

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

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

21 October 2015

Item: 1

Application No.:	15/01517/FULL
Location:	Four Seasons Bagshot Road Ascot SL5 9JL
Proposal:	New building to provide 4 x 2 No. bedroom and 1 x 3 No. bedroom apartments, detached triple garage, detached bin store, associated parking and landscaping following demolition of existing property.
Applicant:	Mr Mills - Kebbell
Agent:	Mr Christopher Pickering - Fluid Architecture Ltd
Parish/Ward:	Sunninghill And Ascot Parish

If you have a question about this report, please contact: Alistair De Joux on 01628 685729 or at alistair.dejoux@rbwm.gov.uk

1. SUMMARY

- 1.1 This application follows two applications for generally similar developments of five apartments, the first of which was made in 2012 and the second in 2014. Both of the applications were refused by the Council, and both decisions were appealed; the first appeal was dismissed but the second was allowed, resulting in an extant approved scheme for the site.
- 1.2 This application is for a building that is larger than that in the allowed appeal scheme, but smaller than that dismissed in the earlier appeal.
- 1.3 While there were concerns with this scheme as first submitted for the application, it has now been amended by reducing the depth of the building to provide a similar rear garden to that in the allowed appeal scheme. The amended drawings are currently being consulted on, this notification period expires on the 19th October and any further comments will be reported in a update report. While mindful of the submissions of local interest groups, after careful consideration it is concluded that the additional bulk in this scheme as viewed from the road frontage is not so great as to justify refusal, and the changes made to provide for a larger garden area for future occupiers along with obscure glazing in the side facing windows to prevent any overlooking of neighbours on either side are such that the application is considered to be acceptable.

It is recommended the Panel grants planning permission with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Director of Development and Regeneration 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 is situated at the south eastern edge of South Ascot. To the north, south and west of the site are residential properties. To the east are the wooded grounds of King's Beeches, which are sited within the Green Belt.
- 3.2 The site covers an area of 0.22ha and comprises the residential curtilage of a large detached chalet bungalow, known as "Four Seasons". There are a number of mature trees at the frontage of the site, including three protected oak trees, and clipped evergreen hedges along the full length of the north-eastern side boundary with 'Nagina' and along most of the side boundary with

'The Garden House', to the south-west. A relatively short portion at the rear of this side boundary is more open.

3.3 The oak trees along the frontage of the site are covered by TPO 35 of 2001. Trees in the neighbouring property 'Nagina' are also covered by a TPO, as are the trees at the rear of the site in the grounds of the former Kings Beeches.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
12/02010/FULL	Construction of two detached dwellings, both with detached double garages, following demolition of existing	Refused 13.09.2012 and subsequently dismissed at appeal (PINS reference APP/T0355/A/12/2186888)
12/02637/FULL	Construction of replacement dwelling	Approved, 19.11.2012
12/03471/FULL	Construction of a five dwelling apartment building with associated garaging parking amenities following demolition of existing dwelling	Refused 08.02.2013 and subsequently dismissed at appeal (PINS reference APP/T0355/A/13/2193590)
14/00522/FULL	Construction of a five unit apartment building, with associated garage, external parking and landscaping, following demolition of existing	Refused 26.06.2014 but subsequently allowed at appeal (PINS reference APP/T0355/A/14/2226719)

4.1 It is noted that all of the applications for construction of an apartment building on this site follow on from the permission for a large replacement house at the site, which was approved under delegated powers on 19th November 2012, this permission remains extant.

4.2 The proposal is to demolish the existing dwelling and construct a building with five apartments (4 x 2-bedroom and 1 x 3-bedroom), along with a three-car garage and eight additional exterior car parking spaces. These include six tandem parking spaces, which would be paired to ensure that each occupier would have at least two spaces (the three-bedroom apartment would have three spaces).

4.3 The application follows the five-apartment scheme listed above, which was allowed earlier this year.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

Royal Borough Local Plan

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

	Within settlement area	Protected Trees	Highways and car parking issues
Local Plan	DG1, H10, H11	N6	T5, P4
Ascot, Sunninghill and Sunningdale Neighbourhood Plan	NP/EN4, NP/H2, NP/H3, NP/DG1, NP/DG2, NP/DG3, NP/DG5, NP/T1, NP/T2	NP/EN2, NP/EN3	NP/T1, NP/T2

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

- Sustainable Design and Construction
- Planning for an Ageing Population

More information on these documents can be found at:
http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm
- RBWM Parking Strategy - view at:
http://www.rbwm.gov.uk/web_pp_supplementary_planning.htm

<ul style="list-style-type: none"> • National Planning Policy Framework 	<p>Core Planning Principles</p> <p>Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision taking. These twelve principles are that planning should:</p>
	<ul style="list-style-type: none"> • be genuinely plan-led, empowering local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
	<ul style="list-style-type: none"> • not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
	<ul style="list-style-type: none"> • proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
	<ul style="list-style-type: none"> • always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
	<ul style="list-style-type: none"> • take account of the different roles and character of different areas promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
	<ul style="list-style-type: none"> • support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourage the reuse of existing resources including conversion of existing buildings and encourage the use of renewable resources (for example, by the development of renewable energy);
	<ul style="list-style-type: none"> • contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land or development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
	<ul style="list-style-type: none"> • encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
	<ul style="list-style-type: none"> • promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage or food production);

•	conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations;
•	actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable; and
•	take account of and support local strategies to improve health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- (i) the context of the proposals as considered against the recent appeal decisions for the site;
- (ii) the effect that the proposed development would have on the character and appearance of the surrounding area;
- (iii) impacts on nearby protected trees;
- (iv) impacts on the privacy and amenity of neighbouring occupiers;
- (v) the amenities of future occupiers;
- (vi) whether the proposal would provide an appropriate mix of dwellings, having regard to their type and size; and
- (vii) the effect that the proposal would have on the Thames Basin Heaths Special Protection Area (SPA); and
- (viii) highways issues and car parking.

The context of the recent appeal decisions for the site

6.2 In dismissing the appeal for the first application for apartments, the Planning Inspector described the area as follows:

The character of Bagshot Road derives essentially from its wealth of mature trees and other vegetation into which are set detached, secluded houses occupying large plots. This gives the area concerned a strong sense of place, recognised by its inclusion in the 'Villas in a Woodland Setting' designation in the Council's adopted Townscape Assessment The 'key characteristics' of the designation describe it as "tranquil, quiet and essentially private in character..." In spite of some recent changes, it has mainly succeeded in retaining a semirural feel, in contrast to the busier, urban environments close by...there are no flats in the locality of the site.

6.3 The Inspector went on to note that there would be two garage blocks rather than one (as was approved in the previous permission in 2012 for a large replacement house), a larger parking and turning area and more traffic, all of which would result in more intensive use of the site. With regards to the proximity to the trees at the front of the site, the Inspector did not consider that trees at the front of the site would be likely to be adversely affected, but concluded that the proximity of the main living areas in the flats to the woodland to the rear would be unsatisfactory and would not secure a good stand of amenity for future occupants.

6.4 Following this, the 2014 application reduced the size of the building and reverted to a three-car garage as provided in the permission for a replacement dwelling. Following refusal of the application, the Inspector for the 2014 appeal or the 2014 appeal considered that:

The design and siting of the broadly symmetrical flats building and its 3-car garage would harmonise with the large dwellings and outbuildings nearby. Because there would only be one pair of front doors, which would lead to all 5 of the 2-bedroom flats, the building would

look much like a large detached villa. There would be ample space around the flats to maintain the spacious character which contributes positively to local distinctiveness. Moreover, the flats building and the garage would be similar in form, scale and siting to the proposed development for a replacement dwelling, ref 12/02637/FULL.

- 6.5 The application was refused partly on the effects of intensification of activities in the area that would result from there being five rather than one dwelling on the site. The reason for refusal referred to increased traffic movements, amongst other issues. However, in considering this issue, the Inspector noted the appellant's transport evidence that the five flats would be likely to generate about 10 additional vehicle movements in each day than the a single dwelling, equating to about 0.2% of the existing movements in Bagshot Road, and conclude that this increase would have a minimal effect on the 'tranquil, quiet and essentially private' character of the Villas in a Woodland Setting character area identified in the Council's *Townscape Assessment*. The decision also noted that while some nearby roads such as Regents Walk have a more peaceful character, this site is at the edge of the character area in the busier Bagshot Road and hence subject to a higher level of traffic activity. The appeal evidence also included a study of daylight availability in the rear garden available as outdoor amenity space to future occupiers, and concluded that the level of amenities for them would be acceptable.
- 6.6 While both decisions are material to the application now under consideration, it is noted that the evidence presented by the appellant for the second, allowed, appeal, was more detailed not only with respect to traffic movements, but also in regard to availability of daylight in the main amenity space available to the applicants. These points are considered further below, in the context of both appeal proposals. While it was noted by one objector that the appeal proposal was considered against the extant permission for a replacement house of similar size and therefore amounted only to a change of use application, it is not considered that this is the case, as the differences in the design between the approved replacement house and the appeal were such that this issue did have to be considered again by the Inspector.

Character and appearance

- 6.7 The application building would be larger than proposed in the allowed appeal, both in terms of width and, in the drawings that were submitted with the application, in its length. The amended drawings have reduced the length of the building to make it very similar to the 2014 appeal decision, although the additional width - about 1m on each side - remains. The height of the front gable would also be increased, making it more prominent in the streetscape. However, its design includes traditional elements not dissimilar to the arts and craft vernacular of many late Victorian and Edwardian houses in the Ascot area. Considered in terms of its setting, the building would be located with a minimum 7m separation from the proposed building to the site boundary with the Garden House, widening to approximately 11m at the rear in relation to that boundary and varying between about 5 and just under 7m to the boundary with Nagina. Due to the varying alignment of the side boundaries, particularly with the Garden House, the plots width varies between 39m measured close the street frontage in a line parallel to the front of the building, 36m on the line of the front of the apartment building itself, and 38m wide across the rear building line. The building itself would be 22m wide, and 17.5 m deep, and minimum set-back from the road frontage would be about 21m. The additional width is not considered to be so great as to make the proposals unacceptable, and this along with the reduction in length in the amended scheme now under consideration is such that the building would be provided with an acceptable setting. The extent of hard paving at the front of the property would be the same as in the 2014 appeal scheme, and with the addition of similar levels of planting as those provided for that application and appeal decision, it is considered that the building would have an acceptable impact on the character and appearance of the surrounding area. While comments about increased numbers of front facing dormers and chimneys from the Society for the Protection of Ascot and Environs is noted, it is not considered that this is sufficiently different to justify refusal on grounds of having a greater appearance of being a flatted development than is the case for the allowed appeal scheme.

Trees

- 6.8 Impacts on trees both at the front and rear of the property were considered at length in the 2014 appeal, where the Inspector considered that there would be no adverse impacts that cannot be satisfactorily be managed by conditions. It is not therefore considered that any objection can be maintained on these grounds, as the scheme is similar in this respect.

Impacts on the privacy and amenity of neighbouring occupiers

- 6.9 This application would introduced additional flank wall windows at first floor level and roof lights at second floor level on both flank walls. As noted in the site description above, both side boundaries have dense clipped hedges which would assist in screening neighbours from direct views. However, these should not be relied on as the sole means of affecting privacy, and while additional planting could be provided by way of landscaping condition the same would apply, as both hedges and any new trees planted to the sides of the property could fail in the future for various reasons. Most of flank wall windows proposed are shown on the approved drawings as obscure glazed, with the exception of a kitchen window on each side. However, any windows on these elevations would only be acceptable if they were permanently fixed and obscure glazed to a height for at least 1.7m above internal finished floor level where they serve habitable rooms, and as standard elsewhere, any bathroom windows would need to be fully obscure glazed. This would need to be secured by a condition.
- 6.10 Impacts on privacy of neighbours are also mitigated by distances between the proposed building and the houses on either side. These distances are approximately 11m to Nagina, and 20m to the Garden House (and slightly further measured from the first floor kitchen window, at 21m). It is noted that for Nagina, this would be a view to flank walls; for the Garden House, it would be to rear facing windows due to orientation of that property at right angles to Bagshot Road. The separation distance would be sufficient protect the most unacceptable impacts of overlooking, although the condition along with retention or replanting of adjacent vegetation noted above would be important to ensure that the property continues to enjoy a level of amenity commensurate with the character of its surroundings.
- 6.11 In line with the 2014 appeal decision, intensification of traffic movements and use of outdoor spaces is not considered to provide a robust reason for refusal, and no objection is therefore raised on this point.

The amenities of future occupiers within the development

- 6.12 The decision on the second appeal noted evidence from the appellant at the appeal to the effect that the rooms at the back of the flats, including the ground and first floor living rooms, would not be shaded by the existing trees in spring, summer or autumn, and concluded that future occupiers would enjoy reasonable levels of sunlight in their homes. As the size of the rear garden and approximate positions of rear windows has now been amended to be similar to those in the allowed appeal scheme, no objection on these grounds is therefore raised. Depths of the rear garden vary between 13.5m and 18.5m, which are considered to provide an acceptable rear amenity space of residents.

Dwelling mix

- 6.13 One of the reasons for refusal of the 2014 application was an inappropriate mix of dwellings. However, the Inspector concluded that the mix provided - four 2-bedroom and one 3-bedroom flat - was appropriate for the location, and as the mix remains the same in this application no objection is raised here on this point.

Thames Basin Heaths Special Protection

- 6.14 The site is located within 5 km of Chobham Common, where new dwellings can only be provided if mitigation for impacts against the rare bird species that nest there is provided. This could be secured by agreeing to enter into an agreement under the Local Government Act to provide financial contributions for this purpose (the SANG and SAMM contribution). A condition to this effect is included in the recommendation below.

Highways issues and car parking

- 6.15 The highways officer raised no traffic safety concerns with this or the previous proposal for apartments in this area. Car parking in accordance with both Local and Neighbourhood Plan policies was considered in the 2014 appeal decision, and it was considered by the Inspector that the proposals provided sufficient car parking for the likely demand in this location.

Other Material Considerations

- 6.16 The application provides some details of sustainability provisions, but this does not cover all of the relevant criteria in the Council's *Sustainable Design and Construction* SPD for residential developments. However this could be provided by a condition is recommended below to require details to be submitted and approved; it is suggested that this should cover all of the relevant Requirements for a development of this size, as set out within the SPD.
- 6.17 The Council's *Planning for an Ageing Population* SPD requires all new dwellings to be accessible and easily adaptable to meet changing needs. Details would also need to be provided as to how this would be achieved, and a condition is recommended below to cover this issue.
- 6.18 There is a record of historic contaminative land use nearby. A condition is requested that, in the event that unexpected soil contamination is found after development has begun, development must be halted and an assessment of the contamination and any necessary mitigation carried out.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

Five occupiers were notified directly of the application. The planning officer posted a statutory notice advertising the application at the site on 22 June 2015.

Two letters were received objecting to the application including one from the Society for the Protection of Ascot and Environs; these are summarised as:

Comment	Officer Response
External parking means that there will always be some cars parked outside	6.15
Adverse impacts on traffic in Bagshot Road and difficulty of manoeuvring cars within the property	6.15
Changes from the allowed appeal result in unacceptable increases in width, depth and footprint	6.2 - 6.7
Adverse impacts on the character of the area	6.7
Adverse impacts on the amenities of neighbouring occupiers - closer to the 'Garden House' than the allowed appeal scheme	6.9 - 6.11
Increase in scale, including additional front dormers and chimneys, would result in a more flat-like appearance	6.7
Lack of natural daylight to some rooms within the flats due to shading	6.12
The appeal only considered the impacts of a change of use, as there the scale of the building was assessed in terms of the approved replacement dwelling	6.6

Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council:	Objections. The committee considered there to be an increase in footprint beyond that allowed on Appeal and that the application was out of keeping with the street scene. The addition of the balconies was considered to be unneighbourly and the committee requested that a condition be imposed for screening. In addition, the parking arrangements were considered inadequate and concerns were expressed regarding potential harm to the root protection area of adjacent trees. The committee noted that the application was contrary to the Neighbourhood Plan NP/DG1.2 as it was not a single household dwelling and contrary to policies NP/DG2.1 and NP/DG2.2. The committee considered the application to be a new proposal to which Neighbourhood Plan policies should apply.	6.2 - 6.8; 6.15

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highway Officer:	Highways Officer: No objection, subject to conditions.	6.15
Environmental Protection	There is a record of historic contaminative land use nearby. A condition is requested that, in the event that unexpected soil contamination is found after development has begun, development must be halted.	Noted and included in recommended conditions below.
Neighbourhood Planning Group	Increase in scale would result in unacceptable impacts on the character of the area; the 2014 appeal decision represents the absolute limit in terms of size that is acceptable at this site and it is not comparable to that permission. Unacceptable reduction in garden size Unacceptable impacts on trees	6.7 6.7 6.8

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Planning layout drawings and elevations
- Appendix C - Elevations drawing of the proposal and the allowed appeal scheme
- Appendix D - Planning layout drawings of both the allowed and dismissed appeal proposals

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

In this case the issues it is considered that the issues can be overcome through the submission of satisfactorily amended drawings.

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) the parking of vehicles for site operatives and visitors,
 - (ii) loading and unloading of plant and materials, and
 - (iii) storage of plant and materials used in constructing the development.Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 3 No construction shall take place in association with the development until a biodiversity mitigation strategy has been submitted to and approved in writing by the Local Planning Authority, to include details of habitat improvements such as:
 - (i) Selection of plants within the landscaping that are of value as wildlife food sources;
 - (ii) bat and bird boxes and roosting spaces within the buildings; and
 - (iii) log piles and / or other features that have value for invertebrates and / or reptiles and details of habitat provision / improvements.The approved mitigation measures shall then be implemented in their entirety within the timescales approved within the strategy.
Reason: In order to comply with advice in the National Planning Policy Framework 2012 and Neighbourhood Plan NP/EN4.
- 4 No equipment, machinery or materials shall be brought onto the site and no demolition or development shall take place until details of the measures to protect, during demolition and construction, the trees shown to be retained on the approved plans have been submitted to and approved in writing by the local planning authority. The approved measures shall be fully implemented before any equipment, machinery or materials are 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 BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations. 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 approval in writing 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 and N6 and Neighbourhood Plan NP/EN2.
- 5 No construction shall take place in association with the development until details including samples if necessary 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 order to ensure that materials are selected prior to ordering of materials that will be complimentary to the visual amenities of the area and will ensure compliance with the following relevant policies: Local Plan DG1 and Neighbourhood Plan NP/DG1 and NP/DG3.
- 6 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable approved in writing by the Local Planning Authority . The development shall then be carried out in accordance with the approved details and shall be retained as approved thereafter.
Reason: In order to ensure that any fences are designed in a way that is sympathetic to the

character of the area and takes into account impacts on trees and hedges, and will ensure compliance with the following relevant policies: Local Plan DG1 and N6, and Neighbourhood Plan NP/EN2, NP/DG1 and NP/DG3.

- 7 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.
- 8 No development shall take place until details of the finished floor levels and finished ridge levels in relation to ground levels above Ordnance Survey Datum have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
Reason: To ensure a scale of development that maintains the character and appearance of the area. Relevant Policies - Local Plan DG1 and Neighbourhood Plan NP/DG1 and NP/DG3.
- 9 No construction shall take place until details of sustainability measures have been submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate how the development would be efficient in the use of energy, water and materials in accordance with the Royal Borough of Windsor and Maidenhead Sustainable Design & Construction Supplementary Planning Document. The development shall be carried out and subsequently retained and maintained in accordance with the approved details.
Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development and to comply with all of the relevant requirements in the Royal Borough of Windsor and Maidenhead Sustainable Design & Construction Supplementary Planning Document.
- 10 No part of the development shall be occupied until the vehicle parking spaces shown on the approved plans have been provided, surfaced and marked out in accordance with the approved details. The approved car parking and manouevring space shall be retained for parking in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety. Relevant Policies - Local Plan P4 and DG1 and Neighbourhood Plan NP/T1.
- 11 No dwelling shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have been submitted to and approved in writing by the local planning authority. The cycle parking facilities shall be retained as approved, and shall be kept available for the parking of cycles in association with the development at all times thereafter.
Reason: To ensure that the development is provided with this viable sustainable transport alternatives. Local Plan T7 and Neighbourhood Plan NP/T2.
- 12 No part of the development shall be occupied until a refuse and recycling bins store have been provided in accordance with details, including elevation and details of materials, 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 P4, T5 and DG1.
- 13 Irrespective of the provisions of the Town & Country Planning (General Permitted Development)

Order 1995 (or subsequent modifications thereof), the garage accommodation on the site shall be kept available for the parking of vehicles associated with the development at all times.

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

- 14 No development shall take place until details of measures to meet the needs of an ageing population have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be retained as approved thereafter.

Reason: To ensure that the development is suitable for future occupiers, and to comply with the Requirements of the Planning for an Ageing Population SPD.

- 15 The site is in close proximity to an historic contaminative land use i.e. Quarrying of sand & clay and Unknown Filled Ground, in the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.

- 16 No development shall take place until a scheme for the mitigation of the effects of the development on the Thames Basin Heaths Special Protection Area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the delivery of Suitable Alternative Natural Greenspace (SANG) and for provision towards Strategic Access Management and Monitoring (SAMM). In the event that the proposal is for the physical provision of SANG, the SANG shall be provided in accordance with the approved scheme before any dwelling is occupied. Reason: To ensure that the development, either on its own or in combination with other plans or projects, does not have a significant adverse effect on a European site within the Conservation of Habitats and Species Regulations 2010.

- 17 The first floor flank elevation windows shall be of a permanently fixed, non-opening design, with the exception of opening toplights that shall be set a minimum of 1.7m above the finished internal floor level (FFL), and shall be fitted with obscure glass to a minimum 1.7m above FFL in the case of rooms other than bathrooms / WCs, and fully obscure glazed in the case of bathrooms / WCs. The second floor rooflights shall also be obscure glazed and, unless set with its lower edge a minimum of 1.7m above the finished internal second floor level, shall be non-opening unless otherwise first approved in writing by the Local Planning Authority. The windows and rooflights 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, in accordance with design advice in the NPPF.

- 18 No further flank wall(s) windows shall be inserted at first floor level or above and no additional rooflight(s) shall be inserted at second floor level without the prior written approval of the Local Planning Authority.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers, in accordance with design advice in the NPPF.

- 19 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.