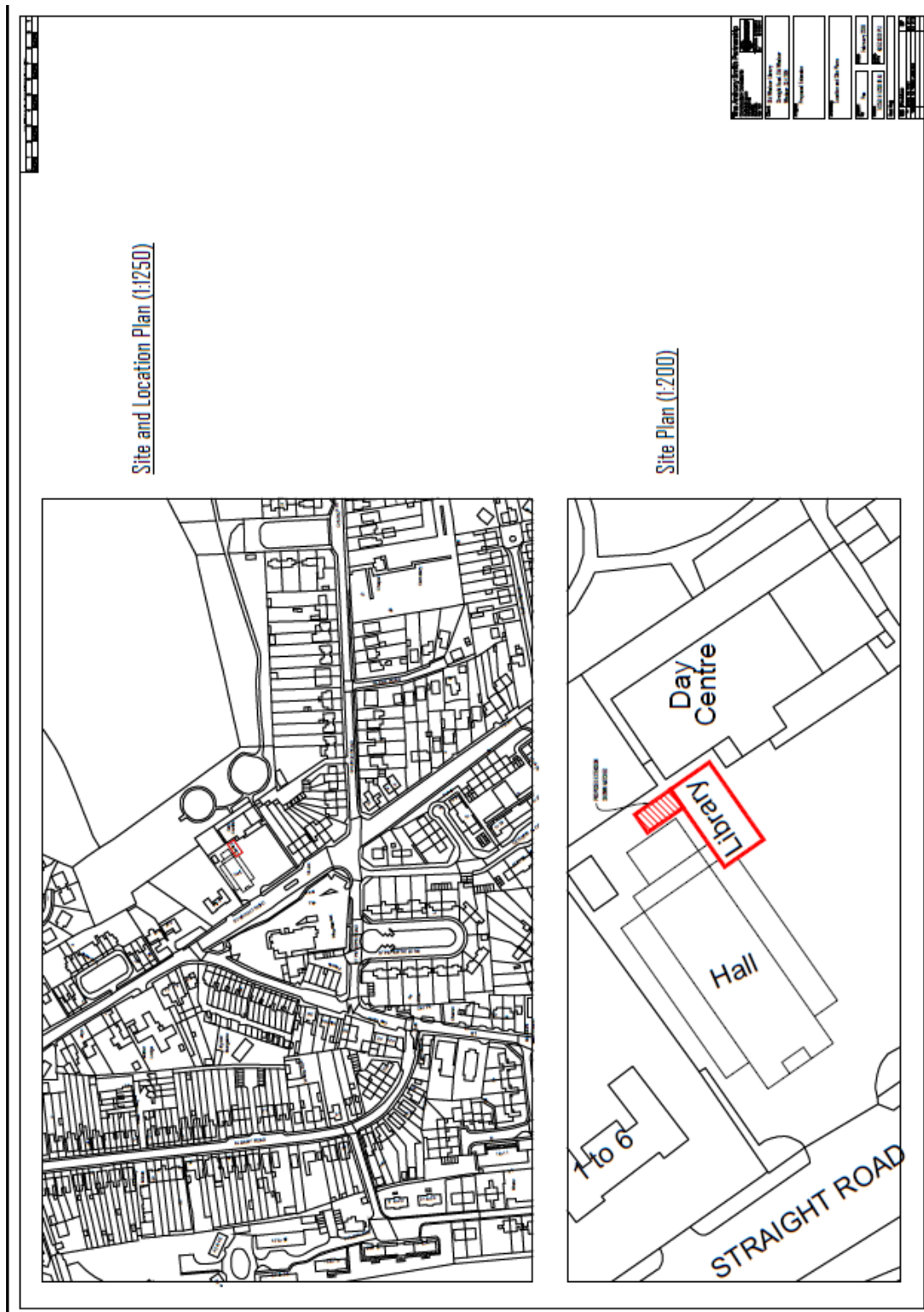
Consultee	Comment	Where in the report this is considered
Parish Council	Comment Awaited	-
Highways	No objection	Para 6.6
Access Advisory Forum	The WC appears to be large enough to enable use by wheelchair users. However it is unclear from the plans whether there is enough manoeuvring space from the library and past the study area for wheelchair users to access the WC.	This is being clarified and will be reported in the Panel Update.

## 9. APPENDICES TO THIS REPORT

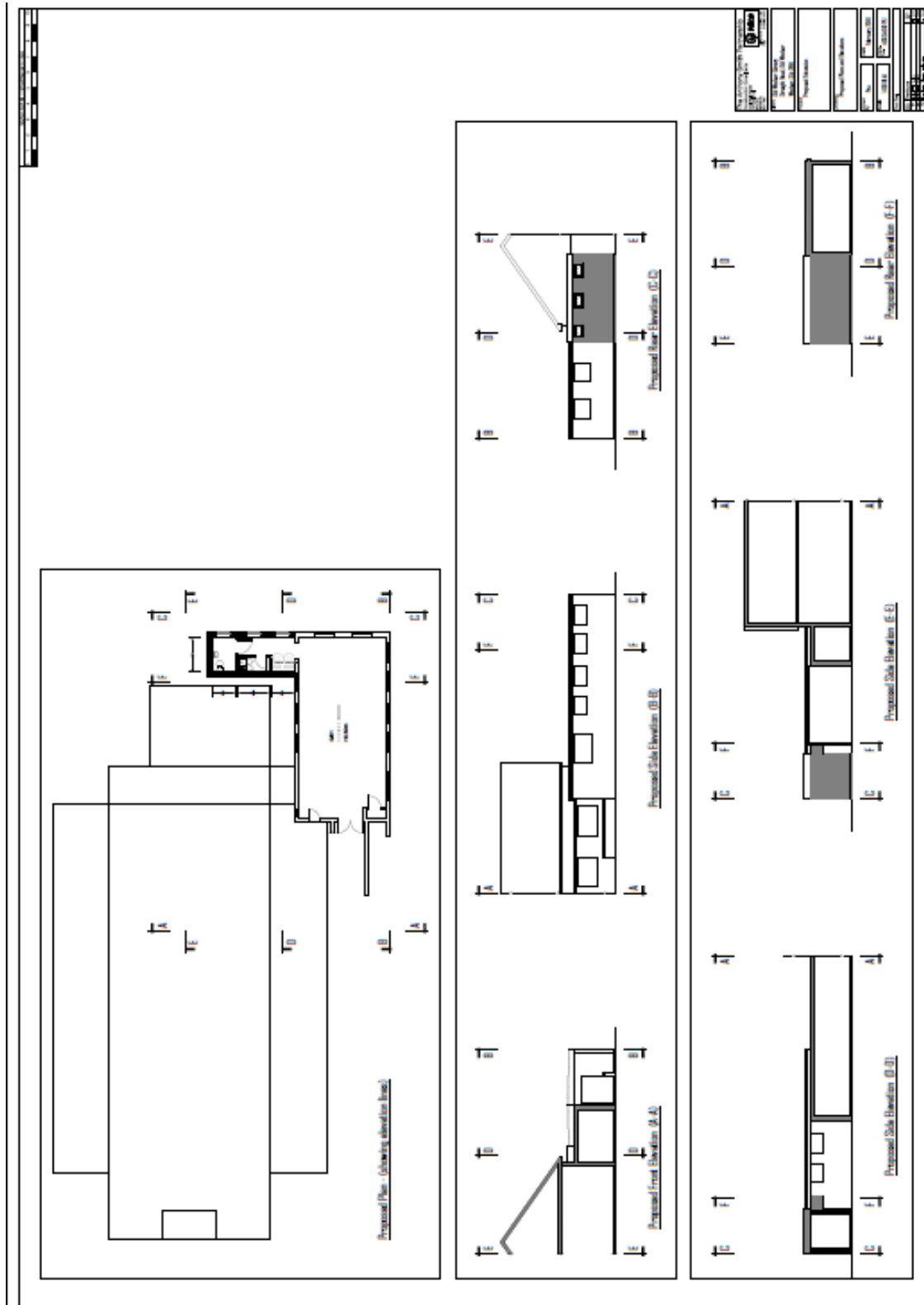
- Appendix A - Site location plan and site layout
- Appendix B - Plan and elevation drawings

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

# Appendix A Site Location and Layout



## Appendix B – Plans and Elevations





## Planning Appeals Received

24 March 2018 - 20 April 2018

### WINDSOR RURAL

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Should you wish to make additional/new comments in connection with an appeal you can do so on the Planning Inspectorate website at <https://app.planninginspectorate.gov.uk/> please use the Plns reference number. If you do not have access to the Internet please write to the relevant address, shown below.

**Enforcement appeals:** The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

**Other appeals:** The Planning Inspectorate Temple Quay House, 2 The Square Bristol BS1 6PN

**Ward:**

**Parish:** Old Windsor Parish

**Appeal Ref.:** 18/60043/REF

**Planning Ref.:** 17/04024/FULL

**Plns Ref.:** APP/T0355/D/18/  
3197832

**Date Received:** 16 April 2018

**Comments Due:** Not Applicable

**Type:** Refusal

**Appeal Type:** Householder

**Description:** Two storey side extension and single storey rear extension

**Location:** 13 Tudor Lane Old Windsor Windsor SL4 2LF

**Appellant:** Dr Jagdit Sahota **c/o Agent:** Mr Nigel Fallon 349 Chartridge Lane Chesham HP5 2SH

# Appeal Decision Report

24 March 2018 - 20 April 2018

WINDSOR RURAL

**Appeal Ref.:** 18/60012/REF      **Planning Ref.:** 17/01560/TLDDT      **Plns Ref.:** APP/T0355/W/17/3186243

**Appellant:** EE Ltd **c/o Agent:** Mrs Carolyn Wilson The Harlequin Group 5 Allen Road Livingston EH54 6TQ

**Decision Type:** Delegated      **Officer Recommendation:** Prior Approval Required and Refused

**Description:** Installation of a 20m high slim line telecommunications tower with 3 No. antennas within a GRP stroud, 2 No. dishes and 3 No. ground based equipment cabinets and other ancillary equipment thereto.

**Location:** Land To The North of Morton Lodge London Road Sunninghill Ascot

**Appeal Decision:** Dismissed      **Decision Date:** 3 April 2018

**Main Issue:** Due to its siting and excessive height in relation to its surroundings, the proposed mast would form an over-prominent addition to the open street-scene of the junction causing harm to the character and appearance of the area, a failing that would be apparent over a considerable distance and to many receptors and users of the roads. For these reasons the proposal is unacceptable.

---

<b>Appeal Ref.:</b>	18/60013/NOND	<b>Planning Ref.:</b>	17/00146/FULL	<b>Plns Ref.:</b>	APP/T0355/W/17/ 3185162
<b>Appellant:</b>	Pearmain Pubs Ltd <b>c/o Agent:</b> Mr Carl Stott Nineteen47 Ltd 106 Micklegate York YO1 6JX				
<b>Decision Type:</b>	Delegated	<b>Officer Recommendation:</b>	Would Refused	Have	
<b>Description:</b>	Single storey side and single storey rear/side extensions following demolition of existing outbuildings and decking.				
<b>Location:</b>	<b>Mikado London Road Ascot SL5 7DL</b>				
<b>Appeal Decision:</b>	Dismissed	<b>Decision Date:</b>	4 April 2018		

**Main Issue:** The Inspector considered that the proposed additions would a disproportionate addition over and above the size of the original building and hence the proposal is inappropriate development. The Inspector commented that the proposal would add built form on all 4 sides of the building, eroding openness. Although the removal of fences and out-buildings would reinstate openness in their location, the improvement in openness would be limited. There would be no perceivable positive effect in removal of decking. The proposal does not accord with the aim of Neighbourhood Policy NP/EN1 (gaps between villages). Notwithstanding the effect on openness, the Inspector considered that the additions would be well designed and would harmonise with and in places enhance the design of the original building. The Inspector considered that whilst 6 Category C trees would be removed, conditions could address the wellbeing of the remaining trees during construction and there is no firm evidence that their long-term future would be prejudiced by the increased proximity of parts of the building. The Inspector commented that there is little firm evidence as to why the building remains unused and why the previous owner was unable to continue and consequently it is not possible to attach weight to the need for the additions, as opposed to a better marketing and service offer, in order to bring the re-opening of the building and the delivery of the economic benefits claimed. The Inspector has concluded that very special circumstances have not been shown to exist inappropriate development in the Green Belt. The Inspector allowed the appellant's application for award of costs. The Inspector considered that the Council did not carry out a 2-stage approach to the Green Belt assessment, commenting that each consideration was tested as to whether it was very special circumstances necessary to allow inappropriate development in the Green Belt. The Inspector concluded that the appellant was put to additional expense in addressing parking, heritage and tree considerations, and whilst the accompanying Appeal Decision concurs with the Council on the question of inappropriate development and the lack of very special circumstances, the appellant did incur unnecessary expense in addressing the failing of the Council to demonstrate the correct approach to the Green Belt balance, as determined by the Courts, during the application stage. The Inspector considers that a partial award of costs is justified and requires RBWM to pay Pearmain Pubs Ltd, the costs of the appeal proceedings limited to those costs incurred in respect of parking, heritage and tree matters, and in reiterating the correct approach to very special circumstances.

<b>Appeal Ref.:</b>	18/60026/REF	<b>Planning Ref.:</b>	17/02955/FULL	<b>Plns Ref.:</b>	APP/T0355/D/17/ 3190776
<b>Appellant:</b>	Mr Roland Clapton <b>c/o Agent:</b> Mr David Chivers Planning Design Partnership Ltd 32 Park Road Chiswick London W4 3HH				
<b>Decision Type:</b>	Delegated	<b>Officer Recommendation:</b>	Refuse		
<b>Description:</b>	Construction of a detached garage and new garden wall				
<b>Location:</b>	<b>Earleydene Orchard Earleydene Ascot SL5 9JY</b>				
<b>Appeal Decision:</b>	Allowed	<b>Decision Date:</b>	6 April 2018		
<b>Main Issue:</b>	<p>Decision: The Inspector indicates the main issue to be whether the proposal represents inappropriate development in the Green Belt. With reference to the court case Sevenoaks District Council vs SSE and Dawe (1997), the Inspector notes a detached outbuilding may be regarded as a 'domestic adjunct' and in this instance, the proposed garage is deemed to 'effectively be part of the dwelling'. It follows that it can be considered under Framework Paragraph 89 and Local Plan Policy GB1 relating to extensions. The scale, appearance and siting of the building are all acceptable. The conclusion is that the proposal would neither constitute a disproportionate addition nor inappropriate development in the Green Belt and the impact on openness need not be considered. Costs: The Inspector does not find the Council's interpretation of Green Belt policy to be unreasonable as outbuildings are generally not permitted by Framework Paragraph 89 or in the Local Plan. It follows that they would normally be considered inappropriate development in the Green Belt. The treatment of a proposed outbuilding as equivalent to an extension is deemed to be a judgement for the decision-maker. The Inspector accepts the demolition of the previous garage was likely included in the consideration of the application for the replacement dwelling and is not a significant material consideration in this appeal. Insufficient information concerning the planning history of existing garages in the area has been provided and thus inconsistent decision making is not demonstrated. It is therefore concluded that the Council has not behaved unreasonably.</p>				

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