

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

**WINDSOR RURAL DEVELOPMENT CONTROL PANEL**

13 December 2017

Item: 1

|   |  |
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| <b>Application No.:</b>   | 17/02721/FULL  |
| <b>Location:</b>  | Tay Mount Lady Margaret Road Sunningdale Ascot SL5 9QH   |
| <b>Proposal:</b>  | Construction of x10 apartments including access, car parking and landscaping works following demolition of the existing dwelling |
| <b>Applicant:</b>   | Firgrove Homes Ltd   |
| <b>Agent:</b>   | Mr Geoff Armstrong   |
| <b>Parish/Ward:</b>   | Sunningdale Parish/Sunningdale Ward  |
| <b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a> |  |

**1. SUMMARY**

- 1.1 The application site is located within the built-up area of Sunningdale wherein the principle of development is acceptable. Overall, it is considered that the proposal would maintain the key characteristics of the 'Leafy Residential Suburb' zone in which it would be located, and is sufficiently similar to surrounding development so as not to harm the character of the area to a significant or demonstrable extent.
- 1.2 No harm would be caused to the living conditions of any neighbours and the Highway Authority and the Tree Officer have not raised any objections to the proposal (subject to planning conditions).
- 1.3 The proposal would make a contribution to the Royal Borough's housing stock and the socio-economic benefits of the additional dwellings weighs in favour of the development.

|   |   |
|---|---|
| <b>It is recommended the Panel authorises the Head of Planning:</b> |   |
| 1.  | <b>To grant planning permission on the satisfactory completion of an undertaking to secure the financial contribution referred to in paragraph 6.29 of this report and with the conditions listed in Section 10 of this report.</b>   |
| 2.  | <b>To refuse planning permission if an undertaking to secure the contribution referred to in paragraph 6.29 of this report has not been satisfactorily completed by 26<sup>th</sup> January 2018 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.</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 The application site is located on the south-west side of Lady Margaret Road, towards its junction with Charters Road in Sunningdale. The site is approximately 0.24 hectares and currently occupied by a single detached, two-storey house that is set back from the edge of the highway by approximately 14 metres. Mature trees line the front of the plot adjacent to the road and along the rear boundaries. The level of the land gently slopes down from the south-east to north-west (front to rear), by approximately 1m. A detached house lies to each side of the application site, with apartment buildings opposite.

- 3.2 Lady Margaret Road is characterised by large buildings that are either individual houses or blocks of apartments. The properties are set within generous sized plots that sit behind mature hedges / trees or high walls or railings. The area has an enclosed but spacious feel and verdant character.
- 3.3 The site is within the built-up area of Sunningdale and within walking distance of the railway station and town centre, with easy access to the A30 London Road.

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

- 4.1 The proposal involves demolishing the existing house and replacing it with a new two-and-a-half-storey building to provide 10 x 2 bedroom apartments. Basement parking for 10 cars, plus 4 visitor spaces and 1 disabled space to the front, are proposed.
- 4.2 The building would have a traditional appearance similar to other properties in the area and be positioned in roughly the same place as the existing house. It would be only very slightly forward (0.4m) to the highway and 0.4m closer to the neighbour to the south compared to the existing house. It would be approximately 24.8m wide, 21.1m deep and 9.5m high. The large garden to the rear would be retained.

4.3

| Ref.     | Description  | Decision and Date   |
|----------|--|---------------------|
| 93/01249 | Erection of first floor side and single storey front extensions.   | Approved 24.09.1993 |
| 13/01237 | Two storey, part single story side extension and various alterations following demolition of existing single storey side elements. | Approved 11.06.2013 |

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

- 5.1 National Planning Policy Framework – Core Planning Principles and Sections 6 (Delivering a wide choice of quality homes) and 7 (Requiring good design).

##### Royal Borough Local Plan

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

|                        |                      |       |
|------------------------|----------------------|-------|
| Within settlement area | Highways and Parking | Trees |
| DG1, H10, H11          | P4, T5               | N6    |

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               |

The NPPF confirms 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 ran from 30 June to 27 September 2017. The Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. 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>

### **Ascot, Sunninghill and Sunningdale Neighbourhood Plan (Adopted April 2014)**

5.3 Relevant policies to the consideration of the application are:

| Housing | Design                     | Trees  |
|---------|----------------------------|--------|
| NP/H2   | NP/ DG1, NP DG2,<br>NP/DG3 | NP/EN2 |

### **Relevant 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 The principle of development;
- ii The impact of the proposal on the character and appearance of the area;
- iii The impact on the living conditions of occupiers of neighbouring properties;
- vi Parking provision and highway safety issues;
- v The impact on trees;
- vi The impact on the Thames Basin Special Protection Area; and
- vii Other material considerations.

### **The principle of development**

6.2 The application site is located within the built-up area of Sunningdale wherein the principle of development is acceptable.

6.3 The NPPF advises, in paragraph 49, housing applications should be considered in the context of the presumption in favour of sustainable development. For decision-taking this means “approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”.

- 6.4 The Development Plan for Windsor and Maidenhead, relevant to the consideration of this application, consists of the Local Plan and the Ascot, Sunninghill and Sunningdale Neighbourhood Plan.

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

- 6.5 Lady Margaret Road is identified in the 'Townscape Assessment' (TA) as being in a 'Leafy Residential Suburb' zone. The key characteristics of this zone include: a low to medium density residential suburbs with characteristic 'leafy' streets, suburban style detached two-storey houses on medium to large plots, a variety of architectural styles, well established private gardens and well-defined interface between the private and public realm, quiet and peaceful. Lady Margaret Road is characterised by large buildings that are either individual houses or blocks of apartments. The properties are set within generous sized plots that sit behind mature hedges / trees or high walls or railings. The area has an enclosed but spacious feel and attractive verdant character.
- 6.6 Neighbourhood Plan Policies NP/H2, NP/DG1.1, NP/DG1.2, NP/DG1.3 and NP/DG2 share a requirement that new development be in keeping with / respect the character of the surrounding area in which it is to be located. In addition, new dwellings are required to be of a similar size, type, density, footprint, separation, scale and bulk of buildings in the surrounding area generally and of neighbouring properties in particular, unless it can be demonstrated that the proposed development would not harm local character.
- 6.7 In terms of what comprises the "surrounding area" of the application site, this is considered to be the whole of Lady Margaret Road, rather than just the South West side on which the site is located or the wider area beyond, (for example along Charters Road and London Road). The proposed development would be viewed predominantly within the context of Lady Margaret Road as a whole and it is therefore reasonable for planning purposes to define this as the "surrounding area".
- 6.8 The proposal involves the provision of one building comprising 10 x two bedroom apartments, spread over two-and-a half storeys, similar to 'Clareways' and 'Silverwood Grange' located opposite the site. This type of development is therefore not out of keeping with the surrounding area. The residents' basement parking would also mean that the majority of vehicles associated with the development would be less intrusive in the street scene unlike the flatted developments opposite.
- 6.9 The building would be positioned in a similar place to the existing dwelling on site, projecting 0.4m forward of the existing front elevation. It would be of a similar design to 'Silverwood Grange' and of a similar height to the neighbouring properties, 'Willow Brook' and 'Boundary House'. Although the building has a large crown roof making it quite bulky, this is not dissimilar to the crown roof on 'Boundary House' or those on the flatted developments in the area (in particular at 'Laggan House'). Essentially, as with these other buildings, the mass of roof would not appear dominant in the street scene due to its set back from the road (by at least 14m) and its screening to the sides by the neighbouring properties.
- 6.10 In terms of separation, the proposed building would be approximately 0.4m closer to the southern side boundary than the existing dwelling, with a gap of 8.5m being retained between the new building and 'Boundary House'. On the northern side the building would be 1m closer to the boundary with 'Willow House', with a minimum gap of 5m being retained between the properties. These separation distances are compatible to development within the surrounding area. The new building would also be positioned at least 14m back from the edge of the highway and at a lower level (approximately 1m), providing it with a spacious setting in keeping with the area. In addition the majority of the hedge and tree screening along the frontage is proposed to be retained, and this would be secured by conditions 11, 12 and 13 recommended in section 10 of this report.
- 6.11 Although the proposed development would be of a higher density than the other apartment blocks within the road, (at approximately 45 dwellings per hectare compared to an average of 30 dwellings per hectare), this is not significantly higher and arguably makes more efficient use of the land.

- 6.12 Overall, it is considered that the proposal would maintain the key characteristics of this 'Leafy Residential Suburb' zone and is sufficiently similar to surrounding development so as not to harm the character of the area to a significant or demonstrable extent.

### **The impact on the living conditions of occupiers of neighbouring properties**

- 6.13 'Willow Brook' is located immediately north of the application site. It is a fairly modern, large, two-storey detached house with a traditional appearance, similar to other properties along St. Margaret's Road. The proposed flatted development would be approximately 5m from the closest part of 'Willow Brook' and project approximately 5m back. Given these distances, it is not considered that the proposal would appear overbearing or cause loss of daylight to this neighbouring property. The side windows at first floor level are shown to be obscured glazed and top opening only (secured by way of condition 4 in section 10 of this report) and the front balconies originally proposed have now been removed from the scheme so that there would be no loss of privacy to the occupiers of 'Willow Brook'.
- 6.14 A gap of approximately 8.5m will remain between the proposed building and the neighbouring property to the south, 'Boundary House'. In addition, the closest part of the new building would not project beyond the rear of the closet part of the neighbouring house, such that the proposal will not have an overbearing impact, nor result in loss of light to this property. Again, the side windows at first floor level are shown to be obscured glazed and top opening only (secured by condition 4) and the front balconies originally proposed have now been removed from the scheme so that there would be no loss of privacy to the occupiers of 'Boundary House'.
- 6.15 The property to the rear of the site would be over 35m away from the rear elevation. This separation distance together with established tree planting along the rear boundary means the proposal would not harm the living conditions of the occupiers of this neighbouring property.

### **Parking provision and highway safety issues**

- 6.16 The site currently benefits from having a vehicular access off of Lady Margaret Road. The plans provided show the 3.6m wide access is to remain to serve the new development. Outside the site there is a 7.2m wide carriageway together with a 2.0m wide grass verge adjacent to the site. The construction of 10 x 2 bedroom apartments within this location has the potential to generate 40 vehicle movements per day.
- 6.17 Drawing number 17-089/001 (Rev A) shows that visibility splays of 2.0m x 43m can be achieved to the left and right. Given that Lady Margaret Road is a lightly trafficked road and the access already exists this is acceptable.
- 6.18 Drawing number 17-089/001 (Rev A) shows that the main entrance gates will be set back 5.0m from the carriageway edge. This is acceptable as it will enable a vehicle to safely pull off the highway before the gates are opened and closed.
- 6.19 Drawing number 1701.PL03 (rev A) shows that the proposed ramp to the underground car park will achieve a gradient of 1:12 to the front door. This is acceptable.
- 6.20 The applicant has provided a swept path analysis (drawing number 17-089/004) which shows a car measuring 4.5m x 1.7m manoeuvre to and from parking bays 4 and 9. This is acceptable. Drawing number 1701.PL.01 (Rev B) also shows that all of the parking spaces bounded by a solid surface will measure 2.7m wide.
- 6.21 Under the Local Authority's current standards, the site is deemed to be within a sustainable location, (within 800m from a mainline train station), being 450m walk away from Sunningdale train station. Therefore the minimum parking standard used in this application is deemed acceptable.
- 6.22 A store is provided for each apartment and can accommodate several adult bicycles. It is advised that a double door is provided to each store to enable easier access.

- 6.23 A refuse store is provided to the front of the site and a separate access will be provided off Lady Margaret Road to enable the refuse bins to be safely collected.
- 6.24 The proposal complies with the Local Authority's current standards. Therefore the Highway Authority offers no objection to the proposal subject to conditions in respect of a construction management plan, parking and turning as approved, visibility splays as approved, refuse bin and recycling provision as approved, gates from highway as approved and gradient of drives as approved, (as set out in conditions 5 to 10 inclusive in section 10 of this report).

### **The impact on trees**

- 6.25 In the applicant's Arboricultural Impact Assessment (AIA), a number of structurally poor trees are proposed to be removed along the frontage and two trees, one close to the front elevation and one close to the rear elevation of the property, are also shown for removal. One of these, T17, is a good quality Norway maple. The 'Site plan', dwg no. 1701.PL01 A is contradictory as it states the frontage trees will be retained. This plan will need to be amended to accurately reflect the tree loss as per the AIA.
- 6.26 The interactive surface water soakaway will need to be moved to outside the root protection area (RPA) of the trees in the rear garden. It will therefore need to be moved slightly further to the north-east.
- 6.27 There will be a need to plant new trees in the grounds of the property, with significant planting in the front, to mitigate for the tree loss. Species should reflect the natural character of the area, so using Scots pine (*Pinus sylvestris*), Silver birch (*Betula pendula*) and Holly (*Ilex aquifolium*) as the main component planting is recommended.
- 6.28 No objections are raised subject to conditions in respect of tree protection, tree retention/replacement and a landscaping scheme, together with an alteration to the drainage details, (as secured by conditions 11 to 13 inclusive in section 10 of this report).

### **The impact on the Thames Basin Heaths Special Protection Area (SPA)**

- 6.29 As the site is within 5km of the Thames Basin Heaths SPA a contribution of £66,879.00 is being sought towards provision of the Suitable Alternative Natural Green Space (SANG) to mitigate the effect of the proposed additional dwellings and the recreational pressure on the SPA associated with them. In addition, a contribution of £4,408 towards strategic access management and monitoring is also being sought. The legal agreement required to secure the contributions is currently being agreed with the applicant.

### **Other material considerations**

- 6.30 With regard to surface water runoff and drainage, the Lead Local Flood Authority has advised that the proposed surface water drainage strategy is acceptable in principle, subject to a condition requiring further details to be submitted and approved prior to construction, as set out in condition 14 in section 10 of this report.

### Housing Land Supply

- 6.31 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.
- 6.32 This scheme would make a contribution to the Borough's housing stock and the socio-economic benefits of the additional dwellings weighs in favour of the development.

## 7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and is therefore liable for a Community Infrastructure Levy contribution. No details have been submitted with the application, but the required CIL payment for the proposed development would be £240 per square metre (net increase).

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

27 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 25<sup>th</sup> September 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on 7<sup>th</sup> September 2017.

7 letters (from individual households as opposed to the numbers of letters submitted) were received objecting to the application, summarised as:

| Comment |  | Where in the report this is considered   |
|---------|--|--|
| 1.      | The proposed apartments would not be an affordable alternative to housing in the surrounding area. Analysis of the prices of flats located opposite the site and within close proximity shows that the proposed flats will be significantly more expensive.  | As the viability of the scheme is not a consideration in this case, the potential asking price is not relevant to the assessment of the application. |
| 2.      | Harm to the character and appearance of the area: Redevelopment of former houses for flatted development has occurred on the southern side of the road, but the northern side has not seen flatted development – the 15 plots remain as single family houses.  | 6.5 – 6.12 in particular paragraph 6.7.  |
| 3.      | It is not sufficient to just point at other flats in the wider area and claim that redevelopment of this family house would represent that same character – the flats need to fit with the character of the area.<br>The proposal is contrary to Policy NP/DG1.2 – the proposed development is not a detached house for occupation by a single household sitting in its own plot and own garden. It therefore conflicts with the development plan. | See paragraphs 6.5 – 6.12.   |
| 4.      | The floor space of the development is four times larger than the existing property on site and double that of any house on the north side of the road. The proposed building would largely fill the width of the plot and be closer to the road than the existing building thus appearing very cramped. The density of development is greater than any other site on the road.   | See paragraphs 6.5 – 6.12.   |
| 5.      | Trees to the side boundary would be removed to facilitate this excessive building. There will be very few trees left as a result of the proposal.  | 6.25 – 6.28  |
| 6.      | Inadequate parking provision (most family units have at least two cars), that will lead to significant pressure for on-street parking and disputes with existing neighbours. Parking on the road will lead to disruptions and hazards and interfere with visibility into nearby houses and flats.<br>The access to some of the basement spaces is questioned as is visibility onto the road.   | 6.16 – 6.24  |

|     |   |   |
|-----|---|---|
| 7.  | The submitted Planning Statement is false and misleading – there are many houses in the road that are in their original design and have not been redeveloped.   | Noted   |
| 8.  | While there is a need for additional housing in urban areas, there is a surplus of high end and expensive flats in Sunningdale. These are not required especially in our road.  | 6.31 – 6.32   |
| 9.  | The tactics of the planning agent used to consult neighbours is questionable, sent out in August when most people were away, are questionable.  | Noted   |
| 10. | Surely the aim of the Council cannot be to turn the whole road into one block of apartments.  | 6.2 – 6.4, 6.31 – 6.32  |
| 11. | Sunningdale is a small village with limited infrastructure to cope with increased traffic.  | 7.1   |
| 12. | This is a small road not designed for the level of traffic you are encouraging with your reckless planning approvals. Please can you stop our road becoming a get rich quick scheme.  | 6.16 – 6.24   |
| 13. | The development will appear cramped and over dominant in the street and therefore harmful to the area.  | 6.5 – 6.12  |
| 14. | Policy NP/DG2 specifically requires any new development to be of a similar density, footprint, scale and bulk as existing properties and of neighbouring properties. The proposal is clearly contrary to this policy.   | 6.6   |
| 15. | The roof scape of the proposed development is vast in comparison to either of the neighbouring properties. The proposal will appear as a solid block detrimental to the street scene. ‘Separation’ is a key issue maintaining the spacious character and grain of the street. The proposal will appear cramped and the site overdeveloped.                        | 6.9 & 6.10  |
| 16. | The proposal is for a much higher density of development than any other in the road.  | 6.11  |
| 17. | The proposed development will dwarf neighbouring properties and have an unneighbourly impact.   | 6.13 – 6.15   |
| 18. | The second floor terraces will overlook the neighbouring properties and cause loss of privacy. The balconies to the front will also cause unacceptable overlooking.   | 6.15<br>Revised plans submitted show the balconies to have been removed.  |
| 19. | The proposed dustbin arrangement will be on permanent view of the neighbours, which would be harmful to the enjoyment of their property and street scene.   | While the outlook would change this is not a planning issue. The issue is if any part of the development is overbearing and in this case the bin store, due to its small scale and distance from the neighbour, would not be. |
| 20. | The submitted Planning Statement is misleading and erroneous.   | Noted.  |
| 21. | The road has been allowed to become overdeveloped without any consideration to the people who live here. Having trucks and lorries constantly parked on the road, the muck, the unknown labour force which poses a security risk to the road, constant noise of construction, the music – we have been living in the middle of a building site for several years. | A Construction Management Plan is recommended to be attached to any approval (condition 5) to ensure disruption to neighbours and the area in general is kept to a minimum.   |
| 22. | Inadequate provision has been made to handle the additional surface water draining and run off from the site.   | 6.30 and condition 14 in section 10.  |



|     |  |                                      |
|-----|--|--------------------------------------|
| 23. | Loss of privacy to 'Alder Rill' on Charters Road, to the rear of the application site.   | 6.15                                 |
| 24. | This application is yet another luxury block of apartments that reducing the mix of properties in the area and goes against the sentiment of the local community raised in the neighbourhood plan against developments of this type. | 6.6, 6.31 and 6.32                   |
| 25. | The Council should ensure that the level of flood risk from surface water runoff from the proposed development is not increased in the area.   | 6.30 and condition 10 in section 10. |

### Statutory consultees

| Consultee                  | Comment   | Where in the report this is considered |
|----------------------------|---|--|
| Sunningdale Parish Council | <p>Strongly objects to this application on several points including the size and bulk of the proposed development, inconsistent development to the Townscape and neighbouring properties, significant tree removals, insufficient car parking, surface water and privacy issues.</p> <p>There is a distinct difference in the building form either side of Lady Margaret Road. The buildings on the South East side are predominantly apartment blocks on large wide plots. In complete contrast, all 15 buildings on the quieter North West side are large, individual family dwellings – this side typifies the description of 'Leafy Residential Suburb'.</p> <p>The sheer bulk, scale and uniform design of the proposal occupying the entire building frontage would be out of place even with the apartment blocks on the South East side of the road. On the North West side the development would be visually of keeping with the single family dwellings on this side of the road.</p> <p>The density, footprint, scale and bulk is out of keeping with neighbouring properties and therefore contrary to Policy NP/DG2. The plot width is not sufficient to support a building of the size proposed.</p> <p>The density of the development would be the highest of any of the other developments on Lady Margaret Road.</p> | 6.2 – 6.12, 6.16 – 6.24                |

### Other consultees

| Consultee         | Comment  | Where in the report this is considered                 |
|-------------------|--|--|
| SPAE              | The applicant only provides 1 car parking space for each 2 bedroom apartment, plus 4 visitor parking spaces and 1 disabled space. Similar developments neighbouring the site have provided 2 parking spaces for each 2 bed apartment – this is very much in line with the Neighbourhood Plan Policy T1. Would like to see the number of spaces for each apartment increased. | 6.16 – 6.24  |
| Tree Officer      | No objections in principle, subject to conditions in respect of tree protection, tree retention/replacement and landscaping scheme   | 6.25 – 6.28<br>Conditions 11, 12 and 13 in Section 10. |
| Highway Authority | No objections subject to conditions in respect of construction management, parking and turning, refuse provision, gates and gradient of the drive.   | 6.16 – 6.24<br>Conditions 5, 6, 7, 8, 9 and 10 in      |

|                       |   |                                     |
|-----------------------|---|-------------------------------------|
|                       |   | Section 10.                         |
| Local Flood Authority | Lead<br>No objections subject to a condition in respect of a surface water drainage scheme for the development. | 6.30<br>Condition 14 in Section 10. |
| Accessibility Officer | No objections.  | Noted                               |

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Site layout plan
- Appendix C – Proposed elevations
- Appendix D – Proposed floor plans
- Appendix E – Proposed street scene

## 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 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 Policies: Local Plan DG1, Neighbourhood Plan NP/DG3.
- 3 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) 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 interest of the visual amenities of the area. Relevant Policy Local Plan DG1, Neighbourhood Plan NP/DG3.
- 4 The first and second floor windows in the south-west and north-east side 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 (minimal level 3).  
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan DG1, Neighbourhood Plan NP/ DG3.
- 5 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.
- 6 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.  
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear.

Relevant Policies - Local Plan P4, DG1.

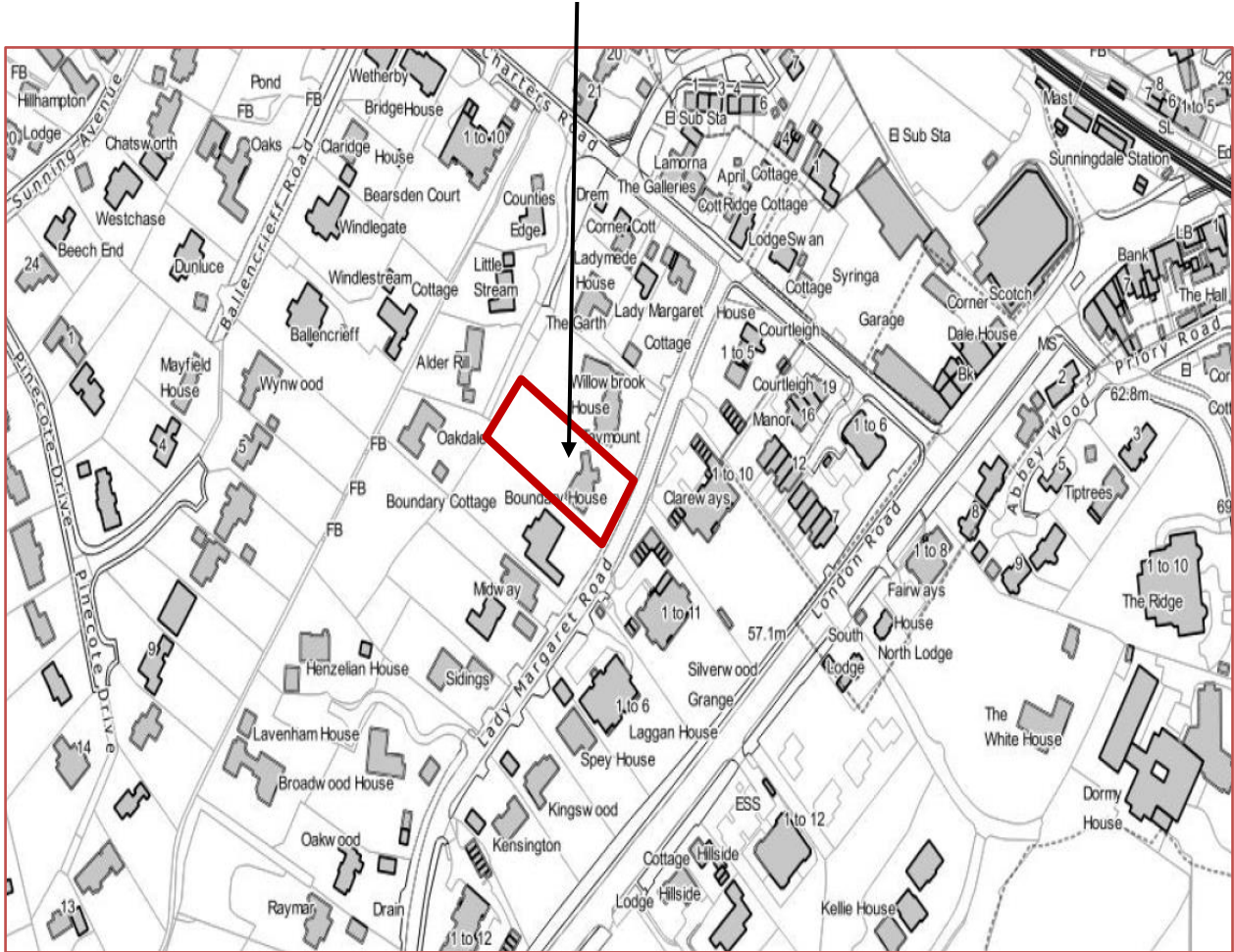
- 7 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.  
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 8 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.
- 9 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
- 10 The gradient of private drives shall not exceed 1 in 12.  
Reason: To ensure that adequate access to parking spaces and garages is provided. Relevant Policies - Local Plan T5, P4.
- 11 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during 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 prior written approval of the Local Planning Authority.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 12 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until ten years from the date of occupation of the building for its permitted use. Any topping or lopping 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 same size and species unless the Local Planning Authority give its prior written consent to any variation.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 13 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.

- 14 No construction shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. Details shall include: Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details; Supporting calculations based on infiltration rates determined by infiltration testing carried out in accordance with BRE365 confirming compliance with the Non-Statutory Standards for Sustainable Drainage Systems; and Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.  
Reason: To ensure compliance with National Planning Practice Guidance and the Non-Statutory Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.
- 15 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**

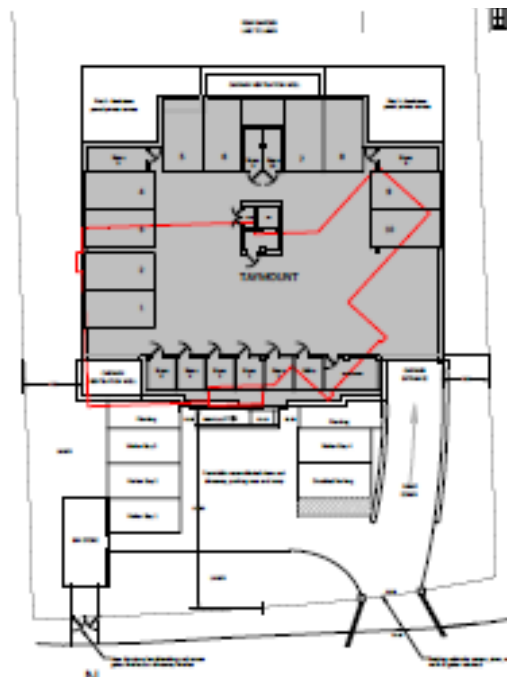
- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 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 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.

Location of Application Site

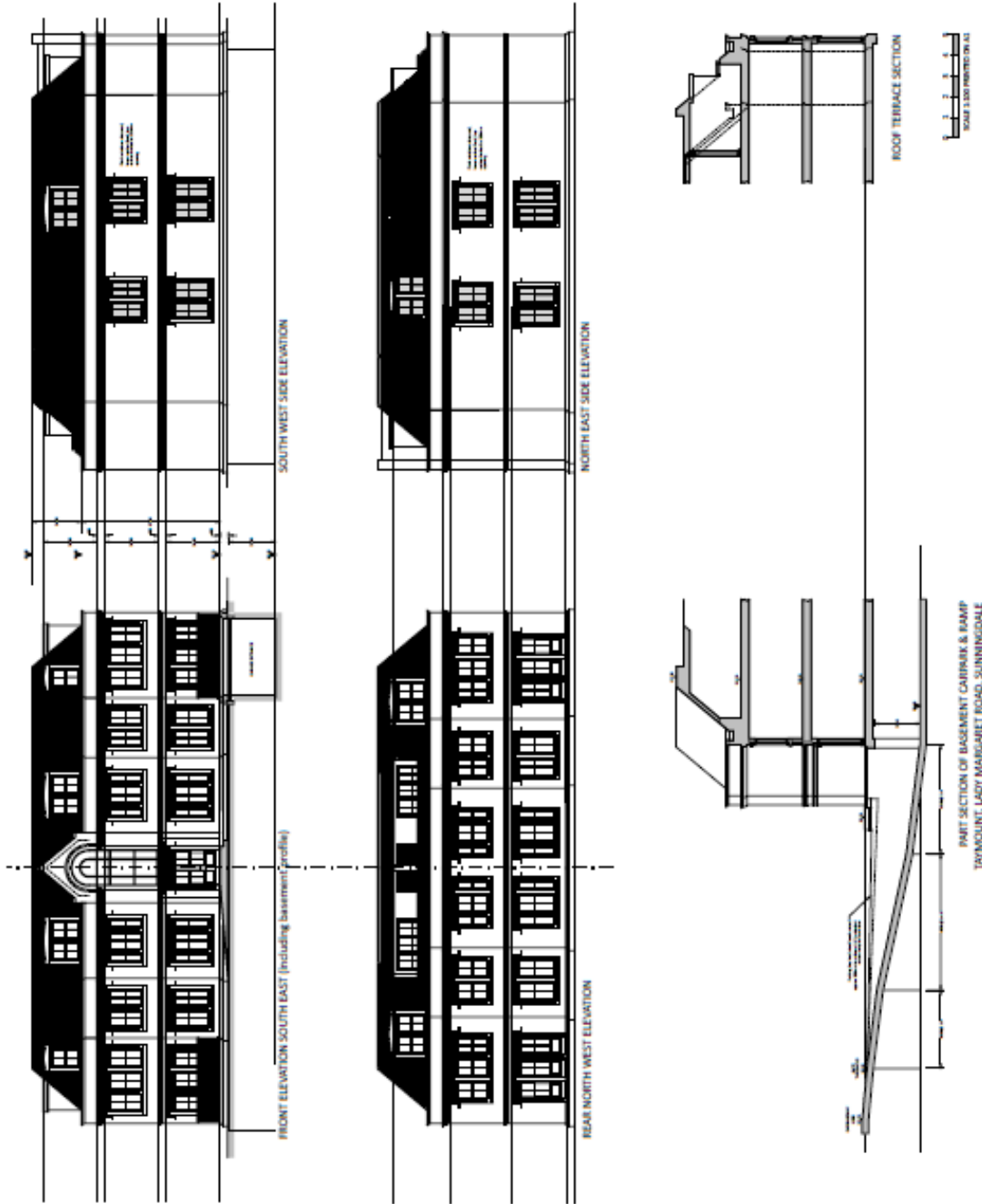




Proposed Site Plan

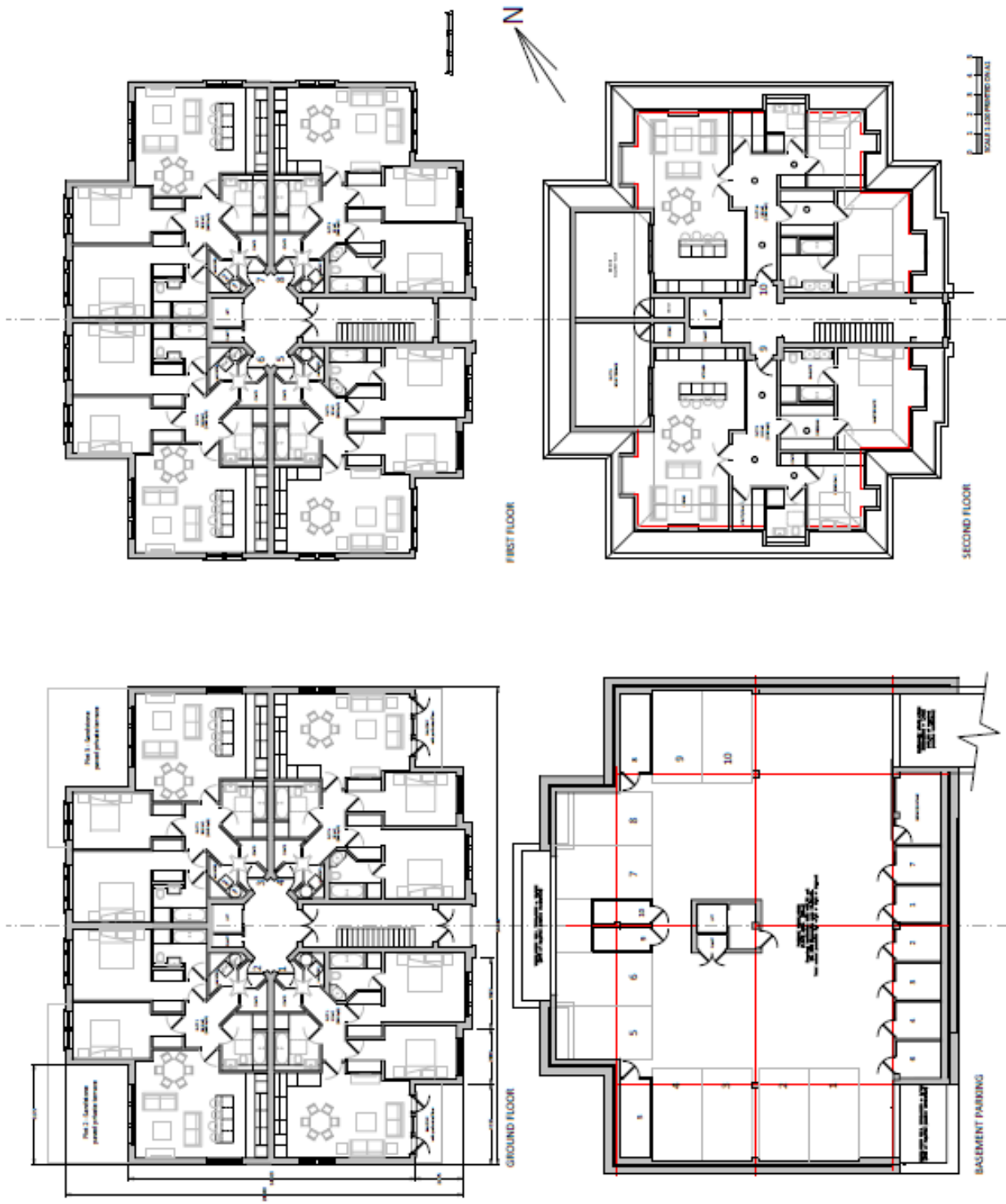


Front and Basement  
Layout



Proposed Elevations





Proposed Floor Plans





Proposed Street Scene

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

13 December 2017

Item: 2

|   |   |
|---|---|
| <b>Application No.:</b>   | 17/02928/FULL   |
| <b>Location:</b>  | Littlefield London Road Sunningdale Ascot SL5 0JN   |
| <b>Proposal:</b>  | 4 No. houses with associated amenity and parking following demolition of existing dwelling (amendment to 16/02272/FULL) |
| <b>Applicant:</b>   | Mr Bentley  |
| <b>Agent:</b>   | Mr Christopher Pickering  |
| <b>Parish/Ward:</b>   | Sunningdale Parish/Sunningdale 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

- 1.1 The application seeks planning permission for 4 new dwellings at Littlefield, London Road. Changes have been made to the external appearance of the dwellings from the recently consented scheme at the site which was allowed on appeal. The proposed changes to the external appearance of the dwellings from that approved are not considered to significantly change the appearance of the dwellings and the proposed design of the dwellings is considered to be acceptable within this area.
- 1.2 A Section 111 agreement is being progressed to secure mitigation for the impact on the Thames Basin Heaths Special Protection Area.

|   |   |
|---|---|
| <b>It is recommended the Panel authorises the Head of Planning:</b> |   |
| 1.  | <b>To grant planning permission on the satisfactory completion of a legal agreement to secure SANG and SAMM mitigation and with the conditions listed in Section 10 of this report.</b>   |
| 2.  | <b>To refuse planning permission if an undertaking to secure the mitigation for SANG and SAMM mitigation has not been satisfactorily completed by the 5<sup>th</sup> January 2018 for the reason that the proposed development would have an adverse impact on the Thames Basin Heaths Special Protection Area.</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 The application site, known as Littlefield comprises a large detached two storey dwelling situated within a spacious plot. The existing dwelling is set back from the highway, as are other neighbouring dwellings in this part of London Road. There are some significant trees within this site, including an ancient Oak tree to the front of the site; these are covered by a Tree Preservation Order.

- 3.2 The dwellings in this part of London Road generally comprise detached properties with varying heights, and none are particularly prominent within the street scene, as they are set back from the road and tend to be well screened by trees.
- 3.3 The area is characterised as ‘*Leafy Residential Suburbs*’ according to the Council’s Townscape Assessment, which is noted for being low density residential suburbs, comprising large detached houses in spacious irregular well treed plots. To the north/north west of the site is bounded by land within the Green Belt.

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

| Application Reference | Description   | Decision  |
|-----------------------|---|---|
| 14/02955/FULL         | Erection of 2 dwellings with associated parking and amenity space following the demolition of the existing dwelling   | Refused on the 15.12.2014   |
| 15/01219/FULL         | 5 No. 4 bedroom houses with associated parking following demolition of existing dwelling  | Refused 27 <sup>th</sup> August 2015 and subsequently dismissed on appeal |
| 16/02272/FULL         | 4 No. houses with associated amenity and parking following demolition of existing dwelling.   | Refused 4 <sup>th</sup> November 2011 and subsequently allowed on appeal  |
| 17/02180/CONDIT       | Details required by condition 2 (Mitigation) 3 (Samples) 4 (Slab Levels) 6 (Means of Enclosure) 9 (Construction a management plan) 12 (Hard and soft landscaping works) 14 (details of the route of all new services and method statement) of planning permission 16/02272/FULL for the construction of 4 no. houses with associated amenity and parking at Littlefield, London Road, Sunningdale, Ascot, SL5 0JN | Approved 13 <sup>th</sup> November 2017                                   |

- 4.1 This application proposes the demolition of the existing house and the building of 2 pairs of semi-detached 4 and 5 bedroom houses. Although from a recent site visit, it was observed that the existing dwelling has been demolished (this could be done has the pre-commencement conditions to planning permission 16/02272/FULL have been discharged).

The application seeks alterations to the dwellings that were granted planning permission on appeal. The main differences between this current scheme and the previously approved scheme are:

##### Plots 1-2

- The addition of rear balconies
- The addition of a door and rooflight on the right flank elevation

-Deeper single storey element, squaring off the kitchen/dining/family room, moving of chimney and alterations to fenestration on the left flank elevation

#### Plots 3-4

- Some alterations to the fenestration on the left flank elevation
- Addition of a balcony to the rear elevation
- Enlarged single storey element on the right flank elevation

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

### 5.1 National Planning Policy Framework Sections

Section 4- Supporting sustainable transport  
Section 7- Requiring good design

#### Royal Borough Local Plan

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

|                        |                      |       |
|------------------------|----------------------|-------|
| Within settlement area | Highways and Parking | Trees |
| DG1, H10, H11          | P4, T5               | N6    |

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          |
| Trees   | NR2               |
| Sustainable Transport                                   | IF2               |

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 ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. 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>

#### Neighbourhood Plan Policies

|                        |                      |        |
|------------------------|----------------------|--------|
| Design                 | Highways and Parking | Trees  |
| NP/DG1, NP/DG2, NP/DG3 | NP/T1                | NP/EN2 |

### Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- 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 Impact on the character of the area.
- ii Impact on immediate neighbours
- iii Highway and parking considerations
- iv Impact on Trees
- v Ecology
- v Thames Basin Heaths Special Protection Area

### Impact on the character of the area

6.2 The principle of the development, through providing 4 dwellings in 2 pairs of semi-detached dwellings was established in a recent appeal decision on the site (planning reference 16/02272/FULL). The layout and scale of the dwellings proposed in this current application, follows that of the recently consented scheme, where the Inspector considered that 4 dwellings in this form and layout were in keeping with the character of the area. The changes set out in section 4.1 of this report will change the appearance of the dwellings, but not to a significant degree. The proposed scale and design of the dwellings is considered to be in keeping with the character of the area.

6.3 The scheme is considered to comply with policies DG1, H10 and H11 of the Local Plan, and with policies NP/EN3 (gardens), NP/DG1 (respecting townscape), NP/DG2 (Density, footprint, separation, scale and bulk) and NP/DG3 (good quality design) of the Neighbourhood Plan.

### Impact on residential amenity

6.4 The Inspector in the recent appeal decision concluded that the scheme would have an acceptable impact on neighbouring amenity and imposed planning conditions to ensure that any side windows at first floor level and above are fitted with obscure

glazing. A condition preventing the installation of additional windows at first floor level and above was also imposed. The same issues arise here, and it is recommended that all of the first/second floor side facing windows are obscurely glazed and that planning permission is required for the installation of any additional first/second floor windows (see conditions 10 and 11).

- 6.5 The difference in this recent scheme is that first floor balconies have been added to the rear elevation to serve dwellings 2 and 3 (centrally located in the site). Owing to the location of the proposed balconies and the rear garden area of these dwellings, a condition is recommended to obtain details of these balcony screens. It is considered privacy screens to the side of the balcony area would prevent unacceptable overlooking into the gardens of future occupiers of the dwellings.

### **Highway and parking considerations**

- 6.6 The number of dwellings is the same as in the recently consent scheme, and sufficient parking would be provided on site in accordance with the Council's Parking Strategy. The development would be acceptable on highway safety.

### **Impact on Trees**

- 6.7 The layout of the scheme, including the footprint of the dwellings is largely similar to the recently consented scheme. The development is considered to have an acceptable impact upon important trees, and the Council's tree officer raises no objection to the scheme.

### **Ecology**

- 6.8 The applicant submitted a letter from their ecologist who surveyed the building on the 2<sup>nd</sup> November. The Ecologist recommended a methodology to follow for demolition of the building, however, as the building has been demolished (in connection with the previous planning permission), it is not necessary to secure this methodology through a planning condition.

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

- 6.9 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). A Section 111 agreement is being progressed to secure mitigation through contributions to the Allensfield SANG which would offset the impact of the additional residential dwellings on the SPA.

### **Housing Land Supply**

- 6.10 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.

6.11 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) would also weigh in favour of the development.

**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.

**8. CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

10 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 3<sup>rd</sup> October 2017

**Consultees**

| Consultee      | Comment   | Where in the report this is considered   |
|----------------|---|--|
| Tree Officer   | No objection.   | 6.7  |
| Parish Council | <p>The Parish Council objects to this application. The Appeal decision (APP/T0355/W/16/3163910) was dated 12 April 2017. The applicant is now proposing significant changes to the exteriors of all 4 building plots that contradict the recommendations of the Inspector.</p> <p>The alterations proposed to the ground floors at the sides of Plots 1 and 4, the two properties at either end of the building, involve significant extensions and in filling of the side walls. At Appeal the sides of Plots 1 and 4 were shown with a small 'protrusion' for the entrance porch and the end of a 'snug' room.</p> <p>The Appeal Decision specifically referred to these porches. Under point 9 the Inspector noted that <i>'while these extensions are closer to the side boundaries than the bulk of the properties, they are not significant in depth. With this in mind I do not consider that the porches are too close to the boundaries or would lead to pressure from future residents to fell or prune the trees to the side.'</i></p> <p>This revised application proposes that the building sides on the ground floor are extended along the full length of plots 1 and 4 from the porch back to the rear of the properties. Consequently the two windows of the kitchen / dining / family room of both plots have now been moved to be much closer to the trees on both side boundaries. Given the designation of this room and the need for natural light, and as there is only one other external glazed wall, this revised application therefore contradicts the Appeal recommendation. There will now be increased pressure to reduce shade by pruning and felling trees.</p> | <p>Addressed in main report.</p> <p>The Council's tree officer raises no objection to the balconies or relationship of windows with trees.</p> |

|          |  |     |
|----------|--|-----|
|          | <p>Secondly, the additional length of the two balconies now proposed on the sides of the first floors of Plots 1 and 4 -above the extensions mentioned above- will mean that this important external seating area is located directly underneath trees. Even the applicant's diagrams of the consented site section included within the Design and Access statement clearly shows the trees overhanging the sides of Plots 1 and 4. The extended balcony for Plot 4 will be under the group of TPO lime trees within G6. The extended balcony for Plot 1 will be under the Douglas Firs within group G1. There will be added pressure in future to prune and fell these trees- as the Inspector had noted.</p> <p>Thirdly, the two additional balconies proposed at the rear of Plots 2 and 3, which will occupy over 60% of the width of both plots and the two additional doors to access the new balconies will now change the rear view. Previously the Inspector had noted that '<i>neither fenestration details nor the number of chimneys would appear excessive given the size of the structures</i>'. Were these two balconies and two new doors to have been included on the Appeal plans the Inspector's conclusions might have been different.</p> <p>Submitting such significant changes so quickly after the Appeal decision must be questionable.</p> |     |
| Highways | No objection subject to conditions.  | 6.6 |

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Elevations
- Appendix C – Previously consented scheme allowed on appeal.

## 10. 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 external surfaces and hardsurfacing for the development shall be undertaken in accordance with those details approved under permission 17/02180/CONDIT. The development shall be carried out and maintained in accordance with the approved details.  
Reason: To ensure an acceptable impact on the appearance of the area.
- 3 Prior to the first occupation of the dwellings hereby approved, details of the privacy screens (to be at a height of no less than 1.7 metres) to be erected on the balconies shall be submitted to and approved in writing by the Local Planning Authority. The privacy screens approved shall be erected prior to the first occupation of the dwellings and shall be retained in perpetuity.  
Reason: In order to prevent overlooking.



- 4 The slab levels shall be in accordance with the detail approved under permission 17/02180/CONDIT. The development shall be carried out and maintained in accordance with the approved details.  
Reason: To ensure a satisfactory appearance of development
- 5 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.  
Reason: To ensure any further development has an acceptable impact on trees.
- 6 The walls, fencing, gates or any other means of enclosure shall be built in accordance with the detail approved under permission 17/02180/CONDIT. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development.  
Reason: To ensure a satisfactory appearance of the development.
- 7 The hard surface of the driveway and parking area 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: In the interest of highway safety
- 8 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: In the interests of highway safety
- 9 The works shall be undertaken in accordance with the Construction Management Plan approved under permission 17/02180/CONDIT. The plan shall be implemented as approved and maintained for the duration of the works.  
Reason: In the interests of highway safety.
- 10 All windows at first floor level or above in the side elevations of the buildings, shall be of a permanently fixed, non-opening design, with the exception of an opening top light that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the windows shall be retained as such.  
Reason: To prevent unacceptable overlooking.
- 11 No further window(s) shall be inserted at first floor level or above in the side elevations of the dwellings.  
Reason: To prevent unacceptable overlooking.
- 12 The hard and soft landscaping works shall be undertaken in accordance with the plan PR119129-11A approved under permission 17/02180/CONDIT 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.

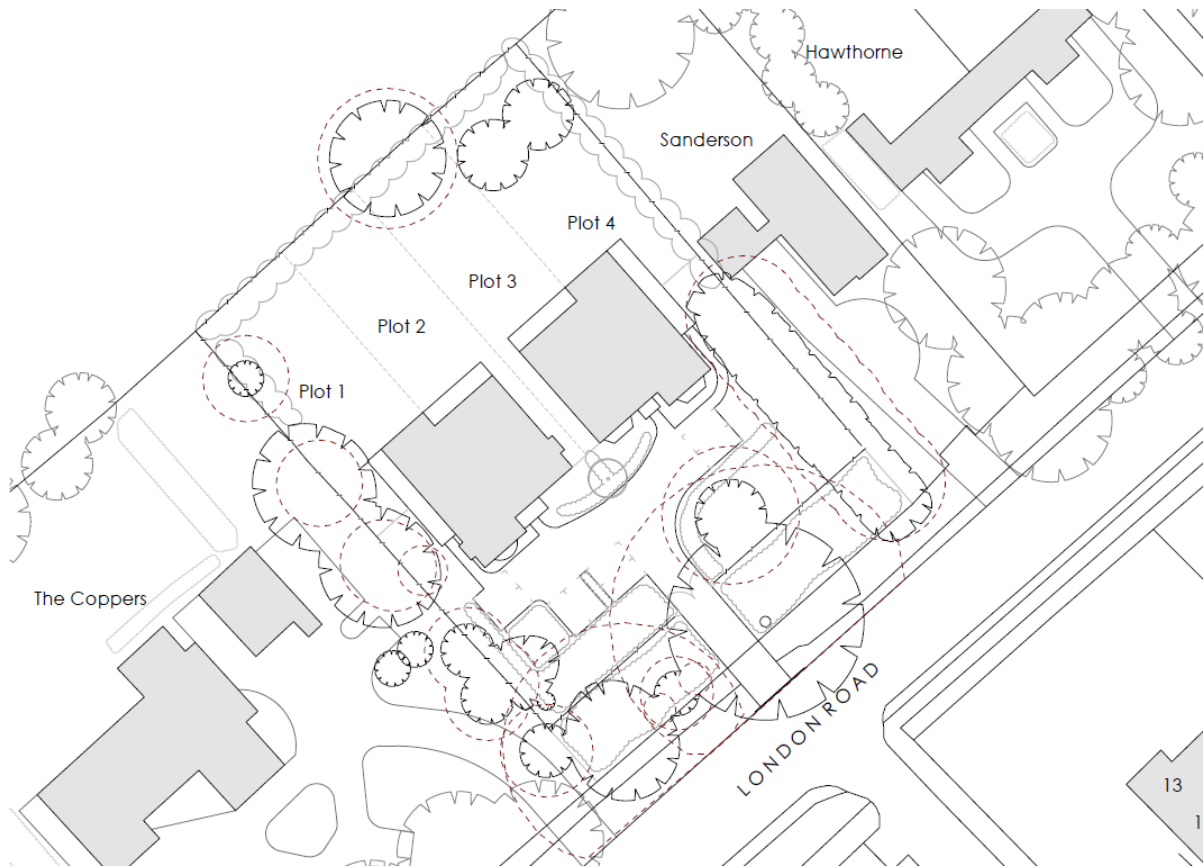
Reason: to ensure the development has an acceptable appearance.

- 13 The erection of fencing for the protection of any retained tree and any other protection specified (including no dig driveways, porous surfaces,) shall be undertaken strictly in accordance with the Arboricultural Impact Assessment and Method Statement Rev D 31.08.2016 Ref PRI 19129 aia amsD and Tree Protection Plan PRI 19129-03D prepared by ACD Environmental. The protective fencing shall be erected 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 approval of the Local Planning Authority.  
Reason: in order to protect significant trees to be retained.
- 14 The the route of all new services and the method statement for their installation shall be undertaken in accordance with those details approved under permission 17/02180/CONDIT  
Reason: in order to protect significant trees which are to be retained.
- 15 Any gates provided shall open away from the highway and be set back a distance of at least 7 metres from the edge of the carriageway of the adjoining highway.  
Reason: in the interests of highway safety.
- 16 Prior to the substantial completion of development, bat boxes shall be installed on mature trees in accordance with the recommendations of the ecology report prepared by PJC Consultancy dated 6 November 2014.  
Reason: in the interests of biodiversity
- 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



Appendix B- Proposed site layout



Appendix C- Plots 1 and 2



Front Elevation



Left Flank Elevation



Rear Elevation



Right Flank Elevation

Plots 3 and 4



Front Elevation





Left Flank Elevation



Rear Elevation



Right Flank Elevation

Appendix C- previously approved scheme

Appendix C- previously approved scheme



Plots 1 and 2



Front Elevation



Left Flank Elevation



Rear Elevation



Right Side Elevation

Plots 3 and 4



Front Elevation



Left Rank Elevation



Rear Elevation



## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

13 December 2017

Item: 3

|   |  |
|---|--|
| <b>Application No.:</b>   | 17/02931/FULL  |
| <b>Location:</b>  | Littlefield London Road Sunningdale Ascot SL5 0JN  |
| <b>Proposal:</b>  | 4 No. houses with associated amenity and parking, and 2 detached double car ports, following the demolition of the existing dwelling. (amendment to 16/02272/FULL) |
| <b>Applicant:</b>   | Mr Bentley   |
| <b>Agent:</b>   | Mr Christopher Pickering   |
| <b>Parish/Ward:</b>   | Sunningdale Parish/Sunningdale 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

- 1.1 The application seeks planning permission for 4 new dwellings at Littlefield, London Road. Changes have been made to the external appearance of the dwellings from the recently consented scheme at the site which was allowed on appeal. The proposed changes to the external appearance of the dwellings from that approved are only minor changes to the fenestration. The main difference between this scheme and the recently consented scheme is the introduction of 2 car ports to the front of the site (originally garages were proposed). Amended plans have been received showing the deletion of hardstanding within the Root Protection Area in response to concerns raised by the Council's tree officer.
- 1.2 A Section 111 agreement is being progressed to secure mitigation for the impact on the Thames Basin Heaths Special Protection Area.

|   |   |
|---|---|
| <b>It is recommended the Panel authorises the Head of Planning:</b> |   |
| 1.  | <b>To grant planning permission on completion of a legal agreement to secure SANG and SAMM mitigation and with the conditions listed in Section 10 of this report.</b>  |
| 2.  | <b>To refuse planning permission if an undertaking to secure the mitigation for SANG and SAMM mitigation has not been satisfactorily completed by the 5<sup>th</sup> January 2018 for the reason that the proposed development have an adverse impact on the Thames Basin Heaths Special Protection Area.</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 Littlefield's site comprises a large detached two storey dwelling situated within a spacious plot. The existing dwelling was set back from the London Road, as are other neighbouring dwellings in this part of London Road. There are some significant trees

within this site, including an ancient Oak tree to the front of the site; these are covered by a Tree Preservation Order.

- 3.2 The dwellings in this part of London Road generally comprise detached properties with varying heights, and none are particularly prominent within the street scene, as they are set back from the road and tend to be well screened by trees.
- 3.3 The area is characterised as '*Leafy Residential Suburbs*' according to the Council's Townscape Assessment, which is noted for being low density residential suburbs comprising large detached houses in spacious irregular well treed plots. To the north/north west of the site is the Green Belt.

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

| Application Reference | Description   | Decision  |
|-----------------------|---|---|
| 14/02955/FULL         | Erection of 2 dwellings with associated parking and amenity space following the demolition of the existing dwelling   | Refused on the 15.12.2014   |
| 15/01219/FULL         | 5 No. 4 bedroom houses with associated parking following demolition of existing dwelling  | Refused 27 <sup>th</sup> August 2015 and subsequently dismissed on appeal |
| 16/02272/FULL         | 4 No. houses with associated amenity and parking following demolition of existing dwelling.   | Refused 4 <sup>th</sup> November 2011 and subsequently allowed on appeal  |
| 17/02180/CONDIT       | Details required by condition 2 (Mitigation) 3 (Samples) 4 (Slab Levels) 6 (Means of Enclosure) 9 (Construction a management plan) 12 (Hard and soft landscaping works) 14 (details of the route of all new services and method statement) of planning permission 16/02272/FULL for the construction of 4 no. houses with associated amenity and parking at Littlefield, London Road, Sunningdale, Ascot, SL5 0JN | Approved 13 <sup>th</sup> November 2017                                   |

- 4.1 This application proposes the demolition of the existing house and the building of 2 pairs of semi-detached bedroom houses. Although from a recent site visit, it was observed that the existing dwelling has been demolished (this could be done has the pre-commencement conditions to planning permission 16/02272/FULL have been discharged).
- 4.2 The dwellings proposed in this application are largely in line with the dwellings that were approved on appeal under permission reference 16/02272, with some minor alterations to fenestration proposed. The main difference between this scheme and the recently consented scheme is the introduction of car ports to the front of the dwellings. Two car ports are proposed; each would have an eaves height of circa 2.1 metres and

a maximum height of circa 4.2 metres. The roofs would be finished in a cedar shingle roof tile.

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

### 5.1 National Planning Policy Framework Sections

Section 4- Supporting sustainable transport

Section 7- Requiring good design

#### Royal Borough Local Plan

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

|                        |                      |       |
|------------------------|----------------------|-------|
| Within settlement area | Highways and Parking | Trees |
| DG1, H10, H11          | P4, T5               | N6    |

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          |
| Trees   | NR2               |
| Sustainable Transport                                   | IF2               |

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 ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. 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>

#### Neighbourhood Plan Policies

|                        |                      |        |
|------------------------|----------------------|--------|
| Design                 | Highways and Parking | Trees  |
| NP/DG1, NP/DG2, NP/DG3 | NP/T1                | NP/EN2 |

#### 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 Impact on the character of the area.
- ii Impact on immediate neighbours
- iii Highway and parking considerations
- iv Impact on Trees
- v Ecology
- vi Thames Basin Heaths Special Protection Area

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

6.2 The principle of the development, through providing 4 dwellings in 2 pairs of semi-detached dwellings has been accepted in a recent appeal decision on the site (planning reference 16/02272/FULL). The scale and appearance of these dwellings is very similar to that allowed on appeal and is considered to be in keeping with the character of the area.

6.3 With respect to the car ports, these are new features proposed within this scheme. The car ports would be sited back from the frontage of the site by over 20 metres, and so it is not considered they would appear visually prominent within the street scene. In addition, planning permission has recently been granted at Lime Tree Lodge (which is 4 dwellings away from this site) which included detached garages to the front of the houses, and so having a single storey structure forward of the dwellings would not be uncommon within this area.

6.4 The scheme is considered to comply with policies DG1, H10 and H11 of the Local Plan, and with policies NP/EN3 (gardens), NP/DG1 (respecting townscape), NP/DG2 (Density, footprint, separation, scale and bulk) and NP/DG3 (good quality design) of the Neighbourhood Plan.

### **Impact on residential amenity**

6.5 The Inspector in the recent appeal decision concluded that the scheme would have an acceptable impact on neighbouring amenity and imposed planning conditions to ensure any first floor side windows were fitted with obscure glazing. The same issues arise here, and it is recommended that first floor side facing windows are obscurely glazed. In addition a condition is recommended to ensure no additional windows are

installed at first floor level of above, without the written permission of the local planning authority. (see conditions 9 and 10).

### **Highway and parking considerations**

- 6.6 The number of dwellings is the same as in the recently consent scheme, and sufficient parking would be provided on site in accordance with the Council's Parking Strategy. The development would be acceptable on highway safety.

### **Impact on Trees**

- 6.7 During the course of the application amended plans were received which showed garages to be removed and car ports introduced instead. This change was made in response to concerns raised by the Council's tree officer over the impact of garages having a harmful impact on trees. Further amended plans have been received which show the removal of hardstanding close to significant trees to the front of the site, so that the development would have an acceptable impact on significant Oak trees to the front of the site. A condition for details of tree protection measures to be submitted for approval is recommended. (Condition 12).

### **Ecology**

- 6.8 The applicant submitted letter from their ecologist who surveyed the building on the 2<sup>nd</sup> November. The Ecologist recommended a methodology to follow for demolition of the building, however, as the building has been demolished (in connection with the previous planning permission), it is not necessary to secure this methodology through a planning condition.

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

- 6.9 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). A Section 111 agreement is being progressed to secure mitigation through contributions to the Allensfield SANG which would offset the impact of the additional residential dwellings on the SPA.

### Housing Land Supply

- 6.10 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.
- 6.11 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) would also weigh in favour of the development.

## **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.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

10 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 3<sup>rd</sup> October 2017

### Consultees

| Consultee      | Comment  | Where in the report this is considered |
|----------------|--|--|
| Tree Officer   | No objection to latest amended plan (showing the deletion of hardstanding) subject to a condition for tree protection measures to be submitted.  | 6.9                                    |
| Parish Council | <p>The Parish Council strongly objects to this application. The Appeal decision (APP/T0355/W/16/3163910) was dated 12 April 2017. Within months of that decision the applicant is now proposing a significant alteration with this application for two separate double garages positioned at the front of the building.</p> <p>Building these two garages will necessitate the removal of one TPO tree (T18, Lawson Cypress) in a prominent position towards the front of the site. The proposed garages will also impact on the root protection area (RPA) of two other significant TPO trees on the site (T1, an 18 metre high, BS category A1 mature oak and T5, a 17 metre high, category B1 mature oak). Both these oak trees are in full public view along the front boundary.</p> <p>The proposed garages also impacts on two other significant retained trees whose RPA's will be affected. Tree G1 (a 17 metre high, BS Category B2 Douglas Fir) and tree 7 (a 16 metre high, BS Category C1 beech) These trees are positioned along the boundary with 'The Coppers'.</p> <p>The Parish Council finds it hard to understand how the applicant's very detailed Tree Survey Schedule, dated August 2017 that accompanies the application, fails to include reference to TPO tree T5 , G1 or tree 7 in the comments section given that the RPA's of all these trees are impacted by the proposed garage in front of Plots 1 and 2.</p> <p>The siting of the proposed garages at the front of the property close to the boundary is contrary to Neighbourhood Plan policy NP/DG3.3 which states that garages should be set back from the street frontage.</p> | Addressed in main report.              |
| Highways       | No objection subject to conditions.  | 6.7                                    |

|                     |  |                           |
|---------------------|--|---------------------------|
| Council's Ecologist | <p><b>In line with National policy and standing advice, it is recommended that an up-to-date ecological appraisal is provided prior to the determination of this application.</b></p> <p>This survey should be undertaken at an appropriate time of year following best practice guidelines in order for the Local Planning Authority to determine the extent to which protected species (which are a material consideration) will be affected by the proposed development. The survey should also include a preliminary bat appraisal of all buildings and trees on site which will be affected by the development. Further surveys for bats (and any other species if the site has the potential to support them) may be required following this initial survey and all reports and mitigation strategies (if required) will need to be provided prior to the determination of this planning application.</p>  | 6.8                       |
| SPAЕ                | <p>SPAЕ wishes to register an objection to this application.</p> <p>Firstly, the introduction of two detached double garages sited at the front of the property close to the boundary is contrary to Neighbourhood Plan policy NP/DG3.3 which states that garages should be set back from the street frontage and located between houses rather than in front in order to avoid a dominating effect on the street scene. Given the propensity for garages with parking spaces situated directly in front of the entrance, as is the case here, to be used for general storage rather than as parking, this may well have the effect of reducing the number of accessible parking spaces for residents and visitors alike.</p> <p>Secondly – and very importantly – the proposed garages require the removal of one protected tree (a Lawson cypress) and will also have a serious adverse impact on the root protection areas of other mature TPO oak trees located at the front of the site, compromising their long term health and potentially leading to a future request that they should be felled. It must be noted that these trees make a significant contribution to the established street scene by virtue of their type and size. We note, and fully endorse, the Tree Officers report</p> | Addressed in main report. |

## 9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – Elevations
- Appendix C – Previously consented scheme allowed on appeal.

## 10. 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 external surfaces and hardsurfacing for the development shall be undertaken in accordance with those details approved under permission 17/02180/CONDIT. The car ports shall be constructed in the materials shown on the plans hereby approved. The development shall be carried out and maintained in accordance with the approved details.  
Reason: To ensure an acceptable impact on the appearance of the area.
- 3 The slab levels shall be in accordance with the detail approved under permission 17/02180/CONDIT. The development shall be carried out and maintained in accordance with the approved details.  
Reason: To ensure a satisfactory appearance of development
- 4 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.  
Reason: To ensure any further development has an acceptable impact on trees.
- 5 The walls, fencing, gates or any other means of enclosure shall be built in accordance with the detail approved under permission 17/02180/CONDIT. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development.  
Reason: To ensure a satisfactory appearance of the development.
- 6 The hard surface of the driveway and parking area 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: In the interest of highway safety
- 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: In the interests of highway safety
- 8 The works shall be undertaken in accordance with the Construction Management Plan approved under permission 17/02180/CONDIT. The plan shall be implemented as approved and maintained for the duration of the works.  
Reason: In the interests of highway safety.
- 9 All windows at first floor level or above in the side elevations of the buildings, shall be of a permanently fixed, non-opening design, with the exception of an opening top light that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass and the windows shall be retained as such.  
Reason: To prevent unacceptable overlooking.
- 10 No further window(s) shall be inserted at first floor level or above in the side elevations of the dwellings.  
Reason: To prevent unacceptable overlooking.
- 11 The hard and soft landscaping works shall be undertaken in accordance with the plan



PRI19129-11A approved under permission 17/02180/CONDIT 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.

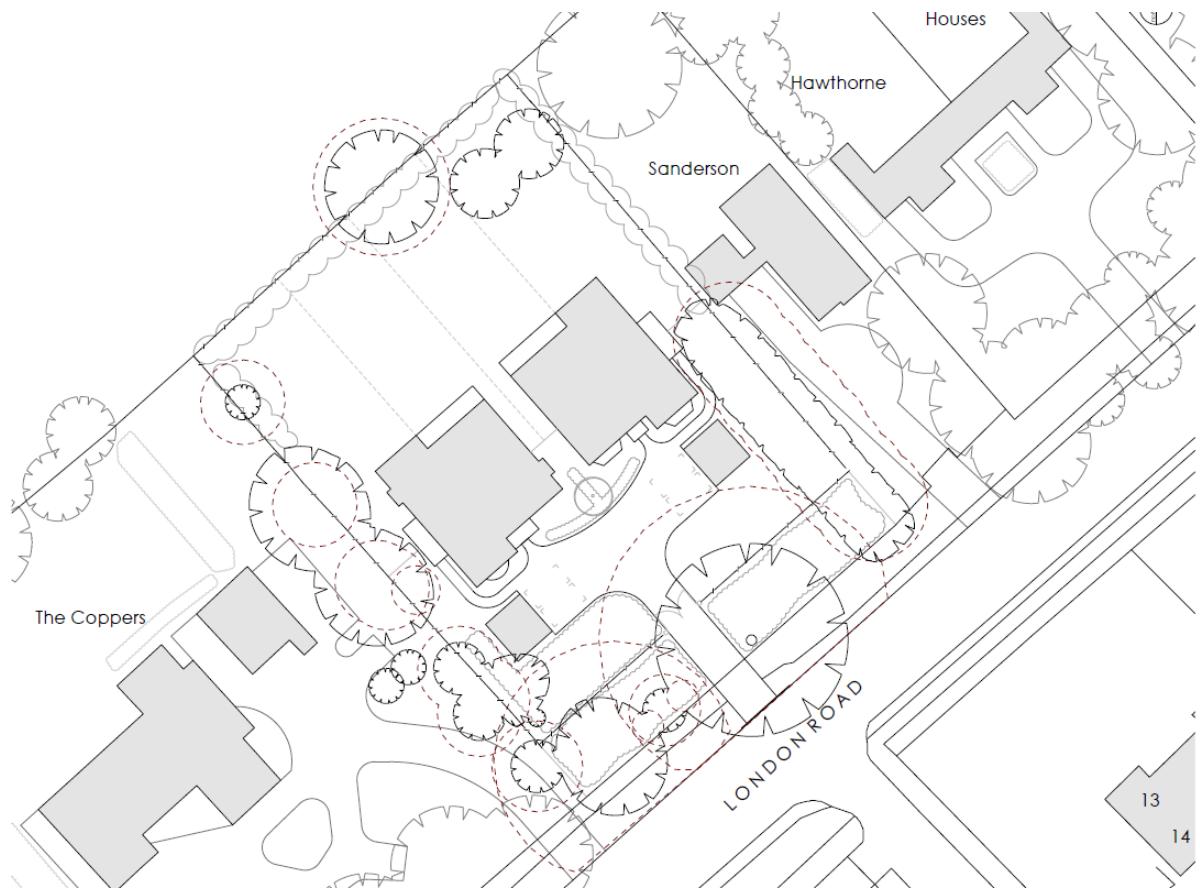
Reason: to ensure the development has an acceptable appearance.

- 12 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during 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 prior written approval of the Local Planning Authority.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6, and neighbourhood plan policy NP/EN2.
- 13 The route of all new services and the method statement for their installation shall be undertaken in accordance with those details approved under permission 17/02180/CONDIT  
Reason: in order to protect significant trees which are to be retained.
- 14 Any gates provided shall open away from the highway and be set back a distance of at least 7 metres from the edge of the carriageway of the adjoining highway.  
Reason: in the interests of highway safety.
- 15 Prior to the substantial completion of development, bat boxes shall be installed on mature trees in accordance with the recommendations of the ecology report prepared by PJC Consultancy dated 6 November 2014.  
Reason: in the interests of biodiversity
- 16 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- Proposed layout



Appendix C- Proposed elevations and floor plans

Plots 1 and 2







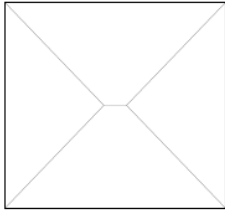
Plots 3 and 4



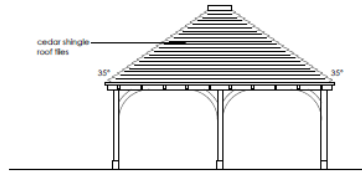




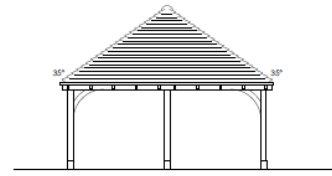




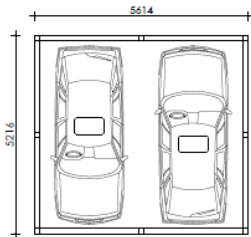
roof plan



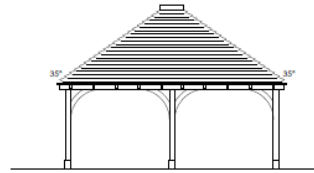
front elevation



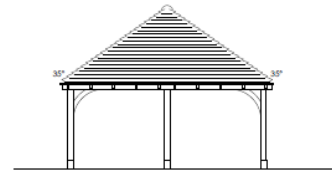
side elevation



floor plan



rear elevation



side elevation

Appendix C- previously approved scheme



Plots 1 and 2



Front Elevation



Left Flank Elevation



Rear Elevation



Right Flank Elevation

Plots 3 and 4



Front Elevation



Left Flank Elevation



Rear Elevation





## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

13 December 2017

Item: 4

|   |   |
|---|---|
| <b>Application No.:</b>   | 17/03133/VAR  |
| <b>Location:</b>  | 9 Llanvair And Rear of 11 Llanvair Close Ascot  |
| <b>Proposal:</b>  | Variation of condition 2 (approved plans) (under Section 73) to substitute approved plans with amended plans for the erection of 3 x detached two storey dwellings with access driveways following the demolition of 9 Llanvair Close approved under 16/00117 (allowed on appeal) |
| <b>Applicant:</b>   | Mr Hamill   |
| <b>Agent:</b>   | Mr Warren Joseph  |
| <b>Parish/Ward:</b>   | Sunninghill And Ascot Parish/Sunninghill And South Ascot Ward   |
| <b>If you have a question about this report, please contact:</b> Vivienne McDowell on 01628 796578 or at <a href="mailto:vivienne.mcdowell@rbwm.gov.uk">vivienne.mcdowell@rbwm.gov.uk</a> |   |

### 1. SUMMARY

- 1.1 This application proposes amendments to 16/00117. The amendments include changes to fenestration in all 3 houses, changes to the roof line on Plot 3, removal of chimneys, internal layout changes including larger floor areas on the second floors of each house. The footprint and layout of the houses within the application site remains the same as that approved.
- 1.2 It is considered that the proposed amendments fall within the scope of 'material minor amendments' and that a Section 73 application is an appropriate mechanism for dealing with these changes.
- 1.3 The proposed amendments are considered to be acceptable in terms of impact on neighbours and the impact on the street scene.

|   |   |
|---|---|
| <b>It is recommended the Panel authorises the Head of Planning:</b> |   |
| 1.  | <b>To grant planning permission on the satisfactory completion of a Section 111 undertaking to secure SAMM and SANG mitigation and with the conditions listed in Section 10 of this report.</b>   |
| 2.  | <b>To refuse planning permission if an undertaking to secure SAMM and SANG mitigation has not been satisfactorily completed by 31 January 2018 for the reason that the proposed development does not secure SAMM and SANG mitigation.</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 The site lies to the north of Llanvair Close and to the south of Hurstwood. The application site comprises the garden areas of 9 and 11 Llanvair Close. This is a residential area comprising typically large detached houses set in generous plots. The

townscape character is defined as a Leafy Residential Suburb'. The site is not within the Green Belt and not within the floodplain

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

4.1 This application proposes amendments to application 16/00117 which was for three new dwellings with access driveways following demolition of 9 Llanvair Close. Although described as 2-storey dwellings, the dwellings provide residential accommodation on 3 floors; however the third floor accommodation is provided within the roof space.

4.2

| Ref.            | Description  | Decision and Date  |
|-----------------|--|--|
| 14/03801/FULL   | Erection of three detached, two-storey dwelling houses and new access driveways following the demolition of 9 Llanvair Close.  | Refused 3 February 2015. Dismissed on appeal 2 November 2015. (reasons for refusal are set out in section 6) |
| 16/00117/FULL   | Erection of 3x detached two storey dwellings with access driveways following the demolition of 9 Llanvair Close  | Allowed on appeal 6/2/2017.  |
| 17/02898/CONDIT | Details required by condition 3 (material schedule and samples) 12 (construction management plan) of planning permission 16/00117 (allowed on appeal) for the erection of 3 x detached two storey dwellings with access driveways following the demolition of 9 Llanvair Close | Pending consideration.   |
| 17/02758/NMA    | Non material amendment to planning permission 16/00117/FULL alterations to internal layout   | Withdrawn. 5/10/2017   |
| 17/02898/CONDIT | Non material amendment to planning permission 16/00117/FULL alterations to internal layout   | Pending consideration.   |

#### 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 | Trees | Aircraft noise |
|------------------------|----------------------|-------|----------------|
| DG1, H10, H11          | P4, T5               | N6    | NAP2           |
|                        |                      |       |                |

|   |  |                |              |
|---|--|----------------|--------------|
| Ascot, Sunninghill and Sunningdale Neighbourhood Plan | NP/EN4, NP/H2, NP/H3, NP/DG1, NP/DG2, NP/DG3, NP/DG5, NP/T1, | NP/EN2, NP/EN3 | NP/T1, NP/T2 |
|---|--|----------------|--------------|

|  |       |  |  |
|--|-------|--|--|
|  | NP/T2 |  |  |
|--|-------|--|--|

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               |

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 ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. 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 Impact of the proposed amendments on neighbouring properties
- ii Impact of the proposed amendments on the street scene

### **Impact of the proposed amendments on neighbouring properties**

#### Background

6.2 The principle of the re-development of the site for 3 houses has already been accepted with the granting of 16/00117/FULL (allowed on appeal). This is a section 73

(Variation Application) for Minor Material Amendments to the approved scheme. The Planning Practice Guidance advises in para 017 Ref: ID;17a-017-2014036: 'There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved'.

- 6.3 In the case of the current application, the layout and siting is the same as that approved under 16/00117/FULL. In terms of scale, bulk and design the currently proposed houses are very similar to those previously approved. The houses would be no closer to the boundaries of the site than that approved under 16/00117. The LPA is satisfied that these amendments can be dealt with under a Section 73 application.
- 6.4 A Section 73 permission is a new planning permission with conditions imposed on 16/00117 re-to be re-imposed and modified as appropriate. The main differences for each of the 3 houses are summarised below, as follows:

#### Plot 1

- One window has been removed from the front elevation.
- The chimney has been removed.
- A small dormer has been added to the side (south east facing) elevation.
- One of the windows in the roof slope (rear elevation) has been replaced by a larger (obscure glass en-suite) window.
- Alterations to fenestration in the ground floor rear elevation to provide bi-fold doors and replace a set of patio doors with a window.
- Replace bi-fold doors on the side (North West facing) with a window and provide extra roof lights in the roof slope above the kitchen area.
- Internal reconfiguration to provide more open-plan space on the ground floor, revised layout on the first floor and larger floor space on the second floor.

#### Plot 2

- A pitched roof above the ground floor side extension has been removed (to provide a flat roof).
- A new gable end with window (obscure glass) serving a stairwell to the second floor has been inserted in the north facing (side) elevation. A small additional roof light (to a second floor en-suite) has also been inserted in this elevation.
- Roof lights in the rear elevation have been repositioned (higher up in the roof slope).
- Chimney has been removed.
- Different style of windows (with smaller individual panes)
- Provision of larger bi-fold/ patio doors in rear elevation instead of windows.
- Fewer first floor windows in the side (north facing) elevation.
- Internal reconfiguration to provide more open-plan space on the ground floor, revised layout on the first floor and larger floor space on the second floor.
- Revised porch/entrance detail.

#### Plot 3

- 2 new windows (ground floor and first floor) in the setback part of the front elevation (on south side of the house).
- Provision of a first floor bathroom window (obscure glass only openable 1.7 metres above finished first floor level) – instead of arched stairwell window (obscure glazed and restricted opening) in the side (north facing elevation).
- New kitchen window and utility room door in the side (north facing elevation).
- Patio doors instead of window to living/family room (north facing).

- Removal of chimney on the side (north facing elevation).
- Increase in height of the roof (by 0.5 metre) on the north side of the house.
- One of the second floor dormer windows in the front elevation (on the north side) is to be obscure glazed and serve a bathroom (rather than recreation room).
- A Juliet balcony to be provided in the rear elevation.
- An additional window to be inserted in the rear roof slope.
- Revised fenestration including provision of bi-fold doors instead of windows and provision of window instead of bi-fold doors in the rear elevation.
- Internal reconfiguration to provide more open-plan space on the ground floor, revised layout on the first floor and larger floor space on the second floor.

- 6.5 It is considered that with the new bathroom window in the (north) side of Plot 3 being obscure glazed and restricted opening (1.7 metres or above first floor level), there would be no unacceptable overlooking to No 47, to warrant refusal on those grounds. The additional ground floor windows in the north elevation of Plot 3 to serve the utility room and kitchen are also not considered to give rise to unacceptable overlooking to No 47.
- 6.6 The amendments propose an increase in the height of part of the roof on the north side of Plot 3 by 0.5 metre and this would be apparent when viewed from No 47. Nevertheless, given that the new house would be a minimum of 9 metres from the rear boundary of 47 and the highest part of the roof would be in the order of 14 metres from the boundary, it is considered that it would be difficult to justify a reason for refusal based on a significant reduction in outlook to, overbearing impact on, or loss of daylight and sunlight to No 47.
- 6.7 In terms of impact on other properties in Hurstwood (including Nos 45, 49, 51) it is considered that the proposed amendments to Plots 1, 2, and 3 would not have a significant additional impact in terms of loss of privacy or outlook. One of the new dormers in the front elevation of Plot No 3 is now proposed to be obscure glazed (bathroom) – whereas there was previously a non-obscure glazed window to the second floor recreation room in a similar position. It is considered that there would be no additional loss of daylight or sunlight to properties in Hurstwood.
- 6.8 The other new first floor window shown on the drawings for the front elevation of Plot 3 would be set well back from the front wall of the house on the south side. The new window in the gable end on the side (north facing) of Plot No 2 would serve a stairwell and would be obscure glazed. These new windows would not give rise to any additional overlooking to properties in Hurstwood.
- 6.9 In terms of the amendments to Plot 2 one of the windows in the roof slope (rear elevation) has been replaced by a larger (obscure glass en-suite) window. Given that this window would be obscurely glazed, it is considered that it would not give rise to additional overlooking to properties in Hurstwood. Revised fenestration at ground floor level is also considered to be acceptable in terms of impact on neighbours.
- 6.10 Given that the distances to the boundaries have remained as approved under 16/00117, it is considered that there would be no significant additional impact on the amenities of the adjacent properties Mellery and Clytha in Coronation Road, as a result of the revised fenestration in the rear of Plots 2 and the provision of a Juliet Balcony in the rear of Plot 3.

### **Impact of proposed amendments of the street scene**

- 6.11 The proposed amendments are considered to be acceptable in terms of impact on the character and appearance of the street scene. Whilst many adjacent houses have chimneys, it is not considered that the removal of chimneys on this site, would have a detrimental impact on the character of the area.

#### **Other material considerations**

- 6.12 The applicant is currently in the process of seeking approval for details pursuant to conditions 3 (materials), 12 (Construction Management Plan) – via conditions application 17/02329/CONDIT and conditions 8 (Means of Enclosure), 9 (Hard and Soft Landscaping), 15 (vehicle parking and turning), 16 (refuse and bins), 22 (bird and bat boxes) via conditions application 17/02898/CONDIT.
- 6.13 Suggested conditions on this current application may need to be modified to reflect any subsequent approval of details on the pending conditions applications. Any changes to the wording of suggested conditions in Section 10 will be reported in the panel update, if received in time. See **Section 10** below, for the list of suggested conditions.

#### Housing Land Supply

- 6.14 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.
- 6.15 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) would also 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 now be CIL liable. The applicant has been requested to submit the required forms including the assumption of liability for payment on the net increase in gross internal floor space. The CIL tariff for the proposed development would be charged at the rate of £240 per square metre of new floor space. It would appear that CIL payments have not yet been made for the existing planning permission.

#### **Thames Basin Heath Special Protection Area**

- 7.2 The Thames Basin Heaths Special Protection Area (the SPA) was designated in 2005 to protect and manage the ecological structure and function of the area to sustain the nationally important breeding populations of three threatened bird species. The Council's Thames Basin Heaths SPD (Part 1) sets out the preferred approach to ensuring that new residential development provides adequate mitigation, which for residential developments of between one and 49 additional housing units on sites located over 400 metres and up to 5 kilometres from the SPA, is based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision of Suitable Alternative Natural Greenspace (SANG). The application site is within this 0.4 - 5km buffer zone around the SPA.

- 7.3 The local authorities that surround the SPA, along with Natural England and other partners have established the Thames Basin Heaths Joint Strategic Partnership to agree the long-term protection of the SPA while allowing necessary residential development. The affected local authorities have formed a Joint Strategic Partnership Board, which has developed and endorsed the Thames Basin Heaths Special Protection Area Delivery Framework (February 2009). The document does not form part of the Development Plan, but it does provide the agreed basis for a formulation across the whole of the SPA and the Council's Thames Basin Heaths SPD is consistent with the Delivery Framework. The Council has provided for the implementation of this approach by securing a SANG within the local area, which along with the SAMM project can provide the required mitigation for the impact of additional residential development on the SPA.
- 7.4 The scope for pooling section 106 financial contributions for the purposes of SPA mitigation has been removed by the introduction of Community Infrastructure Levy (CIL) regulations. A new mechanism to provide similar mitigation is now being used by the Council, to require the applicant to make provision for SPA mitigation prior to the commencement of works, which can be achieved either by provision of a SANG or by making financial contributions towards the SAMM and SANG discussed above, by entering into a Section 111 agreement under the Local Government Act. It is noted that a Section 111 agreement was submitted under the appeal application 16/00117. As a deed of variation cannot be sought for a S111 agreement, a new S111 agreement is required.
- 7.5 The contributions sought for 3 x 5-bedroom houses (and making an allowance for the existing house) would be as follows: SAMM contribution £2,300 and SANG contribution £21,226 towards the Allens Field SANG in order to ensure the development has an acceptable impact upon the SPA.

## 8. CONSULTATIONS CARRIED OUT

### Comments from interested parties

50 occupiers were notified directly of the application.

The planning officer posted a yellow site notice advertising the application at the site on 25 October 2017.

24 households were received objecting to the application, summarised as:

| Comment |  | Where in the report this is considered |
|---------|--|--|
| 1.      | Proposal needs a new planning application. Variations go beyond small amendments. This application is the same proposal as the Withdrawn NMA application 17/02758.   | Paragraphs 6.2-6.4                     |
| 2.      | This current application is a complete redesign internally and externally. Amendments have a greater impact on neighbours' amenity – a point both inspectors acknowledged. Applicant is trying to get major changes via a Variation application. | Paragraphs 6.4-6.10                    |
| 3.      | The magnitude of changes on all 4 sides and roofs demands this is refused.   | Paragraphs 6.4-6.11                    |



|    |   |  |
|----|---|--|
| 4. | The Town and country Planning Act allows by Section 73 for minor amendments to conditions applied to a planning permission providing the amendment is not material and that there is relevant condition that can be varied and that the amendment does not lead to development that is substantially different to the one approved. | See paragraph 6.2-6.3  |
| 5. | Condition 2 on 16/00117 should not be treated as 'run of the mill'. It was imposed by the Appeal Inspector to provide certainty of the approved plans. Changes run contrary to minimising impact on neighbours.   | Noted.   |
| 6. | Objection to skylights becoming dormers. Overlooking to Clytha. Extra doors and windows are unnecessary.  | See paragraphs 6.4-6.10.   |
| 7. | Loss of privacy to neighbours. Additional windows facing properties in Hurstwood is not acceptable. Large number of windows and Juliet Balcony facing towards No 13 Llanvair Close and Coronation Road – unacceptable.  | See paragraphs 6.4-6.10  |
| 8. | Plans are unclear. Plans suggest an extension to garage (Plot 3) but elevations don't show this.  | There is no extension proposed to the side of the garage.  |
| 9. | These are not 2-storey house they are 3-storey.   | Noted. See paragraph 4.1   |
| 10 | Additional noise as a result of bi-fold doors and Juliet balconies. Light pollution from skylights.   | It is not considered these matters would constitute a reason for refusal.                            |
| 11 | Loss of daylight and privacy to properties in Hurstwood.  | See paragraph 6.7  |
| 12 | Removal of chimneys not in keeping with other houses nearby.  | See paragraph 6.11   |
| 14 | Fewer windows facing No 11 – to the advantage of this property.   | Noted.   |
| 15 | Question the number of trees included in this new package. There is no longer a fence behind Hurstwood.   | The LPA is currently considering a conditions application for landscaping details – 17/02898/CONDIT. |
| 16 | 22 conditions are being side lined.   | See paragraph 6.12-13 and Section 10.  |

## Statutory consultees

| Consultee       | Comment  | Where in the report this is considered |
|-----------------|--|--|
| Highway Officer | No objection to the amendments.  | Noted.                                 |
| Parish Council  | Objection as the Planning Inspector specifically stated at appeal that the proposal should only be built as per the approved design. The committee thought that the variation involved so many changes that a new application should be submitted. | See paragraph 6.2-6.4                  |

## Other consultees

| Consultee                           | Comment  | Where in the report this is considered |
|-------------------------------------|--|--|
| Society for Ascot and Environs SPAE | Material change shouldn't be dealt with under this process. Alternations to fenestration, change in roof line and additional dormers and Juliet balcony adds to neighbours' concerns about being overlooked and reduced amenity and privacy. |  |

## 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 the permission 16/00117 (i.e. by 6 February 2020)  
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 on the external surfaces of the buildings or finished surfaces of the development until samples/details of the materials to be used on the external surfaces of the building and hardsurfacing 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 - Local Plan DG1.
- 3 In accordance with the advice of the Ecologist report submitted with application 14/03801, the small areas of weatherboarding on the existing dwelling should be sensitively removed by hand only during the bat winter hibernation period and when temperatures are above 5 degrees Centigrade. In the unlikely event that a bat should be found during this procedure, sheltering material should be placed over the bat and the advice of an ecologist should be sought immediately.  
Reason In the interests of safeguarding protected species and in the interests of maintaining biodiversity. Relevant policies Neighbourhood Plan EN4 and NPPF paragraph109.

- 4 The window to the bathroom in the side (north facing elevation) of Plot 3 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 H14.
- 5 No further window(s) shall be inserted at first floor level or above in the side elevations of the dwellings 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.
- 6 The hard surfaces of the access and driveways 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.
- 7 No buildings shall be occupied until details of the siting and design of all new wall, fencing or any other means of enclosure (including any retaining walls) have been submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.  
Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.
- 8 No buildings shall 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. 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.
- 9 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 particulars (approved under 16/00117) 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.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

- 10 No tree or hedgerow shown to be retained in the approved plans (approved under application 16/00117) shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped 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 pruning approved shall be carried out in accordance with British Standard 3998 Tree Work Recommendations. 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.  
: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 11 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. These details are required prior to commencement to ensure highway safety is satisfactory during all stages of the development.
- 12 No other part of the development shall commence until the access and driveway (including footways and verges) have been constructed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The details shall include details of pedestrian crossings across the verges. The access and driveway shall thereafter be retained.  
: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 13 No dwelling shall be occupied until full details of the management arrangements for the maintenance of the access drive, verges, footpaths and landscaping areas alongside the access driveway have been submitted to and approved in writing by the Local Planning Authority. The maintenance of these areas shall be carried out in accordance with the approved details, unless otherwise agreed in writing beforehand by the Local Planning Authority.  
Reason: In the interests of highway safety and the visual amenities of the area. Relevant Policies - Local Plan T5, DG1.
- 14 No part of the development shall be occupied until vehicle parking and turning space has been provided and surfaced 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.
- 15 No part of the development shall be occupied until a refuse bin storage area and recycling 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 be kept available for use in association with the development at all times.

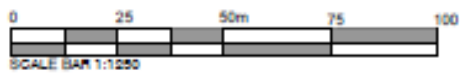
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.


- 16 The existing access to the site of the development shall be stopped up and abandoned immediately upon the new access being first brought into use. The footways and verge shall be reinstated before the development is first occupied in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.  
: In the interests of highway safety and of the amenities of the area. Relevant Policies - Local Plan T5, DG1
- 17 The measures set out in Design and Access Statement accompanying the application (16/00117) shall be implemented in accordance with the statement prior to the first occupation of any unit, unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the development.  
Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Requirement 1 of the Royal Borough of Windsor and Maidenhead Sustainable Design and Construction Supplementary Planning Document.
- 18 The measures detailed in the applicant's Design and Access Statement (submitted with 16/00117) showing how the buildings would be adaptable to the needs of an ageing population, shall be provided in accordance with the submitted details and subsequently retained.  
Reason: To ensure that the building is adaptable to the needs of an ageing population and to comply with the Council's SPD Planning for an Ageing Population.
- 19 Prior to the substantial completion of the development a water butt of at least 120L internal capacity shall be installed for each house to intercept rainwater draining from the roof. The water butts shall subsequently be retained.  
Reason: To reduce the risk of flooding and demand for water, increase the level of sustainability of the development and to comply with Requirement 4 of the Royal Borough of Windsor & Maidenhead Sustainable Design & Construction Supplementary Planning Document.
- 20 The internal garage door in Plot 3 shall open into the utility room and away from the parking area.  
Reason: To ensure that there is adequate parking space within the garage. Relevant Policies - Local Plan DG1, P4.
- 21 Prior to the initial occupation of the dwellings hereby approved full details of the location and design of bird/bat boxes to be installed at the application site, shall be submitted to and approved by the Local Planning Authority. The bird/bat boxes shall be installed and retained in accordance with the approved details.  
Reason: In the interests of enhancing biodiversity. Relevant Policies - Neighbourhood Plan NP/EN4.
- 22 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.



17/03133 – 9 and 11 Llanvair Close, Ascot

APPENDIX A



|   |  |                            |               |           |
|---|--|----------------------------|---------------|-----------|
| <br><b>ASCOT DESIGN</b><br>Timeless architecture<br><small>1000 Highgate Road, Ascot, Berkshire, SL9 8JH<br/>                 Tel: 01344 895000<br/>                 Fax: 01344 895001<br/>                 Email: info@ascotdesign.com<br/>                 www.ascotdesign.com</small> | <b>PLANNING ISSUE</b>                            |                            |               |           |
|   | <b>HAMILL HOMES</b>                              | <b>LOCATION PLAN</b>       |               |           |
| <small>We warrant that the content of this design complies with the requirements of the relevant planning legislation.</small>  | <b>S-11 LLANVAIR CLOSE,<br/>ASCOT, BERKSHIRE</b> | Scale: 1:1250 @ A4         | Date: JUL '17 | Sheet: 5M |
|   |  | Reference: 17-J1984 - LP01 |               |           |

17/03133 – 9 and 11 Llanvair Close, Ascot

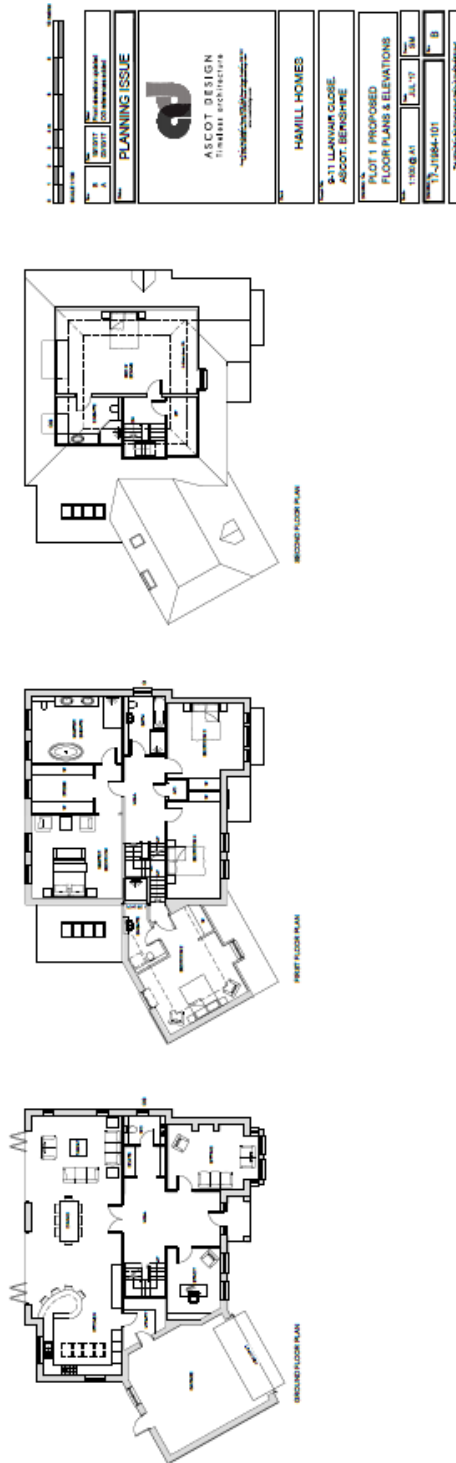
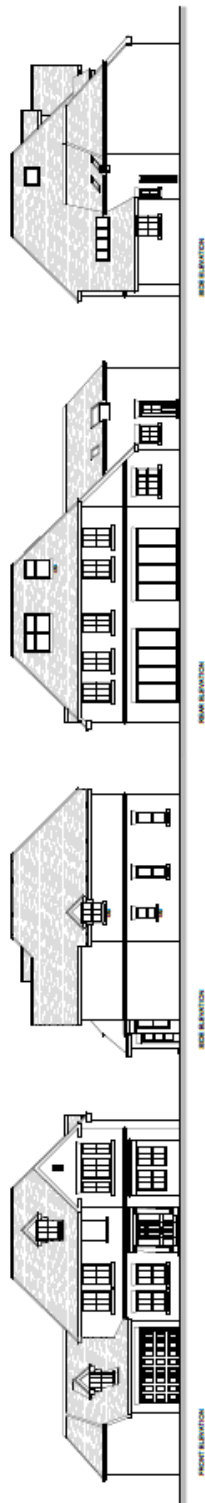
APPENDIX B





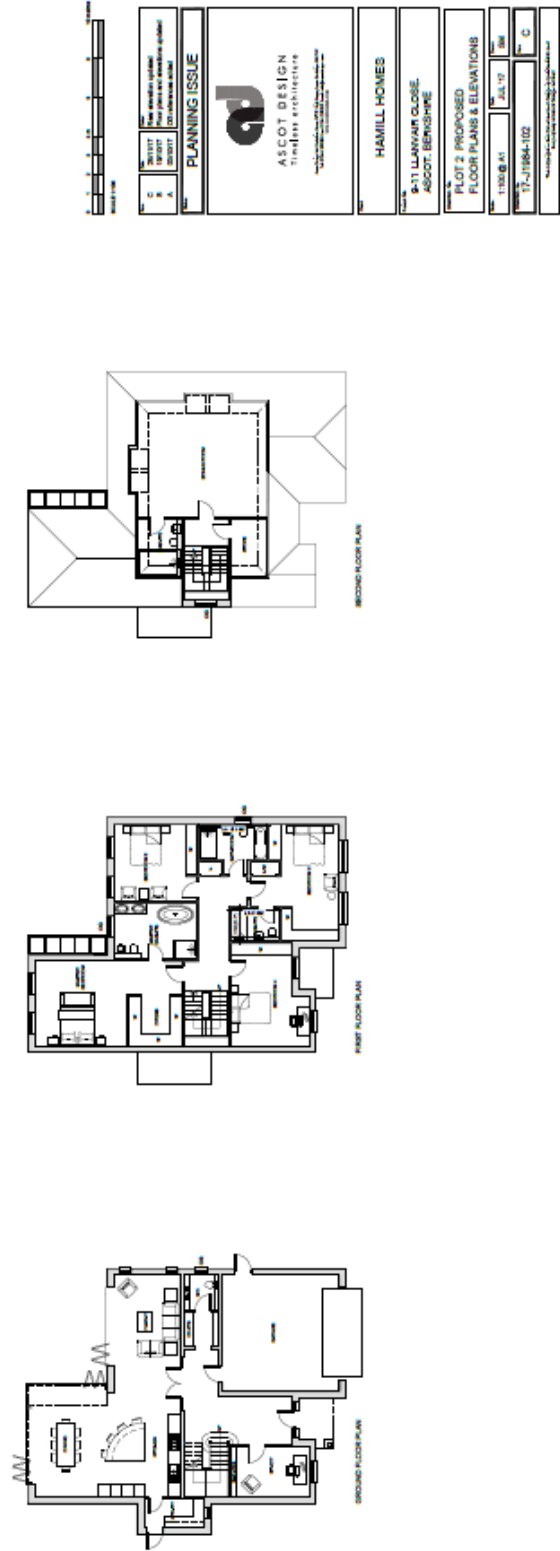
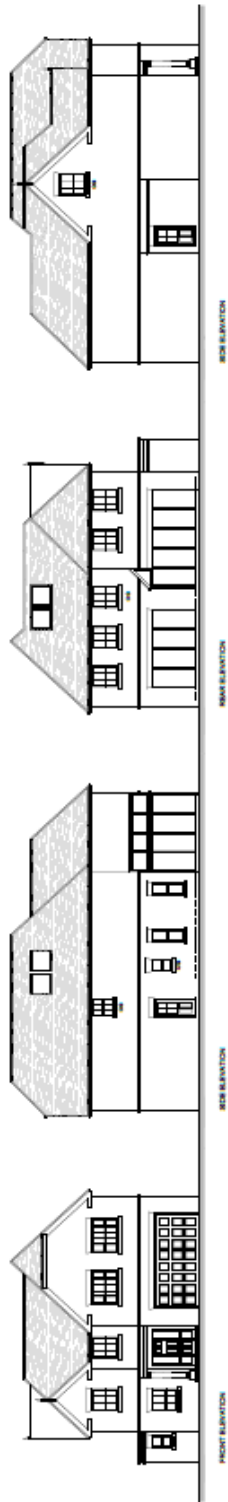
17/03133 – 9 and 11 Llanvair Close, Ascot

APPENDIX B



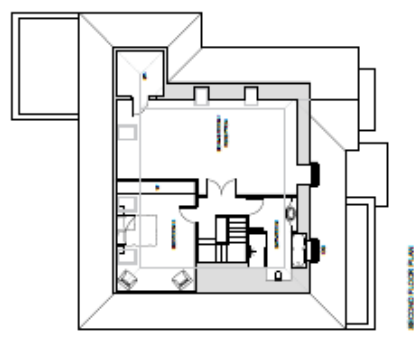
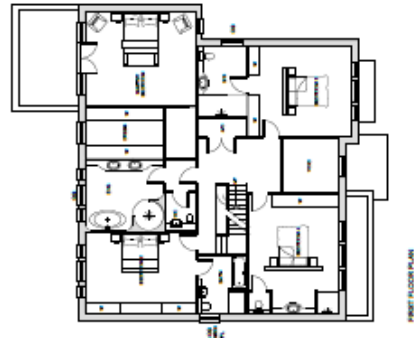
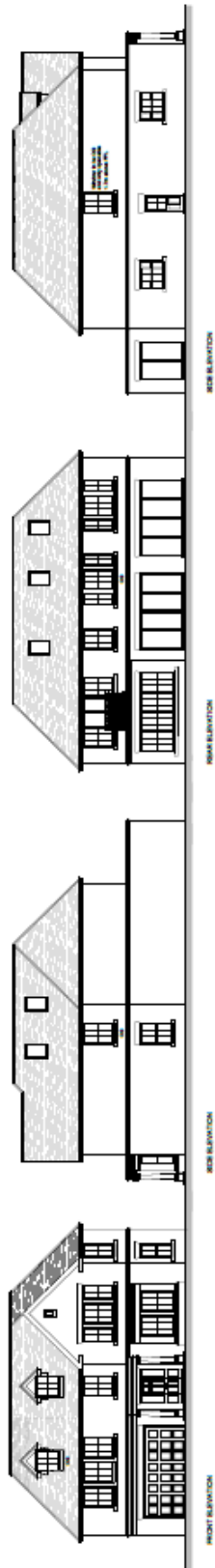
17/03133 – 9 and 11 Llanvair Close, Ascot

APPENDIX B



17/03133 – 9 and 11 Llanvair Close, Ascot

APPENDIX B



|   |  |   |  |   |  |
|---|--|---|--|---|--|
| 17/03133                                    |  | 17/03133                                    |  | 17/03133                                    |  |
| PLANNING ISSUE                              |  | PLANNING ISSUE                              |  | PLANNING ISSUE                              |  |
| ASCOT DESIGN<br>Timothy Architects          |  | ASCOT DESIGN<br>Timothy Architects          |  | ASCOT DESIGN<br>Timothy Architects          |  |
| HAMILL HOMES                                |  | HAMILL HOMES                                |  | HAMILL HOMES                                |  |
| 8-11 LLANVAIR CLOSE,<br>ASCOT, BERKSHIRE    |  | 8-11 LLANVAIR CLOSE,<br>ASCOT, BERKSHIRE    |  | 8-11 LLANVAIR CLOSE,<br>ASCOT, BERKSHIRE    |  |
| PLOT 3 PROPOSED<br>FLOOR PLANS & ELEVATIONS |  | PLOT 3 PROPOSED<br>FLOOR PLANS & ELEVATIONS |  | PLOT 3 PROPOSED<br>FLOOR PLANS & ELEVATIONS |  |
| 1:1000 @ 1/25                               |  | 1:1000 @ 1/25                               |  | 1:1000 @ 1/25                               |  |
| 17-J1884-103                                |  | 17-J1884-103                                |  | 17-J1884-103                                |  |