

## WINDSOR RURAL DEVELOPMENT CONTROL PANEL

TUESDAY, 3 MAY 2016

PRESENT: Councillors Christine Bateson (Chairman), George Bathurst, Malcolm Beer, David Hilton and John Lenton

Also in attendance:

Officers: Wendy Binmore, Melvin Andrews, Paul Cross, Victoria Gibson, Laurel Isaacs and Jenifer Jackson

### APOLOGIES FOR ABSENCE

Apologies received from Councillor Colin Rayner.

### DECLARATIONS OF INTEREST

**Cllr Hilton** – Declared a personal interest in items 15/03915, 16/00117, 16/00443, 16/00446, 16/00518, 16/00699 and 16/00797 as he is a member of Sunninghill & Ascot Parish Council. Cllr Hilton stated that with the exception of 16/00797 he did not attend the meeting when the applications were discussed and in the case of 16/00797 he listened to what Parish Councillors said but did not join the debate. Cllr Hilton also stated his wife, Parish Councillor Barbara Hilton, was the Chair of the Parish Council Planning committee and was speaking on items 15/03915, 16/00117, 16/00443, 16/00446 and 16/00797. He stated 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 6 April 2016 be approved.**

### PLANNING APPLICATIONS (DECISION)

Application            Applicant and Proposed Development

15/03915\*    Hamberley Development (Ascot) Limited: Erection of 80 x bedroom care home (use class C2), landscaping, tree planting, creation of associated access, car parking and site infrastructure, following demolition of the existing 75 x bedroom care home at Ascot Nursing Home, Burghley Road, Ascot SL5 7LD – **THE PANEL VOTED to APPROVE the application in accordance with the Borough Planning Manager’s recommendations with the following amendments to conditions:**

- Amend Condition 13 to include: No development shall take place until full details of replacement tree planting, “including additional tree planting along the northern boundary of the site” has been submitted to and approved in writing by the Local Planning Authority....
- Condition 20 – Split so that the protective fencing (and relevant part of arboriculture statement) is in place prior to demolition.

**Three Councillors voted in favour of the motion (Cllrs Bateson, Beer and Lenton), one Councillor voted against the motion (Cllr Bathurst) and one Councillor abstained from the vote (Cllr Hilton).**

(The Panel was addressed by PCllr Barbara Hilton in objection to the application and Diana Tombs (NPDG). Patrick Griffin (SPAЕ) and Andrew Simpson the Agent in favour of the application).

16/00117\*

Mr Brebner – Wentworth Homes: Erection of 3 x detached two storey dwellings with access driveways following the demolition of 9 Llanvair Close at 9 Llanvair and Rear of 11 Llanvair Close, Ascot – **THE PANEL VOTED to REFUSE the application against the Borough Planning Manager’s recommendations for the reasons as listed below:**

- The layout of the development would appear narrow and cramped, this is due to the access road from Llanvair Close; the overall size of the house on plot 2 in ratio to the plot size and the depth of garden and the dwelling on plot 1 which would cover the majority of the plot. The development will, for these reasons, result in erosion in the spacious character of the area and thereby cause significant harm to the character of the area which is defined as a Leafy Residential Suburb. Furthermore, the socio-economic benefits of the additional dwellings would be significantly and demonstrably outweighed by the adverse impacts arising from the scheme proposed. As such the proposal is contrary to Paragraph 64 of the NPPF, Policies H11 and DG1 of the RBWM Local Plan and Policies DG1, DG2 and EN3 of the made Ascot, Sunninghill and Sunningdale Neighbourhood Plan.
- The existing dwellings in Hurstwood are located at a higher ground level to the application site. The proposed house in plot 3 given its siting, depth and height together with the distance from the boundary with No.47 Hurstwood and the lack of intervening screening would represent an intrusive form of development and would result in an overly dominant impact and loss of outlook to 47 Hurstwood which would look upon a flank wall running the width of it’s garden. It is considered that this constitutes significant harm to amenity which outweighs the socio-economic benefits of the additional dwellings. The proposed development does not secure good standard of amenity for this neighbouring property contrary to bullet point 4 of paragraph 17 of the NPPF which states that planning should always seek to secure a good standard of amenity for all existing occupants of lands and buildings. The proposal would also be contrary to Policy NP DG2.2.

**Four Councillors voted in favour of the motion (Cllrs Bateson, Bathurst, Beer and Hilton) and one Councillor abstained from the vote (Cllr Lenton).**

(The Panel was addressed Nick Mayhew, Mark Hurstwood, by Diana Tombs (NPDG), Patrick Griffin (SPAЕ) and PCllr Barbara Hilton in objection and Ian Phillips the Agent in favour of the application in support of the application).

- 16/00443\* Mr Price – Spitfire Properties LLP: Erection of two detached dwellings with associated double garages following the demolition of existing as approved under planning permission 14/00880 without complying with condition 14 (approved plans) under planning permission 15/02969/VAR to vary the approved drawings at Stowting House, London Road, Ascot SL5 7EG – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application and Defer and Delegate to the Borough Planning Manager for officers to try and secure some additional tree planting along the site’s frontage. Should the landscaping plan be updated to include tree planting then amend condition 2 to reflect the correct plan.**

(The Panel was addressed by PCllr Barbara with no objections and Kier Price the Agent in favour of the application).

- 16/00446 Mr Price – Spitfire Properties LLP: Construction of 2 detached dwellings each with a detached double garage, following demolition of existing dwelling. New entrance gates and new access as approved under planning permission 13/02368/FULL and subsequently amended by 15/01941/NMA to add approved plans condition, amended by 15/02485/VAR to amend the elevation details of plots and 2, add Juliet balconies to plots 1 and 2 and add a balcony to plot 2. To amend the approved drawing (Boundary Treatment) at Dunnideer, London Road, Ascot SL5 7EG – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application and defer and delegate to the Borough Planning Manager for officers to try and secure some additional tree planting along the site’s frontage and with the additional and amended conditions as listed below:**

- (Verbally Updated) Amend condition 3 to update plan number to 14-P962-L01 Rev B received 28 April 2016.
- Should the landscaping plan be updated to include tree planting then amend condition 2 to reflect the correct plan.

(The Panel was addressed by PCllr Barbara with no objections and Kier Price the Agent in favour of the application).

- 16/00518 St Marys School: Upper Sixth Form Accommodation, Pastoral Centre, Staff Accommodation and Laundry (Minor Material Amendment to 15/02272) at St Marys School, St Marys Road, Ascot SL5 9JF – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application and authorise the Borough Planning Manager to grant planning permission with the conditions listed in Section 10 of the Main Report, subject to there being no call-in by the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.**

(The Panel was addressed by Giles Brand, Bursar of St Marys School in favour of the application).

16/00699\* C/o Agent: Replacement dwelling and detached double garage with habitable accommodation above following the demolition of existing dwelling as approved under planning permission 14/01248 without complying with condition 15 (first floor windows) under planning permission 15/01107/VAR to remove this condition, and to vary condition 14 (second floor dormer windows) so that the north east second floor dormer window is fitted with obscure glazing and fixed shut at Heath End Place, Windsor Road, Ascot SL5 9JF – **THE PANEL VOTED to APPROVE the application as per the officers report and panel update report (condition 14) and add condition so that the first floor windows in the NE elevation are obscure glazed with top openings only as the Panel considered that these windows given their proximity to the neighbours boundary should still be obscure glazed and with the following:**

- 15) Within 3 months of the date of this decision the first floor windows in the north east elevation of the dwelling shall be of a permanently fixed, non-opening design, with the exception of an opening top light that is a minimum of 1.7m above the finished floor level, and fitted with obscure glass to level 3 or above and the window shall not be altered without prior written approval of the Local Planning Authority. Reason: To prevent the overlooking and loss of privacy to neighbouring occupiers. (Re-number conditions 15 and 16 of officer's report to 16 and 17.

**Three Councillors voted in favour of the motion (Cllrs Bateson, Bathurst and Hilton), one Councillor voted against the motion (Cllr Beer) and one Councillor abstained from the vote (Cllr Lenton).**

(The Panel was addressed by Martin Dixon, Patrick Griffin (SPAЕ) and Diana Tombs (NPDG) in objection and Justyn Turnbull, the Agent in favour of the application).

16/00797\* Croft Homes Development Ltd: Replacement detached dwelling with associated garage and entrance gates at Piers Cottage, Moks Close, Ascot SL5 9BA – **THE PANEL VOTED UNANIMOUSLY to APPROVE the application and authorise the Borough Planning Manager to grant planning permission subject to the conditions listed in Section 9 of the Main Report**

(The Panel was addressed by PCllr Barbara in objection and Neil Davis the Agent in favour of the application).

TREE PRESERVATION ORDER 024 OF 2015 – LAND TO THE SOUTH OF WELLS LANE AND LAND TO THE NORTH OF COOMBE LANE ASCOT

### **1. Background:**

Current operations at the Oakfield Farm, Well Lane, have resulted in the gradual erosion of surrounding woodland.

This Tree Preservation Order (TPO) has been served to protect the woodland located to the south of Wells Lane and north of Coombe Lane owing to pressure for proposed housing development at Oakfield Farm, Wells Lane, relating to the current planning application 15/02727. There is also pressure for other land use changes which could also adversely affect the woodland.

This woodland is located within the Wells Local Wildlife Site (LWS). This LWS comprises of wet woodland predominantly populated by silver birch trees, interspaced with semi mature oak, sweet chestnut, and willow scrub. Natural England has recorded this woodland as priority deciduous woodland habitat and therefore it is regionally and nationally important. Thames Valley Environmental Records Centre (TVERC) indicates this woodland maybe ancient semi natural woodland.

The woodland to the west, south, and south west of Oakfield Farm provides an important haven for flora and fauna, and wildlife corridor into surrounding woodland. It's inclusion within the Order will preserve this important woodland priority habitat for future generations, and maintain the sylvan character and appearance of the area.

Due to growing development pressure in Wells Lane, several individual mature trees have been protected by individual, group and area designations within the Order.

TPO 024/2014 relates to trees as per the specification below:

#### **TREE PRESERVATION ORDER SCHEDULE**

<b>NO ON MAP</b>	<b>DESCRIPTIO</b>
W1	Woodland - trees of all sp
A1	Area 1 - Prot of all species
G1	6 x Oak
T1	1 x Cedar
T2	1 x Oak
T3	1 x Oak

**THE PANEL VOTED UNANIMOUSLY to confirm TPO 024/2015 with modification (s)**

**ESSENTIAL MONITORING REPORTS (MONITORING)**

Details of Planning Appeals Received and the Appeal Decision Report were noted.

The meeting, which began at 7.00 pm, finished at 9.55 pm

CHAIRMAN.....

DATE.....