

Public Document Pack

NOTICE OF MEETING



WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

will meet on

WEDNESDAY, 10TH JANUARY, 2018

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: Friday 29 December 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

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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 - 42
5.	<u>ESSENTIAL MONITORING REPORTS (MONITORING)</u> To consider the Essential Monitoring Reports.	43 - 44
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 should be excluded from the remainder of the meeting whilst discussion takes place on item 7 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Act"	

PRIVATE MEETING - PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
7.	<u>PART II MINUTES</u> To confirm the Part II minutes from the previous meeting. <i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	45 - 46

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they 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 the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) 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 licence 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.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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Public Document Pack Agenda Item 3

WINDSOR RURAL DEVELOPMENT MANAGEMENT PANEL

WEDNESDAY, 13 DECEMBER 2017

PRESENT: Councillors Dr Lilly Evans (Chairman), Christine Bateson, David Hilton, Julian Sharpe, Lynda Yong and Malcolm Beer

Officers: Mary Kilner, Andy Carswell, Chris Sawden and Jenifer Jackson

APOLOGIES FOR ABSENCE

Apologies were received from Cllrs Airey, Lenton and Rayner.

DECLARATIONS OF INTEREST

Cllr Yong – declared a prejudicial interest in item 1 as her daughter lived next door but one to the application site. She stated that she would not take part in the discussions on the item.

Cllr Hilton – declared a personal interest in item 4 as he had made representations on previous appeals at the application site, in his capacity as a member of Sunninghill and Ascot Parish Council.

Cllr Dr Evans – declared a personal interest in items 2 and 3 as she had made representations objecting to an application at the site two and a half years ago, in her capacity as a member of Sunningdale Parish Council. She stated that since then she had not taken part in any discussions on applications relating to the site at Parish Council, and confirmed that she had attended Panel with an open mind.

MINUTES

The minutes of the meeting held on November 15th 2017 were unanimously agreed as an accurate record.

PLANNING APPLICATIONS (DECISION)

NB: Updates are available for items marked with an asterisk.

17/02721* Firgrove Homes Ltd: Construction of x10 apartments including access, car parking and landscaping works following demolition of the existing dwelling at Tay Mount, Lady Margaret Road, Sunningdale, Ascot SL5 9QH – **Members voted UNANIMOUSLY to defer the application to a future meeting in order for a site visit of the application site and two neighbouring properties to be carried out.**

The motion to defer for a site visit was proposed by Cllr Hilton and seconded by Cllr Bateson.

The Panel was addressed by Stewart McNair, objector, Michael Burn, on behalf of Sunningdale Parish Council, and John Scelay, the agent.

17/02928 Mr Bentley: 4 No. houses with associated amenity and parking following demolition of existing dwelling (amendment to 16/02272/FULL) at Littlefield, London Road, Sunningdale, Ascot SL5 0JN – **Members voted UNANIMOUSLY to defer and delegate the Head of Planning to APPROVE the application, subject to the satisfactory completion of a legal agreement to secure SANG and SAMM mitigation by January 5th 2018,**

and subject to the conditions listed in Section 10 of the report being met, in line with the Officer's recommendation.

The motion to approve was proposed by Cllr Hilton and seconded by Cllr Beer.

The Panel was addressed by Michael Burn, on behalf of Sunningdale Parish Council, and Tom Hayhurst, the agent.

17/02928 Mr Bentley: 4 No. houses with associated amenity and parking, and two detached car ports, following demolition of existing dwelling (amendment to 16/02272/FULL) at Littlefield, London Road, Sunningdale, Ascot SL5 0JN – **Members voted UNANIMOUSLY to defer and delegate the Head of Planning to APPROVE the application, subject to the satisfactory completion of a legal agreement to secure SANG and SAMM mitigation by January 5th 2018, and subject to the conditions listed in Section 10 of the report being met, in line with the Officer's recommendation.**

The motion to approve was proposed by Cllr Bateson and seconded by Cllr Yong.

The Panel was addressed by Michael Burn, on behalf of Sunningdale Parish Council, and Tom Hayhurst, the agent.

17/03133* Mr Hamill: Variation of condition 2 (approved plans) (under Section 73) to substitute approved plans with amended plans for the erection of 3 x detached two storey dwellings with access driveways following the demolition of 9 Llanvair Close approved under 16/00117 (allowed on appeal) at 9 Llanvair and Rear of 11 Llanvair Close, Ascot – **Members voted UNANIMOUSLY to defer and delegate the application to Officers to allow discussions with the applicant regarding alterations to the roofscape, with a view to approving the application.**

The motion to defer to Officers was proposed by Cllr Hilton and seconded by Cllr Sharpe.

ESSENTIAL MONITORING REPORTS (MONITORING)

The contents of the reports were noted by Members.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

It was unanimously resolved to approve the motion.

The meeting, which began at 7.00 pm, finished at 8.38 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

Windsor Rural Panel

10th January 2018

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.	17/02010/FULL	Recommendation	PERM	Page No.	
Location:	Cadogan Place Shrubbs Hill Lane Sunningdale Ascot SL5 0LD						
Proposal:	Erection of new substation by Scottish & Southern Electricity Networks (SSEN) with associated proprietary enclosure and new access gates to Shrubbs Hill Lane private road						
Applicant:	Silverdene Properties Ltd	Member Call-in:	Cllr Bateson	Expiry Date:	18 August 2017		

Item No.	2	Application No.	17/02721/FULL	Recommendation	PERM	Page No.	
Location:	Tay Mount Lady Margaret Road Sunningdale Ascot SL5 9QH						
Proposal:	Construction of x10 apartments including access, car parking and landscaping works following demolition of the existing dwelling						
Applicant:	Firgrove Homes Ltd	Member Call-in:	Not applicable	Expiry Date:	30 November 2017		

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

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

10 January 2018

Item: 1

Application No.:	17/02010/FULL
Location:	Cadogan Place Shrubbs Hill Lane Sunningdale Ascot SL5 0LD
Proposal:	Erection of new substation by Scottish & Southern Electricity Networks (SSEN) with associated proprietary enclosure and new access gates to Shrubbs Hill Lane private road
Applicant:	Silverdene Properties Ltd
Agent:	Miss Ivana Radovanovic
Parish/Ward:	Sunningdale Parish/Sunningdale Ward
If you have a question about this report, please contact: Josh McLean on 01628 685693 or at josh.mclean@rbwm.gov.uk	

1. SUMMARY

- 1.1 The application seeks consent for the erection of new substation to serve the residential property at Cadogan Place. The proposal includes the installation of associated proprietary enclosure and new access gates to Shrubbs Hill Lane.
- 1.2 The application site is located within the Green Belt and constitutes an inappropriate form of development in the Green Belt which is considered by its nature to constitute substantial harm. Inappropriate development in the Green Belt can only be considered acceptable if there are 'Very Special Circumstances' which clearly outweigh the harm to the Green Belt and any other harm. The case of VSC put forward by the applicant refers to the amount of development that previously existed with a previous building on the site and works which have been granted under planning permission 14/03448/FULL and could be built. The proposed substation would represent a reduction in development compared to the previous building and potential approved works.
- 1.3 In this instance, considering that there will be a net reduction of development within the Green Belt and Root Protection Areas of the neighbouring protected trees, the harm to the Green Belt and openness is not considered to be significant. The proposed siting and scale of the substation and associated fencing and gates is considered to be minor in scale and would not have an adverse visual impact on the character and appearance of the site and surrounding area.
- 1.4 There are a number of protected trees immediately adjacent to the site and in close proximity. Following further information being submitted in terms the construction of the substation and gates, the impact on the trees is considered to be mitigated through the details provided and a number of conditions recommended by the Trees Officer in relation to tree protection.
- 1.5 Within this application, it is only possible to assess and consider the erection of substation, fencing and gates. A number of comments have been received through the letters of objection relating to the siting and construction of trenches for the associated cabling. However, this work can be carried out by the Statutory Undertaker under Permitted Development Regulations and so the Council has no control over this element.

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

2. REASON FOR PANEL DETERMINATION

- At the request of Councillor Bateson that if the recommendation is for approval. The proposal involves the siting of cabling which will be sited in close proximity to TPO trees and will have a damaging impact on these trees.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located in the south-western corner of the large curtilage belonging to Cadogan Place. The site is located within a rural residential area and lies within the Green Belt. There are residential properties which lie to the south-west and west of the site.
- 3.2 There are extensive mature hedges and trees along the boundaries of the site.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 There is an extensive planning history on the site relating to the construction of replacement dwelling house and associated conditions, amendments and variations.

Ref.	Description	Decision and Date
17/02498/FULL	Landscaping works, ornamental pond with pergola and timber tea house.	Pending consideration
16/03792/VAR	Completion of replacement dwelling house and outbuildings together with extensions and alterations to main dwelling house, subterranean link between basement of main dwelling and pavilion building, and additional subterranean accommodation for vehicle garaging and butlers quarters. Erection of new gatehouse. Demolition of existing outdoor swimming pool, two external staircases and retaining wall around tennis court, as approved under planning permission 14/03448 and subsequently amended by 15/02014/NMA to add approved plans as a condition, to vary the approved plans.	Approved 10.04.2017
16/02722/NMA	Non material amendment to planning permission 14/03448 to amend balustrades, chimneys, staircase, fence, windows, doors, roof lights and internal changes. Addition of plant room, car lift, stepped water feature and space for future swimming pool.	Refused 13.09.2016
16/00763/VAR	Completion of previously replacement dwelling house and outbuildings (12/01491/FULL), together with extensions and	Approved 29.04.2016

	alterations to main dwelling house, subterranean link between basement of main dwelling and pavilion building, and additional subterranean accommodation for vehicle garaging and butlers quarters. Erection of new gatehouse. Demolition of existing outdoor swimming pool, two external staircases and retaining wall around tennis court as approved under planning permission 14/03448 without complying with condition 15 (approved plans) to replace approved plans under planning permission 15/02014/NMA	
16/00733/NMA	Non-material amendment to planning permission 14/03448/FULL for changes to balustrades, windows, doors, rooflights and demolition of pergola	01.04.2016
15/02663/CONDIT	Details required by condition 4 (construction plan), condition 5 (arboricultural method), condition 6 (SUDS), condition 7 (materials), condition 8 (ageing population), condition 9 (hard and soft landscaping), and condition 10 (sustainable homes) of planning permission 14/03448/FULL - Completion of previously replacement dwelling house and outbuildings (12/01491/FULL), together with extensions and alterations to main dwelling house, subterranean link between basement of main dwelling and pavilion building, and additional subterranean accommodation for vehicle garaging and butlers quarters. Erection of new gatehouse. Demolition of existing outdoor swimming pool, two external staircases and retaining wall around tennis court.	Part Refusal/Part Approval 15.01.2016
15/02333/CONDIT	Details required by condition 2 (Biodiversity), condition 3 (Landscape Management Plan) of planning permission 14/03448 - Completion of previously replacement dwelling house and outbuildings (12/01491/FULL), together with extensions and alterations to main dwelling house, subterranean link between basement of main	Approved 05.11.2015

	dwelling and pavilion building, and additional subterranean accommodation for vehicle garaging and butlers quarters. Erection of new gatehouse. Demolition of existing outdoor swimming pool, two external staircases and retaining wall around tennis court.	
15/02014/NMA	Non material amendment to planning permission 14/03448 to add a condition to include a list of approved plans	Approved 21.08.2015
14/03448/FULL	Completion of previously replacement dwelling house and outbuildings (12/01491/FULL), together with extensions and alterations to main dwelling house, subterranean link between basement of main dwelling and pavilion building, and additional subterranean accommodation for vehicle garaging and butlers quarters. Erection of new gatehouse. Demolition of existing outdoor swimming pool, two external staircases and retaining wall around tennis court.	Approved 25.03.2015
13/01417/NMA	Non material amendment to planning permission 12/01491/FULL to allow the relocation of the outdoor swimming pool	Approved 20.06.2013
12/01491/FULL	Demolition of existing dwelling and all outbuildings and the erection of a replacement dwelling with associated access and parking arrangements. Erection of a gate house, pavilion lodge and means of enclosure with outdoor swimming pool and tennis court	Approved 09.07.2012
10/00786/FULL	Construction of a detached dwelling with integral garage and pavilion, following demolition of existing buildings and alterations to accesses.	Approved 15.06.2010

- 4.2 The application seeks consent for the erection of substation, associated proprietary enclosure and new access gates to Shrubbs Hill.
- 4.3 The substation would measure 2.8m x 2.8m with a height of approximately 2m and would sit upon a concrete base of 4m x 4m and 600mm in depth. A clear area of 3m x 4m is proposed in front of the substation and would be finished in stone chippings. The substation would be enclosed by timber fencing and new shrubs to screen the area.
- 4.4 The proposed gates will be 3m wide and 2m high, with a flat top rail with spiked heads and a middle horizontal rail. They would be similar in appearance to the gates of the adjacent Gable Manor.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections

Core Planning Principles

Chapter 7 – Requiring good design

Chapter 9 – Protecting Green Belt Land

Chapter 11 – Conserving and enhancing the natural environment

Royal Borough Local Plan

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

Green Belt	Within settlement area	Protected Trees	Noise
GB1, GB2	DG1	N6	NAP3

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Appropriate Development in Green Belt and acceptable impact on Green Belt	SP1, SP5
Design in keeping with character and appearance of area	SP3
Impact on trees, woodlands and hedgerows	NR2
Impact on residential amenity	EP1

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. Following this process the Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness;
- ii Impact on the character and appearance of the area;
- iii Impact on neighbouring amenity;
- iv Impact on trees; and
- v Planning balance.

Whether the development constitutes an appropriate form of development in the Green Belt and impact on openness

- 6.2 The fundamental aim of the Green Belt policy, as set out in paragraph 79 of the NPPF, is to keep land permanently open. Paragraph 89 of the NPPF indicates the construction of new buildings is inappropriate, except in a number of circumstances. These include:
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
 - The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
 - Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on openness of the Green Belt and the purpose of including land within it than existing development.
- 6.3 It is noted that there was a previous building on the application site which has been recently demolished. Although the whole footprint of the substation would be sited upon part of the previous footprint and could be considered a replacement, it is not in the same use. Therefore, it is considered that the substation and associated works do not fall within one of the above exceptions and as such is considered inappropriate development in the Green Belt. The application could only be approved, if there are 'Very Special Circumstances' (VSC) that clearly outweighs the harm to the Green Belt caused by inappropriateness and any other harm. The applicant has made a case for VSC and this is considered at the end of the report under the 'Planning Balance' after considerations of all the other issues.

Impact on the character and appearance of the area

- 6.4 Policy DG1 of the Local Plan requires that new developments should promote high quality standards of design, be compatible with the established street scene and use appropriate materials.
- 6.5 It is considered that the substation in terms of its individual assessment would be relatively minor in scale and would not have a detrimental impact on the character and appearance of the site or surrounding area. It is set back from Shrubbs Hill Lane, a private road, and will be enclosed and screened by new gates, fencing and shrub planting. In terms of the proposed gates, they will be similar in scale and appearance to those of the neighbouring property at Gable Manor. Overall, these are not considered to have an adverse impact on the either the character or appearance of the site or surrounding area.

Impact on neighbouring amenity

- 6.6 The proposal would be located adjacent to Gable Manor, the nearest residential property. The Council's Environmental Protection service has reviewed the proposal and has raised no objections subject to condition 5 relating to noise control. As such, the proposal is not considered to adversely affect the residential amenity of neighbouring properties.

Impact on trees

- 6.7 The trees sited along the boundaries of the site are protected under Tree Preservation Orders (TPO). It is acknowledged that the previous building on site would have a level of harm upon the Root Protection Area (RPA) of the adjacent trees. While the building has now been demolished, the foundations remain in place. The location of the substation has now been relocated so that its footprint lies entirely within the previous footprint and there will be no further disruption to the RPA. Due to the presence of the foundations, the excavation of 600mm to facilitate the substation is not considered to cause substantial harm to the trees and is considered acceptable by the Council's Tree Officer. The applicant has provided further details and a method statement for the construction of the gates and is considered to be acceptable by the Tree Officer. Conditions 3 (tree projection) and 4 (site storage) have been attached in order to ensure that there is no adverse impact to the protected trees during construction.

- 6.8 It is noted that within the objections received, there are a number of concerns relating to the routing of power cabling and their construction, particularly relating to the impact on the TPO trees. However, it should be noted that this element of work can be carried out by the statutory undertakers under permitted development rights and as such the Council has no control over this element of works. The assessment and consideration of this application relates only to the erection of substation, fencing and gates.

Other considerations

- 6.9 To respond to a number of comments received within the objection letters and Parish Council comments. Shrubbs Hill Lane is a private road, therefore the maintenance and repair is the responsibility of the residents. Any damage caused by construction works would need to be raised with the contractor/ applicant of the site. The Council has no control over this private road and therefore a condition which requires that it is kept in good condition as requested by the Parish Council would not meet the tests set out in the National Planning Policy Framework. As the trenching works would be carried out under permitted development regulations, the Council has no control relating to this element of works or the disruption caused.

Planning Balance and the Case of Very Special Circumstance (VSC)

- 6.10 As stated in the NPPF and in the Local Plan, planning permission can only be granted for inappropriate development if there is a case of Very Special Circumstances that clearly overcomes the harm to the Green Belt and any other harm. It has been concluded that the development constitutes an inappropriate form of development which is harmful by definition and substantial weight needs to be given to this harm.

- 6.11 The VSC case put forward by the applicant is as follows:

i. *The previous chauffeur's lodge represented 64sqm of building with a height of 4.5m within the Green Belt and RPA;*

ii. *As part of approved planning permission 14/03448/FULL, an area of bonded gravel path measuring 136sq.m was granted and could be constructed in this area;*

iii. *The proposed substation would measure 16sq.m with a height of approximately 2m.*

iv. *This would therefore represent a reduction of construction/ development within the Green Belt and RPA and is considered to have less of an impact on the Green Belt compared to what previously existed on the site and what has previously been granted planning permission.*

- 6.12 In this instance, taking into account of the above and small nature of the proposal, it is considered that the impact on the openness is considered to be limited and not significant. It is considered that the benefits of a reduced development across both the Green Belt and RPA of the TPOS trees is considered to hold sufficient weight to outweigh the harm through the inappropriateness of the development. The previous extant consent is a material consideration in this balance.

Conclusion

- 6.13 A case for 'VSC' has been made by the applicant and is considered to provide more beneficial weight than the substantial harm caused by the inappropriateness of development. The proposal is considered acceptable in regard to impact on character and appearance of the area, neighbouring amenities, and impact on trees and subject to the mitigation required by conditions.

7. CONSULTATIONS CARRIED OUT

Comments from interested parties

1 occupier was notified directly of the application and the planning officer posted a notice advertising the application at the site on 6 July 2017.

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

Comment		Where in the report this is considered
1.	Impact of trenching on TPO trees.	Para 6.8
2.	No objections in principle but have concerns of the supply of electricity to the substation. No details of supply have been provided.	Para 6.8
3.	Proposed trenching along Shrubbs Hill Lane will disrupt residents.	Para 6.8

Statutory consultees

Consultee	Comment	Where in the report this is considered
Environmental Protection	Recommend that, should planning permission be granted, a condition relating to noise control should be attached to the consent notice.	Para 6.6
Trees Officer	The information provided is acceptable in terms of the position and design of the substation. Recommend conditions relating to tree protection and site storage.	Para 6.7

Other consultees

Consultee	Comment	Where in the report this is considered
Sunningdale Parish Council	<p>The Council has no objection to the size and location of the proposed sub-station, however wishes the planning officer to address the following points in their determination:</p> <ul style="list-style-type: none">- The concerns of the residents of the private road in relation to noise and disruption.- The concerns of the residents in relation to ensuring the private road is maintained in a good condition post any work carried out and would recommend that this was placed as a condition on the approval.- The gates of the substation were inward opening rather as shown, outwardly opening, which would limit the impact on the residents along this narrow road.	Para 6.8 / 6.9

8. APPENDICES TO THIS REPORT

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

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this

permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 3 No works or development shall take place until an Arboricultural Method Statement and Tree Protection Plan specific to this scheme, has been submitted and approved in writing by the Local Planning Authority. The Tree Protection Plan and Arboricultural Method Statement shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations. Nothing shall be stored or placed in any area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details until completion of the development.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.

- 4 Prior to the commencement of development details of the areas to be used for on site materials storage, construction workers parking, and for ancillary temporary building(s) including any phasing of use such areas, shall be submitted to and approved in writing by the Local Planning Authority and the works shall be undertaken in accordance with the approved details.

Reason: To ensure that retained landscaping on the site is not damaged or destroyed during construction. Relevant Policies - Local Plan DG1, N6.

- 5 The rating level of the noise emitted from plant and equipment shall not exceed the existing background level (to be measured over the period of operation of the proposed plant and equipment and over a minimum reference time interval of 1 hour in the daytime and 15 minutes at night). The noise levels shall be determined 1m from the nearest noise-sensitive premises. The measurement and assessment shall be made in accordance with BS 4142: 2014.

Reason: To protect the residential amenities of the area. Relevant Policy Local Plan NAP3.

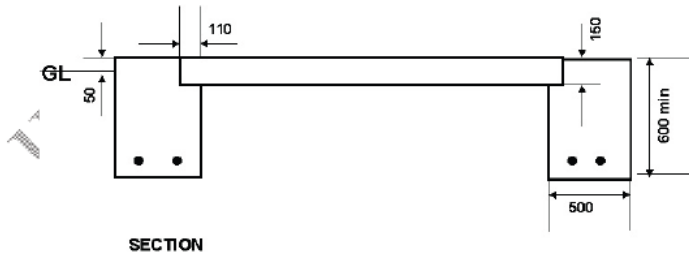
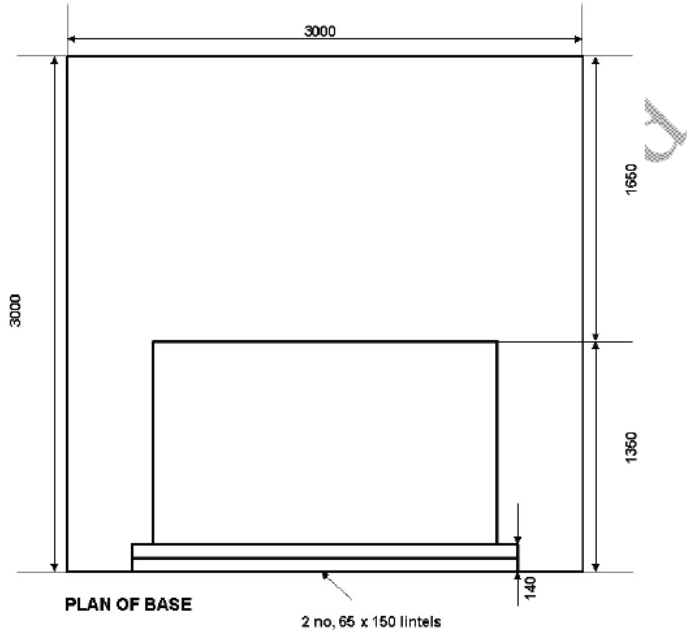
- 6 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

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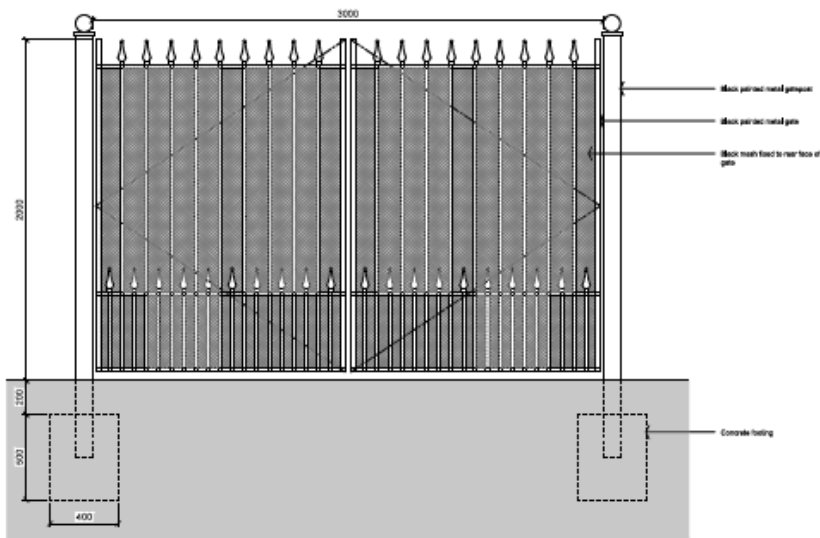
APPENDIX A – SITE LOCATION PLAN AND SITE LAYOUT







Existing gates to Gable Manor, to be matched



Proposed gate elevation drawing 1220 2056_MTC

WINDSOR RURAL DEVELOPMENT CONTROL PANEL

10 January 2018

Item: 2

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

1. SUMMARY

- 1.1 This application was deferred by the Panel at last month's meeting in order for members to carry out a panel site visit. The report as previously presented is as detailed below apart from paragraph 6.25 which has been updated to include the previous panel update report.
- 1.1 The application site is located within the built-up area of Sunningdale wherein the principle of development is acceptable. Overall, it is considered that the proposal would maintain the key characteristics of the 'Leafy Residential Suburb' zone in which it would be located, and is sufficiently similar to surrounding development so as not to harm the character of the area to a significant or demonstrable extent.
- 1.2 No harm would be caused to the living conditions of any neighbours and the Highway Authority and the Tree Officer have not raised any objections to the proposal (subject to planning conditions).
- 1.3 The proposal would make a contribution to the Royal Borough's housing stock and the socio-economic benefits of the additional dwellings weighs in favour of the development.

It is recommended the Panel authorises the Head of Planning:	
1.	To grant planning permission on the satisfactory completion of an undertaking to secure the financial contribution referred to in paragraph 6.29 of this report and with the conditions listed in Section 10 of this report.
2.	To refuse planning permission if an undertaking to secure the contribution referred to in paragraph 6.29 of this report has not been satisfactorily completed by 26th January 2018 for the reason that the proposed development would not be accompanied by associated infrastructure improvements.

2. REASON FOR PANEL DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Panel.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located on the south-west side of Lady Margaret Road, towards its junction with Charters Road in Sunningdale. The site is approximately 0.24 hectares and currently occupied by a single detached, two-storey house that is set back from the edge of the highway by approximately 14 metres. Mature trees line the front of the plot adjacent to the road and along the rear boundaries. The level of the land gently slopes down from the south-east to north-west (front to rear), by approximately 1m. A detached house lies to each side of the application site, with apartment buildings opposite.

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

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

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

4.3

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

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

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

Royal Borough Local Plan

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

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

These policies can be found at

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

Borough Local Plan: Submission Version

Issue	Local Plan Policy
Design in keeping with character and appearance of area	SP2, SP3
Makes suitable provision for infrastructure	IF1

The NPPF confirms decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation ran from 30 June to 27 September 2017. The Council will prepare a report which summarises the issues raised in the representations and sets out its response to them. This report, together with all the representations received during the representation period, the plan and its supporting documents will then be submitted to the Secretary of State for examination by the Planning Inspectorate. In

this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

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

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

5.3 Relevant policies to the consideration of the application are:

Housing	Design	Trees
NP/H2	NP/ DG1, NP DG2, NP/DG3	NP/EN2

Relevant Local Strategies or Publications

5.4 Other Strategies or publications relevant to the proposal are:

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

More information on these documents can be found at:

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

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

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

The principle of development

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

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

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

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

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

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

The impact on the living conditions of occupiers of neighbouring properties

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

Parking provision and highway safety issues

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

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

The impact on trees

- 6.25 In the applicant's Arboricultural Impact Assessment (AIA), a number of structurally poor trees are proposed to be removed along the frontage and two trees, one close to the front elevation and one close to the rear elevation of the property, are also shown for removal. One of these, T17, is a good quality Norway maple. The 'Site plan', dwg no. 1701.PL01 A is contradictory as it states the frontage trees will be retained. This plan has now been updated by Site Plan 1701.PL.01 Revision C and correctly corresponds with the Arboricultural Impact Assessment. 5 of the 7 Norway Maples along the frontage are shown to be retained.
- 6.26 The interactive surface water soakaway will need to be moved to outside the root protection area (RPA) of the trees in the rear garden. It will therefore need to be moved slightly further to the north-east.
- 6.27 There will be a need to plant new trees in the grounds of the property, with significant planting in the front, to mitigate for the tree loss. Species should reflect the natural character of the area, so using Scots pine (*Pinus sylvestris*), Silver birch (*Betula pendula*) and Holly (*Ilex aquifolium*) as the main component planting is recommended.
- 6.28 No objections are raised subject to conditions in respect of tree protection, tree retention/replacement and a landscaping scheme, together with an alteration to the drainage details, (as secured by conditions 11 to 13 inclusive in section 10 of this report).

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

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

Other material considerations

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

Housing Land Supply

- 6.31 Paragraphs 7 and 14 of the National Planning Policy Framework (NPPF) set out that there will be a presumption in favour of Sustainable Development. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites.
- 6.32 This scheme would make a contribution to the Borough's housing stock and the socio-economic benefits of the additional dwellings weighs in favour of the development.

7. COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

8. CONSULTATIONS CARRIED OUT

Comments from interested parties

27 occupiers were notified directly of the application.

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

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

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

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

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

Statutory consultees

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

Other consultees

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

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

9. APPENDICES TO THIS REPORT

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

10. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 No development shall take place until samples of the materials to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies : Local Plan DG1, Neighbourhood Plan NP/DG3.
- 3 No development shall commence until details of all finished slab levels in relation to ground level (against OD Newlyn) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
Reason: In the interest of the visual amenities of the area. Relevant Policy Local Plan DG1, Neighbourhood Plan NP/DG3.
- 4 The first and second floor windows in the south-west and north-east side elevations of the development shall be of a permanently fixed, non-opening design, with the exception of an opening toplight that is a minimum of 1.7m above the finished internal floor level, and fitted with obscure glass (minimal level 3).
Reason: To prevent overlooking and loss of privacy to neighbouring occupiers. Relevant Policies - Local Plan DG1, Neighbourhood Plan NP/ DG3.
- 5 Prior to the commencement of any works of demolition or construction a management plan showing how demolition and construction traffic, (including cranes), materials storage, facilities for operatives and vehicle parking and manoeuvring will be accommodated during the works period shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and the free flow of traffic. Relevant Policies - Local Plan T5.
- 6 No part of the development shall be occupied until vehicle parking and turning space has been provided, surfaced and marked out in accordance with the approved drawing. The space approved shall be kept available for parking and turning in association with the development.
Reason: To ensure that the development is provided with adequate parking facilities in order to reduce the likelihood of roadside parking which could be detrimental to the free flow of traffic and to highway safety, and to facilitate vehicles entering and leaving the highway in forward gear. Relevant Policies - Local Plan P4, DG1.

- 7 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided. The areas within these splays shall be kept free of all obstructions to visibility above a height of 0.6 metres from the surface of the carriageway.
Reason: In the interests of highway safety. Relevant Policies - Local Plan T5.
- 8 No part of the development shall be occupied until the refuse bin storage area and recycling facilities have been provided in accordance with the approved drawing. These facilities shall be kept available for use in association with the development at all times.
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan T5, DG1.
- 9 Any gates provided shall open away from the highway and be set back a distance of at least 5 metres from the highway boundary or at least 7 meters from the nearside edge of the carriageway of the adjoining highway.
Reason: To ensure that vehicles can be driven off the highway before the gates are opened, in the interests of highway safety. Relevant Policies - Local Plan T5
- 10 The gradient of private drives shall not exceed 1 in 12.
Reason: To ensure that adequate access to parking spaces and garages is provided. Relevant Policies - Local Plan T5, P4.
- 11 Prior to any equipment, machinery or materials being brought onto the site, details of the measures to protect, during construction, the trees shown to be retained on the approved plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to any equipment, machinery or materials being brought onto the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. These measures shall include fencing in accordance with British Standard 5837. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan DG1, N6.
- 12 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or without the prior written approval of the Local Planning Authority, until ten years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species unless the Local Planning Authority give its prior written consent to any variation.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, N6.
- 13 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 14 No construction shall commence until a surface water drainage scheme for the development, based on sustainable drainage principles has been submitted to and approved in writing by the

Local Planning Authority. Details shall include: Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details; Supporting calculations based on infiltration rates determined by infiltration testing carried out in accordance with BRE365 confirming compliance with the Non-Statutory Standards for Sustainable Drainage Systems; and Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented. The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

Reason: To ensure compliance with National Planning Practice Guidance and the Non-Statutory Standards for Sustainable Drainage Systems, and to ensure the proposed development is safe from flooding and does not increase flood risk elsewhere.

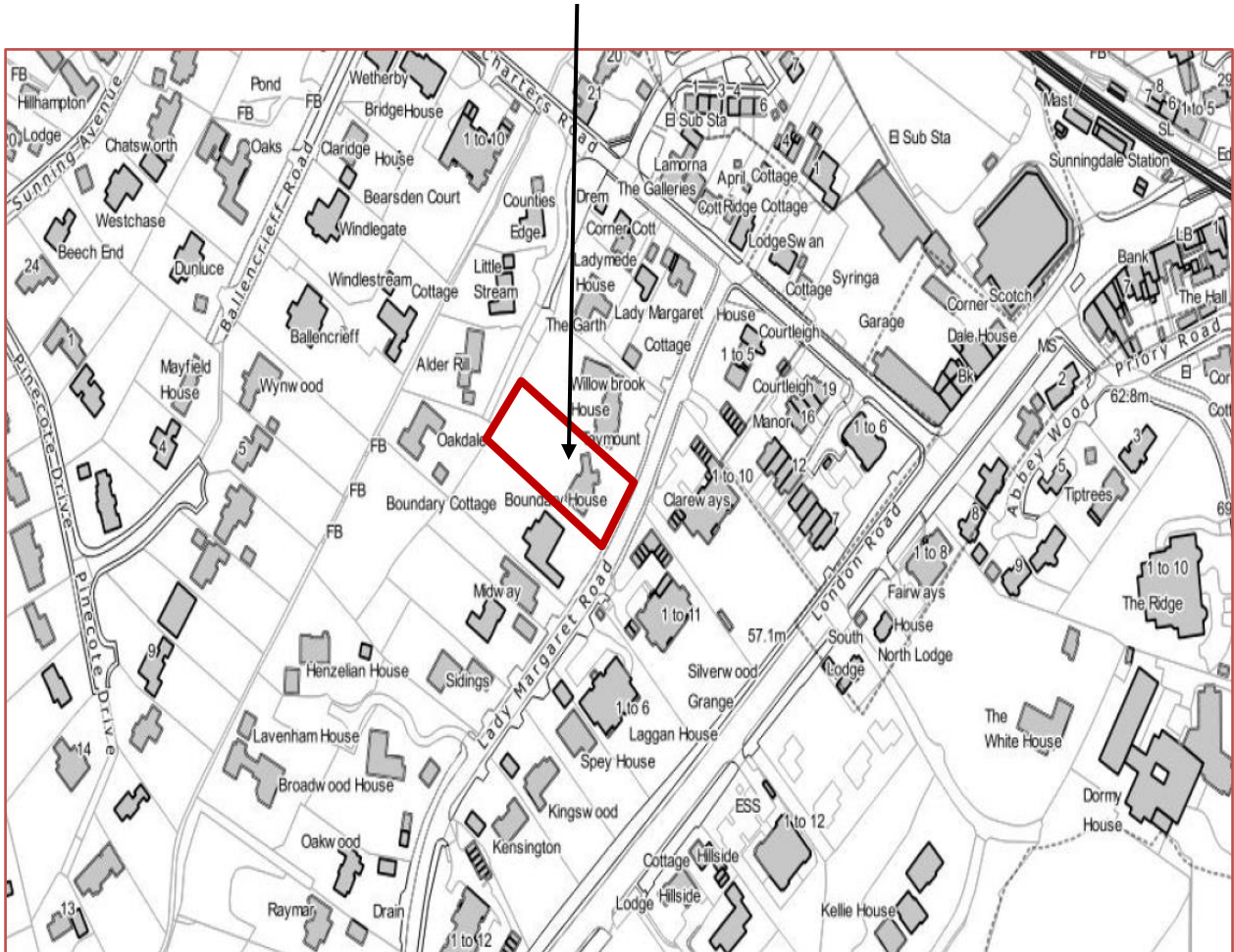
- 15 The development hereby permitted shall be carried out in accordance with the approved plans listed below.

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

Informatives

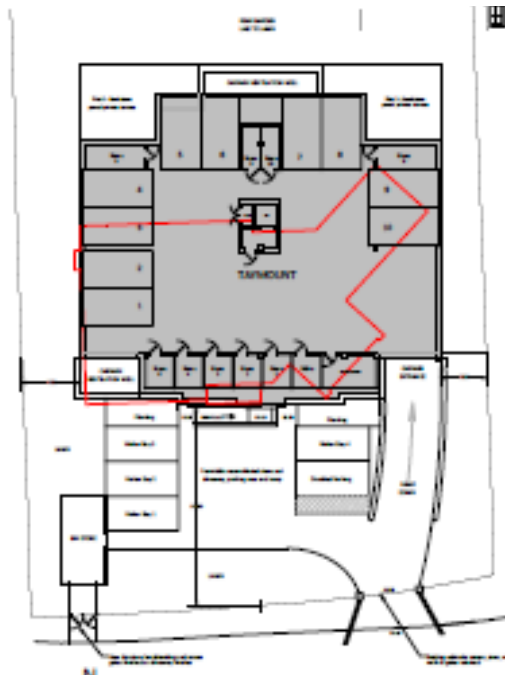
- 1 The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 should be contacted for the approval of the access construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 4 weeks notice to obtain details of underground services on the applicant's behalf.
- 2 The attention of the applicant is drawn to the Berkshire Act 1986, Part II, Clause 9, which enables the Highway Authority to recover the costs of repairing damage to the footway or grass verge arising during building operations.
- 3 The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which enables the Highway Authority to recover expenses due to extraordinary traffic.
- 4 Any incidental works affecting the adjoining highway shall be approved by, and a licence obtained from the The Streetcare Services Manager at Tinkers Lane Depot Tinkers Lane Windsor SL4 4LR tel: 01628 796801 at least 4 weeks before any development is due to commence.

Location of Application Site

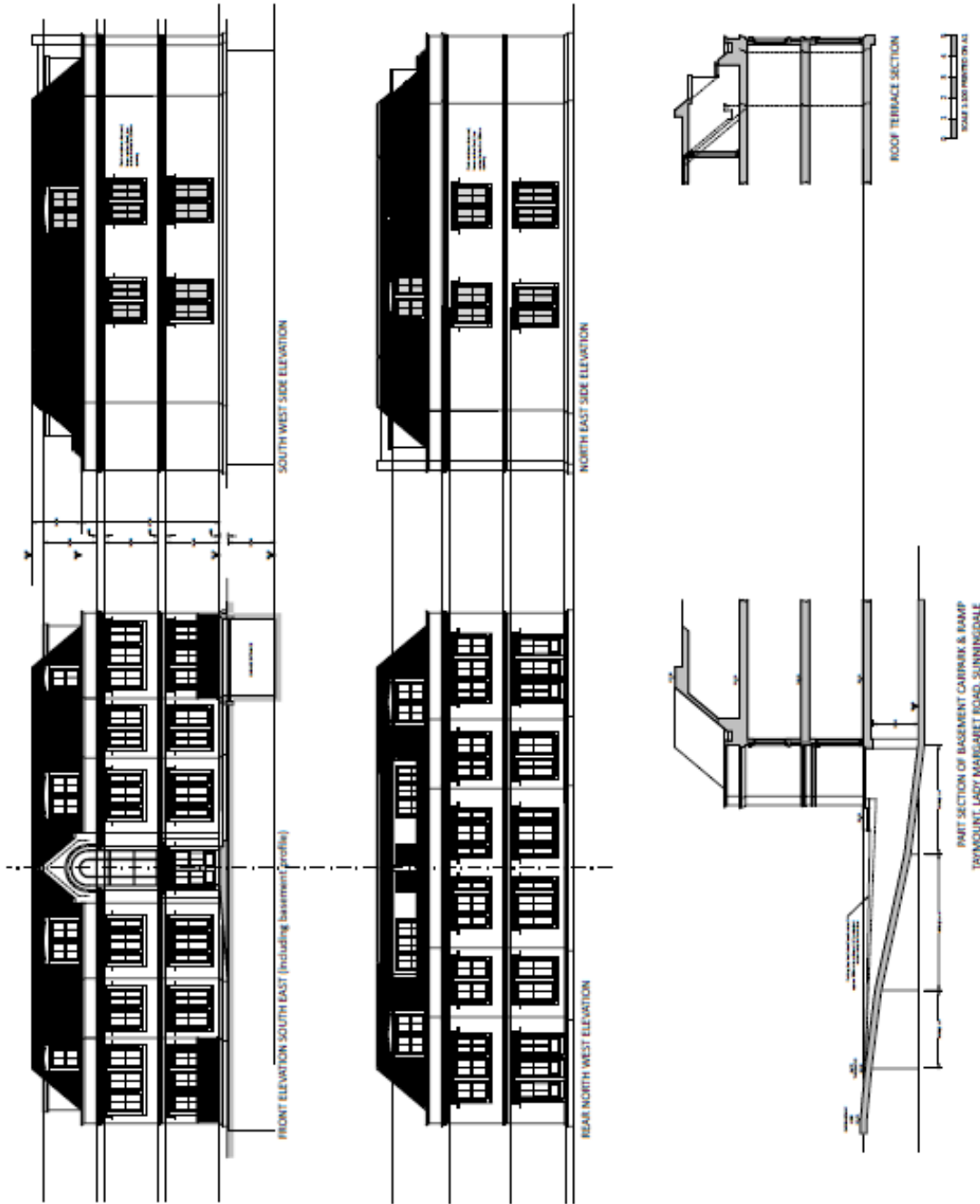




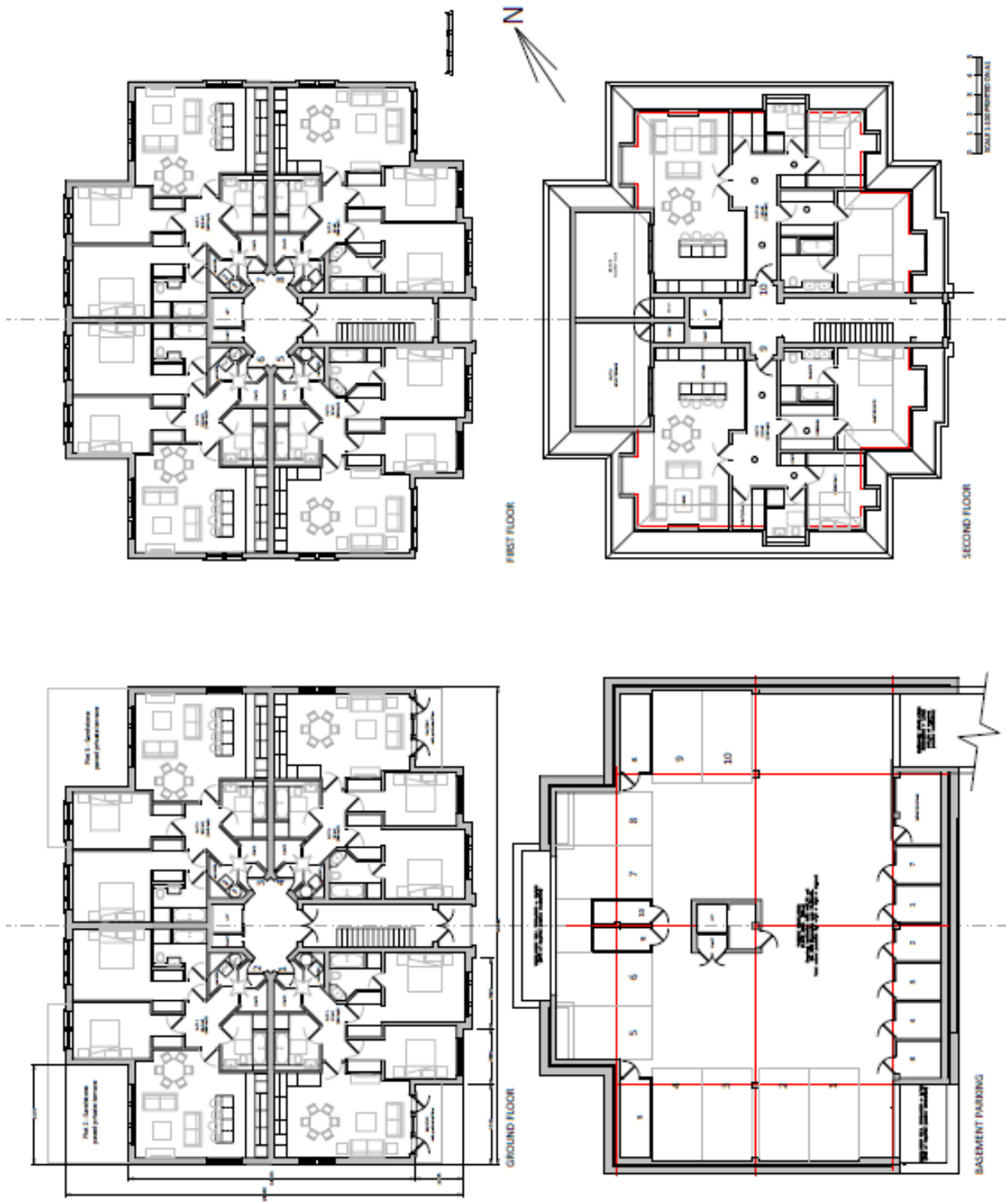
Proposed Site Plan



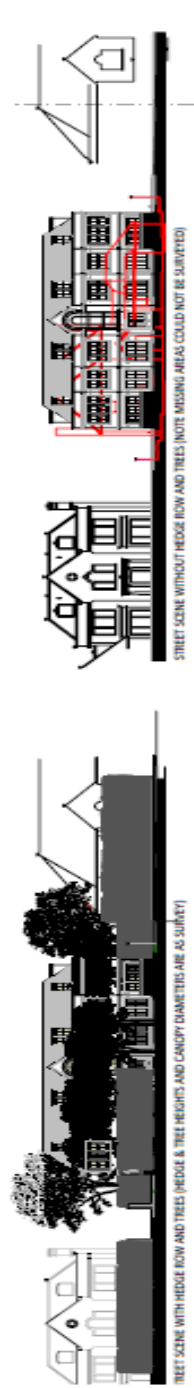
Front and Basement Layout



Proposed Elevations



Proposed Floor Plans



Proposed Street Scene

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Appeal Decision Report

2 December 2017 - 28 December 2017

WINDSOR RURAL

Appeal Ref.: 17/60105/REF **Planning Ref.:** 17/02137/FULL **Plns Ref.:** APP/T0355/D/17/3188432

Appellant: Mr & Mrs Van Der Zijl **c/o Agent:** Mr Damian Hill Basepoint Business Centre 377-399 London Road Camberley Surrey GU15 3HL

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

Description: Replacement roof to facilitate loft conversion with a rear facing dormer window

Location: **6 Sidbury Close Ascot SL5 0PD**

Appeal Decision: Allowed **Decision Date:** 20 December 2017

Main Issue: The Inspector found that the proposed development would not cause significant harm to the living conditions of the occupiers of the neighbouring dwelling. The proposal would accord with Local Plan Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan, and with the Ascot, Sunninghill and Sunningdale Neighbourhood Plan Policy DG3.

Appeal Ref.: 17/60106/REF **Planning Ref.:** 17/00765/FULL **Plns Ref.:** APP/T0355/D/17/3188477

Appellant: Mr Mark Glover **c/o Agent:** Mr Andrew Badosz D _ M Planning Ltd 1A High Street Godalming Surrey GU7 1AZ

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

Description: Erection of part two storey, part single storey side and rear extension.

Location: **Milford Cottage 180A Chobham Road Sunningdale Ascot SL5 0JA**

Appeal Decision: Dismissed **Decision Date:** 22 December 2017

Main Issue: Due to its irregular design, multiple roof forms, gable ends, the proposed development would form a contrived, fussy and complicated addition to the property, which contrasts and is harmful to the simple design of the original building, contrary to Local Plan Policy DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan or with policies NP/DG2.2 and NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan. These state that extensions should not have any adverse effect upon the character or appearance of the original property or neighbouring properties, and that the design of new buildings should be good, compatible, and respect established building lines, plot widths and separation distances between buildings and side boundaries and be of similar proportions with buildings in the surrounding area and of neighbouring properties.

Appeal Ref.: 17/60109/REF **Planning Ref.:** 17/00021/FULL **Plns Ref.:** APP/T0355/D/17/3183383

Appellant: Mr James Wood c/o **Agent:** Mr Nadeem Kayani 2 Sunnyside Cottages Colham Green Road Hillingdon UB8 3QP

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

Description: Two storey rear extension following demolition of existing conservatory and store

Location: **27 Park Drive Ascot SL5 0BB**

Appeal Decision: Allowed **Decision Date:** 20 December 2017

Main Issue: The Inspector was satisfied that the proposed development would not be visually dominating or significantly overbearing, or would cause any significant harm to outlook to the occupiers of number 29. The Inspector found no conflict with Local Plan Policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan.

Appeal Ref.: 17/60111/REF **Planning Ref.:** 17/01914/FULL **Plns Ref.:** APP/T0355/D/17/3182805

Appellant: Mr Jonny Hayhurst 85 Upper Village Road Ascot SL5 7AJ

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

Description: Erection of part two storey/part single storey rear and side extensions following demolition of exiting rear ground floor extension, garage and outbuilding. Conversion of roof space including alterations to the roof. Dropped kerbs to facilitate new vehicular access to accommodate off-street parking

Location: **85 Upper Village Road Ascot SL5 7AJ**

Appeal Decision: Dismissed **Decision Date:** 20 December 2017

Main Issue: The Inspector considered the proposed development would conflict with policies DG1 and H14 of the Royal Borough of Windsor and Maidenhead Local Plan, and with policy NP/DG3 of the Ascot, Sunninghill and Sunningdale Neighbourhood Plan. The Inspector considered the proposed extensions would dominate the existing dwelling and would result in the additions appearing out of character with the design of the host dwelling. The scale, form and design of the extensions would result in harm to the character of the surrounding area.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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