

NOTICE  
OF  
MEETING



# WINDSOR RURAL DEVELOPMENT CONTROL PANEL

will meet on

**WEDNESDAY, 16TH DECEMBER, 2015**

**At 7.00 pm**

in the

**OLD WINDSOR DAY CENTRE, STRAIGHT ROAD, OLD WINDSOR, SL4 2RW,**

TO: MEMBERS OF THE WINDSOR RURAL DEVELOPMENT CONTROL PANEL

COUNCILLORS CHRISTINE BATESON (CHAIRMAN), COLIN RAYNER (VICE-CHAIRMAN), GEORGE BATHURST, MALCOLM BEER, DAVID HILTON AND JOHN LENTON

SUBSTITUTE MEMBERS

COUNCILLORS SAYONARA LUXTON, JOHN STORY, LYNDA YONG, MICHAEL AIREY, DR LILLY EVANS AND LYNNE JONES

Karen Shepherd - Democratic Services Manager - Issued: Tuesday, 8 December 2015

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Wendy Binmore** 01628 796 251

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## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any Declarations of Interest.	3 - 4
3.	<u>MINUTES</u>  To confirm the Part I Minutes of the meeting of the previous meeting	5 - 6
4.	<u>PLANNING APPLICATIONS (DECISION)</u>  To consider the Director of Development & Regeneration / Development Control Manager's report on planning applications received.  Full details on all planning applications (including application forms, site plans, objections received, correspondence etc.) can be found by accessing the Planning Applications Public Access Module by selecting the following link. <a href="http://www.rbwm.gov.uk/web/dc_public_apps.htm">http://www.rbwm.gov.uk/web/dc_public_apps.htm</a> or from Democratic Services on 01628 796251 or <a href="mailto:democratic.services@rbwm.gov.uk">democratic.services@rbwm.gov.uk</a>	7 - 56
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u>  To consider the Essential Monitoring Reports.	57 - 58

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

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

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

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

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

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

“Comments Awaited”.

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

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

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

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

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

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

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

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

## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

#### **DISCLOSABLE PECUNIARY INTERESTS (DPIs)**

DPIs include:

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

#### **PREJUDICIAL INTERESTS**

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

#### **DECLARING INTERESTS**

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

# Agenda Item 3

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

WEDNESDAY, 18 NOVEMBER 2015

PRESENT: Councillors Christine Bateson (Chairman), Colin Rayner (Vice-Chairman), George Bathurst, David Hilton and John Lenton

Also in attendance:

Officers: Wendy Binmore

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Malcolm Beer.

### DECLARATIONS OF INTEREST

**Cllr Rayner** – Declared a personal interest in item 15/02272 as his daughter attended the school. Councillor Rayner made a brief statement and left the room. He did not take part in the discussion or the vote. He also declared a personal interest in item 15/03006 as he was a Member of Horton & Wraysbury Parish Council which rejected this application. Cllr Rayner confirmed he had not taken part in the decision and had come to Panel with an open mind.

**Cllr Hilton** – Declared an interest in item 15/02272 as he was a Member of Ascot and Cheapside Parish Council but, he had not taken part in the decision and he had come to Panel with an open mind.

### MINUTES

RESOLVED: That the Part I minutes of the meeting of the Windsor Rural Development Control Panel held on 21 October 2015 be approved.

### PLANNING APPLICATIONS (DECISION)

<u>Application</u>	<u>Applicant and Proposed Development</u>
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15/02272*	St Mary's School: Upper Sixth Form Accommodation, Pastoral Centre, Staff Accommodation and Laundry at St Mary's School, St Mary's Road, Ascot SL5 9JF – <b>THE PANEL VOTED UNANIMOUSLY to APPROVE planning permission in accordance with the Director of Development and Regeneration's recommendations and subject to referral to the Secretary of State.</b>
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(The Panel was addressed by Peter Standley (SPAЕ) in objection and Mary Breen (Head teacher) in support of the application).

15/03006	Mr Puruthuveetil: Two story side extension at Redwood House, Dawn Redwood Close, Horton, slough SL3 9QD – <b>THE PANEL VOTED That: the application be APPROVED in accordance with the Director of Development and Regeneration's recommendations and with the conditions as listed in Section 9 of the main report.</b>
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**(Three Councillors voted in favour of the motion (Cllrs Bateson, Bathurst and Hilton) and two Councillors voted against the motion (Cllrs Lenton and Rayner).**

ESSENTIAL MONITORING REPORTS (MONITORING)

Details of all Planning Appeals Received were noted.

The meeting, which began at 7.00 pm, finished at 8.00 pm

CHAIRMAN.....

DATE.....

# Agenda Item 4

## ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

### Windsor Rural Panel

16th December 2015

#### INDEX

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

<b>Item No.</b>	1	<b>Application No.</b>	15/02450/VAR	<b>Recommendation</b>	PERM	<b>Page No.</b>	9
<b>Location:</b>	Former Englemere House Englemere Estate Kings Ride Ascot						
<b>Proposal:</b>	Redevelopment to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas as approved under planning permission 13/03515 without complying with condition 18 (demolition of outbuildings) to include the retention of The White House and The Wee Flat						
<b>Applicant:</b>	Mr Barter - Millgate	<b>Member Call-in:</b>	N/A	<b>Expiry Date:</b>	23 December 2015		
<hr/>							
<b>Item No.</b>	2	<b>Application No.</b>	15/02473/FULL	<b>Recommendation</b>	DLA	<b>Page No.</b>	21
<b>Location:</b>	The White House And Wee Flat Englemere Estate Kings Ride Ascot						
<b>Proposal:</b>	Conversion of The White House and The Wee Flat from offices into residential dwellings						
<b>Applicant:</b>	Mr Barter - Millgate	<b>Member Call-in:</b>	N/A	<b>Expiry Date:</b>	15 September 2015		
<hr/>							
<b>Item No.</b>	3	<b>Application No.</b>	15/02624/VAR	<b>Recommendation</b>	PERM	<b>Page No.</b>	45
<b>Location:</b>	8 - 11 Newton Lane Old Windsor Windsor						
<b>Proposal:</b>	Construction of 15 semi-detached and detached houses with associated access, garages, parking, access road and landscaping following demolition of existing properties as per planning permission 13/00042 and 15/00904/VAR without complying with condition 9 (vehicle parking), 11 (access) and 14 (hard/soft landscaping) and 17 (approved plans) to substitute approved plans and amendments to wording of condition 14.						
<b>Applicant:</b>	Mr Howells- Shanly Homes Limited	<b>Member Call-in:</b>	N/A	<b>Expiry Date:</b>	3 November 2015		

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

**WINDSOR RURAL DEVELOPMENT CONTROL PANEL**

16 December 2015

Item: 1

<b>Application No.:</b>	15/02450/VAR
<b>Location:</b>	Former Englemere House Englemere Estate Kings Ride Ascot
<b>Proposal:</b>	Redevelopment to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas as approved under planning permission 13/03515 without complying with condition 18 (demolition of outbuildings) to include the retention of The White House and The Wee Flat
<b>Applicant:</b>	Mr Barter - Millgate
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Sunninghill And Ascot Parish
<b>If you have a question about this report, please contact:</b> Alistair De Joux on 01628 685729 or at <a href="mailto:alistair.dejoux@rbwm.gov.uk">alistair.dejoux@rbwm.gov.uk</a>	

**1. SUMMARY**

- 1.1 This report considers one of two applications arising from the same project for the redevelopment of a large Green Belt site, which as permitted will provide for a replacement building to accommodate 17 apartments. Planning permission for the new building along with the demolition of most the existing buildings was granted in June 2014 (RBWM ref. 13/03515/FULL). Condition 18 of that permission essentially requires that the buildings shown to be removed on the approved drawings shall be demolished in their entirety and all materials resulting from such demolition works shall be removed from the site
- 1.2 This application proposes to relax this requirement by allowing the development to be completed without complying with this condition and instead to allow for the two buildings that are the subject of the application to be retained. The second application for the site that is being reported to this meeting, planning ref. 15/02473/FULL, proposes the conversion of these buildings into residential use.
- 1.3 It is considered that the retention of these two buildings would not alter the balance of built development at the site from appropriate development in the Green Belt, as assessed under planning ref. 13/03515/FULL, to make it inappropriate. Accordingly, the proposal is supported by officers.

<b>It is recommended the Panel authorises the Borough Planning Manager:</b>	
1.	<b>To grant planning permission subject to satisfactory completion of a Deed of Variation as noted at para. 6.12 of this report, and with the conditions listed in Section 9 of this report.</b>
2	<b>To refuse planning permission if a Deed of Variation has not been satisfactorily completed by 1<sup>st</sup> February 2016, for the reason that the proposal would not have secured the amenity improvements and off-site affordable housing contribution made provided in the extant permission for 17 apartment at the site.</b>

**2. REASON FOR PANEL DETERMINATION**

- The Council's Constitution does not give the Borough Planning Manager 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 property consists of a partially completed apartment building as approved under planning permission 13/03515/FULL, in landscaped grounds of about 12 acres that are located to the south-west of Heatherwood Hospital and a little over one kilometre from the centre of Ascot village. The site also includes three existing ancillary buildings in the north-eastern part of the site; these include 'The White House' and 'The Wee Flat' which are subject to this application, along with a squash court which is currently being refurbished to accommodate an archive and library associated with the former ownership of the property by Lord Roberts (1832 – 1914; owned Englemere House from 1903 until his death).
- 3.2 The site takes its access from King' Ride's (the A332), which forms the sites northern boundary. The Waterloo to Reading railway line also runs adjacent to a site boundary, to the south, while the western boundary is shared with detached dwellings in large gardens located on the adjacent cul-de-sac known as Englemere Park.
- 3.3 A neighbouring cluster of similar small two-storey office buildings, directly adjacent to the buildings subject to this application but outside the application site, appear to have once formed part of the Englemere House complex. One of these effectively makes the space between 'The White House' and 'The Wee Flat' into a courtyard by closing a third side of an existing cobbled space between them; this neighbouring building bears an old label 'The Groom's Flat' on the wall facing into this courtyard space, while some of the other buildings suggest by their form that they could have been stables in the past. These adjacent building are now in office use.

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

- 4.1 This application would provide for two buildings that are in sound condition to be retained at the site. This could allow them to continue in their current class B1 office use or, if the second application that is being reported to the meeting is approved alongside this one, (planning ref. 15/02473/FULL), the two buildings could then be converted into residential use.
- 4.2 Relevant planning history is as follows:

Ref.	Description	Decision and Date
13/02640/CLASSJ	Change of use of building and outbuildings for offices to 17 flats	Permitted, 07 November 2013
13/03515/FULL	Redevelopment to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas.	Permitted, 20 June 2014
14/01952/CONDIT	Details required by conditions 7, 8, 9, 12, 14, 15, 17 and 19 of planning permission 13/03515/FULL.	Part approved part refused, 18 August 2014. The approved matters were those required for conditions 7 (i) (soft landscaping, 8 (external materials ), 9 (finished slab levels and roof heights), 12 (planning for an ageing population) and 14 (refuse and

		recycling store)
14/01984/CONDIT	Details required by conditions 2, 3, 4, 5 and 6 of planning permission 13/03515/FULL.	Part approved part refused, 20 August 2014. The approved matters were those required for condition 5 (construction management plan).
14/02768/CONDIT	Details required by condition 2 (historic records), 3 (construction contract), 4 (biodiversity), 5 (construction management plan) and 6 (tree protection) of planning permission 13/03515/FULL.	Approved, 12 September 2014
14/02798/CONDIT	Details required by condition 7 (landscaping scheme), 10 (code for sustainable home), 15 (landscape management plan), 17 (gates) and 19 (outdoor lighting) of planning permission 13/03515/FULL for the redevelopment of the site to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas	Approved, 31 October 2014
15/02068/FULL	Erection of ancillary storage building, following demolition of five existing storage buildings	Permitted, 28.08.2015
15/02473/FULL	Conversion of The White House and The Wee Flat from offices into residential dwellings	Currently under consideration
15/02555/FULL	Erection of ancillary building to house plant associated with swimming pool	Currently under consideration

4.3 When the 2013 application was made, it envisaged demolition not only of Englemere House but also of all of its ancillary buildings, as part of the Green Belt case for the proposal. As noted above, the three main ancillary buildings were (and are) the two buildings in Class B1 office use that are now the subject of this application together with the squash court building, which dates from the 1930s. However, the property's historical associations were identified during the course of the application as an important aspect of the redevelopment, and it was decided that demolition of the main building at the site would only be acceptable if a repository for archives and artefacts of historic interest and significance from Englemere House could be retained at the site. The squash court building was chosen as a suitable building for this use, as it has some historic interest as an early example of its type, and such use was provided for within the planning decision by condition 2 in the permission, which provided for "...*recording and interpreting the historic interest and significance of the building, including on-site preservation in the former squash court building or in another location on-site as agreed, archive records and any artefacts of note (to be agreed as part of this condition) from the demolished buildings. The details shall include details of reasonable public access arrangements to this building for a minimum of four days per year, and for access at other times by appointment with the Management Company for persons carrying bona fide historic research.*"

4.4 Condition 18, the subject of this application, also provides for retention of the squash court building, stating that:

*Unless otherwise first agreed in writing, within one month of the substantial completion of the development the buildings shown to be removed on the approved drawings shall,*

*with the exception of the squash court building (or any other building agreed for the purposes of condition 2 in this Decision), be demolished in their entirety and all materials resulting from such demolition works shall be removed from the site.*

4.5 Construction of the main building is well advanced, although it is likely to be another six months before works are completed. While retention of the squash court building has now been approved through conditions submitted in respect to condition 2 (as per the submission noted in the table above), this proposal would allow the two buildings known as ‘The White House’ and ‘The Wee Flat’ to be retained.

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

5.1 National Planning Policy Framework: Sections 6, 7, 9, 11 and 12.

### Royal Borough Local Plan

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

	Design and layout	Green Belt	Housing mix and design	Protected trees	Highways and parking
	✓	✓	✓	✓	✓
Local Plan	DG1	GB1, GB2	H8, H10, H11	N6	P4, T5
Neighbourhood Plan	NP/DG2, NP/DG3		NP/H2	NP/EN2	NP/T1

5.3 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](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link at paragraph 5.2
- RBWM Parking Strategy – view using link at paragraph 5.2

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- Whether the proposal would be appropriate development in the Green Belt, and if not whether there are any very special circumstances that would clearly outweigh the harm caused to the Green Belt by reason of its inappropriateness and any other harm caused by the proposed development.
- Impacts on the amenities of neighbouring occupiers.
- Car parking and highway safety

### Green Belt

6.2 The National Planning Policy Framework (at paragraph 89) advises that the construction of new buildings within the Green Belt are inappropriate with only a few exceptions. These exceptions include limited infilling or the partial or complete redevelopment of previously developed sites,

provided that it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it, than the existing development. In assessing this application, officers have considered:

- whether the retention of the two buildings would result in the overall redevelopment of the site becoming inappropriate development in the Green Belt,
- whether it would result in a significant detrimental loss of Green Belt openness, and
- whether it would conflict with the purposes of including land within the Green Belt.

- 6.3 During the course of assessing application reference 13/03515/FULL to redevelop Englemere House, impacts on Green Belt openness were assessed with reference to both the floorspace and volumes of the building proposed against those intended for demolition. It was considered in the report for this application that, even though the application proposed their demolition, the impact of retaining these buildings would not be so great as to render the development inappropriate in Green Belt terms. Since then, two additional permissions were granted in 2015, each for one additional small building, and if either or both of them area implemented this would add to the floor area and volume in the main planning permission for the site. The two applications, as noted in Section 4 above, are RBWM reference 15/02068/FULL (a storage building) and 15/02555/FULL (a plant building for the swimming pool). Taken together with the approved apartment building, these would result in an 18% increase in floor area and a volumetric increase of 11%. With the retention of the buildings proposed in this application, the corresponding figures would be 29% in floor area and 22% in volume. (In arriving at these calculations, it is noted that the increases in both footprint and volume at the time of the 2013 / 14 application were inadvertently overstated in the report, with the result that the impacts of retaining the buildings are even less than they were thought to be at that time, notwithstanding that the case was made by the reporting officer at that time for the retention of the buildings being considered here.)
- 6.4 Having regard to Local Plan policies and guidance in the NPPF on what constitutes appropriate development in the Green Belt, it is not considered that the retention of the two buildings, along with the addition of the two recently approved buildings as noted above, would alter the balance of built development at the site from what was considered to be appropriate Green Belt development at the time of the June 2014 permission, such that the overall redevelopment of the site would now be inappropriate in Green Belt terms. As such, it is considered that the first test noted at 6.2 above is satisfied in this application.
- 6.5 While the Parish Council has objected on grounds of no very special circumstances (VSC) having been demonstrated that would allow the buildings to be retained the above discussion demonstrates that no such case is required, because the retention of the buildings would not constitute inappropriate development in Green Belt terms.
- 6.6 Turning to whether the proposal would result in a significant detrimental loss of Green Belt openness, as noted already the two buildings are located directly adjacent to a cluster of office buildings which are just across the site boundary. The layout of this cluster of buildings is such that the White House and the Wee Flat have the appearance of having once been an integral part of the cluster. Due to the wooded nature of this part of the Englemere site, the buildings are not open to view from anywhere other than these neighbouring buildings and even then, the locations of adjacent windows ensures that they are not prominent in such views. There would be some limited views from upper floor windows in the new Englemere house, when it is occupied, but these would be screened by surrounding trees and such views as would be seen would be as part of the cluster of adjacent office buildings. It is not therefore considered that the demolition of this pair of buildings would add to Green Belt openness in any way that has significance beyond the immediate vicinity of this cluster, and conversely, it is therefore considered that the proposal would not result in any significant loss of openness.

- 6.7 As to whether there would be any conflict with the purposes of including land within the Green Belt, NPPF 80 notes five purposes for making this designation, three of which are relevant here as they relate to the Green Belt with this part of the Borough:
- to check the unrestricted sprawl of large built-up areas;
  - to prevent neighbouring towns merging into one another; and
  - to assist in safeguarding the countryside from encroachment.
- 6.8 The retention of the two buildings would not conflict with any of these purposes.

### **Impacts on the amenities of neighbouring occupiers**

- 6.9 The neighbouring occupiers are limited to the adjacent existing offices and future occupiers of the new apartments with the new Englemere House. As noted above, views of the buildings will be limited, and the retention of the existing building would result in no impact on the amenities of these properties.

### **Car parking and highway safety**

- 6.10 The car parking and turning areas are acceptable, with two spaces provided for each apartment and an additional 10 visitor spaces provided. Conditions 11,12 and 13 refer.

### **Other material considerations**

- 6.11 Protection of trees is an important aspect of the character of the site, and condition 12 as recommended below would ensure that no such adverse impacts would arise from any future wish for additional car parking to be provided in association with the retained buildings, (this is a reworking of condition 16 from the original permission, 13/03515/FULL).
- 6.12 The application would require a Deed of Variation to the existing Section 106 obligation to be completed, to make it applicable to this application. In addition, the accompanying application for a change of use of the buildings to residential use, planning application reference 15/02473/FULL, would also require a Section 106 obligation to be completed, to fund off-site affordable housing units. This is set out in further detail in the report for that application.
- 6.13 There are no changes to other matters considered in the assessment of planning application reference 13/03515/FULL. The conditions recommended below reiterate the matters in the decision for the extant permission, taking into account the details that have since been addressed in the approval of details required by some of the conditions. Some of the conditions having been satisfied, for example condition 3 which relates to ensuring that contracts were in place before demolition of the old Englemere House took place, so do not reappear in this recommendation.

## **7. CONSULTATIONS CARRIED OUT**

### **Comments from interested parties**

Eight occupiers were notified directly of the application, and the planning officer posted a statutory notice advertising the application at the site on 1<sup>st</sup> September 2015.

No letters had been received either supporting or objecting to the application.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Objections as no special circumstances for the removal of the condition had been given and the condition was part of the original planning approval.	6.5
Natural England	No comments.	Noted.
Environment Agency	The application has a low environmental risk and the Agency therefore has no comments.	Noted.
Lead Local Flood Authority	In view of the nature of this proposal (the variation of Condition 18 to allow retention of The White House and The Wee House) the Lead Local Flood Authority has no comment to make on this application.	Noted.

### Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highway Officer	The retention of 'The White House' and 'The Wee Flat' will have no highway implications subject to adequate parking and turning facilities being retained.	6.8
Tree Officer	No objections to the retention of The White House and the Wee Flat. However, the future conversion to residential may have an implication for trees, for example, if there is insufficient parking space and new bays are sought on the site.	6.11 Condition 12

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Existing layout plan showing the relationship of the buildings to the adjacent existing buildings and the approved development at the site.

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 have been successfully resolved.

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

- 1 The tree protection for the redevelopment shall be maintained as approved under 14/02768/CONDIT 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 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 and N6.

- 2 Prior to the first occupation of the development, details of soft and hard landscaping to be provided in the area around the buildings to be retained shall have been submitted to and approved in writing by the Local Planning Authority. The landscaping of the rest of the site shall be carried out in accordance with the details approved under planning submissions 14/01952/CONDIT (soft landscaping) and 14/02798/CONDIT (hard landscaping), and the approved details shall be implemented in full no later than the first planting season following the substantial completion of the development and retained in accordance with those details. Details to be provided for the area around the buildings to be retained shall include the routing of all underground services outside the root protection areas of retained trees, any additional boundary treatment, the numbers and grades of each plant species / variety selected, means of planting and aftercare. 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 and N6.

- 3 The details for recording and interpreting the historic interest and significance of the former Englemere House within the former squash court building, including archive records and artefacts from the demolished buildings shall be provided in accordance with the details provided for under planning reference 14/02768/CONDIT prior to the first occupation of apartments at the development and then retained as such, unless other arrangements are first submitted to and approved in writing by the Local Planning Authority. Provision of public access to the squash court building for a minimum of four days per year and at other times by appointment with the Management Company for persons carrying bona fide historic research, as also provided for under planning reference 14/02768/CONDIT, shall also be retained on a permanent basis unless other arrangements are approved in writing by the Local Planning Authority.

Reason: In the interests of retaining a record and if appropriate artefacts associated with the non-designated heritage asset. Relevant Policy - NPPF paragraph 135.

- 4 The habitat provision and improvements within the development site shall continue to be implemented and shall then be retained as provided for in the details previously approved by the Local Planning Authority under planning reference 14/02768/CONDIT.

Reason: In order to comply with advice in the National Planning Policy Framework 2012.

- 5 Unless any other relevant details are first approved in writing by the Local Planning Authority, all demolition and construction traffic including cranes and all materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated within the site as previously approved by the Local Planning Authority under planning reference 14/01984/CONDIT, and the approved details shall be continue to implemented and maintained for the duration of the works being undertaken for the purposes of the approved redevelopment.

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

- 6 The development shall be completed in accordance with the details of external materials as previously approved under approved under planning permission 14/01952/CONDIT, and maintained in accordance with the approved details.

Reason: In the interests of the visual amenities of the area. Relevant Policy Local Plan DG1; Neighbourhood Plan NP/DG2 and NP/DG3.



- 7 Finished floor levels and roof levels shall be constructed and maintained as previously approved under planning permission 14/01952/CONDIT, and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy Local Plan DG1; Neighbourhood Plan NP/DG2 and NP/DG3.
- 8 The development shall be completed prior to the first occupation of the development in accordance with the details of provision for the ageing population, as required by the Council's Planning for an Ageing Population SPD and as previously approved under approved under planning permission 14/01952/CONDIT, and maintained in accordance with the approved details.  
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.
- 9 The development shall be completed in accordance with the refuse bin storage area and recycling details that were previously approved under approved under planning permission 14/01952/CONDIT prior to the first occupation of the development, and maintained in accordance with the approved details.  
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 and DG1.
- 10 No outdoor lighting may be provided at the site other than in accordance with the details previously approved by the Local Planning Authority under planning reference 14/02798/CONDIT, unless alternative details have first been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented and maintained in accordance with the approved details.  
Reason: To provide a development that is complementary to the Green Belt location. Relevant Policies - Local Plan DG1, GB1 and GB2.
- 11 No part of the development shall be occupied until the gate and access management have been provided in accordance with the details previously approved by the Local Planning Authority under planning reference 14/02798/CONDIT.  
Reason: To ensure that the free flow of traffic is safely managed. Relevant Policies - Local Plan P4 and T5.
- 12 The hard surface vehicle access and manoeuvring areas 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. No additional hard standing shall be installed without the written permission of the Local Planning Authority first having been maintained.  
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, and to protect important trees that contribute to the visual amenities of the site. Relevant Policies - Local Plan N6 and Neighbourhood Plan NP/EN2 and NP/DG5.
- 13 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.
- 14 Following completion of the development, the management of the landscaped setting of the

buildings shall be implemented and maintained in accordance with the details approved by the Local Planning Authority under planning reference 14/02798/CONDIT.

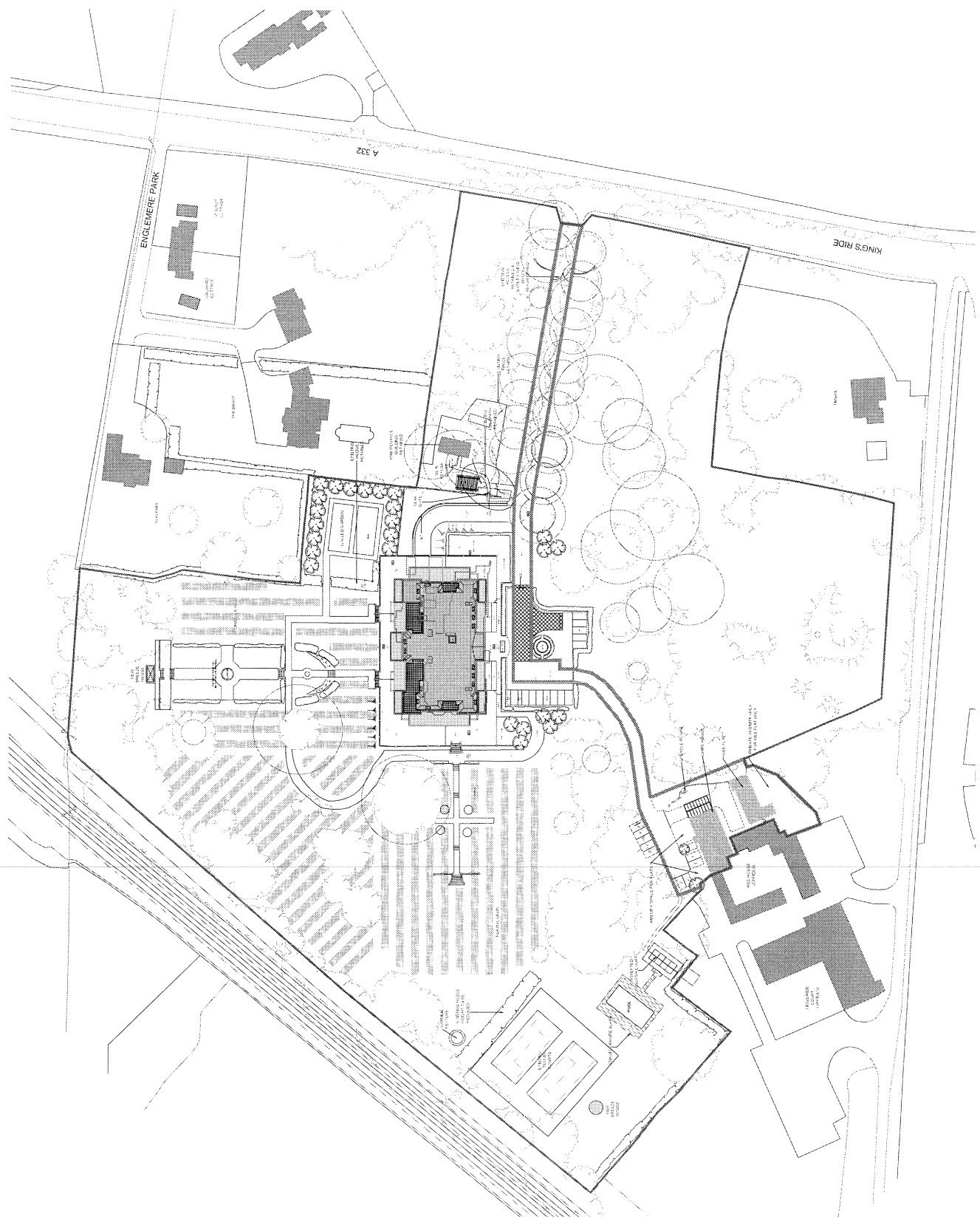
Reason: To ensure the long term management of the landscaped setting of the development and to ensure it contributes positively to the visual amenities of the area. Relevant Policies - Local Plan DG1 and Neighbourhood Plan NP/DG2 and NP/DG3.

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

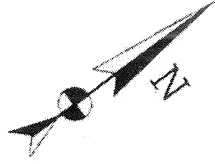
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

# APPENDIX A

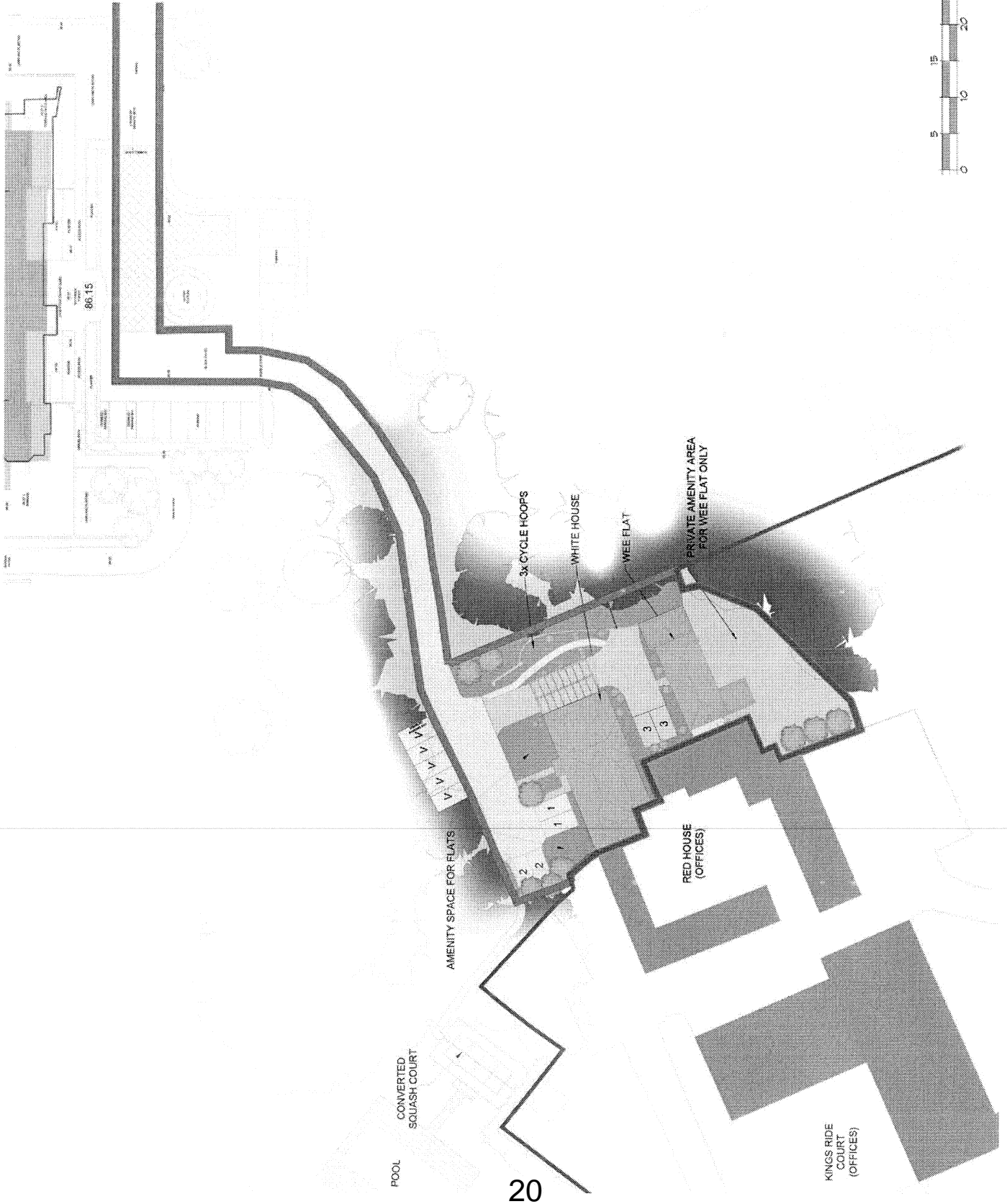
Project: ENGLEMERE  
 AS/LOT  
 Drawing Title: SITE LOCATION PLAN  
 PREPARED BY: [Name]  
 DATE: 2024  
 Project No.: [Number]  
 Drawing No.: [Number]



# APPENDIX B.



Project: ENGLAND  
Client: ASPECT  
Site Name: MILLGATE  
Site Plan: REFURBISHMENT PROPOSAL  
Date: 2018-03-15  
Project No: 19711  
Drawing No: 200-00-100



## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

16 December 2015

Item: 2

<b>Application No.:</b>	15/02473/FULL
<b>Location:</b>	The White House And Wee Flat Englemere Estate Kings Ride Ascot
<b>Proposal:</b>	Conversion of The White House and The Wee Flat from offices into residential dwellings
<b>Applicant:</b>	Mr Barter - Millgate
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Sunninghill And Ascot Parish
<b>If you have a question about this report, please contact:</b> Alistair De Joux on 01628 685729 or at <a href="mailto:alistair.dejoux@rbwm.gov.uk">alistair.dejoux@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 This report considers one of two applications arising from the same project for the redevelopment of a large Green Belt site, which as permitted will provide for a replacement building to accommodate 17 apartments (planning permission ref. 13/03515/FULL). The application proposes the conversion of two buildings know as 'The White House' and 'The Wee Flat' into residential use, to provide three residential units in all.
- 1.2 Subject to conditions, it is considered that the conversion of these two buildings would not alter the balance of built development at the site, as assessed under planning ref. 13/03515/FULL, to make it inappropriate. The conversion would provide three additional residential units through the acceptable reuse of buildings that would otherwise be demolished, and the proposal is supported in principle.
- 1.3 While the site area is limited to the buildings together with their curtilage, car parking and shared access, they form part of the larger Englemere House property and have therefore been assessed as subject to the affordable housing requirements of Local Plan policy H3. A financial contribution towards off-site provision would therefore be required.
- 1.4 The site is located within 5 km of the Thames Basin SPA, and it would be necessary to provide for mitigation of impacts of additional residents. A condition can be included in any permission to secure this provision.

<b>It is recommended the Panel authorises the Borough Planning Manager:</b>	
1.	<b>To grant planning permission subject to addressing detailed design matters and the provision of a satisfactory bat survey, and on the satisfactory completion of an undertaking to secure an appropriate level of off-site affordable housing contributions and with the conditions listed in Section 9 of this report.</b>
2	<b>To refuse planning permission if detailed design matters have not been satisfactorily resolved, and / or a satisfactory bat survey has not been provided, and / or an undertaking to secure off-site affordable housing contributions in Section 7 of this report has not been satisfactorily completed by 1<sup>st</sup> February 2016.</b>

### 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager 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 buildings proposed for conversion are located within the landscaped grounds of Englemere House, which is a partially completed apartment building as approved under planning permission 13/03515/FULL. The 'The White House' and 'The Wee Flat' are located in the north-eastern part of the site, directly adjacent to a neighbouring cluster of two-storey office buildings that are located just outside the application site.

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

4.1 This application would provide for the conversion of two buildings at the site, 'The White House' and 'The Wee Flat' to provide three residential units. 'The White House' would be converted into two flats, while 'The Wee Flat' would be converted to a detached three bedroom house.

4.2 Two car parking spaces would be provided for each of the proposed dwellings. There are also five spaces available adjacent to the buildings, which would be shared spaces that are also available for anyone wishing to access the Englemere archive in the squash court building.

4.3 Relevant planning history is as follows:

Ref.	Description	Decision and Date
13/02640/CLASSJ	Change of use of building and outbuildings for offices to 17 flats	Permitted, 07 November 2013
13/03515/FULL	Redevelopment to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas.	Permitted, 20 June 2014
14/01952/CONDIT	Details required by conditions 7, 8, 9, 12, 14, 15, 17 and 19 of planning permission 13/03515/FULL.	Part approved part refused, 18 August 2014. The approved matters were those required for conditions 7 (i) (soft landscaping, 8 (external materials), 9 (finished slab levels and roof heights), 12 (planning for an ageing population) and 14 (refuse and recycling store)
14/01984/CONDIT	Details required by conditions 2, 3, 4, 5 and 6 of planning permission 13/03515/FULL.	Part approved part refused, 20 August 2014. The approved matters were those required for condition 5 (construction management plan).
14/02768/CONDIT	Details required by condition 2 (historic records), 3 (construction contract), 4 (biodiversity), 5 (construction management plan) and 6 (tree protection) of planning permission 13/03515/FULL.	Approved, 12 September 2014

14/02798/CONDIT	Details required by condition 7 (landscaping scheme), 10 (code for sustainable home), 15 (landscape management plan), 17 (gates) and 19 (outdoor lighting) of planning permission 13/03515/FULL for the redevelopment of the site to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal of hardstanding areas	Approved, 31 October 2014
15/02068/FULL	Erection of ancillary storage building, following demolition of five existing storage buildings	Permitted, 28.08.2015
15/02450/VAR	Redevelopment to provide 17 apartments with basement car park and associated works following demolition of existing buildings and removal	Currently under consideration
15/02555/FULL	Erection of ancillary building to house plant associated with swimming pool	Currently under consideration

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

5.1 National Planning Policy Framework: Sections 6, 7, 9, 11 and 12.

### Royal Borough Local Plan

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

	Design and layout	Green Belt	Housing affordability, mix and design	Protected trees	Highways and parking
	✓	✓	✓	✓	✓
Local Plan	DG1	GB1, GB2, GB3, GB8	H3, H8, H10, H11	N6	P4, T5
Neighbourhood Plan	NP/DG2, NP/DG3		NP/H2	NP/EN2	NP/T1

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

- Thames Basins Heaths SPA
- 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](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

### Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Landscape Character Assessment – view using link at paragraph 5.2
- RBWM Parking Strategy – view using link at paragraph 5.2

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- (i) Whether the proposal would be appropriate development in the Green Belt, and if not whether there are any very special circumstances that would clearly outweigh the harm caused to the Green Belt by reason of its inappropriateness and any other harm caused by the proposed development.
- (ii) The design and appearance of the buildings
- (iii) Contribution towards housing stock and towards affordable housing
- (iv) Impacts on the amenities of neighbouring occupiers
- (v) Impacts on the Thames Basins Heaths SPA
- (vi) On-site wildlife impacts
- (vii) Impacts on trees
- (viii) Car parking and highway safety

### **Green Belt**

6.2 The National Planning Policy Framework advises at paragraph 89 that the construction of new buildings within the Green Belt is inappropriate with only a few exceptions. These exceptions include:

- limited infilling or the partial or complete redevelopment of previously developed sites, provided that it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it, than the existing development, and
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

6.3 The accompanying application, reference 15/02450/VAR, sets out a case that the Green Belt impacts of retaining the two buildings are acceptable. The discussion below at para.s 6.4 - 6.6 repeats para.s 6.2 – 6.4 in that report:

6.4 The National Planning Policy Framework (at paragraph 89) advises that the construction of new buildings within the Green Belt are inappropriate with only a few exceptions. These exceptions include limited infilling or the partial or complete redevelopment of previously developed sites, provided that it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it, than the existing development. In assessing this application, officers have considered:

- whether the retention of the two buildings would result in the overall redevelopment of the site becoming inappropriate development in the Green Belt,
- whether it would result in a significant detrimental loss of Green Belt openness, and
- whether it would conflict with the purposes of including land within the Green Belt.

6.5 During the course of assessing application reference 13/03515/FULL to redevelop Englemere House, impacts on Green Belt openness were assessed with reference to both the floorspace and volumes of the building proposed against those intended for demolition. It was considered in the report for this application that, even though the application proposed their demolition, the impact of retaining these buildings would not be so great as to render the development inappropriate in Green Belt terms. Since then, two additional permissions were granted in 2015, each for one additional small building, and if either or both of them area implemented this would add to the floor area and volume in the main planning permission for the site. The two applications, as noted in Section 4 above, are RBWM reference 15/02068/FULL (a storage building) and 15/02555/FULL (a plant building for the swimming pool). Taken together with the approved apartment building, these would result in an 18% increase in floor area and a volumetric increase of 11%. With the retention of the buildings proposed in this application, the corresponding figures would be 29% in floor area and 22% in volume. (In arriving at these calculations, it is noted that the increases in both footprint and volume at the time of the 2013 /



14 application were inadvertently overstated in the report, with the result that the impacts of retaining the buildings are even less than they were thought to be at that time, notwithstanding that the case was made by the reporting officer at that time for the retention of the buildings being considered here.)

- 6.6 Having regard to Local Plan policies and guidance in the NPPF on what constitutes appropriate development in the Green Belt, it is not considered that the retention of the two buildings, along with the addition of the two recently approved buildings as noted above, would alter the balance of built development at the site from what was considered to be appropriate Green Belt development at the time of the June 2014 permission, such that the overall redevelopment of the site would now be inappropriate in Green Belt terms. As such, it is considered that the first test noted at 6.2 above is satisfied in this application.
- 6.7 This application also would result in small additions to both buildings. In considering these additional elements. The changes proposed are, at the Wee Flat:
- A single storey extension would be provided at the rear of the building, and includes a first floor terrace. This is largely over the site of a recently-demolished lean-to extension.
  - The garage to be converted to habitable accommodation (a dining room); it is also proposed that its flat roof would be converted to use as a terrace.
  - The additional built volume would result in an 11% increase for this building. (This does not take into account the volume of the small lean-to extension, which has already been demolished.)

and at the White House:

- Rear facing windows within what appears to be a roof extension to the original building would be blocked up to prevent any intervisibility between the room that they serve and the dwelling to be provided in the neighbouring 'Wee Flat'.
  - Within the same apparent roof extension, a front-facing dormer would be added. The additional volume would be negligible.
- 6.8 Taking the two buildings together, the overall increase in volume is under 5%. This is considered to be acceptable, and the changes are therefore considered to be appropriate in the Green Belt and in accordance with advice in the NPPF and Local Plan Policies GB3 and GB8.
- 6.9 The Parish Council has objected on grounds of no very special circumstances having been demonstrated. However, this is not required because the proposals do not constitute inappropriate development in Green Belt terms.

### **The design and appearance of the buildings**

- 6.10 The design of the buildings would be substantially unchanged from the form of the existing building. Changes include those noted above, with internal alterations required to both buildings and, at the White House, an additional front door that would be provided to the left of the existing front door, to be incorporated into the projection formed by an existing bay window.
- 6.11 Changes to the Wee Flat are considered to be acceptable in terms of their appearance, subject to satisfactory materials for detailing such as terrace railings or other screens. The changes to the Wee Flat are also largely acceptable, although it is considered that the design of the front-facing dormer at the White House should be amended to make it more sympathetic to the late Victorian style of the building. Amended plans have been sought, and the recommendation for approval is subject to these being finalised.

### **Contribution towards housing stock and towards affordable housing**

- 6.12 The proposed dwellings would provide a house with approximately 93 sq.m. of accommodation, and two flats of 181 sq.m. and 111 sq.m. Both Local Plan policy H8 and Neighbourhood Plan policy NP/H2 encourages the provision of houses for smaller households, so the provision of a house of this size is a particularly beneficial aspect of the proposals. Overall, the proposals would add to the stock of housing within the Borough, including smaller residential units as sought by the above policies.
- 6.13 While the site area is limited to the buildings together with their curtilage, car parking and shared access, they form part of the larger Englemere House property and have therefore been assessed as subject to the affordable housing requirements of Local Plan policy H3. A financial contribution towards off-site provision should therefore be provided. In the application for the new apartment building, the applicants advanced a case that the cost of providing new units at that time for affordable occupation in this location (as opposed to buying them on the open market) would be in the region of £200,000 per unit. This was accepted in that instance, resulting in a payment of £400,000 being made through the section 106 planning obligation for the development towards off-site affordable housing. This was the equivalent of 12% of the full provision under Policy H3 for this site.
- 6.14 The applicants have made an offer based of £44,000 based on a comparison of the floor areas between the 2014 permission and this application. However, this approach offer is not considered to be acceptable, for reasons explained below.
- 6.15 The starting point is the requirement for affordable housing set out in Policy H3 of the local plan. This proposal with the previously consented scheme (13/03515/FULL) is a total of 20 units on site with the affordable housing requirement equalling 6 units. This requires a reassessment of the previous contribution against what would be the current requirement. This should be based on the open market value of the comparative property, have regard for the residual land value and acquisition and servicing costs which would then give a financial contribution for the scheme based on the policy requirement of 30% affordable housing across the wider site. From this figure the contribution already secured should be deducted. It will be open to the applicant to make a case that the level of contribution sought is not viable by submitting a full viability appraisal.
- 6.16 Negotiations are continuing on this issue, and the outcome of negotiations will be provided in an update for the meeting where this application will be considered.
- 6.17 In negotiations to date, the applicant has noted that the Class J certificate allowing conversion of the buildings could have been implemented without any affordable housing requirement. While this is acknowledged, that provided a fall-back position in the event that the 2013 application had not been approved. Class J has now been replaced by the similar (although permanent) provisions of Class O in the Town and Country Planning (General Permitted Development) Order 2015 (GPDO), but this mechanism would not cover the current proposals due to the inclusion of extensions that are not covered by the GPDO provisions.
- 6.18 Planning permission would be granted only if a Section 106 obligation s completed that makes an appropriate level of provision, as noted in the recommendation at Section 1 of this report.

### **Impacts on the amenities of neighbouring occupiers**

- 6.19 There would be no overlooking from the proposed terraces at 'The Wee Flat', due to the enclosed nature of the rear part of the site and, in the case of the side terrace, the removal of rear facing first floor windows at 'The White House'. The two buildings are approximately 8m apart, and this existing layout does mean that there is some potential for intervisibility between them. This does result from an existing situation, and is noted that there would have been no control over this intervisibility if the 2013 Class J certificate had been implemented. Some of this potential overlooking has been eliminated in this proposal by the intended removal of existing rear facing windows in the White House. Further consideration is being given to

whether any further changes should be made to improve the privacy of the dwellings proposed, and this will be reported in an update.

- 6.20 There is no objection on grounds of impacts on the amenities of residents at the new Englemere House, as the separation distances between the White House and the closest windows is in the order of 30m. Any views between windows would also be filtered through retained trees, resulting in there being no significant impacts as a result of the proposals on the privacy of future occupiers of either building.

### **Impacts on the Thames Basins Heaths SPA**

- 6.21 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.
- 6.22 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.
- 6.23 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.

### **On-site wildlife impacts**

- 6.24 No wildlife survey was provided with the application. While a wildlife survey was provided for the 2013 application for the redevelopment of the site, it appears that the buildings may have the potential for occupation for walls and / or roof spaces to have been colonised by bats since the surveys for that application were carried out. A survey of the buildings has now been requested, and an updated position will be provided to the Panel meeting.

### **Trees**

- 6.25 The crowns of a couple of the trees overhang the garage roof at The Wee Flat, and that converting its flat roof to form a terrace will bring people in closer conflict with the trees. It is noted that the tree survey identifies the adjacent trees in the protected woodland mainly as category C trees, although there is one B grade yew shown on the plan. Further information has been requested from the applicant as to what pruning is envisaged to make this terrace unusable for future occupiers, and this position will be clarified in an update.

### Car parking and highway safety

- 6.26 The car parking and turning areas are acceptable, with two spaces provided for each apartment along with provision of visitor spaces. The Council's Highways Officer offers no objection to the proposals, subject to the conditions 5 and 6 being satisfied.

### Other material considerations

- 6.27 A study of any additional heritage features that may relate to the history of Englemere House, which could either be retained in the conversions or included in the on-site collection / archive at Englemere House, has been requested. Condition 10 as recommended below reiterates this requirement.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

Eight occupiers were notified directly of the application, and the planning officer posted a statutory notice advertising the application at the site on 1<sup>st</sup> September 2015.

No letters have been received either supporting or objecting to the application.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Parish Council	Objections on the grounds of overdevelopment within the Green Belt. The committee considered this application in conjunction with application 15/02450 as a condition within the planning approval.	6.9

### Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Highway Officer	<p>There will be no highway objections subject to the inclusion of appropriate conditions.</p> <p><b>Road classification</b></p> <p>Kings Road forms part of the A332 a primary distributor highway running through the Borough. At the application site it is subject to a 40mph speed restriction, there are footways on the opposite side of the carriageway only.</p> <p><b>Site Location / Visibility Splays</b></p> <p>No change from the arrangements permitted under planning approval 13/03515/FULL.</p> <p><b>Parking Requirements</b></p> <p>The proposed 2 x 2 bedroom flats together with a 1 x 3</p>	6.26

	<p>bedroom house have a total parking and turning requirement of 6 spaces (2 per dwelling) these are clearly shown on Drawing Number ENG-SP-100 with no revisions. The drawing also indicates 5 visitor parking spaces one of which is designated as a disabled bay.</p> <p><b>Cycle Requirements</b></p> <p>3 cycle hoops are indicated on Drawing Number ENG-SP-100 with no revisions. It should be noted to maximise their use they should be covered.</p> <p><b>Refuse Provision</b></p> <p>The refuse management scheme permitted under planning approval 13/03515/FULL will be extended to include these dwellings.</p> <p><b>Vehicle Movements / per day:</b></p> <p>The proposed dwellings have the potential to produce between 14 and 28 vehicle movements per day.</p>	
Tree Officer	<p>The existing garage of the Wee Flat comes up to the boundary of the woodland protected by TPO 019/2012. The crowns of a couple of the trees overhang the garage roof. Converting the flat roof to form a terrace will bring people in closer conflict with the trees. There will be heavy shading of this terrace. There will be leaf and other debris fall which will result in the need to clean the terrace on a regular basis. There will be continued growth and branches may physically obstruct areas of the terrace. This will lead to pressure to detrimentally prune and/or remove the nearest trees to the terrace. To avoid the conflict, the terrace should be deleted. There should be no windows on the first floor western elevation. Provided the above can be achieved, I would have no objections to the proposal.</p>	6.25

## 8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B - Proposed site layout
- Appendix C - Proposed elevations and floor plans
- Appendix D - Class J layout (planning reference 13/02640/CLASSJ)
- Appendix E - Existing elevations and floor plans

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 have been successfully resolved.

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

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policy
- 3 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 4 No 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.
- 5 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.
- 6 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with the approved drawing. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
- 7 The hard surface vehicle access and manoeuvring areas 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. No additional hard standing shall be installed without the written permission of the Local Planning Authority first having been maintained.  
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, and to protect important trees that contribute to the visual amenities of the site. Relevant Policies - Local Plan N6 and Neighbourhood Plan NP/EN2 and NP/DG5.
- 8 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 dwellinghouse the subject of this permission shall be carried out without planning permission

having first been obtained from the Local Planning Authority.

Reason: The site is in the Green Belt and whilst the development subject to this permission complies with the Green Belt policy further development would be unlikely to do so, Relevant Policies - Local Plan GB1, GB2, GB4.

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

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

10 Prior to the commencement of any works of conversion, details shall be submitted to and approved in writing by the Local Planning Authority to include:

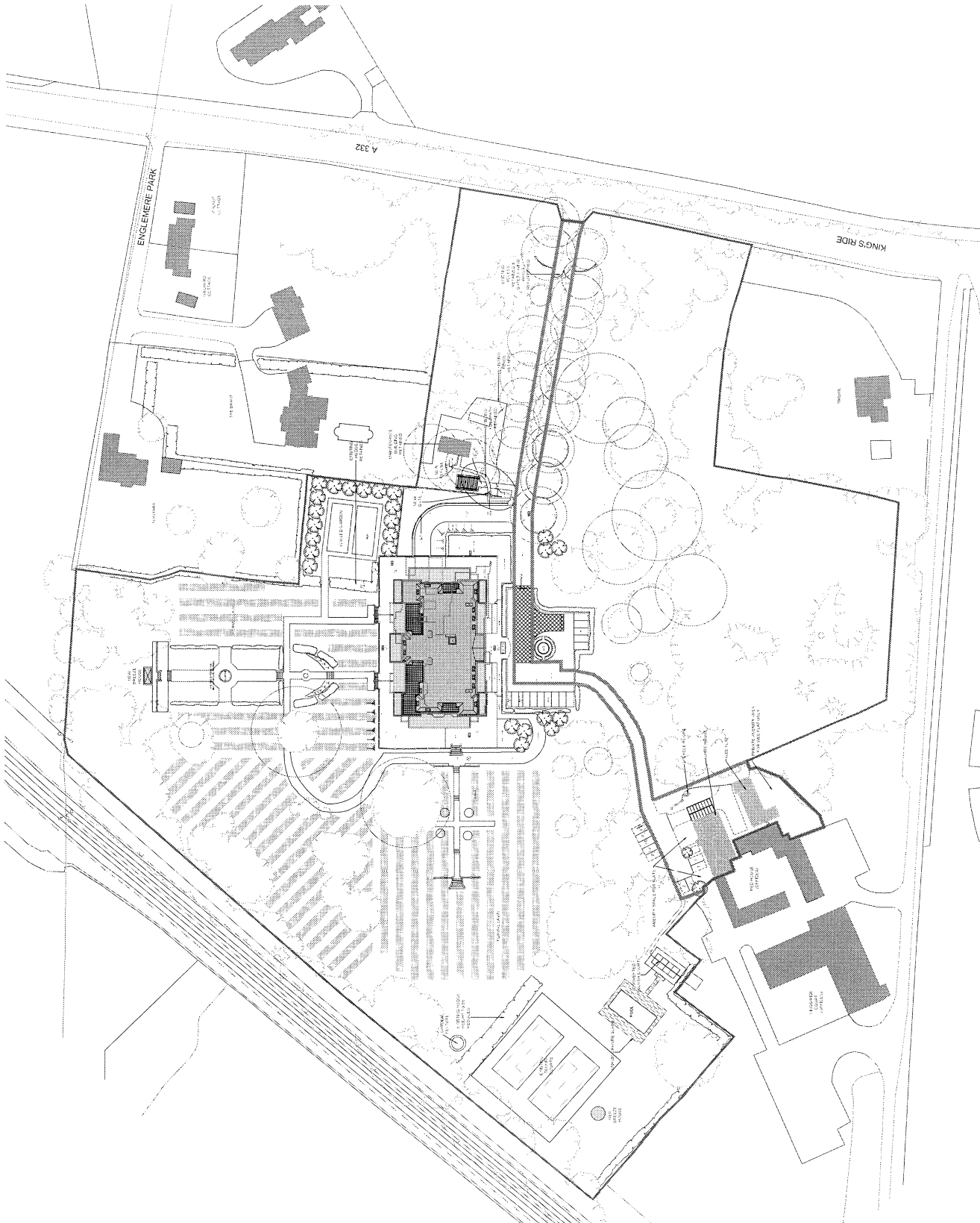
(i) A survey of the buildings by a heritage consultant to identify any features associated with the history of Englemere House that are of historic interest and significance, and

(ii) appropriate means of retaining the identified features either in the converted buildings or in the on-site archive at the Englemere House property. The approved details shall then be implemented and approved.

Reason: In the interests of retaining a record and if appropriate artefacts associated with the non-designated heritage asset. Relevant Policy - NPPF paragraph 135.

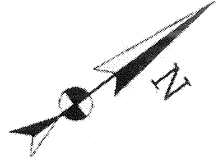
# APPENDIX A

Project: ENGLERE  
 Agency: ASPECT  
 Date: 11/14/2014  
 Project No: 18727  
 Scale: 1/8" = 1'-0"  
 Drawing No: 18727-01-11  
 Revision: 1

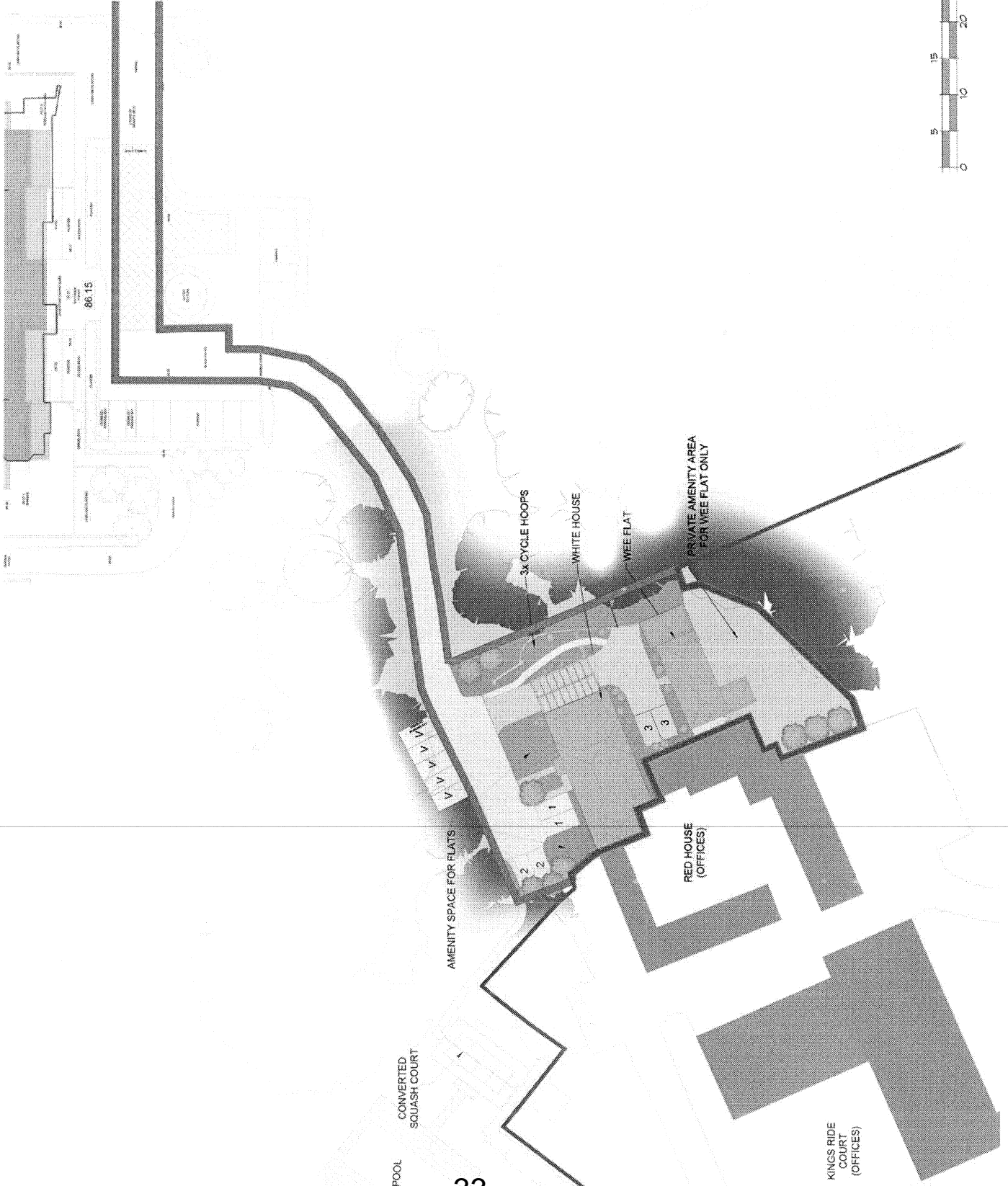


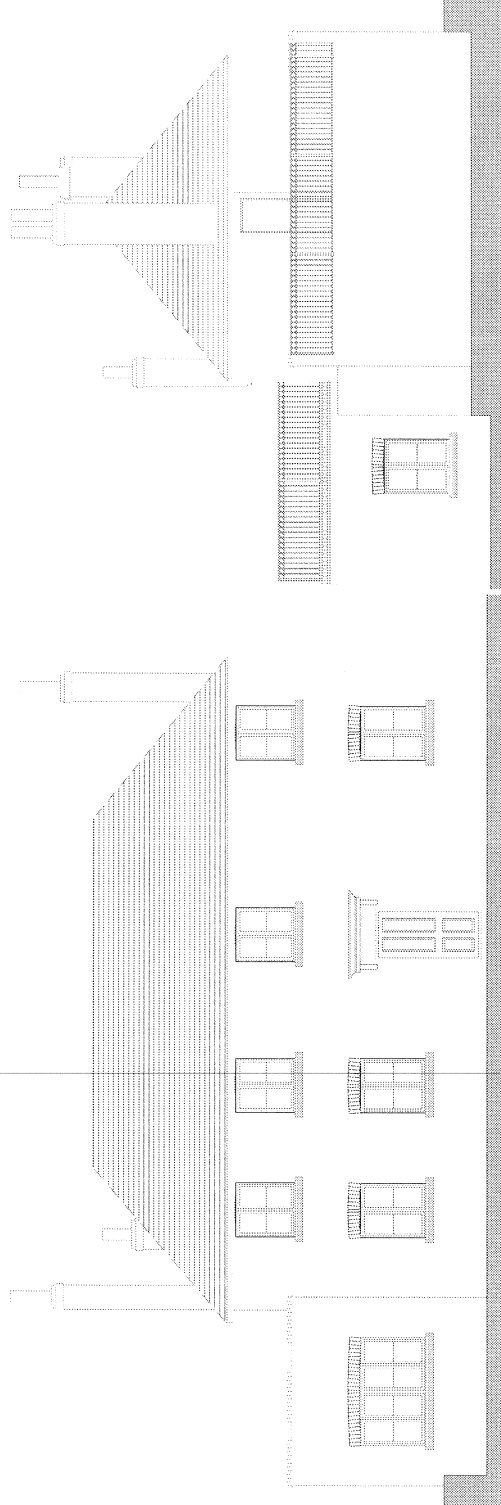


# APPENDIX B.

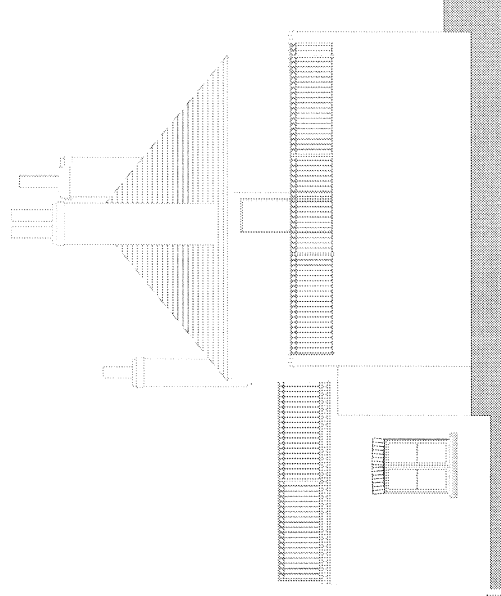


ENGINEERS  
ASSCOT  
SITE PLAN  
REFURBISHMENT PROPOSAL  
Date: 15/08/15  
Rev: 01  
Drawing No: 1508/01  
Client: Millgate  
Project: Millgate  
Scale: 1:500  
Drawing No: 1508/01

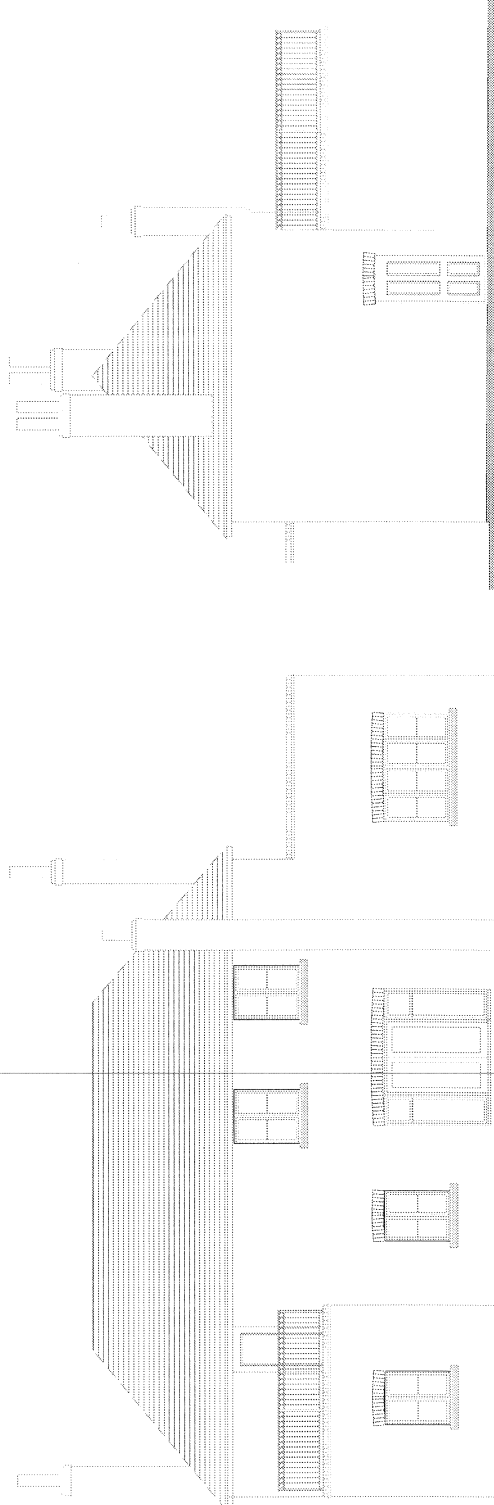




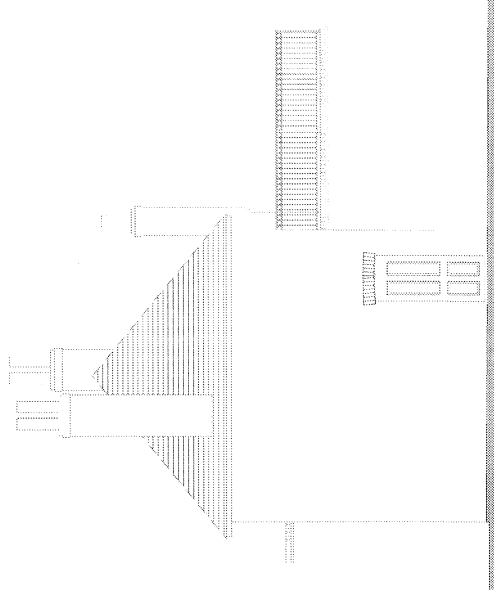
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

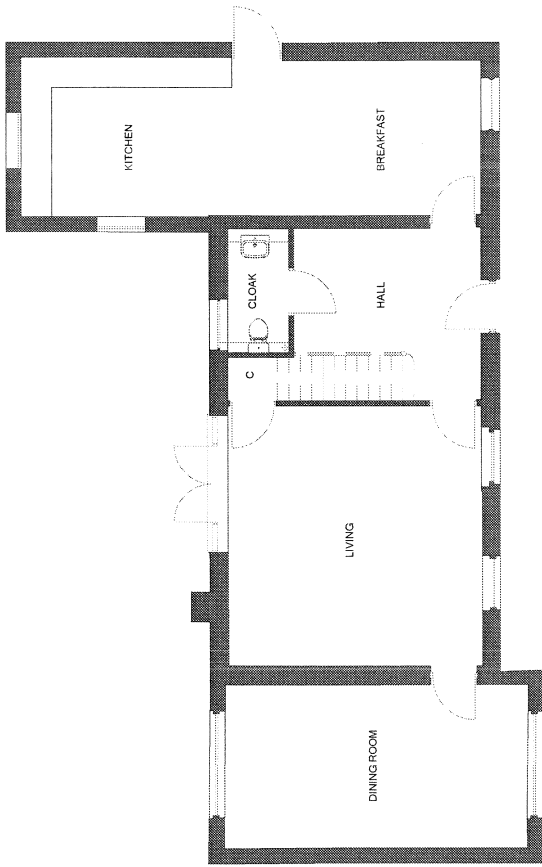


SIDE ELEVATION

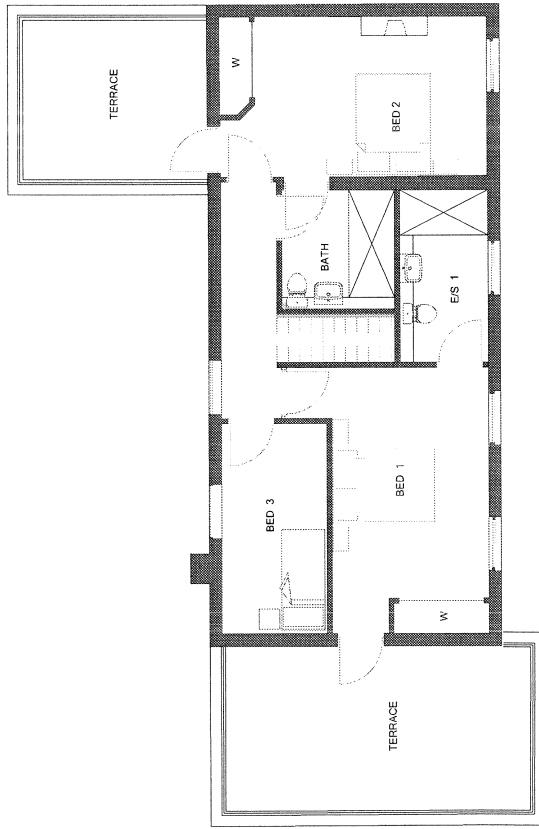
Project  
Englemere Refurbishment  
Drawing Title  
Wee Flat  
Proposed Elevations

Date  
JAN 2015  
Scale  
1:100@A3  
Project No  
ER-02  
Drawn by  
JD  
Check by  
GM  
Revision





GROUND FLOOR PLAN

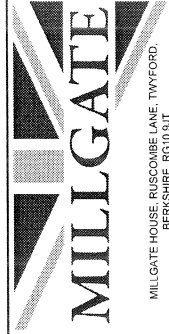


FIRST FLOOR PLAN

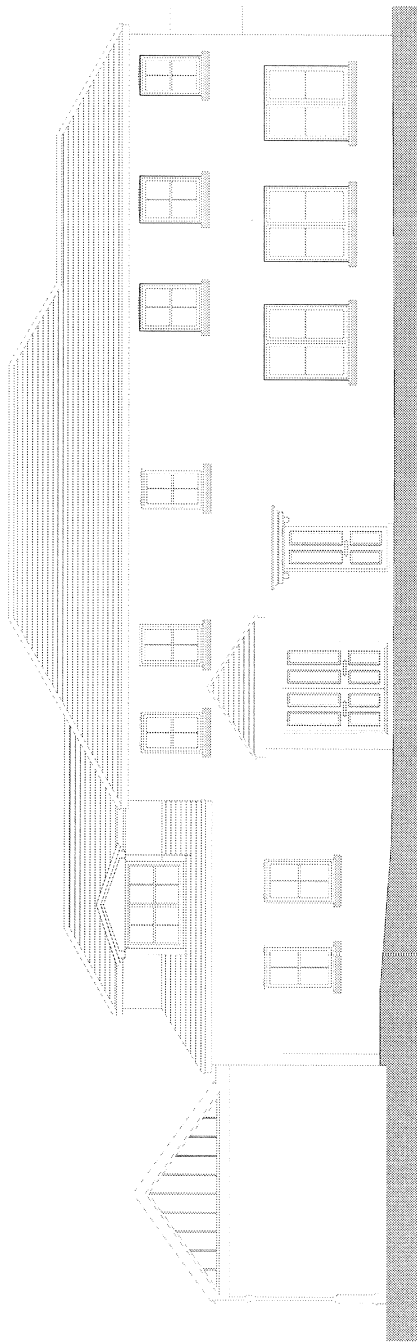


Project  
Englemere Refurbishment  
Drawing Title  
Wee Flat  
Proposed Floor Plans

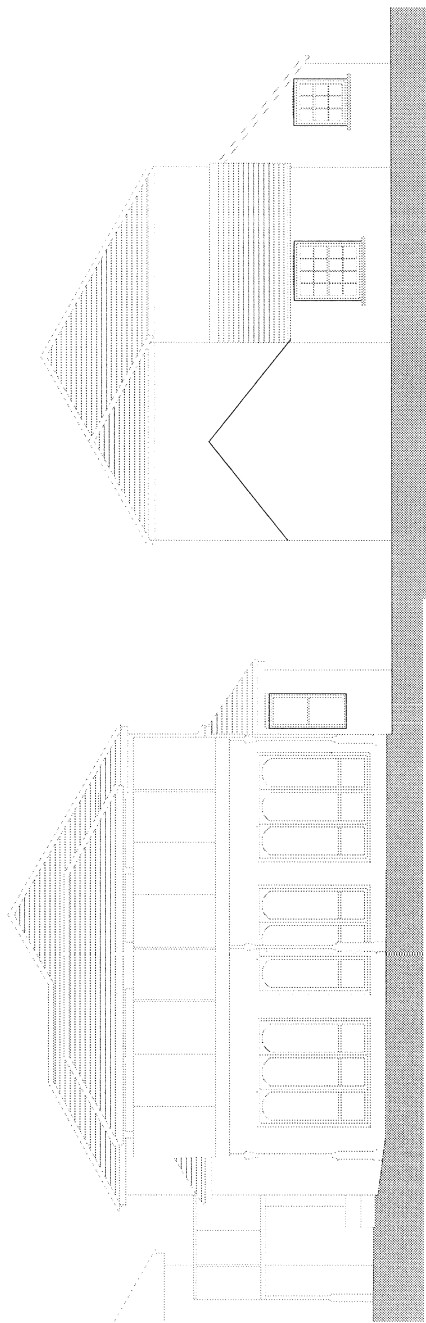
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JAN 2015	1:100@A3	JD	GM
Project No	Drawing No	Revision	
	ER-01		



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BERKSHIRE, RG10 3JT  
Tel: 0178 954 334 Fax: 0178 954445



FRONT ELEVATION



SIDE ELEVATION

SIDE ELEVATION

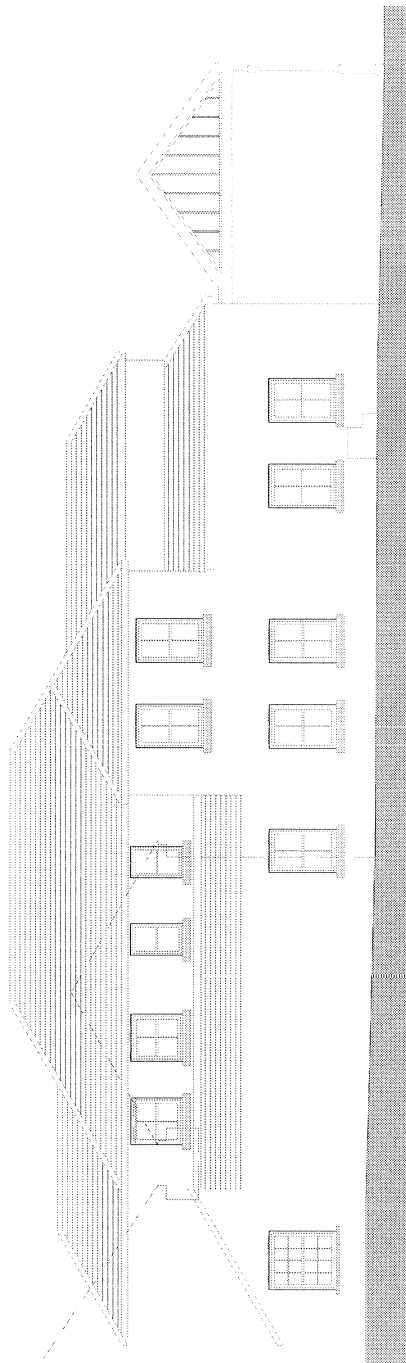


Project  
**Englemere Refurbishment**  
 Drawing Title  
**White House**  
 Proposed Elevations-Front and sides

Date	Scale	Drawn by	Check by
JAN 2015	1:100@A3	JD	GM
Project No	Drawing No	Revision	
	ER-04		



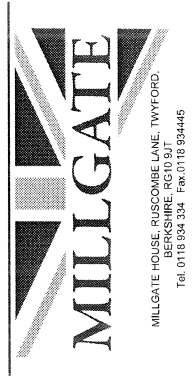
MILLGATE HOUSE RUSCOMBELANE, TWYFORD.  
 TEL: 0118 934 534 FAX: 0118 934445



REAR ELEVATION

Project  
Englemere Refurbishment  
Drawing Title  
White House  
Proposed Elevations- Rear

Date	Scale	Drawn by	Check by
JAN 2015	1:100@A3	JD	GM
Project No	Drawing No	Revision	
-	ER-05	-	



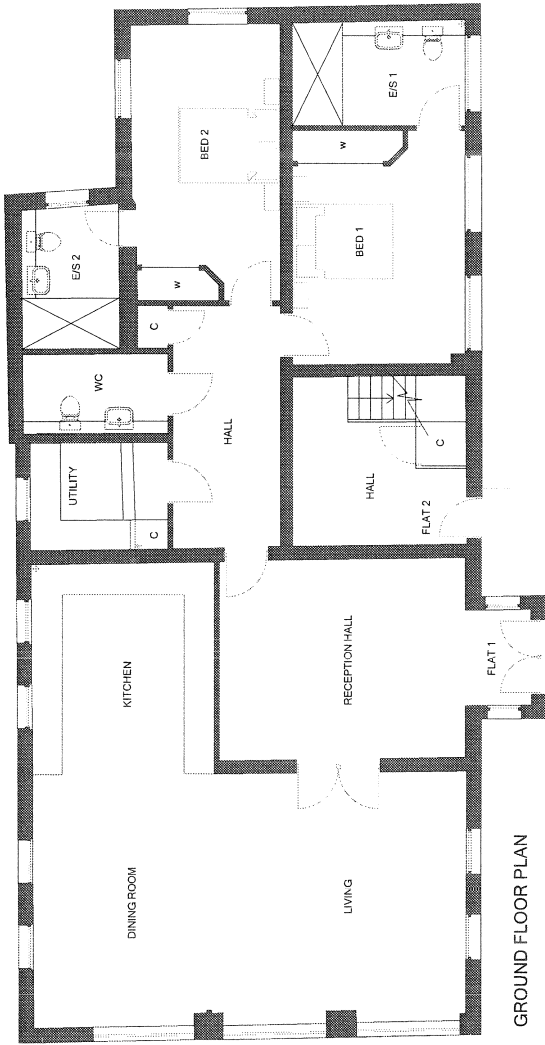
Project  
Englemere Refurbishment  
Drawing Title  
White House  
Proposed Floor Plans

Date  
JAN 2015  
Scale  
1:100@A3  
Project No  
Drawing No  
ER-03  
Check by  
GM  
Drawn by  
JD  
Revision



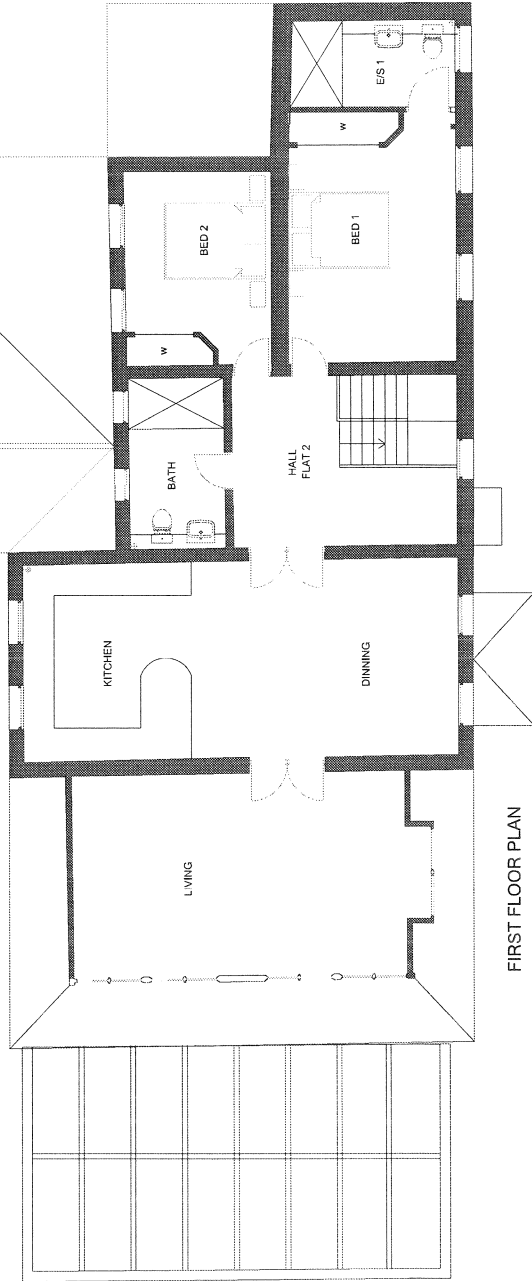
MILLGATE HOUSE, BUSCOCKS LANE, TWYFORD,  
BERKSHIRE, RG10 9JL  
Tel: 0118 934 334 Fax: 0118 934445

LINE OF NEIGHBOURING BUILDING



GROUND FLOOR PLAN

LINE OF NEIGHBOURING BUILDING

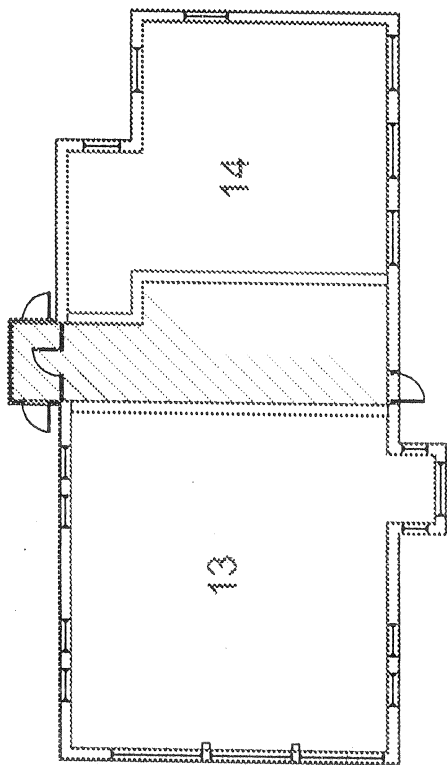


FIRST FLOOR PLAN

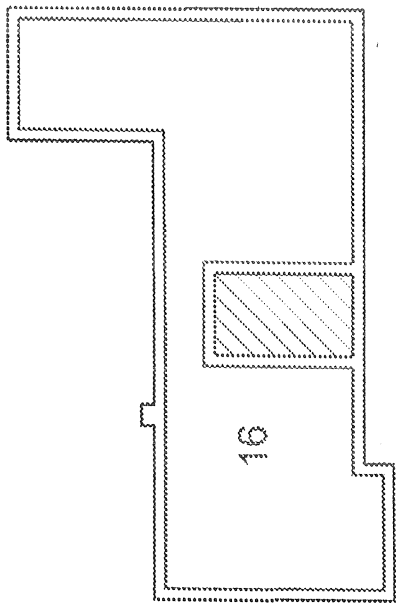


White House

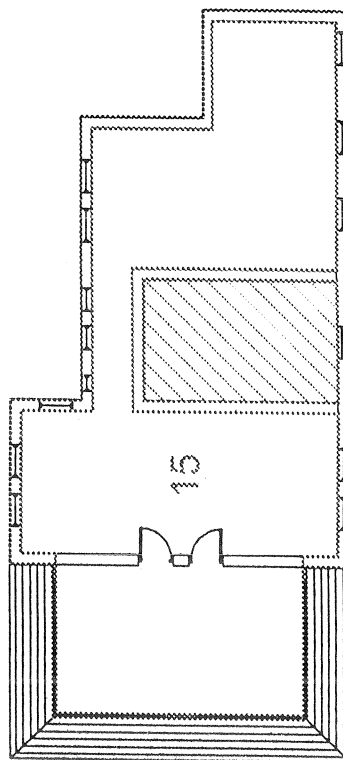
Wee Flat



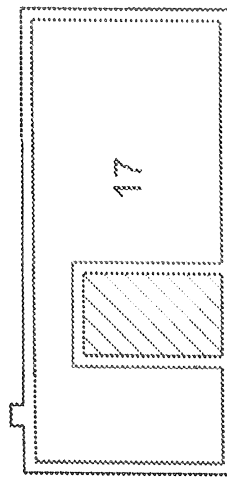
EXISTING GROUND FLOOR PLAN



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



EXISTING FIRST FLOOR PLAN

APPENDIX D.

*Indicative layout for conversion of the buildings  
 Under 13/02640/CLASSJ (hatched areas would have provided communal access).*

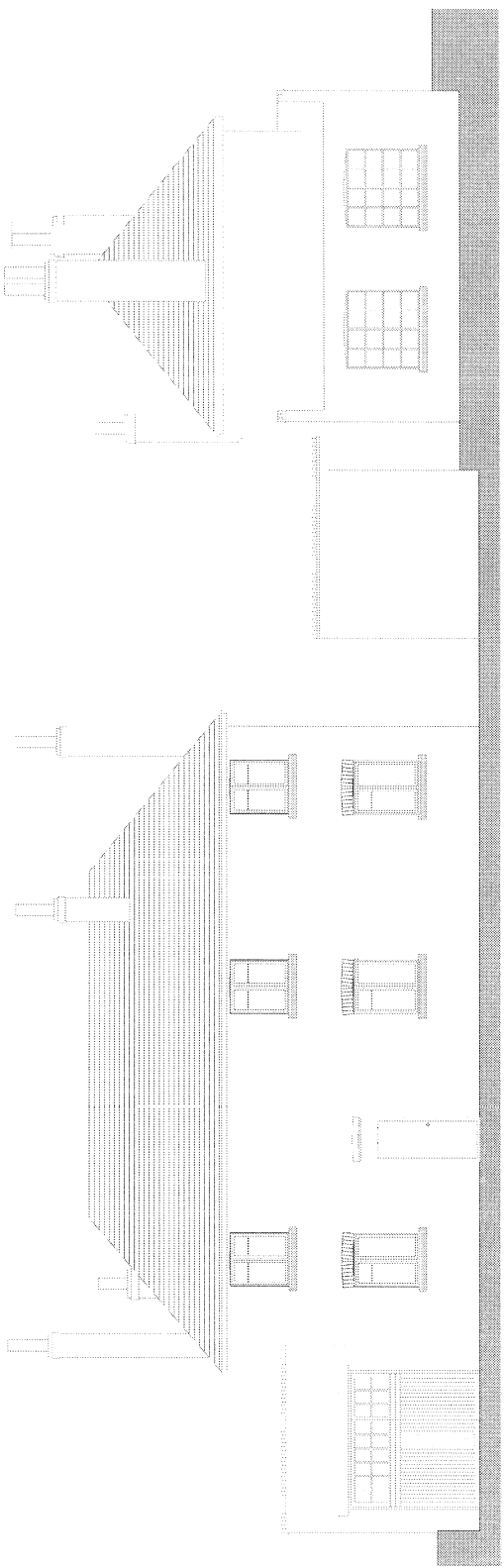
# APPENDIX E.

Project Englemere Refurbishment  
 Drawing Title Wee Flat  
 Existing Elevations

Date JAN 2015  
 Scale 1:100@A3  
 Project No ER-31  
 Drawn by JD  
 Check by GM  
 Revision

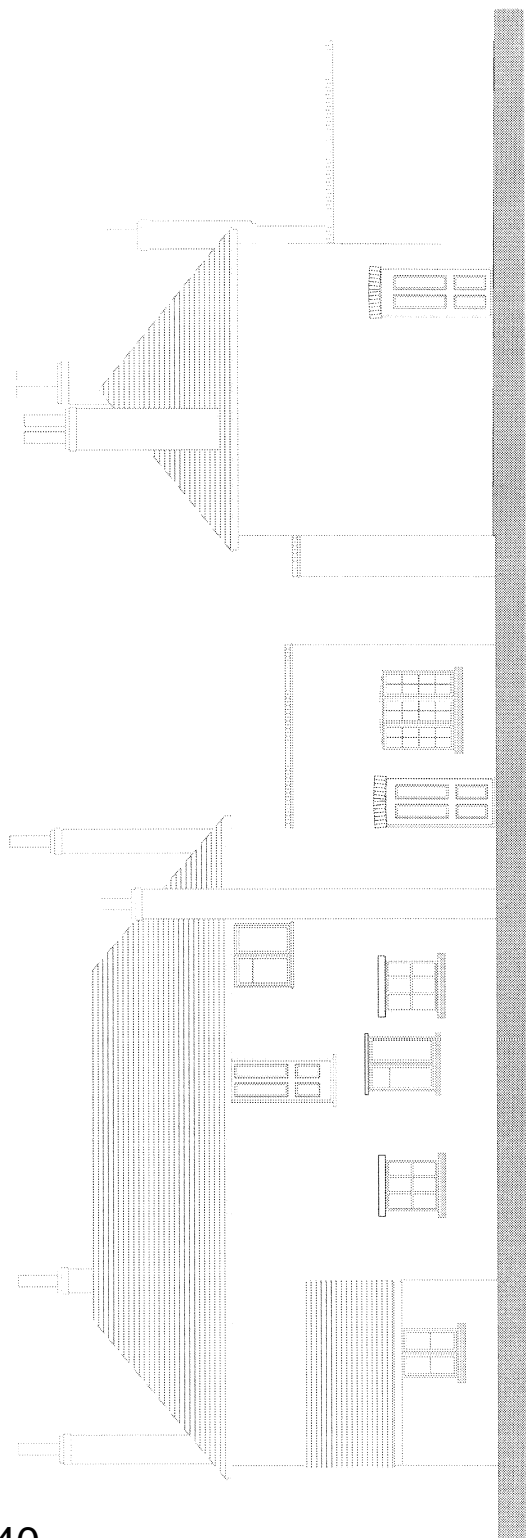


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SIDE ELEVATION

FRONT ELEVATION

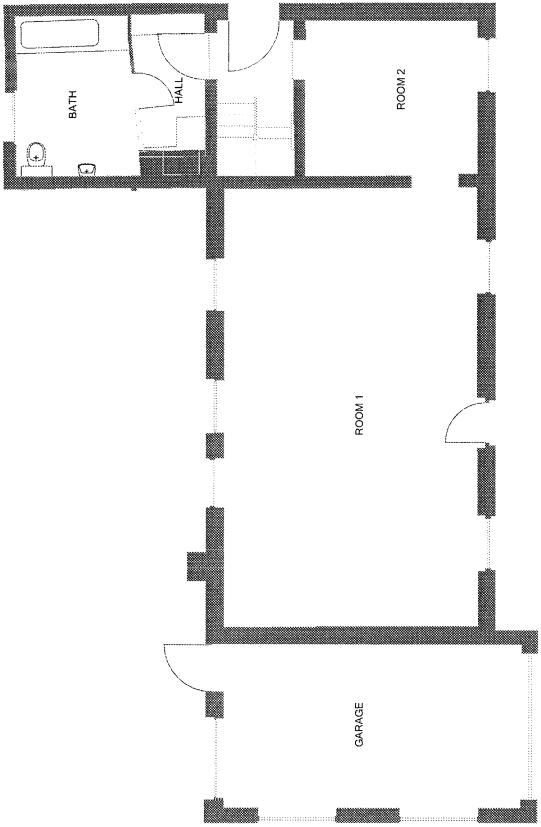


SIDE ELEVATION

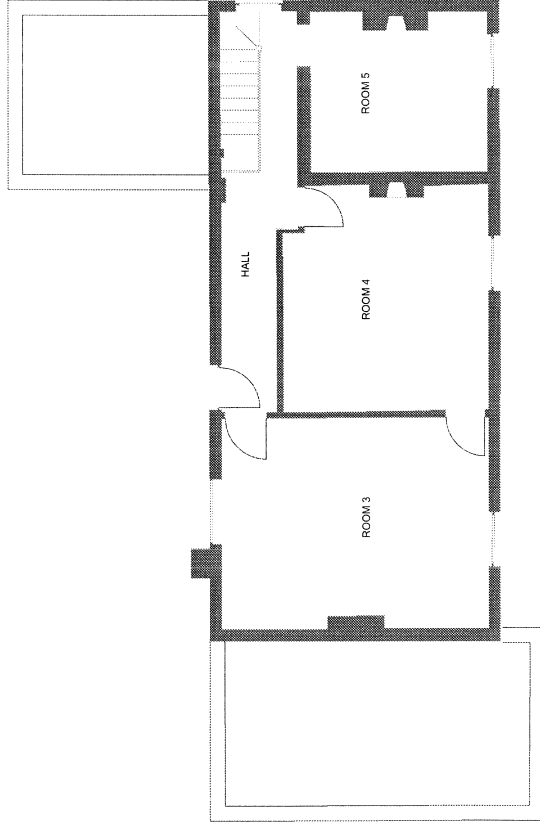
REAR ELEVATION







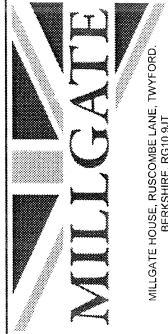
GROUND FLOOR PLAN

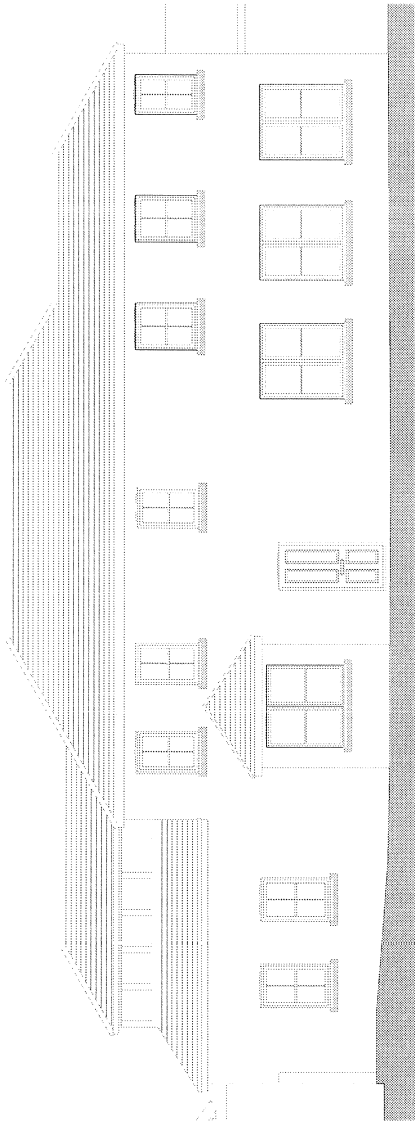


FIRST FLOOR PLAN

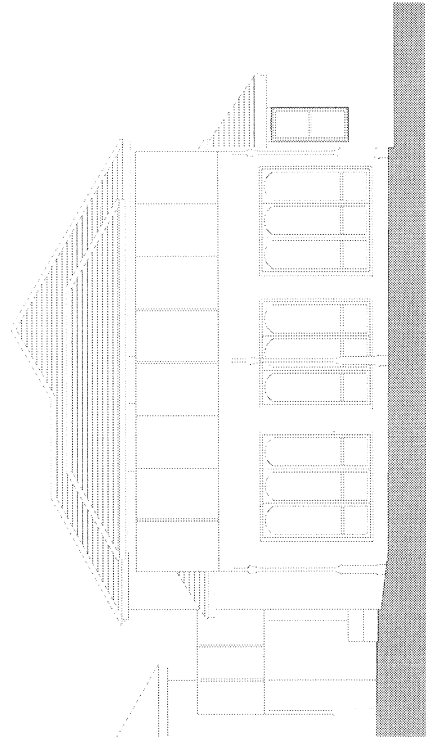
Project Englemere Refurbishment  
 Drawing Title Wee Flat  
 Existing Floor Plans

Date	Scale	Drawn by	Check by
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Project No	Drawing No	Revision	
-	ER-30	-	





FRONT ELEVATION



SIDE ELEVATION



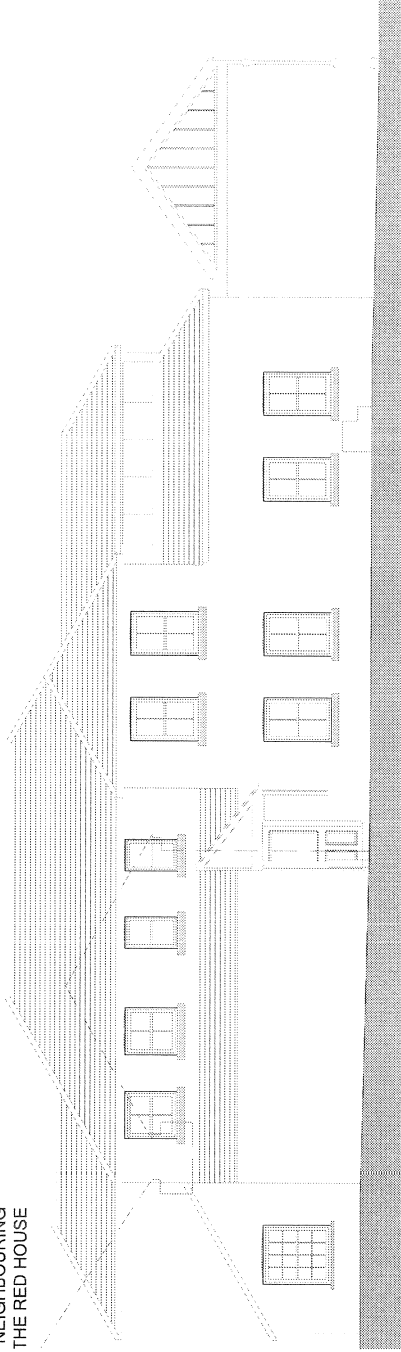
Project  
Englemere Refurbishment  
Drawing Title  
White House  
Existing Elevations

Date	Scale	Drawn by	Check by
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Project No	Drawing No	Revision	
-	ER-41	-	

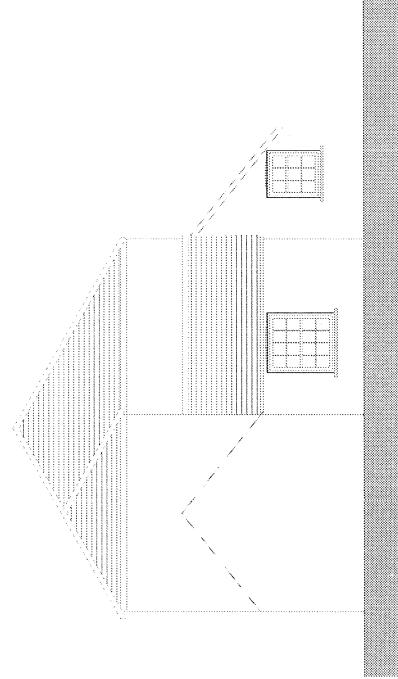


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NEIGHBOURING  
THE RED HOUSE



REAR ELEVATION



SIDE ELEVATION

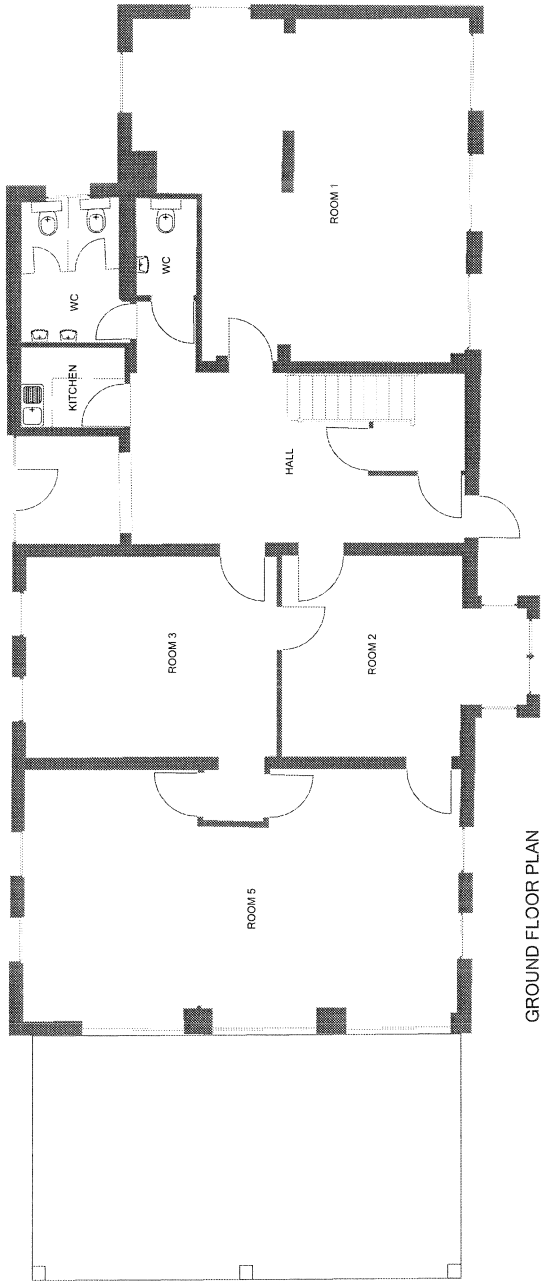


Project Englemere Refurbishment  
Drawing Title White House  
Existing Elevations

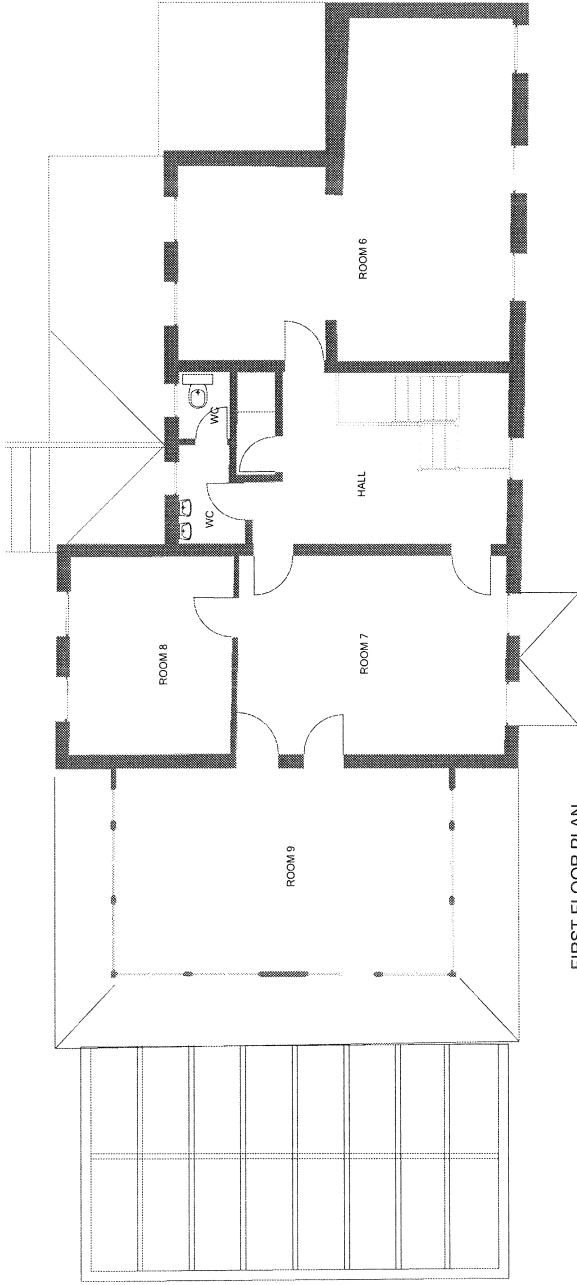
Date	Scale	Drawn by	Check by
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Project No	Drawing No	Revision	
-	ER-42	-	



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GROUND FLOOR PLAN



FIRST FLOOR PLAN



Project  
Englemere Refurbishment  
Drawing Title  
White House  
Existing Floor Plans

Date  
JAN 2015  
Project No  
-  
Scale  
1:100@A3  
Drawing No  
ER-40  
Drawn by  
JD  
Check by  
GM  
Revision  
-

**MILLGATE**  
MILLGATE HOUSE, RUSCOMBE LANE, TWYFORD,  
BERKSHIRE, RG10 9JT.  
Tel: 0118 934 334 Fax: 0118 934445

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

16 December 2015

Item: 3

<b>Application No.:</b>	15/02624/VAR
<b>Location:</b>	8 - 11 Newton Lane Old Windsor Windsor
<b>Proposal:</b>	Construction of 15 semi-detached and detached houses with associated access, garages, parking, access road and landscaping following demolition of existing properties as per planning permission 13/00042 and 15/00904/VAR without complying with condition 9 (vehicle parking), 11 (access) and 14 (hard/soft landscaping) and 17 (approved plans) to substitute approved plans and amendments to wording of condition 14.
<b>Applicant:</b>	Mr Howells- Shanly Homes Limited
<b>Agent:</b>	Not Applicable
<b>Parish/Ward:</b>	Old Windsor Parish
<b>If you have a question about this report, please contact:</b> Diane Charlton on 01628 685699 or at <a href="mailto:diane.charlton@rbwm.gov.uk">diane.charlton@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 This application relates to the site of 8-11 Newton Lane, Old Windsor which was granted planning permission for the construction of 15 dwellings following demolition of the existing dwellings.
- 1.2 The application site has been constructed except for the last 3 units and this proposal relates only to amendments to the design of Plots 13-15. The proposed alterations would not increase the number residential units nor would they detrimentally affect the overall layout of the scheme or impact upon the residential amenities of neighbouring residents. The proposal would comply with polices DG1 and H11 of the Local Plan and the requirements of the National Planning Policy Framework (NPPF).
- 1.3 The proposal complies with parking standards and no objection is raised in highway terms to the alterations to the access to plot 13, with it now being proposed to access the plot via Nursery Place.
- 1.4 Additional conditions are suggested in order to protect trees and protect landscaping.

<b>It is recommended the Panel authorises the Borough Planning Manager:</b>	
1.	<b>To grant planning permission subject to the conditions listed in Section 9 of this report.</b>

### 2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Borough Planning Manager 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 located within the Excluded Settlement of Old Windsor. The site was previously occupied by 5 detached dwellings 15 dwellings have been approved under 13/00042. The site is surrounded by a mix of residential properties.

3.2 The site is located within Flood Zone 2.

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

<b>Ref.</b>	<b>Description</b>	<b>Decision and Date</b>
13/00042/FULL	Construction of 15 semi-detached and detached houses with associated access, garages, parking, access road and landscaping following demolition of existing properties	Approved 22/07/13
13/01919/DEM	Demolition of 8 - 11 Newton Lane	Prior approval not required 23/07/13
14/00102/FULL	Amendments to plots 1 and 2	Approved 13/06/14
13/03043/CON DIT, 13/03522, 14/01619,14/03 032, 14/03045	Discharge of conditions.	All Approved.
15/00904/VAR	Construction of 15 semi-detached and detached houses with associated access, garages, parking, access road and landscaping following demolition of existing properties as per planning permission 13/00042 without complying with condition 9 (vehicle parking), 11 (access) and 14 (hard/soft landscaping) to enable alterations to existing access road layout and parking for plot 11	Approved 22/06/15

4.1 This application relates to the site of 8-11 Newton Lane, Old Windsor which was granted planning permission for the construction of 15 dwellings following demolition of the existing dwellings.

4.2 The application site has been constructed apart from the last 3 units and this proposal relates only to amendments to the siting of Plots 13-15.

- 4.3 The changes are as follows;
- Plots 13 and 14 have been handed.
  - The link garage with room above has been removed between plots 14 and 15
  - The room above garage to plot 13 has been removed
  - A front dormer window inserted in roof of plot 13 and velux windows to rear
  - A front window inserted in gable of plot 14 and rear velux windows
  - A porch has been added to plot 13 and a canopy to front of plot 14
  - The driveway to plot 13 will be accessed via Nursery Place
  - Other minor amendments to roof design due to the above changes.

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

**Royal Borough Local Plan**

5.1 National Planning Policy Framework: Paragraph 64- Design/Character

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

	Within settlement	Flooding	Highway Safety
--	-------------------	----------	----------------

	area		
	✓	✓	✓
Local Plan	DG1, H10, H11	F1	P4, T5,T6

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

•	Interpretation of Policy F1 – Areas liable to flooding
---	--

More information on these documents can be found at:

[http://www.rbwm.gov.uk/web/pp\\_supplementary\\_planning.htm](http://www.rbwm.gov.uk/web/pp_supplementary_planning.htm)

## 6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i effect on appearance and
- ii Impact on highway safety in the area
- iii Impact on trees and landscaping.

### Principle of the development

6.2 The principle of redeveloping the site has already been established under planning permission 13/00042 as amended. The current proposal relates solely to alterations to the design of Plots 13-15.

### Effect on appearance

6.3 The appearance of a development is a material planning consideration and in general terms all development should seek to achieve a high quality of design that improves the character and quality of an area. Local Plan Policy H11 identifies that in established residential areas, planning permission will not be granted for schemes that introduce a scale of density of new development, which would be incompatible with or cause damage to the character and amenity of the area. In addition, Local Plan Policy H10 and DG1 identifies that new residential development schemes will be required to display high standards of design and landscaping in order to create attractive, safe and diverse residential areas, and where possible, to enhance the existing environment. Policies DG1 and H11 are considered to be consistent with the requirements of the Paragraph 64 of the National Planning Policy Framework(NPPF) .Paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

6.4 The overall design is sufficiently similar to that as approved to be acceptable and will not cause harm to the character of the 3 properties. The position, size and height remains as approved. Plots 13 and 14 have a ridge height of 9 metres with the gable on plot 14 being 9.8 metres high. Plot 15 is 10 .1 metres high. The amended scheme will be acceptable in terms of its impact on the appearance of the area and in terms of nearby residential amenities.

### Impact on highway safety in the area

6.5 The applicant initially proposed serving plot 13 via the new access onto Nursery Place, which ran along the frontage of the site, and then joined Nursery Place. The changes result in the plot being served by a single domestic access off the turning head in Nursery Place. In highway terms the new access arrangements are acceptable, plus the development continues to provide sufficient parking spaces to comply with the Authority's maximum standard.

## Impact on trees and landscaping

- 6.6 Amended plans have now been received that are acceptable subject to conditions being imposed requiring the installation of a permanent rail/fence to separate the development from the band of trees and vegetation on the existing verge that is currently facing onto Newton Lane, so that they are not enclosed with the gardens to the 3 plots (condition 16). It is also suggested they should provide some shrub/tree planting to bolster this strip where within the application site (eg. including where they are removing the two bays at the northern end). See suggested conditions 14 and 16 below.

## 7. CONSULTATIONS CARRIED OUT

### Comments from interested parties

43 occupiers were notified directly of the application.

The planning officer posted a statutory notice advertising the application at the site on 1<sup>st</sup> September 2015.

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

Comment		Where in the report this is considered
1.	The proposed access for plot 13 off Nursery Place will lead to confusion over address.	This is not a material planning consideration.
2.	Parking for plot 14 to rear will not be used and will lead to parking problems in Nursery Place.	6.5
3.	Loss of 2 spaces in Nursery Place due to access.	This is a turning head and not parking spaces.
4.	3 driveways will be emerging close to each other.	6.5
5.	Disruption to parking, roads and property by construction workers.	Noted.
6.	Concerns over further loss of trees.	6.6

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Arboricultural Officer	The revised landscape proposal drawing SH196791-12 B, shows the addition of two parking bays which are with the root protection area of the mature Ash T27, covered by a Tree Preservation Order. The construction of which is likely to cause damage to the trees rooting area which could lead to the loss of the tree. This tree is the most prominent on the site and must not be compromised. The proposed parking bays will also remove a significant area of landscaping which is needed to help soften the	These parking bays have been constructed however they have now been removed from the plan to overcome these concerns.



	<p>development. It will give a much harder edge to this verge and along with the associated vehicles which will park here, will mean they will be highly visible along the approach from the northern end of Nursery Place and for existing residents who live opposite the site. Given the density of the development allowed there is no other scope to soften the development elsewhere within the site. The driveway to service plots 14 and 15 has in part been replaced with two parking bays which are partially underneath the crown spread of the mature Ash T27.</p> <p>A retained tree, a Hazel T32 further to the south, is now proposed to be removed to enable a driveway to be installed to service Plot 13. This driveway will cut through the verge and will compromise two trees either side, an Ash T31 and a Sycamore T33. The driveway construction makes an incursion into the root protection area of both trees. The excavations for which will result in the loss of both trees. This will remove most of the existing tree cover that provides the beneficial separation between Nursery Place and the new development. These trees are also covered by the Tree Preservation Order.</p>	Amended plans have been received to overcome these concerns.
Highway Officer	No objection.	6.5
Parish Council	STRONGLY OBJECTED to this application. Nursery Place residents will lose parking spaces as a result of the poor design of the adjoining development. Number 14 Parker Gardens will use the spaces nearest the front of the property as opposed to using the proposed three deep parking area at the end of the back garden. Members have concerns that this variation is part of a plan to facilitate access to their neighbouring development. Members also agreed in full with the Objection sent in by the resident.	This is a turning head and not a parking area.

## 8. APPENDICES TO THIS REPORT

•	Appendix A - Site layout extant and proposed
•	Appendix B – Elevations and floor plans extant and proposed

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

This recommendation is made following careful consideration of all the issues raised through the application 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 have been successfully resolved.

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

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in application 13/03522/CONDIT unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1
- 3 The development shall be constructed in accordance with the details in the Flood Risk Assessment dated unless otherwise approved in writing by the Local Planning Authority.  
Reason: As the site is in an area liable to flood and this is required to make the development acceptable in an area liable to flood.
- 4 The Flood Evacuation Plan approved under 14/03045/CONDIT shall be implemented in accordance with the approved details 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: The site is in an area at a high risk of flooding and this is necessary to ensure that the development is safe for future occupiers. Local Plan Policy - F1.
- 5 The finished slab levels shall be in accordance with those specified in application 13/03522/CONDIT unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with those details.  
Reason: To prevent undue impact on neighbouring properties.
- 6 The finishing materials shall be in accordance with those specified in application 13/03522/CONDIT unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with those details.  
Reason: In the interests of the visual amenities of the area and because the site is in an area at a high risk of flooding. Relevant Policies - Local Plan DG1.
- 7 No window(s) shall be inserted at first floor level or above in the flank elevation(s) of plots 1, 5 and 10 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 DG1.
- 8 The sustainability measures shall be in accordance with those approved under 14/01619/CONDIT unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with those details.  
Reason: To ensure that the development complies with the Royal Borough of Windsor & Maidenhead Planning for an Ageing Population Supplementary Planning Document.
- 9 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.
- 10 The bin storage area and recycling facilities approved under 14/03045/CONDIT shall be implemented in accordance with the details unless otherwise agreed in writing by the Local Planning Authority.

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

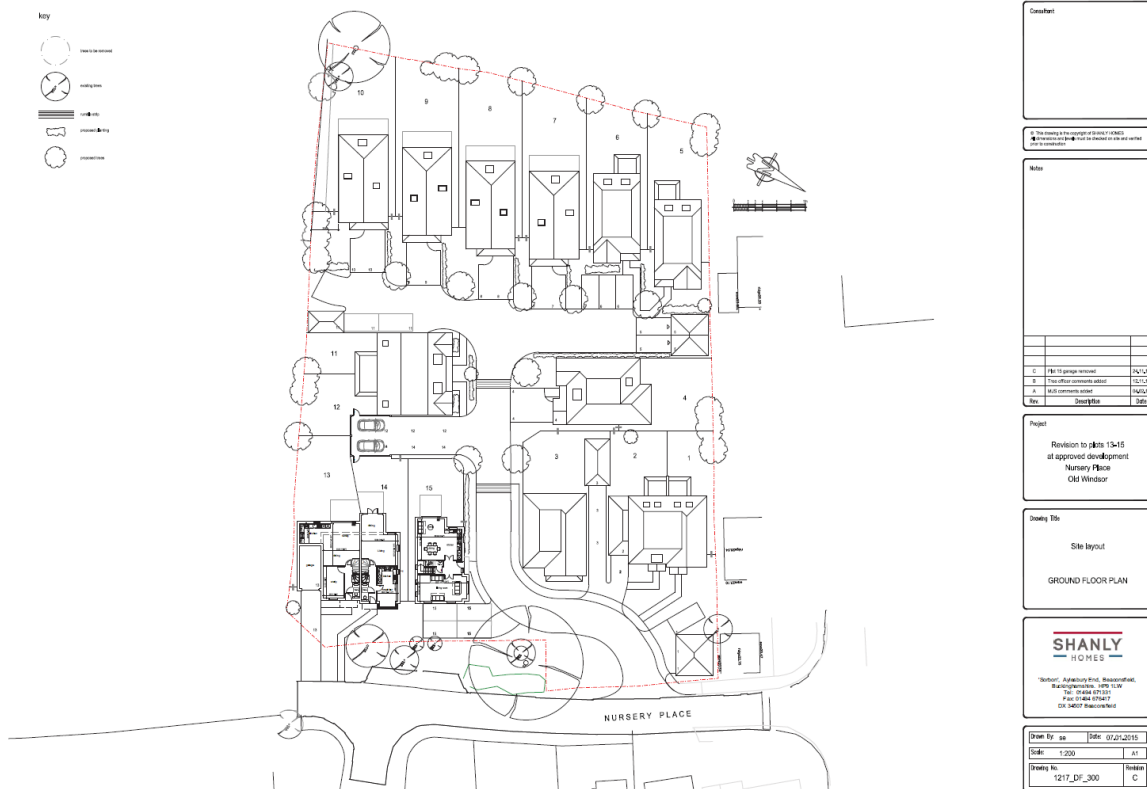
- 11 No part of the development shall be occupied until the access has been constructed in accordance with the approved drawing. The access shall thereafter be retained.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5, DG1.
- 12 The construction management plan approved under 14/03045/CONDIT shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 13 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 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.
- 15 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 approval to any variation.  
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
- 16 Prior to the occupation of the last 3 units on the site details of a permanent rail/fence to separate the development from the band of trees/vegetation on the existing verge that is currently facing onto Newton Lane, shall be submitted to and approved in writing by the LPA. The rail/fence shall be erected prior to occupation and thereafter be maintained as such.  
Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. Relevant Policies - Local Plan DG1, N6.
- 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

## Approved Layout



## Proposed Layout



APPENDIX B

Approved plans



Consultant

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Notes

Project  
Proposed developments at  
Nashen Lane  
Old Windsor

Drawing Title  
Plots 13-15  
Elevations and floor plans

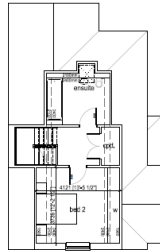
**SHANLY HOMES**  
Shanly Homes Ltd, Broomfield,  
Bovingdon Road, Uxbridge, UK  
Tel: 01894 671222  
Fax: 01894 671442  
DX 34627 Broomfield

Drawn By	sq	Check	19.11.2012
Scale	1:200	Sheet	A1
Drawing No.	1217_PLN_D16	Project	B

# Proposed plans



First Floor



Second Floor



Ground Floor  
see to 1500q.r



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Notes

B	garage removed	02.02.15
A	MJS comments added	02.02.15
Rev.	Design/Drawn	Date

Project  
Proposed development at  
Nursery Place  
Old Windsor

Drawing Title  
Plot 15  
floor plans

**SHANLY HOMES**

'Sorbton', Aylesbury End, Beaconsfield,  
Buckinghamshire, HP9 1LW  
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Drawn By:	se	Date:	07.01.2015
Scale:	1:100	Sheet:	A2
Drawing No.:	1217_DF_305	Revision:	B



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Notes

Rev.	Description	Date
B	Garage removed	24.11.15
A	M/S comments added	02.02.15

Project  
 Proposed development at  
 Nursery Place  
 Old Windsor

Drawing Title  
 Plot 15  
 Elevations

**SHANLY HOMES**  
 "Sorbon", Aylesbury End, Beaconsfield,  
 Buckinghamshire, HP9 1LW  
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 DX: 34507 Beaconsfield

Drawn By: se	Date: 07.01.2015
Scale: 1:100	A2
Drawing No. 1217_DF_304	Revision B



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Notes

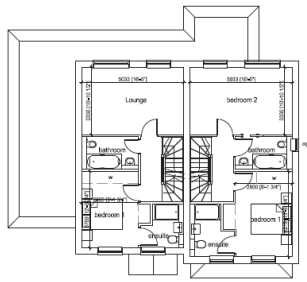
Rev.	Description	Date
A	M/S comments added	04/02/15

Project  
 Proposed development at  
 Nursery Place  
 Old Windsor

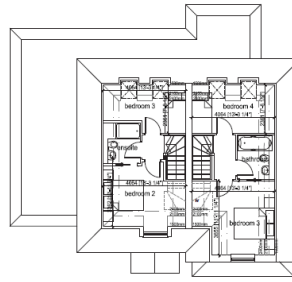
Drawing Title  
 Plots 13 & 14  
 Elevations

**SHANLY HOMES**  
 "Sorbon", Aylesbury End, Beaconsfield,  
 Buckinghamshire, HP9 1LW  
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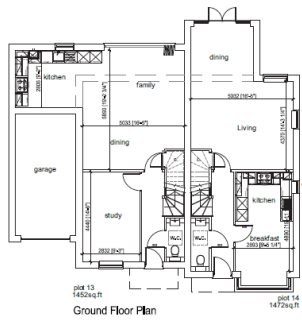
Drawn By: se	Date: 07.01.2015
Scale: 1:100	A2
Drawing No. 1217_DF_302	Revision A



First Floor Plan



Second Floor Plan



Ground Floor Plan



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Notes

Rev.	Description	Date
A	M/S Comments added	01/05/15

Project

Proposed development at  
 Nursery Place  
 Old Windsor

Drawing Title

Plots 13 & 14  
 floor plans

**SHANLY**  
 HOMES

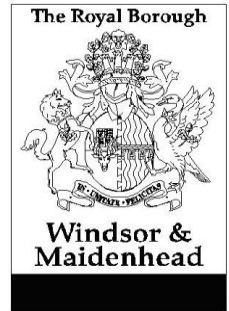
"South", Aylesbury End, Beaconsfield,  
 Buckinghamshire, HP9 1LW  
 Tel: 01494 671331  
 Fax: 01494 676417  
 DX 34507 Beaconsfield

Drawn By: **sa** Date: **07.01.2015**

Scale: **1:100** A2

Drawing No. **1217\_DF\_303** Revision **A**





## Planning Appeals Received

6 November 2015 – 4 December 2015

### WINDSOR RURAL

The appeals listed below have been received by the Council and will be considered by the Planning Inspectorate. Further information on planning appeals can be found at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs) Should you wish to make comments in connection with an appeal, please use the Plns reference number and write to the relevant address, shown below.

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

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

**Parish/Ward:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 15/00086/REF      **Planning Ref.:** 14/01397/FULL      **Plns Ref.:** APP/T0355/D/15/3137427  
**Date Received:** 6 November 2015      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Householder  
**Description:** Erection of 2m high entrance gates  
**Location:** **5 Hermitage Drive Ascot SL5 7LA**  
**Appellant:** Mr Bobby Gulazr- SAFA Developments **c/o Agent:** Ms Nicola Broderick NMB Planning Ltd  
 124 Horton Road Datchet Slough SL3 9HE

**Parish/Ward:** Sunningdale Parish  
**Appeal Ref.:** 15/00088/REF      **Planning Ref.:** 15/02322/CPD      **Plns Ref.:** APP/T0355/X/15/3138380  
**Date Received:** 14 November 2015      **Comments Due:** 28 December 2015  
**Type:** Refusal      **Appeal Type:** Written Representation  
**Description:** Certificate of lawfulness to determine whether a single storey side/rear extension, rear dormer and 2 No. front rooflight's to facilitate a loft conversion, associated internal alterations, and alterations to first floor side and rear elevations is lawful.  
**Location:** **51 Halfpenny Lane Sunningdale Ascot SL5 0EG**  
**Appellant:** Ms Elaine Jones **c/o Agent:** Mrs Ana Meneses Architect Your Home - Richmond 30 The Vineyard Richmond Surrey TW10 6AZ

**Parish/Ward:** Sunninghill And Ascot Parish  
**Appeal Ref.:** 15/00092/REF      **Planning Ref.:** 15/02098/TPO      **Plns Ref.:** APP/TPO/T0355/4865  
**Date Received:** 3 December 2015      **Comments Due:** Not Applicable  
**Type:** Refusal      **Appeal Type:** Fast Track  
**Description:** (T1) - Oak (TPO11 of 2013) - Crown lift 5-6m above ground level to include removal of lowest limb extending over driveway of No.45, crown reduce height by 4m, re-shape with spread from main trunk reduced to 3m.  
**Location:** **45 - 46 Beaufort Gardens Ascot**  
**Appellant:** Mr Robert Pickering 45 Beaufort Gardens Ascot Berkshire SL5 8PG

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