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NOTICE OF MEETING

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WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 15TH NOVEMBER, 2017

At 7.00 pm

in the

COUNCIL CHAMBER - GUILDHALL, WINDSOR

TO: MEMBERS OF THE WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

COUNCILLORS DR LILLY EVANS (CHAIRMAN), COLIN RAYNER (VICE-CHAIRMAN),
MICHAEL AIREY, CHRISTINE BATESON, DAVID HILTON, JOHN LENTON,
JULIAN SHARPE, LYNDA YONG AND MALCOLM BEER

SUBSTITUTE MEMBERS

COUNCILLORS JOHN BOWDEN, SAYONARA LUXTON, NICOLA PRYER,
EILEEN QUICK, JACK RANKIN, WESLEY RICHARDS, SAMANTHA RAYNER,
JOHN STORY AND LYNNE JONES

Karen Shepherd - Democratic Services Manager - Issued: Tuesday, 7 November 2017

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 or contact the Panel Administrator **Andy Carswell** 01628 796319

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Do not re-enter the building until told to do so by a member of staff.

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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.	5 - 6
3.	<u>MINUTES</u> To confirm the Part I Minutes of the meeting of the previous meeting	7 - 8
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. http://www.rbwm.gov.uk/pam/search.jsp or from Democratic Services on 01628 796251 or democratic.services@rbwm.gov.uk	9 - 60
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring Reports.	61 - 64
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution: "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 7 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act."	

PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
7.	<u>MINUTES</u> To confirm the Part II Minutes of the meeting held on October 18 th 2017. <i>(Not for publication by virtue of Paragraph 6 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	65 - 66

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 MANAGEMENT PANEL

WEDNESDAY, 18 OCTOBER 2017

PRESENT: Councillors Dr Lilly Evans (Chairman), Colin Rayner (Vice-Chairman), Michael Airey, Christine Bateson, David Hilton, John Lenton, Julian Sharpe, Lynda Yong and Malcolm Beer

Officers: Chris Sawden, Mary Severin, Victoria Goldberg, Shilpa Manek and Ashley Smith

APOLOGIES FOR ABSENCE

No Apologies of Absence were received.

DECLARATIONS OF INTEREST

Councillor Lenton – Declared a personal interest in item 1 as he was a Member of Wraysbury Parish Council but had taken no part in any discussions on the item and confirmed he attended Panel with an open mind.

Councillor Hilton – Declared a personal interest in item 1 as a member of Sunninghill and Ascot Parish Council. He stated that he would speak but not vote on this item. Councillor Hilton also informed the Panel that his wife was the Chairman at Sunninghill and Ascot Parish Council and had registered to speak at Panel on the item.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 20 September 2017 were agreed as an accurate record.

Councillor Beer expressed concern that he felt the minutes had not recorded the discussion that was had before the decisions were taken. Panel Members informed Councillor Beer that Minutes of the Planning Panels only recorded the decisions and the discussion could be heard on the Audio Recording.

PLANNING APPLICATIONS (DECISION)

The Panel considered the Head of Planning and Development's report on planning applications and received updates in relation to a number of applications, following the publication of the agenda.

NB: *Updates were received in relation to planning applications marked with an asterisk.

<p>*17/02294/FULL</p> <p>Former Four Seasons Bagshot Road Ascot SL5 9JL</p>	<p>6 Apartments with triple garage, pergola and bin store with associated parking and amenity (amendment to application 16/03203).</p> <p>Councillor Bateson put forward a motion to refuse the Officer's recommendation and defer the decision for one cycle in order for the applicant to provide:</p> <ul style="list-style-type: none">• Further information on the siting of the hedge;
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	<ul style="list-style-type: none"> • A detailed parking plan with actual sizing of each car park space; • Further information on the cycle storage; • All diagrams provided in 1:50 scale; • Discussion of providing car charging points. • The wording of condition 6 to specify that the landscaping scheme should include measures to prevent parking encroaching on soft landscaping areas e.g. fence/dwarf wall etc <p>This was seconded by Councillor Yong.</p> <p>A named vote was carried out.</p> <p>Councillors Bateson, Beer, L Evans, Lenton, Sharpe and Yong voted for the above motion. Councillors M Airey and C Rayner voted against the above motion. Councillor C Rayner was concerned about the costs to the Council. Councillor Hilton did not vote.</p> <p>The PANEL VOTED that the application be DEFERRED for one cycle until all above information be provided.</p>
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ESSENTIAL MONITORING REPORTS (MONITORING)

The Panel noted the essential monitoring reports.

Councillor Hilton asked where the Council was now in respect to flooding.

Councillor M Airey informed the Panel that he would speak to Jenifer Jackson and get more information on the Flood Policy, especially in light of the decisions taken. Councillor M Airey will report back at the next Panel.

ACTION: Councillor M Airey to inform Panel about the Flood Policy.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

The meeting, which began at 7.00 pm, finished at 8.30 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Rural Panel

15th November 2017

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

Item No.	1	Application No.	17/02294/FULL	Recommendation	PERM	Page No.	
Location:	Former Four Seasons Bagshot Road Ascot SL5 9JL						
Proposal:	6 Apartments with triple garage, pergola and bin store with associated parking and amenity (amendment to application 16/03203).						
Applicant:	Mr Mills	Member Call-in:		Expiry Date:	14 September 2017		
<hr/>							
Item No.	2	Application No.	17/02705/LBC	Recommendation	PERM	Page No.	
Location:	Magna Carta House 1 Magna Carta Lane Wraybury Staines TW19 5AF						
Proposal:	Internal layout alterations on the first floor to form guest rooms with ensuite. New drainage works.						
Applicant:	Mr Chen	Member Call-in:	Cllr John Lenton	Expiry Date:	6 November 2017		
<hr/>							
Item No.	3	Application No.	17/02903/FULL	Recommendation	DD	Page No.	
Location:	Land At Priory Lodge Priory Road Sunningdale Ascot						
Proposal:	Construction of a detached five bedroom dwelling and integral garage, with associated access, landscaping and boundary treatment						
Applicant:	Mr Scott	Member Call-in:	Cllr Mrs Christine Bateson	Expiry Date:	17 November 2017		
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**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD
PLANNING COMMITTEE**

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

15 November 2017

Item: 1

Application No.:	17/02294/FULL
Location:	Former Four Seasons Bagshot Road Ascot SL5 9JL
Proposal:	6 Apartments with triple garage, pergola and bin store with associated parking and amenity (amendment to application 16/03203).
Applicant:	Mr Mills
Agent:	Mrs Kerri Gallup-Judd
Parish/Ward:	Sunninghill And Ascot Parish/Sunninghill And South Ascot Ward
If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application is an amendment to 16/03203 which was granted planning permission on 11 April 2017 following the completion of a legal agreement to secure mitigation against the effects of the development on the Chobham Common (part of the Thames Basin Heaths Special Protection Area). Members agreed the principle of the development at the Panel meeting on the 8th February 2017. The current proposal seeks to amend the scheme to provide 6 apartments instead of the approved 5 and makes changes to the parking layout at the front of the site to accommodate this. There are no changes to the scale or positioning of the building as the additional apartment would be created by dividing the large apartment on the second floor into two units.
- 1.2 The new apartment generates a requirement for 2 additional parking spaces and it is proposed to provide these to the south west of the site with one being underneath the pergola and the other located just in front of it. The pergola will be increased in width to allow for the additional parking spaces beneath it and as a result will sit further forward in the site. However, the pergola would remain sited behind the proposed hedgerow that runs alongside it thereby minimising the impact of the pergola on the street scene.
- 1.3 The application site is within a 5km zone of Chobham Common part of the Thames Basin Heath Special Protection Area (SPA) which is an area designated to protect a network of important bird conservation sites; the proposed development would likely have a harmful effect due to increased visitor and recreation pressure. It is necessary therefore for mitigation to be secured in the form of SANG (Suitable Alternative Natural Green Space) SAMM (Strategic Access Management and Monitoring) via a separate legal agreement.
- 1.4 This application was deferred from the Windsor Rural Panel on the 18th October. Members asked for the following issues to be clarified:
- Precise siting of the proposed hedge
 - Size of the parking spaces
 - Possibility of providing electric charging points
 - Details of cycle storage
 - Requirements of the landscaping condition
- 1.5 An updated set of site plans have been submitted including one at a scale of 1:50 to show the parking layout in more detail. This shows that there is sufficient space beneath the pergola to provide 3 parking spaces, each with a width of 2.4m and length of 4.8m. Highways have been consulted on the changed parking layout, however, no comments have been received at the time of writing this report. It was reported to the panel on the 18th October that the hedge which sits forward of the pergola has not moved from its approved position under application

16/03203. This is not correct as the hedge is approximately 1 metre further forward in the site. The key point, however, is that the pergola remains situated behind this hedge and as such is screened within the street scene.

- 1.6 The possibility of providing electric charging points has been raised with the agent/applicant, however, no details of this has been submitted to date. Cycle storage details have been shown on the updated site plans and further details of the cycle stores is provided on plan P6 615, however, these are only sufficient to provide cycle storage for 3 flats, the garages are insufficient in size to provide cycle storage and as such further details of cycle storage is required by condition. The landscaping condition (condition 6) has been updated to require details measures to be provided which will prevent parking on areas of soft landscaping.
- 1.7 Additional comments were received from SPAE on the 17th October, however, were not made available to the planning case officer in time to be included within the update report for the last panel meeting. These comments have therefore been summarised in section 8 below.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission following the satisfactory completion of a legal agreement which secures the necessary mitigation for the significant effect that the proposal would have on Chobham Common, which is part of the SPA, with the conditions listed in Section 10 of this report.
2.	To refuse planning permission if a legal agreement to mitigate for the significant impact on Chobham Common, which is part of the SPA has not been satisfactorily completed by 13th December for the reason that the proposed development would have a significant harmful effect on the SPA from increased visitor and recreational pressure.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended, as the proposal is for more than two residential units, such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The site is situated at the south eastern edge of South Ascot. It covers an area of 0.22ha and was formerly accommodated a large detached chalet bungalow known as 'Four Seasons': this house has now been demolished. There are a number of mature trees at the frontage of the site, including three protected oak trees, and clipped evergreen hedges along the full length of the north-eastern side boundary with 'Nagina' and along most of the side boundary with 'The Garden House' to the south-west.
- 3.2 To the north, south and west of the site there are a number of residential properties which are mainly detached houses set in spacious settings. To the east are the wooded grounds of the former King's Beeches, which is sited within the Green Belt.
- 3.3 The oak trees along the frontage of the site are covered by TPO 35 of 2001. Trees in the neighbouring property 'Nagina' are also covered by a TPO, as are the trees at the rear of the site in the grounds of the former Kings Beeches, Devenish Road.
- 3.4 The site is located within the 5km 'zone of influence' of the Thames Basin Heaths Special Protection Area (SPA).

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The proposal is to construct a building with six apartments (6 x 2 bedroom), along with a 3 car garage and 11 additional exterior car parking spaces (3 of which are within a pergola/car port structure).

- 4.2 The application follows other applications for 5 apartment schemes as listed below which includes 2 extant permissions 14/00522 (allowed on appeal) and 16/03203.

Ref.	Description	Decision and Date
12/02010/FULL	Construction of two detached dwellings, both with detached garages, following demolition of existing.	Refused 13.09.2012 and subsequently dismissed at appeal (PINS reference APP/T0355/A/12/2186888)
12/02637/FULL	Construction of replacement dwelling.	Approved 19.12.2012
12/03471/FULL	Construction of a five unit apartment building, with associated garage, external parking and landscaping, following demolition of existing.	Refused 26.06.2014 and subsequently dismissed at appeal (PINS reference APP/T0355/A/13/2193590)
14/00522/FULL	Construction of a five unit apartment building, with associated garage, external parking and landscaping, following demolition of existing.	Refused 26.06.2014 but subsequently allowed at appeal (PINS reference APP/T0355/A/14/2226719)
15/01517/FULL	New building to provide 4 x 2 No. bedroom and 1 x 3 No. bedroom apartments, detached triple garage, detached bin store, associated parking and landscaping following demolition of existing property.	Refused 26.10.2015 and subsequently dismissed at appeal (PINS reference APP/T0355/A/3139436)
16/00243/FULL	New building to provide 4 x 2 No. bedroom and 1 x 3 No. bedroom apartments, detached double and triple garage, detached bin store, associated parking and landscaping following demolition of existing property.	Refused 21.03.2016
16/02310/FULL	New building consisting of 5 No. apartments with associated parking and amenity following demolition of existing dwelling.	Refused 22.09.2016
16/03203/FULL	5 apartments with triple garage, pergola and bin stores with associated parking and amenity following demolition of existing dwelling.	Permitted 11.04.2017
17/01537/FULL	Alterations to current consent 16/03203 to provide 6 no. apartments and 15 no. parking spaces.	Withdrawn 14.07.2017

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Royal Borough Local Plan

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

	Within settlement area	Highways and Parking	Trees and Biodiversity
Local Plan	DG1, H10, H11	P4, T5	N6
Neighbourhood Plan	NP/DG1, NP/DG2, NP/DG3, NP/DG5	NP/T1	NP/EN2, NP/EN3, NP/EN4

These policies can be found at

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

Borough Local Plan: Submission Version

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to September 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

Supplementary planning documents

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

- Thames Basin Heaths Special Protection Area (Part 1)

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Character
- ii Residential amenity
- iii Parking and highway safety
- iv Trees and ecology
- v Thames Basin Heath Special Protection Area

Character

6.2 The proposal is to build a 6 unit apartment building, a detached 3 car garage and to construct a parking and turning area including a pergola to the front of the site. The main apartment building and detached garage replicate the details found in the extant permission 16/03203, (5 flats) with only internal alterations proposed to accommodate the additional residential unit. The scale and design of the building has also been accepted in recent appeal decisions where the inspector concluded that sufficient space would remain around the building and that the proposal appeared

sufficiently like a large villa to be compatible with the appearance and character of the area. The position of the building and the principle of the garage and pergola at the front of the site have also been established within previous applications and appeals.

- 6.3 In order to facilitate the additional residential unit 2 new parking spaces have been proposed to the front of the site. One of these will be beneath the pergola with the other just in front of this structure. The pergola will be increased in width to allow for the additional parking space beneath it and as a result will site further forward in the site. Crucially, however, the pergola will remain behind the proposed hedgerow that runs adjacent. The impact of the pergola on the street scene would therefore remain minimal as it will be largely shielded from view by the hedge. The additional hardstanding required is minimal and would not harm the character and appearance of the area.

Residential amenity

- 6.4 The position and scale of the building is unchanged from the extant permission 16/03203 and as such there would be no significant impact on the amenity of neighbouring properties from a loss of light or outlook. There are some minor changes to the position of windows and the rooms which they serve at first floor level on the side elevations, however, this will not result in additional overlooking and can be satisfactorily addressed through the use of obscure glass, secured by condition.
- 6.5 The decision on the appeal for 15/01517 noted evidence from the appellant to the effect that the rooms at the back of the flats, including the ground and first floor living rooms, would not be shaded by the existing trees in spring, summer or autumn, and concluded that future occupiers would enjoy reasonable levels of sunlight in their homes. The size of the rear garden and approximate positions of rear windows is similar to those in the allowed appeal scheme; no objection on these grounds is therefore raised. Depths of the rear garden vary between 13.5m and 18.5m, which are considered to provide an acceptable rear amenity space for the residents.

Parking and highway safety

- 6.6 The Highways Officer has previously confirmed that the existing access is sufficient for the proposed use and expected vehicle movement per day can be comfortably accommodated. No objections have been raised in this respect for the increased number of units. Car parking in accordance with both Local and Neighbourhood Plan policies was considered in the 2014 appeal decision, and it was considered by the Inspector that the proposals provided sufficient parking for the likely demand in this location. Sufficient turning space has also been provided. 2 additional spaces are required for the new unit and these have been provided to the south west of the site, one beneath the pergola and the other just in front of the structure. The hardstanding beneath the pergola is 7.2m wide and as such is sufficient for 3 car parking spaces (2.4m for each space), there is also more than the required length for each parking space. 14 parking spaces are provided in total, 12 for the proposed apartment building and 2 visitor spaces.
- 6.7 The garages are insufficient in size to provide cycle storage in addition to parked cars and as such details of cycle storage will need to be secured via condition (see condition 10 in section 10 below).

Trees and ecology

- 6.8 Impacts on trees both at the front and rear of the property were considered at length in the 2014 appeal, where the Inspector considered that there would be no adverse impacts that cannot be satisfactorily managed by conditions. The Council's Tree Officer has raised concerns this time around with additional parking spaces being provided within the root protection area (RPA) of the Oak tree at the front of the site. In response to this the applicant has submitted an amended site plan showing the parking spaces to be provided to the South West side of the site instead with one of these spaces being beneath the proposed pergola.

- 6.9 An ecological walk over survey was carried out in 2014 and has been relied upon for the most recent applications and appeals for this site; the survey states there is no evidence of the presence of any protected species. The Inspector for appeal ref. APP/T0355/A/14/2226719 recommended conditions and mitigation measures in relation to this walk over survey; the 2015 appeal (APP/T0355/A/3139436) Inspector supported this approach and noted that they would have added the same conditions had they been minded to allow the appeal. The survey is considered recent enough and detailed enough to be relied upon and as such subject to the condition recommended by the appeal Inspector, the impact on ecology is considered acceptable (See condition 12 in section 10 below).

Thames Basin Heath Special Protection Area

- 6.10 The application site is within a 5km zone of the Thames Basin Heath Special Protection Area (SPA) which is an area designated to protect a network of important bird conservation sites; the proposed development would likely have a harmful effect on Chobham Common, which is part of the SPA due to increased visitor and recreation pressure. It is necessary therefore for mitigation to be secured in the form of SANG (Suitable Alternative Natural Green Space) SAMM (Strategic Access Management and Monitoring). As per the appeal decision for 15/01517 it is considered necessary for this mitigation to be secured by way of a separate section 111 legal agreement. At the time of writing this report the Section 111 legal agreement has not yet been secured.

Other Material Considerations

Housing Land Supply

- 6.11 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The application proposes a new residential development and therefore would be liable for a Community Infrastructure Levy contribution. The proposal would generate a tariff based upon the chargeable residential floor area at £240per sqm.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

5 occupiers were notified directly of the application.

The planning officer posted a notice advertising the application at the site on 24.07.2017

1 letter was received objecting to the application, summarised as:

Comment		Where in the report this is considered
1.	Concerns were raised regarding the positioning of parking spaces within the root protection area of protected trees.	Paragraph 6.8
2.	Concerns were raised regarding the number of parking space which is considered insufficient.	Paragraph 6.6
3.	Concerns were raised over the adequacy of the existing access for multiple and larger vehicles.	Paragraph 6.6
4.	Concerns were raised regarding the scale of the development and the impact this will have on the appearance of the plot and immediate area.	Paragraph 6.2

Statutory consultees

Consultee	Comment	Where in the report this is considered
Natural England	No objection subject to SANG and SAMM requirements being met and Biodiversity enhancements being incorporated.	Paragraph 6.10

Other consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	No objections subject to conditions	N/A
Highways Authority	No objections subject to conditions	Paragraph's 6.6 and 6.7
Tree Team	Objects to application as it would introduce additional hardstanding into the root protection area of the protected mature Oak along the front of the site. An additional parking space beneath the canopy of this tree will also increase pressure to prune it due to falling debris.	Paragraph 6.8
Parish Council	Objections as the committee still thought that there was not enough parking and the extra spaces would adversely affect the root protection area of an adjacent ancient oak tree. The Parish Council thought that yet another application on the site was vexatious.	Paragraphs 6.6 & 6.8
SPAE	<ol style="list-style-type: none"> 1. Concerns were raised over the scale and bulk of the development. 2. The development is not considered good quality design. 3. The private amenity space is considered insufficient for the occupants of 6 apartments. 4. Parking is considered to be insufficient and the tandem parking arrangement inadequate. 5. The additional car parking risks impact on the root protection areas of important trees. 	Design issues are considered in paragraph's 6.2 and 6.3. parking issues in paragraph's 6.6 and 6.7 and the impact on trees in paragraph's 6.8 and 6.9
SPAE additional comments (received 17 th October 2017)	The parking arrangements are inadequate and unsustainable. Two parking spaces have been moved from the side of the proposed garage to now be integral to the pergola parking area. It is now proposed that the pergola will be triple capacity instead of double-capacity meaning that three vehicles will need to be squeezed into a width of just of 6m wide. This will result in vehicles parking on verges or on Bagshot Road.	Paragraphs 6.6 and 6.7

9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan and elevation drawings

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Development shall be carried out in accordance with the construction management plan approved under application 17/01405/CONDIT. The plan shall be implemented as approved and maintained for the duration of the works 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.
- 3 The erection of fencing for the protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and the submitted arboricultural impact assessment dated 09.10.2017 before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 4 No construction shall take place in association with the development until details including samples if necessary of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In order to ensure that materials are selected prior to ordering of materials that will be complimentary to the visual amenities of the area and will ensure compliance with the following relevant policies: Local Plan DG1 and Neighbourhood Plan NP/DG1 and NP/DG3.
- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable approved in writing by the Local Planning Authority . The development shall then be carried out in accordance with the approved details and shall be retained as approved thereafter.
Reason: In order to ensure that any fences are designed in a way that is sympathetic to the character of the area and takes into account impacts on trees and hedges, and will ensure compliance with the following relevant policies: Local Plan DG1 and N6, and Neighbourhood Plan NP/EN2, NP/DG1 and NP/DG3.
- 6 No development shall take place until full details of both hard and soft landscape works, including measures to prevent parking on areas of soft landscaping, 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.
- 7 The development shall be carried out and maintained in accordance with the levels detailed on drawing number 039-04 approved under application 17/01405/CONDIT unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure a scale of development that maintains the character and appearance of the area. Relevant Policies - Local Plan DG1 and Neighbourhood Plan NP/DG1 and NP/DG3.
- 8 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: 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.

- 9 No part of the development shall be occupied until covered and secure cycle parking facilities have been provided in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These facilities shall thereafter be kept available for the parking of cycles in association with the development at all times.
Reason: To ensure that the development is provided with adequate parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies - Local Plan T7, DG1
- 10 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 11 No dwelling shall be occupied until the wildlife mitigation and habitat improvement measures detailed within the 'Ecological Mitigation and Enhancement Strategy' approved under application 17/01405/CONDIT have been implemented in full. The approved measures shall be subsequently be retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to comply with advice in the National Planning Policy Framework 2012 and Neighbourhood Plan NP/EN4.
- 12 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.
- 13 The site is in close proximity to an historic contaminative land use i.e. Quarrying of sand & clay and Unknown Filled Ground, in the event that unexpected soil contamination is found after development has begun, development must be halted. The contamination must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is the subject of the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan NAP4.
- 14 The first floor flank elevation windows shall be of a permanently fixed, non-opening design, with the exception of opening toplights that shall be set a minimum of 1.7m above the finished internal floor level (FFL), and shall be fitted with obscure glass to a minimum 1.7m above FFL in the case of rooms other than bathrooms / WCs, and fully obscure glazed in the case of bathrooms / WCs. The second floor rooflights shall also be obscure glazed and, unless set with its lower edge a minimum of 1.7m above the finished internal second floor level, shall be non-opening unless otherwise first approved in writing by the Local Planning Authority. The windows and rooflights shall not be altered without the prior written approval of the Local Planning Authority.
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers, in accordance with design advice in the NPPF.
- 15 No further flank wall(s) windows shall be inserted at first floor level or above and no additional rooflight(s) shall be inserted at second floor level without the prior written approval of the Local Planning Authority.

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

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

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

Appendix A— Site location plan and site layout



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Client: KERRELL

Project: Land at Four Seasons, Bagshot Road, Ascot

Title: Site Location Plan

Status: Planning

Scale: 1:1250 **Date:** July 2017

Revision: Sheet AS

Org: FD 15-1270 - P6.50

Proposed Block Plan



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Planning

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Rev.	Description	Date
A	Amendments further to council comments	20.07.17
B	Amendments to parking layout	28.08.17
C	Revisions following planner comments	28.10.17



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Ascot

Title: Proposed Site Layout

Status: Planning

Scale: 1 : 500

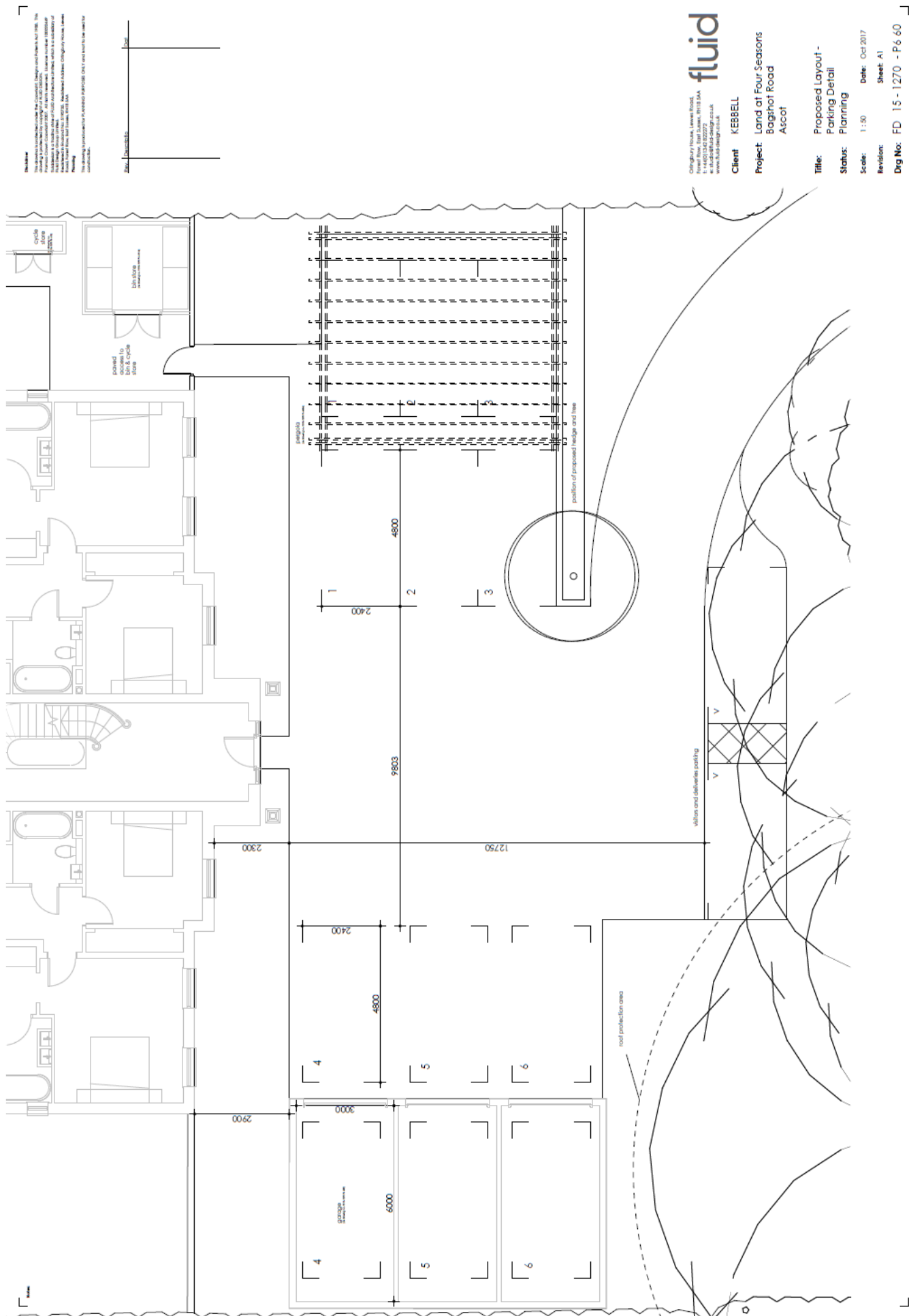
Date: July 2017

Revision: C

Sheet: A3

Dwg FD 15-1270 - P6.55

Proposed Parking Layout



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Project: Land at Four Seasons
 Bagshot Road
 Ascot

Title: Proposed Layout -
 Parking Detail

Status: Planning

Scale: 1 : 50
Date: Oct 2017

Revision: Sheet: A1

Draw No: FD 15 - 1270 - P6.60

Appendix B— Plans and elevations - proposed ground floor plan

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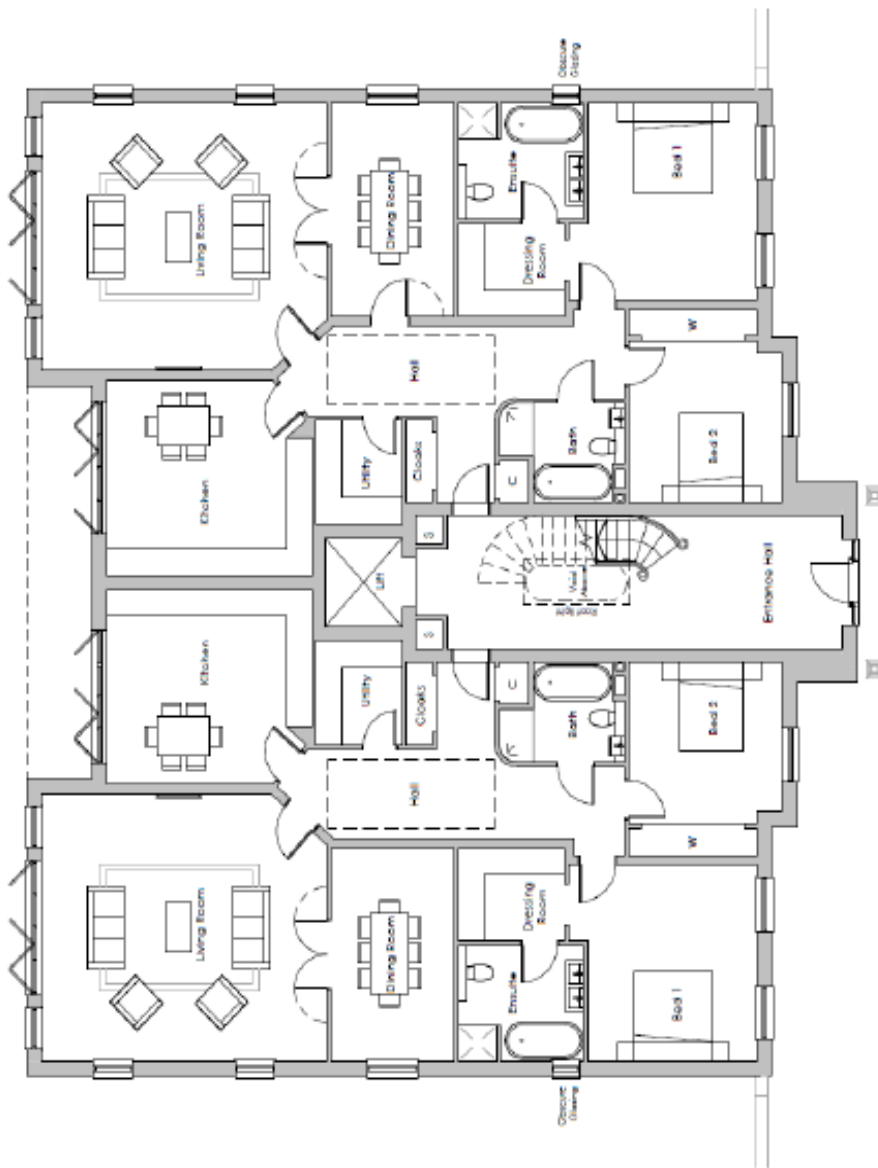
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 Plan

Status: Planning

Scale: 1:100 Date: July 2017

Revision: A3 Sheet: A3

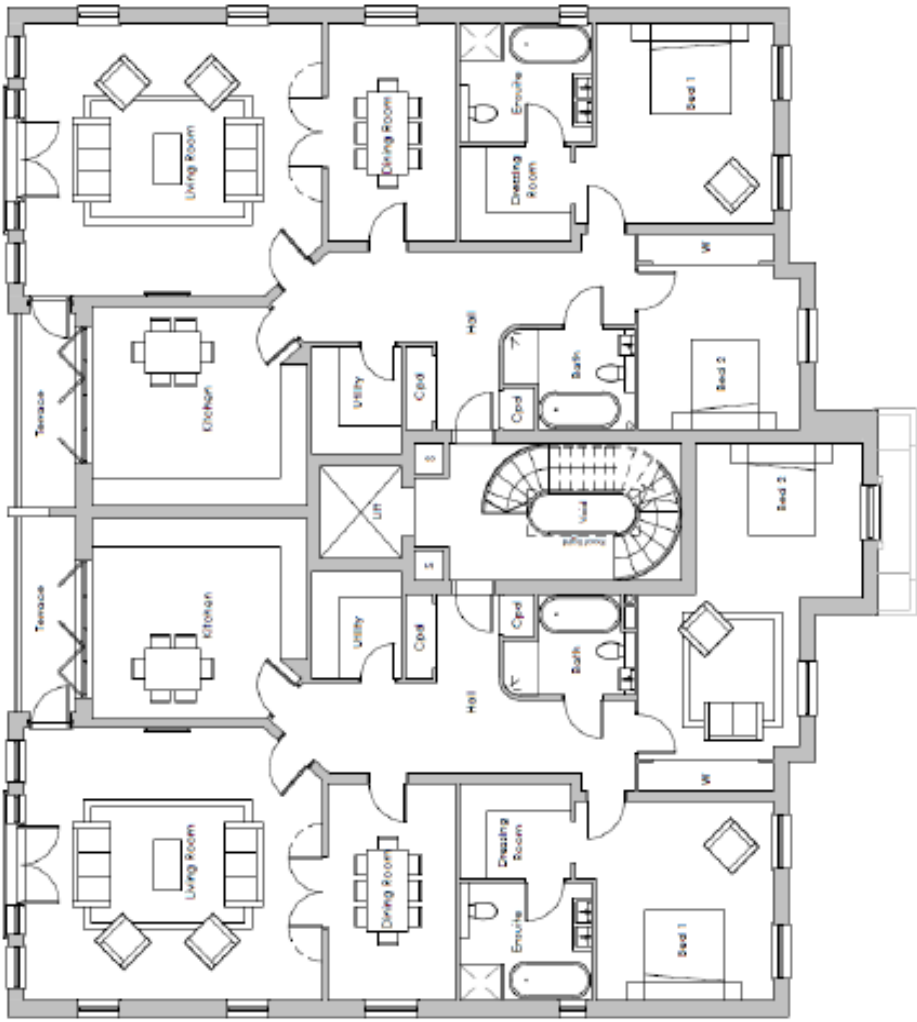
Drawn: FD 15-1270 - P6 100



Proposed first floor plan

All first floor flank windows to be fixed obscure glazing with opening top lights only

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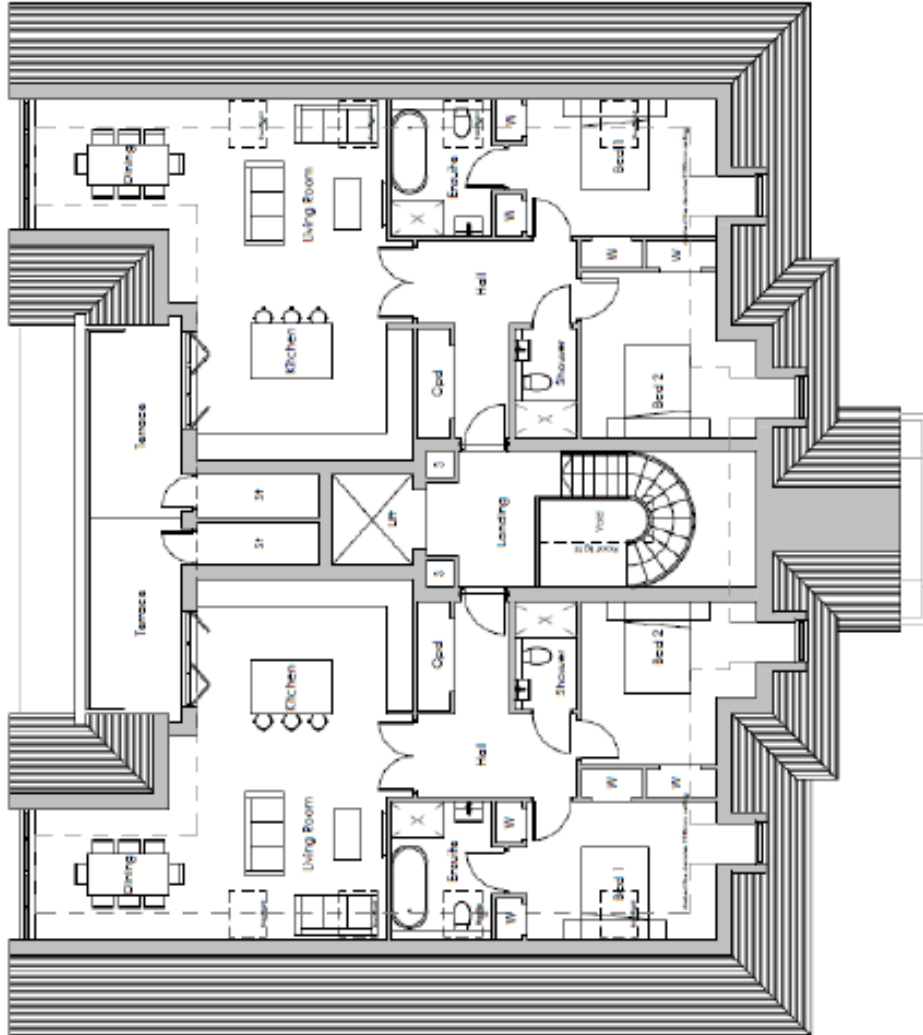
Client: KERBELL
Project: Land at Four Seasons Bagshot Road Ascot
Title: Proposed First Floor Plan
Status: Planning
Scale: 1 : 100
Date: July 2017
Revision: Sheet A3
Dwg No: FD 15-1270 - P6 101

Proposed second floor plan

Rooflights to be set at 1.7m to allow for clear glazing with opening lights

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Rev	Description	Date
A	Annotations added to issued comments	23/07/17



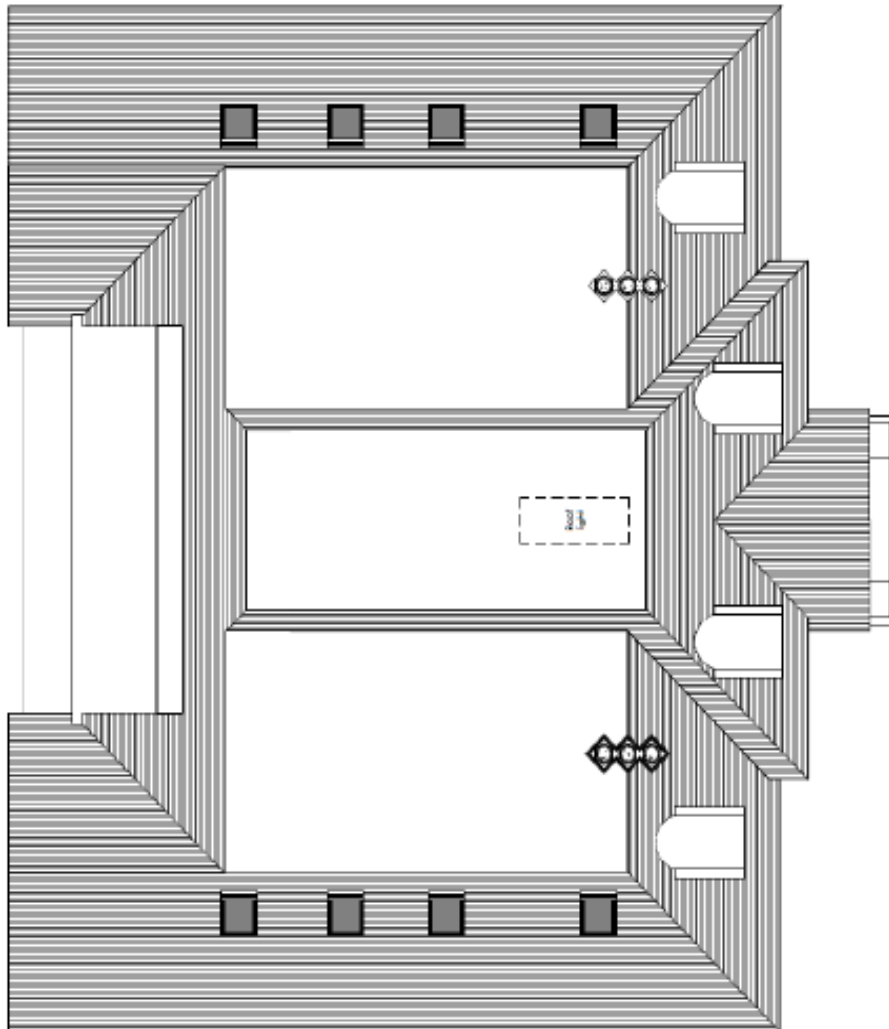
Client: KERBELL
Project: Land at Four Seasons
 Bagshot Road
 Ascot

Title: Proposed Second Floor Plan
Status: Planning
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Date: July 2017
Revision: A
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Org: FD 15-1270 - F6 102

Proposed roof plan

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Client: **KEBBELL**

Project: **Land at Four Seasons
 Bagshot Road
 Ascot**

Title: **Proposed Roof Plan**

Status: **Planning**

Scale: **1 : 100** Date: **July 2017**

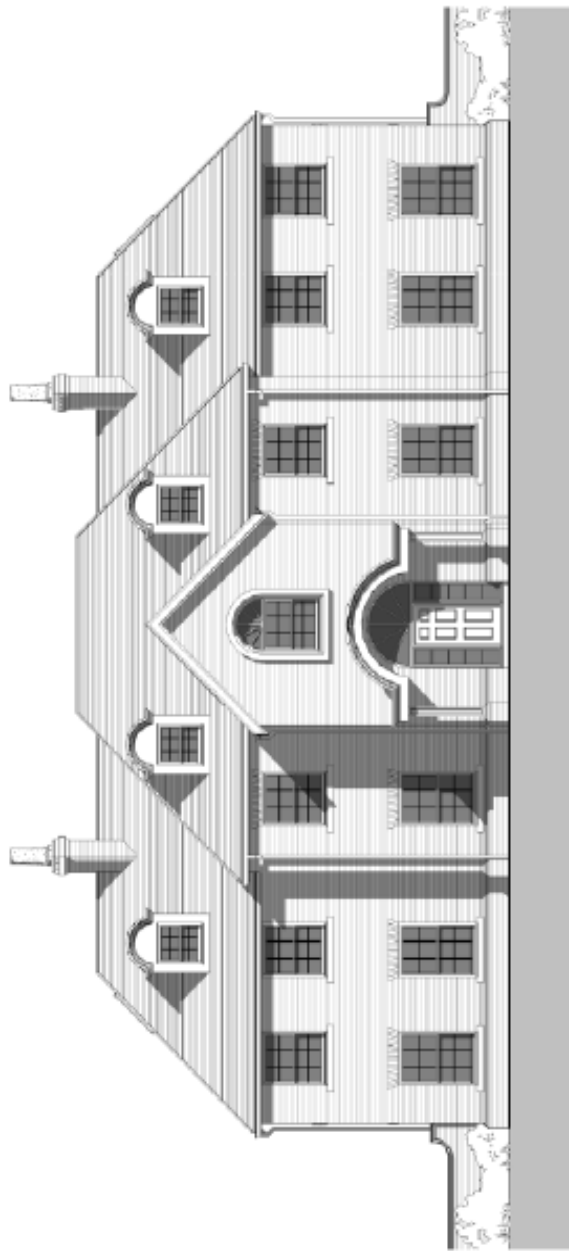
Revision: **AS** Sheet: **AS**

Dwg **FD 15-1270 - P6 103**

Proposed front elevation

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Client: KEBBELL

Project: Land at Four Seasons
 Bagshot Road
 Ascot

Title: Proposed Front Elevation

Status: Planning

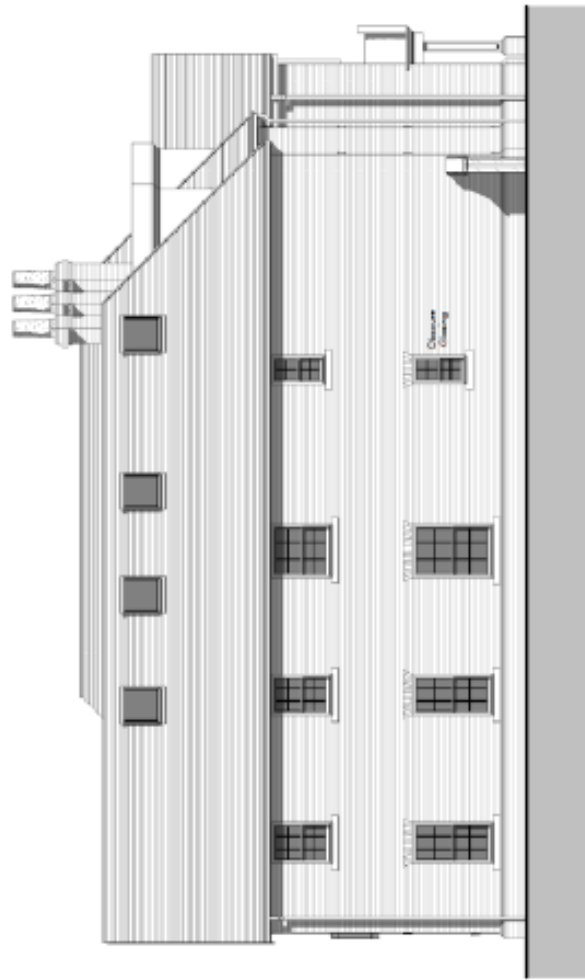
Scale: 1 : 100 **Date:** July 2017

Revision: **Sheet:** A3

Dwg: FD 15-1270 - P6 110

Proposed left flank elevation

Note: All first floor flank windows to be fixed obscure glazing with opening top lights only



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Client: KEBBELL

Project: Land at Four Seasons
 Bagshot Road
 Ascot

Title: Proposed Left Flank
 Elevation

Status: Planning

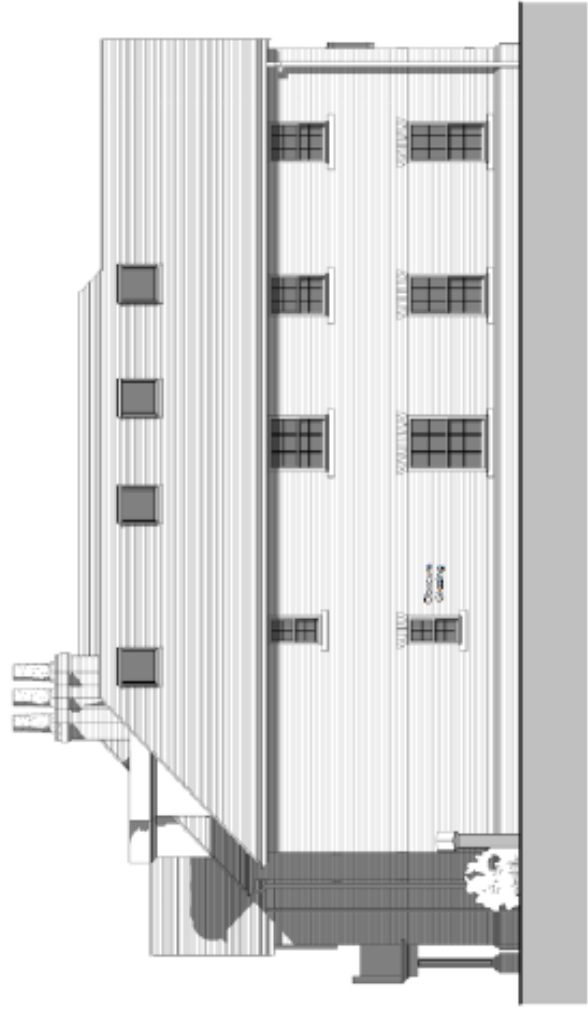
Scale: 1 : 100

Revision: Sheet A3

Drawn: FD 15-1270 - P6 111



All first floor flank windows to be fixed obscure glazing with opening top lights only



Proposed right flank elevation

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Client: KEBBELL

Project: Land at Four Seasons
 Bagshot Road
 Ascot

Title: Proposed Right Flank
 Elevation

Status: Planning

Scale: 1 : 100 **Date:** July 2017

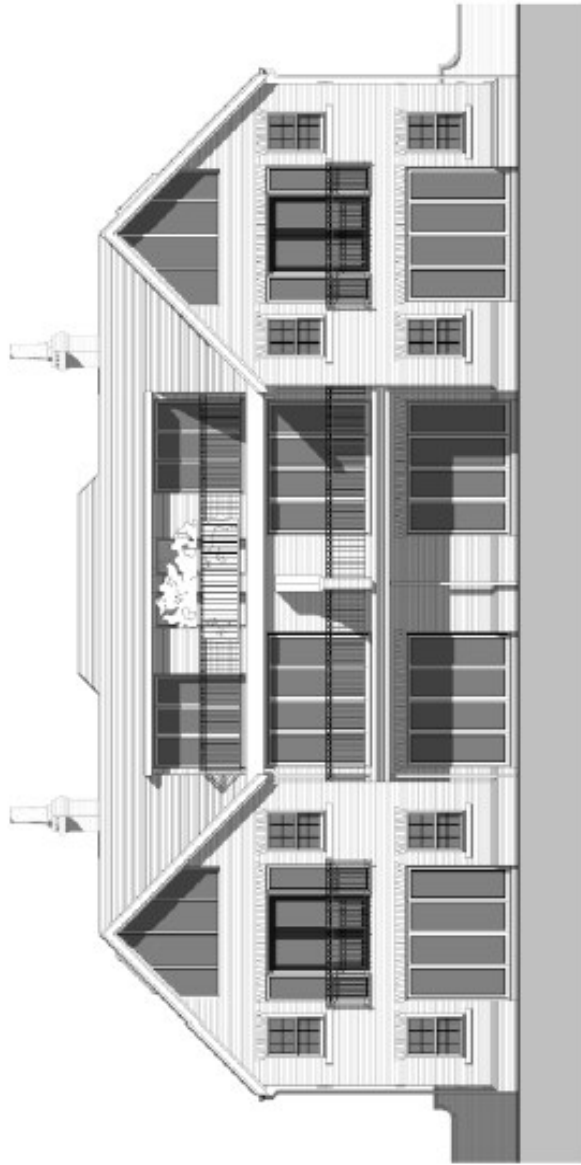
Revision: **Sheet:** A3

Org: FD 15-1270 - P6 113

Proposed rear elevation

Disclaimer
 This drawing is prepared in the context of the design and construction of the building and is not intended to be used for any other purpose. It is not a contract document and should not be used as such. The client is responsible for ensuring that the drawing is used in accordance with the relevant building regulations and other applicable laws. The client is also responsible for ensuring that the drawing is used in accordance with the relevant building regulations and other applicable laws.

No.	Description	Date



fluid

Osington House, Leam Road,
 Four Seasons, Bagshot, Surrey,
 GU24 0BE
 t: 01494 471111
 www.fluid-design.co.uk

Client: KEBBELL

Project: Land at Four Seasons
 Bagshot Road
 Ascot

Title: Proposed Rear Elevation

Status: Planning

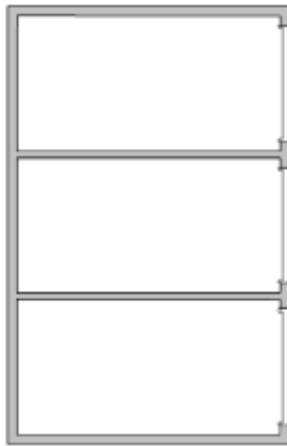
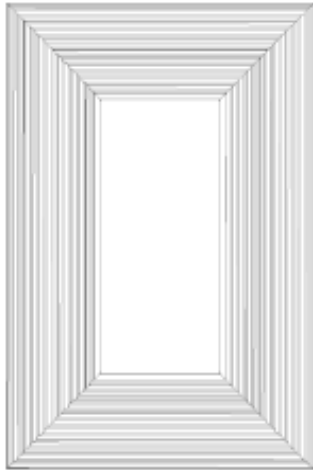
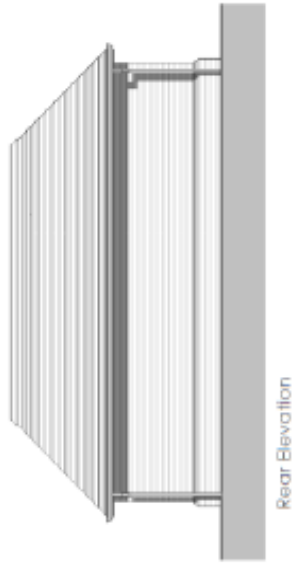
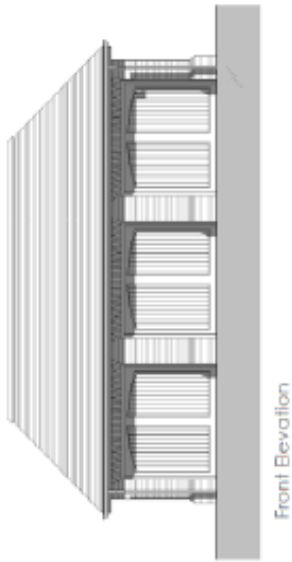
Scale: 1 : 100
Revision:

Date: July 2017
Sheet: A3
Dwg: FD 15-1270 - P6 112

Proposed garage plan

Notation
 The drawings are for information only. They do not constitute a contract. The client is responsible for obtaining all necessary permissions and approvals. The drawings are for information only. They do not constitute a contract. The client is responsible for obtaining all necessary permissions and approvals. The drawings are for information only. They do not constitute a contract. The client is responsible for obtaining all necessary permissions and approvals.

No.	Description	Date



fluid

Design House, Level Road,
 Baginbun, Co. Wick, Ireland
 Tel: +353 (0) 87 923 2372
 Email: info@fluid.ie
 www.fluid.ie

Client: KEBBELL
Project: Land at Four Seasons
 Baginbun Road
 Aiscoll

Title: Proposed Garage

Status: Planning

Scale: 1:100
Date: July 2017

Revision: Sheet A3

Drawn by: FD 15-1270 - P6 600

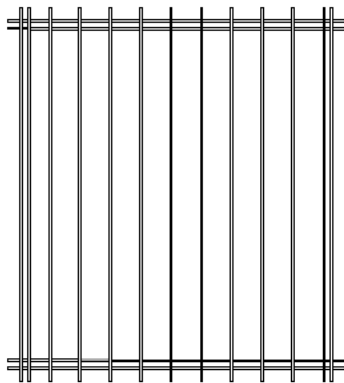
Proposed Pergola Plan

Disclaimer

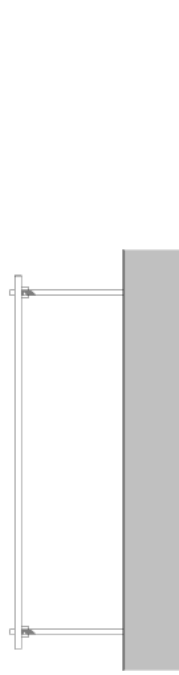
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Planning

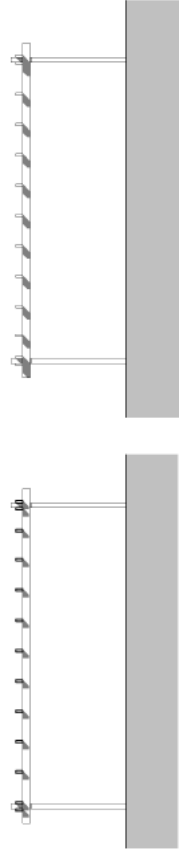
This drawing is produced for PLANNING PURPOSES ONLY and is not to be used for construction.



Roof Plan

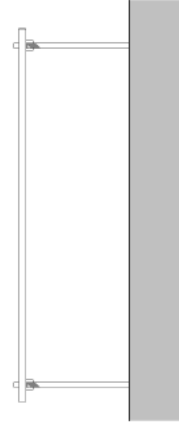


Front Elevation



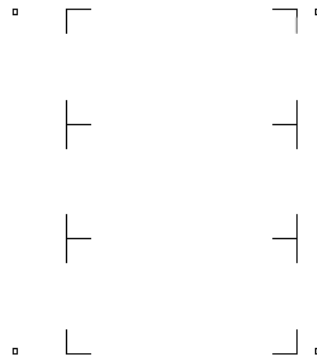
Left Flank Elevation

Right Flank Elevation



Rear Elevation

Ground Floor Plan



Rev.	Description	Date
A	Amendments to planing layout	25/05/17
B	Revisions following planner comments	25/10/17

Clintbury House, Levens Road,
Forest Row, East Sussex, BN18 5AA
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e: studio@fluid-design.co.uk
www.fluid-design.co.uk



Client: KEBBELL

Project: Land at Four Seasons
Bagshot Road
Ascot

Title: Proposed Pergola

Status: Planning

Scale: 1 : 100 **Date:** July 2017

Revision: B **Sheet:** A3

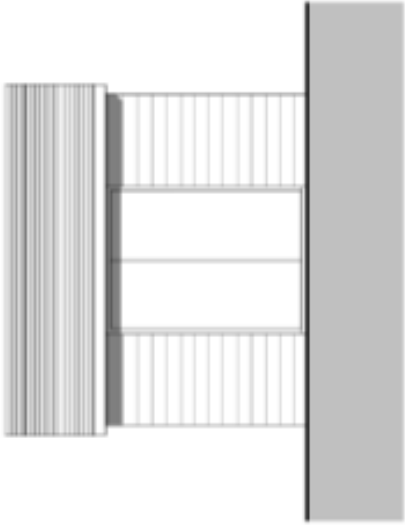
Drig FD 15-1270 - P6 605

Proposed bin store

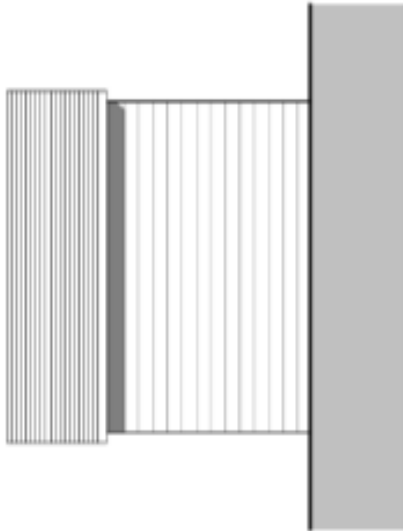
Notes:

The design is intended for planning purposes only. It is not to be used for construction. The design is intended for planning purposes only. It is not to be used for construction. The design is intended for planning purposes only. It is not to be used for construction.

No.	Description	Date
1	Approved for planning purposes	28.07.17



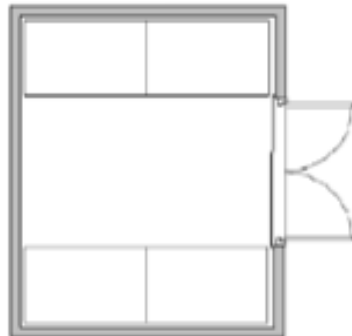
Front Elevation



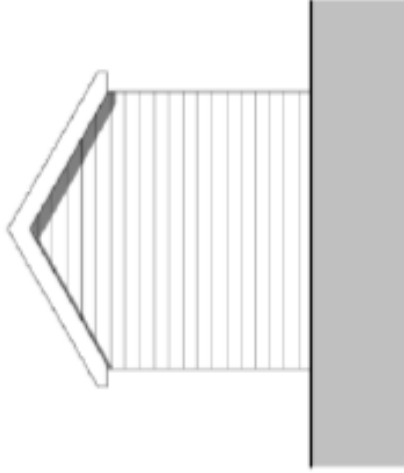
Rear Elevation



Roof Plan



Ground Floor Plan



Front Elevation



Orange Road, Llandudno,
North Wales, LL50 2AA
Tel: 01492 542525
www.fluidarchitecture.co.uk
info@fluidarchitecture.co.uk

Client: KEBBELL

Project: Land of Four Seasons
Bagshot Road
Ascot

Title: Proposed Bin Store

Status: Planning

Scale: 1:40 Date: July 2017

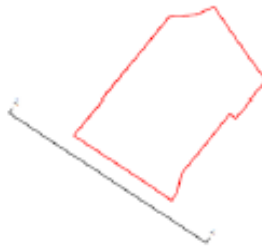
Revision: A Street: A2

Dir: FD 15-1270 - P6 610



Proposed street scene

NOTES
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE STATED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE STATED.
 4. ALL DIMENSIONS ARE TO EXTERIOR FACE UNLESS OTHERWISE STATED.
 5. ALL DIMENSIONS ARE TO INTERIOR FACE UNLESS OTHERWISE STATED.
 6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE STATED.
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 8. ALL DIMENSIONS ARE TO INTERIOR FACE UNLESS OTHERWISE STATED.
 9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE STATED.
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 12. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE STATED.
 13. ALL DIMENSIONS ARE TO EXTERIOR FACE UNLESS OTHERWISE STATED.
 14. ALL DIMENSIONS ARE TO INTERIOR FACE UNLESS OTHERWISE STATED.
 15. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE STATED.
 16. ALL DIMENSIONS ARE TO EXTERIOR FACE UNLESS OTHERWISE STATED.
 17. ALL DIMENSIONS ARE TO INTERIOR FACE UNLESS OTHERWISE STATED.
 18. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE STATED.
 19. ALL DIMENSIONS ARE TO EXTERIOR FACE UNLESS OTHERWISE STATED.
 20. ALL DIMENSIONS ARE TO INTERIOR FACE UNLESS OTHERWISE STATED.



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 416-291-1100
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Client: KEBBELL
Project: Land at Four Seasons
 Baginot Road
 AGCEI

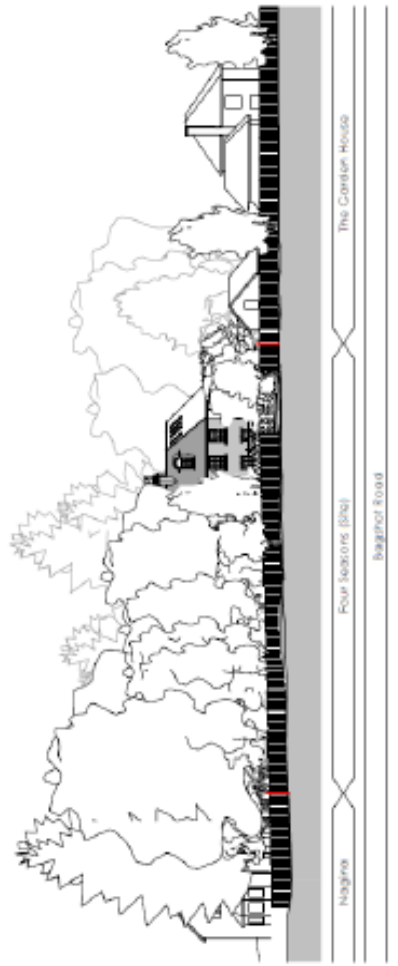
Title: Proposed Street Scene

Notes: Planning

Scale: As Indicated **Date:** July 2017

Revision: **Sheet:** A1

Doc No.: FD - 1270 - P4.700



WINDSOR RURAL DEVELOPMENT CONTROL PANEL

15 November 2017

Item: 2

Application No.:	17/02705/LBC
Location:	Magna Carta House 1 Magna Carta Lane Wraysbury Staines TW19 5AF
Proposal:	Internal layout alterations on the first floor to form guest rooms with ensuite. New drainage works.
Applicant:	Mr Chen
Agent:	Ms Lily Li
Parish/Ward:	Wraysbury Parish/Horton & Wraysbury Ward
If you have a question about this report, please contact: Olivia Mayell on or at olivia.mayell@rbwm.gov.uk	

1. SUMMARY

- 1.1 Magna Carta House is a Grade II Listed Building. The proposal is to add an additional two bathrooms on the first floor and the associated drainage work. The application takes into account the sensitivity of the heritage asset and alterations have been made to the original proposal based on advice provided. The application is now acceptable in heritage terms and will ensure the continued use of the building. In accordance with the NPPF para 134 the proposal's less than substantial harm is outweighed by the continued optimum use of the building, with the public benefit of ensuring that this historically significant building is maintained and preserved.

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

2. REASON FOR PANEL DETERMINATION

- Councillor Lenton requested the application be reviewed by the Panel as relates to a listed building

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 Magna Carta House was built in 1824 by George Simon Harcourt to commemorate the sealing of the Magna Carta. Originally a small irregular stone house in a Norman style, the building was largely extended in painted white brick in the 1930's by Robert Atkinson. The roofs are steeply pitched with Welsh slate, gable ends and cylindrical stone chimneys. The main significance of the building lies with its connection to the signing of the Magna Carta and its location on the island. The Magna Carta Room, with its octagonal table and circular commemorative stone, is also significant. Internally the building has been much altered although there remains good quality imported 17th century Jacobean panelling and stained glass.
- 3.2 The house sits on its own island on the River Thames, at the edge of the borough's boundary with Runnymede Borough Council. The building is prominent from the A308 and sits comfortably within 3.7 acres of grass lawn with a border of yew trees. There are several small outbuildings located close to the house including a cottage.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Ref.	Description	Decision and Date
16/00745/LBC	Consent for repairs and restoration works to roof areas, chimneys, flooring in banquet room and dry rot affected areas	Permitted 10.06.2016

- 4.1 These works have led to large amount of finish materials being removed from two of the first floor rooms. This is where the alterations to include two more bathrooms have been proposed.

4.2 This application proposes the addition of two bathrooms on the first floor and includes the associated drainage work that will link these two new bathrooms to the waste drain.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 Planning (Listed Buildings and Conservation Areas) Act 1990

Listed Buildings

With respect to Act, the applicable statutory provisions are:

Section 16(2) when determining applications, the local planning authority or the Secretary of State, *'shall have special regard to the desirability of preserving the building or its setting of any features of special architectural or historic interest which it possesses'*.

5.2 National Planning Policy Framework Sections

Paragraph 131 of the NPPF states that, local planning authorities should take into account:

'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'.

Paragraph 132 of the NPPF states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 134 states that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Royal Borough Local Plan

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

Listed Building
LB2

These policies can be found at

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

i The impact on the listed building

The impact on the listed building

6.2 The proposals are to create two new bathrooms on the first floor of the main Magna Carta House. Currently the building has eight bedrooms with only two bathrooms, one of which is an en-suite to the main bedroom, accessed through a dressing room. The proposal initially proposed three new bathrooms, one located in bedroom 2 as an en-suite and the other two in the middle bedroom on the southwest side of the building by splitting the room in half. This was resulting in a waste pipe running under the length of the building which was seen to be unsympathetic and not the most appropriate way of altering the building. After consulting with officers the applicant altered the drawings to the current proposal. This is for two new bathrooms with the second located in the current most south westerly bedroom. By moving the bathroom to this location it allows the waste

pipe to be run externally around the building and no longer involves the disturbance of historic flooring. No objections to the application were made by either the Parish Council or Berkshire Archaeology.

- 6.3 This part of the house has already had much of its internal finishes removed under the permission granted in 2016 and there is an existing waste pipe that runs down to ground level and out of the building. The proposal would involve less than significant harm to the remaining historic fabric, which is outweighed by the continued optimum use of the building, with the acceptance that the property needs modernisation and additional services.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

The planning officer posted a notice advertising the application at the site on 13.09.2017 and the application was advertised in the Maidenhead & Windsor Advertiser on the 21.09.2017.

No letters have been received.

Statutory consultees

Consultee	Comment	Where in the report this is considered
Wraysbury Parish Council	Noted the application was called in	6.2

Other consultees

Consultee	Comment	Where in the report this is considered
Archaeology	No objection. Advise attaching a condition requiring archaeological monitoring in view of the significance of any 13 th century remains, even if the potential for them to be present is low.	6.2 & 10
Conservation	No objection following changes made.	6.2- 6.3

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B – plan drawings

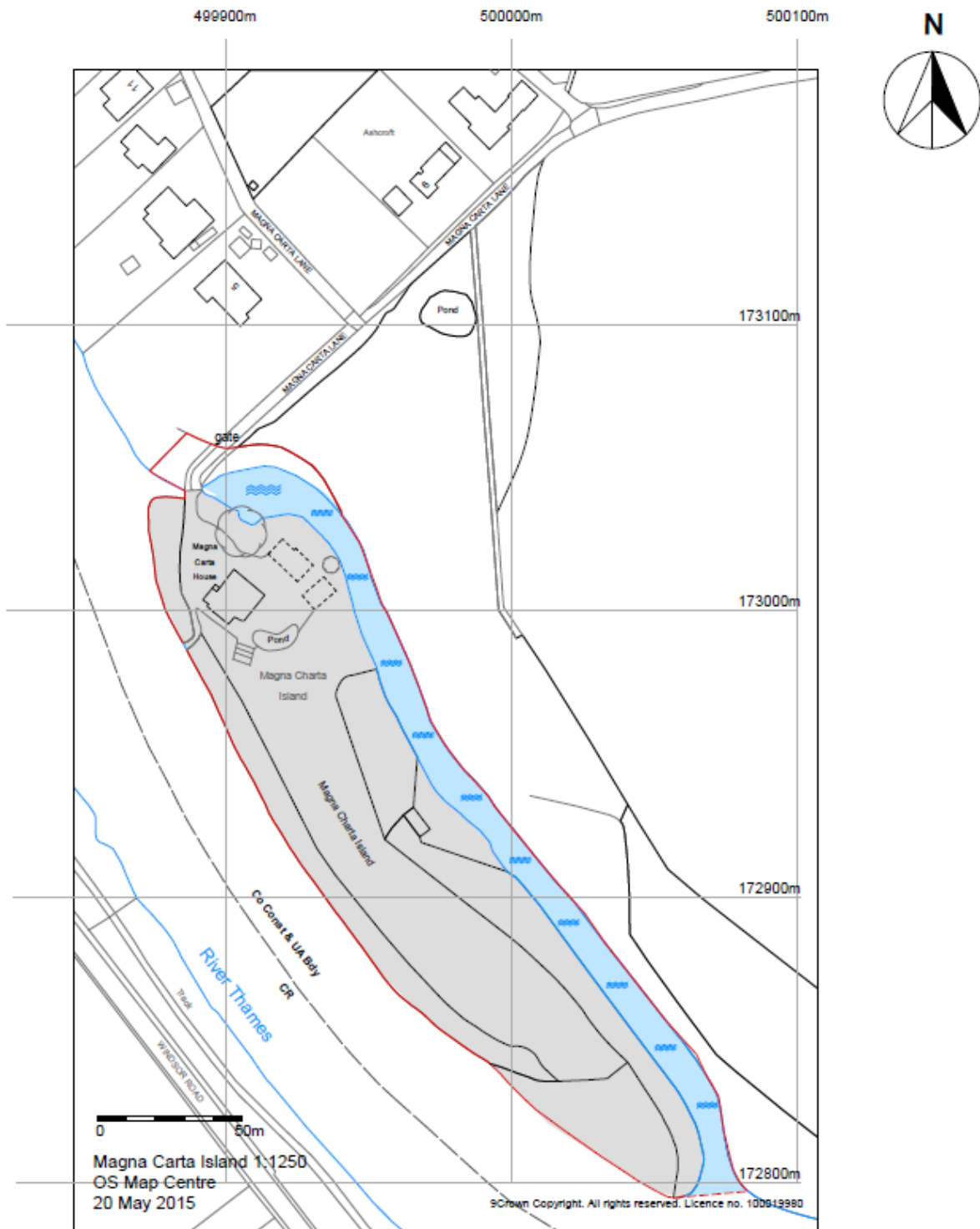
9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED


1. The works/demolition shall commence not later than three years from the date of this consent.
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
2. No development shall take place until an archaeological watching brief in relation to the new drainage works has been submitted and approved in writing by the Local Planning Authority. The work shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that any finds of archaeological interest are preserved in situ or recorded.
Relevant Policies - Local Plan ARCH2, ARCH4.

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

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

Appendix A— Site location plan and site layout



 Project Title: Magna Carta Island Phase 2	Client: Zhong Ke Overseas Investment Co. Ltd Drawing Title: LOCATION PLAN	Date: Nov/2016 Scale: 1:1250
	Drawing No.: 438_Phase 2/PL/01	

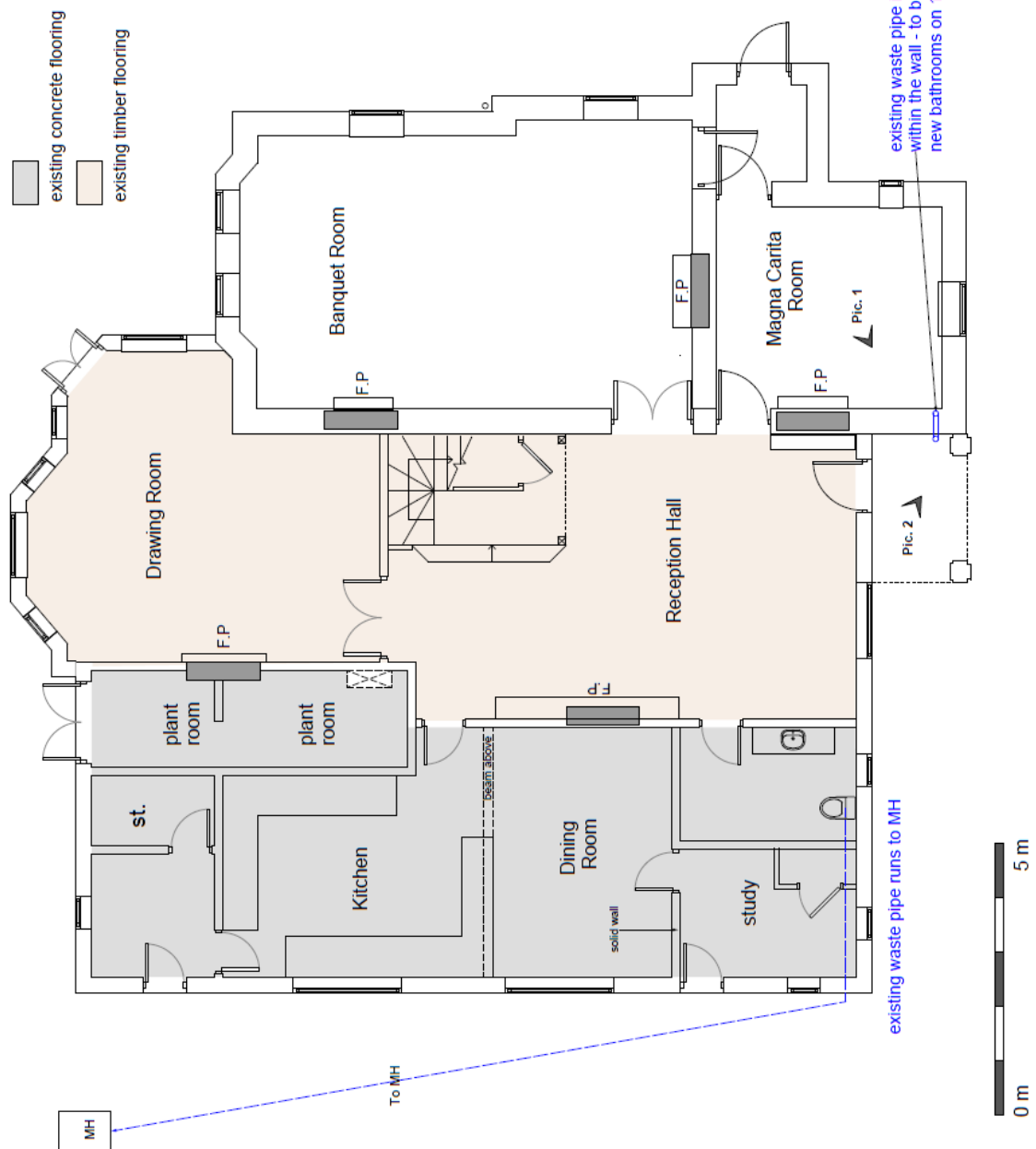
Appendix B— Plan Drawings – Existing Ground Floor Plan



Picture 1



Picture 2



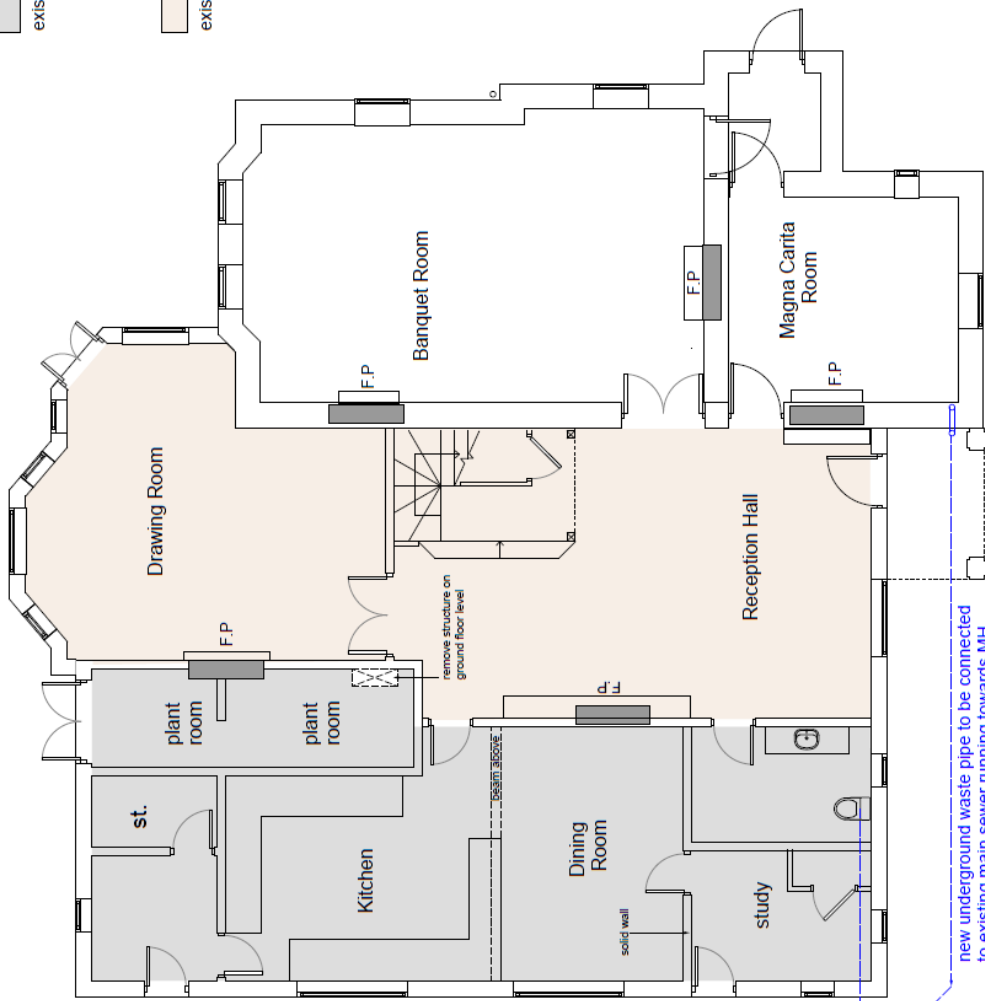
	Project: Magna Carita House 1 Magna Carita Lane Wraybury, TW19 5AF
	Client: Zhongke Overseas Investment Co. Ltd
Drawing Title: EXISTING GROUND FLOOR PLAN	Drawing No.: 438(b)/PL/01
Date: Aug/2017	Scale: 1:50
	A

Proposed Ground Floor Plan

- existing concrete flooring to be retained
- existing timber flooring to be retained



NEW IMAGE DESIGN <small>Architectural & Planning Services</small> <small>100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000</small>	
Project:	Magna Carta House 1, Magna Carta Lane Wraybury, TW15 5AF
Client:	Zhongke Overseas Investment Co. Ltd
Drawing Title:	PROPOSED GROUND FLOOR PLAN
Drawing No.:	438(b)/PL/02
Date:	Aug/2017
Scale:	1:50
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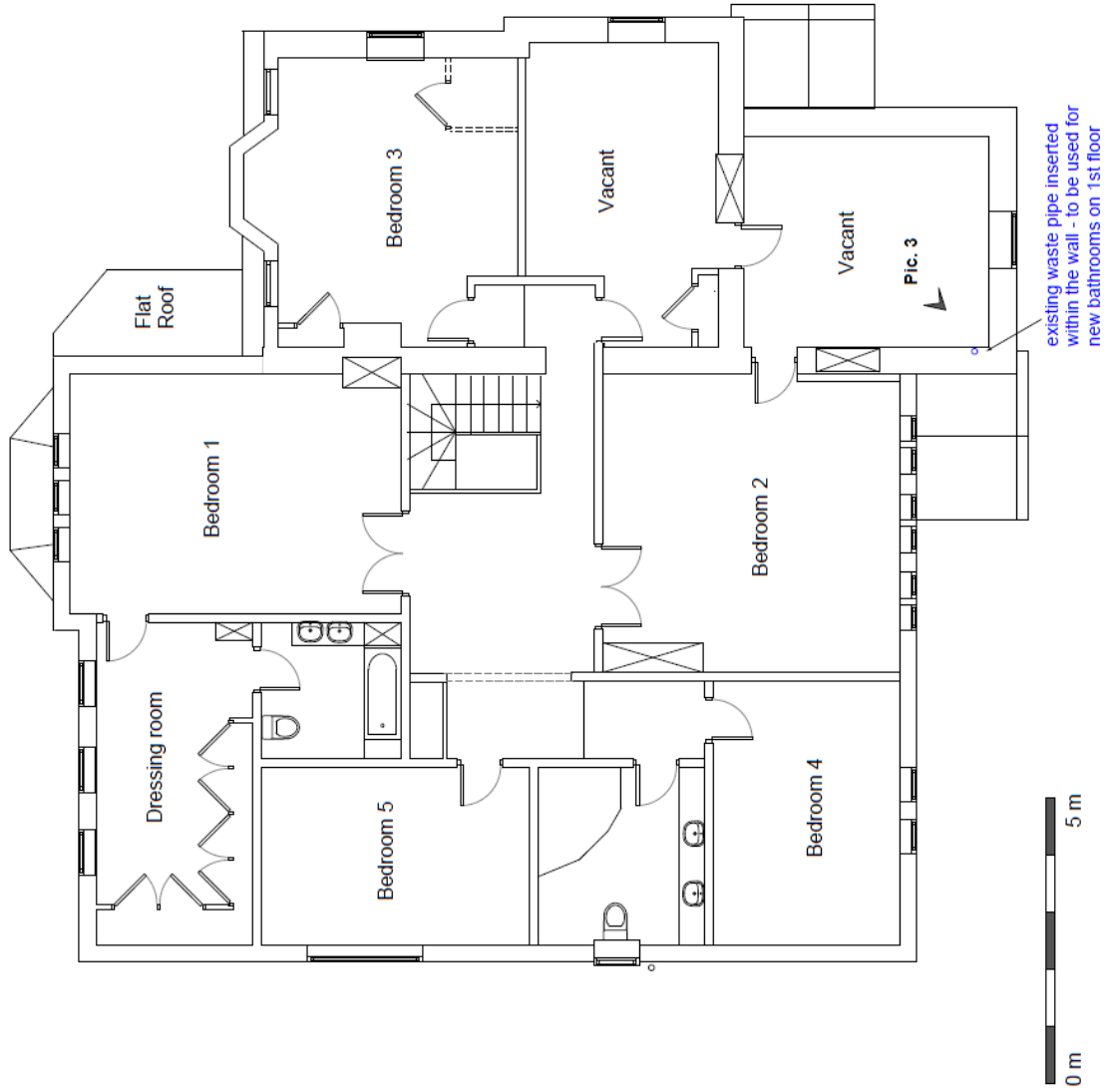
MH

To existing MH


new underground waste pipe to be connected
to existing main sewer running towards MH

Existing First Floor Plan

ALL DIMENSIONS SUBJECT TO MEASUREMENTS ON SITE.
 INTERIOR DESIGNER OR CONTRACTORS TO INFORM OF ANY MAJOR DISCREPANCIES SHOULD THEY APPEAR.

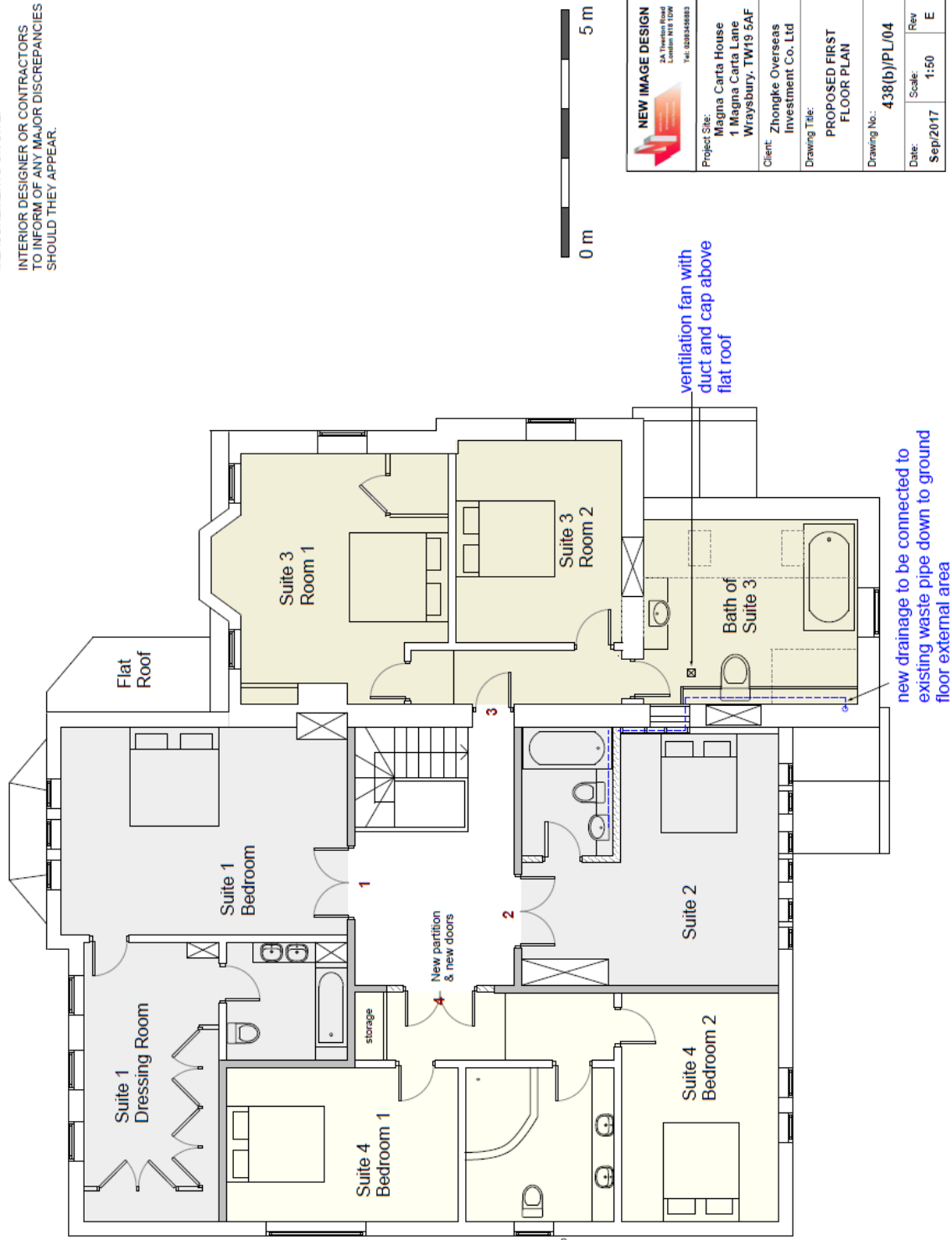


Picture 3

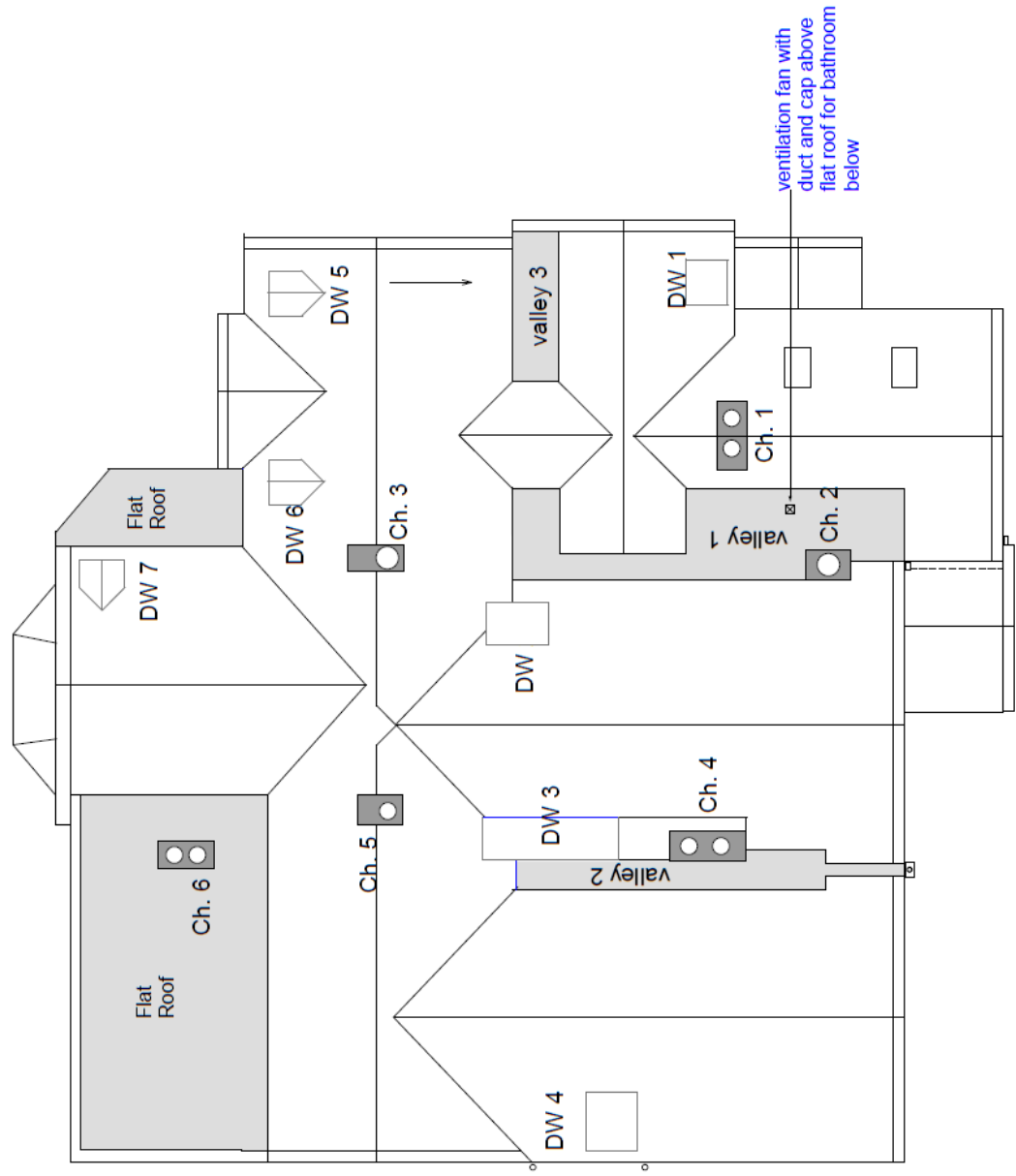
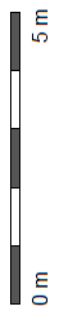
 NEW IMAGE DESIGN 2A Theobald Road London N16 1TW Tel: 0203440883	
Project:	Magna Carta House 1 Magna Carta Lane Wraysbury, TW19 5AF
Client:	Zhongke Overseas Investment Co. Ltd
Drawing Title:	EXISTING 1ST FLOOR PLAN
Drawing No.:	438(b)/PL/03
Date:	Aug/2017
Scale:	1:50

Proposed First Floor Plan

ALL DIMENSIONS SUBJECT TO MEASUREMENTS ON SITE.
 INTERIOR DESIGNER OR CONTRACTORS TO INFORM OF ANY MAJOR DISCREPANCIES SHOULD THEY APPEAR.



Proposed Roof Plan



NEW IMAGE DESIGN <small>2A Tiverton Road Ludlow, Shropshire, SY8 1DW Tel: 01542 468820</small>	
Project Site: Magna Carta House 1 Magna Carta Lane Weybury, TW19 5AF	Client: Zhongke Overseas Investment Co. Ltd
Drawing Title: ROOF PLAN	
Drawing No.: 438(b)/PL/05	
Date: Aug/2017	Scale: 1:50

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

15 November 2017

Item: 3

Application No.:	17/02903/FULL
Location:	Land At Priory Lodge Priory Road Sunningdale Ascot
Proposal:	Construction of a detached five bedroom dwelling and integral garage, with associated access, landscaping and boundary treatment
Applicant:	Mr Scott
Agent:	Mr Jason O'Donnell
Parish/Ward:	Sunningdale Parish/Sunningdale Ward
If you have a question about this report, please contact: Claire Pugh on 01628 685739 or at claire.pugh@rbwm.gov.uk	

1. SUMMARY

- 1.1 The proposal is considered to be in keeping with the pattern of development in this area, and whilst the proposal may not be typical of the general characteristics of 'Villas in a Woodland Setting', in this case the scale and form of development is not considered to be out of keeping with dwellings in the local area, and complies with Policy NP/DG1.2 of the Neighbourhood Plan.
- 1.2 The new dwelling would be visible from neighbouring properties, however, it is not considered that the proposed dwelling would result in unacceptable levels of overlooking, be unduly overbearing or result in a significant loss of light to neighbouring dwellings.
- 1.3 The site is within the 400 metre zone of the Thames Basin Heaths Special Protection Area. Within this zone any development that constitutes a net increase in residential dwellings (class C3) is prohibited within this zone. In this case, it is proposed that two flats on Chobham Road will be converted back into one dwelling as mitigation for this increase in residential unit. As such this will result in no net increase in dwellings within the exclusion zone, and so there should not be an increase in recreational disturbance to the Thames Basin Heaths SPA.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure suitable mitigation for the impact on the Thames Basin Heaths Special Protection Area, with the conditions listed in Section 10 of this report.
2.	To refuse planning permission if an undertaking to secure the mitigation for the impact on the Special Protection Area is not completed by the 22nd December 2017 (unless otherwise agreed by the Head of Planning) for the reason that the development would have an unacceptable impact on the Thames Basin Heaths Special Protection Area.

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Bateson, if the recommendation of the Head of Planning is to approve the application, the residents have asked for this application to go to the Rural Planning Panel as the new application has fail to address the Appeal Planning Inspector's comments on the SPA and other comments he made in his decision.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site comprises an area of land to the rear of Priory Lodge. There is an outbuilding on the site, and the site is partly overgrown. Looking at the planning history for Priory Lodge, this land formed part of the garden to Priory Lodge (situated to the south west of the application site). Trees are situated along the boundaries of the site. Access is gained to the site off a private access road which also serves Ashbury House. The site within the ‘*Villas in a Woodland Setting*’ according to the Townscape Assessment.
- 3.2 The site is situated within 400 metres of the Thames Basin Heaths Special Protection Area.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Reference	Description	Decision
10/02174/OUT (Priory Lodge)	Outline permission with some matters reserved for the construction of a replacement detached house.	Granted on 25/08/11.
11/01758/OUT	Outline application (with appearance, landscaping, layout and scale reserved) for the construction of a replacement detached dwelling with attached garage.	Granted on 25 th August 2011.
12/01342/REM (Priory Lodge)	Reserved Matters application pursuant to outline planning permission 11/01758 for the construction of a replacement detached dwelling with attached garage.	Approved on 10/07/12.
16/00340/FULL (for the application site).	Erection of detached four bedrooms dwelling with attached garage.	Withdrawn on the 11 th May 2016.
16/02810/FULL	Erection of a detached five bedroom dwelling with attached garage.	Refused on the 19 th January 2017, a subsequent appeal was dismissed on 3 rd August 2017.

- 4.1 Planning permission is sought for the erection of a detached dwelling with attached garage on land to the rear of Priory Lodge. This is a resubmission of 16/02810 which was refused earlier this year and dismissed on appeal in August 2017, wherein the Inspector concluded “*whilst I have found the proposal to be acceptable in terms of its effects on the character and appearance of the area and living conditions, this does not outweigh the harm I have found in relation to the SPA*”. The application site would have once formed the garden to Priory Lodge, but this has been separated off with the planting of trees.
- 4.2 The proposed dwelling would be 8.6 metres in height. The dwelling would have a low eaves height on the front elevation. The dwelling would be finished in red facing brickwork and Tudor boarding with render panels.
- 4.3 An access road would be laid down to the front of the site. The scheme retains spacing between the side boundaries and the proposed dwelling, and the rear garden area

would have a depth of over 20 metres. Priory Lodge would retain a garden depth of circa 21 metres.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

Section 17 - Securing a good standard of amenity for all
Sections 61 and 64 - Design
Section 118 - Biodiversity

Royal Borough Local Plan

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

Within settlement area	Highways and Parking
DG1, H11	P4, T5

Ascot, Sunninghill and Sunningdale Neighbourhood Plan policies:

NP/EN3- Gardens
NP/DG1- Respecting townscape
NP/DG2- Density, footprint, separation, scale and bulk
NP/DG3- Good quality design
NP/T1- Parking and access

These policies can be found at

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

https://www3.rbwm.gov.uk/info/200414/local_development_framework/478/ascot_sunninghill_and_sunningdale_neighbourhood_plan

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

Other Local Strategies or Publications

5.3 Other Strategies or publications relevant to the proposal are:

- RBWM Townscape Assessment – view at:
- RBWM Parking Strategy – view at:

More information on these documents can be found at:

https://www3.rbwm.gov.uk/info/200414/local_development_framework/494/supplementary_planning

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Impact on the character and appearance of the area;
- ii Impact on neighbouring residential amenity;
- iii Parking and Highway Safety;
- iv Impact on the Thames Basin Heaths Special Protection Area

Impact on the character and appearance of the area

- 6.2 In looking at the pattern and form of development in the area, it is evident that dwellings along Priory Road do not follow a set building line and that dwellings are set back from this road, such as Ashbury House and Home End. It is not considered the proposed dwelling would appear out of keeping with the pattern of development in this area.
- 6.3 Looking at the form and level of development proposed, it is acknowledged that the building to plot ratio will be higher than surrounding plots, but not significantly for it to be out of keeping with the character of the area. The development would allow for a rear garden area with a depth in excess of 20 metres, which is similar to other garden depths in the area, and gaps ranging between 2 to 5 metres would be retained between the proposed dwelling and site boundaries, which is considered to be adequate spacing.
- 6.4 It is acknowledged that the application site formed part of the garden to Priory Lodge; the approved plans for the replacement dwelling at Priory Lodge (reference 12/01342), show this land as part of a garden area for this dwelling, however, the proposed subdivision of the plot would allow for Priory Lodge to retain a garden in excess of 20 metres in depth, which is considered to be in keeping with the area. It is considered that the scheme would meet the requirements of Policies NP/DG1 policies NP/DG1, NP/DG2 and Policy NP/EN3.
- 6.5 Turning to the appearance of the dwelling, there is a mix of styles of dwellings in the area, and it is considered that the appearance of the dwelling, with the use of front gables and dormer windows has an acceptable impact on the character and appearance of the area.

Impact on neighbouring residential amenity

- 6.6 Measuring from a plan previously approved for Home End (reference 10/00347) and from OS maps, the dwelling known as Home End is 17 metres off the application site boundary (at the closest point). Given the distance (over 17 metres) between Home End and the proposed dwelling, it is not considered that there would be an unacceptable reduction in daylight to any habitable room windows in Home End. In respect of the impact on the garden area of Home End, the proposed dwelling will be visible from the garden area of this dwelling, however, Home End has a large garden area and so it is not considered that the dwelling would be unduly overbearing to this garden area or would result in an unacceptable loss of light.
- 6.7 There are side facing windows in the proposed dwelling which would face the garden area of Home End, however a condition (see condition 10) is recommended to ensure these have a top opening and are obscurely glazed in order to prevent unacceptable overlooking into this garden. The windows in the rear elevation of the proposed

dwelling would provide limited views to the garden of Home End, but because this elevation is angled away, the views provided would not be unacceptable to warrant refusal on this ground.

- 6.8 Turning to the impact on number 114 Chobham Road (Hope Cottage) (to the North-east), the proposed dwelling would face number 114, however, with a distance ranging from 20 to 26 metres between the rear elevation of the proposed dwelling and the boundary with number 114, it is not considered that the dwelling would result in unacceptable levels of overlooking, reduction in daylight or would be unduly overbearing to this garden or the dwelling. The application site is at a higher level than the ground at Hope Cottage, but the changes in ground levels are not considered to be so significant that the dwelling would be elevated above this neighbouring land. A condition is recommended to secure details of existing and proposed ground levels and the finished slab level (see condition 3).
- 6.9 In respect of Ashbury House (to the north-west), the proposed dwelling would be sited over 12 metres from the elevation which faces the application site. This distance is considered suffice for there not to be an unacceptable reduction in daylight to windows in this dwelling. In addition, the area to the front of Ashbury House that the proposed dwelling would impact the most is the driveway area, which is not a private amenity space. The impact on this dwelling is considered to be acceptable.

Parking and Highway Safety

- 6.10 The construction of a 5 bedroom dwelling has the potential to generate between 10 – 20 vehicle movements per day. The proposal would be accessed by the existing private drive, which provides sufficient visibility splays in each direction when exiting the site onto Priory Road. The scheme is considered to have an acceptable impact on highway safety.
- 6.11 The scheme would allow for at least 3 car parking spaces to be provided on site, which meets the Council's parking standards as set out in the Council's Parking Strategy.

Impact on the Thames Basin Heaths Special Protection Area

- 6.12 The site is situated within 400 metres of the Thames Basin Heaths Special Protection Area (SPA). Within this zone any development that constitutes a net increase in residential dwellings (class C3) is prohibited within this zone. In this case, it is proposed that two flats on Chobham Road being converted back into one dwelling as mitigation for this increase in residential unit. It was established under reference 16/00336/CPD that planning permission was not required for this conversion. As such this will result in no net increase in dwellings within the exclusion zone, and so there should not be an increase in recreational disturbance to the Thames Basin Heaths SPA.
- 6.13 Provided that a S106 legal agreement is entered into to secure this mitigation then the impact upon the SPA is considered to be acceptable. A S106 is currently being progressed, but at the time of writing has not been completed, but looks to secure the conversion of the 2 flats to 1 dwelling for the lifetime of this development through the use of appropriate clauses. It is recommended that planning permission is only granted, when the Council is in receipt of the completed s106 which achieves satisfactory mitigation.

Other Material Considerations

Housing Land Supply

- 6.14 It is acknowledged that this scheme would make a contribution to the Borough's housing stock and it is the view of the Local Planning Authority that the socio-economic benefits of the additional dwelling(s) would also weigh in favour of the development, on the basis that adequate mitigation for the SPA can be secured.

Appeal Decision

- 6.15 In August 2017, the Planning Inspector considered the scheme that has been resubmitted for consideration under this application. Application referenced 16/02810 was refused for the following reasons:

1 The development due to the scale of the building and the amount of plot covered would be cramped and represent an overdevelopment of the site and would be visually intrusive. The harm caused is significant and demonstrable. The proposed dwelling would be out of keeping with the character of the area (Villas in a Woodland Setting) contrary to Local Plan policy H11 and with policies NP DG1.1. And 1.2 and NP/DG2.2 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan.

2 The proximity of the proposed building to the site boundaries will result in overlooking, a perception of being overlooked, and a loss of privacy to neighbouring properties and will give a poor standard of amenity to the proposed dwelling and its neighbouring properties. The scheme therefore fails to comply with a core principle of the National Planning Policy Framework which is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

3 The proposal is likely to have a significant effect in combination with other plans and projects in the locality on the Thames Basin Heaths Special Protection Area [SPA] as designated under The Conservation (Natural Habitats, etc) Regulations, and which is also designated as a Site of Special Scientific Interest [SSSI]. This would arise through increased visitor and recreational pressure on Chobham Common, as a constituent part of the SPA, causing disturbance to three species of protected, ground-nesting birds that are present at the site. In the absence of an assessment to show no likely significant effect, including sufficient mitigation measures to overcome any such impact on the SPA, the likely adverse impact on the integrity of this European nature conservation site has not been overcome. The proposal is thus in conflict with the guidance and advice in the National Planning Policy Framework, Policy NRM6 of the South East Plan and the RBWM Thames Basin Heaths Special Protection Area SPD (Part 1).

- 6.16 The Inspector found the scheme to have an acceptable impact on the character and appearance of the area and an acceptable impact upon the amenity of neighbouring residential properties. However the appeal was dismissed as a signed legal agreement to secure the necessary mitigation for the SPA has not been secured at that time. The appeal decision is material consideration of significant weight in the determination of this planning application. As such, provided that a satisfactory legal agreement is in place to secure mitigation for the SPA, then the appeal decision weighs heavily in favour of this scheme being approved.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 7.1 The proposal is CIL liable but would attract an exemption if the applicant claims a self-build exemption. In the absence of a self-build exemption the CIL liability, based upon the chargeable residential floor area (£240/per sq.m) would be circa £99,840.

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

10 occupiers were notified directly of the application.

The planning officer posted a site notice advertising the application at the site on the 19th September 2016 and 10 properties were directly notified.

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

Comment		Where in the report this is considered
1.	The development is backland development, and the dwelling is too large for the plot. The development would be out of keeping with the character of the area.	6.2-6.5
2.	The development would have an unacceptable impact on the Special Protection Area. There is no signed legal agreement to secure mitigation with this application, and this was a reason the Inspector dismissed the previous scheme.	6.12-6.13
3.	The development will result in unacceptable overlooking to Home End, and increased noise pollution.	6.6-6.9
4.	Concerns over construction traffic impact.	See recommended condition
5.	The dwelling will overlook 5 neighbouring properties, and overshadow the garden of Hope Cottage.	6.6-6.9
6.	Concerns over traffic safety	6.10-6.11

Consultees

Consultee	Comment	Where in the report this is considered
Parish Council	The Planning Committee considered this application at its meeting on 24 October 2017, and objects to this application. The previous application for a development on this site (16/02810) was dismissed on appeal (APP/T0355/W/17/3169962).	6.12-6.13

	<p>The Appeal Decision to dismiss focused on the harmful impact to the Thames Basin Heaths Special Protection Area (SPA).</p> <p>This application fails to address the requirement to have a legal obligation in place prior to planning approval - and planning permission should be refused until a signed and dated obligation is produced which is acceptable to the Council to mitigate the impact of this development on the SPA.</p>	
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9. APPENDICES TO THIS REPORT

- Appendix A - Site location plan and site layout
- Appendix B - Elevations
- Appendix C - Floor Plans

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Prior to the construction of the dwelling hereby approved, samples of the materials to be used on the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policy - Local Plan DG1.Neighbourhood Plan Policy NP/DG3

- 3 No development shall take place until a detailed plans showing the existing and proposed ground levels of the site together with the slab and ridge levels of the proposed development, relative to a fixed datum point on adjoining land outside the application site (No 114 Chobham Road), have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.
Reason: In the interest of the visual amenities of the area. Relevant Policy - Local Plan DG1.

- 4 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. This shall also include a photographic highway condition survey of the shared access road. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.

- 6 Prior to the construction of the dwelling hereby approved, full details of both hard and

soft landscape works, shall be 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. Neighbourhood Plan Policy NP/DG3.

- 7 Prior to the first occupation of the dwelling hereby approved, details of the siting and design of all walls, fencing or any other means of enclosure (including any retaining walls) shall be submitted to and approved in writing by the Local Planning Authority. Such walls, fencing or other means of enclosure as may be approved shall be erected before first occupation of the development unless the prior written approval of the Local Planning Authority to any variation has been obtained.

Reason: To ensure the satisfactory resultant appearance and standard of amenity of the site and the surrounding area. Relevant Policy - Local Plan DG1.

- 8 No 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.

- 9 Irrespective of the provisions of Classes A, B and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no enlargement, improvement or any other alteration (including the erection of any ancillary building within the curtilage) of or to any dwelling house the subject of this permission shall be carried out without planning permission having first been obtained from the Local Planning Authority.

Reason: The prominence of the site requires strict control over the form of any additional development which may be proposed. Relevant Policies - Local Plan H11, DG1. Neighbourhood Plan Policies NP/DG1, NP/DG3

- 10 The first floor window(s) in the south-east (side) elevation(s) of the dwelling shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass. No further windows shall be inserted in this elevation at first floor level. No windows shall be inserted in the north-west elevation at first floor level.

Reason: To prevent overlooking and loss of privacy to neighbouring occupiers, in accordance with the requirements of the National Planning Policy Framework.

- 11 Prior to the installation of any external lighting for the proposed development, details (including positioning, type and lux levels) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1

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

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

Appendix A- Site location plan



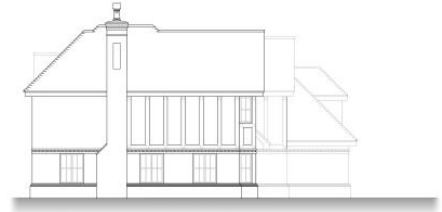
Appendix B- Proposed layout



Appendix C- Proposed elevations and floorplans



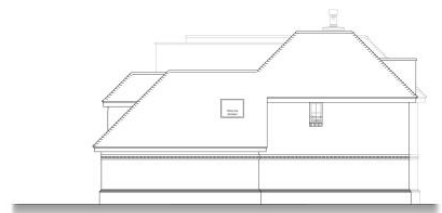
FRONT ELEVATION



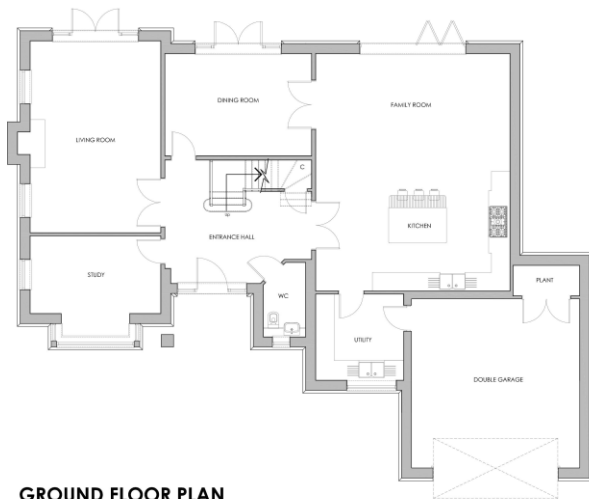
SIDE ELEVATION



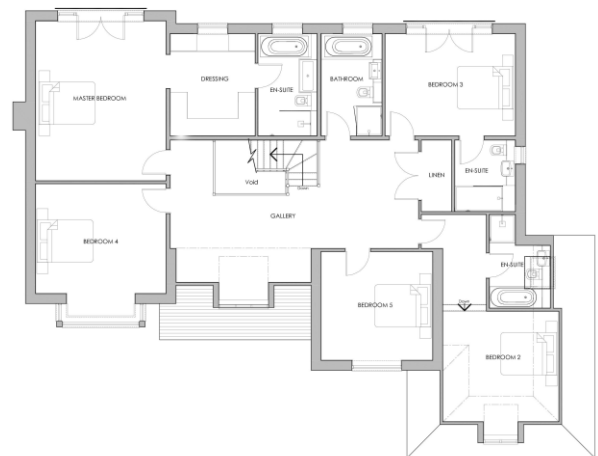
REAR ELEVATION



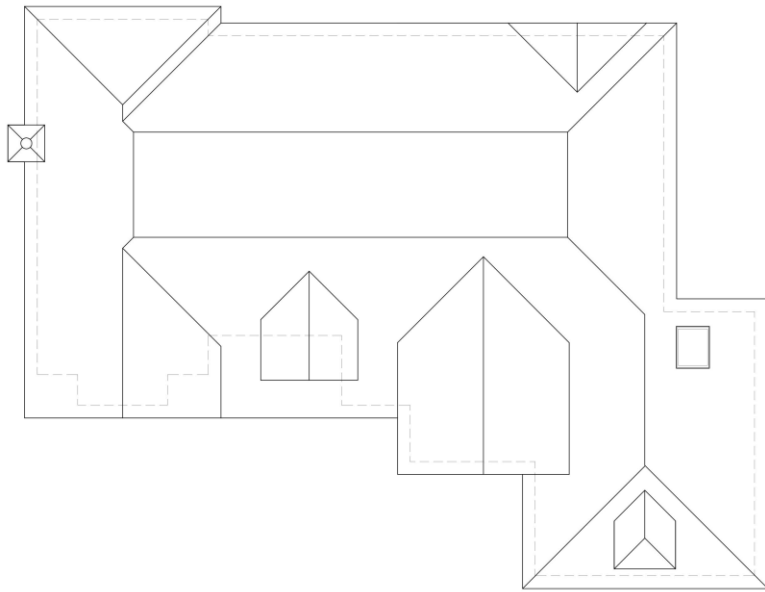
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



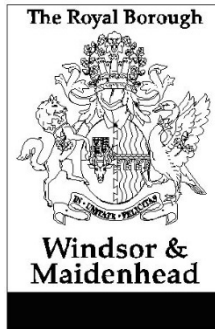
ROOF PLAN

NB: ROOF PLAN DOES NOT SHOW EAVES OVERHANG

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Planning Appeals Received

11 October 2017 - 3 November 2017



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 <https://acp.planninginspectorate.gov.uk/> Should you wish to make comments in connection with an appeal, please use the PIns 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

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

Ward:				
Parish:	Sunningdale Parish			
Appeal Ref.:	17/60098/REF	Planning Ref.:	17/00939/CPD	PIns Ref.: APP/T0355/X/17/31 82211
Date Received:	31 October 2017	Comments Due:	12 December 2017	
Type:	Refusal	Appeal Type:	Written Representation	
Description:	Certificate of Lawfulness to determine whether the proposed erection of outbuilding (leisure building) and provision of related hard standing is lawful.			
Location:	Greenwood The Covert Ascot SL5 9JS			
Appellant:	Mr M Willis c/o Agent: Mr Murray Chrystal Woolf Bond Planning The Mitfords Basingstoke Road Three Mile Cross Reading RG7 1AT United Kingdom			

Appeal Decision Report

11 October 2017 - 3 November 2017

WINDSOR RURAL



Appeal Ref.: 17/60028/REF **Planning Ref.:** 15/02727/FULL **Plns Ref.:** APP/T0355/W/16/3160065

Appellant: Mr Rob Bolton - Altitude (Ascot) Ltd **c/o Agent:** Mr Matthew Stimson Shoosmiths LLP Witan Gate House 500 - 600 Witan Gate West Milton Keynes MK9 1SH

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: Redevelopment of the waste transfer station to provide 12 No. dwellings and associated landscaping and car parking.

Location: **Oakfield Farm Wells Lane Ascot SL5 7DY**

Appeal Decision: Allowed **Decision Date:** 17 October 2017

Main Issue: Proposal amounts of inappropriate development in Green Belt and would be harmful to character of the area. It was considered that the proposal would have a neutral impact on openness. Against the harm there are moderate benefits arising from the cessation of the use, significant benefits relating to remediation of the site, the woodland and ecology and substantial benefits in relation to housing provision. Collectively these represent benefits that would clearly outweigh the totality of the harm identified. Given the findings in regards to the Green Belt the proposal is considered to be sustainable development and in respect of the presumption set out in paragraph 14 of the Framework should not be resisted.

Appeal Ref.: 17/60070/NOND **Planning Ref.:** 17/01065/FULL **Plns Ref.:** APP/T0355/W/17/3177412
Appellant: Heywood Real Estate Ltd **c/o Agent:** Mr Robert Clarke R Clarke Planning Ltd Kewferry Farm Rickmansworth Road Northwood Middlesex HA6 2RF
Decision Type: Delegated **Officer Recommendation:** Would Have Refused
Description: Erection of two detached houses with integral garages and revised access arrangements, following the demolition of the existing house.
Location: **The Chalet Ravensdale Road Ascot SL5 9HJ**
Appeal Decision: Dismissed **Decision Date:** 26 October 2017
Main Issue: The Inspector concluded that the shadowing caused by protected trees would significantly reduce the amenity of the back garden of plot 2 and would prevent light reaching the habitable rooms at the back of the house. This effect on the living environment of the future occupiers of plot 2 would lead to a significant risk of pressure to severely cut-back or fell them. The Inspector considered that the loss of these trees would reduce the wooded setting of the site and its contribution to the sylvan character of the area. The Inspector acknowledged that the proposal would contribute to reducing the Council's housing land supply shortfall and provide a social benefit. It would bring economic benefits from its construction and from the spending in the local economy of the future occupiers. However, as the proposal would provide only 2 houses, these benefits in the economic and social dimensions of sustainable development weigh only modestly in favour of the proposal. The Inspector concluded therefore that they would be significantly and demonstrably outweighed by the adverse impact of the development on the character of the surrounding area.

Appeal Ref.: 17/60080/REF **Planning Ref.:** 16/03202/FULL **Plns Ref.:** APP/T0355/D/17/3175740
Appellant: Mr Stuart Kinner **c/o Agent:** Mr Neil Davis Davis Planning Ltd 19 Woodlands Avenue Winnersh Wokingham Berkshire RG41 3HL
Decision Type: Delegated **Officer Recommendation:** Refuse
Description: Replace existing property border with new wall, pillars, rear fence panels and front railings (retrospective).
Location: **2 Oakdene Sunningdale Ascot SL5 0BU**
Appeal Decision: Dismissed **Decision Date:** 11 October 2017
Main Issue: The Inspector found that the perceived benefits of the scheme to the appellant, without appropriate long-term mitigation, are clearly outweighed by the harm caused to the public realm (impact on street scene).

Appeal Ref.: 17/60082/REF **Planning Ref.:** 16/03443/FULL **Plns Ref.:** APP/T0355/D/17/3178951

Appellant: Mr Christopher Barry **c/o Agent:** Mr Peter Bird Bird Charles Surveyors Ltd Unit 1 Queen Square Ascot Business Park Lyndhurst Road Ascot SL5 9FE

Decision Type: Delegated **Officer Recommendation:** Refuse

Description: Two storey side extension

Location: **22 Murray Court Ascot SL5 9BP**

Appeal Decision: Dismissed **Decision Date:** 19 October 2017

Main Issue: The Inspector concluded that the proposed development would have an unacceptably harmful effect on the character and appearance of the area. It would conflict with Policies DG1 and H14 of the Local Plan and Policies NG/DG2 and NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan 2014. The development would also conflict with the Council's Guidance Note 1 on House Extensions which specifies that a minimum gap of at least one metre should be kept between any wall of a two storey extension and a boundary with an adjoining property to provide a visual separation between properties.

Agenda Item 7

By virtue of paragraph(s) 1, 2, 3, 4, 5, 6, 7, 7a, 7b, 7c of Part 1 of Schedule 12A of the Local Government Act 1972.

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