

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

30 March 2017

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| Application No.: | 17/00188/FULL |
| Location: | Roundabout Adjacent To Heatherwood Hospital London Road Ascot |
| Proposal: | Installation of Bronze War Horse stature and stone plinth with associated landscape surrounds (Application under Regulation 3- Borough Own) |
| Applicant: | Royal Borough of Windsor And Maidenhead |
| Agent: | Not Applicable |
| Parish/Ward: | Sunninghill And Ascot Parish/Ascot And Cheapside Ward |

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

1. SUMMARY

- 1.1 The application is for a bronze horse statue atop a stone plinth and steps which measure a total of 5.8 metres from ground level. The statue is proposed to be located in the centre of the roundabout adjacent to Heatherwood Hospital in Ascot. Opposite the statue between Windsor Road and High Street it is proposed to erect a stone monolith and seating area, detailed plans of this area will need to be provided (see condition 3 in section 9 of this report).
- 1.2 The application site is within the Green Belt. The proposed development under the provisions of the NPPF constitutes inappropriate development; however, a case of very special circumstances (VSC) has been submitted with the application. These VSC are considered to clearly outweigh the harm caused to the Green Belt. Additionally the statue due to its size and positioning would not have a greater impact on the openness of the Green Belt.
- 1.3 There are a number of existing trees on the roundabout as well as between High Street and Windsor Road. These trees are not covered by a tree preservation order; however, do make an important positive contribution to the character of the area. These trees subject to conditions can be adequately protected and as such the character and appearance of the area would not be harmed (see conditions 3 and 4 in section 9 of this report).

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

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

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The statue is proposed to be erected in the centre of Heatherwood Roundabout. To the North of the roundabout is an apartment building, to the east is the Royal Ascot Racecourse and to the South Heatherwood Hospital. The area is within the Green Belt and there are a number of important trees nearby.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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| 14/03546/FULL | Installation of water fountain with jets, light including maintenance to access. | Withdrawn 30.01.2015 |
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- 4.1 The proposal is for a War Horse Statue and stone monolith to commemorate the horses that lost their lives during WW1. The horse is proposed to be 1 and half life size (2.6 metres tall) and will be stood atop a stone plinth and steps which measure 3.2 metres from ground level. The horse will be finished with a bronze surface and will be positioned so that the head is bowed towards Ascot Racecourse. The statue will be illuminated using up lighting; however, the positioning of this lighting has not been specified. Opposite the statue, between Windsor Road and High Street there will be a stone monolith and seating area. The monolith will provide information about the statue. No detailed drawings of this area have been provided.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

- 5.1 National Planning Policy Framework Sections:

- Section 7 – Requiring good design
- Section 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:

| | Within settlement area | Highways | Trees | Green Belt |
|--------------------|------------------------|----------|-------|-------------|
| Local Plan | DG1 | T5 | N6 | GB1 and GB2 |
| Neighbourhood Plan | DG3 | | EN2 | |

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

National Planning Policy

6. EXPLANATION OF RECOMMENDATION

- 6.1 The key issues for consideration are:

- i The impact on the Green Belt
- ii The character and appearance of the area
- iii The impact on highway safety
- iv Planning Balance

The impact on the Green Belt

- 6.2 The fundamental aim of Green Belt policy, as set out in paragraph 79 of the National Planning Policy Framework (NPPF), is to keep land permanently open. Paragraph 89 of the NPPF indicates that with some exceptions, the construction of new buildings is inappropriate development in the Green Belt; the proposed statue is not covered by any of the listed exceptions. As such the proposal is inappropriate development in the Green Belt and, by definition, harmful to its openness and it would also conflict with two of the purposes of Green

Belt namely 'to check the unrestricted sprawl of large built up areas' and 'to assist in safeguarding the countryside from encroachment.

- 6.3 Paragraph 87 of the NPPF sets out that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except for in very special circumstances (VSC). VSC will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations. The applicant has made a case for VSC and this is considered at the end of the report under planning balance.

The character and appearance of the area

- 6.4 The application relates to the erection of a statue in the centre of the roundabout adjacent to Heatherwood Hospital in Ascot. The area is reasonably built up as Heatherwood Hospital is to the south, Royal Ascot Racecourse is to the east and there is a large residential development to the north of the roundabout. It is not considered that the proposed development would detract from the character and appearance of the area or impact on or detract from any important views.
- 6.5 There are a number of trees on the roundabout that are not protected, however, do make a positive contribution to the character and appearance of the area. A Council Tree Officer has calculated the root protection areas of these trees and has found that the statue would not result in any incursion into these areas. Only a small section of shrubs are therefore to be removed and this would not negatively harm the character of the area. The stone monolith opposite will incur into the root protection area of 2 London Plane Trees, however, these trees can be satisfactorily retained provided the construction minimizes the extent of excavations. Details of this construction should be secured via condition.

The impact on highway safety

- 6.6 The Statue is located on the east side of the roundabout and will be visible from 120m on the approach from the High Street. The statue will not be highly visible from any of the other roads which feed into the roundabout (Kings Ride, London Road & Windsor Road) either due to the screening provided by the trees on the roundabout or due to the direction of the flow of traffic. It is not considered therefore that the statue will be a significant distraction to motorists and it will not obstruct the visibility splay at any of the junctions. The stone monolith opposite is also set far enough from the road to prevent it causing a distraction to passing motorists.

Planning Balance

- 6.7 A VSC case has been set out in the design and access statement. The considerations set out in the case are:
1. The positive impact that this piece of public art, located in an important gateway location, will have on civic pride.
 2. The high quality standard of the work and the positive impact this will have on the visual amenities of this important location; and
 3. The minimal reduction that the statue would have on actual openness of the Green Belt.

It is agreed that the statue will positively impact the area in the ways set out above and it is considered that the actual impact on the openness of the Green Belt due to the scale and siting of the statue would be limited. Given that no other harm has been identified above in respect of the character and appearance of the area and highway safety it is considered that the VSC case successfully demonstrates that the benefits of the statue outweigh the harm it would cause.

7. CONSULTATIONS CARRIED OUT

7.1 Comments from interested parties

45 occupiers were notified directly of the application and the planning officer posted a statutory notice advertising the application at the site on 25.01.2017.

1 letters was received supporting the application, summarised as:

| Comment | | Where in the report this is considered |
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| 1. | I think this will enhance the Roundabout, great sculpture to which I give my full support. | N/A |

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

| Comment | | Where in the report this is considered |
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| 1. | Concerns regarding development being proposed on a green field site. | Paragraphs 6.2, 6.3 and 6.7 |
| 2. | Concerns regarding traffic and pedestrian safety with driver attention being distracted at such a busy junction. | Paragraph 6.6 |
| 3. | Requests that adequate waste disposal facilities are provided at the seating area. | N/A – The application is considered acceptable without the need for additional facilities. |
| 4. | Concerns that the statue and monolith will attract anti-social behaviour to this area. | N/A – It is unlikely that the proposed statue and monolith would have any significant impact on anti-social behaviour in the area. |
| 5. | Concerns that insufficient consultation has been carried out. | Paragraph 7.1 |
| 6. | Concerns as to where the funding for the project is coming from. – There are a number of more beneficial projects which require funding. | N/A - This is not a material planning consideration. |
| 7. | Concerns that the statue will negatively impact on the character and appearance of the area. | Paragraphs 6.4 and 6.5 |
| 8. | Concerns that Ascot is not a suitable place for such a memorial – A military setting would be more appropriate – There are also already a number of horse statues nearby and there is memorial to warhorses in London. | N/A – This is not a material planning consideration. |

7.2 Other consultees

| Consultee | Comment | Where in the report this is considered |
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| Highway Authority | Offers no objection to the planning application. | Paragraph 6.6 |
| Tree Officer | No objections subject to conditions requiring details of: <ul style="list-style-type: none"> ☐ Hard surfacing ☐ Foundations ☐ Tree protection; and ☐ Landscaping | Paragraph 6.5 |
| SPAE | Whilst SPAE is not opposed in principle to the installation of a War Horse statue we do not | Paragraphs 6.2, 6.3, 6.6 and 6.7 |

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| | consider the most appropriate location has been selected due to the impacts on the Green Belt and highway safety. | |
| Winkfield Parish Council | Recommends approval. WPC feels that the proposed statue enhances the character of the local area. | Paragraph 6.4 and 6.5 |

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed plans

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 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 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.
- 4 No works or development shall take place until a method statement for the protection of trees and hedges on and off the site that may be directly/indirectly affected by development activity has been submitted to and approved in writing by the local planning authority. This scheme shall include the following plans and particulars: details of the proposed foundations of the development and details of the measures that will be put in place to ensure the protection of any trees on the site during demolition and construction. The development shall thereafter be carried out in accordance with these details.
Reason: To ensure that the trees/hedges are not damaged or otherwise adversely affected by building operations and soil compaction.
- 5 No works or development shall take place until details of the proposed up lighting has been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed locations for the lighting and the proposed levels of illumination. The development shall thereafter be carried out in accordance with these details.
Reason: To ensure that the development does not negatively impact the character and appearance of the area or cause undue distraction to motorists.
- 6 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.